

2. A motion to approve the City Council minutes from the October 15, 2013 Regular Meeting was approved.

This is an administrative action to approve the October 15, 2013 Regular Meeting Minutes.

**2. CITY MANAGER (presenter: Bill Cahill)
APPOINTMENT OF A MEMBER TO THE SENIOR ADVISORY BOARD**

A motion to appoint Julie Demaree to the Senior Advisory Board for a partial term effective until December 31, 2015 was approved.

This is an administrative action recommending the appointment of a member to the Senior Advisory Board.

**3. DEVELOPMENT SERVICES (presenter: Troy Bliss)
KING OF GLORY ANNEXATION**

1. A motion to approve and order published on second reading Ordinance #5819 Approving the Annexation of Certain Territory to the City of Loveland, Colorado, to be Known and Designated as "King of Glory Addition" to the City of Loveland was approved.

A legislative action to adopt an ordinance on second reading annexing approximately 4.28 acres to be known as the King of Glory Addition.

2. A motion to approve and order published on second reading Ordinance #5820 Amending Section 18.04.040 of the Loveland Municipal Code, the Same Relating to Zoning Regulations for "King of Glory Addition" to the City of Loveland was approved.

A quasi-judicial action to adopt an ordinance on second reading zoning the King of Glory Addition R1 – Developing Low Density Residential.

The ordinances were adopted unanimously on first reading by City Council on October 15, 2013.

**4. DEVELOPMENT SERVICES (presenter: Troy Bliss)
ST. JOHN ADDITION VACATION OF PUBLIC RIGHT-OF-WAY**

A motion to approve and order published on second reading Ordinance #5821 Vacating a Portion of a Public Right-of-Way Located in the St. John Addition to the City of Loveland, City of Loveland, Larimer County, Colorado was approved.

This is a legislative action to adopt an ordinance on second reading vacating the public right-of-way for a portion of Truman Avenue located within the St. John Addition and Hill Top Addition. The applicants for the request are the St. John Church and the Thompson School District. The ordinance was adopted unanimously on first reading by City Council on October 15, 2013.

**5. DEVELOPMENT SERVICES (presenter: Brian Burson)
AMENDMENTS TO THE ZONING REGULATIONS FOR BIG THOMPSON FARMS ADDITION**

A motion to make the findings in Section VII of the Planning Commission Staff Report Dated September 9, 2013, and Based on those Findings, Adopt and Order Published on Second Reading Ordinance #5822 Amending Section 18.04.040 of the Loveland Municipal Code, the Same Relating to Zoning Regulations for Certain Property Located in the Big Thompson Farms Addition, City of Loveland, Larimer County, Colorado was approved.

This is a quasi-judicial action by the City Council. This ordinance on second reading will rezone the easterly portion of Tract A of the Big Thompson Farms Addition, consisting of

15.26 acres, from R1, Developing Low-Density Residential District to DR, Developing Resources District. The property is located between North Wilson Avenue and North Namaqua Avenue, and between West First Street and the Big Thompson River corridor. On October 15, 2013, City Council unanimously approved a resolution amending the Comprehensive Plan Land Use Map (from a land use classification of Low Density Residential to Development Reserve) and unanimously adopted the rezoning ordinance on first reading.

6. **DEVELOPMENT SERVICES** (presenter: Bethany Clark)
HISTORIC LANDMARK AMENDMENT FOR LOVELAND FEED & GRAIN BUILDING
A motion to approve and order published on second reading Ordinance #5823 Amending Ordinance #4971 Designating as a Historic Landmark the Loveland Feed & Grain Building Located at 130 West 3rd Street in Loveland, Colorado was approved.

This is a legislative action to adopt an ordinance on second reading amending Ordinance #4971, which in 2005, designated as a Historic Landmark the Loveland Feed & Grain building located at 130 West 3rd Street. The proposed ordinance modifies the legal description of the historic designation, to eliminate from that legal description property west of the Loveland Feed and Grain building, on which Artspace LP proposes to construct a new multifamily affordable housing project. On October 15, 2013, City Council unanimously approved the ordinance on first reading.

7. **ECONOMIC DEVELOPMENT** (presenter: Mike Scholl)
HOUSE OF NEIGHBORLY SERVICE GRANT & FEE WAIVER AGREEMENT AND SUPPLEMENTAL APPROPRIATION FOR THE COMMUNITY LIFE CENTER
A motion to approve and order published on second reading Ordinance #5824 Enacting a Supplemental Budget and Appropriation to the 2013 City of Loveland Budget to Provide Incentives to House of Neighborly Service for the Community Life Center was approved.

This is an administrative action on second reading to approve a supplemental appropriation ordinance of \$500,000 from the Council Reserve Fund. The agreement provides a total package valued at \$780,516.14 that includes reimbursements for public improvements, a matching grant, and fee waivers. On October 15, 2013, City Council unanimously approved the first reading of the ordinance and Resolution #R-88-2015 authorizing the City Manager to sign a Grant and Fee Waiver Agreement with the House of Neighborly Service (HNS) for the construction of the "*Community Life Center*" at 1511 East 11th Street.

ADJOURNED AS CITY COUNCIL AND CONVENED AS THE BOARD OF DIRECTORS FOR THE LOVELAND GENERAL IMPROVEMENT DISTRICT #1

8. **PUBLIC WORKS** (presenter: Keith Reester)
SUPPLEMENTAL APPROPRIATION TO THE GID #1 FOR DOWNTOWN PARKING IMPROVEMENTS
A motion to approve and order published on second reading Ordinance #5825 Enacting a Supplemental Budget and Appropriation to the 2013 Loveland General Improvement District #1 for Downtown Parking Improvements was approved.

This is an administrative action. The ordinance on second reading appropriates an additional \$20,000 from reserves for the construction of the new parking lot on Railroad Avenue. This action brings the total project budget to \$90,000. The appropriation is from reserves reducing the flexibility to fund other projects. This ordinance was approved on

first reading unanimously by City Council at the October 15, 2013 regular meeting.

**ADJOURNED AS THE BOARD OF DIRECTORS FOR THE LOVELAND GENERAL
IMPROVEMENT DISTRICT #1 AND RECONVENED AS CITY COUNCIL**

9. **CITY CLERK** (presenter: Terry Andrews)
VENDORS CODE AMENDMENT
A motion to approve and order published on first reading an Ordinance Amending the Loveland Municipal Code at Chapter 12.30 Concerning Licensing of Vendors in Public Rights-of-Way and Certain Other Public Places was approved.
This is a legislative action. City Council directed Staff to draft an ordinance for consideration that would allow mobile vendors to be permitted to vend in the City of Loveland. This ordinance on first reading allows Staff to license mobile vendors in the City and defines the parameters under which the use may be permitted. Licensees will be subject to all other Restrictions in Chapter 12.30 for mobile vendors.
10. **DEVELOPMENT SERVICES** (presenter: Troy Bliss)
PARK LANE ADDITION AMENDMENT TO ORDINANCE #1587
A motion to approve and order published on first reading an Ordinance Amending Ordinance 1587 to Modify a Condition Set Forth Therein Pertaining to the Annexation and Zoning of the Park Lane Addition to the City of Loveland, Larimer County, Colorado was approved.
This is a legislative action to adopt an ordinance on first reading modifying a condition on the Annexation Ordinance #1587 of the Park Lane Addition. The applicant for the request is Tribus Anstalt (property owner).
11. **FIRE RESCUE** (presenter: Randy Mirowski)
INTERGOVERNMENTAL MUTUAL AID AGREEMENT WITH LARAMIE COUNTY FIRE
A motion to adopt Resolution #R-91-2013 Approving an Intergovernmental Mutual Aid Agreement Between the Loveland Fire Rescue Authority and the Laramie County Fire District #2 was approved.
This is an administrative action to consider a resolution approving an intergovernmental mutual aid agreement between the Loveland Fire Rescue Authority (LFRA) and the Laramie County Fire District #2. The agreement was approved by the LFRA Board on October 10, 2013.
12. **FINANCE** (presenter: John Hartman)
LFRA SUPPLEMENTAL APPROPRIATION FOR 2013 LARIMER COUNTY FLOOD EXPENDITURES
A motion to adopt Resolution #R-92-2013 Approving the Loveland Fire Rescue Authority's 2013 Supplemental Budget and Appropriation for 2013 Larimer County Flood Expenditures was approved.
This is an administrative action. The resolution provides for Council approval of supplemental changes to the Loveland Fire Rescue Authority 2013 Budget to appropriate funding related to the 2013 Flood response. The Council approval of the budget is required for the Authority's budget to be in effect. The resolution provides approval of the budget changes for additional expenses related to the 2013 Flood response. Implementation requires an additional contribution from the City of \$121,270 to be appropriated from reserves, reducing the flexibility for other projects. The City's contribution was approved in Ordinance #5818, approved by City Council on October 15, 2013.

13. **FINANCE** (presenter: Brent Worthington)
UTILITY RELIEF PROGRAM RELATED TO 2013 FLOOD
A motion to adopt Resolution #R-93-2013 Approving the City of Loveland Utility Relief Program to Assist City of Loveland Utility Customers Impacted by the 2013 Flood was approved.
This is an administrative action. This resolution provides for the forgiveness of certain City of Loveland utility bills for utility customers who were affected by the Flood of 2013. If the resolution is approved there will be a relatively small decrease in revenues.
14. **FINANCE** (presenter: John Hartman)
SUPPLEMENTAL APPROPRIATION FOR 2013 BUDGET WRAP-UP
A motion to approve and order published on first reading an Ordinance Enacting a Supplemental Budget and Appropriation to the 2013 City of Loveland Budget was approved.
This is an administrative action. Each year in November, staff brings a “wrap-up” ordinance to address any remaining issues and insure there are sufficient appropriations to meet projected expenditures. The ordinance is necessary to resolve several year-end issues and finalize the 2013 budget. Several of the issues are new and the remainder we have been following throughout the year and have waited until now to provide the best forecast for the cost to the end of the year. Revenues and fund balance of \$4,152,540 across several funds is appropriated. The appropriations are primarily funded by reserves reducing the flexibility to fund other projects. Grant and donation revenue is included to offset some of the costs.
15. **ECONOMIC DEVELOPMENT** (presenter: Betsey Hale)
EMERGENCY ORDINANCE FOR AMENDING ORDINANCE #5817 TEMPORARILY WAIVING BUILDING PERMIT FEES
A motion to approve and order published on first and only reading Emergency Ordinance #5826 of the Loveland City Council Amending Ordinance #5817 Temporarily Waiving Building Permit Fees and Use Tax With Respect to Building Permits for the Renovation or Repair of Structures Located Within Loveland City Limits that Were Damaged by the 2013 Flood was approved.
This is a legislative action considering an Emergency Ordinance to amend Ordinance #5817 waiving the building permit fees and construction materials use taxes for residential and nonresidential structures which are located within Loveland city limits and were damaged by the Flood. Ordinance #5187 was unanimously approved by Council on October 15, 2013, with the coversheet stating building permit applications must be made and accepted as complete by the City’s Building Division during the program period. The amendment changes the ordinance language to clarify that the building permit applications must be submitted and deemed complete between October 15 and December 13, 2013. The building permit can be issued at any time thereafter and the applicant can still take advantage of the fee waiver. Approval of this emergency ordinance on first and only reading would require an affirmative vote of 2/3 of the entire City Council (6 votes).
16. **ECONOMIC DEVELOPMENT** (presenter: Betsey Hale)
EMERGENCY ORDINANCE FOR BUSINESS FLOOD RELIEF AND LOVELAND DISASTER RECOVERY FUND AGREEMENT
1. A motion to approve an order published on first and only reading Emergency Ordinance #5827 enacting a Supplemental Budget and Appropriation to the 2013

City of Loveland Budget for a Business Flood Relief Program to Aid Recovery from the 2013 Flood was approved.

This is an administrative action. The ordinance provides funding for a Business Flood Relief Program to be conducted by the Loveland Chamber of Commerce. Approval of this emergency ordinance on first and only reading would require an affirmative vote of 2/3 of the entire City Council (6 votes).

2. A motion to adopt Resolution #R-94-2013 Approving an Agreement with the Loveland Chamber of Commerce for the Purpose of Operating the Loveland Disaster Recovery Fund was approved.

The resolution approves an agreement with the Loveland Chamber of Commerce to oversee and administer the business grant program. The program would be funded by fund balance in the Council Capital Reserve in the amount of \$200,000 and would reduce the flexibility to fund other programs.

17. **DEVELOPMENT SERVICES** (presenter: Karl Barton)
TOWN OF JOHNSTOWN IGA REGARDING THE OVERLAP AREA
A motion to approve Resolution #R-95-2013 of the Loveland City Council Adopting the Intergovernmental Agreement Between the City of Loveland and Town of Johnstown was approved.

This is an administrative action to adopt a resolution approving the Intergovernmental Agreement (IGA) between the City of Loveland and the Town of Johnstown. The agreement defines the Overlap Area and establishes a cooperative process to be used by the two municipalities when processing annexation applications from property owners located in the Overlap Area. The Overlap Area would remain within the Growth Management Areas of both communities.

18. **CITY ATTORNEY** (presenter: John Duval)
FIFTH AMENDMENT FOR CENTERRA MFA
A motion to adopt Resolution #R-96-2013 of the Loveland City Council Approving the Fifth Amendment to the Centerra Master Financing and Intergovernmental Agreement for the Addition of Two Regional Improvements was approved.

This is an administrative action. It is a resolution to approve a Fifth Amendment to the Centerra Master Financing and Intergovernmental Agreement to add two new "Regional Improvements" to the five Regional Improvements currently identified in the Centerra MFA.

ADJOURNED AS CITY COUNCIL AND CONVENED AS THE BOARD OF COMMISSIONERS FOR THE LOVELAND URBAN RENEWAL AUTHORITY (LURA)

19. **CITY ATTORNEY** (presenter: John Duval)
FIFTH AMENDMENT FOR CENTERRA MFA
A motion to adopt Resolution #R-97-2013 of the Loveland Urban Renewal Authority Approving the Fifth Amendment to the Centerra Master Financing and Intergovernmental Agreement for the Addition of Two Regional Improvements was approved.

This is an administrative action. It is a resolution to approve a Fifth Amendment to the Centerra Master Financing and Intergovernmental Agreement to add two new "Regional Improvements" to the five Regional Improvements currently identified in the Centerra MFA.

ADJOURNED AS THE BOARD OF COMMISSIONERS FOR THE LOVELAND URBAN

RENEWAL AUTHORITY AND RECONVENED AS CITY COUNCIL

END OF CONSENT AGENDA

CITY CLERK READS TITLES OF ORDINANCES ON THE CONSENT AGENDA

CITY COUNCIL

- a. **Citizens' Report** *Anyone who wishes to speak to an item NOT on the Agenda may address the Council at this time.*
- b. **Business from Council** *This is an opportunity for Council Members to report on recent activities or introduce new business for discussion at this time or on a future City Council agenda.*

Councilors:

Farley: Attended Stepping Stones for the McKee Foundation; Attended the dedication for the Transformers; Attended "Destination Downtown" featuring Ed McMahon at the Rialto.

Shaffer: Announced the Colorado Department of Transportation (CDOT) has released their plan for lightrail system; Announced North I-25 Coalition Meeting will be at the Rocky Mountain Center for Innovation and Technology (RMCIT) on Wednesday, November 6, 2013 from 3-5 p.m; Announced that a resident of Ward 3 contacted her regarding roosters in the neighborhood.

Trenary: Attended "Destination Downtown"; Announced Economic Development Tour on November 7, 2013 "Openbox"; Announced the Loveland Youth Gardeners on Saturday, November 8, 2013 at 342 3rd Street; Announced Monday, November 11, 2013 as Veteran's Day.

Mayor Announced Saturday Evening, November 9, 2013, is Meals on Wheels event fundraiser.

c. **City Manager Report** None.

d. **City Attorney Report** None.

PROCEDURAL INFORMATION

Anyone who wishes to address the Council on any item on this part of the agenda may do so when the Mayor calls for public comment. All public hearings are conducted in accordance with Council Policy. When Council is considering adoption of an ordinance on first reading, Loveland's Charter only requires that a majority of the Council quorum present vote in favor of the ordinance for it to be adopted on first reading. However, when an ordinance is being considered on second or final reading, at least five of the nine members of Council must vote in favor of the ordinance for it to become law.

REGULAR AGENDA

CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA

20. HUMAN RESOURCES (presenter: Julia Holland) COMPENSATION FOR THE CITY MANAGER AND CITY ATTORNEY

Human Resources Director, Julia Holland introduced this item to Council. These are administrative actions regarding compensation of the City Attorney and the City Manager. As a result of the Executive Session and completion of evaluations of the City Manager and City Attorney, City Council may consider a merit increase and approve resolutions regarding compensation for the City Manager and City Attorney.

Councilor Shaffer moved to approve Resolution #R-98-2013 of the Loveland City Council Regarding the Compensation of the City Manager with a 2% increase for 2014. Councilor Farley seconded the motion which carried with all councilors voting in favor thereof.

Councilor Shaffer moved to approve Resolution #R-99-2013 of the Loveland City Council Regarding the Compensation of the City Attorney with a 2% increase for 2014. Councilor Farley seconded the motion which carried with all councilors voting in favor thereof.

21. **WATER & POWER** (presenter: Larry Howard)
HOME SUPPLY/WTP DIVERSION STRUCTURE REPAIR AGREEMENT

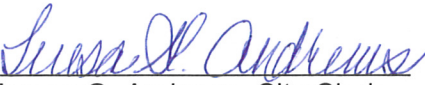
Senior Civil Engineer, Larry Howard, and Water & Power Director, Steve Adams, introduced this item to Council. Consolidated Home Supply Irrigating & Reservoir Company (Home Supply) sustained significant damage in the September 13, 2013 Flood Disaster at its diversion structure shared diversion point on the Big Thompson River for the Home Supply and City of Loveland. This dam structure is used by the City under the terms of a December 19, 1895 Agreement with Home Supply to divert water directly from the Big Thompson River through Loveland's diversion structure and into a pipeline that flows into the water treatment plant at Chasteen Grove. In an effort to allow timely diversions of historic water rights, Home Supply is working to get the dam repaired, and has requested financial assistance from the City of Loveland. At the October 15, 2013 City Council meeting, City Staff presented information and then City Council received comments from the Home Supply regarding the status of repairs and the amount of financial assistance they would like to receive. City Council directed Staff to work on a contract document that would evaluate options while considering City Council's comments and return with a recommendation. At this time City Staff is requesting permission to work with Home Supply to negotiate an agreement with the Home Supply Company for repairs.

Councilor Shaffer moved to approve a motion Directing the City Manager to Negotiate and Enter into an Agreement with the Consolidated Home Supply Irrigating & Reservoir Company ("Home Supply"), in Consultation with the City Attorney and on Terms Favorable to the City, Pursuant to Which the City Will Provide Financing to the Home Supply in an Amount not to Exceed \$400,000 to be Applied Toward the Cost of Repairing the Home Supply's Diversion Structure on the Big Thompson River. Councilor McKean seconded the motion which carried with all councilors voting in favor thereof.

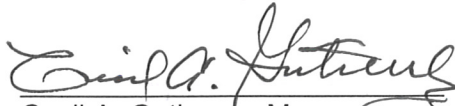
ADJOURNMENT

Having no further business to come before Council, the November 5, 2013 Regular Meeting was adjourned at 7:11 p.m.

Respectfully Submitted,


Teresa G. Andrews, City Clerk




Cecil A. Gutierrez, Mayor