

6. **A Motion to Appoint Mark Kirkpatrick as an Alternate member of the Police Citizen Advisory Board for a One-Year Term Effective Until December 31, 2014 was approved.**

7. **A Motion to Appoint Jennifer Nimmo to the Senior Advisory Board for a Full Term Effective Until December 31, 2016 was approved.**

These are administrative actions recommending the appointments and reappointments of members to the Library Board, Parks and Recreation Commission, Police Citizen Advisory Board, and the Senior Advisory Board.

2. **FIRE & RESCUE** (presenter: Randy Mirowski)
SUPPLEMENTAL APPROPRIATION FOR THE FIRE STATION NO. 2 CONSTRUCTION PROJECT

A motion to approve and order published on second reading Ordinance #5840 Enacting a Supplemental Budget and Appropriation to the 2014 City of Loveland Budget for the Re-appropriation of Unexpended 2013 Funds for the Fire Station 2 Construction Project and the Appropriation of Additional Funds Needed to Complete the Project was approved.

This is an administrative action. The ordinance reappropriates the remaining balance of the 2013 appropriation for the project and adds funding for addition of the fourth bay to the project. Most of the additional funding for the project is from reserves, which reduces the flexibility to fund other projects. The first reading of the ordinance was approved unanimously by Council at the January 7, 2014 regular meeting.

3. **PUBLIC WORKS** (presenter: Jason Licon)
SUPPLEMENTAL APPROPRIATION FOR THE AIRPORT INTERNSHIP AND AUTHORIZATION TO EXECUTE GRANT AGREEMENT

1. **A public hearing was held and a motion to approve and order published on second reading Ordinance #5841 Enacting a Supplemental Budget and Appropriation to the 2014 Fort Collins/Loveland Municipal Airport Budget for State Grant Funding of an Internship was approved.**

This is an administrative action. The State has provided funding for an additional internship at the Airport with a fifty percent matching requirement. The airport's approved 2014 Budget includes provisions for a single intern. The additional internship will require matching funds totaling \$16,640. The match is from unassigned fund balance within the Airport Fund reducing flexibility to fund other projects. However, new funds are received for half the cost of the internship. The ordinance was approved unanimously on first reading by Council at the regular meeting on January 7, 2014.

2. **A motion to adopt Resolution #R-6-2014 Authorizing the City Manager to Execute a Grant Agreement With the State of Colorado Division of Aeronautics (CDAG #14-FNL-I01) for Two 12-Month Internship Programs at the Fort Collins-Loveland Municipal Airport was approved.**

This is an administrative action. The Resolution authorizes the City Manager to execute the grant agreement with the State of Colorado.

4. **DEVELOPMENT SERVICES** (presenter: Bob Paulsen)
STREET NAME FOR A PUBLIC RIGHT-OF-WAY

A motion to approve Resolution #R-7-2014 Establishing a Street Name for a Public Right-of-Way within The Lakes Place Third Subdivision was approved.

This is an administrative action. The resolution establishes a name for an existing public right-of-way. The owner and developer of Lot 2, Block 1 of the Lakes Place Third Subdivision, and Lots 1-5, Block 1 of Lakes Place Fifth Subdivision, are requesting that the existing public right-of-way adjacent to the east side of these lots be given a street name so that the lots can be addressed and made ready for sale. The proposed street

name, Waterlily Drive, is consistent with the City of Loveland street naming rules (Chapter 12.08 of the Loveland Municipal Code) and has been approved by the Loveland Fire Authority and Public Works Department. Council has statutory authority to name streets within the City of Loveland.

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.*

Nick Peterson, 822 East 5th Street, expressed concern regarding the Planning Commission appointment process as discussed at the January 7, 2014 City Council Meeting.

- 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.*

Krenning: Attended Chamber of Commerce Dinner; Acknowledged the Heart Award to the City of Loveland. Suggested an extra day off for City Staff for their actions regarding the 2013 Flood Relief; Consensus of Council was to direct staff to bring back a request for Council consideration; Suggested a Community event at the time of Fairgrounds Park re-opening to express appreciation to the public for their involvement in the 2013 flood event recovery; Discussed asking voters to consider a tax to cover litigation cost that a moratorium may invoke; Staff will bring a summary of the Court order. Food Sales Tax regarding groceries discussion; Announced Krenning will recuse himself regarding Litigation concerning the 10th Circuit Court Topic, which is on the agenda for discussion in Executive Session.

Clark: Congratulated Loveland for receiving the Heart Award for Flood Relief efforts from the Chamber of Commerce.

Shaffer: Announced Senator Udall will be attending the February 1, 2014, 1-25 afternoon event;

Gutierrez: Attended the Ribbon Cutting for the Colorado Ice Arena Football; Colorado Ice and Chamber of Commerce to hold fundraiser to help with the Business Recovery Fund; Attended Strategic Planning event at Otterbox with Kurt Richardson; Announced upcoming Airport Joint meeting on February 29, 2014 with Ft. Collins.

- c. **City Manager Report**

Expressed appreciation to City Council for acknowledging staff regarding the Heart Award.

- d. **City Attorney Report**

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

5. **ECONOMIC DEVELOPMENT** (presenter: Cindy Mackin)
SUPPLEMENTAL APPROPRIATION FOR SPONSORSHIP OF TWO EVENTS

This is an administrative action. The ordinance on second reading appropriates funds for the City to sponsor two events using \$50,000 of reserves in the Lodging Tax Fund. The ordinance is funded with unassigned fund balance reducing the flexibility to fund other projects. The fund balance in lodging tax reserves is \$718,000. On January 7, 2014, City Council approved the ordinance on first reading by a vote of 8-1.

Councilor Shaffer moved to approve and order published on second reading Ordinance #5842 Enacting a Supplemental Budget and Appropriation to the 2014 City of Loveland Budget for the Sponsorship of Two Community Events, the Snow Sculpture Contest and Oktoberfest. Councilor Farley seconded the motion which carried with eight councilors present voting in favor and Councilor Fogle voting against.

6. **FINANCE** (presenter: John Hartman)
DEVELOPMENT OF PRIORITY BASED BUDGETING (PBB) RESULTS

Budget Officer, John Hartman introduced this item to Council. John Johnson and Chris Fabian from The Center for Priority Based Budgeting were present. The Center reported on the results from the Study Session exercise and work with Council to finalize the Result areas to be used for the Priority Based Budgeting exercise. This action will develop the guiding principles for the PBB exercise that will be part of the decision making for the development of the 2015 Budget.

Councilor Shaffer moved to approve a Set of Results for the City of Loveland, With the Aide of the Center for Priority Based Budgeting; to Begin the Priority Based Budgeting Exercise. Councilor Farley seconded the motion which carried with all councilors present voting in favor thereof.

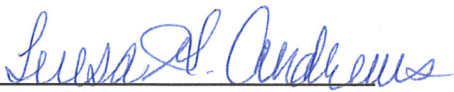
7. **CITY ATTORNEY** (presenter: John Duval)
EXECUTIVE SESSION REGARDING CURRENT LITIGATION

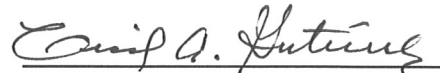
City Attorney, John Duval introduced this topic regarding Myers v Koopman 10th Circuit of Appeals. Discussion ensued. Councilor Krenning recused himself. At 7:50 p.m., Councilor Shaffer made the following motion: "I move that the City Council go into executive session, as authorized in CRS Section 24-6-402(4)(b), 4(e) and 4(g) and City Charter Sections 4-4(c)(1), (c)(3) and (c)(6). This executive session will concern the Myers v. Koopman lawsuit now pending in federal court. And related to this litigation: to receive legal advice from the City Attorney and CIRSA-appointed counsel Kent Campbell; and since this is a matter that may be subject to future negotiations, to determine negotiation position, developing negotiation strategy, and to instruct negotiators concerning such positions and strategy; and to receive and review documents and information that are not subject to public inspection under the Colorado Open Records Act, such as work-product documents". Discussion ensued. The motion, seconded by Councilor Clark, carried with eight Councilors voting in favor and Councilor Krenning voting against and Councilor Trenary abstaining due to illness. Councilor Krenning later requested to withdraw his vote, due to his desire to recuse himself from this issue. The executive session began at 8:11 p.m. Council reconvened at 9:25 p.m.

ADJOURNMENT

Having no further business to come before Council, the January 21, 2014 Regular Meeting was adjourned at 9:28 p.m.

Respectfully Submitted,


Teresa G. Andrews, City Clerk


Cecil A. Gutierrez, Mayor



