



**A Motion to Approve and Order Published on Second Reading Ordinance #5843 Enacting a Supplemental Budget and Appropriation to the 2014 City of Loveland Budget for the Service Center Expansion Project was approved.**

This is an administrative action. The ordinance on second reading appropriates funds for construction contingency on the Service Center Expansion project in the amount of \$636,150. This ordinance was approved unanimously on first reading by Council at the February 4, 2014 regular meeting. The ordinance appropriates undesignated fund balance reducing the flexibility to fund other projects. The fund balance is the result of actual revenues being higher than projected in the 2013 Budget and from projected 2014 revenue that was not appropriated in the 2014 Budget.

**3. PUBLIC WORKS (presenter: Dave Klockeman)  
CONTRACT EXTENSION OF THE 2014 STREET RESURFACING PROGRAM**

**A Motion to Approve the Extension of the 2014 Street Resurfacing Program - Concrete Rehabilitation Project Schedule Target Area to JAG's Enterprises, Inc. of Greeley, Colorado in the Amount of \$800,000 and to Authorize the City Manager to Execute the Contract was approved.**

This is an administrative action. The motion approves the extension of the existing 2011 Street Resurfacing Program-Concrete Rehabilitation Project to JAG's Enterprises, Inc. of Greeley. Funding is available in the adopted 2014 Budget within the annual Street Rehabilitation Program.

**4. PUBLIC WORKS (presenter: Keith Reester)  
IGA FOR THE 2014 FLEX BUS SERVICE**

**A Motion to Adopt Resolution #R-14-2014 Approving an Intergovernmental Agreement (IGA) Between the City of Loveland, Colorado and the City of Fort Collins, Colorado for Bus Service Between Fort Collins and Longmont for the Calendar Year 2014 was approved.**

This is an administrative action to consider a resolution to approve an Intergovernmental Agreement (IGA) with Fort Collins to provide regional bus service between Fort Collins and Longmont along the U.S. Highway 287 corridor. This service is referred to as the Fort Collins-Longmont Express or FLEX route. This is an IGA for the 2014 calendar year. Funds for the local match portion of the contract (\$100,000) are budgeted into the annual core transit budget.

**5. LIBRARY (presenter: Marcia Lewis)  
SUPPLEMENTAL APPROPRIATION FOR LIBRARY DATABASE**

**A Public hearing was held and a Motion to Approve and Order Published on First Reading an Ordinance Enacting a Supplemental Budget and Appropriation to the 2014 City of Loveland Budget for Joining the Prospector Database for Regional Library Resource Sharing was approved.**

This is an administrative action. The ordinance on first reading appropriates \$37,080 from funds donated by the Kroh Charitable Trust Funds for the Loveland Public Library to join Prospector, a resource sharing database that provides access to over 2 million items through an online catalog of 40 public and academic libraries in Colorado and Wyoming. The ordinance is funded by outside resources donated to the City.

**6. DEVELOPMENT SERVICES (presenter: Bob Paulsen)  
MINOR CODE AMENDMENTS FOR TITLE 18**

**A Public Hearing was held and a Motion to Approve and Order Published on First Reading an Ordinance Amending Various Sections in Title 18 of the Loveland Municipal Code was approved.**

This is a legislative action. The ordinance on first reading amends Title 18 of the Loveland Municipal Code. This collection of minor amendments is designed to correct errors, provide consistency, and clarify use allowances within the zoning code.

7. **DEVELOPMENT SERVICES** (presenter: Bob Paulsen)  
**MINOR CODE AMENDMENTS FOR LIMITED SIGNAGE NORTH CLEVELAND SUB-AREA**

**A Public Hearing was held and a Motion to Approve and Order Published on First Reading an Ordinance Amending Sections 18.16.110, 18.48.020, and 18.50.090 of the Loveland Municipal Code to Permit Limited Signage for Home Occupations in the North Cleveland Sub-Area of the R3e Zone District was approved.**

This is a legislative action. The ordinance on first reading amends Title 18 of the Loveland Municipal Code. The proposed revisions include text adjustments that allow limited signage for home occupations located in the North Cleveland sub-area of the R3E zone district.

8. **DEVELOPMENT SERVICES** (presenter: Bob Paulsen)  
**MINOR CODE AMENDMENT FOR VARIANCES BY THE ZONING BOARD OF ADJUSTMENT**

**A Public Hearing was held and a Motion to Approve and Order Published on First Reading an Ordinance Amending Section 18.60.020 of the Loveland Municipal Code Pertaining to Variances Granted by the Zoning Board of Adjustment was approved.**

This is a legislative action. The ordinance on first reading amends the Zoning Board of Adjustment provisions of Title 18 of the Loveland Municipal Code. The proposed revisions clarify the authority of the Zoning Board of Adjustment to grant variances, specifying that the Board has the power to grant variances to properties in all zoning districts and those variances are authorized for dimensional and numerical standards.

9. **DEVELOPMENT SERVICES** (presenter: Troy Bliss)  
**JAYHAWKER ADDITION ANNEXATION INTENT**

**A Public Hearing was held and a Motion to Approve Resolution #R-15-2014 Stating the Intent of the City of Loveland to Annex Certain Property and Initiating Annexation Proceedings for Such Property to be Known as the Jayhawker Addition to the City of Loveland was approved with the revised "Exhibit A" to the Resolution.**

This is a legislative action to consider a resolution setting a public hearing date of April 1, 2014 for City Council to review annexation of approximately 33 acres known as the Jayhawker Addition. The applicant is the City of Loveland. The property is generally located on the south side of West 1<sup>st</sup> Street and east of South Taft Avenue. It is comprised to two parcels; one being the City Jayhawker Ponds (approximately 30.77 acres) and the other being a parcel of land owned by Lee and Patricia Swisher (approximately 1.82 acres). Collectively, these two parcels represent an enclave as defined in C.R.S. 31-12-103 (4) within the City's Growth Management Area (GMA). Section 4.0 of the Intergovernmental Agreement for Growth Management (IGA) between the City of Loveland and Larimer County requires the City to pursue annexation of enclaves, whether voluntarily or involuntarily, as expeditiously as possible.

10. **DEVELOPMENT SERVICES** (presenter: Brian Burson)  
**VACATION OF EASEMENT FOR MARIANA COVE**

**A Public Hearing was held and a Motion to Approve and Order Published on First Reading an Ordinance Vacating a Portion of a Utility and Drainage Easement on**

**Lot 7, Block 7, Mariana Cove PUD Subdivision was approved.**

This is a legislative action. The ordinance on first reading approves the vacation of a 15-foot wide portion of a utility and drainage easement along the south side of Lot 7, Block 7, Mariana Cove PUD Subdivision. The owner of the property is Dan Wester.

11. **FIRE & RESCUE AUTHORITY** (presenter: Randy Mirowski)  
**IGA MUTUAL AID AGREEMENT WITH RIST CANYON FIRE DEPARTMENT**  
**A Motion to Adopt Resolution #R-16-2014 Approving an Intergovernmental Automatic Mutual Aid Agreement between the Loveland Fire Rescue Authority and the Rist Canyon Volunteer Fire Department was approved.**  
This is an administrative action to consider a resolution approving an Intergovernmental Automatic Mutual Aid Agreement between the Loveland Fire Rescue Authority (LFRA) and the Rist Canyon Volunteer Fire Department. The IGA will be considered by the LFRA Board on February 13, 2014.
  
12. **FIRE & RESCUE AUTHORITY** (presenter: Randy Mirowski)  
**PURCHASE ORDER FOR 100' PLATFORM TRUCK**  
**A Motion to Approve the Purchase of a 100' Platform Truck from Pierce Manufacturing, Inc. for an Amount Not to Exceed \$1,111,280 and Authorize the City Manager to Sign the Purchase Order on Behalf of the City of Loveland was approved.**  
This is an administrative action. The truck purchase was included in the 2014 Capital Program Fund Budget (see page 22-9 and 22-33 of the 2014 Adopted Budget) for \$1,458,610. The difference between the budget and the contract price will be used to purchase some additional equipment needed to make the truck service ready, but all within the appropriated budget. Pursuant to Chapter 3.12 of the City Code, purchases exceeding \$500,000 must be approved by City Council.
  
13. **WATER & POWER** (presenter: John McGee)  
**IGA REGARDING RIVER GAGES**  
**A Motion to Adopt Resolution #R-17-2014 Approving an Intergovernmental Agreement Between the City of Loveland, Colorado and the U.S. Geological Survey, United States Department of the Interior for Operation and Maintenance of a Streamflow Gaging Station and a Precipitation Gage was approved.**  
This is an administrative action to approve an intergovernmental agreement (IGA) with the US Geological Survey (USGS) for operation and maintenance of two gages. The City and USGS have partnered on this project for many years, and each annual IGA was signed by the City administratively. However, now that the City's costs under the IGA exceed \$10,000, City Council approval is required according to City Code Section 2.08.030. There is a negligible impact to the budget because of the low dollar amount experienced so far. The Water Resources Fund will be used to pay for the annual operation and maintenance of the flow gaging station and the precipitation gaging station.
  
14. **WATER & POWER** (presenter: Greg Dewey)  
**CONVERSION OF COLORADO BIG THOMPSON (CBT) UNITS**  
**A Motion to Approve Resolution #R-18-2014 of the Loveland City Council Authorizing an Application to, and Contract with, the Northern Colorado Water Conservancy District for Beneficial use of 50 Acre-Foot Of Colorado Big Thompson Project Water was approved.**  
This is an administrative action to adopt a resolution approving the conversion of 50 Colorado Big Thompson (CBT) units acquired during 2013 from a Temporary Use Permit

to a Permanent Section 131 Contract. The units were purchased in 2013. No additional costs are associated with the conversion.

15. **WATER & POWER** (presenter: Melissa Morin)  
**AMENDMENTS CONCERNING WATER AND WASTEWATER REIMBURSEMENTS AND OVERSIZING**

1. A Public Hearing was held and a Motion to Approve and Order Published on First Reading an Ordinance Amending the Loveland Municipal Code at Chapters 13.04 and 13.08 Concerning Water and Wastewater Reimbursements and Oversizing was approved.

This is a legislative action to amend the Municipal Code concerning reimbursements for water and wastewater line extensions, major structures and oversizing of lines.

2. A Motion to Approve Resolution #R-19-2014 Amending Section 1.10 of the City of Loveland Water and Wastewater Development Standards Concerning Reimbursements for Water and Wastewater Main Extensions, Major Structures, and Oversizing was approved.

This is a legislative action to update Section 1.10 of the City's Water and Wastewater Development Standards to reflect the changes to the Municipal Code concerning reimbursements for water and wastewater line extensions, major structures and oversizing of lines. The Loveland Utilities Commission unanimously recommended adoption of both the Ordinance and the Resolution at its September 18, 2013 meeting. The Construction Advisory Board unanimously recommended adoption of both the Ordinance and the Resolution at its January 22, 2014 meeting.

16. **WATER & POWER** (presenter: Briana Reed-Harmel)  
**CODE AMENDMENT FOR ELECTRIC LINE EXTENSION**

A Public Hearing was held and a Motion to Approve and Order Published on First Reading an Ordinance Amending the Loveland Municipal Code at Chapter 13.12 Regarding Electricity to Adopt an Electric Line Extension Policy and to Clarify Existing Electric Service Requirements was approved.

This is a legislative action to amend the Municipal Code concerning electric line extensions and oversizing of lines. The Loveland Utilities Commission unanimously recommended adoption of the ordinance at the September 18, 2013 meeting. The Construction Advisory Board unanimously recommended adoption of the ordinance at the January 22, 2014 meeting.

17. **PARKS & RECREATION** (presenter: Brian Hayes)  
**SALE OF A PORTION OF LONG VIEW FARM OPEN SPACE**

A Public Hearing was held and a Motion to Approve and Order Published on First Reading an Ordinance Authorizing the Conveyance of the City of Loveland's one Sixth Fee Title Interest in a Portion of Long View Farm Open Space to the State of Colorado, Approving an Amendment to the Related Declaration of Covenants, Conditions and Restrictions, and Granting an Adjacent Temporary Easement to Permit Access and Work by the Colorado Department of Transportation was approved.

This is an administrative action. The ordinance on first reading authorizes the City to convey its 1/6 interest and grant a temporary easement to the State for road and drainage improvements at the intersection of U.S. Highway 287 and S.H. 392 (Carpenter Road), and to modify the associated covenants to allow for the improvements. The Colorado Department of Transportation (CDOT) is in the process of planning and designing a project at the intersection of U.S. Highway 287 and S.H. 392 (Carpenter Road) in order to provide a more efficient turning radius and as part of that project will be



improving drainage. The State is seeking to purchase land that is jointly owned by the City, Larimer County and Fort Collins for these improvements and seeks a temporary easement for access and construction of the improvements. Open Lands Sales Tax Fund 202 will receive approximately \$177.67 in net proceeds from the sale of the small corner of the Long View Farm Open Space.

18. **HUMAN RESOURCES** (presenter: Julia Holland and Karen Rees)  
**EMPLOYEE RECOGNITION FOR FLOOD RESPONSE**

**A Motion to Adopt Resolution #R-20-2014 Approving Time Off for City Employees In Recognition of City Employees' Flood Response Efforts was approved.**

This is an administrative action for Council to consider recognition for City employee efforts resulting from the 2013 Flood. On January 21, 2014, City Council requested staff bring a recommendation providing employees with an additional day of paid time off to recognize their efforts and dedication to the community during the 2013 Flood. Staff recommends providing all regular benefit-eligible employees the equivalent to one day paid time off and providing four hours paid time off for non-benefit eligible employees based on involvement in flood recovery efforts. The City's 2014 adopted Budget does not include funding for the costs of the recommended action or alternative options reviewed. However, the costs will result in City Departments absorbing the soft or hard costs of the time off through their personnel/salary budgets.

19. **FINANCE** (presenter: Brent Worthington)  
**FINANCIAL REPORT-DECEMBER 2013**

This is an information only item. The Snapshot Report includes the City's preliminary revenue and expenditures including detailed reports on tax revenue and health claims year to date, ending December 31, 2013.

20. **CITY MANAGER** (presenter: Alan Krmarik)  
**INVESTMENT REPORT- DECEMBER 2013**

This is an information only item. The budget estimate for investment earnings for 2013 was \$2,760,420. Reports from institutions at which the City holds investments indicate the gross interest earnings and realized gains in 2013 exceeded \$2.2 million. After accounting adjustments, the net amount posted to the investment account was \$1,447,360. During the year, several high interest rate corporate bonds matured, so future yields will be lower. The estimated annualized yield on market value for securities held by US Bank at the end of December was 1.07%. The yield is below the annual target rate of 1.20% for 2013. Reinvestment rates have risen recently after being at near record low levels.

**END OF CONSENT AGENDA**

**CITY CLERK READS TITLES OF ORDINANCES ON THE CONSENT AGENDA**

**PUBLIC COMMENT** *Anyone who wishes to speak to an item NOT on the Agenda may address the Council at this time.*

Eric Sutherland, Ft. Collins resident, expressed concern with the Urban Renewal Authority (URA) model. Mr. Sutherland also expressed concern regarding the County's intent to use funds previously collected by Larimer County for building improvements in the City of Loveland, toward the construction of a new building for those services, in downtown Loveland. This issue was decided by the voters in the November 2013 election.

**PROCEDURAL INFORMATION**

*Anyone in the audience will be given time to speak to any item on the Regular Agenda before*

*the Council acts upon it. The Mayor will call for public comment following the staff report. 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**

**21. CITY CLERK (presenter: Terry Andrews)  
**APPROVAL OF JANUARY 28, 2014 STUDY SESSION MINUTES****

This is an administrative action to approve the City Council Study Session Minutes from the January 28, 2014 Study Session. Councilors McKean, Fogle, Taylor and Krenning were absent.

**Councilor Shaffer moved to approve the City Council Study Session Meeting Minutes for the January 28, 2014 Study Session. Councilor Farley seconded the motion which carried with all councilors present voting in favor. Councilors McKean, Fogle, and Taylor abstained.**

**22. FINANCE (presenter: John Hartman)  
**SUPPLEMENTAL APPROPRIATION FOR 2014 FLOOD RELATED PROJECTS****

Budget Officer, John Hartman introduced this item to Council. Finance Director, Brent Worthington and Water & Power Director, Steve Adams were present. This is an administrative action. The ordinance on first reading appropriates funding for engineering costs to determine the scope of several projects and the cost to repair several facilities from damage that occurred as a result of the 2013 Flood. The total appropriation net of transfers is \$10,494,930. Depending on the final determinations from FEMA on eligible costs, and other grant opportunities that may arise, the City's share of these costs will be between \$1,000,000 and \$1,800,000. The appropriation uses existing balance within several funds as the funding source. This reduces the ability to fund future projects in the short term. Over the long term, most of these costs will be reimbursed through insurance payments or FEMA and State distributions. When these reimbursements are received, the fund balances will increase allowing for use on other projects. Mayor Gutierrez opened the public hearing at 7:00 p.m. and hearing no comment, closed the public hearing at 7:00 p.m.

**Councilor Shaffer moved to approve and Order Published on First Reading an Ordinance Enacting a Supplemental Budget and Appropriation to the 2014 City of Loveland Budget for Flood Related Projects. Councilor Farley seconded the motion which carried with all councilors present voting in favor thereof.**

**23. CITY ATTORNEY (presenter: John Duval)  
**Update on Status of Sarner v. City of Loveland Lawsuit Pending in Larimer County District Court****

This is an information item only concerning the Order issued in the Larimer County District Court deciding the *Sarner v. City of Loveland* lawsuit. Council directed Staff to determine a timeline for holding an election.

**24. CITY COUNCIL  
**APPOINTMENT OF PLANNING COMMISSIONER****

This item was postponed.

**BUSINESS FROM CITY 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.*

**Fogle:** The Historic Preservation Commission (HPC) expressed appreciation for being able to attend the "Saving Places" conference.

**Shaffer:** Attended the North I-25 Coalition with Congressman Gardner; Announced the next North I-25 Coalition meeting scheduled in the Weld County Building on March 5, 2014 at 6:30 p.m; Attended Colorado Municipal League Legislative Policy Community Meeting; requested Staff forward future agendas to Council when received.

**Farley:** Expressed appreciation for the Snow Sculpture in the Dark event, as local businesses experienced great success; Attended the Artspace Groundbreaking; Announced the local "Dancing with the Stars Event Fundraiser" to be held Saturday, February 22, 2014 in the Embassy Suites Hotel at 6:00 p.m.

**Gutierrez:** Announced that he will be a judge in the local "Dancing with the Stars Event Fundraiser; Attended the Artspace Groundbreaking.

**CITY MANAGER REPORT**

**Cahill:** Will be attending a City Manager Conference with Assistant City Manager, Rod Wensing the end of this week. Randy Mirowski will be Acting City Manager during this time.

**CITY ATTORNEY REPORT**

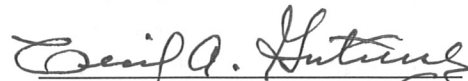
None

**ADJOURN**

Having no further business to come before Council, the February 18, 2014 Regular Meeting was adjourned at 7:24 p.m.

Respectfully Submitted,

  
Teresa G. Andrews, City Clerk

  
Cecil A. Gutierrez, Mayor

