

2. **CITY MANAGER** (presenter: Bill Cahill)
BOARDS & COMMISSIONS APPOINTMENTS

1. A Motion to Reappoint Bradley Pierson to the Citizens' Finance Advisory Commission for a Term Effective until December 31, 2016 was approved.
2. A Motion to Appoint Ryan Lundquist to the Citizens' Finance Advisory Commission for a Term Effective until December 31, 2016 was approved. The Motion regarding David Hallet was removed from the Consent Agenda and placed on the Regular Agenda.
3. A Motion to appoint Elton Bingham as a City Commission Member on the Fire and Rescue Advisory Commission for a Term Effective until June 30, 2016 was approved.
4. A Motion to Reappoint Rick Brent to the Open Lands Advisory Commission for a Term Effective until December 31, 2017 was approved.
5. A Motion to Appoint Jim Roode to the Open Lands Advisory Commission for a Term Effective until December 31, 2017 was approved.
6. A Motion to Reappoint Roger Clark and Charlie Jackson to the Visual Arts Commission, Each for a Term Effective until December 31, 2016 was approved.
7. A Motion to Appoint Abbie Powers and Sara Turner as Alternate Members on the Visual Arts Commission, Each for a Term Effective until December 31, 2014 was approved.
8. A Motion to Appoint Jill Angelovic as an Alternate Member on the Affordable Housing Commission for a Term Effective until June 30, 2014 was approved.

These are administrative actions recommending the appointments and reappointments of members to the Citizens' Finance Advisory Commission, the Fire and Rescue Advisory Commission, the Open Land Advisory Commission and the Visual Arts Commission.

3. **PUBLIC WORKS** (presenter: Keith Reester)
IGA WITH THE STATE OF COLORADO REGARDING FLOOD REPAIR OF FEDERAL AID SYSTEM ROADWAYS

A Motion to Adopt Resolution #R-8-2014 Approving a Master Intergovernmental Agreement Between the City of Loveland, Colorado and the State of Colorado, Acting By and Through the Colorado Department of Transportation, for Repair of Federal Aid System Roadways Located within the City of Loveland that were Damaged by the September 2013 Flood was approved.

This is an administrative action. The resolution approves an Intergovernmental Agreement (IGA) between the City of Loveland and the Colorado Department of Transportation (CDOT). This agreement is necessary to facilitate the distribution of Federal Highway Administration (FHWA) funds appropriated for the repair of Federal Aid System (FAS) Roadways damaged by the September 2013 Flood. The positive impact of this action is that it will facilitate the distribution of Federal Emergency Funds to cover a large portion (80 to 87.5%) of the costs for repair of our flood-damaged roadway infrastructure. On the negative side, the City will be responsible for the remaining 12.5 to 20% repair costs (dependent on the federal classification of the repair), which was unforeseen at the time of 2013 budgeting.

4. **ECONOMIC DEVELOPMENT** (presenter: Mike Scholl)
MICHAELS DEVELOPMENT COMPANY EXCLUSIVE RIGHT TO NEGOTIATE

A Motion to Authorize the City Manager to Sign an Exclusive Right to Negotiate With the Michaels Development Company, in the Form Attached to this Cover Sheet, Pertaining to the 3rd Street Redevelopment Project was approved.

This is an administrative action. The motion authorizes the City Manager to sign an exclusive right to negotiate with the Michaels Development Company (MDC) on the 3rd Street Redevelopment Project. The exclusive right would allow six months to define a scope of work for the project and define the financials. The City and MDC may extend the period to negotiate a development agreement if preliminary work is successfully completed. The motion authorizes negotiations only.

**5. DEVELOPMENT SERVICES (presenter: Karl Barton)
AMENDING SECTION 4.7 FUTURE LAND USE PLAN MAP TO MODIFY THE GROWTH MANAGEMENT AREA**

A public hearing was held and a Motion to Adopt Resolution #R-9-2014 Approving Amendment of the City of Loveland 2005 Comprehensive Plan, 2011 Implementation Plan by the Amendment of Section 4.7 Future Land Use Plan Map to Modify the City of Loveland Growth Management Area was approved.

This is legislative action. The resolution amends the City of Loveland Future Land Use Plan by changing the boundaries of Loveland's Growth Management Area, removing certain properties located on the west and east sides of I-25, north of SH 402 and primarily south of the Big Thompson River. This is the final step in reaching the agreement with Johnstown that will allow Loveland to work with Larimer County to get the Loveland GMA Overlay Zoning District expanded.

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.*

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

2.2 BOARDS & COMMISSIONS (presenter: Bill Cahill)

This is an administrative action recommending the appointment and reappointment of a member to the Citizens' Finance Advisory Commission regarding David Hallett for a term effective until December 2016.

Councilor Krenning indicated Council had received emails regarding this appointment. Councilor Krenning requested a delay of the appointment until Staff had an opportunity to look into citizen concerns. Budget Officer, John Hartman serves as staff liaison to the CFAC. Mr. Hartman told Council there are currently five openings and only three candidates applied for the Commission. Staff will look into the

concerns and bring something back to Council in the future.

6. **CITY CLERK** (presenter: Terry Andrews)
APPROVAL OF JANUARY 14, 2014 STUDY SESSION MINUTES
This is an administrative action to approve the City Council Study Session Minutes from the January 14, 2014 Study Session. Councilors Clark and Trenary were absent.
Councilor Shaffer moved to approve the City Council Study Session Meeting Minutes for the January 14, 2014 Study Session. Councilor Farley seconded the motion which carried with all councilors present voting in favor and Councilor Clark abstaining.
7. **PUBLIC WORKS** (presenter: Ken Cooper)
SUPPLEMENTAL APPROPRIATION FOR THE SERVICE CENTER EXPANSION PROJECT
Facilities Operations Manager, Ken Cooper and Budget Office, John Hartman introduced this item to Council. This is an administrative action. The ordinance on first reading appropriates funds for construction contingency on the Service Center Expansion project in the amount of \$636,150. 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. Mayor Gutierrez opened the public hearing at 7:41 p.m. and with no further public comment, closed the public hearing at 7:41 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 the Service Center Expansion Project. Councilor Farley seconded the motion which carried with all councilors present voting in favor thereof.
8. **CITY ATTORNEY** (presenter: John Duval)
6TH AMENDMENT TO THE CENTERRA MFA & IGA AND DISBURSEMENT OF FUNDS FROM THE CENTERRA METROPOLITAN DISTRICT #1
1. City Attorney, John Duval introduced these items to Council. These two resolutions are both administrative actions. The first resolution approves a Sixth Amendment to the Centerra Master Financing and Intergovernmental Agreement to designate the proposed "Parcel 505 Parking Improvements" in the Centerra development as "Local Improvements" under the Centerra MFA and to also permit Centerra Metro District No. 1 ("District") to reimburse the City for its previous construction of the "Boyd Lake Waterline" on the basis that the Fifth Amendment to the MFA recently designated Boyd Lake Avenue as a "Regional Improvement" under the MFA. Centerra representatives, Alan Pogue, Jay Hardy, and Peggy Townsend were present. The Mayor asked for Public Comment on items 8 and 9.
Councilor Shaffer moved to Adopt Resolution #R-10-2014 of the Loveland City Council Approving the Sixth Amendment to the Centerra Master Financing and Intergovernmental Agreement. Councilor Farley seconded the motion. Council discussion ensued. The motion carried with all councilors present voting in favor and Councilor Krenning abstaining.
Consensus of Council was to have a Study Session regarding MFA & Amendments and the overall Sales Tax Impact.
2. The second resolution authorizes the District to use the approximately \$840,000 of funds remaining in the "2008 Regional Improvements Subaccount" to be used for the construction of a wastewater lift station to serve Parcel 505 and other adjacent

properties. The Sixth Amendment does not change in any way the current or future amount of revenues collected and disbursed under the Centerra MFA. It only expands the type of public improvements for which these revenues can be spent. The same is true with respect to the Council consenting to the requested disbursement from the 2008 Regional Improvements Subaccount.

Councilor Shaffer moved to Adopt Resolution #R-11-2014 of the Loveland City Council Consenting to the Disbursement of Funds from the Centerra Metropolitan District No. 1 2008 Regional Improvements Subaccount. Councilor Farley seconded the motion which carried with all councilors present voting in favor and Councilor Krenning abstaining.

CITY COUNCIL ADJOURNED AND CONVENED AS THE LOVELAND URBAN RENEWAL AUTHORITY (LURA) AT 8:57 P.M.

**9. CITY ATTORNEY (presenter: John Duval)
LURA 6TH AMENDMENT TO THE CENTERRA MFA & IGA**

This is an administrative action. The Resolution approves a Sixth Amendment to the Centerra Master Financing and Intergovernmental Agreement to designate the proposed "Parcel 505 Parking Improvements" in the Centerra development as "Local Improvements" under the Centerra MFA and to also permit Centerra Metro District No. 1 ("District") to reimburse the City for its previous construction of the "Boyd Lake Waterline" on the basis that the Fifth Amendment to the MFA recently designated Boyd Lake Avenue as a "Regional Improvement" under the MFA. The Sixth Amendment does not change in any way the current or future amount of revenues collected and disbursed under the Centerra MFA. It only expands the type of public improvements for which these revenues can be spent.

Councilor Shaffer moved to Adopt Resolution #R-12-2014 of the Loveland Urban Renewal Authority Approving the Sixth Amendment to the Centerra Master Financing and Intergovernmental Agreement. Councilor Farley seconded the motion which carried with all councilors present voting in favor and Councilor Krenning abstained.

THE LOVELAND URBAN RENEWAL AUTHORITY (LURA) ADJOURNED AND RECONVENED AS CITY COUNCIL AT 8:58 P.M.

**10. FINANCE (presenter: John Hartman)
ABOLISHING THE REQUEST FOR DISMISSAL OF NO PROOF OF INSURANCE (NPOI) FEE AND AMENDING THE 2014 SCHEDULE OF FEES**

Budget Officer, John Hartman introduced this item to Council. This is an administrative action. The Resolution amends the Schedule of Rates, Charges and Fees for Services provided by the City of Loveland by eliminating the "Request for dismissal of no proof of insurance fee". The fee generated revenue within the General Fund to fund the provision of City services. The 2013 actual collections from this fee totaled \$2,835. The 2014 Budget projected revenue from this fee of \$3,000 will not be realized if the Resolution is adopted. The Mayor asked for Public Comment. **Councilor Shaffer moved to Approve Resolution #R-13-2014 Abolishing the "Request For Dismissal Of No Proof Of Insurance Fee" and Amending the 2014 Schedule of Rates, Charges, and Fees for Services Provided by the City of Loveland, Other than Services Provided by the Water and Power Department and the Stormwater Enterprise, and Superseding all Prior Resolutions Establishing Such Rates, Charges, and Fees. Councilor Krenning seconded the motion which carried with five councilors voting in favor and Councilors Taylor and Farley and Gutierrez voting against.**

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.*

McKean: Announced that Facilities Operation Manager, Ken Cooper received the Cornerstone Award from the Loveland Police Department (LPD); Announced "Goodbye" to Captain Ray Miller, who is retiring from the LPD.

Shaffer: Expressed "Best Wishes" to Captain Miller; Attended CIRSA Errors and Omissions webinar; Attended North I-25 Elected Coalition; The next North I-25 Meeting is scheduled for February 5, 2014 at the Weld County Building near Hwy 119 at 6:30 p.m.; Announced the Colorado Municipal League will have a Legislative Policy workshop next Thursday, February 13, 2014;

Krenning: Asked about the new Bus service from Ft Collins to Union Station, with a stop in Loveland;

Farley: Attended the Grand Opening of the Loveland Community Health Center which relocated to 302 SE 3rd Street, expressed appreciation for the Center and encouraged council members to visit.

Gutierrez: Announced Loveland Citizen Annie Hall turns 100 years old on February 9, 2014.

CITY MANAGER REPORT:

Announced the February 25, 2014 Study Session has been cancelled.


CITY ATTORNEY REPORT:

None.

ADJOURNMENT

Having no further business to come before Council, the February 4, 2014 Regular Meeting was adjourned at 9:23 p.m.

Respectfully Submitted,


Teresa G. Andrews, City Clerk




Cecil A. Gutierrez, Mayor