

Plan was approved.

This is a quasi-judicial action to adopt an ordinance on second reading rezoning Lots 2 through 53, Block 1 and Tracts A through L, Fox Pointe First Subdivision from P-75 Planned Unit Development District to MAC Mixed-Use Activity Center District. The 12.72-acre property is located on the west side of Lincoln Avenue, between 37th Street and 29th Street. The applicant is Inland Group/Affinity at Loveland LLC. The ordinance was approved unanimously on first reading by Council at the March 18, 2014 regular meeting.

2. **HUMAN RESOURCES** (presenter: Karen Rees)
MEETING LOCATION CHANGE FOR THE BOARD OF RETIREMENT

A Motion to Approve Resolution #R-26-2014 Amending the Scheduled Meeting Location of the City of Loveland Board of Retirement was approved.

This is an administrative action. This resolution changes the location of the regularly scheduled meetings from the Civic Center Main Floor Conference Room to the City Manager's Conference Room, 500 East Third Street, Loveland, Colorado.

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

A Motion to Award the 2014 Street Resurfacing Program, Asphalt Paving Contract (Schedule AP) to Coulson Excavating Company of Loveland, Colorado in the Amount of \$1,022,787.00 and Authorize the City Manager to Execute the Contract was approved.

This is an administrative action to approve the 2014 Street Resurfacing Program, Asphalt Paving Contract (Schedule AP) to Coulson Excavating Company of Loveland, Colorado in the amount of \$1,022,787.00 and authorization for City Manager to execute the contract. Funding is available in the Adopted 2014 Budget.

4. **FINANCE** (presenter: John Hartman)
2014 BUDGET ROLLOVER FOR PROJECTS APPROVED BUT NOT COMPLETED

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 to Reappropriate Remaining Funds for Projects Approved but not Completed in 2013 was approved.

This is an administrative action. The first reading ordinance reappropriates funding approved in 2013 for capital, one-time projects and equipment not completed or received prior to the end of the fiscal year. The net expenditures (total expense less transfers) included in the ordinance is \$44,379,810. The projects or programs in the ordinance were funded in 2013. Funding for these is available since the appropriations that did not occur became fund balance at the end of 2013. The appropriation of these projects, do not have an impact on the 2014 Budget since the assumption in developing the 2014 Budget was that these funds would be spent by the end of 2013.

5. **FINANCE** (presenter: John Hartman)
2014 BUDGET FOR NEW PROJECTS

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 Projects or Programs not Anticipated at the Time of Adoption for the 2014 Budget was approved.

This is an administrative action. Since the adoption of the 2014 Budget, several issues have emerged that require increased appropriations. This ordinance on first reading addresses those issues. The total amount of net appropriation (total expenses excluding transfer between funds) is \$1,024,090 primarily funded by available fund balance. Nearly all of the appropriation is funded by fund balance, reducing the flexibility to fund other

future projects.

6. **FINANCE** (presenter: John Hartman)
2014 BUDGET ROLLOVER FOR THE AIRPORT

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 Ft. Collins-Loveland Municipal Airport Budget to Appropriate Funds for Projects Approved but not Completed in 2013 was approved.

This is an administrative action. The first reading ordinance appropriates the remaining balance for capital and one-time projects previously approved in 2013. The total appropriation is \$372,470. The appropriation is funded by fund balance within the Airport Fund from grants previously received or to be drawn down and contributions from the two cities.

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

7. **FINANCE** (presenter: John Hartman)
2014 BUDGET ROLLOVER FOR THE LOVELAND GENERAL IMPROVEMENT DISTRICT #1 (GID)

A Public Hearing was held and a Motion to Approve and Order Published on First Reading an Ordinance Adopting a Supplemental Budget and Appropriation for the 2014 Loveland General Improvement District #1 Budget to Reappropriate Funds for Parking Lot Improvements Approved in 2013 but not Completed in 2013 was approved.

This is an administrative action. Funds approved in 2013 for parking lot improvements in the amount of \$77,500 are appropriated to complete the projects. Fund balance has resulted from the project not being completed and is reappropriated to fund this project.

THE BOARD OF DIRECTORS FOR THE LOVELAND GENERAL IMPROVEMENT DISTRICT #1 ADJOURNED AND CONVENED AS THE BOARD OF COMMISSIONERS FOR THE LOVELAND URBAN RENEWAL AUTHORITY.

8. **FINANCE** (presenter: John Hartman)
2014 BUDGET ROLLOVER FOR THE LOVELAND URBAN RENEWAL AUTHORITY (LURA)

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 Loveland Urban Renewal Authority Budget to Reappropriate the Façade Grant Program and Reimbursement to a Developer for Public Improvements and Funding for Parking Lot Improvements, Approved in 2013 but Not Completed was approved.

This is an administrative action. Reserves in the amount of \$1,085,740 are reappropriated for the Façade Grant Program, reimbursement to a developer for public improvements and parking lot improvements. Fund balance created as a result of projects not completed.

THE BOARD OF COMMISSIONERS FOR THE LOVELAND URBAN RENEWAL AUTHORITY ADJOURNED AND RECONVENED AS CITY COUNCIL.

9. **FINANCE** (presenter: Brent Worthington)
FINANCIAL REPORT FOR FEBRUARY 2014

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 February 28, 2014.

**10. CITY MANAGER (presenter: Alan Krcmarik)
INVESTMENT REPORT FOR FEBRUARY 2014**

This is an information only item. For 2014 the budget estimate for investment earnings for 2014 is \$2,025,920 and the annual target earnings rate is 0.94%. For February, the amount posted to the investment account is \$114,504. For the year-to-date, the amount posted is \$363,632. Actual earnings are above the year-to-date budget projection by \$20,679. Based on the monthly statement, the estimated annualized 1.02% yield on the securities held by US Bank is exactly the same as last month's reading. Due to draws from the fund balances to pay for the cost of flood response and project repair, the portfolio currently has a significantly lower market value than it had in August of 2013. More funds are liquid (cash and short term) now than a month ago as the City is waiting on reimbursements for flood damage.

END OF CONSENT AGENDA

CITY CLERK READ 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.*

Dick Mallot, of 2765 McKenzie Drive, spoke regarding the ballot issue. Council consensus was to move the City Attorney's Report after Procedural Information.

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.

City Attorney's Report: Acting City Attorney, Judy Schmidt, gave an update on legal options and actions of the ballot initiative. City Clerk, Terry Andrews, gave an update on criteria and timelines for a proposed election. Discussion ensued. City Attorney, John Duval and Development Services Director, Greg George answered questions regarding the initiative. Mayor Gutierrez directed attorneys to reach out to Sarner & POL Board to discuss the possibility of agreed ballot language.

Councilor Shaffer moved to hold a Special meeting on April 8, 2014 to discuss issues that may arise out of the attorney discussion or other issues related to moving forward with the ballot initiative. Councilor Krenning seconded the motion which carried with all councilors present voting in favor thereof.

REGULAR AGENDA

CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA

**11. CITY CLERK (presenter: Terry Andrews)
APPROVAL OF CITY COUNCIL MEETING MINUTES**

This is an administrative action to approve the City Council meeting minutes from the March 18, 2014 regular meeting. Councilor Krenning was absent.

Councilor Shaffer moved to Approve the City Council Meeting Minutes for the March 18, 2014 Regular Meeting. Councilor Farley seconded the motion which carried with all councilors voting in favor. Councilor Krenning abstained.

12. **ECONOMIC DEVELOPMENT** (presenter: Mike Scholl)
SUPPLEMENTAL APPROPRIATION FOR DOWNTOWN LAND PURCHASES

Economic Development Manager, Mike Scholl introduced this item to Council. This is an administrative action. The first reading ordinance appropriates \$250,000 in funding for earnest money and costs associated with land purchases in the downtown area. Environmental studies will be conducted as part of the standard due diligence per the contracts and will begin once the properties are under contract. The ordinance is funded with Council Reserve funds reducing the flexibility to fund future projects. **Mayor Gutierrez opened the public hearing at 8:44 p.m. Citizen Gene Stires, 123 N Lincoln, Historic Preservation Commission member and President of Loveland Historic Preservation Society, Mike Perry discussed this topic. With no further public comment, Mayor Gutierrez closed the public hearing at 9:01 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 Earnest Money and Costs Associated with Downtown Land Purchases. Councilor Farley seconded the motion which carried with all councilors present voting in favor thereof.

13. **HUMAN RESOURCES** (presenter: Karen Rees)
SELECTION OF EXECUTIVE FIRMS FOR INTERVIEWS

Acting Human Resources Director, Karen Rees introduced this item to Council. This is an administrative action to select three executive recruiting firms identified through a request for proposal (RFP) process to assist in the City Attorney recruitment process. A special meeting will be scheduled at a later date to conduct interviews with the three finalist firms. The cost is negligible for the recommended action. There should be no cost to interview the potential recruiting firms.

Councilor Shaffer moved to Select the following Three Executive Recruiting Firms: The Mercer Group; William Avery and Associates; and Colin Baezinger and Associates, for Interviews for the Recruitment of the Vacant City Attorney Position. Councilor Fogle seconded the motion which carried with all councilors present voting in favor thereof.

Councilor Shaffer moved to hold a special meeting on Thursday, April 10, 2014 from 8:00 a.m. to 12:00 p.m., location TBD for the purpose of interviewing three executive firms addressing the vacant City Attorney position. Councilor Trenary seconded the motion which carried with all councilors present voting in favor thereof.

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: Announced Historic Preservation Commission recognized the Swartz Farm has been demolished due to the Flood damage.

Shaffer: Attended the 1-25 Business Coalition at the Chamber of Commerce;
Attended the Hwy 287 Coalition meeting; I-25 Elected Coalition meeting Wednesday, April 2, 2014 at the Weld County Service Center at 6:30 p.m.;
Announced the MPO meeting on Thursday, April 3, 2014 at the Larimer County Building on Oak St. at Special meeting at 4 p.m. and regular meeting starts at 6 p.m.

Trenary: Will be attending the Medical Center of the Rockies Town Hall meeting at

Thursday, April 3, 2014 at 4:30 p.m.; Congratulations on all of the ribbon cutting for the Chamber of Commerce.

Krenning: Attended the Elk's Club meeting where the organization awarded the City of Loveland Citizen of the Year, March 9, 2014; Requested update on the Pulliam Building quiet title action; Requested an update on City Attorney Office's capabilities per attorney; Announced City Employee picnic in June.

Gutierrez: Attended the ribbon cutting at the BioLife Center.


CITY MANAGER REPORT None.

CITY ATTORNEY REPORT None.


ADJOURNMENT

Having no further business to come before Council, the April 1, 2014 Regular Meeting was adjourned at 9:58 p.m.

Respectfully Submitted,


Teresa G. Andrews, City Clerk




Cecil A. Gutierrez, Mayor