

for a term effective until June 30, 2017.

6. A motion to appoint Chris Wertheim to the Historic Preservation Commission for a term effective until June 30, 2017.

7. A motion to appoint Dale Doering to the Housing Authority for a term effective until June 30, 2019.

8. A motion to reappoint Gene Packer to the Loveland Utilities Commission for a term effective until June 30, 2017.

9. A motion to reappoint Larry Roos to the Loveland Utilities Commission for a term effective until June 30, 2017.

These are administrative actions recommending appointments of members to the Community Marketing Commission, the Cultural Services Board, the Historic Preservation Commission, the Housing Authority, and the Loveland Utilities Commission.

2. **DEVELOPMENT SERVICES** (presenter: Noreen Smyth)

KERSEY EXEMPTION EASEMENT VACATION

A Motion to Approve and Order Published an Ordinance on Second Reading Vacating Access Easements, Drainage Easements, Emergency Access Easements, and Utility Easements across Lot 1, Amended Parcel 3 of the Kersey Exemption, Larimer County, Colorado, also known as a Portion of Parcel 6, North Boyd Lake Avenue 1st Addition to the City of Loveland, County of Larimer, State of Colorado

This is a legislative action to consider adoption on second reading of an ordinance vacating utility, drainage, emergency access and access easements. The easements are on a lot located southeast of the intersection of North Boyd Lake Avenue and Medford Place. A minor subdivision application is being processed to subdivide the lot into two lots. The applicant is Industrial Piping Specialists, Inc., who has also submitted a site development plan application to construct a 22,000 sq ft warehouse facility on one of the new lots. This ordinance was approved unanimously on first reading by Council at the July 1, 2014 regular meeting.

3. **ECONOMIC DEVELOPMENT** (presenter: Cindy Mackin)

SUPPLEMENTAL APPROPRIATION FOR LODGING TAX RESERVES

A Motion to Approve and Order Published on Second Reading an Ordinance Enacting a Supplemental Budget and Appropriation to the 2014 City of Loveland Budget for Additional Funding for Way Finding Signage, Event Support, Website Reconstruction and Installing Fiber Optic Communications to the Visitors Center

This is an administrative action. On June 18, 2014, the Community Marketing Commission unanimously voted to approve a supplemental appropriation of \$170,000 of Lodging Tax Reserves in support of certain 2014 projects. Support of these programs is consistent with the Destination Loveland Strategic Plan adopted by City Council in 2011. The ordinance is funded with reserves reducing the flexibility to use the reserves for other projects. This ordinance was unanimously approved on first reading by Council at the July 1, 2014 regular meeting.

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

4. **DEVELOPMENT SERVICES** (presenter: Bethany Clark)

LOVELAND URBAN RENEWAL AUTHORITY 2014 FAÇADE MATCHING GRANTS AND AGREEMENTS

A Motion to Approve a Resolution #R-42-2014 of the Loveland Urban Renewal Authority Awarding Façade Matching Grant Program Grants for 2014 and

**8. PARKS & RECREATION (presenter: Janet Meisel-Burns)
PUBLIC HEARING
SUPPLEMENTAL APPROPRIATION FOR MOREY/MARIANA RIVERWORK AND
VIESTENZ-SMITH MOUNTAIN PARK**

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 Engineering Work to Develop River Modeling Along the River Reaches of the Morey Wildlife Reserve/Mariana Butte Golf Course, River's Edge Natural Area and Viestenz-Smith Mountain Park

This is an administrative action. The ordinance on first reading appropriates funding for engineering costs to determine the scope for 4 park and recreation projects that require hydraulic modeling and river scour analysis prior to the full restoration of the sites. The total appropriation is \$500,000. Depending on the final determination from FEMA, some of these costs may be eligible for reimbursement and other grant opportunities that may arise. In particular the costs for Mariana Butte Golf Course's share will likely not be reimbursed but the Viestenz-Smith Mountain Park costs may be covered under the reimbursement from FEMA if the project is selected for the Alternative Pilot Program. Supplemental funding requested for the engineering studies is from the Open Space funds, \$162,500 (Fund 202), and \$250,000 from the General Fund (Fund 100) for the studies required for Viestenz-Smith Mountain Park and \$87,500 is from the Golf Enterprise Fund for engineering studies required for Marianna Butte Golf Course. The ordinance is funded with unreserved fund balance reducing the flexibility to fund other projects.

**9. ECONOMIC DEVELOPMENT (presenter: Marcie Erion)
PUBLIC HEARING
SUPPLEMENTAL APPROPRIATION AND FEE WAIVER AGREEMENT FOR THARP
CABINET CORPORATION**

1. A Motion to Adopt a Resolution #R-44-2014 Approving an Incentive and Fee and Tax Waiver Agreement with Fraley Holdings Company LLC (Tharp Cabinet Corporation)

2. 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 Incentives To Tharp Cabinet Corporation For The Expansion Of Its Current Facility

These are administrative actions. The City of Loveland is being asked to waive up to but not to exceed \$100,000 of fees and taxes based on final fee calculations provided at time of building permit issuance. The funds to backfill the Capital Expansion Fees and System Impact Fees will come out of the Economic Development Incentive Fund contingent upon City Council approval. Based on the current fee estimate, the fee waivers amount to \$40,000 with the backfill of Capital Expansion Fees and System Impact Fees in the amount of \$60,000. These figures may change based on final building plan submittal. The ordinance is funded with available fund balance that reduces the flexibility to fund other projects.

**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

10. WATER AND POWER (presenter:Chris Matkins)

PUBLIC HEARING

SUPPLEMENTAL APPROPRIATION FOR WATER TREATMENT PLANT EXPANSION AND WATERLINE REPAIRS

1. A Resolution #R-45-2014 Concerning Funding for the Water Enterprise to Improve the Water Treatment Plant

2. Public Hearing and First Reading of an Ordinance enacting a supplemental budget and appropriation to the 2014 City of Loveland Budget for the Water Treatment Plant Expansion Project and Repair of Water Lines Damaged in the 2013 Flood

This is an administrative action. Because of construction bids coming in higher than expected for the WTP expansion project and because of uncertainty regarding when the Water Utility will be reimbursed by FEMA and the State for costs associated with the Flood of 2013, there is a need to appropriate more funding in order to award the contracts for construction and services during construction for the WTP expansion project. Staff is proposing to add to the \$9.865 million fund balance included in the 2014 budget by appropriating additional revenue from three sources: a) the available balance on the previously authorized \$10 million loan from Wells Fargo (approximately \$9.9 million); b) an internal loan from the Raw Water Utility in the amount of \$13 million; and c) a new external borrowing sufficient to provide net loan proceeds that range from zero to \$2.3 million.

11. DEVELOPMENT SERVICES (presenter: Alison Hade)

INLAND GROUP AFFORDABLE HOUSING DESIGNATION AND FEE WAIVERS

1. A Resolution #R-47-2014 Approving An Affordable Housing Designation And Associated Reduction In Development Fees For A Project Known As Traditions At Loveland Senior Apartments To Be Constructed On Fox Pointe First Subdivision Within The City Of Loveland

2. A Resolution #R-48-2014 Granting an Exemption from Certain Capital Expansion Fees and Other Development Fees for a Qualified Affordable Housing Development Known as Traditions at Loveland Senior Apartments.

These are administrative actions. The first Resolution will allow Inland Group to designate low-income senior housing (55+) in the Fox Pointe Subdivision as an affordable housing development. The second Resolution would grant the Inland Group a waiver of capital expansion and building permit fees totaling \$947,153. None of the waived fees would require back filling from another funding source. City staff and the Affordable Housing Commission are recommending that City Council adopt the two resolutions to allow the Inland Group to develop an affordable housing project that would provide 165 units of affordable senior housing. The total fee waiver would be \$947,153, or 62.8% of all building permit and capital expansion fees. City Code allows a waiver of up to 70% of fees for an affordable housing project. The applicant would be paying fees

totaling \$1,896,825. Granting of the fee waiver would have a negative effect on future fund balances for capital expansion and building permit fees.

**12. ECONOMIC DEVELOPMENT (presenter: Mike Scholl)
PUBLIC HEARING**

SUPPLEMENTAL APPROPRIATION FOR SOUTH CATALYST PROJECT

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 the Purchase of Property for the South Catalyst Project

This is an administrative action. The ordinance appropriates \$6.25 million to fund the acquisition of Downtown property in support of the South Catalyst redevelopment project. The proposed project, a partnership with the Michaels Development Company and Larimer County, is expected to result in a mixed-use project that would include office, residential and retail. The total investment is expected to generate between \$50 to \$70 million. Both the Michaels Development Company and Larimer County are progressing in their project development. The project was originally conceived in the 2010 Downtown Vision book as the South Catalyst project. Staff identified the Michaels Development Company as a private sector development partner for the project and Council approved a six month exclusive right to negotiate in February of 2014. The negotiations are moving forward with Michaels and we expect an update to Council by August 5, 2014. The ordinance is funded by General Fund Reserves that reduce the flexibility to fund other projects.

**13. CITY CLERK (presenter: Terry Andrews)
PUBLIC HEARING**

CHARTER AMENDMENTS PERTAINING TO THE NUMBER OF AFFIRMATIVE VOTES FOR APPOINTMENT AND REMOVAL OF CITY ATTORNEY, CITY MANAGER, MUNICIPAL JUDGES AND CALLING A SPECIAL ELECTION

1. A Motion to Approve and Order Published on First Reading an Ordinance Submitting to a Vote of the Registered Electors of the City of Loveland, Colorado at a Special Municipal Election to be Held on November 4, 2014, the Ballot Question of Whether Subsections 9-1(a) and 9-1(d) of the City of Loveland Charter Pertaining to the Number of Affirmative Votes Required for the Appointment and Removal of the City Attorney Should be Amended

2. A Motion to Approve and Order Published on First Reading an Ordinance Submitting to a Vote of the Registered Electors of the City of Loveland, Colorado at a Special Municipal Election to be Held on November 4, 2014, the Ballot Question of Whether Subsections 8-1(a) and 8-1(e) of the City of Loveland Charter Pertaining to the Number of Affirmative Votes Required for the Appointment and Removal of the City Manager Should be Amended

3. A Motion to Approve and Order Published on First Reading an Ordinance Submitting to a Vote of the Registered Electors of the City of Loveland, Colorado at a Special Municipal Election to be Held on November 4, 2014, the Ballot Question of Whether Subsections 9-2(b) and 9-2(e) of the City of Loveland Charter Pertaining to the Number of Affirmative Votes Required for the Appointment and Removal of the Municipal Judges Should be Amended

4. A Motion to Approve a Resolution #R-46-2014 Calling for a Special Municipal Election to be Held on November 4, 2014 for the Purpose of Submitting to the Loveland Registered Electors Three Ballot Questions Asking Whether to Amend the City of Loveland Charter Provisions Pertaining to the Number of Affirmative Votes Required for the Appointment and Removal of the City

Attorney, the City Manager, and Municipal Judges and Such Other Ballot Questions as Council May Hereafter Approve, and to Authorize the Loveland City Clerk to Notify the Larimer County Clerk and Recorder of the City of Loveland's Intention to Conduct This Special Election as a Coordinated Election with Larimer County

This is a legislative action. City Council on June 3, 2014, asked that Staff draft ordinances for its consideration that would amend the City Charter to reduce the number of votes necessary to appoint or remove the City Manager and City Attorney from a super-majority of six to a simple majority of five. The Municipal Judge(s) is also appointed and removed by Council by a super-majority of six under the current Charter. Charter Amendments must be approved by the citizens of Loveland. If one or more of the ordinances and the resolution are approved the ballot measure would be considered by voters at the November 4, 2014, coordinated election.

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.*

CITY MANAGER REPORT

CITY ATTORNEY REPORT

ADJOURN