

3, 2015 Regular Meeting.

2. A Motion to Approve the City Council Meeting Minutes for the March 20, 2015 Special Meeting

This is an administrative action to approve the City Council meeting minutes for the March 20, 2015 Special Meeting.

3. A Motion to Approve the City Council Meeting Minutes for the March 24, 2015 Study Session and Special Meeting.

This is an administrative action to approve the City Council meeting minutes for the March 24, 2015 Study Session and Special Meeting minutes.

**2. FIRE RESCUE AUTHORITY (presenter: Mark Miller)
AMENDMENT TO FIRE CODE APPEALS TITLE 15.04**

A Motion to Approve and Order Published on Second Reading an Ordinance Amending Title 15.04 Concerning Fire Code Appeals

This is a legislative action to consider an ordinance on second reading. On February 25, 2015, the Loveland Fire Rescue Authority (LFRA) Board voted to recommend to City Council that a new Fire Code Board of Appeals be established with LFRA Board members. The Fire Rescue Advisory Commission currently serves in this capacity (per Loveland Municipal Code 15.04.150). The Fire Authority Board recommends that the Appeals Board be comprised of at least three LFRA Board members, provided that one of the members present is from the Rural District. This ordinance was approved unanimously on first reading by Council at the March 17, 2015 regular meeting.

3. FIRE RESCUE AUTHORITY (presenter: Mark Miller)

**AMENDMENT TO THE CODE TO APPOINT MEMBERS TO THE LOVELAND FIRE RESCUE AUTHORITY AND DISSOLVE THE FIRE RESCUE ADVISORY COMMISSION
A Motion to Approve and Order Published on Second Reading an Ordinance Amending the City Code to dissolve the Loveland Fire Rescue Advisory Commission**

Note: A slight change was made in the title and enacting language of this ordinance after first reading, to clarify the intent. This is an administrative action to dissolve the Fire Rescue Advisory Commission. The Commission has played an important role in strategic planning and policy considerations. Since Loveland Fire Rescue Authority (LFRA) Board is responsible for setting policy of the Authority, the citizen advisory board that is responsible for bringing the citizen's perspective to policy considerations should be aligned with the decision-making authority. Therefore the LFRA Board voted on January 28, 2015 to make a recommendation to the Loveland City Council to dissolve the Commission as a City Commission. If the City Council approves that action, then the LFRA Board would reinstate the existing members as an ad hoc commission and the LFRA Bylaws would be amended. This ordinance was approved unanimously on first reading by Council at the March 17, 2015 regular meeting.

**4. CITY ATTORNEY (presenter: Tami Yellico)
SUPPLEMENTAL APPROPRIATION FOR PULLIAM BUILDING QUIET TITLE**

A Motion to Approve and Order Published on Second Reading an Ordinance Enacting a Supplemental Budget and Appropriation to the 2015 City of Loveland Budget for the Payment of Legal Fees and Costs in Connection with the Quiet Title Action on the Pulliam Building

This is an administrative action to consider an ordinance on second reading making a supplemental appropriation in the amount of \$30,000 to fund the quiet title action pertaining to the Pulliam Community Building. The funding for the appropriation of \$30,000 is from fund balance in the General Fund. The General Fund balance is \$5,791,750. This ordinance was unanimously approved on first reading by Council at the March 17, 2015 regular meeting.

5. **ECONOMIC DEVELOPMENT** (presenter: Betsey Hale)
ESTABLISHMENT OF THE LOVELAND DDA
A Motion to Approve and Order Published on Second Reading an Ordinance Creating and Establishing the Loveland Downtown Development Authority in the City of Loveland, Colorado
This is an administrative action. On February 10, 2015 an election was held to determine if downtown residents, property owners, business operators and other eligible persons supported the formation of a Downtown Development Authority. The voters approved the establishment of such an entity. At the March 17, 2015 meeting, City Council unanimously approved an ordinance on first reading to establish the Downtown Development Authority and approved the Resolution establishing a DDA Board of 7 members and appointing Councilor John Fogle to the DDA Board.
6. **FINANCE** (presenter: Brent Worthington)
REDUCTION OF SALES TAX ON FOOD FOR HOME CONSUMPTION
A Motion to Approve and Order Published on Second Reading an Ordinance Reducing the Sales Tax on Food for Home Consumption
At the March 24, 2015 special meeting, staff presented City Council with information pertaining to Loveland's sales tax on food for home consumption. At that meeting, City Council adopted an ordinance on first reading that reduced sales tax on food for home consumption over a three year period, with the tax being reduced to 2% effective November 1, 2015, 1% effective November 1, 2016 and such sales tax on the sale of food for home consumption is eliminated effective November 1, 2017. Sales tax on food for home consumption would comprise approximately \$6.3 million of General Fund revenue in 2016, with an annual growth rate of approximately 3.5% per year. Reducing or eliminating this sales tax would reduce the General Fund revenue by approximately \$335,000 in 2015; an additional \$2.08 million in 2016; an additional \$2.15 million in 2017; and an additional \$2.19 million in 2018. The total reduction in General Fund Revenue in 2019, after full implementation of the elimination of sales tax on food for home consumption, would be approximately \$6.75 million per year, plus an annual growth rate of approximately 3.5%. This ordinance was approved unanimously on first reading by Council at the March 24, 2015 Special Meeting.
7. **WATER & POWER** (presenter: Jim Lees)
PUBLIC HEARING
SUPPLEMENTAL APPROPRIATION FOR WATER TREATMENT PLANT
A Motion to Approve and Order Published on First Reading an Ordinance Enacting a Supplemental Budget And Appropriation to the 2015 City of Loveland Budget to Correct the Splits of Funding for the Water Treatment Plant Expansion & the Water Transmission Line Replacement to Hwy 34
This is an administrative action. According to engineering consultants and the Water Engineering staff, the Water Treatment Plant Expansion Project should be allocated as follows: 40% in the Water Fund and 60% in the Water SIF Fund. The Water Transmission Line Replacement to Hwy 34 Project should be allocated as follows: 50% in the Water Fund and 50% in the Water SIF Fund. Between funds rolled over from 2013 and supplemental appropriations done in 2014, the percentage split for the budget between the Water Fund and the Water SIF fund is off slightly for these two projects. This ordinance addresses these corrections. The total amount of the appropriations are \$506,200 funded by transfers between the funds. There is no net increase in the total budget for either of the two projects.

8. **PUBLIC WORKS** (presenter: Dave Klockeman)
CONTRACT AWARD FOR THE 29TH STREET PAVEMENT RECONSTRUCTION PROJECT
A Motion to Award the 29th Street Pavement Reconstruction Project Contract (Project No. ENSR029) to Coulson Excavating Company of Loveland, Colorado in the Amount of \$1,279,683.00 and Authorize the City Manager to Execute the Contract
This is an administrative action. Approval of this item will allow the 29th Street Pavement Reconstruction Project (Project No. ENSR029) from Wilson Avenue to Taft Avenue to be awarded to Coulson Excavating Company of Loveland, Colorado for work to be completed in 2015. The funding for Project No. ENSR029 is budgeted in the annual Street Resurfacing Program budget within the approved 2015 Budget. Funding is available in the Adopted 2015 Budget for the Public Works Department for Street Rehabilitation Projects.
9. **PUBLIC WORKS** (presenter: Dave Klockeman)
CONTRACT EXTENSION FOR THE 2015 STREET RESURFACING PROGRAM, ASPHALT PAVING SCHEDULE
A Motion to Award the Extension of the Asphalt Paving Contract (Schedule AP) to Coulson Excavating Company of Loveland, Colorado in the Amount of \$991,000.00 and Authorize the City Manager to execute the Contract
This is an administrative action. Approval of this item extends the 2014 Street Resurfacing Program, Asphalt Paving Schedule AP (Project ENSR10-AP) contract to Coulson Excavating Company of Loveland, Colorado for work to be completed in 2015. Extension of an Asphalt Maintenance Contract is in the amount of \$991,000.00 and includes Authorization for the City Manager to execute the contract. The extension is the first of three allowed under the contract and reflects no change in unit prices from the 2014 contract. Funding is available in the Adopted 2015 Budget for the Public Works Department for Street Rehabilitation Projects.
10. **AIRPORT** (presenter: Jason Licon)
CONTRACT AMENDMENT NUMBER FIVE FOR AIRPORT FAA PROJECT AIP 34
A Motion to Authorize the City Manager to Execute an Amendment Number Five to the Contract Dated May 14, 2012 with Ch2m Hill for Design and Bidding Services of FAA Project AIP 34 at the Fort Collins-Loveland Municipal Airport and to Ratify all Previous Amendments to the Contract
This is an administrative action to authorize the City Manager to execute an amendment to the existing contract with the engineering firm CH2M Hill for Airport design and engineering services to include the design and bidding services for the State of Colorado funded project AIP Project number 3-08-0023-34-2015 "Construct Snow Removal Equipment Storage Building". The contract fee for the work included in Amendment Number Five is for \$153,311.31. The Airport's Council-approved 2015 Budget contains the necessary appropriations for the expenditure for the contract and is reimbursable from an approved Colorado Department of Transportation Division of Aeronautics.
11. **FINANCE** (presenter: Marc Kahn)
PUBLIC HEARING
RE-APPROPRIATION FOR AIRPORT PROJECTS NOT COMPLETED IN 2014
A Motion to Approve and Order Published on First Reading an Ordinance Enacting Re-Appropriation to the 2015 Ft. Collins-Loveland Municipal Airport Budget to Appropriate Funds for Projects Approved but not Completed in 2014
This is an administrative action. The ordinance re-appropriates the remaining balance for capital and one-time projects previously approved in 2014. The total re-appropriation is \$1,678,700. The re-appropriation is funded by fund balance within the Airport Fund from grants previously received or to be drawn down and contributed from the two cities.

12. **FINANCE** (presenter: Marc Kahn)
PUBLIC HEARING
SUPPLEMENTAL APPROPRIATION FOR AIRPORT PROJECTS NOT ANTICIPATED AT THE TIME OF ADOPTION OF THE 2015 BUDGET
A Motion to Approve and Order Published on First Reading an Ordinance Enacting a Supplemental Budget and Appropriation to the 2015 Ft. Collins-Loveland Municipal Airport for Projects or Programs not Anticipated at the Time of Adoption for the 2015 Budget

This is an administrative action. Since the adoption of the 2015 Budget, the Airport Utilities Master Plan has not been completed and the funds need to be rolled over. This ordinance appropriates \$18,902 to complete the project. The appropriation is funded by fund balance within the Airport Fund from grants previously received or to be drawn down and contributed from the two cities.

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

13. **FINANCE** (presenter: Marc Kahn)
PUBLIC HEARING
RE-APPROPRIATION FOR LURA FOR PROJECTS APPROVED BUT NOT COMPLETED IN 2014

A Motion to Approve and Order Published on First Reading an Ordinance Enacting a Supplemental Budget and the Re-Appropriation to the Loveland Urban Renewal Authority Budget of the Façade Grant Program Approved in 2014 but not Completed
This is an administrative action. Reserves in the amount of \$60,190 are reappropriated for the Façade Grant Program. Fund balance created as a result of the projects not being completed fund the ordinance.

ADJOURN AS THE BOARD OF THE LOVELAND URBAN RENEWAL AUTHORITY (LURA) AND RECONVENE AS CITY COUNCIL

14. **CITY MANAGER** (presenter: Alan Krcmarik)
INVESTMENT REPORT FOR FEBRUARY 2015

This is an information only item. The budget projection for investment earnings for 2015 is \$1,759,080. On the portfolio's beginning balance this equates to an annual interest rate of 0.84%. For February, earnings of \$94,694 were posted to City funds. Interest rates rose in February, reversing the unrealized gain in January to an unrealized loss of \$532,192. Based on the monthly statement, the estimated annualized yield in February on the securities held by US Bank was 1.06%. Due to draws from fund balances to pay for the cost of scheduled capital projects, flood response, and project repair, the portfolio is about \$8 million lower than December 2013 and \$26.8 million lower than the pre-flood peak.

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

15. **FINANCE** (presenter: Marc Kahn)
PUBLIC HEARING
RE-APPROPRIATION FOR CITY PROJECTS APPROVED BUT NOT COMPLETED IN 2014
A Motion to Approve and Order Published on First Reading an Ordinance Enacting a Supplemental Budget and Appropriation to the 2015 City of Loveland Budget to Reappropriate Remaining Funds for Projects Approved but not Completed in 2014
This is an administrative action. The ordinance re-appropriates funding approved in 2014 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 \$62,511,054. The projects or programs in the ordinance were funded in 2014. Funding is available since the expenditures that did not occur became fund balance at the end of 2014. The re-appropriation of these projects, does not have an impact on the 2015 Budget since the assumption in developing the 2015 Budget was that these funds would be spent by the end of 2014.

16. **FINANCE** (presenter: Marc Kahn)
PUBLIC HEARING
SUPPLEMENTAL APPROPRIATION FOR CITY PROJECTS NOT ANTICIPATED AT ADOPTION OF THE 2015 BUDGET
A Motion to Approve and Order Published on First Reading an Ordinance Enacting a Supplemental Budget and Appropriation to the 2015 City of Loveland Budget for Projects or Programs not Anticipated at the Time of Adoption for the 2015 Budget
This is an administrative action. Since the adoption of the 2015 Budget several issues have emerged that require increased appropriations. This ordinance addresses those issues. The total amount of appropriation is \$719,728 funded primarily by available fund balance. Nearly all of the appropriation is funded by fund balance reducing the flexibility to fund future projects.

17. **CITY ATTORNEY** (presenter: Tami Yellico)
EXECUTIVE SESSION REGARDING PRESIDING MUNICIPAL JUDGE POSITION
A Motion for City Council to go into Executive Session for the Purposes of Evaluating and Deliberating with Regard to the Applicants for the Presiding Municipal Judge Position, which may Include Determining Positions with Regard to Matters that may be Subject to Employment Contract Negotiations and Instructing Negotiators. Council may Consider Direction to Staff in Open Session.
This is an administrative action to conduct an executive session as a result of interviews that were conducted for the Presiding Municipal Judge position on March 20, 2015.

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