

BOARD

1. **A Motion to Reappoint Erin Frisch, Pat Kistler, and John Tindall to Police Citizen Advisory Board, Each for a Term Effective until December 31, 2017**
2. **A Motion to Appoint Mark Kirkpatrick as an Alternate Member on Police Citizen Advisory Board for a Term Effective until December 31, 2015**
3. **A Motion to Appoint Kim Ferro to the Senior Advisory Board as the Representative for UCH Aspen Club/Senior Services for a Two-year Term Effective until April 21, 2017**
4. **A Motion to Appoint Anne Brown to the Senior Advisory Board as the Representative for Loveland Senior Singles for a Two-year Term Effective until April 21, 2017**

This is an administrative action recommending the appointment of members to the Police Citizen Advisory Board and the Senior Advisory Board.

3. **WATER & POWER** (presenter: Jim Lees)
SUPPLEMENTAL APPROPRIATION FOR WATER TREATMENT PLANT

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 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. This ordinance was unanimously approved on first reading by Council at the April 7, 2015 regular meeting.

4. **FINANCE** (presenter: Marc Kahn)
RE-APPROPRIATION FOR AIRPORT PROJECTS NOT COMPLETED IN 2014

A Motion to Approve and Order Published on Second Reading An Ordinance Enacting A Supplemental Budget And 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 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. This ordinance was unanimously approved on first reading by Council at the April 7, 2015 regular meeting.

5. **FINANCE** (presenter: Marc Kahn)
SUPPLEMENTAL APPROPRIATION FOR AIRPORT PROJECTS NOT ANTICIPATED AT THE TIME OF ADOPTION OF THE 2015 BUDGET

A Motion to Approve and Order Published on Second 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. This ordinance was approved unanimously on first reading by Council at the April 7, 2015 regular meeting.

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

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

A Motion Enacting An Ordinance on Second Reading Enacting a Supplemental Budget and Re-appropriation to the 2015 Loveland Urban Renewal Authority Budget to Re-appropriate 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. This ordinance was approved unanimously on first reading by Council at the April 7, 2015 regular meeting.

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

**7. FINANCE (presenter: Marc Kahn)
RE-APPROPRIATION FOR CITY PROJECTS APPROVED BUT NOT COMPLETED IN 2014**

A Motion to Approve and Order Published on Second Reading an Ordinance Enacting a Supplemental Budget and Re-Appropriation to the 2015 City of Loveland Budget 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 for these is available since the appropriations that did not occur became fund balance at the end of 2014. The appropriation of these projects, do 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. This ordinance was approved unanimously on first reading by Council at the April 7, 2015 regular meeting.

**8. FINANCE (presenter: Marc Kahn)
SUPPLEMENTAL APPROPRIATION FOR CITY PROJECTS NOT ANTICIPATED AT ADOPTION OF THE 2015 BUDGET**

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 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. This ordinance was approved unanimously on first reading by Council at the April 7, 2015 regular meeting.

9. **WATER & POWER** (presenter: Roger Berg)
IGA AND WATER METER VAULT AT BOYD LAKE AVENUE AND HWY 34
A Motion to Approve a Resolution #R-27-2015 Approving an Intergovernmental Agreement Between the City of Loveland, Centerra Metropolitan District No. 1, and Little Thompson Water District Concerning the Relocation of a Water Meter Vault with Associated Connections and a Fire Hydrant from the Intersection of Boyd Lake Avenue and U.S. Highway 34 to Facilitate Intersection Improvements
 This is an administrative action. This is a proposed IGA with Centerra Metropolitan District No. 1 (Metro District) and Little Thompson Water District related to relocating the meter vault and fire hydrant at Boyd Lake Avenue and U.S. Highway 34. The work is required to accommodate intersection improvements that are scheduled to be completed this summer. The City will enter into and administer the construction contract (estimated at \$250,000), and the Metro District will reimburse the City for all costs except some minor sewer work totaling about \$3,000. The Metro District is obligated to fund this work pursuant to a 2014 Development Agreement. This project is scheduled to be completed in May 2015. The net impact to the City will be an expense of approximately \$3,000, funds have been appropriated and are available in the 2015 Water and Power budget.
10. **FINANCE** (presenter: Brent Worthington)
FINANCIAL REPORT FOR FEBRUARY 2015
 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, 2015.

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

11. **CITY MANAGER** (presenter: Bill Cahill)
YOUTH ADVISORY COMMISSION NLC REPORT
Youth Advisory Commission Presentation to Council about the National League of Cities Conference
 This is an information only item. The City Council funded 12 Youth Advisory Commissioners and 2 chaperones attending the National League of Cities conference in Washington, DC from March 7 – March 11, 2015.
12. **HUMAN RESOURCES** (presenter: Julia Holland)
Appointment of Presiding Municipal Judge and Possible Executive Session
Move to appoint Gerellen Joneson as the Loveland Presiding Municipal Judge and

authorize the Mayor to execute an employment agreement with Ms. Joneson on terms and conditions consistent with Council's direction. City Council may call an executive session.

This is an administrative action to appoint Ms. Joneson based on the recruitment process and to authorize the Mayor to execute an employment contract consistent with direction provided to negotiators.

**13. ECONOMIC DEVELOPMENT (presenter: Mike Scholl)
BRIEFING ON DOWNTOWN SOUTH CATALYST PROJECT WITH POSSIBLE EXECUTIVE SESSION**

A Public Update On The Downtown Property Acquisition And Possible Executive Session To Discuss Confidential Commercial And Financial Information Protected Under The Open Meetings Law And City Charter And/Or Colorado Open Records Act.

This is an information item only. The City of Loveland has been working to acquire property in a two block area in Downtown Loveland for the purposes of facilitating a redevelopment project in partnership with the Michaels Development Company and Larimer County. This session will update the public on the status of the project and discuss ongoing negotiations with the remaining property owners. City Council may call an executive session.

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



PROCLAMATION

WHEREAS the 2015 National Drinking Water Week is May 3 through the 9 and serves to recognize the vital role water plays in our daily lives, and

WHEREAS other communities throughout the world are not as fortunate to have clean, sanitary water in close proximity to their homes and schools, and

WHEREAS Hach Company is a large, local employer and manufacturer of water quality testing and analysis equipment with a mission to ensure water quality for people around the world, and

WHEREAS Hach is hosting the 2nd Annual Hach Walk for Water event on May 2nd at 9am at Loveland High School in partnership with Colorado State University and Hydro Construction, to increase community awareness around the importance of our water, and

WHEREAS the Hach Walk for Water is designed to raise donations for the charitable organization Water Missions International for the purchase of sustainable water treatment systems to be delivered, installed and maintained in less-fortunate international communities to improve their quality of life.

NOW, THEREFORE, we, the City Council of Loveland, do hereby proclaim Saturday, May 2, 2015 as

HACH WALK FOR WATER DAY

in the City of Loveland.

Signed this 21st day of April, 2015

Cecil A. Gutierrez
 Mayor



CITY COUNCIL

Civic Center • 500 East Third Street, Suite 330 • Loveland, CO 80537
 (970) 962-2303 • Fax (970) 962-2900 • TDD (970) 962-2620
www.cityofloveland.org

PROCLAMATION

WHEREAS the International Sculpture Center has declared April 24, 2015 to be International Sculpture Day; and

WHEREAS sculpture and three dimensional art have paved the way to make the City of Loveland one of America's great arts centers; and

WHEREAS sculpture, bronze casting and other arts related activities are vital economic drivers in Loveland; and

WHEREAS the arts continue to enrich our quality of life in so many ways.

NOW, THEREFORE, we, the City Council of Loveland hereby proclaim that April 24, 2015 be recognized as

INTERNATIONAL SCULPTURE DAY

in our community and invite our citizens to experience and celebrate Loveland's sculptural heritage.

Signed this 21st day of April, 2015

Cecil A. Gutierrez
 Mayor



MINUTES
LOVELAND CITY COUNCIL MEETING
TUESDAY, MARCH 17, 2015
CITY COUNCIL CHAMBERS
500 EAST THIRD STREET
LOVELAND, COLORADO

6:30 P.M. REGULAR MEETING - City Council Chambers

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

Roll was taken and the following responded: Gutierrez; Clark; Farley; Shaffer; Trenary; and Fogle. Councilors Taylor and Krenning were absent.

Mayor Pro Tem Clark read the **PROCLAMATION DECLARING MARCH 19, 2015 AS COLORADO'S CHILDREN'S DAY** which was received by Joe Chaplin.

Anyone in the audience will be given time to speak to any item on the Consent Agenda. Please ask for that item to be removed from the Consent Agenda. Items pulled will be heard at the beginning of the Regular Agenda. Members of the public will be given an opportunity to speak to the item before the Council acts upon it.

Public hearings remaining on the Consent Agenda are considered to have been opened and closed, with the information furnished in connection with these items considered as the only evidence presented. Adoption of the items remaining on the Consent Agenda is considered as adoption of the staff recommendation for those items.

Anyone making a comment during any portion of tonight's meeting should come forward to a microphone and identify yourself before being recognized by the Mayor. Please do not interrupt other speakers. Side conversations should be moved outside the Council Chambers. Please limit comments to no more than three minutes.

Mayor Gutierrez asked if anyone wished to remove any items from the Consent Agenda. Mayor Pro Tem Clark asked for item 13 to be removed from the consent agenda. Councilor Farley seconded the motion which carried with all councilors present voting in favor.

CONSENT AGENDA

1. **CITY CLERK** (presenter: Terry Andrews)
APPROVAL OF MEETING MINUTES
 1. **A Motion to Approve the City Council Meeting Minutes for the February 17, 2015 Regular Meeting was approved.**
This is an administrative action to approve the City Council meeting minutes for the February 17, 2015 Regular Meeting.
 2. **A Motion to Approve the City Council Meeting Minutes for the February 24, 2015 Study Session was approved.**
This is an administrative action to approve the City Council meeting minutes for the February 24, 2015 Study Session.

2. **CITY MANAGER** (presenter: Bill Cahill)
APPOINTMENTS TO THE CITIZENS' FINANCE ADVISORY COMMISSION, CULTURAL SERVICES BOARD AND DISABILITIES ADVISORY COMMISSION
 1. **A Motion to Appoint John Case to the Citizens' Finance Advisory**

Commission for a Full Term Effective until December 31, 2017 was approved.

2. A Motion to Reappoint Jan Desjardin to the Cultural Services Board for a Term Effective until December 31, 2018 was approved.

3. A Motion to Appoint Dr. Dierdre Cook and Desiree Eremondi to the Cultural Services Board, Each for a Term Effective until December 31, 2018 was approved.

4. A Motion to appoint Karlee Keller to the Disabilities Advisory Commission for a Term Effective until June 30, 2017 was approved.

These are administrative actions recommending the appointment of members to the Citizens' Finance Advisory Commission, Cultural Services Board and the Disabilities Advisory Commission.

3. **PUBLIC WORKS** (presenter: Lorna Holmes)

SUPPLEMENTAL APPROPRIATION FOR FAB BUILDING REMODEL

A Motion to Approve and Order Published on Second Reading Ordinance #5916 Enacting a Supplemental Budget and Appropriation to the 2015 City of Loveland Budget for Fire Administration Building (Fab) Remodel was approved.

This is an administrative action. The ordinance on second reading appropriates funds for design and construction on the Fire & Administration Building remodel project to create a Development Center in the amount of \$1,200,000. The project will be funded by reserves in the amount of \$1,116,000 from Fund Balance in the General Fund and \$84,000 from the Fund Balance in the General Government Capital Expansion Fee Fund. Both funds have adequate balances. Current balance in the General Fund is \$5,828,741 and in the General Government CEFs is \$6,963,658. This ordinance was approved unanimously on first reading by Council at the March 3, 2015 regular meeting.

4. **PUBLIC WORKS** (presenter: Dave Klockeman)

SUPPLEMENTAL APPROPRIATION FOR RAILROAD AVENUE FLOOD REPAIRS

A Motion to Approve and Order Published on Second Reading Ordinance #5917 Enacting a Supplemental Budget and Appropriation to the 2015 City of Loveland Budget for Flood Related Transportation Repairs on Railroad Avenue was approved.

This is an administrative action. The City has received a federal grant through the Colorado Department of Transportation (CDOT) in the amount up to \$4,311,935.00 to fund flood related transportation repairs in the City of Loveland. This item consists of consideration of the first reading of an ordinance to appropriate the federal funds for the Railroad Avenue project included in the intergovernmental agreement previously approved by City Council. The project is funded from federal funds, State matching funds in the amount of \$448,172.50 and City of Loveland local match funds in the amount of \$448,172.50. The City funds are included within the approved 2014 Budget for the Public Works Department for Street Rehabilitation Projects, anticipated to be included in the rollovers at a future City Council meeting. The ordinance was approved unanimously by Council at the March 3, 2015 regular meeting.

5. **PUBLIC WORKS** (presenter: Dave Klockeman)

SUPPLEMENTAL APPROPRIATION FOR BOISE AVENUE EXTENSION PROJECT

A Motion to Approve and Order Published on Second Reading Ordinance #5918 Enacting a Supplemental Budget and Appropriation to the 2015 City of Loveland Budget for the Boise Avenue Extension Project was approved.

This is an administrative action. At the January 6, 2015 City Council Meeting, City staff was directed to design and construct interim improvements to the Boise Avenue Extension Project in 2015. This item includes an additional appropriation request of \$400,000 for 2015 from Street Capital Expansion Fee reserves as well as an update on the project status showing the schedule for completing the design and construction in 2015. The total cost for the interim project is estimated at \$1,600,000. In addition to the approximately

\$300,000 available in the 2014 Boise Avenue project budget (planned to be rolled over in March), \$290,000 is appropriated in the Fiscal Year 2015 Budget for starting amount of \$590,000. Funding not yet assigned to specific projects in 2014 due to delays in re-prioritizing the Transportation Capital Improvement Program in the amount of \$610,000 increases the available funding to \$1,200,000. CEF revenue is estimated to have come in at about \$400,000 over budget projections in Fiscal Year 2014. Applied to the Boise Avenue project, total identified funding would be the needed \$1,600,000. This ordinance was approved unanimously on first reading by Council at the March 3, 2015 regular meeting.

6. **DEVELOPMENT SERVICES** (presenter: Troy Bliss)
VACATION OF RIGHT-OF-WAY WITHIN THE ORIGINAL TOWN OF LOVELAND
A Motion to Approve and Order Published on Second Reading Ordinance #5919 Vacating a Portion of a Public Right-of-Way Located within the Original Town of Loveland, City of Loveland, County of Larimer, State of Colorado was approved.
 This is a legislative action to consider adoption of an ordinance on second reading vacating a small portion (6") of public right-of-way within the Original Town of Loveland Addition. The right-of-way to be vacated is on E. 4th Street, adjacent to the front of the Arcadia Hotel. The purpose of the vacation is to accommodate stabilization of the building foundation and the addition of a new brick façade. The subject portion of right-of-way does not include any public utilities and is so negligible in scope that there will be no impacts to the sidewalk along E. 4th Street for pedestrian movement. This ordinance was approved unanimously on first reading by Council at the March 3, 2015 regular meeting.
7. **CITY CLERK** (presenter: Terry Andrews)
SPECIAL MEETING REGARDING SALES TAX ON FOOD FOR HOME CONSUMPTION
A Motion calling for a Special Meeting to be held at 6:30 p.m., in the Council Chambers on March 24, 2015, Immediately Following the Study Session. The purpose of the special meeting is to discuss and give Staff direction regarding sales tax on food for home consumption. This meeting may include action, including consideration of ordinances and/or resolutions relative to sales tax on food for home consumption. Council agrees to waive their right for notice delivered to their homes. This action was approved.
 This is an administrative action. At the regular meeting on February 17, 2015, City Council directed Staff to schedule adequate time and provide information for discussion regarding the sales tax on food for home consumption "(sales tax on food)", within the City of Loveland. Staff has been asked to prepare ordinances for Council consideration at the meeting. The City Charter requires Council to receive notice at their place of residence, unless they waive the requirement.
8. **ECONOMIC DEVELOPMENT** (presenter: Cindy Mackin)
IGA FOR THE COLORADO PRO CHALLENGE (CYCLING) ORGANIZING COMMITTEE
A Motion to Adopt Resolution #R-22-2015 Approving an Intergovernmental Agreement for the Creation of the Northern Colorado Pro Challenge Local Organizing Committee was approved.
 This is an administrative action to approve a resolution establishing the Northern Colorado USA Pro Challenge (Cycling) Local Organizing Committee (LOC) which is the public entity responsible for planning, funding, promoting and conducting the Loveland-Windsor-Fort Collins stage of the August 2015 bike race. This IGA is very similar to the IGA approved in 2013. The changes in this agreement include in-kind contributions from the Town of Windsor and Estes Park is no longer a partner in the event.
9. **FIRE RESCUE AUTHORITY** (presenter: Mark Miller)

SUPPLEMENTAL APPROPRIATION FOR LFRA FOR 2015

A Motion to Adopt Resolution #R-23-2015 Approving a Supplemental Budget and Appropriation for the Loveland Fire Rescue Authority 2015 Budget was approved.

This is an administrative action. The resolution provides for Council approval of supplemental changes to the Loveland Fire Rescue Authority 2015 Budget to reappropriate operational expenses not spent in 2014 and add new projects. The Council approval of the budget is required for the Authority's budget to be in effect. Implementation of the resolution requires an additional contribution from the City of \$419,826 to be appropriated from reserves, available due to 2014 savings in the budgeted contribution to LFRA. At year end the contribution from the City had a balance of \$576,933, the LFRA Board approved \$419,826 of that 2014 balance to be reappropriated in 2015, leaving \$157,107 to be retained in the City's General Fund.

10. **FIRE RESCUE AUTHORITY** (presenter: Mark Miller)
REVISED SCHEDULE OF RATES, CHARGES, AND FEES FOR SERVICES
A Motion to Adopt Resolution #R-24-2015 Approving the 2015 Revised Schedule of Rates, Charges and Fees for Services Provided by the Loveland Fire Rescue Authority was approved.
 This is an administrative action to approve a resolution to revise the 2015 schedule of fire related fees for the Loveland Fire Rescue Authority, originally approved by City Council on October 14, 2014 to be effective January 1, 2015. The LFRA Board approved the revised fees on February 25, 2015 for a May 1, 2015 effective date. The increase in activity expected in 2015 is anticipated to cover the elimination of the inspection permits.
11. **FIRE RESCUE AUTHORITY** (presenter: Mark Miller)
AMENDMENT TO FIRE CODE APPEALS TITLE 15.04
A Public Hearing was held and a Motion to Approve and Order Published on First Reading an Ordinance Amending Title 15.04 Concerning Fire Code Appeals was approved.
 This is an administrative action to consider an ordinance on first reading. The Loveland Fire Rescue Authority (LFRA) Board at their meeting on February 25, 2015 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 Appeals Board be comprised of at least three LFRA Board members, provided that one of the members present is from the Rural District.
12. **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 Public Hearing was held and a Motion to Approve and Order Published on First Reading an Ordinance Amending the City Code to Appoint the Current Members of the Loveland Fire Rescue Advisory Commission to the Loveland Fire Rescue Authority and Dissolve the City Commission was approved.
 This in an administrative action to dissolve the Fire Rescue Advisory Commission. The Commission over the years 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 at their meeting 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.

13. **CITY ATTORNEY** (presenter: Tami Yellico)
SUPPLEMENTAL APPROPRIATION FOR PULLIAM BUILDING QUIET TITLE
 This item was moved to the Regular Agenda.

14. **CITY MANAGER** (presenter: Alan Krcmarik)
INVESTMENT REPORT FOR JANUARY 2015
 This is an information only item. The budget projection for investment earnings for 2015 is \$1,759,080. The portfolio's January beginning balance equates to an annual interest rate of 0.84%. For January, earnings of \$155,823 were offset by the maturity of a premium bond, leading to the net posting of \$54,055. Because of the huge drop in interest rates, the unrealized loss position switched to a gain of \$254,219. Based on the monthly statement, the estimated annualized yield in January on the securities held by US Bank was 1.05%. Due to draws from fund balances to pay for the cost of scheduled capital projects, flood response, and project repair, the portfolio is about \$8.5 million lower than December 2013 and \$19.5 million lower than the pre-flood peak.

END OF CONSENT AGENDA

CITY CLERK READ THE TITLES OF THE 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

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REGULAR AGENDA

CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA

13. **CITY ATTORNEY** (presenter: Tami Yellico)
SUPPLEMENTAL APPROPRIATION FOR PULLIAM BUILDING QUIET TITLE
 This is an administrative action to consider an ordinance on first 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. City Attorney, Tami Yellico gave Council an update on the status of this process. Mayor Gutierrez asked for public comment at 6:48. There were no public comments. **Councilor Shaffer moved to Approve and Order Published on First 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 was approved. The motion seconded by Mayor Pro Tem Clark, carried with all councilors present voting in favor thereof.**
15. **CITY MANAGER** (presenter: Bill Cahill)
SUPPLEMENTAL APPROPRIATION FOR LINCOLN HOTEL SETTLEMENT AGREEMENT

Councilor Fogle recused himself, citing that the owner of this building and he were friends, and left Chambers for the consideration of this item. Councilor Farley, who recused himself on first reading, indicated that he did not believe a conflict existed for his participation in the consideration of this ordinance. This is an administrative action to consider on second reading an ordinance appropriating \$220,000 to fund the City's contribution to the cost of fire sprinkler improvements to the Lincoln Hotel as contemplated by a Settlement Agreement with Lincoln Hotel, LLC. The Settlement Agreement was entered into on October 21, 2014 to resolve an appeal to City Council of the Fire Marshall's Order to Correct significant fire code violations in the building. Council approved this ordinance unanimously on first reading at the March 3, 2015 regular meeting. Mayor Gutierrez asked for public comment. There were no public comments. **Councilor Shaffer moved to Approve and Order Published on Second Reading Ordinance #5920 Enacting a Supplemental Budget and Appropriation to the 2015 City of Loveland Budget for the Lincoln Hotel Settlement Agreement. The motion seconded by Mayor Pro Tem Clark, carried with all councilors present voting in favor thereof.**

16. **CITY ATTORNEY** (presenter: Vince Junglas)
TEEN COURT PROGRAM IGA WITH THOMPSON SCHOOL DISTRICT

Assistant City Attorney, Vincent Junglas introduced this item to Council. Representatives from the school district were present to answer questions. This is an administrative action to consider a resolution approving an Intergovernmental Agreement ("IGA") for operation of a municipal "Teen Court" program. Teen Court is a joint effort between the City of Loveland Judicial Branch (Municipal Court), Executive Branch (City Attorney) and the Thompson Valley School District. The IGA between the City and the School District includes operational provisions and provides funding for the program, the City will contribute an amount not to exceed \$3,000 for the operation of the program in 2015. The funds will cover a portion of the District's administrative, operational, and personnel costs incurred in connection with the program. The School District has approved the IGA. Funds for this purpose are included in the 2015 Municipal Court Budget. Funds in the amount of \$3,000 per year have been appropriated as part of the 2015 Municipal Court Budget. Mayor Gutierrez asked for public comment at 7:15 p.m. There were no comments from the public. **Councilor Shaffer moved to Adopt Resolution #R-25-2015 Approving an Intergovernmental Agreement between the City of Loveland, a Home Rule Municipality, and the Thompson School District R-2J for Operation of the Loveland Municipal Teen Court Program. The motion, seconded by Councilor Farley, carried with all councilors present voting in favor thereof.**

17. **ECONOMIC DEVELOPMENT** (presenter: Marcie Erion)
PUBLIC HEARING

ESTABLISHMENT OF DDA AND NUMBER OF MEMBERS

Business Development Specialist, Marcie Erion, presented this item to Council. These are administrative actions. 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. This formation action will be supplemented by an ordinance adopted by Council, to formally establish a Loveland Downtown Development Authority. The resolution will set the number of members on the DDA Board and appoint a member of the City Council to the DDA Board. Mayor Gutierrez asked for public comment on both the ordinance and resolution related to this item, at 7:25. There were no comments from the public.

Council Shaffer moved to Approve and Order Published on First Reading an Ordinance Creating and Establishing the Loveland Downtown Development

Authority in the City of Loveland, Colorado. The motion, seconded by Councilor Farley, carried with all councilors present voting in favor thereof.

Councilor Shaffer move to Approve Resolution #R-26-2015 Establishing the Number of Members of the Board and Appointing a Councilmember to the Board of the Loveland Downtown Development Authority (the “DDA”). The motion, seconded by Councilor Farley carried with all Councilors present voting in favor thereof. Mayor Gutierrez asked for nominations for Council Liaison appointment to the DDA. Councilor Farley nominated John Fogle, the nomination was seconded by Councilor Trenary. A vote was taken and all voted in favor of the nomination.

18. **CITY ATTORNEY** (presenter: Tami Yellico)
EXECUTIVE SESSION REGARDING PANHANDLING CODE PROVISIONS AND COMMERCIAL SOLICITATION CODE PROVISIONS. Councilor Shaffer moved that City Council go into executive session to receive legal advice from the City Attorney’s Office regarding municipal code provisions and potential code modifications to the commercial solicitation ordinance at Chapter 5.1 of the Loveland Municipal Code and to the panhandling ordinance at Chapter 9.30 of the Loveland Municipal Code as authorized by C.R.S. §24-6-402(4)(b) and Charter Section 4-4(c)(3), at 7:40 p.m. The motion, seconded by Councilor Fogle, carried with all councilors present voting in favor thereof. Council reconvened at 8:34.

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.

- Trenary Attended dedication of Habitat for Humanity on Saturday; Attended National League of Cities (NLC): the City may need to look at cell tower zoning provisions.
- Fogle Attended events with the Youth Advisory Commission (YAC); Attended NLC, a lot of discussion regarding Community Broadband. The City will need to move forward with bringing a preemption of Senate Bill 152 before the voters, if we are going to pursue establishing Community broadband utility.
- Clark Attended NLC and serves as Council liaison to the YAC and was very proud of them at the conference.
- Shaffer Attended NLC mostly transportation sessions. Expressed appreciation for the supervisors of the YAC that attended the conference.
- Farley Requested the City Manager work with the YAC to reserve the Devereaux Room for their annual recruitment.
- Gutierrez Announced Meals on Wheels month; Attended NLC: reminded the President’s Staff of the “train horn noise” rule needing more scrutiny; a tool for Community Engagement (passed along to the City Manager); also commended the YAC; Met with the Department of Energy; moving Staff Evaluations from October to The Spring. Consensus of Council was to move the City Manager’s evaluation to May 2016 and then conduct the evaluations for all three City Council employees in May in the future.

CITY MANAGER REPORT

Cahill Chamber of Commerce "Business before hours" Wednesday March 18, 2015 beginning 7:30 a.m. at the Loveland Library.
Joint meeting with the School District March 19, 2015 at 6:00 p.m. in the Devereaux Room at the Rialto Theatre: two items for discussion: 1) Broadband; and 2) Assessment from the School District.

CITY ATTORNEY REPORT

None

ADJOURN

Hearing no more business before this Council, Mayor Gutierrez adjourned the March 17, 2014 Regular meeting at 9:10 p.m.

Respectfully Submitted,

Teresa G. Andrews, City Clerk

Cecil A. Gutierrez, Mayor

DRAFT



CITY OF LOVELAND
CITY MANAGER'S OFFICE

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AGENDA ITEM: 2
MEETING DATE: 4/21/2015
TO: City Council
FROM: City Manager
PRESENTER: Bill Cahill, City Manager

TITLE:

Appointments to Police Citizen Advisory Board and Senior Advisory Board

RECOMMENDED CITY COUNCIL ACTION:

1. A Motion to Reappoint Erin Frisch, Pat Kistler, and John Tindall to the Police Citizen Advisory Board, Each for a Term Effective until December 31, 2017
2. A Motion to Appoint Mark Kirkpatrick as an Alternate Member of the Police Citizen Advisory Board for a Term Effective until December 31, 2015
3. A Motion to Appoint Kim Ferro to the Senior Advisory Board as the Representative for UCH Aspen Club/Senior Services for a Two-year Term Effective until April 21, 2017
4. A Motion to Appoint Anne Brown to the Senior Advisory Board as the Representative for Loveland Senior Singles for a Two-year Term Effective until April 21, 2017

OPTIONS:

1. Adopt the action as recommended.
2. Deny the action.

SUMMARY:

This is an administrative action recommending the appointment of members to the Police Citizen Advisory Board and the Senior Advisory Board.

BUDGET IMPACT:

- Positive
 Negative
 Neutral or negligible

BACKGROUND:

During the Fall 2014 recruiting cycle, the **Police Citizen Advisory Board** received seven applications for three term vacancies. Two candidates did not take interviews. Five were interviewed. The interview committee recommends the reappointment of Erin Frisch, Pat Kistler, and John Tindall to the Board, each for a term effective until December 31, 2017. Mike Kirkpatrick

is recommended for appointment as an alternate member on Police Citizen Advisory Board for a term effective until December 31, 2015.

Section 2.60.020 of the Loveland Municipal Code states:

"Senior Advisory Board: There is established a senior advisory board consisting of fifteen members. Nine members shall be appointed by the city council to serve terms of three years. Six members shall be nominated by the senior advisory board, and approved by the city council, to serve terms of two years. These six members shall consist of one at large member, and one member from each of the following organizations: Chilson Senior Advisory Committee, Housing Authority of the City of Loveland, Colorado, McKee Senior Services, the UCH Aspen Club/Senior Services, and the McKee Medical Center Seasons Club."

At the April 1, 2015 regular meeting of the Senior Advisory Board, Kim Ferro was nominated as the UCH Aspen Club/Senior Services representative to Senior Advisory Board for a two-year term effective until April 21, 2017 and Anne Brown was nominated as the Senior Singles representative to the Senior Advisory Board for a two-year term effective until April 21, 2017.

REVIEWED BY CITY MANAGER:



LIST OF ATTACHMENTS:

None



CITY OF LOVELAND
FINANCE DEPARTMENT

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AGENDA ITEM: 3
MEETING DATE: 4/21/2015
TO: City Council
FROM: Steve Adams, Water & Power
PRESENTER: Jim Lees, Utility Accounting Manager

TITLE:

An Ordinance on Second Reading Enacting a Supplemental Budget and Appropriation to the 2015 Water and Water SIF Funds to Correct the Splits of Funding for the Water Treatment Plant Expansion & the Water Transmission Line Replacement to Hwy 34

RECOMMENDED CITY COUNCIL ACTION:

Approve the ordinance on second reading.

OPTIONS:

1. Adopt the action as recommended.
 2. Deny the action. If the action is denied the requested appropriation will remain appropriated in the incorrect funds.
 3. Adopt a modified action. (specify in the motion)
 4. Refer back to staff for further development and consideration. If the requested appropriation is referred back to staff, the projects under consideration will be delayed until they are approved by Council.
-

SUMMARY:

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. This ordinance was unanimously approved on first reading by Council at the April 7, 2015 regular meeting.

BUDGET IMPACT:

- Positive
 Negative
 Neutral or negligible

The appropriation is funded by transfers between the Water and Water SIF Funds.

BACKGROUND:

The ordinance provides appropriations for the following projects:

- \$420,000 - Water Treatment Plant Expansion
 - \$86,200 – Water Transmission Line Replacement to Hwy 34
-

REVIEWED BY CITY MANAGER:

LIST OF ATTACHMENTS:

1. Ordinance

FIRST READING April 7, 2015

SECOND READING April 21, 2015

ORDINANCE NO. _____

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

WHEREAS, the City has received funds not anticipated or appropriated at the time of the adoption of the 2015 City budget to correct the splits of funding for the Water Treatment Plant Expansion & the Water Transmission Line Replacement to Hwy 34; and

WHEREAS, the City Council desires to authorize the expenditure of these funds by enacting a supplemental budget and appropriation to the City budget for 2015, as authorized by Section 11-6(a) of the Loveland City Charter.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOVELAND, COLORADO:

Section 1. That revenues in the amount of \$86,200 from transfers in the Water Fund and revenues in the amount of \$420,000 from transfers in the Water system impact fee (SIF) Fund are available for appropriation. Such revenues in the total amount of \$506,200 are hereby appropriated to correct the splits of funding for the Water Treatment Plant Expansion & the Water Transmission Line Replacement to Hwy 34. The spending agencies and funds that shall be spending the monies supplementally budgeted and appropriated are as follows:

**Supplemental Budget
Water Fund 300**

Revenues

300-00-000-0000-37301	FLW04C	Transfer from Water SIF	86,200
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Total Revenue**86,200****Appropriations**

300-46-310-2903-49360	FLW04C	Construction	29,700
300-46-310-2903-49352	FLW04C	Engineering	56,500
300-46-318-2902-49360	W1300D	Construction	(420,000)
300-45-301-0000-47301	W1300D	Trf To Water SIF	420,000

Total Appropriations**86,200**

**Supplemental Budget
Water SIF Fund 301**

Revenues

301-00-000-0000-37300	W1300D	Transfers From Water	420,000
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Total Revenue**420,000****Appropriations**

301-46-310-2903-49360	FLW04C	Construction	(29,700)
301-46-310-2903-49352	FLW04C	Engineering	(56,500)
301-46-318-2902-49360	W1300D	Construction	420,000
301-45-301-0000-47300	FLW04C	Trf To Water	86,200

Total Appropriations**420,000**

Section 2. That as provided in City Charter Section 4-9(a)(7), this Ordinance shall be published by title only by the City Clerk after adoption on second reading unless the Ordinance has been amended since first reading in which case the Ordinance shall be published in full or the amendments shall be published in full. This Ordinance shall be in full force and effect upon final adoption, as provided in City Charter Section 11-5(d).

ADOPTED this ____ day of _____, 2015.

Cecil A. Gutierrez, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:



City Attorney


CITY OF LOVELAND

BUDGET OFFICE

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AGENDA ITEM: 4
MEETING DATE: 4/21/2015
TO: City Council
FROM: Brent Worthington, Finance Department
PRESENTER: Marc Kahn, Budget Manager

TITLE:

An Ordinance on Second Reading Enacting A Supplemental Budget And Re-Appropriation To The 2015 Ft. Collins-Loveland Municipal Airport Budget To Appropriate Funds For Projects Approved But Not Completed In 2014

RECOMMENDED CITY COUNCIL ACTION:

Approve the ordinance on second reading.

OPTIONS:

1. Adopt the action as recommended.
2. Deny the action. If the action is denied the requested appropriation will remain as unappropriated fund balance.
3. Adopt a modified action. (specify in the motion)
4. Refer back to staff for further development and consideration. If the requested appropriation is referred back to staff, the projects under consideration will be delayed until they are appropriated by Council.

SUMMARY:

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. This ordinance was unanimously approved on first reading by Council at the April 7, 2015 regular meeting.

BUDGET IMPACT:

- Positive
 Negative
 Neutral or negligible

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.

BACKGROUND:

The ordinance provides appropriations for the following projects approved but not completed in 2014:

- \$45,176 – Completion of the Airport Internship Program.
 - \$142,447 – Completion of the air service development effort funded the Small Community Air Service Development Grant from the Department of Transportation.
 - \$591,077 – Purchase of the ARFF Truck – AIP33.
 - \$900,000 – Completion of the design and construction of the Snow Removal Equipment Storage Facility.
-

REVIEWED BY CITY MANAGER:

LIST OF ATTACHMENTS:

1. Ordinance

FIRST READING April 7, 2015

SECOND READING April 21, 2015

ORDINANCE NO. _____

AN ORDINANCE ENACTING A SUPPLEMENTAL BUDGET AND RE-APPROPRIATION TO THE 2015 FT. COLLINS-LOVELAND MUNICIPAL AIRPORT BUDGET TO APPROPRIATE FUNDS FOR PROJECTS APPROVED BUT NOT COMPLETED IN 2014

WHEREAS, the 2014 budget for the Fort Collins-Loveland Municipal Airport included appropriations for projects not completed or closed out by the end of 2014, when the 2014 budget appropriations expired in accordance with the City of Loveland Charter and state law, requiring re-appropriation in 2015 to permit expenditure of such funds to continue with respect to ongoing projects; and

WHEREAS, the City also has received funds not appropriated at the time of the adoption of the City budget for 2015; and

WHEREAS, the City Council desires to authorize the expenditure of these funds by enacting a supplemental budget and re-appropriation to the Airport budget for 2015, as authorized by Section 11-6(a) of the Loveland City Charter.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOVELAND, COLORADO:

Section 1. That reserves in the amount of \$1,678,700 from fund balance in the Airport Fund 600 are available for appropriation. Revenues in the total amount of \$1,678,700 are hereby appropriated for projects approved in 2014 but not completed or closed out. The spending agencies and funds that shall be spending the monies supplemental budgeted and appropriated are as follows:

**Supplemental Budget
Airport Fund 600**

Revenues

Fund Balance	1,678,700
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Total Revenue	1,678,700
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Appropriations

600-23-290-0000-41012	AP1402	Salaries-Non Benefited Emp	45,176
600-23-290-0000-43450	AP1110	Professional Services	142,447
600-23-290-0000-49360	AP1401	Construction	591,077
600-23-290-0000-49360	AIP34	Construction	900,000

Total Appropriations	1,678,700
-----------------------------	------------------

Section 2. That as provided in City Charter Section 4-9(a)(7), this Ordinance shall be published by title only by the City Clerk after adoption on second reading unless the Ordinance has been amended since first reading in which case the Ordinance shall be published in full or the amendments shall be published in full. This Ordinance shall be in full force and effect upon final adoption, as provided in City Charter Section 11-5(d).

ADOPTED this ___ day of April, 2015.

Cecil A. Gutierrez, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:



City Attorney

**CITY OF LOVELAND**

BUDGET OFFICE

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AGENDA ITEM: 5
MEETING DATE: 4/21/2014
TO: City Council
FROM: Brent Worthington, Finance Department
PRESENTER: Marc Kahn, Budget Manager

TITLE:

An Ordinance on Second Reading 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

RECOMMENDED CITY COUNCIL ACTION:

Approve the ordinance on second reading.

OPTIONS:

1. Adopt the action as recommended
 2. Deny the action. If the action is denied the requested appropriation will remain as unappropriated fund balance.
 3. Adopt a modified action. (specify in the motion)
 4. Refer back to staff for further development and consideration. If the requested appropriation is referred back to staff, the projects under consideration will be delayed until they are appropriated by Council.
-

SUMMARY:

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. This ordinance was approved unanimously on first reading by Council at the April 7, 2015 regular meeting.

BUDGET IMPACT:

- Positive
 Negative
 Neutral or negligible

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.

BACKGROUND:

The ordinance provides appropriations for the following project.

- \$18,902 – Airport Utilities Master Planning
-

REVIEWED BY CITY MANAGER:



LIST OF ATTACHMENTS:

1. Ordinance

FIRST READING April 7, 2015

SECOND READING April 21, 2015

ORDINANCE NO. _____

AN ORDINANCE ENACTING A SUPPLEMENTAL BUDGET AND APPROPRIATION TO THE 2015 FT. COLLINS-LOVELAND MUNICIPAL AIRPORT BUDGET FOR PROJECTS OR PROGRAMS NOT ANTICIPATED AT THE TIME OF ADOPTION FOR THE 2015 BUDGET

WHEREAS, the 2015 Fort Collins-Loveland Municipal Airport budget has reserved funds not anticipated or appropriated at the time of the adoption of the Authority budget for 2015; and

WHEREAS, the City Council, acting as the Board of Commissioners of the Loveland Urban Renewal Authority, desires to authorize the expenditure of these funds by enacting a supplemental budget and appropriation to the Authority budget for 2015, as authorized by Section 11-6(a) of the Loveland City Charter.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOVELAND, COLORADO:

Section 1. That reserves in the amount of \$18,902 from fund balance in the Airport Fund 600 are available for appropriation. Revenues in the total amount of \$18,902 are hereby appropriated for Airport Utilities Master Planning. The spending agencies and funds that shall be spending the monies supplemental budgeted and appropriated are as follows:

**Supplemental Budget
Airport Fund 600**

Revenues			
Fund Balance			18,902
Total Revenue			18,902
Appropriations			
600-23-290-0000-43450	AP1206	Professional Services	18,902
Total Appropriations			18,902

Section 2. That as provided in City Charter Section 4-9(a)(7), this Ordinance shall be published by title only by the City Clerk after adoption on second reading unless the Ordinance has been amended since first reading in which case the Ordinance shall be published in full or the amendments shall be published in full. This Ordinance shall be in full force and effect upon final adoption, as provided in City Charter Section 11-5(d).

ADOPTED this ____ day of April, 2015.

Cecil A. Gutierrez, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:



City Attorney



CITY OF LOVELAND
BUDGET OFFICE

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AGENDA ITEM: 6
MEETING DATE: 4/21/2015
TO: City Council
FROM: Brent Worthington, Finance Department
PRESENTER: Marc Kahn, Budget Manager

TITLE:

An Ordinance on Second Reading Enacting a Supplemental Budget and Re-appropriation to the 2015 Loveland Urban Renewal Authority Budget to Re-appropriate the Façade Grant Program Approved in 2014 But Not Completed.

RECOMMENDED CITY COUNCIL ACTION:

Approve the ordinance on second reading.

OPTIONS:

1. Adopt the action as recommended.
2. Deny the action. If the action is denied the requested appropriation will remain as unappropriated fund balance.
3. Adopt a modified action. (specify in the motion)
4. Refer back to staff for further development and consideration. If the requested appropriation is referred back to staff, the projects under consideration will be delayed until they are appropriated by Council.

SUMMARY:

This is an administrative action. Reserves in the amount of \$60,190 are reappropriated for the Façade Grant Program. This ordinance was approved unanimously on first reading by Council at the April 7, 2015 regular meeting.

BUDGET IMPACT:

- Positive
 Negative
 Neutral or negligible

Fund balance created as a result of the projects not being completed fund the ordinance.

BACKGROUND:

Two projects are included in the ordinance:

1. \$12,500 - Funds remaining unallocated in the Elks Lodge Project Area are appropriated for new potential Façade Grants.
2. \$47,690 - Funds remaining unallocated in the Downtown Project Area are appropriated for new potential Façade Grants.

Depending upon the growth in organizational capacity of the Loveland Downtown Partnership and the Downtown Development Authority, administration of the Façade Grant Program might be transferred to them from LURA in 2015. However, it will still be necessary to re-appropriate these projects so the funding will be available for transfer.

REVIEWED BY CITY MANAGER:

LIST OF ATTACHMENTS:

1. Ordinance

FIRST READING April 7, 2015

SECOND READING April 21, 2015

ORDINANCE NO. _____

AN ORDINANCE ENACTING A SUPPLEMENTAL BUDGET AND RE-APPROPRIATION TO THE 2015 LOVELAND URBAN RENEWAL AUTHORITY BUDGET TO REAPPROPRIATE THE FAÇADE GRANT PROGRAM APPROVED IN 2014 BUT NOT COMPLETED

WHEREAS, the 2014 Authority budget included appropriations for projects not completed or closed out by the end of 2014 when the 2014 budget appropriations expired in accordance with the City of Loveland Charter and state law, requiring re-appropriation in 2015 to permit expenditure of such funds to continue with respect to ongoing projects; and

WHEREAS, the City Council, acting as the Board of Commissioners of the Loveland Urban Renewal Authority, desires to authorize the expenditure of these funds by enacting a supplemental budget and appropriation to the Authority budget for 2015, as authorized by Section 11-6(a) of the Loveland City Charter.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOVELAND, COLORADO, acting as the Board of Commissioners of the Loveland Urban Renewal Authority:

Section 1. That reserves in the amount of \$60,190 from fund balance in the Loveland Urban Renewal Authority Fund 603 are available for appropriation. Revenues in the total amount of \$60,190 are hereby reappropriated for the Façade Grant Program approved in 2014 but not completed, as hereinafter set forth. The spending agencies and funds that shall be spending the monies supplementally budgeted and appropriated are as follows:

**Supplemental Budget
Loveland Urban Renewal (LURA) Fund 603**

Revenues

Fund Balance	60,190
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Total Revenue	60,190
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Appropriations

603-80-873-0000-43840	Grants	12,500
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603-80-870-0000-43840	Grants	47,690
-----------------------	--------	--------

Total Appropriations	60,190
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Section 2. That as provided in City Charter Section 4-9(a)(7), this Ordinance shall be published by title only by the City Clerk after adoption on second reading unless the Ordinance has been amended since first reading in which case the Ordinance shall be published in full or the amendments shall be published in full.

Section 3. That this Ordinance shall be in full force and effect upon final adoption, as provided in City Charter Section 11-5(d).

ADOPTED this ___ day of April, 2015.

Cecil A. Gutierrez, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:



City Attorney


CITY OF LOVELAND

BUDGET OFFICE

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AGENDA ITEM: 7
MEETING DATE: 4/21/2015
TO: City Council
FROM: Brent Worthington, Finance Department
PRESENTER: Marc Kahn, Budget Manager

TITLE:

An Ordinance on Second Reading Enacting a Supplemental Budget and Re-Appropriation to the 2015 City of Loveland Budget for Projects Approved but not Completed in 2014

RECOMMENDED CITY COUNCIL ACTION:

Approve the ordinance on second reading.

OPTIONS:

1. Adopt the action as recommended.
2. Deny the action. If the action is denied the requested appropriation will remain as unappropriated fund balance.
3. Adopt a modified action (specify in the motion)
4. Refer back to staff for further development and consideration. If the requested appropriation is referred back to staff, the projects under consideration will be delayed until they are appropriated by Council.

SUMMARY:

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. This ordinance was approved unanimously on first reading by Council at the April 7, 2015 regular meeting.

BUDGET IMPACT:

- Positive
 Negative
 Neutral or negligible

The projects or programs in the ordinance were funded in 2014. Funding for these is available since the appropriations that did not occur became fund balance at the end of 2014. The appropriation of these projects, do 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.

BACKGROUND:

This action is the reappropriation of funds for projects approved in the 2014 Budget that have not been completed or closed out at the end of 2014. By City Charter and state law, all appropriations for any one fiscal year expire on December 31st. Reappropriation is necessary to allow the expenditures of ongoing projects to continue into 2015.

Council approved all of the projects included in the ordinance as a part of the 2014 Budget. The ordinance is organized by fund, with revenues and line item appropriations within each fund shown.

A detailed explanation of each project or program is included in the attached Staff Report. The descriptions are organized by project with the funding source(s) for each project or program identified. The projects or programs are listed in order of dollar amount. Many capital projects are funded by resources in multiple funds. These resources are transferred to the Capital Projects fund where the total expense for each project is budgeted. This allows the project to be budgeted in one place so the total impact is shown, rather than having to add several components across various funds to the total impact of the project.

Please refer to the Staff Report for details on these recommended appropriations.

REVIEWED BY CITY MANAGER:

LIST OF ATTACHMENTS:

1. Ordinance
2. Staff Report On Projects

FIRST READING April 7, 2015

SECOND READING April 21, 2015

ORDINANCE NO. _____

AN ORDINANCE ENACTING A SUPPLEMENTAL BUDGET AND RE-APPROPRIATION TO THE 2015 CITY OF LOVELAND BUDGET FOR PROJECTS APPROVED BUT NOT COMPLETED IN 2014

WHEREAS, the City’s 2014 budget included appropriations for projects not completed or closed out by the end of 2014, when the 2014 budget appropriations expired in accordance with the City of Loveland Charter and state law, requiring re-appropriation in 2015 to permit expenditure of such funds to continue with respect to ongoing projects; and

WHEREAS, the City has received or has reserved funds not anticipated or appropriated at the time of the adoption of the City budget for 2015; and

WHEREAS, the City Council desires to authorize the expenditure of these funds by enacting a supplemental budget and appropriation to the City budget for 2015, as authorized by Section 11-6(a) of the Loveland City Charter.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOVELAND, COLORADO:

Section 1. That reserved funds, contributions, and grant revenues not yet received at the time of adoption of the budget for 2015 have resulted from expenditures that were budgeted in the 2014 budget but not made. Re-appropriation is necessary to permit expenditure of the funds in 2015 for purposes previously approved by Council. The spending agencies and funds that shall be spending the monies supplementally budgeted and appropriated are as follows:

**Supplemental Budget
General Fund 100**

Revenues

Fund Balance 3,173,942

Total Revenue 3,173,942

Appropriations**Development Services**

100-19-193-0000-41012	Salaries-Non Benefited Emp	1,840
100-19-193-0000-43450	Professional Services	49,260
100-19-193-0000-43450	Professional Services	1,438
100-19-193-0000-43450	Professional Services	20,000
100-19-193-0000-43450	Professional Services	166,824
100-19-195-0000-43840	Grants	227,372
100-19-193-0000-43848 SP1103	Historic Preservation	1,500
100-19-192-0000-43575 GF1417	Weed Control	3,705

Economic Development

100-18-180-1500-43176	Incentives/Sales Tax Rebates	2,116
100-18-180-1500-43176	Incentives/Sales Tax Rebates	152,016

Public Works

100-23-236-0000-43450 GF1417	Professional Services	1,853
100-23-250-1805-43647 GF1419	Rental Property Expenses	18,582

Finance

100-15-135-0000-43450	Professional Services	27,155
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City Clerk & Court Administration

100-14-116-0000-42015	Computer Supply & Equipmt	11,241
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Information Technology

100-16-161-0000-42015	Computer Supply & Equipmt	1,283
100-16-161-0000-42015 ITEDR	Computer Supply & Equipmt	14,370
100-16-163-0000-42015 ITEDR	Computer Supply & Equipmt	15,570
100-16-163-0000-42899 ITEDR	Other Supplies	5,240
100-16-163-0000-43450	Professional Services	44,000
100-16-161-0000-43450	Professional Services	1,650
100-16-160-0000-43450	Professional Services	13,610
100-16-163-0000-43569	Repair & Maintenance	68,998
100-16-163-0000-43899 ITEDR	Other Services	15,000

Parks & Recreation

100-51-560-0000-43450	FLPKVS	Professional Services	256,380
100-51-560-0000-43899		Other Services	70,000
100-51-501-0000-49399	PKTENNIS	Other Capital	282,140
100-51-501-0000-49399	PKNLTR	Other Capital	38,500
100-51-501-0000-49399	PKNLTR	Other Capital	11,500
100-51-501-0000-49399	PKNLTR	Other Capital	10,000
100-51-562-0000-49399		Other Capital	18,990
100-51-562-0000-49399		Other Capital	24,080
100-51-562-0000-49399		Other Capital	10,000
100-51-502-5350-49399		Other Capital	3,000
100-51-502-5400-49399		Other Capital	70,000
100-51-502-5400-49399		Other Capital	8,000
100-51-562-0000-49399		Other Capital	729,620

Police

100-21-202-2102-42033		Tools/Equip (Non-Cap)	46,000
100-21-202-2102-42033		Tools/Equip (Non-Cap)	13,750
100-21-203-2107-42033		Tools/Equip (Non-Cap)	18,092
100-21-201-2101-43450		Professional Services	11,000
100-21-203-2107-43569		Repair & Maintenance	2,908
100-21-203-2107-43569		Repair & Maintenance	8,000
100-21-202-2102-48244		Motor Vehicle	250,000

Non-Departmental

100-91-902-0002-43714		Pmt To Outside Agencies	419,826
100-91-902-0000-43899		Other Services	500
100-91-999-0000-47300		Trf To Water	277
100-91-999-0000-47330		Trf To Power	491
100-91-999-0000-47331		Transfer to Power SIF	1,087
100-91-999-0000-47302		Transfer to Raw Water	818
100-91-999-0000-47301		Trf To Water SIF	2,248
100-91-999-0000-47345		Trf To Stormwater	302
100-91-999-0000-47316		Transfer to Wastewater SIF	1,790
100-91-999-0000-47345		Trf To Stormwater	20
100-91-999-0000-47300		Trf To Water	2,290
100-91-999-0000-47301		Trf To Water SIF	4,100
100-91-999-0000-47302		Transfer to Raw Water	6,770
100-91-999-0000-47316		Transfer to Wastewater SIF	5,720
100-91-999-0000-47330		Trf To Power	4,060
100-91-999-0000-47331		Transfer to Power SIF	(21,000)
100-91-999-0000-47345		Trf To Stormwater	(1,940)

Total Appropriations**3,173,942**

**Supplemental Budget
City of Loveland Transit Fund 105**

Revenues

105-23-234-0000-37500	Transfers From Fleet Replacement	24,000
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Total Revenue		24,000
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Appropriations

Total Appropriations		-
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**Supplemental Budget
Economic Incentives Fund 106**

Revenues

Fund Balance		71,985
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Total Revenue		71,985
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Appropriations

106-18-180-1500-43155 EDORIGINS	Economic Incentives	17,000
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106-18-180-1500-43155 EDValue	Economic Incentives	54,985
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Total Appropriations		71,985
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**Supplemental Budget
Capital Fund 120**

Revenues

Fund Balance		6,075,211
120-00-000-0000-37260	PK0802	Transfers From Parks CEF 620,970
120-00-000-0000-37261	PK0802	Transfers From Recreation CEF 750,000

Total Revenue **7,446,181**

Appropriations

120-23-250-1799-49355	GF1416	Design/Architect	60,000
120-23-250-1799-49360	GF1107	Construction	287,315
120-23-250-1801-49360	GF1413	Construction	100,000
120-23-250-1801-49360	GF1405	Construction	70,000
120-22-222-0000-48244	FRPLATFORMTK	Motor Vehicle	925,094
120-16-163-0000-42899	ITCWI	Other Supplies	14,130
120-16-163-0000-43270	ITCWI	Travel/Meetings/Schooling	10,570
120-16-163-0000-43450	ITCWI	Professional Services	82,650
120-16-162-0000-48248	ITVOIP	Computer Equipment	226,380
120-16-161-0000-49360		Construction	103,435
120-51-562-0000-49360	PK0802	Construction	3,240
120-51-562-0000-49399	PK0802	Other Capital	1,978,167
120-51-562-0000-49399	PK1401	Other Capital	607,200
120-21-203-2107-48248		Computer Equipment	2,978,000

Total Appropriations **7,446,181**

**Supplemental Budget
Parks & Recreation Improvement Fund 200**

Revenues

Fund Balance	397,197
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Total Revenue **397,197**

Appropriations

200-51-562-0000-49399	PKRESTROOM	Other Capital	397,197
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Total Appropriations **397,197**

**Supplemental Budget
Conservation Trust Fund 201**

Revenues		
Fund Balance		108,644
Total Revenue		108,644
Appropriations		
201-51-567-0000-49360	PKTR14 Construction	108,644
Total Appropriations		108,644

**Supplemental Budget
Larimer County Open Space Fund 202**

Revenues		
Fund Balance		1,390,859
Total Revenue		1,390,859
Appropriations		
202-51-590-0000-43450	Professional Services	180,780
202-51-590-0000-49399	Other Capital	1,210,079
Total Appropriations		1,390,859

**Supplemental Budget
Community Development Block Grant (CDBG) Fund 204**

Revenues		
Fund Balance		199,217
Total Revenue		199,217
Appropriations		
204-19-195-0000-43840	Grants	199,217
Total Appropriations		199,217

**Supplemental Budget
Art in Public Places Fund 205**

Revenues

205-00-000-0000-37315	W1251G	Transfers From Wastewater	10,110
205-00-000-0000-37315	W1401G	Transfers From Wastewater	6,500
205-00-000-0000-37316	W1251G	Transfer from Wastewater SIF	5,830
205-00-000-0000-37300	W1300D	Transfers From Water	16,660
205-00-000-0000-37300	W1313C	Transfers From Water	4,730
205-00-000-0000-37301	W1300D	Transfer from Water SIF	25,560

Total Revenue **69,390**

Appropriations

Total Appropriations -

**Supplemental Budget
Lodging Tax Fund 206**

Revenues

Fund Balance	140,000
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Total Revenue **140,000**

Appropriations

206-18-182-1504-43450	EDWayfind	Professional Services	100,000
206-18-182-1505-43645	EDVCFiber	Telephone	40,000

Total Appropriations **140,000**

**Supplemental Budget
Transportation Fund 211**

Revenues

Fund Balance	5,707,980
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Total Revenue	5,707,980
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Appropriations

211-23-232-1701-49360	EN0105	Construction	255,138
211-23-232-1701-49360	EN0112	Construction	59,460
211-23-232-1701-49360	EN0212	Construction	183,585
211-23-232-1701-49360	EN0215	Construction	330,000
211-23-232-1701-49360	EN0330	Construction	966,142
211-23-232-1701-49360	EN0332	Construction	903,005
211-23-232-1701-49360	EN0606	Construction	61,123
211-23-232-1701-49360	EN0903	Construction	4,618
211-23-232-1701-49360	EN1001	Construction	150,000
211-23-232-1701-49360	EN1003	Construction	682,040
211-23-232-1701-49360	EN1302	Construction	458,475
211-23-232-1701-49360	EN1304	Construction	4,000
211-23-232-1701-49360	EN1307	Construction	30,000
211-23-232-1701-49360	EN1310	Construction	7,880
211-23-232-1701-49360	EN1401	Construction	199,475
211-23-232-1701-49360	EN1404	Construction	23,796
211-23-232-1701-49360	EN9922	Construction	56,215
211-23-232-1701-49360	ENSR032	Construction	15,067
211-23-232-1701-49360	FLD913	Construction	64,193
211-23-232-1701-49360	TS0101	Construction	91,953
211-23-232-1701-49360	TS0501	Construction	43,590
211-23-232-1701-49360	TS1103	Construction	191,021
211-23-232-1701-49360	TS1201	Construction	105,204
211-23-232-1701-49360	TS1401	Construction	304,000
211-23-232-1701-49360	TS1402	Construction	205,000
211-23-232-1701-49360	TS1403	Construction	200,000
211-23-232-1701-49360	TSSR15IFS	Construction	113,000

Total Appropriations	5,707,980
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**Supplemental Budget
Parks Capital Expansion Fee Fund 260**

Revenues			
Fund Balance			1,139,897
Total Revenue			1,139,897
Appropriations			
260-51-562-0000-47120	PK0802	Trf To Capital Projects	620,970
260-51-560-0000-49355	PK0802	Design/Architect	518,927
Total Appropriations			1,139,897

**Supplemental Budget
Recreation Capital Expansion Fee Fund 261**

Revenues			
Fund Balance			800,000
Total Revenue			800,000
Appropriations			
261-51-536-0000-43450	PKRFS	Professional Services	50,000
261-51-562-0000-47120	PK0802	Trf To Capital Projects	750,000
Total Appropriations			800,000

**Supplemental Budget
Trails Capital Expansion Fee Fund 262**

Revenues			
Fund Balance			875,212
Total Revenue			875,212
Appropriations			
262-51-567-0000-49352	PK1002	Engineering	24,870
262-51-567-0000-49360	PK1002	Construction	680,342
262-51-567-0000-49399	PKTR14	Other Capital	170,000
Total Appropriations			875,212

**Supplemental Budget
Open Lands Capital Expansion Fee Fund 263**

Revenues		
Fund Balance		426,000
Total Revenue		426,000
Appropriations		
263-51-590-0000-49399	Other Capital	426,000
Total Appropriations		426,000

**Supplemental Budget
Fire Protection Capital Expansion Fee Fund 264**

Revenues		
Fund Balance		11,000
Total Revenue		11,000
Appropriations		
264-91-902-0000-43450 CFPCEF13	Professional Services	11,000
Total Appropriations		11,000

**Supplemental Budget
Law Enforcement Capital Expansion Fee Fund 265**

Revenues		
Fund Balance		146,293
Total Revenue		146,293
Appropriations		
265-91-902-0000-43450 CFPCEF13	Professional Services	12,000
265-23-250-0000-49355 PDTRNCMP	Design/Architect	134,293
Total Appropriations		146,293

**Supplemental Budget
Library Capital Expansion Fee Fund 266**

Revenues			
Fund Balance			13,368
Total Revenue			13,368
Appropriations			
266-91-902-0000-43450	CFPCEF13	Professional Services	13,368
Total Appropriations			13,368

**Supplemental Budget
Museum Capital Expansion Fee Fund 267**

Revenues			
Fund Balance			13,369
Total Revenue			13,369
Appropriations			
267-91-902-0000-43450	CFPCEF13	Professional Services	13,369

**Supplemental Budget
General Government Capital Expansion Fee Fund 268**

Revenues			
Fund Balance			12,000
Total Revenue			12,000
Appropriations			
268-91-902-0000-43450	CFPCEF13	Professional Services	12,000
Total Appropriations			12,000

**Supplemental Budget
Water Fund 300**

Revenues

300-00-000-0000-33019	Bond Proceeds	12,900,000
300-00-000-0000-35324	Contributions	136,030
300-00-000-0000-37302	Transfer from Raw Water	5,000,000
300-00-000-0000-37100	Transfers From General Fund	2,567

Total Revenue**18,038,597****Appropriations**

300-45-300-2900-43450	GF1417	Professional Services	1,445
300-45-301-2900-42034		Tools/Equip-Shared Costs	38,431
300-46-318-2902-43569		Repair & Maintenance	36,250
300-46-316-2901-43569		Repair & Maintenance	250,780
300-46-310-2903-43569		Repair & Maintenance	68,700
300-45-304-2900-43569		Repair & Maintenance	7,800
300-46-318-2902-48245	W1324C	Communication Equipment	111,570
300-45-314-2903-48316	WA900	Meters - New Development	15,960
300-46-310-2903-49352	FLW04C	Engineering	9,220
300-46-318-2902-49352	W1300D	Engineering	520,450
300-46-310-2903-49352	FLW07C	Engineering	138,215
300-46-310-2903-49352	W1308C	Engineering	5,960
300-46-310-2903-49352	W1313C	Engineering	71,120
300-46-310-2903-49352	W1415C	Engineering	27,150
300-46-310-2903-49360	FLW04C	Construction	206,720
300-46-318-2902-49360	W1300D	Construction	8,326,400
300-46-310-2903-49360	FLW03C	Construction	180,000
300-46-310-2903-49360	FLW06C	Construction	194,630
300-46-310-2903-49360	FLW07C	Construction	1,369,628
300-46-310-2903-49360	W1308C	Construction	6,850
300-46-310-2903-49360	W1313C	Construction	263,810
300-46-310-2903-49360	W1409C	Construction	124,690
300-46-310-2903-49360	W1415C	Construction	95,000
300-45-304-2908-49399	W1413C	Other Capital	45,490
300-45-304-2908-49399	W1414C	Other Capital	216,980
300-46-318-0000-47205	W1300D	Trf To Art In Public Places	16,660
300-46-310-0000-47205	W1313C	Trf To Art In Public Places	4,730

Total Appropriations**12,354,639**

**Supplemental Budget
Water SIF Fund 301**

Revenues

Fund Balance		4,476,742
301-00-000-0000-37302	Transfer from Raw Water	8,000,000
301-00-000-0000-37100	Transfers From General Fund	6,348

Total Revenue **12,483,090**

Appropriations

301-46-310-2903-49352	FLW04C	Engineering	122,220
301-46-318-2902-49352	W1300D	Engineering	779,700
301-46-310-2903-49360	FLW04C	Construction	64,290
301-46-318-2902-49360	W1300D	Construction	11,450,600
301-46-310-2903-49361	W1207D	Oversizing - SIF	40,720
301-46-318-0000-47205	W1300D	Trf To Art In Public Places	25,560

Total Appropriations **12,483,090**

**Supplemental Budget
Raw Water Fund 302**

Revenues

Fund Balance		12,992,412
302-00-000-0000-37100	Transfers From General Fund	7,588

Total Revenue **13,000,000**

Appropriations

302-45-301-0000-47300	Trf To Water	5,000,000
302-45-301-0000-47301	Trf To Water SIF	8,000,000

Total Appropriations **13,000,000**

**Supplemental Budget
Wastewater Fund 315**

Revenues

Fund Balance	5,938,292
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Total Revenue	5,938,292
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Appropriations

315-45-300-2900-43450	GF1417	Professional Services	852
315-45-301-2900-42034		Tools/Equip-Shared Costs	51,290
315-45-301-2900-42034		Tools/Equip-Shared Costs	25,840
315-45-301-2900-42034		Tools/Equip-Shared Costs	18,555
315-46-310-2904-43450		Professional Services	16,430
315-46-318-2902-43569	FLZO13	Repair & Maintenance	11,840
315-45-304-2900-43569		Repair & Maintenance	4,600
315-46-318-2902-49352	W1251G	Engineering	528,890
315-46-310-2904-49352	W1255G	Engineering	65,000
315-46-318-2902-49360	W1251G	Construction	3,090,425
315-46-310-2904-49360	FLZ07G	Construction	307,410
315-46-310-2904-49360	W1255G	Construction	550,550
315-46-310-2904-49360	W1401G	Construction	1,050,000
315-46-310-2904-49360	W1411G	Construction	200,000
315-46-318-0000-47205	W1251G	Trf To Art In Public Places	10,110
315-46-310-0000-47205	W1401G	Trf To Art In Public Places	6,500

Total Appropriations	5,938,292
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**Supplemental Budget
Wastewater SIF Fund 316**

Revenues

Fund Balance	733,064
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316-00-000-0000-37100	Transfers From General Fund	7,510
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Total Revenue	740,574
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Appropriations

316-46-318-2902-49352	W1405H	Engineering	68,744
316-46-318-2902-49360	W1251G	Construction	666,000
316-46-318-0000-47205	W1251G	Trf To Art In Public Places	5,830

Total Appropriations	740,574
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**Supplemental Budget
Power Fund 330**

Revenues

Fund Balance		7,267,742
330-00-000-0000-35324	Contributions	47,190
330-00-000-0000-37100	Transfers From General Fund	4,551

Total Revenue **7,319,483**

Appropriations

330-45-300-2900-43450 GF1417	Professional Services	1,408
330-45-301-2900-42034	Tools/Equip-Shared Costs	137,851
330-46-311-2903-43450	Professional Services	39,800
330-45-304-2900-43569	Repair & Maintenance	7,600
330-46-319-2905-43899 FLD913	Other Services	3,734,674
330-46-311-2908-48245 PW930	Communication Equipment	90,000
330-47-332-2903-49371 PW913	Warehouse Withdrawals	204,000
330-47-332-2903-49371 PW913	Warehouse Withdrawals	50,000
330-47-332-2903-49371 PW914	Warehouse Withdrawals	346,935
330-47-332-2903-49371 PW915	Warehouse Withdrawals	195,000
330-47-332-2903-49399 FLDPW	Other Capital	682,103
330-47-332-2903-49399 PW913	Other Capital	229,500
330-47-332-2903-49399 PW913	Other Capital	175,535
330-47-332-2903-49399 PW913A	Other Capital	301,212
330-47-332-2903-49399 PW913	Other Capital	290,464
330-47-332-2903-49399 PW913	Other Capital	87,450
330-47-332-2903-49399 PW914	Other Capital	516,645
330-45-314-2908-49399 PW930	Other Capital	116,975
330-45-300-2908-49399 PW930	Other Capital	112,331

Total Appropriations **7,319,483**

**Supplemental Budget
Power PIF Fund 331**

Revenues

Fund Balance		1,400,263
331-00-000-0000-37100	Transfers From General Fund	(19,913)

Total Revenue **1,380,350**

Appropriations

331-47-333-2903-49399	PW920	Other Capital	553,780
331-47-332-2903-49399	PW921A	Other Capital	60,830
331-47-332-2903-49399	PW921	Other Capital	765,740

Total Appropriations **1,380,350**

**Supplemental Budget
Stormwater Fund 345**

Revenues

Fund Balance		946,079
316-00-000-0000-37100	Transfers From General Fund	(1,618)

Total Revenue **944,461**

Appropriations

345-23-280-0000-43450	GF1417	Professional Services	1,853
345-23-283-0000-43450	SW0804	Professional Services	17,090
345-23-283-0000-49352	FLD913SW03	Engineering	28,805
345-23-283-0000-49360	SW1103	Construction	93,294
345-23-283-0000-49352	SW1204	Engineering	3,798
345-23-283-0000-49352	SW1404	Engineering	28,125
345-23-283-0000-49360	FLD913	Construction	533,983
345-23-283-0000-49360	SW0710	Construction	60,000
345-23-283-0000-49362	SW1004	SIF Construction/Engineer	148,823
345-23-283-0000-49362	SW1005	SIF Construction/Engineer	28,690

Total Appropriations **944,461**

**Supplemental Budget
Refuse Fund 360**

Revenues

Fund Balance	50,000
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Total Revenue	50,000
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Appropriations

360-23-271-0000-49399	Other Capital	50,000
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Total Appropriations	50,000
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**Supplemental Budget
Golf Fund 375**

Revenues

Fund Balance	336,080
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Total Revenue	336,080
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Appropriations

375-51-511-5001-49330	Imp Other Than Bldgs	30,000
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375-51-513-5001-49330	Imp Other Than Bldgs	25,000
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375-51-513-5001-49399 FLPKMB	Other Capital	281,080
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Total Appropriations	336,080
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**Supplemental Budget
Fleet Replacement Fund 500**

Revenues		
Fund Balance		254,815
Total Revenue		254,815
Appropriations		
500-23-260-0000-47105	Transfer to Transit Fund	24,000
500-23-260-0000-48240	Machinery & Equipment	89,950
500-23-260-0000-48244	Motor Vehicle	55,000
500-23-260-0000-48244	Motor Vehicle	80,388
500-23-260-0000-48244	Motor Vehicle	5,477
Total Appropriations		254,815

**Supplemental Budget
Fleet Management Fund 501**

Revenues		
Fund Balance		63,279
Total Revenue		63,279
Appropriations		
501-23-261-1903-43654	Vehicle Replacement	31,400
501-23-261-0000-43718	Communication Service	5,550
501-23-261-0000-49399 GF1405	Other Capital	26,329
Total Appropriations		63,279

**Supplemental Budget
Risk & Insurance Fund 502**

Revenues

Fund Balance	44,240
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Total Revenue	44,240
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Appropriations

502-17-176-0000-43407	Environmental Services	13,740
502-17-176-0000-43407	Environmental Services	8,500
502-17-175-0000-43450	Professional Services	22,000

Total Appropriations	44,240
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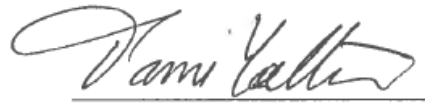
Section 2. That as provided in City Charter Section 4-9(a)(7), this Ordinance shall be published by title only by the City Clerk after adoption on second reading unless the Ordinance has been amended since first reading in which case the Ordinance shall be published in full or the amendments shall be published in full. This Ordinance shall be in full force and effect upon final adoption, as provided in City Charter Section 11-5(d).

ADOPTED this ____ day of April, 2015.

Cecil A. Gutierrez, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:


City Attorney



CITY OF LOVELAND
BUDGET DIVISION

Civic Center • 500 East Third • Loveland, Colorado 80537
(970) 962-2695 • FAX (970) 962-2900 • TDD (970) 962-2620

TO: City Council

THROUGH: Bill Cahill, City Manager
Brent Worthington, Finance Director

FROM: Marc Kahn, Budget Manager

DATE: April 7, 2014

RE: Staff Report on Projects in the Reappropriation Ordinance

This is an annual appropriation ordinance staff brings to Council. The total projected cost of a project is appropriated in the first year a project is funded. This allows Council and the public to see what the total project will cost and that resources are available to fund the entire project at the time the project is initially budgeted.

State law and the City Charter state that all appropriations cease on December 31, the final day of the fiscal year. Capital projects, by their nature, take more than one fiscal year to complete for a variety of reasons. This requires the reappropriation of the funding that was not spent on the projects in the prior year in order to make funding available to complete the projects.

Gross appropriations, the sum of the total appropriations for each fund, total \$76,982,447. With the exclusion of the transfers between the various funds; the net appropriation in the ordinance is \$62,511,054.

Gross revenue, the sum of the total of funding sources for each fund, total \$82,759,795. With the exclusion of transfers between the various funds; the net source of funding is \$68,312,402 consisting of \$47,190 of contributions revenue, and \$68,265,212 of fund balance.

75.75% of the total net appropriation is in ten projects or programs:

- Water Treatment Plant Phase II Expansion;
- The Transportation Program;
- Wastewater Treatment Plant Digester System Improvements;
- 2013 Flood Response (operations & maintenance);
- Police Records Management System;
- Waterline Replacements;
- Mehaffey Park;
- Open Lands Flood Renovation;
- Power Enterprise System Improvements; and
- 2015 CIPP Sewer Rehabilitation

The following is a detailed breakdown of projects and their corresponding funding sources. The first section is individual projects that exceed \$1,000,000. The second section contains all remaining projects. Both sections are listed in descending order by amount.

SECTION 1 - Individual Projects In Excess of \$1,000,000

Water Enterprise – Water Treatment Plant Phase II Expansion Project (38 MGD) - \$21,077,150

Reappropriation of funds approved in 2014.

The funding sources for the project are Water Enterprise revenues of \$8,846,850 and Water System Impact Fees of \$12,230,300.

Public Works Department – Transportation Program - \$5,707,980

Reappropriation of funds approved in 2014. Projects include:

- Boise & 37th Intersection Improvements – \$966,142;
- Miscellaneous Repairs - \$903,005;
- Madison Avenue at Loveland/Greeley Canal – \$682,040;
- Boyd Lake Avenue & US 34 Intersection - \$458,475;
- Right of Way Acquisition - \$330,000
- Roadway Weather Information System - \$304,000
- Taft & US 34 Intersection - \$255,138
- Traffic Operations 2014 Project - \$205,000
- Anti-icing System at I-25 and Crossroads Blvd. - \$200,000
- Sidewalk Gap Projects 2014 - \$199,475
- I25 Area VMS - \$191,021
- Bike Lane Construction/Pedestrian Walkways - \$183,585
- Boyd Lake Avenue at Greeley/Loveland Canal - \$150,000
- Garfield Elementary Sidewalk Improvements - \$113,000
- Fiber Network to signals and other facilities - \$105,204
- Signal System Interconnect - \$91,953
- Flood 2013 - \$64,193
- Boyd Route Study - \$61,123
- Bike Route Signage/Striping - \$59,460
- Loveland ITS Update (Traffic) - \$56,215
- School Flasher Units - \$43,590
- 10th St. Sidewalk Gap (BNSF Mainline) - \$30,000
- Crossroads Blvd. Corridor Access Management Plan - \$23,796
- Garfield Street Design 10th to 22nd - \$15,067
- Maple Dr. Sidewalk (Madrone Dr. to E. 20th St.) - \$7,880
- Boyd Lake Ave.- Kauffman Property - \$4,618
- 1st Street Sidewalk Gaps (Railroad to Railroad) - \$4,000

The funding source for the projects is Fund Balance in the Transportation Fund.

Wastewater Enterprise– Wastewater Treatment Plant Digester System Improvements - \$4,285,315

Reappropriation of funds approved in 2014.

The funding sources are Wastewater Enterprise Fund balance \$3,619,315 and Wastewater System Impact Fees \$666,000.

Power Enterprise & Stormwater Enterprise – 2013 Flooding Response (operations and maintenance) - \$4,268,657

Reappropriation of funds approved in 2014.

The funding sources are Power Enterprise Fund Balance \$3,734,674 and Stormwater Fund Balance \$533,983.

Police Department – Records Management System - \$2,978,000

Reappropriation of funds approved in 2014.

The funding source is Capital Fund balance.

Water Enterprise – Water Line Replacements - \$2,757,353

Reappropriation of funds approved in 2014. Projects include:

- 36" & 20" Water Transmission Line River Crossings – \$1,507,843;
- 48" Water Transmission Line Water Treatment Plant to Hwy 34 - \$402,450;
- 2014 Water Line Replacement (Phase 1) – \$334,930;
- 8" Water Line River Crossing & Lincoln - \$194,630;
- 6" Water Transmission Line River Crossings at Fairgrounds Park – \$180,000;
- Water Line at Lincoln Ave & Farmers Ditch - \$124,690
- 2013 Small Diameter Water Line - \$12,810

The funding sources for the projects are Water Enterprise Fund Balance \$2,570,843 and Water System Impact Fees \$186,510.

Parks & Recreation Department– Mehaffey Park - \$2,500,334

Reappropriation of funds approved in 2014.

The funding source is Capital Fund balance \$1,981,407 and Parks Capital Expansion Fees \$518,927.

Parks & Recreation Department– Open Lands Flood Renovation - \$1,390,859

Reappropriation of funds approved in 2014.

The funding source is Open Lands Fund Balance.

Power Enterprise – System Improvements - \$1,338,161

Reappropriation of funds approved in 2014.

The funding source is Power Enterprise Fund balance.

Wastewater Enterprise – 2015 CIPP Sewer Rehabilitation - \$1,050,000

Reappropriation of funds approved in 2014.

The funding source is Wastewater Enterprise Fund balance.

SECTION 2 - Remaining Projects

Parks and Recreation Department - \$4,332,543

Reappropriation of funds approved in 2014. Projects Include *(listed by funding source)*:

General Fund - \$1,532,210

- Parks and Trails Flood Projects - \$799,620
- North Lake Tennis Court Electrical - \$282,140
- Viestenz-Smith Post Flood Redesign - \$256,380
- Chilson Center Furniture - \$70,000
- Train Depot Repairs at North Lake Park - \$60,000
- Parks Surveillance Camera System Repairs & Upgrades - \$53,070
- Concession Stand Equipment - \$8,000
- Parks Irrigation Projects - \$3,000

Trails Capital Expansion Fee Fund - \$875,212

- Madison Trail Underpass - \$705,212
- Wintergreen Trail Connection - \$170,000

Capital Fund - \$607,200

- Barnes Light Replacement Project - \$607,200

Open Lands Capital Expansion Fee Fund - \$426,000

- Open Lands Acquisitions - \$426,000

Parks & Recreation Improvement Fund - \$397,197

- Park Restroom Projects - \$397,197

Golf Fund - \$336,080

- Mariana Butte Flood Projects - \$281,080
- Olde Course Driving Range - \$30,000
- Mariana Butte Dry Creek - \$25,000

Conservation Trust Fund - \$108,644

- Namaqua Road Trail Connection - \$108,644

Recreation Capital Expansion Fee Fund - \$50,000

- Recreation Facility Feasibility Study - \$50,000

Power Enterprise - \$3,480,139

Reappropriation of funds approved in 2014. Projects include:

- Conversions - \$863,580
- PIF-Feeders - \$765,740
- 2013 Power Flood Work - \$682,103
- PIF-Substations - \$553,780
- General Plant - \$319,306
- Street Lights-Specific - \$195,000
- PIF-Feeders-Dev Driven - \$60,830
- Interactive Voice Response (IVR) system non-capital - \$39,800

The funding sources are \$2,099,789 of Power Enterprise Fund Balance and \$1,380,350 of Power Plant Impact Fees.

Wastewater Enterprise - \$1,219,974

Reappropriation of funds approved in 2014. Projects include:

- Southside Lift Station - \$615,550
- Perm 20" Force Main Replacement - \$307,410
- Lakeside Terrace Lift Station Improvements - \$200,000
- Nutrient Removal & Organic Capacity Expansion - \$68,744
- Boyd Sewer Interceptor Study - \$16,430
- Wastewater Treatment Plant Site Repair (O&M) - \$11,840

The funding sources are \$1,151,230 of Wastewater Enterprise Fund Balance and \$68,744 of Wastewater Enterprise System Impact Fees.

Capital Fund - \$985,094

Reappropriation of funds approved in 2014. Projects include *(listed by department)*:

Fire - \$925,094

- Aerial Platform Truck - \$925,094

Public Works - \$60,000

- MOC Remodel - \$60,000

The funding source is Capital Fund Balance.

Projects across Multiple Funds - \$869,115

Reappropriation of funds approved in 2014. Projects include *(listed with funding sources)*:

Service Center Expansion - \$711,991

- Capital Fund - \$287,315
- Water Enterprise Fund - \$216,980
- Power Enterprise Fund - \$137,851
- Wastewater Enterprise Fund - \$69,845

Facility Space Study & Implementation - \$64,271

- Water Enterprise Fund - \$38,341
- Wastewater Enterprise Fund - \$25,840

Facilities Master Plan - \$61,737

- Museum Capital Expansion Fee Fund - \$13,369
- Library Capital Expansion Fee Fund - \$13,368
- Police Capital Expansion Fee Fund - \$12,000
- General Government Capital Expansion Fee Fund - \$12,000
- Fire Capital Expansion Fee Fund - \$11,000

Floor Repair in Water Operations & Metering Area - \$20,000

- Water Enterprise Fund - \$7,800
- Power Enterprise Fund - \$7,600
- Wastewater Enterprise Fund - \$4,600

FAB Remodel - \$11,116

- General Fund - \$5,558
- Stormwater Enterprise Fund - \$1,853
- Water Enterprise Fund - \$1,445

- Power Enterprise Fund - \$1,408
- Wastewater Enterprise Fund - \$852

The funding source is Capital Fund Balance.

Water Enterprise - \$691,620

Reappropriation of funds approved in 2014. Projects include:

- Home Supply Dam Repair - \$250,780
- Boyd Lake Rd. Interconnect Relocation - \$122,150
- Fiber Optic to Water & Power - \$111,570
- 29th St. Tank Painting & Safety Upgrades - \$68,700
- Ranch Water Station/Service Center Expansion - \$45,490
- Miscellaneous Oversizing & Extensions - \$40,720
- Repair of Headworks Intake Structure - \$36,250
- Water Meters - \$15,960

The funding sources are \$650,900 of Water Enterprise Fund Balance and \$40,720 of Water Enterprise System Impact Fees.

Development Services Department - \$667,451

Reappropriation of funds approved in 2014. Projects include *(listed by funding source)*:

General Fund - \$468,234

- Human Service Grant - \$227,372
- Comprehensive Plan - \$166,824
- 287 Corridor Strategic Plan - \$49,260
- CanDo Grant Funds - \$20,000
- HOA Outreach Program - \$1,840
- Downtown Historic Preservation - \$1,500
- Downtown District Grant - 1,438

Community Development Block Grant Fund - \$199,217

- CDBG Grants - \$199,217

Information Technology Department - \$616,886

Reappropriation of funds approved in 2014. Projects include *(listed by funding source)*:

Capital Fund - \$437,165

- Conversion of Phone System to VOIP Phone System - \$226,380
- CityWorks Implementation - \$107,350
- 29th St. Boring & Fiber - \$103,435

General Fund - \$179,721

- Innoprise Consulting - \$112,998
- Electronic Drawing Review - \$50,180
- IT Strategic Plan - \$13,610
- 29th St. Boring & Fiber - \$2,933

Police Department - \$484,043

Reappropriation of funds approved in 2014. Projects include:

- Bearcat - \$250,000 (Approved in 2014, and the equipment was ordered late in the year. The vendor requires payment in full upon delivery of the vehicle, which will not occur until late Spring of 2015.)
- Police Training Campus - \$134,293
- New Officer Equipment - \$46,000
- Mobile Radios - \$29,000
- eCitations - \$13,750
- ATV - \$11,000

The funding sources are \$349,750 of General Fund Balance and \$134,293 of Police CEF Fund Balance.

General Fund Departments - \$477,304

Reappropriation of funds approved in 2014. Projects include (*listed by department*):

Non-Departmental - \$420,326

- Contribution to LFRA - \$419,826
- Survey Station 2 Property - \$500

Finance - \$27,155

- Audits - \$27,155

Public Works - \$18,582

- Downtown Property Purchases - \$18,582

City Clerk & Court Administration - \$11,241

- Courtview - \$11,241

The funding source is General Fund Balance.

Public Works Department – Fleet Projects - \$464,094

Reappropriation of funds approved in 2014. Projects include:

- Fleet Replacement – Vehicle & Equipment Replacement - \$170,338
- Fleet Management- Replace Overhead Doors - \$100,000
- Fleet Management – Bay Door Additions at Service Center - \$70,000
- Fleet Replacement – Motor Vehicle Replacement - \$55,000
- Fleet Management – Pool Fleet Replacement - \$31,400
- Fleet Management – North Shop Door Project - \$26,329
- Fleet Management – CompassCom Software - \$5,550
- Fleet Replacement – INVERS Mobility Key Management - \$5,477

The funding sources are \$230,815 from fund balance in the Fleet Replacement Fund, \$170,000 from fund balance in the Capital Fund, and \$63,279 from fund balance in the Fleet Management Fund.

Public Works Department – Stormwater Enterprise - \$408,625

Reappropriation of funds approved in 2014. Projects include:

- Mehaffey Park Regional Detention Pond - \$148,823
- UNDFND Energy Surveying GEOTECH - \$93,294
- Washington Ave Outfall Phase IV - \$60,000

- Denver Ave. Outfall Flood Repairs - \$28,805
- Giuliano Regional Detention Pond - \$28,690
- Early Flood Warning System Base Station Upgrade - \$28,125
- Lake Loveland Zone A Floodplain - \$17,090
- Benson Park Pond & 29th Street Culvert - \$3,798

The funding source is Stormwater Fund Balance.

Economic Development Department - \$366,117

Reappropriation of funds approved in 2014. Projects include *(listed by funding source)*:

General Fund - \$154,132

- Crunchy Grocer - \$152,016
- Coffee Tree - \$2,116

Lodging Tax Fund - \$140,000

- Way Finding Signs - \$100,000
- Fiber Connectivity at the Visitors Center - \$40,000

Economic Incentive Fund - \$71,985

- Value Plastics - \$54,985
- Origins Loveland - \$17,000

Public Works Department – Solid Waste - \$50,000

Reappropriation of funds not expended in 2014 for Stormwater Outfalls at the Wilson Recycling Center.

The funding source is Solid Waste Fund balance.

Human Resources Department – Risk Management - \$44,240

Reappropriation of funds approved in 2014. Projects include:

- Federal Compliance - \$22,000
- Asbestos Management for City Buildings - \$13,740
- SPCC Plans - \$8,500

The funding source is Risk & Insurance Fund Balance.


CITY OF LOVELAND

BUDGET OFFICE

 Civic Center • 500 East Third • Loveland, Colorado 80537
 (970) 962-2329 • FAX (970) 962-2901 • TDD (970) 962-2620

AGENDA ITEM: 8
MEETING DATE: 4/7/2015
TO: City Council
FROM: Brent Worthington, Finance Department
PRESENTER: Marc Kahn, Budget Manager

TITLE:

An Ordinance on Second Reading 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

RECOMMENDED CITY COUNCIL ACTION:

Approve the ordinance on second reading.

OPTIONS:

1. Adopt the action as recommended.
2. Deny the action. If the action is denied the requested appropriation will remain as unappropriated fund balance. Furthermore, the donations received will not be appropriated instead they will be added to the current fund balance. If the donation and/or grant revenue was awarded to the City for a specific purpose and Council denies the action, the donations and/or grant revenue will need to be reimbursed.
3. Adopt a modified action. (specify in the motion)
4. Refer back to staff for further development and consideration. If the requested appropriation is referred back to staff, the projects under consideration will be delayed until they are appropriated by Council.

SUMMARY:

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. This ordinance was approved unanimously on first reading by Council at the April 7, 2015 regular meeting.

BUDGET IMPACT:

- Positive
 Negative
 Neutral or negligible

Nearly all of the appropriation is funded by fund balance reducing the flexibility to fund future projects.

BACKGROUND:

Since the adoption of the 2015 Budget, there are several issues requiring additional appropriations. The projects are described below.

In the General Fund:

- Cultural Services Department received donations or sponsorships for three events: (1) \$10,000 is appropriated for the O’Keeffe Exhibit (2) \$1,200 is appropriated for Poet Laureate and (3) \$500 is appropriated for “History Days”
- Library Department received donations in 2014; earnings from the Gertrude Scott Trust, donations totaling \$27,386 and additional State grant funds of \$15,602 appropriated for books, materials and operating supplies.
- Public Works – Facilities Division - The cost of operating expenses for Fire Station 2 and the Service Center were not budgeted for in 2015. \$293,480 for Fire Station 2 and \$76,560 for the Service Center are appropriated for operating costs.

In the Fire Capital Expansion Fee Fund:

- \$295,000 from fund balance is appropriated for the Training Center Property Design

REVIEWED BY CITY MANAGER:

LIST OF ATTACHMENTS:

1. Ordinance

FIRST READING April 7, 2015

SECOND READING April 21, 2015

ORDINANCE NO. _____

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

WHEREAS, the City has received or has reserved funds not anticipated or appropriated at the time of the adoption of the City budget for 2015; and

WHEREAS, the City Council desires to authorize the expenditure of these funds by enacting a supplemental budget and appropriation to the City budget for 2015, as authorized by Section 11-6(a) of the Loveland City Charter.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOVELAND, COLORADO:

Section 1. That reserves in the amount of \$422,892 and revenues in the amount of \$1,836 in the General Fund 100, revenues in the amount of \$10,295 in the Recreation Capital Expansion Fee Fund 261, reserves in the amount of \$295,000 in the Fire Capital Expansion Fee Fund 264, revenues in the amount of \$7,354 in the Library Capital Expansion Fee Fund 266, and revenues in the amount of \$26,475 in the General Government Capital Expansion Fee Fund 268 totaling \$763,852 are available for appropriation. A portion of these are hereby appropriated in the amounts of \$424,728 in the General Fund and \$295,000 in the Fire Capital Expansion Fee Fund totaling \$719,728 for new projects programs and transferred to the funds as hereinafter set forth. The spending agencies and funds that shall be spending the monies supplementally budgeted and appropriated are as follows:



**Supplemental Budget
General Fund 100**

Revenues

Fund Balance		422,892
100-00-000-0000-35470	Interest on Loans	1,836
Total Revenue		424,728

Appropriations

Cultural Services

100-52-720-0000-42328	Exhibits	10,000
100-52-720-0000-43450	Professional Services	1,200
100-52-720-0000-43899	Other Services	500

Library

100-53-756-0000-42014	LBDONA Books & Periodicals	1,252
100-53-752-0000-42014	LB1402 Books & Periodicals	1,957
100-53-752-0000-42014	Books & Periodicals	8,883
100-53-753-0000-42014	Books & Periodicals	5,143
100-53-756-0000-42014	Books & Periodicals	1,558
100-53-750-0000-42014	LBDONA Books & Periodicals	2,000
100-53-755-0000-42015	LBDONA Computer Supply & Equipmt	2,500
100-53-753-0000-42015	LBDONA Computer Supply & Equipmt	850
100-53-752-0000-42899	LBDONA Other Supplies	800
100-53-753-0000-42899	LBDONA Other Supplies	1,000
100-53-752-0000-43833	LB1402 Subscriptions	6,935
100-53-753-0000-43833	LB1402 Subscriptions	5,150
100-53-756-0000-43833	LB1402 Subscriptions	1,560
100-53-750-0000-43899	LBDONA Other Services	3,000
100-53-752-0000-43899	LBDONA Other Services	400

Facilities

100-23-250-1801-43569	Repair & Maintenance	293,480
100-23-250-1801-43569	Repair & Maintenance	76,560

Total Appropriations		424,728
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**Supplemental Budget
Recreation Capital Expansion Fee Fund 261**

Revenues		
261-00-000-0000-35470	Interest on Loans	10,295
Total Revenue		10,295
Appropriations		
Total Appropriations		-

**Supplemental Budget
Fire Protection Capital Expansion Fee Fund 264**

Revenues		
Fund Balance		295,000
Total Revenue		295,000
Appropriations		
264-22-222-0000-49355	Design/Architect	295,000
Total Appropriations		295,000

**Supplemental Budget
Library Capital Expansion Fee Fund 266**

Revenues		
266-00-000-0000-35470	Interest on Loans	7,354
Total Revenue		7,354
Appropriations		
Total Appropriations		-

Supplemental Budget
General Government Capital Expansion Fee Fund 268

Revenues

268-00-000-0000-35470	Interest on Loans	26,475
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Total Revenue		26,475
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Appropriations

Total Appropriations		-
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Section 2. That as provided in City Charter Section 4-9(a)(7), this Ordinance shall be published by title only by the City Clerk after adoption on second reading unless the Ordinance has been amended since first reading in which case the Ordinance shall be published in full or the amendments shall be published in full. This Ordinance shall be in full force and effect upon final adoption, as provided in City Charter Section 11-5(d).

ADOPTED this ___ day of April, 2015.

Cecil A. Gutierrez, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:



City Attorney



CITY OF LOVELAND
WATER & POWER DEPARTMENT
 200 North Wilson • Loveland, Colorado 80537
 (970) 962-3000 • FAX (970) 962-3400 • TDD (970) 962-2620

AGENDA ITEM: 9
MEETING DATE: 4/21/2015
TO: City Council
FROM: Roger Berg, Water & Power
PRESENTER: Roger Berg, Senior Civil Engineer

TITLE:

A Resolution Approving an Intergovernmental Agreement Between the City of Loveland, Centerra Metropolitan District No. 1, and Little Thompson Water District Concerning the Relocation of a Water Meter Vault with Associated Connections and a Fire Hydrant from the Intersection of Boyd Lake Avenue and U.S. Highway 34 to Facilitate Intersection Improvements

RECOMMENDED CITY COUNCIL ACTION:

Adopt the resolution.

OPTIONS:

1. Adopt the action as recommended.
2. Deny the action (this would require the City to fund the project rather than the Metro District since the work is necessary to facilitate intersection improvements).
3. Adopt a modified action.
4. Refer back to staff for further development and consideration (delaying this project will adversely impact the schedule of the planned intersection improvements).

SUMMARY:

This is an administrative action. This is a proposed IGA with Centerra Metropolitan District No. 1 (Metro District) and Little Thompson Water District related to relocating the meter vault and fire hydrant at Boyd Lake Avenue and U.S. Highway 34. The work is required to accommodate intersection improvements that are scheduled to be completed this summer. The City will enter into and administer the construction contract (estimated at \$250,000), and the Metro District will reimburse the City for all costs except some minor sewer work totaling about \$3,000. The Metro District is obligated to fund this work pursuant to a 2014 Development Agreement. This project is scheduled to be completed in May 2015.

BUDGET IMPACT:

- Positive
 Negative
 Neutral or negligible

The net impact to the City will be an expense of approximately \$3,000, funds have been appropriated and are available in the 2015 Water and Power budget.

BACKGROUND:

The Loveland Water Department owns and operates a water meter interconnect vault at the intersection of Boyd Lake Avenue and U.S. Highway 34. The meter vault is connected to Little Thompson Water District lines in that intersection and allows the City to provide water to Little Thompson in case of emergency. In January 2014, Centerra Metro District No. 1 (Metro District) entered into a Development Agreement with the City for development of the Millennium Northwest Fourth Subdivision. The Development Agreement requires that the Developer make improvements at the intersection of U.S. Highway 34 and Boyd Lake Avenue, including the addition of two eastbound left-turn lanes and the widening of Boyd Lake Avenue for two northbound receiving lanes. In order to make said improvements, the existing meter vault and an existing fire hydrant need to be relocated out of the intersection, which makes this work part of the Development Agreement.

In August 2014, the City of Loveland Department of Public Works was awarded a grant from the Colorado Department of Transportation (CDOT) to make some of the needed improvements at said intersection. Pursuant to that grant announcement, the Water Department elected to manage the relocation of the meter vault and hydrant with the understanding that the Metro District would reimburse the Water Department for all costs. The relocation project will also include the abandonment of one sanitary sewer manhole and a short segment of sanitary sewer. The sewer related costs will be approximately \$3,000 and will be paid for by the Water Department. The total project cost including engineering and construction is estimated to be \$250,000, therefore the Metro District's share will be approximately \$247,000. The Water Department project is scheduled to be completed by the end of May 2015, and the intersection improvements are scheduled to begin in July or August and be completed by fall 2015.

REVIEWED BY CITY MANAGER:



LIST OF ATTACHMENTS:

1. IGA
2. Resolution approving the IGA

**INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF LOVELAND,
CENTERRA METROPOLITAN DISTRICT NO. 1 AND LITTLE THOMPSON WATER
DISTRICT CONCERNING THE RELOCATION OF A WATER METER VAULT WITH
ASSOCIATED CONNECTIONS AND A FIRE HYDRANT FROM THE
INTERSECTION OF BOYD LAKE AVENUE AND U.S. HIGHWAY 34 TO
FACILITATE INTERSECTION IMPROVEMENTS**

THIS INTERGOVERNMENTAL AGREEMENT is entered into this ____ of _____, 2015, by and between **CITY OF LOVELAND, COLORADO**, a home rule municipality (the “City”), **CENTERRA METROPOLITAN DISTRICT NO. 1**, a quasi-municipal corporation and a political subdivision of the State of Colorado (the “District”), and **LITTLE THOMPSON WATER DISTRICT** (“Little Thompson”), a Colorado Special District.

WHEREAS, the District, together with The Lakes at Centerra Metropolitan District No. 1, a quasi-municipal corporation and political subdivision of the State of Colorado, Centerra Investments, LLC, a Colorado limited liability company, C R II, LLC, a Colorado limited liability company, and C R Development, Inc., a Colorado corporation, (hereafter, Centerra Investments, LLC, C R II, LLC, and C R Development, Inc., collectively referred to as “the Developer”), entered into a Development Agreement with the City on or about January 15, 2014 for development of the Millennium Northwest Fourth Subdivision, located within the City of Loveland, County of Larimer, Colorado (“Development Agreement”); and

WHEREAS, the Development Agreement contained special provisions which required the Developer to make certain improvements at the intersection of U.S. Highway 34 and Boyd Lake Avenue, including the addition of two eastbound left-turn lanes and the widening of Boyd Lake Avenue for two northbound receiving lanes; and

WHEREAS, the District is constructing an extension and widening of Boyd Lake Avenue as a “Regional Improvement,” pursuant to the Centerra Intergovernmental and Master Financing Agreement; and

WHEREAS, Little Thompson is the owner of certain water lines located within the Boyd Lake Avenue right of way north of U.S. Highway 34; and

WHEREAS, the City’s Public Works Department plans to complete street improvements to the intersection of Boyd Lake Avenue and U.S. Highway 34 (the “Intersection”) commencing in June, 2015; and

WHEREAS, prior to commencement of the street improvements to the Intersection, the City’s Water Department (the “Water Department”) must remove an existing water meter vault, abandon pipe connections to the vault, and relocate a fire hydrant from their current locations as depicted on **Exhibit A**, attached hereto and incorporated herein by reference, and construct a new water meter vault and associated connections to the City and Little Thompson water lines, which new vault is to be located within the Boyd Lake Avenue right of way approximately 5,000 feet

North of U.S. Highway 34 as generally depicted on **Exhibit B**, attached hereto and incorporated herein by reference, with the exact location to be coordinated with Little Thompson and the District (collectively, the “District Relocation Work”); and

WHEREAS, the Water Department also plans to complete abandonment of one sewer manhole and a short segment of gravity sewer line located within the Intersection (the “City Sewer Work”); and

WHEREAS, the District has agreed to fund the District Relocation Work as set forth in this Agreement as part of the Centerra Intergovernmental and Master Financing Agreement Boyd Lake Avenue Regional Improvement project; and

WHEREAS, the District Relocation Work and the City Sewer Work are referred to collectively in this Agreement as the “Project”; and

WHEREAS, as governmental entities in Colorado, the City, the District, and Little Thompson are authorized, pursuant to C.R.S. § 29-1-203, to cooperate or contract with one another to provide any function, service, or facility lawfully authorized to each.

NOW, THEREFORE, in consideration of the promises of the parties hereto and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, it is agreed as follows:

1. Design, Bidding, and Construction Work. The City shall contract for the design and construction of the Project, as depicted in attached **Exhibits A and B**. The City shall utilize its competitive procurement procedures to select contractors to complete the design and construction of the Project. Upon selection of a contractor or contractors for the preparation of design documents and construction drawings and specifications, the City shall cause the necessary design documents, construction drawings, and specifications for the Project to be completed. Little Thompson and the District shall review the design documents, construction drawings, and specifications for the District Relocation Work and provide comments to the City prior to advertising for bid and prior to execution of the construction contract for the Project. The District Relocation Work and the City Sewer Work shall be identified separately on the bid schedules. The City will review the bids in consultation with the District, and the City will proceed to either award the construction contract to the low, responsive and responsible bidder or reject all the bids if they are not in the best interest of the City. Little Thompson and the District shall be permitted to review, comment on, and approve any change orders related to the District Relocation Work, pursuant to a process to be implemented and agreed upon by the parties. The construction contract for the Project shall contain a provision requiring the contractor to substantially complete the Project no later than May 31, 2015.

2. Construction Cost Sharing. The City shall be responsible for and shall pay all costs of the design and construction of the City Sewer Work. The District shall be responsible for and shall pay to the City all costs for the design and construction of the District Relocation Work, which estimated amount is \$250,000.00. Should the bid for construction of the District Relocation Work exceed the estimated amount, the District shall be obligated to increase its

financial contribution to fund the District Relocation Work to cover any such excess amount. Any amendments to this Agreement including, but not limited to, an increased financial contribution by the District shall be documented in writing and shall be approved and signed by the City Manager and the District. The City will pay the selected contractor for the District Relocation Work, but shall invoice the District monthly for reimbursement of the costs of design and construction of the District Relocation Work, as work is completed, and the District shall pay each invoice within thirty (30) days after receipt of such invoice.

3. Project Schedule. The construction contract for the Project will require substantial completion by May 31, 2015. However, nothing in this Agreement shall be construed to require final completion of the Project by this date, or any particular date.

4. Construction Work Oversight. The City will have primary responsibility for managing the Project; provided, however, that the City, the District, and Little Thompson shall work collaboratively during construction of the Project. Such collaboration may include regular participation in project meetings and review of change orders.

5. Waiver of Damages. To the extent permitted by law, the District hereby covenants and agrees to save and hold harmless the City and Little Thompson, and each of their officers, employees, and agents, from any and all liability, loss, costs, charges, obligations, expenses, attorneys' fees, litigation, judgments, damages, claims, and demands of any kind whatsoever arising from or out of the City's or Little Thompson's performance under the terms of the Agreement.

6. Multi-Fiscal Year Obligations. To the extent this Agreement constitutes a multiple fiscal year debt or financial obligation of the City, it shall be subject to annual appropriation pursuant to the City Municipal Charter Section 11-6 and Article X, Section 20 of the Colorado Constitution. The City shall have no obligation to continue this Agreement in any fiscal year in which no such appropriation is made. To the extent this Agreement constitutes a multiple fiscal year debt or financial obligation of the District, the District's obligation shall be subject to annual appropriation pursuant to Article X, Section 20 of the Colorado Constitution. The District shall have no obligation to continue this Agreement in any fiscal year in which no such appropriation is made.

7. Governmental Immunity Act. No term or condition of this Agreement shall be construed or interpreted as a waiver by the City, Little Thompson, or the District, express or implied, of any of the notice requirements, immunities, limitations to liability, rights, benefits, protections, or other provisions under the Colorado Governmental Immunity Act, C.R.S. §§ 24-10-101 *et seq.* or under any other law.

8. Force Majeure. Notwithstanding anything contained herein to the contrary, the parties agree that to the extent that fire, flood, earthquake, natural catastrophe, explosion, accident, illegality, act of God, or any cause beyond the control of the City, or strikes or labor trouble affecting the City (whether or not in the power of the City to settle the same), prevents or delays the performance by the City under this Agreement, the City shall be relieved of the consequences thereof without liability, so long as and to the extent that the City's performance is

prevented by such cause; provided, however, that the City shall exercise due diligence in its efforts to resume performance within a reasonable period of time.

9. Governing Law and Enforceability. This Agreement shall be construed in accordance with the laws of the State of Colorado, and venue shall be in the District Court of the County of Larimer, State of Colorado. The parties recognize that there are legal constraints imposed upon the City by constitutions, statutes, rules, and regulations of the State of Colorado and of the United States and imposed upon it by the City Charter and the Loveland Municipal Code, and that subject to such constraints, the parties intended to carry out the terms and conditions of this Agreement.

10. Assignment. No party hereto may assign this Agreement without the other parties' prior written consent.

11. Waiver. No waiver by any of the parties of any term or condition of this Agreement shall be deemed to be or shall be construed as a waiver of any other term or condition of this Agreement, nor shall any waiver of a breach of any provision of this Agreement be deemed to constitute a waiver or any subsequent breach of the same provision.

12. Binding Effect. This Agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and permitted assigns.

13. Entire Agreement. This Agreement contains the entire agreement of the parties relating to the subject matter hereof and, except as provided herein, may not be modified or amended except by written agreement of the parties.

14. Severability. In the event a court of competent jurisdiction holds any provision of this Agreement invalid or unenforceable, such holding shall not invalidate or render unenforceable any other provision of this Agreement.

15. Headings. Paragraph headings used in this Agreement are for convenience of reference and shall in no way control or affect the meaning or interpretation of any provision of this Agreement.

16. Notices. Other than billing invoices which may be sent by first class mail, written notices required under this Agreement and all other correspondence between the parties shall be directed to the following and shall be deemed received when hand-delivered or three (3) days after being sent by certified mail, return receipt requested:

If to the City: Roger Berg
City of Loveland Water Department
200 N. Wilson Avenue
Loveland, CO 80537

With a copy to: City Attorney's Office

Attn: City Attorney
City of Loveland
500 East Third Street
Loveland, CO 80537

If to District: Centerra Metropolitan District No. 1
Attn: District Manager
1627 E. 18th Street
Loveland, CO 80538

With a copy to: Alan Pogue, Esq.
Icenogle, Seaver, Pogue
4725 South Monaco Street, Suite 225
Denver, Colorado 80237

If to Little Thompson: James C. Hibbard, District Manager
835 E. Hwy 57
Berthoud, CO 80513

With a copy to: -----

17. Construction of Agreement. This Agreement shall be construed according to its fair meaning as if prepared by all parties and shall be deemed to be and contain the entire understanding of the parties.

18. Counterpart-Electronic Signatures. For purposes of this Agreement, there may be any number of counterparts, each of which shall be deemed as originals. Facsimile or electronically transmitted signatures, for purposes of this Agreement, shall be deemed as original signatures.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first above written.

CITY OF LOVELAND, COLORADO

By: _____
William D. Cahill, City Manager

ATTEST:

City Clerk

APPROVED AS TO FORM:

Assistant City Attorney

**CENTERRA METROPOLITAN DISTRICT
NO. 1**

By: _____

Name: _____

Title: _____

ATTEST:

By: _____
Name

Title

Date

LITTLE THOMPSON WATER DISTRICT

By: _____

Name: _____

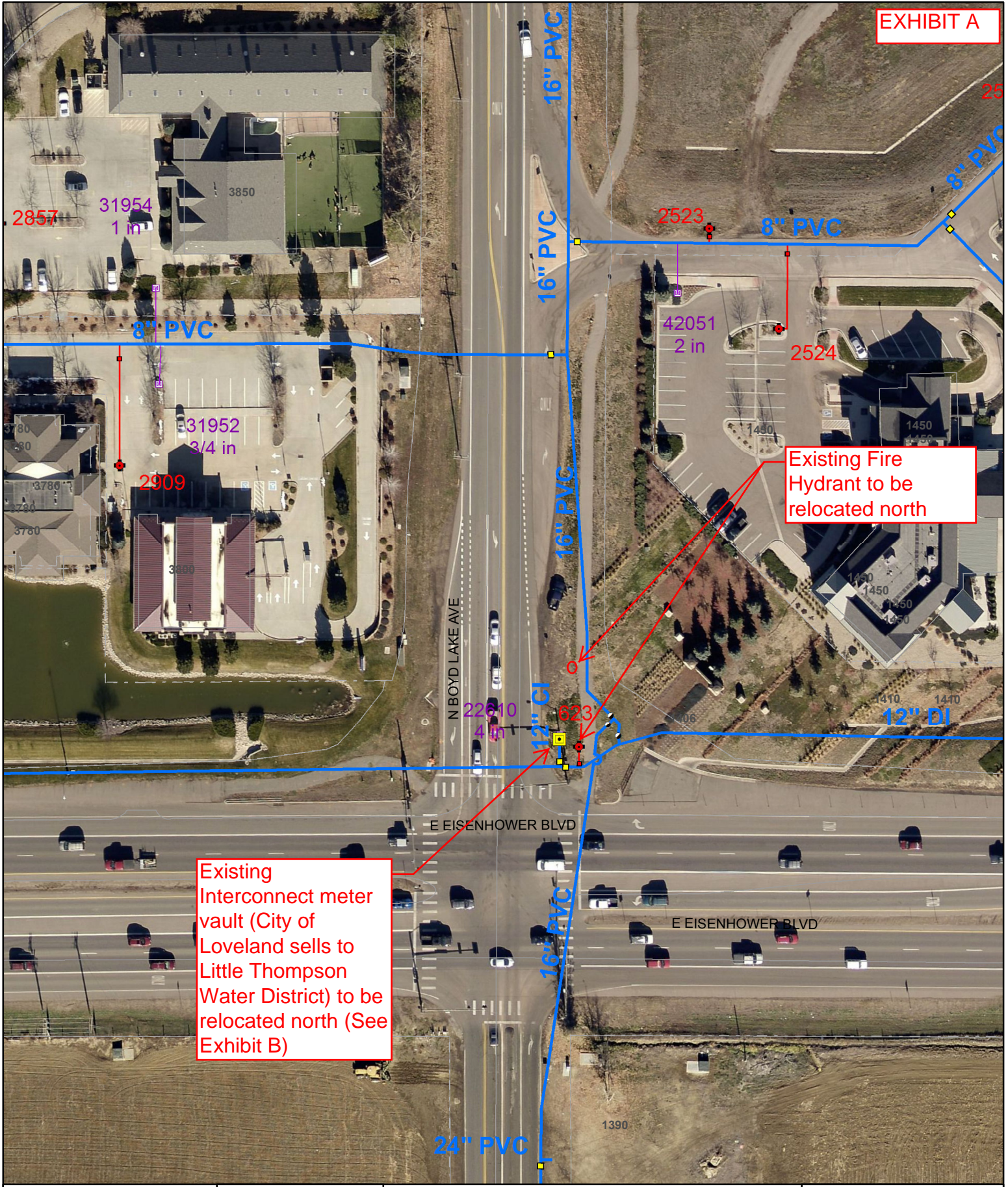
Title: _____

ATTEST:

By: _____
Name

Title

Date

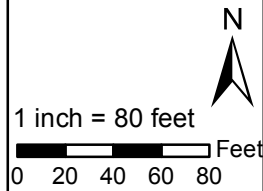


Existing Fire Hydrant to be relocated north

Existing Interconnect meter vault (City of Loveland sells to Little Thompson Water District) to be relocated north (See Exhibit B)

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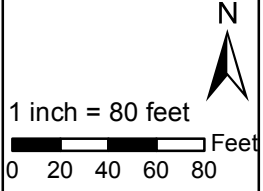
City of Loveland
 Department of Water & Power
 Loveland, Colorado

Utility Map
 Created By: gisview
 Date Created: 8/14/2014



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City of Loveland
 Department of Water & Power
 Loveland, Colorado

Utility Map
 Created By: gisview
 Date Created: 8/14/2014

RESOLUTION #R-27-2015**A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF LOVELAND, CENTERRA METROPOLITAN DISTRICT NO. 1, AND LITTLE THOMPSON WATER DISTRICT CONCERNING THE RELOCATION OF A WATER METER VAULT WITH ASSOCIATED CONNECTIONS AND A FIRE HYDRANT FROM THE INTERSECTION OF BOYD LAKE AVENUE AND U.S. HIGHWAY 34 TO FACILITATE INTERSECTION IMPROVEMENTS**

WHEREAS, Centerra Metropolitan District No. 1 (“District”) is obligated to construct certain improvements at the intersection of Highway 34 and Boyd Lake Avenue, pursuant to a Development Agreement entered into with the City of Loveland dated January 15, 2014 for the Millennium Northwest Fourth Subdivision; and

WHEREAS, Little Thompson Water District (“Little Thompson”) is the owner of certain water lines located within the Boyd Lake Avenue right of way North of U.S. Highway 34; and

WHEREAS, the City Public Works Department plans to complete street improvements to the intersection of Boyd Lake Avenue and US Highway 34 (the “Intersection”) commencing in June, 2015; and

WHEREAS, prior to commencement of the street improvements to the Intersection, the City of Loveland Water Department (the “Water Department”) must remove an existing water meter vault, abandon pipe connections to the vault, and relocate a fire hydrant from their current locations and construct a new water meter vault and associated connections to the City of Loveland and Little Thompson Water District water lines (“District Relocation Work”); and

WHEREAS, the Water Department also plans to complete abandonment of one sewer manhole and a short segment of gravity sewer line located within the Intersection (the “City Sewer Work”); and

WHEREAS, the Water Department shall be responsible for funding the City Sewer Work; and

WHEREAS, the District has agreed to fund the District Relocation Work as part of its obligation under the Millennium Northwest Fourth Subdivision development agreement; and

WHEREAS, the City, the District, and Little Thompson desire to enter into an intergovernmental agreement to define the division of responsibilities with regard to the District Relocation Work and the City Sewer Work; and

WHEREAS, as governmental entities in Colorado, the City, the District and Little Thompson are authorized, pursuant to C.R.S. § 29-1-203, to cooperate or contract with one another to provide any function, service, or facility lawfully authorized to each.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOVELAND, COLORADO, THAT:

Section 1. The “Intergovernmental Agreement Between The City Of Loveland, Centerra Metropolitan District No. 1, and Little Thompson Water District, Concerning The Relocation Of A Water Meter Vault With Associated Connections And A Fire Hydrant From The Intersection Of Boyd Lake Avenue And U.S. Highway 34 To Facilitate Intersection Improvements” attached hereto as Exhibit A and incorporated herein by reference (“Intergovernmental Agreement”), is hereby approved.

Section 2. The City Manager is hereby authorized, following consultation with the City Attorney, to modify the Intergovernmental Agreement in form or substance as deemed necessary to effectuate the purposes of this Resolution or to protect the interests of the City.

Section 3. The City Manager and the City Clerk are hereby authorized and directed to execute the Intergovernmental Agreement on behalf of the City.

Section 4. This Resolution shall be effective as of the date of its adoption.

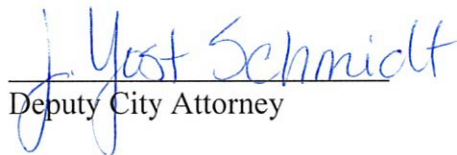
ADOPTED this 21st day of April, 2015.

Cecil A. Gutierrez, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:



Deputy City Attorney

**INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF LOVELAND,
CENTERRA METROPOLITAN DISTRICT NO. 1 AND LITTLE THOMPSON WATER
DISTRICT CONCERNING THE RELOCATION OF A WATER METER VAULT WITH
ASSOCIATED CONNECTIONS AND A FIRE HYDRANT FROM THE
INTERSECTION OF BOYD LAKE AVENUE AND U.S. HIGHWAY 34 TO
FACILITATE INTERSECTION IMPROVEMENTS**

THIS INTERGOVERNMENTAL AGREEMENT is entered into this ____ of _____, 2015, by and between **CITY OF LOVELAND, COLORADO**, a home rule municipality (the “City”), **CENTERRA METROPOLITAN DISTRICT NO. 1**, a quasi-municipal corporation and a political subdivision of the State of Colorado (the “District”), and **LITTLE THOMPSON WATER DISTRICT** (“Little Thompson”), a Colorado Special District.

WHEREAS, the District, together with The Lakes at Centerra Metropolitan District No. 1, a quasi-municipal corporation and political subdivision of the State of Colorado, Centerra Investments, LLC, a Colorado limited liability company, C R II, LLC, a Colorado limited liability company, and C R Development, Inc., a Colorado corporation, (hereafter, Centerra Investments, LLC, C R II, LLC, and C R Development, Inc., collectively referred to as “the Developer”), entered into a Development Agreement with the City on or about January 15, 2014 for development of the Millennium Northwest Fourth Subdivision, located within the City of Loveland, County of Larimer, Colorado (“Development Agreement”); and

WHEREAS, the Development Agreement contained special provisions which required the Developer to make certain improvements at the intersection of U.S. Highway 34 and Boyd Lake Avenue, including the addition of two eastbound left-turn lanes and the widening of Boyd Lake Avenue for two northbound receiving lanes; and

WHEREAS, the District is constructing an extension and widening of Boyd Lake Avenue as a “Regional Improvement,” pursuant to the Centerra Intergovernmental and Master Financing Agreement; and

WHEREAS, Little Thompson is the owner of certain water lines located within the Boyd Lake Avenue right of way north of U.S. Highway 34; and

WHEREAS, the City’s Public Works Department plans to complete street improvements to the intersection of Boyd Lake Avenue and U.S. Highway 34 (the “Intersection”) commencing in June, 2015; and

WHEREAS, prior to commencement of the street improvements to the Intersection, the City’s Water Department (the “Water Department”) must remove an existing water meter vault, abandon pipe connections to the vault, and relocate a fire hydrant from their current locations as depicted on **Exhibit A**, attached hereto and incorporated herein by reference, and construct a new water meter vault and associated connections to the City and Little Thompson water lines, which new vault is to be located within the Boyd Lake Avenue right of way approximately 5,000 feet

North of U.S. Highway 34 as generally depicted on **Exhibit B**, attached hereto and incorporated herein by reference, with the exact location to be coordinated with Little Thompson and the District (collectively, the “District Relocation Work”); and

WHEREAS, the Water Department also plans to complete abandonment of one sewer manhole and a short segment of gravity sewer line located within the Intersection (the “City Sewer Work”); and

WHEREAS, the District has agreed to fund the District Relocation Work as set forth in this Agreement as part of the Centerra Intergovernmental and Master Financing Agreement Boyd Lake Avenue Regional Improvement project; and

WHEREAS, the District Relocation Work and the City Sewer Work are referred to collectively in this Agreement as the “Project”; and

WHEREAS, as governmental entities in Colorado, the City, the District, and Little Thompson are authorized, pursuant to C.R.S. § 29-1-203, to cooperate or contract with one another to provide any function, service, or facility lawfully authorized to each.

NOW, THEREFORE, in consideration of the promises of the parties hereto and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, it is agreed as follows:

1. Design, Bidding, and Construction Work. The City shall contract for the design and construction of the Project, as depicted in attached **Exhibits A and B**. The City shall utilize its competitive procurement procedures to select contractors to complete the design and construction of the Project. Upon selection of a contractor or contractors for the preparation of design documents and construction drawings and specifications, the City shall cause the necessary design documents, construction drawings, and specifications for the Project to be completed. Little Thompson and the District shall review the design documents, construction drawings, and specifications for the District Relocation Work and provide comments to the City prior to advertising for bid and prior to execution of the construction contract for the Project. The District Relocation Work and the City Sewer Work shall be identified separately on the bid schedules. The City will review the bids in consultation with the District, and the City will proceed to either award the construction contract to the low, responsive and responsible bidder or reject all the bids if they are not in the best interest of the City. Little Thompson and the District shall be permitted to review, comment on, and approve any change orders related to the District Relocation Work, pursuant to a process to be implemented and agreed upon by the parties. The construction contract for the Project shall contain a provision requiring the contractor to substantially complete the Project no later than May 31, 2015.

2. Construction Cost Sharing. The City shall be responsible for and shall pay all costs of the design and construction of the City Sewer Work. The District shall be responsible for and shall pay to the City all costs for the design and construction of the District Relocation Work, which estimated amount is \$250,000.00. Should the bid for construction of the District Relocation Work exceed the estimated amount, the District shall be obligated to increase its

financial contribution to fund the District Relocation Work to cover any such excess amount. Any amendments to this Agreement including, but not limited to, an increased financial contribution by the District shall be documented in writing and shall be approved and signed by the City Manager and the District. The City will pay the selected contractor for the District Relocation Work, but shall invoice the District monthly for reimbursement of the costs of design and construction of the District Relocation Work, as work is completed, and the District shall pay each invoice within thirty (30) days after receipt of such invoice.

3. Project Schedule. The construction contract for the Project will require substantial completion by May 31, 2015. However, nothing in this Agreement shall be construed to require final completion of the Project by this date, or any particular date.

4. Construction Work Oversight. The City will have primary responsibility for managing the Project; provided, however, that the City, the District, and Little Thompson shall work collaboratively during construction of the Project. Such collaboration may include regular participation in project meetings and review of change orders.

5. Waiver of Damages. To the extent permitted by law, the District hereby covenants and agrees to save and hold harmless the City and Little Thompson, and each of their officers, employees, and agents, from any and all liability, loss, costs, charges, obligations, expenses, attorneys' fees, litigation, judgments, damages, claims, and demands of any kind whatsoever arising from or out of the City's or Little Thompson's performance under the terms of the Agreement.

6. Multi-Fiscal Year Obligations. To the extent this Agreement constitutes a multiple fiscal year debt or financial obligation of the City, it shall be subject to annual appropriation pursuant to the City Municipal Charter Section 11-6 and Article X, Section 20 of the Colorado Constitution. The City shall have no obligation to continue this Agreement in any fiscal year in which no such appropriation is made. To the extent this Agreement constitutes a multiple fiscal year debt or financial obligation of the District, the District's obligation shall be subject to annual appropriation pursuant to Article X, Section 20 of the Colorado Constitution. The District shall have no obligation to continue this Agreement in any fiscal year in which no such appropriation is made.

7. Governmental Immunity Act. No term or condition of this Agreement shall be construed or interpreted as a waiver by the City, Little Thompson, or the District, express or implied, of any of the notice requirements, immunities, limitations to liability, rights, benefits, protections, or other provisions under the Colorado Governmental Immunity Act, C.R.S. §§ 24-10-101 *et seq.* or under any other law.

8. Force Majeure. Notwithstanding anything contained herein to the contrary, the parties agree that to the extent that fire, flood, earthquake, natural catastrophe, explosion, accident, illegality, act of God, or any cause beyond the control of the City, or strikes or labor trouble affecting the City (whether or not in the power of the City to settle the same), prevents or delays the performance by the City under this Agreement, the City shall be relieved of the consequences thereof without liability, so long as and to the extent that the City's performance is

prevented by such cause; provided, however, that the City shall exercise due diligence in its efforts to resume performance within a reasonable period of time.

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10. Assignment. No party hereto may assign this Agreement without the other parties' prior written consent.

11. Waiver. No waiver by any of the parties of any term or condition of this Agreement shall be deemed to be or shall be construed as a waiver of any other term or condition of this Agreement, nor shall any waiver of a breach of any provision of this Agreement be deemed to constitute a waiver or any subsequent breach of the same provision.

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200 N. Wilson Avenue
Loveland, CO 80537

With a copy to: City Attorney's Office

Attn: City Attorney
City of Loveland
500 East Third Street
Loveland, CO 80537

If to District: Centerra Metropolitan District No. 1
Attn: District Manager
1627 E. 18th Street
Loveland, CO 80538

With a copy to: Alan Pogue, Esq.
Icenogle, Seaver, Pogue
4725 South Monaco Street, Suite 225
Denver, Colorado 80237

If to Little Thompson: James C. Hibbard, District Manager
835 E. Hwy 57
Berthoud, CO 80513

With a copy to: -----

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IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first above written.

CITY OF LOVELAND, COLORADO

By: _____
William D. Cahill, City Manager

ATTEST:

City Clerk

APPROVED AS TO FORM:

Assistant City Attorney

**CENTERRA METROPOLITAN DISTRICT
NO. 1**

By: _____

Name: _____

Title: _____

ATTEST:

By: _____
Name

Title

Date

LITTLE THOMPSON WATER DISTRICT

By: _____

Name: _____

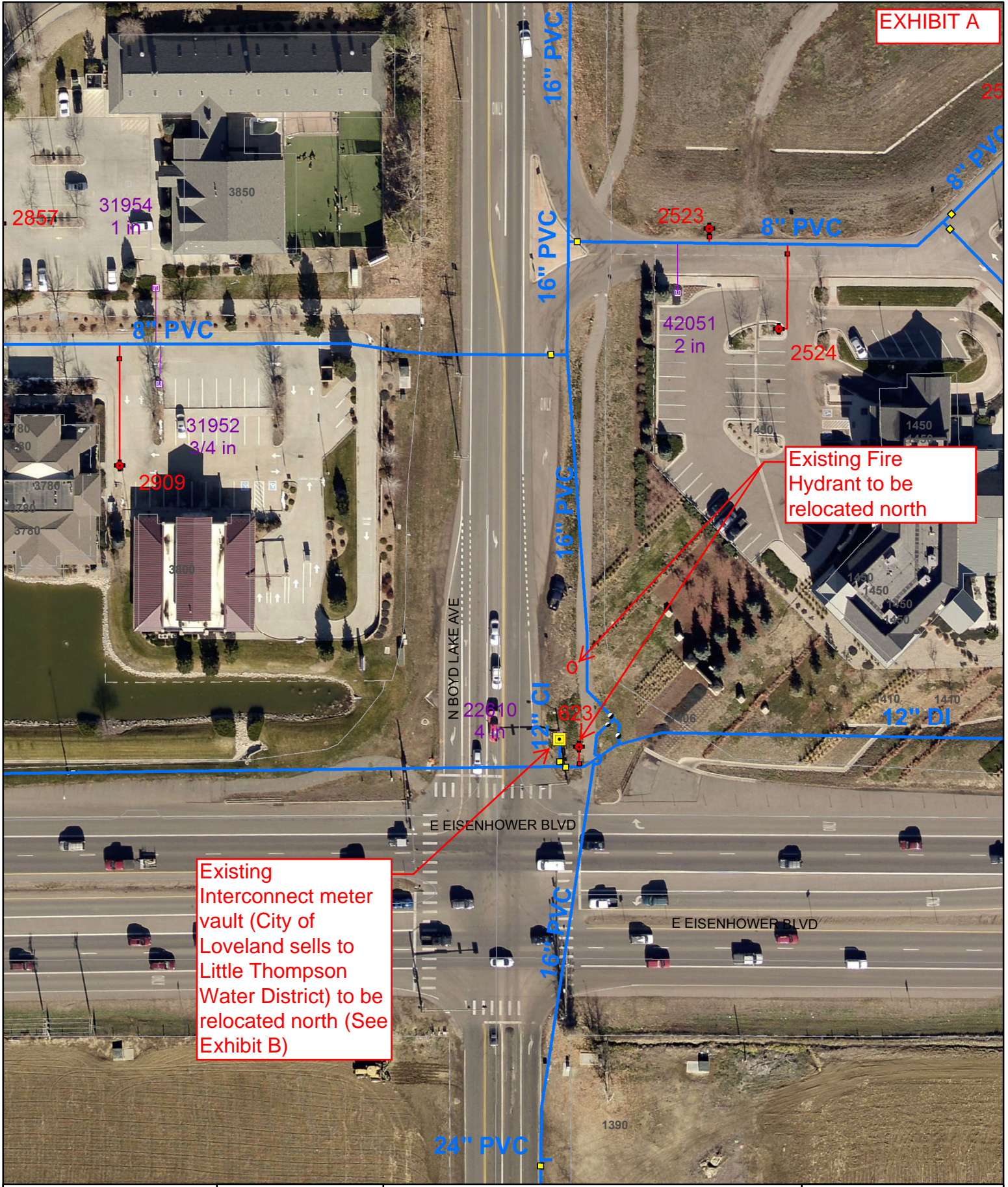
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ATTEST:

By: _____
Name

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Date

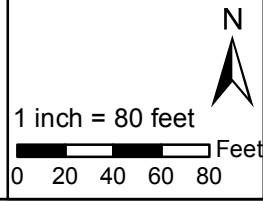


Existing Interconnect meter vault (City of Loveland sells to Little Thompson Water District) to be relocated north (See Exhibit B)

Existing Fire Hydrant to be relocated north

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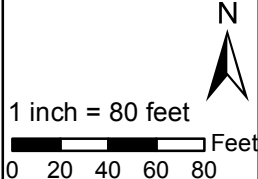
City of Loveland
 Department of Water & Power
 Loveland, Colorado

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City of Loveland
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 Loveland, Colorado

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CITY OF LOVELAND
FINANCE DEPARTMENT

Civic Center • 500 East Third • Loveland, Colorado 80537
(970) 962-2695 • FAX (970) 962-2900 • TDD (970) 962-2620

AGENDA ITEM: 10
MEETING DATE: 4/21/2015
TO: City Council
FROM: Brent Worthington, Finance
PRESENTER: Brent Worthington, Director of Finance

TITLE:
February 2015 Financial Report

RECOMMENDED CITY COUNCIL ACTION:
This is an information only item. No action is required.

SUMMARY:
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, 2015.

SUMMARY:
The Snapshot Report is submitted for Council review and includes the reporting of the City's revenue and expenditures, including detailed reports on tax revenue and health claims as of February 28, 2015. Citywide Revenue (excluding internal transfers) of \$37,511,245 is 89.4% of year to date (YTD) budget or \$6,686,855 under the budget. Sales Tax collections are 90.8% of the YTD budget or \$683,401 under budget. Building Material Use Tax is 406.9% of YTD budget, or \$21,582 over budget. Sales and Use Tax collections combined were 93.4% of YTD budget or \$539,169 under budget. When the combined sales and use tax for the current year are compared to 2013 for the same period last year, they are lower by 3.3% or \$259,677.

Citywide total expenditures of \$33,416,933 (excluding internal transfers) are 90.5% of the YTD budget or \$3,511,674 under the budget.

NOTE: The February Sales Tax is 9% below budget. This is due to timing issues: the due date for filing is always the 20th of the month. In February, the due date fell on Friday; with added transit time from the Post Office to the Lockbox location, and the short month, quite a few sales tax returns weren't posted until March 1. The tax revenue will even out in the March Snapshot.

REVIEWED BY CITY MANAGER:

William D. Cahill

LIST OF ATTACHMENTS:

1. February Snapshot Presentation
2. Snapshot report for February 2015

Snapshot



February 2015

Brent Worthington
Finance Director

Presented
April 21, 2015

February 2015 Snapshot

- Citywide Revenue
 - \$37.5 million, excluding transfers
 - 15.1% below budget projections

- Citywide Expenditures
 - \$33.4 million, excluding transfers
 - 9.5% below budget projections

- Citywide revenues exceed expenditures by \$4.1 million.

February 2015 Snapshot

- General Fund Revenue
 - \$13.0 million YTD, excluding transfers
 - 2.0% below YTD Budget
 - 7.0% above same period last year

- Sales and Use Tax Revenue
 - \$7.6 million YTD
 - 6.6% below budget projections
 - 3.3% below same period as last year

- Sales Tax only
 - \$6.8 million YTD
 - 9.2% below budget projections
 - 5.8% below same period last year

February 2015 Snapshot

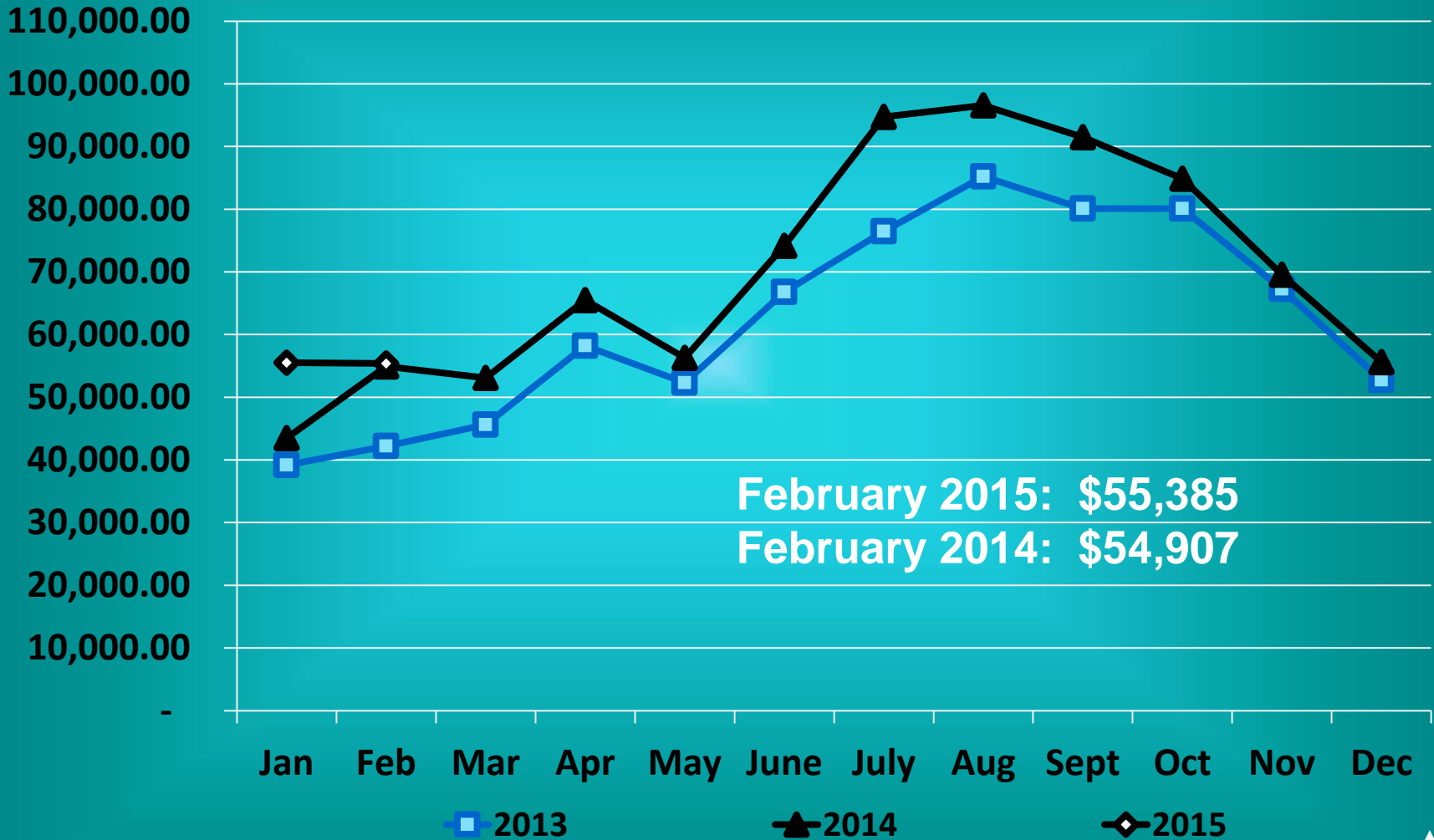
- General Fund Expenditures
 - \$11.4 million YTD, excluding transfers
 - 17.8% below budget projections

- General Fund Revenues Exceed Expenditures by \$700 thousand

- Health Claims
 - February Claims \$1.1mil
 - 2015 YTD increased from \$1.0 mil to \$1.1 mil from same time as last year (1.1%)

February 2015 Snapshot

Lodging Tax



➤ Lodging tax YTD is \$110,910 (12.7% higher than 2014 YTD).



Flood Report

Cost Estimates			
Emergency Response		\$2,000,000	
Business Assistance		600,000	
Capital		23,100,000	
Total		\$25,700,000	
Actual Expenditures			
		<u>February</u>	<u>To Date</u>
Total	\$	1,673,975	\$ 18,560,082
Reimbursements Applied For			
		<u>February</u>	<u>To Date</u>
FEMA	\$	-	\$ 9,396,008
CIRSA		97,387	7,017,868
Other		-	247,471
Total	\$	97,387	\$ 16,661,347
Reimbursements Received			
		<u>February</u>	<u>To Date</u>
FEMA	\$	-	\$ 4,429,727
CIRSA		97,387	7,017,868
Other		-	247,471
Total	\$	97,387	\$ 11,695,066

February 2015 Snapshot



Questions?

Brent Worthington
Finance Director

Presented
April 21, 2015

Snapshot

February 2015



A Snapshot In Time

Citywide Revenues & Expenditures	2-3
General Fund Revenues & Expenditures	4-5
Capital Projects	5
Tax Totals & Comparison	6-7
Flood Update	8-9
Geo Codes & Sales Tax SIC	10-12
Health Care Claims	13
Activity Measures	14

- ◆ Citywide Revenue, excluding transfers between funds, \$37.5 million (15.1% below budget projections)
- ◆ Sales & Use Tax Collection, \$7.6 million (6.6% below budget projections)
- ◆ Citywide Expenditures, excluding transfers between funds, \$33.4 million (9.5% below budget projections)
- ◆ Citywide Year-To-Date Revenues exceed Year-To-Date Expenditures by \$4.1 million
- ◆ General Fund Revenue, excluding transfers between funds, \$13.0 million (2.0% below budget projections)
- ◆ General Fund Expenditures, excluding transfers between funds, \$11.4 million, (17.8% below budget projections)
- ◆ General Fund Revenues exceed Expenditures by \$700 thousand



Sales / Use Tax Basics

February 2015	Sales Tax	Motor Vehicle Use Tax	Building Materials Use Tax	Combined
Budget 2015	\$ 7,454,730	\$ 378,780	\$ 314,380	\$ 8,147,890
Actual 2015	6,771,329	501,430	335,962	7,608,721
% of Budget	90.8%	132.4%	106.9%	93.4%
Actual 2014	\$ 7,190,448	\$ 446,713	\$ 231,237	\$ 7,868,398
Change from prior yr	-5.8%	12.2%	45.3%	-3.3%

“Loveland: a vibrant community...surrounded by natural beauty... where you belong.”



Combined Statement of Revenues and Expenditures				
February 2015				
REVENUE	Current Month	YTD Actual	YTD Revised Budget	% of Budget
General Governmental				
1 General Fund	\$ 6,277,796	\$ 13,021,527	\$ 13,281,050	98.0%
2 Special Revenue	490,050	965,527	986,510	97.9%
3 Other Entities	1,025,694	3,098,205	5,764,880	53.7%
4 Internal Service	1,478,848	2,896,199	2,967,410	97.6%
5 <i>Subtotal General Govt Operations</i>	<i>9,272,388</i>	<i>19,981,458</i>	<i>22,999,850</i>	<i>86.9%</i>
6 Capital Projects	699,594	1,222,911	1,355,050	90.2%
Enterprise Fund				
7 Water & Power	6,527,766	14,113,006	17,579,930	80.3%
8 Stormwater	444,894	870,956	872,340	99.8%
9 Golf	96,276	348,217	292,020	119.2%
10 Solid Waste	477,013	974,697	1,098,940	88.7%
11 <i>Subtotal Enterprise</i>	<i>7,545,949</i>	<i>16,306,877</i>	<i>19,843,230</i>	<i>82.2%</i>
12 Total Revenue	\$ 17,517,931	\$ 37,511,245	\$ 44,198,130	84.9%
		<i>Prior Year External Revenue</i>		
		<i>33,638,421</i>		
		<i>Increase From Prior Year</i>		
		<i>11.5%</i>		
13 Internal Transfers	623,978	1,050,484	3,956,280	26.6%
14 Grand Total Revenues	\$ 18,141,909	\$ 38,561,729	\$ 48,154,410	80.1%
EXPENDITURES				
General Governmental				
15 General Fund	4,908,159	10,667,962	10,821,520	98.6%
16 Special Revenue	713,330	1,515,150	3,644,580	41.6%
17 Other Entities	1,156,345	2,148,100	1,825,940	117.6%
18 Internal Services	1,755,073	2,374,139	3,331,327	71.3%
19 <i>Subtotal General Gov't Operations</i>	<i>8,532,908</i>	<i>16,705,351</i>	<i>19,623,367</i>	<i>85.1%</i>
20 Capital	4,995,113	5,432,440	5,945,060	91.4%
Enterprise Fund				
21 Water & Power	5,472,497	9,979,167	9,749,120	102.4%
22 Stormwater	216,978	389,402	410,920	94.8%
23 Golf	188,702	322,500	337,980	95.4%
24 Solid Waste	316,386	588,073	862,160	68.2%
25 <i>Subtotal Enterprise</i>	<i>6,194,564</i>	<i>11,279,142</i>	<i>11,360,180</i>	<i>99.3%</i>
26 Total Expenditures	\$ 19,722,584	\$ 33,416,933	\$ 36,928,607	90.5%
		<i>Prior Year External Expenditures</i>		
		<i>10,662,849</i>		
		<i>Increase (-Decrease) From Prior Year</i>		
		<i>213.4%</i>		
27 Internal Transfers	623,978	1,050,484	4,464,720	23.5%
28 Grand Total Expenditures	\$ 20,346,563	\$ 34,467,417	\$ 41,393,327	83.3%

Special Revenue Funds: Community Development Block Grant, Cemetery, Local Improvement District, Lodging Tax, Affordable Housing, Seizure & Forfeitures, Transit, Transportation.

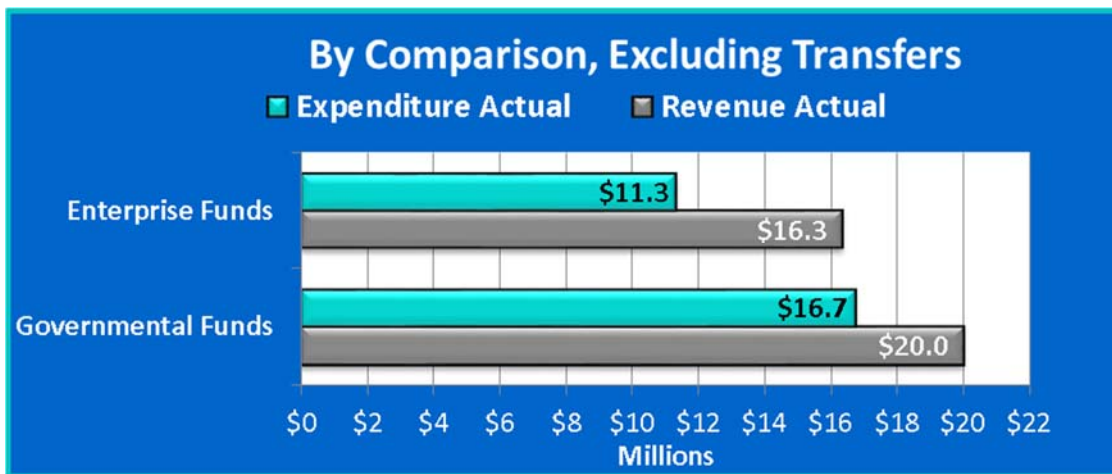
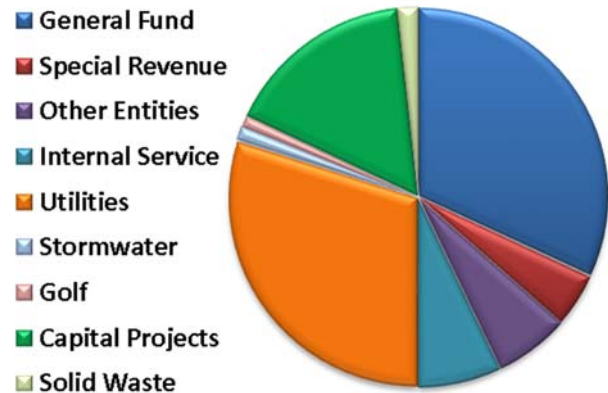
Other Entities Fund: Special Improvement District #1, Airport, General Improvement District #1, Loveland Urban Renewal Authority, Loveland/Larimer Building Authority, Loveland Fire and Rescue Authority.

Internal Service Funds: Risk/Insurance, Fleet, Employee Benefits.

YTD Operating Revenues of \$37.5 Million



YTD Operating Expenditures of \$33.4 Million



- ◆ General Fund Revenue, excluding capital and transfers between funds, \$13 million (2.0% below budget projections)
 - * 7.0% below 2014 YTD
- ◆ General Fund Expenditures, excluding capital and transfers between funds, \$10.7 million (1.4% below budget projections)
 - * 25.4% above 2014 YTD
- ◆ Water & Power Revenue, excluding transfers between funds, \$14.1 million (19.7% below budget projections)
 - * 3.1% above 2014 YTD
- ◆ Water & Power Expenditures, excluding transfers between funds, \$10 million (2.4% above budget projections)
 - * 8.0% above 2014 YTD
- ◆ Other Entities Fund Revenue, excluding transfers between funds, \$3.1 million (46.3% below budget projections)
 - * 5.4% above 2014 YTD
- ◆ Other Entities Expenditures, excluding capital and transfers between funds, \$2.1 million (17.6% above budget projections)
 - * 40.8% above 2014 YTD

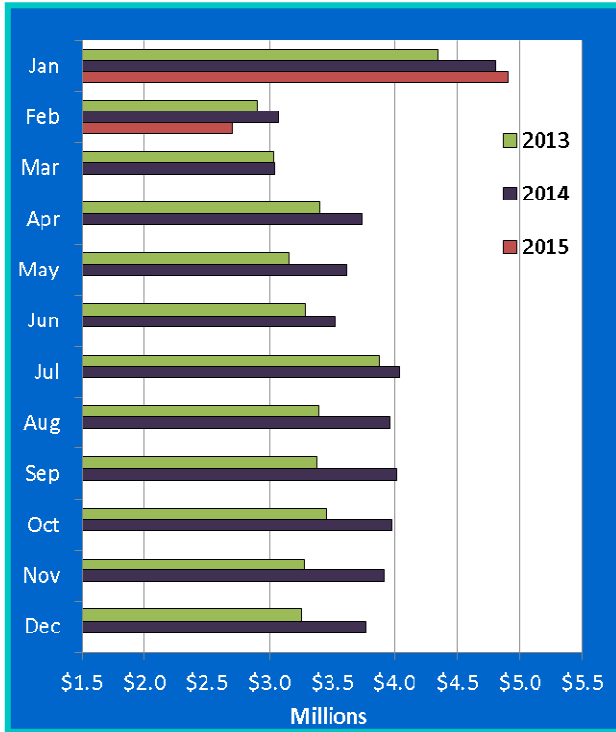
General Fund Revenues & Expenditures

General Fund Revenue & Expenditures February 2015				
REVENUES	Current Month	YTD Actual	YTD Revised Budget	% of Budget
1 Taxes				
2 Property tax	\$ 146,014	\$ 146,465	\$ 105,310	139.1%
3 Sales tax	2,235,775	6,771,329	7,454,730	90.8%
4 Building use tax	221,517	335,962	314,380	106.9%
5 Auto use tax	242,911	501,430	378,780	132.4%
6 Other taxes	249,004	355,489	518,220	68.6%
7 Intergovernmental	(4,281)	7,812	62,180	12.6%
8 License & Permits				
9 Building Permits	176,081	309,642	361,940	85.6%
10 Other Permits	18,201	48,524	29,330	165.4%
11 Charges for Services	1,342,796	2,713,276	2,626,310	103.3%
12 Fines & Forfeitures	57,490	152,743	143,280	106.6%
13 Interest Income	20,444	32,484	57,880	56.1%
14 Miscellaneous	1,571,843	1,646,371	1,228,710	134.0%
15 <i>Subtotal</i>	<i>6,277,796</i>	<i>13,021,527</i>	<i>13,281,050</i>	<i>98.0%</i>
16 Interfund Transfers	7,010	39,020	39,060	99.9%
17 Total Revenue	\$ 6,284,806	\$ 13,060,547	\$ 13,320,110	98.1%
EXPENDITURES				
Operating Expenditures				
18 Legislative	22,584	34,068	30,010	113.5%
19 Executive & Legal	157,086	314,530	267,040	117.8%
20 City Clerk & Court Admin	66,965	130,277	128,010	101.8%
21 Economic Development	676,783	754,800	3,551,117	21.3%
22 Cultural Services	145,143	278,725	270,480	103.0%
23 Development Services	278,581	511,024	541,360	94.4%
24 Finance	358,252	724,429	664,460	109.0%
25 Fire & Rescue	-	-	-	0.0%
26 Human Resources	100,638	183,159	171,590	106.7%
27 Information Technology	230,688	840,142	770,980	109.0%
28 Library	252,748	532,934	513,723	103.7%
29 Parks & Recreation	732,614	1,311,459	1,202,220	109.1%
30 Police	1,503,198	3,132,587	2,745,290	114.1%
31 Public Works	444,894	773,278	799,380	96.7%
32 Water/ Waste Operations	-	-	-	N/A
33 Non-Departmental	650,898	1,862,327	2,185,637	85.2%
34 <i>Subtotal Operating</i>	<i>5,621,072</i>	<i>11,383,738</i>	<i>13,841,297</i>	<i>82.2%</i>
35 Internal Transfers	586,153	980,382	2,225,700	44.0%
36 Total Expenditures	\$ 6,207,225	\$ 12,364,120	\$ 16,066,997	77.0%

Capital Projects \$500,000+

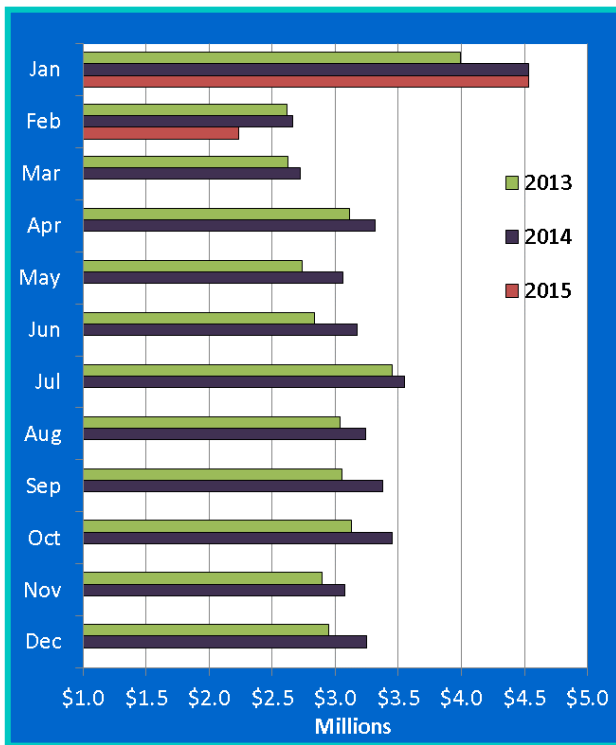
Project Title	2015 Budget	2015 Expenditures	Remaining 2015	% of 2015 Budget
Water Capital				
2015 Water Line Replacement	\$ 1,900,000	\$ -	\$ 1,900,000	0.00%
Raw Water Capital				
Windy Gap Firming Project	1,000,000	-	1,000,000	0.00%
Wastewater Utility Capital				
WWTP Digester System Improvements	1,207,600	-	1,207,600	0.00%
Bio Nutrient Removal Facilities	800,000	-	800,000	0.00%
2015 WWTP Improvements	16,000,000	-	16,000,000	0.00%
East Side Lift Station Upgrade	575,000	-	575,000	0.00%
Power Capital				
Security Gates and Fences at Substations	500,000	-	500,000	0.00%
Colorado Renewable Energy Standard Compliance	500,000	-	500,000	0.00%
600 amp OH to UG Conversion	1,300,000	-	1,300,000	0.00%
200 amp OH to UG Conversion	500,000	-	500,000	0.00%
RMCIT - Valley Substation to Campus	650,000	-	650,000	0.00%
Valley Substation - Order new transformer	650,000	-	650,000	0.00%
Install new 750 AL Crossroads 622 on Boyd Lake to Lakes @ Centerra	500,000	-	500,000	0.00%
All Other				
Open Lands Acquisition	4,670,000	-	4,670,000	0.00%
Refurbish Smeal Engine for Reserve	1,531,335	803,182	728,153	52.45%
Maintenance Operations Center Remodel	635,730	3,096	632,634	0.49%
Transportation Program	\$,398,000	\$ 14,045	\$2,383,955	0.59%





Sales & Use Tax

	2013	2014	2015	2015 Budget	+/- Budget
Jan	\$ 4,345,835	\$ 4,801,433	\$ 4,908,517	\$ 4,858,230	1.0%
Feb	2,906,780	3,066,965	2,700,204	3,289,660	-17.9%
Mar	3,033,347	3,037,688		3,436,970	
Apr	3,397,074	3,737,255		3,944,650	
May	3,150,201	3,614,459		3,610,170	
Jun	3,284,808	3,525,536		3,759,780	
Jul	3,882,561	4,038,555		4,240,990	
Aug	3,392,757	3,962,915		3,912,830	
Sep	3,379,303	4,014,321		3,924,480	
Oct	3,452,052	3,974,590		4,118,050	
Nov	3,280,666	3,919,205		3,772,070	
Dec	3,259,189	3,763,933		4,095,710	
	\$40,764,573	\$ 45,456,855	\$ 7,608,721	\$46,963,590	
YTD	\$ 7,252,615	\$ 7,868,398	\$ 7,608,721	\$ 8,147,890	-6.6%

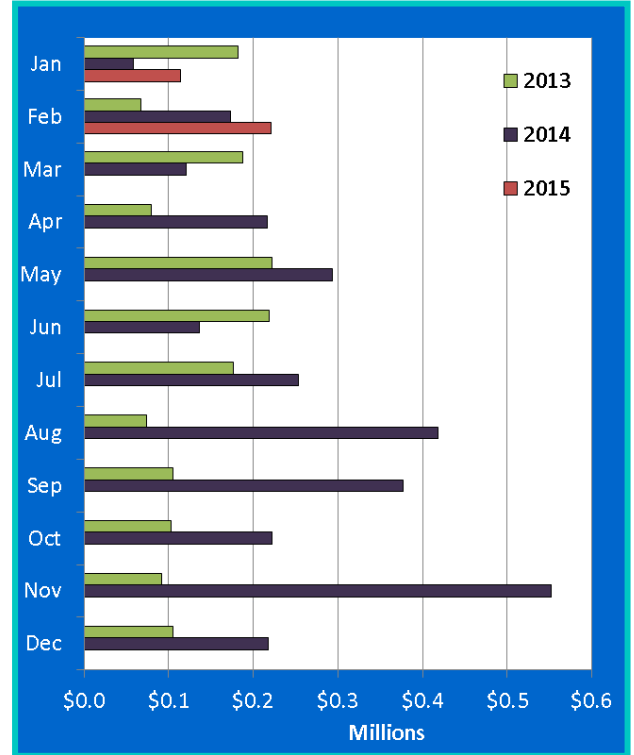


Retail Sales Tax

	2013	2014	2015	2015 Budget	+/- Budget
Jan	\$ 3,995,194	\$ 4,531,650	\$ 4,535,554	\$ 4,518,690	0.4%
Feb	2,619,453	2,658,798	2,235,775	2,936,040	-23.9%
Mar	2,622,808	2,719,254		2,995,350	
Apr	3,109,701	3,317,905		3,528,610	
May	2,733,983	3,059,076		3,188,560	
Jun	2,835,171	3,170,467		3,347,900	
Jul	3,453,149	3,546,945		3,800,880	
Aug	3,039,219	3,241,521		3,475,330	
Sep	3,051,797	3,374,248		3,491,370	
Oct	3,125,566	3,448,473		3,663,760	
Nov	2,892,986	3,077,404		3,360,620	
Dec	2,946,709	3,246,097		3,681,570	
	\$36,427,749	\$ 39,393,852	\$ 6,771,329	\$41,988,680	
YTD	\$ 6,614,647	\$ 7,190,448	\$ 6,771,329	\$ 7,454,730	-9.2%

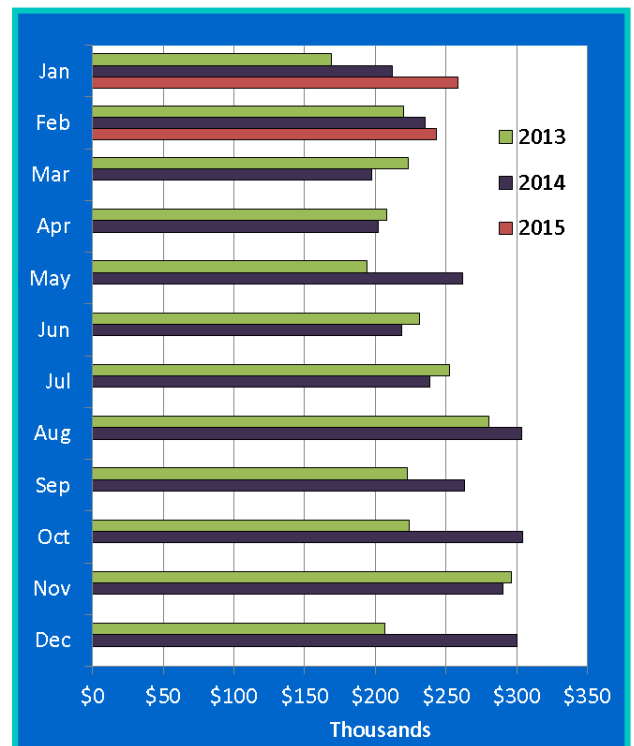
Building Materials Use Tax

	2013	2014	2015	2015 Budget	+ / - Budget
Jan	\$ 181,907	\$ 57,942	\$ 114,444	\$ 161,460	-29.1%
Feb	67,440	173,295	221,518	152,920	44.9%
Mar	187,222	120,768		258,330	
Apr	79,229	217,134		211,790	
May	221,834	293,543		209,570	
Jun	218,722	136,432		216,970	
Jul	176,829	253,077		216,210	
Aug	73,524	417,801		205,740	
Sep	105,174	377,319		208,430	
Oct	102,584	222,297		228,800	
Nov	91,453	551,682		188,130	
Dec	105,740	217,712		216,560	
	\$1,611,658	\$3,039,002	\$ 335,962	\$2,474,910	
YTD	\$ 249,347	\$ 231,237	\$ 335,962	\$ 314,380	6.9%

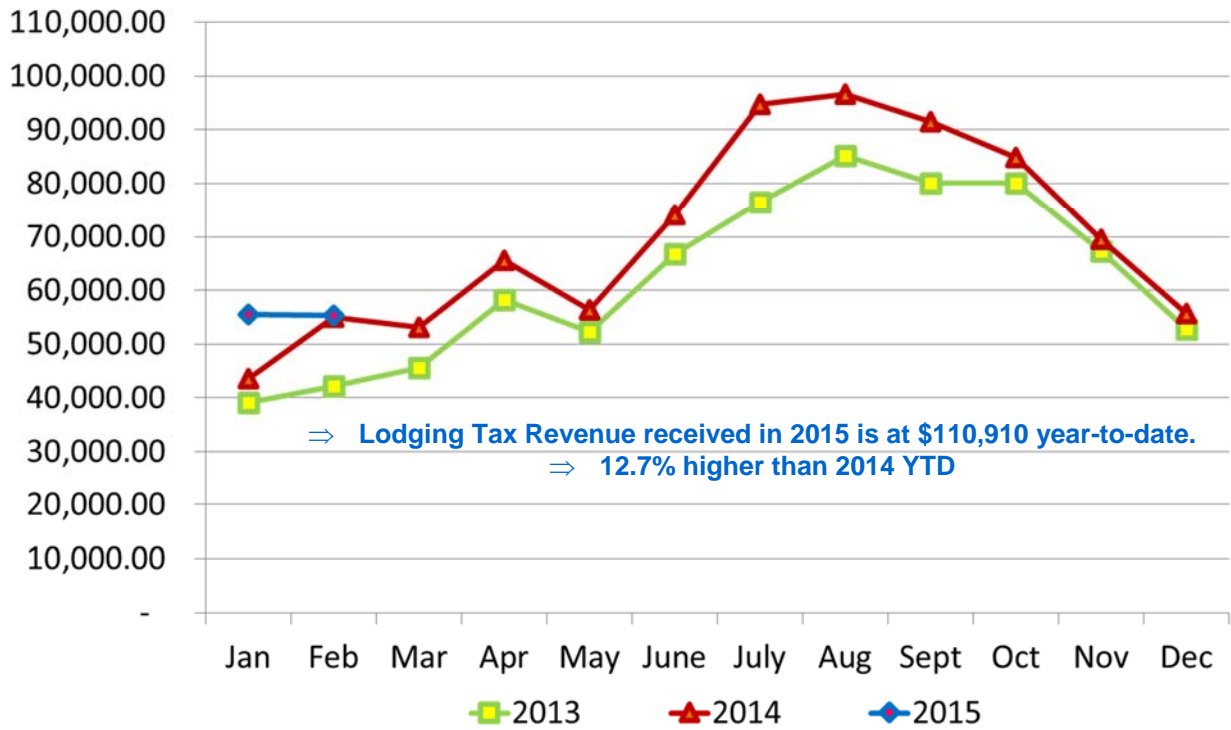


Motor Vehicle Use Tax

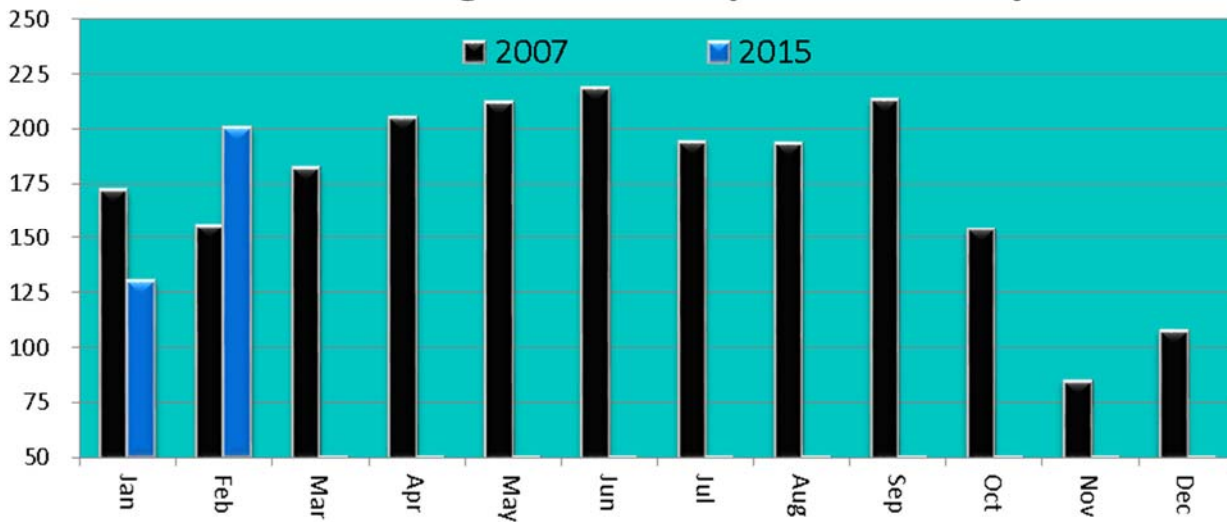
	2013	2014	2015	2015 Budget	+ / - Budget
Jan	\$ 168,734	\$ 211,841	\$ 258,519	\$ 178,080	45.2%
Feb	219,886	234,872	242,911	200,700	21.0%
Mar	223,317	197,666		183,290	
Apr	208,144	202,216		204,250	
May	194,384	261,840		212,040	
Jun	230,915	218,637		194,910	
Jul	252,583	238,533		223,900	
Aug	280,014	303,593		231,760	
Sep	222,332	262,754		224,680	
Oct	223,902	303,820		225,490	
Nov	296,227	290,119		223,320	
Dec	206,740	300,124		197,580	
	\$2,727,178	\$3,026,015	\$ 501,430	\$2,500,000	
YTD	\$ 388,620	\$ 446,713	\$ 501,430	\$ 378,780	32.4%



Lodging Tax



Building Permit Comparison History



Cost Estimates			
Emergency Response		\$ 2,000,000	
Business Assistance		600,000	
Capital		23,100,000	
Total		\$ 25,700,000	

Actual Expenditures			
		February	To Date
Total	\$	1,673,975	\$ 18,560,082

Reimbursements Applied For			
		February	To Date
FEMA	\$	-	\$ 9,396,008
CIRSA		97,387	7,017,868
Other		-	247,471
Total	\$	97,387	\$ 16,661,347

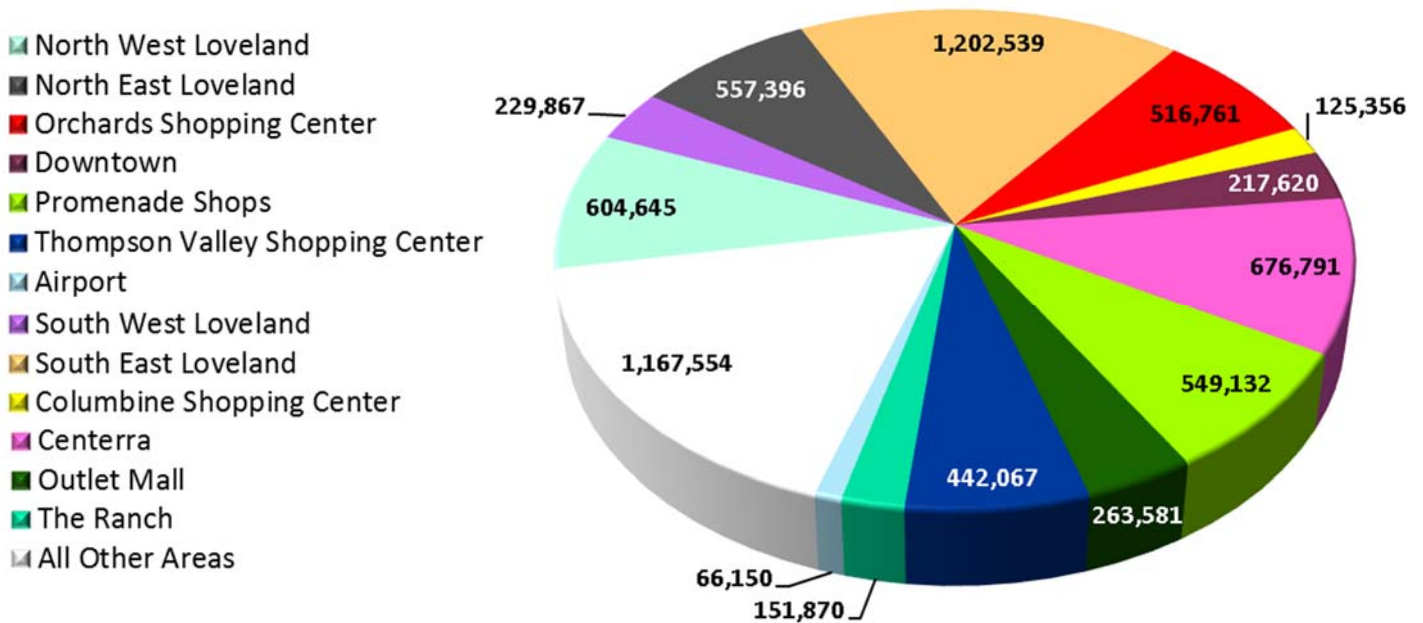
Reimbursements Received			
		February	To Date
FEMA	\$	-	\$ 4,429,727
CIRSA		97,387	7,017,868
Other		-	247,471
Total	\$	97,387	\$ 11,695,066



Geographical Codes

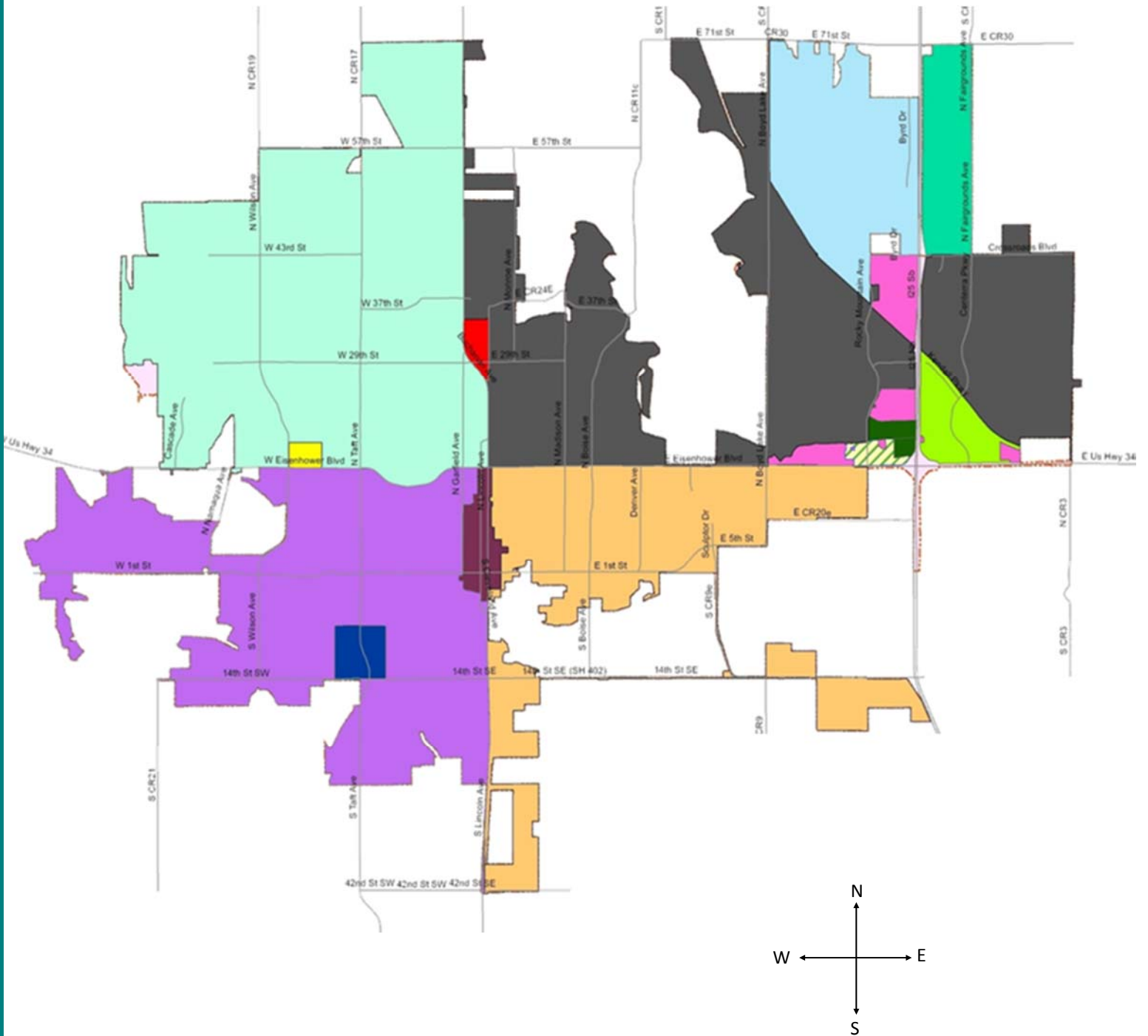
Geographical Area	YTD 2015	YTD 2014	Change
South East Loveland	\$ 1,202,539	\$ 1,653,456	-27.3%
Centerra	676,791	691,336	-2.1%
North West Loveland	604,645	703,039	-14.0%
North East Loveland	557,396	519,657	7.3%
Promenade Shops	549,132	555,636	-1.2%
Orchards Shopping Center	516,761	456,419	13.2%
Thompson Valley Shopping Center	442,067	395,225	11.9%
Outlet Mall	263,581	277,133	-4.9%
South West Loveland	229,867	218,577	5.2%
Downtown	217,620	196,753	10.6%
The Ranch	151,870	139,157	9.1%
Columbine Shopping Center	125,356	117,655	6.5%
Airport	66,150	62,022	6.7%
All Other Areas (1)	1,167,554	1,204,383	-3.1%
Total	\$6,771,329	\$7,190,448	-5.8%

(1) Refers to sales tax remitted by vendors who are located outside of the City but make sales to customers within Loveland.



Map →

Geographical Codes



Sales Tax Collections

Description	YTD 2015	YTD 2014	\$ Change	% Change	% of Total	Total %
Department Stores & General Merchandise	\$ 61,464	\$ 552,180	\$(490,716)	-88.9%	2.7%	2.7%
Grocery Stores & Specialty Foods	306,125	291,531	14,594	5.0%	13.7%	16.4%
Restaurants & Bars	416,154	364,157	51,997	14.3%	18.6%	35.1%
Clothing & Clothing Accessories Stores	166,545	149,328	17,217	11.5%	7.4%	42.5%
Motor Vehicle Dealers, Auto Parts & Leasing	215,625	198,940	16,685	8.4%	9.6%	52.1%
Utilities	232,796	217,160	15,636	7.2%	10.4%	62.6%
Sporting Goods, Hobby, Book & Music Stores	112,898	115,341	(2,443)	-2.1%	5.0%	67.6%
Building Material & Lawn & Garden Supplies	107,809	165,042	(57,233)	-34.7%	4.8%	72.4%
Used Merchandise Stores	71,407	79,195	(7,788)	-9.8%	3.2%	75.6%
Broadcasting & Telecommunications	44,813	112,778	(67,965)	-60.3%	2.0%	77.6%
Beer, Wine & Liquor Stores	75,168	59,989	15,179	25.3%	3.4%	81.0%
Consumer Goods & Commercial Equipment Rental	54,966	49,157	5,809	11.8%	2.5%	83.5%
Electronic Shopping & Mail-Order Houses	74,666	43,969	30,697	69.8%	3.3%	86.8%
Hotels, Motels & Other Accommodations	70,006	68,567	1,439	2.1%	3.1%	89.9%
Health & Personal Care Stores	45,368	43,205	2,163	5.0%	2.0%	92.0%
Electronics & Appliance Stores	17,821	33,286	(15,465)	-46.5%	0.8%	92.7%
Furniture & Home Furnishing Stores	37,909	34,607	3,302	9.5%	1.7%	94.4%
Gasoline Stations with Convenience Stores	30,424	24,593	5,831	23.7%	1.4%	95.8%
Office Supplies, Stationery & Gift Stores	23,994	26,120	(2,126)	-8.1%	1.1%	96.9%
All Other Categories	69,817	29,653	40,164	135.4%	3.1%	100.0%
Total	\$2,235,775	\$2,658,798	\$(423,023)	-15.9%	100.0%	

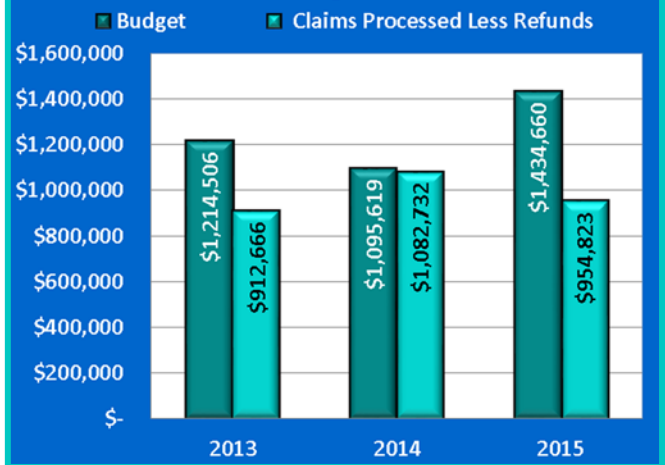
Claims Incurred

		OAP	HRA	Total
2015	Feb	917,571	200,492	1,118,063
	YTD	1,724,616	380,096	2,104,712
2014	Feb	920,662	132,061	1,052,723
	YTD	1,464,268	617,769	2,082,037
Change	Feb	(3,091)	68,431	65,340
	% Feb	-0.3%	51.8%	6.2%
	YTD	260,348	(237,673)	22,675
	% YTD	17.8%	-38.5%	1.1%

⇒ HRA—Health Reimbursement Arrangement

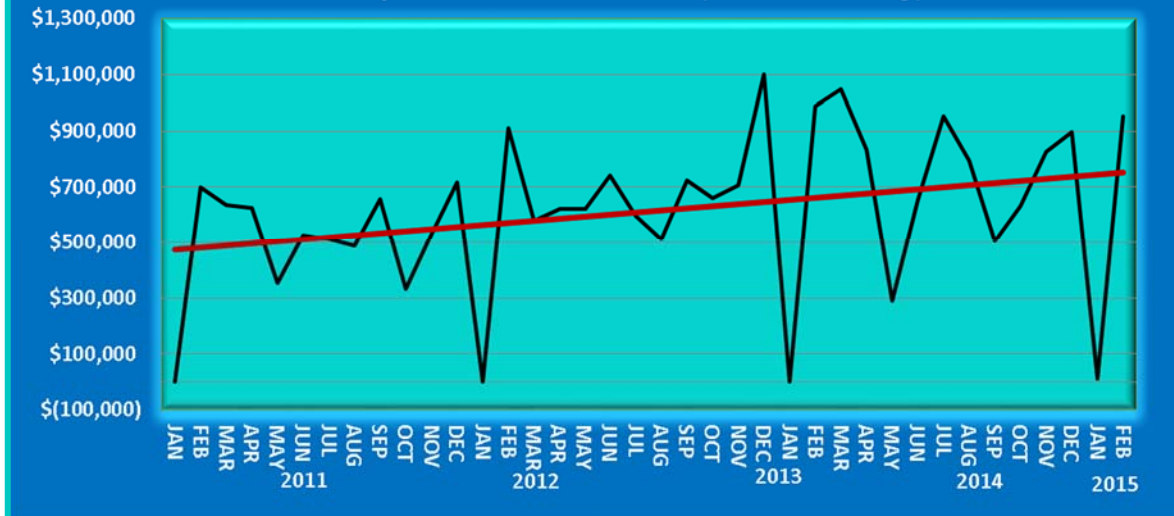
⇒ OAP—Open Access Plan

YTD Claims Processed Less Refunds vs Budget



Incurred claims are total expenses the City is obligated to pay for claims, including claims paid and unpaid. Paid claims are those claims that have been paid and reconciled through the bank to-date, which may not reflect Stop Loss reimbursements or other refunds.

Monthly Health Claims Paid (4 Year Rolling)



Comparison of YTD Claims Over \$25k

February	2012	2013	2014	2015
# of claims	9	9	15	17
YTD Cost of high claims	\$464,433	\$338,708	\$1,219,575	\$1,1066,290

⇒ 2015 # of StopLoss claims: 1

⇒ Projected YTD Reimbursements: \$44,235
(claims over \$175k paid by StopLoss Carrier)

Activity Measures

Measures	Feb 2013	Feb 2014	Feb 2015	2013 YTD	2014 YTD	2015 YTD
# of Building Permits	136	173	200	303	310	330
Building Permit Valuations	\$ 4,878,294	\$ 21,315,042	\$ 14,848,857	\$ 16,422,311	\$ 27,175,200	\$ 22,089,852
# of Certified Occupancies	22	10	41	38	21	63
Net # of Sales Tax Licenses	(168)	(82)	(42)	(332)	(63)	(48)
New Residential Electric Meter Sets	23	11	113	35	93	138
# of Utility Bills Sent	36,423	36,739	37,270	72,836	73,429	74,491
Rounds of Golf	2,478	766	2962	3,989	1,106	4,712
\$ Average Health Claim Costs/Emp.	\$ 884	\$ 1,597	\$ 1,651	\$ 1,154	\$ 1,584	\$ 1,554
KWH Demand (kH)	92,875	102,753	95,951	191,287	202,605	196,397
KWH Purchased (kwh)	55,611,773	2,117,186	58,165,978	118,175,477	65,367,801	124,009,982
Gallons of Water Sold	138,243,980	135,429,226	150,695,376	288,989,357	303,529,221	312,279,457
# of Workers' Comp Claims 2015	13	3	9	18	8	14
\$ of Workers' Comp Claims Paid 2015	\$ 13,723	\$ 32,788	\$ 73,554	\$ 49,013	\$ 71,630	\$ 136,641
# of Total Open Claims	18	17	17	<i>Not Cumulative</i>		
\$ of Total Open Claims	\$ 158,167	\$ 390,941	\$ 286,228	<i>Not Cumulative</i>		
\$ of Lodging Tax Collected	\$ 42,181	\$ 54,907	\$ 55,385	\$ 81,362	\$ 98,400	\$ 110,910



**Financial Sustainability
Strategies Can Be
Found At:
CityofLoveland.org**

- ⇒ **Departments**
- ⇒ **Finance**
- ⇒ **Administration**
- ⇒ **Financial Reports**
- ⇒ **Financial
Sustainability
Strategies**

The City of Loveland is committed to providing an equal opportunity for citizens and does not discriminate on the basis of disability, race, color, national origin, religion, sexual orientation or gender. The City will make reasonable accommodations for citizens in accordance with the Americans with Disabilities Act. For more information, please contact the City's ADA Coordinator at bettie.greenberg@cityofloveland.org or 970-962-3319

SnapShot

February 2015



For more information regarding this report contact:

Brent Worthington

Finance Director

970.962.2300 or

brent.worthington@cityofloveland.org





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AGENDA ITEM: 11
MEETING DATE: 4/21/2015
TO: City Council
FROM: Youth Advisory Commission
PRESENTER: Lorenzo Scalise – Commissioner
Eli Solt – Commissioner
Wes Walton - Commissioner

TITLE: Youth Advisory Commission Presentation to Council about the National League Of Cities Conference

RECOMMENDED CITY COUNCIL ACTION:

Information only.

SUMMARY:

1. Provide overview of Youth involvement at the NLC – Wes Walton
2. Discuss Special Meetings that the YAC attended – Eli Solt
3. Present YAC initiatives – Lorenzo Scalise

BUDGET IMPACT:

BACKGROUND:

This is an informational item only. City Council funded 12 Youth Advisory Commissioners and 2 chaperones attending the National League of Cities conference in Washington, DC from March 7 – March 11, 2015.

REVIEWED BY CITY MANAGER:



LIST OF ATTACHMENTS:

1. National League of Cities Video



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AGENDA ITEM: 12
MEETING DATE: 4/21/2015
TO: City Council
FROM: Julia Holland, Human Resources
PRESENTER: Julia Holland, HR Director

TITLE:

Appointment of Presiding Municipal Judge and Possible Executive Session

RECOMMENDED CITY COUNCIL ACTION:

Move to appoint Gerellen Joneson as the Loveland Presiding Municipal Judge and authorize the Mayor to execute an employment agreement with Ms. Joneson on terms and conditions consistent with Council's direction. City Council may call an executive session.

OPTIONS:

1. Adopt a motion appointing the Presiding Municipal Judge
2. Discuss negotiations (may occur in Executive Session)
3. Take no action at this time
4. Refer back to staff with further direction

BUDGET IMPACT:

- Positive
 Negative
 Neutral or negligible
-

SUMMARY:

This is an administrative action to appoint Ms. Joneson based on the recruitment process and to authorize the Mayor to execute an employment contract consistent with direction provided to negotiators.

BACKGROUND:

City Council initiated the recruitment of a Presiding Municipal Judge in February 2015. The Council has conducted a competitive interview process and has directed staff to conduct negotiations with the preferred candidate, Ms. Joneson.

REVIEWED BY CITY MANAGER:

William D. Cahill

LIST OF ATTACHMENTS:

NONE



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AGENDA ITEM: 13
MEETING DATE: 4/21/2015
TO: City Council
FROM: Economic Development Department
PRESENTER: Mike Scholl, Economic Development Manager

TITLE: A Public Update On The Downtown Property Acquisition And Possible Executive Session To Discuss Confidential Commercial And Financial Information Protected Under The Open Meetings Law And City Charter And/Or Colorado Open Records Act.

RECOMMENDED CITY COUNCIL ACTION: After the executive session, Council may give direction to staff regarding future Council actions.

SUMMARY:

This is an information only item. The City of Loveland has been working to acquire property in a two block area in Downtown Loveland for the purposes of facilitating a redevelopment project in partnership with the Michaels Development Company and Larimer County. This session will update the public on the status of the project and discuss ongoing negotiations with the remaining property owners.

BUDGET IMPACT:

- Positive
- Negative
- Neutral or negligible

BACKGROUND: In March of 2014, the City of Loveland entered into an Exclusive Right to Negotiate with the Michaels Development Company regarding the redevelopment of a two block area in downtown. The area, between Lincoln Avenue and Cleveland Avenue and south of Back Stage Alley (alley behind the Rialto) to the ditch adjacent to 1st Street, would include a mixed-use development, a commercial development that would house a significant employer and the new 60,000 square foot Larimer County building.

City Council directed staff to extend the Exclusive Right to Negotiate by ninety days at the February 24, 2015 Council Study Session. At the meeting, Council asked that the negotiation on the property acquisition be completed in thirty (30) days (April 2), that the Michaels

Development Company demonstrate a major tenant commitment within sixty (60) days (May 1) and that the terms of the deal with the Michaels Development Company be completed in ninety (90) days (June 1). The attached staff report includes a more detailed report and update on these and other activities related to the project.

City Staff are in active negotiations with the Michaels Development Company and expect to have the terms of the redevelopment deal completed by the end of May in accordance with Council direction. Additionally, staff are also negotiating with Larimer County on the terms of the agreement for the construction of their new building in downtown.

REVIEWED BY CITY MANAGER:

William D. Cavill

LIST OF ATTACHMENTS:

Staff Report



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ECONOMIC DEVELOPMENT OFFICE
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Memorandum

To: Loveland City Council
From: Mike Scholl, Economic Development Manager
Date: April 16, 2015
RE: Downtown Project/Staff Update

Background:

Staff has prepared the following memorandum to update Council and the public on the progress with regard to the downtown project. At the February 24, 2015 Council Study Session, Council directed staff to extend the Exclusive Right to Negotiate (ERN) with the Michaels Development Company for 90 days subject to the following terms:

- Staff was directed to complete negotiations with the remaining property owners within thirty days (*effective date April 2, 2015*).
- Receive a major tenant commitment no later than sixty days (*effective date May 2, 2015*).
- Complete the terms of negotiations with the Michaels Development Company within 90 days (*effective date June 1, 2015*).

The following memorandum provides an overview of staffs' progress with a preliminary cost estimate at the end.

Acquisition:

At Council's direction, staff terminated negotiations with the property owner at 201 N. Lincoln. Staff made a final offer to the owners with an April 2, 2015 deadline and heard no response. No further offers have been made and Larimer County may seek to acquire the property to facilitate the addition of Courts and District Attorney as well as the additional parking associated with the two uses.

The City Manager has been in direct discussions with the other property owner on the terms of the agreement, but nothing has been agreed upon or signed.

Site Plans:

The Michaels Development Company hired the Birdsall Group, a land planning firm from Berthoud to complete a preliminary site plan. The preliminary site plan will help to inform staff and the Michaels

Development Company of what the site can yield in terms of development. This includes the Larimer County facility, the private development portions, parking and site circulation.

The preliminary plan will likely include the closure of all or part of 2nd Street to facilitate the parking needs of Larimer County. In addition, staff in conjunction with the Michaels Development Company are reviewing the possibility of designing 3rd Street as a multi-purpose block that could easily be closed to facilitate events and other public gatherings yet remain open for traffic circulation at other times.

The site plan and ability to close off streets for public use are impacted by the location of utilities on the site, which generally run underneath the streets. A utilities map is included for your review. The preliminary site plan should be completed by the end of April. It will be shared with Council at that time.

Tenant Commitment:

The Michaels Development Company (MDC) has completed negotiations and a *Letter of Intent* is with the corporate office of the major employer. Staff has been advised that it should be signed and completed within the next week.

In addition, MDC has had discussion with other tenants including a restaurant, ice cream shop and a bank in regard to locating within the project.

Michaels Development Company/Negotiations:

Staff is working with the Michaels Development Company to complete the preliminary proforma to determine the cost basis and identify gaps. The discussion will be further informed by the completion of the preliminary site plan that will inform the actual size of the development, mix of uses and parking requirements.

Staff and Michaels have exchanged preliminary term sheets, reviewed the proformas and capital budgets, and expect to have the terms completed by the June deadline.

Larimer County/Negotiations:

City and County staff have exchanged terms sheets and are close to agreeing to the first draft of the terms. With the potential increase in the size of the building due to the addition of a third courtroom, the terms of the agreement are subject to completion of the scope of the project and the associated estimates on the construction costs.

Given the increase in the size of the building, the building footprint is likely to extend into 2nd Street, which is driving the discussion on vacating that street for additional parking.

Project Costs:

Based on preliminary estimates, the total project cost that would include the private development portion, Larimer County Building, parking structure and other public improvements, is estimated to be

roughly \$55 to \$65 million. This is tracking with information that had been previously been provided to Council on the understanding of the total cost.

The "City" portion (inclusive of the City and related entities, such as the current URA or the recently-formed DDA) has previously been estimated at about \$15 million total (for both projects combined). Expansion of the County project, as requested by the Council, will add to that total. Staff would urge caution that the estimates are based on the current construction environment, which is highly competitive and preliminary design, which has not yet been completed.