



**A Motion to Approve the City Council Meeting Minutes for the April 7, 2015 Regular Meeting, April 14, 2015 Study Session and the April 21, 2015 Regular meeting minutes.**

1. This is an administrative action to approve the City Council meeting minutes for the April 7, 2015 Regular Meeting.
2. This is an administrative action to approve the City Council meeting minutes for the April 14, 2015 Study Session.
3. This is an administrative action to approve the City Council meeting minutes for the April 21, 2015 Regular Meeting.

**2. CITY MANAGER (presenter: Bill Cahill)  
APPOINTMENTS TO THE DOWNTOWN DEVELOPMENT AUTHORITY  
A Motion adopting a Resolution #R-28-2015 Appointing Members to Downtown Development Authority Board**

This is an administrative action recommending the appointment of members to the Downtown Development Authority Board as follows:

Sharon Cook	Designated representative of Business Lessee	June 30, 2016
Joe Goacher	Officer of Property Owner	June 30, 2016
Clay Caldwell	Business Lessee	June 30, 2017
Dionne Liggett	Officer of Property Owner	June 30, 2017
Cmmr. Tom Donnelly	Designated Representative of Property Owner	June 30, 2018
Doug Rutledge	Officer of Property Owner	June 30, 2018

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

**3. FINANCE (presenter: Marc Kahn)  
PUBLIC HEARING  
SUPPLEMENTAL APPROPRIATION FOR 2015 LURA BUDGET  
A Motion to Approve and Order Published An Ordinance Enacting A Supplemental Budget And Appropriation To The 2015 Loveland Urban Renewal Authority Budget For Projects Or Programs Not Anticipated At The Time Of Adoption For The 2015 Budget**

This is an administrative action. In 2013, City Council approved an interfund loan of \$1,500,000 from the Recreation CEF Fund, Library CEF Fund, and the General Government CEF Fund to the Loveland Urban Renewal Authority to help fund a mixed-use building in the downtown area (the Gallery Flats project). The principal payments were included in the 2015 Budget, but the interest payments were not. The ordinance authorizes repayment into the identified CEF funds to increase the appropriation to include the interest payment on the loan. This is repayment to the City from the URA. The total amount of the appropriation is \$45,960 funded by available fund balance.

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

**4. CULTURAL SERVICES (presenter: Susan Ison)  
PUBLIC HEARING  
SUPPLEMENTAL APPROPRIATION FOR VARIOUS CULTURAL SERVICES EVENTS**

**A Motion to Approve and Order Published on First Reading An Ordinance Enacting A Supplemental Budget And Appropriation To The 2015 City Of Loveland Budget For Foote Lagoon Concerts, Strings In The Gallery Program, And Artsteps.**

This is an administrative action. Donations were received for the following programs presented by the Cultural Services Department: \$20,000 from Kaiser Permanente for the 2015 Foote Lagoon Concert Series; \$2,200 from the Erion Foundation to support four performances by string quartets in the main art gallery; \$1,000 from the Erion Foundation to support the Museum/Thompson School District ArtSteps residency program for students. These programs would not be possible without the support of the donors.

**5. CULTURAL SERVICES (presenter: Susan Ison)  
AMENDING 2015 SCHEDULE OF RATES, CHARGES AND FEES FOR CULTURAL SERVICES**

**A Motion to Adopt a Resolution #R-29-2015 Amending The 2015 Schedule Of Rates, Charges And Fees For City Services, Other Than Services Provided By The Water And Power Department And The Stormwater Enterprise With Respect Only To The Rialto Theater And Museum Membership Fees**

This is an administrative action. This resolution amends the 2015 Schedule of Rates, Fees and Charges with these three revisions: 1) Existing Loveland Museum/Gallery membership fees, including replacing the "Individual plus one" to a "Dual" membership and creating a "Supporter" level; and 2) Creates multiple Rialto Theater Center and joint memberships; and 3) Sets fees for the new membership levels. Membership programs are opportunities for users to support the theater and the museum.

**6. CITY ATTORNEY (presenter: Vincent Junglas)  
PUBLIC HEARING**

**CODE ENFORCEMENT ISSUE SUMMONS INTO MUNICIPAL COURT**

**A Motion To Approve And Order Published On First Reading An Ordinance Repealing Section 18.68.045 And Creating Section 1.28.070 Of The Loveland Municipal Code Authorizing Code Enforcement Officers To Issue A Summons And Complaint Into Municipal Court Pursuant To Rule 204 Of The Colorado Municipal Court Rules**

This is a legislative action to move Code Enforcement authority from Title 18 of the City Code to Title 1 where other general provisions are located, to specify that a limited commissioned code enforcement officer is a peace officer for purposes of issuing summonses into municipal court pursuant to Rule 204 of the Colorado Municipal Court Rules, and to make conforming changes to related City Code provisions. This is a housekeeping measure to locate these enforcement provisions in one section of the code and it does not create any new authority. This matter is being brought forward by the Loveland City Attorney's Office.

**7. FIRE AUTHORITY (presenter: Mark Miller)  
PUBLIC HEARING**

**SALE OF PROPERTY ON ROSSUM DRIVE**

**A Motion to Approve and Order Published on First Reading An Ordinance Authorizing the Sale of Real Property Located within the City of Loveland on Rossum Drive Pursuant to Section 4-7 of the City of Loveland Municipal Charter**

This is an administrative action and public hearing on first reading regarding the sale of City property on Rossum Drive for \$135,000. The City of Loveland owns 1.83 acres on Rossum Drive located near 1220 Rossum Drive along West Highway 34. The property was purchased in 2002 for \$230,000 with fire capital expansion fees for a future station location. In Fire's judgment, the property is not the appropriate location for a new station. The buyer, Shannon Jaeger, is proposing to combine this property with an adjoining

property to build a senior living facility. The proposed facility is intended to serve seniors that can live independently with limited health care services. \$135,000 on the sale of the land would be deposited to the Fire Capital Expansion Fee Fund that originally purchased the property on November 13, 2002.

**8. FINANCE (presenter: Brent Worthington)**  
**FINANCIAL REPORT FOR MARCH 2015**

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 March 31, 2015. Citywide Revenue (excluding internal transfers) of \$60,870,285 is 85.8% of year to date (YTD) budget or \$10,105,936 under the budget. There are two primary sources for this variance: timing issues with several of the Special Revenue Funds (we are still early in the year, so actuals haven't caught up with Budget); and Water and Power charges (due to relatively mild weather in the early part of 2015). Sales Tax collections are 98.5% of the YTD budget or \$153,586 under budget. Building Material Use Tax is 104.3% of YTD budget, or \$24,752 over budget. Sales and Use Tax collections combined were 100.7% of YTD budget or \$76,246 over budget. When the combined sales and use tax for the current year are compared to 2014 for the same period last year, they are higher by 6.5% or \$710,020. Citywide total expenditures of \$57,584,749 (excluding internal transfers) are 90.4% of the YTD budget or \$6,114,299 under the budget.

**9. CITY MANAGER (presenter: Alan Krcmarik)**  
**INVESTMENT REPORT FOR MARCH 2015**

This is an information only time. The budget projection for investment earnings for 2015 is \$1,759,080. On the portfolio's 2015 beginning balance this equates to an annual interest rate of 0.84%. Based on the monthly statement, the estimated annualized yield in March on the securities held by USBank was 1.05%. For March, earnings of \$189,340 were posted to City funds. Interest rates fell in March, bringing the unrealized loss down to \$49,403 from \$532,192 in February. Due to draws from fund balances to pay for the cost of scheduled capital projects, flood response, and project repair, the portfolio is about \$6.8 million lower than December 2013 and \$25.6 million lower than the pre-flood peak.

**END OF CONSENT AGENDA**

**CITY CLERK READS TITLES OF ORDINANCES ON THE CONSENT AGENDA**

**PUBLIC COMMENT**

*Anyone who wishes to speak to an item NOT on the Agenda may address the Council at this time.*

**PROCEDURAL INFORMATION**

*Anyone in the audience will be given time to speak to any item on the Regular Agenda before the Council acts upon it. The Mayor will call for public comment following the staff report. All public hearings are conducted in accordance with Council Policy. When Council is considering adoption of an ordinance on first reading, Loveland's Charter only requires that a majority of the Council quorum present vote in favor of the ordinance for it to be adopted on first reading. However, when an ordinance is being considered on second or final reading, at least five of the nine members of Council must vote in favor of the ordinance for it to become law.*

**REGULAR AGENDA**

**CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA**

**10. CITY COUNCIL**

The password to the public access wireless network (colguest) is **accesswifi**

## **DISCUSSION REGARDING MAY 19, 2015 SALES TAX ON FOOD**

This is an administrative action. On May 5, 2015 City Staff received notice from four Councilors requesting discussion of the process for May 19, 2015 consideration of “an ordinance concerning sales tax on food for home consumption”, added to the agenda.

**11. POLICE (presenter: Cpt. Tim Brown and Cheryl O’Shell)  
RESTORATIVE JUSTICE PROGRAM**

**A Motion to award a Services Contract to The Restorative Justice Community Council in the amount of \$20,000.00 and authorize the City Manager to execute the contract.**

This an administrative action to authorize the City Manager to enter into a services contract with the Restorative Justice Community Council for managing a youth diversion program associated with misdemeanor criminal offenses. The proposal requests a \$20,000.00 annual contract to support a part-time Program Coordinator position to recruit, screen, and train approved volunteers; manage the referral process; schedule restorative conferencing after appropriate referrals are made; and provide administrative support for the program (grant applications, reporting, etc.).

**12. DEVELOPMENT SERVICES (presenter: Troy Bliss)  
PUBLIC HEARING**

**TURNEY BRIGGS ADDITION VACATION**

**A Motion To Approve And Order Published On First Reading An Ordinance Vacating A Portion Of A Public Right-Of-Way Located In Block 4 Of The Turney-Briggs Addition To The City Of Loveland, Larimer County, Colorado**

This is a legislative action to consider adoption of an ordinance on first reading, vacating a portion public right-of-way (alley) within the Turney-Briggs Addition and Turney-Briggs First Subdivision – located at the northeast corner of N. Lincoln Avenue and E. Eisenhower Boulevard. The right-of-way to be vacated includes a “T” shaped portion of alley that exists on properties proposed for redevelopment of a Sprouts grocery store. The alley does include existing utilities that would need to be rerouted with new easements established which are being addressed through separate development applications.

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

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 is a follow up to the Executive Session held on April 21, 2015.

**14. CITY ATTORNEY (presenter: Tami Yellico)  
POSSIBLE EXECUTIVE SESSION**

**A Motion to Allow City Council the Option to go into Executive Session for the Purpose of Receiving Legal Advice Regarding the Klen & Weston v. City of Loveland Lawsuit**

This is an administrative action to allow for the possibility of an executive session for the purpose of receiving legal advice regarding the Klen & Weston v. City of Loveland lawsuit.

## **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**