

AGENDA
LOVELAND CITY COUNCIL MEETING
TUESDAY, AUGUST 18, 2015
CITY COUNCIL CHAMBERS
500 EAST THIRD STREET
LOVELAND, COLORADO

The City of Loveland is committed to providing an equal opportunity for citizens and does not discriminate on the basis of disability, race, age, 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.

5:30 P.M. DINNER
6:30 P.M. REGULAR MEETING - City Council Chambers

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

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.

CONSENT AGENDA

1. CITY CLERK (presenter: Terry Andrews)

APPROVAL OF MEETING MINUTES

A Motion to Approve the City Council Meeting Minutes for the, July 21, 2015 Regular Meeting and the July 28, 2015 Study Session.

1. This is an administrative action to approve the City Council meeting minutes for the July 21, 2015 Regular Meeting.
2. This is an administrative action to approve the City Council meeting minutes for the July 28, 2015 Study Session.

2. WATER AND POWER (presenter: Jim Lees)

SUPPLEMENTAL BUDGET AND APPROPRIATION FOR WATER ENTERPRISE

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 Insufficient Funds in the Capital & Operating Budgets.

This is an administrative action. This item describes the reasons and amounts of a Supplemental Appropriation for the Water and Wastewater Utilities due to insufficient funds in the capital budget or the operations and maintenance budget for certain needs outlined below for the current budget year. This Supplemental Appropriation request was presented to the Loveland Utilities Commission (LUC) on June 17, 2015, and the LUC made the recommendation for City Council to approve this Supplemental Budget and Appropriation item. On August 4, 2015, the City Council unanimously approved this ordinance on first reading.

**3. LOVELAND FIRE RESCUE AUTHORITY (presenter: Pat Mialy)
SUPPLEMENTAL BUDGET AND APPROPRIATION FOR THE MITIGATION STRATEGY AND MASTER PLAN**

A Motion to Approve and Order Published On Second Reading An Ordinance Enacting a Supplemental Budget and Appropriation to the 2015 City of Loveland Budget for The Mitigation Strategy and Master Plan.

This is an administrative action to approve on second reading, an ordinance to appropriate the grant proceeds for a Mitigation Strategy and Master Plan. The project is anticipated to cost up to \$167,500, \$165,000 of this total will be reimbursed by a Community Development Block Grant – Disaster Recovery (CDBG-DR) federal planning grant recently awarded to the City of Loveland by the State of Colorado. The City's matching share is \$2,500 maximum. The City will contract with a consulting firm for the project, which is expected to be completed in approximately 12 months. On August 4, 2015, the City Council unanimously approved this ordinance on first reading.

**4. DEVELOPMENT SERVICES (presenter: Alan Krcmarik)
SUPPLEMENTAL BUDGET AND APPROPRIATION FOR THE FAÇADE GRANT PROGRAM**

A Motion to Approve and Order Published On Second Reading An Ordinance Enacting A Supplemental Budget And Appropriation To The 2015 Loveland Urban Renewal Authority Budget For The Façade Grant Program In The Downtown Project Area.

This is an administrative action to adopt an ordinance on second reading to appropriate \$76,130 received through the Downtown URA property tax increment to continue the Façade Grant Program. This appropriation commits TIF money to the façade program for 2015 to assist in improving the condition and appearance of downtown buildings by incentivizing façade improvements. On August 4, 2015, the City Council unanimously approved this ordinance on first reading.

**5. FINANCE (presenter: Brent Worthington)
PUBLIC HEARING
SUPPLEMENTAL BUDGET AND APPROPRIATION FOR PHASE I OF THE CEMETERY MAINTENANCE SHOP**

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 Phase I Of The Cemetery Maintenance Shop.

This is an administrative action. The ordinance would appropriate a total of \$118,000 to the 2015 City of Loveland Budget for the design of a replacement Cemetery Maintenance Shop/Office to address safety, ADA and customer service needs at the Loveland Burial Park and Lakeside Cemetery.

6. **ECONOMIC DEVELOPMENT** (presenter: Alan Krcmarik)
PUBLIC HEARING
LOVELAND DOWNTOWN DEVELOPMENT AUTHORITY (DDA) BOUNDARIES
A Motion to Approve and Order Published On First Reading An Ordinance Excluding Three Residential Properties from the Boundaries of the Loveland Downtown Development Authority (The “DDA”)
This is a legislative action. Ordinance #5927, approved by City Council on second reading April 7, 2015, established the Loveland Downtown Development Authority (DDA) and established the legal description of the DDA boundaries. The Larimer County Assessor’s Office identified three residential parcels that were split by the DDA Boundary. As only one tax area can be assigned to a single parcel, the DDA boundary needs to be expanded to include the entire parcels or take the parcels out of the DDA legal description. The property owners of the affected parcels declined the option to include their property into the DDA boundaries. Approval of this action would exclude the three residential properties from the legal description of the DDA boundaries.
7. **HUMAN RESOURCES** (presenter: Julia Holland)
CITY ATTORNEY COMPENSATION
A Motion to Adopt Resolution #R-48-2015 Of The Loveland City Council Regarding The Compensation Of The City Attorney
This is an administrative action regarding compensation for the City Attorney as a result of the six month evaluation.
8. **CITY CLERK** (presenter: Terry Andrews)
MAIL BALLOT ELECTION IGA
A Motion to Adopt Resolution #R-49-2015 Approving And Authorizing The Execution Of An Agreement Between The City Of Loveland And The Larimer County Clerk And Recorder Concerning The Coordinated Mail Ballot Election To Be Held On November 3, 2015.
This is an administrative action to adopt a resolution authorizing the execution of an agreement between the City of Loveland and the Larimer County Clerk and Recorder concerning the coordinated election to be held on November 3, 2015.
9. **FORT COLLINS-LOVELAND MUNICIPAL AIRPORT** (presenter: Jason Licon)
FEDERAL AND STATE GRANT FOR CONSTRUCTION
A Motion To Adopt Resolution #R-50-2015 Authorizing The City Manager To Execute A Grant Agreement With The State Of Colorado Division Of Aeronautics (CDAG #15-FNL-01) For Construction Of A Storage Building For Snow Removal Equipment
This is an administrative action to approve the construction of a multi-year federally and state grant-funded, Airport Capital Improvement Project.
1. A Resolution authorizing the City Manager to execute a grant agreement with the State of Colorado Division of Aeronautics (CDAG #15-FNL-01) for construction of a storage building for snow removal equipment
 2. A Motion to award a contract in the amount of \$1,105,711 to Walsh Construction for the construction of a storage building for snow removal equipment and to authorize the City Manager to execute such contract.
 3. A Motion to authorize the City Manager to execute amendment number six to the contract dated May 14, 2012 with CH2M Hill for construction management services of FAA Project AIP 34 at the Fort Collins - Loveland Municipal Airport at a total cost not to exceed of \$99,983.50.

10. **FINANCE** (presenter: Brent Worthington)
CDBG DISASTER RECOVERY GRANT
A Motion to Adopt Resolution #R-52-2015 Authorizing the Mayor to Execute the Community Development Block Grant Disaster Recovery Infrastructure Grant Agreement (Project No. R1-40-Alt 122) Between the City of Loveland and the Colorado Department of Local Affairs
This is an administrative action. The CDBG Disaster Recovery Grant is intended to reimburse the Loveland General Fund for the City's matching portion associated with Emergency Protective Measures required by the aftermath of the September 2013 flood of the Big Thompson River. Total cost of this project was \$1,934,954.86. FEMA awarded \$1,450,714.86; the State of Colorado awarded \$242,120.00.

11. **FINANCE** (presenter: Brent Worthington)
CDBG DISASTER RECOVERY GRANT
A Motion to Adopt Resolution #R-53-2015 Authorizing the Mayor to Execute the Community Development Block Grant Disaster Recovery (CDBG-DR) Infrastructure Grant Agreement (Project No. R1-40-Alt 123) With the Colorado Department of Local Affairs
This is an administrative action. The CDBG Disaster Recovery Grant is intended to reimburse the Loveland General Fund for the City's matching portion associated with Emergency Protective Measures required by the aftermath of the September 2013 flood of the Big Thompson River. Total cost of this project was \$419,406.28. FEMA awarded \$314,554.72; the State of Colorado awarded \$52,425.78.

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.

- 1) **Presentation of the Pro Challenge** (presenter: Jameson Gartner, Loveland Police Department, 10 min)

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

12. **ECONOMIC DEVELOPMENT** (presenter: Alan Krcmarik)
PUBLIC HEARING
TERMINATION OF URA DOWNTOWN PLAN
A Motion to Adopt Resolution #R-51-2015 Of The Loveland City Council Approving

The Termination Of The Downtown Urban Renewal Plan For The City Of Loveland

This is an administrative item. Termination of the Downtown URA Plan will substantially change the City of Loveland URA Plan in land area, land use, design, building requirements, timing, or procedure, as previously approved in the URA Plan.

July 7, 2015, City Council adopted Resolution #R-38-2015 directing the referral of the proposal to terminate the URA Plan to the Planning Commission for review and recommendations as to its conformity with the general plan for the development of the City as a whole. The Planning Commission adopted Resolution #15-03 recommending to City Council the termination of the Downtown URA Plan of Development at the July 13, 2015 meeting. Resolution #R-38-2015, also directed City staff to take such steps required by C.R.S. §31-25-107(7), including giving of notice, so that City Council may conduct a hearing and consider a resolution terminating the URA Plan contingent upon approval of a DDA Plan of Development and passage of the Ballot Questions in the November election. City Council formally adopted the DDA Plan of Development on July 7, 2015, with the recommendation of the Planning Commission.

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

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