

AGENDA
LOVELAND CITY COUNCIL MEETING
LOVELAND URBAN RENEWAL AUTHORITY BOARD OF COMMISSIONERS
LOVELAND GID BOARD OF DIRECTORS
LOVELAND SID BOARD OF DIRECTORS
TUESDAY, OCTOBER 6, 2015
CITY COUNCIL CHAMBERS
500 EAST THIRD STREET
LOVELAND, COLORADO

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"La Ciudad de Loveland está comprometida a proporcionar igualdad de oportunidades para los servicios, programas y actividades y no discriminar en base a discapacidad, raza, edad, color, origen nacional, religión, orientación sexual o género. Para más información sobre la no discriminación o para asistencia en traducción, favor contacte al Coordinador Título VI de la Ciudad al TitleSix@cityofloveland.org o al 970-962-2372. La Ciudad realizará las acomodaciones razonables para los ciudadanos de acuerdo con la Ley de Discapacidades para americanos (ADA). Para más información sobre ADA o acomodaciones, favor contacte al Coordinador de ADA de la Ciudad en bettie.greenberg@cityofloveland.org o al 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

PRESENTATION OF THE DISTINGUISHED BUDGET AWARD FOR THE 2015 BUDGET (Brent Worthington)

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 September 8 and the September 22 Study Session and the September 15 Regular Meeting.
 1. This is an administrative action to approve the City Council meeting minutes for the September 8, 2015 Study Session.
 2. This is an administrative action to approve the City Council meeting minutes for the September 15, 2015 Regular Meeting.

2. **CITY MANAGER** (presenter: Bill Cahill)
APPOINTMENT TO THE AFFORDABLE HOUSING COMMISSION
A Motion To Appoint Ranae Alaniz To The Affordable Housing Commission For A Partial Term Effective Until June 30, 2017
This is an administrative action recommending the appointment of a member to the Affordable Housing Commission.

3. **PUBLIC WORKS** (presenter: Dave Klockeman)
SUPPLEMENTAL BUDGET AND APPROPRIATION FOR SIGNAL CABINETS
A Motion To Approve And Order Published On Second Reading Ordinance #5961 Enacting A Supplemental Budget And Appropriation To The 2015 City Of Loveland Budget For Traffic Signal Cabinets And Related Equipment Within The City Of Loveland
This is an administrative action. The City of Loveland (City) has received a federal grant through the Colorado Department of Transportation (CDOT) in the amount up to \$497,000 to fund traffic signal cabinets and related equipment at up to 40 locations across the City. This item consists of the second reading of an ordinance to appropriate the federal funds for the project. The project is funded from federal funds in the amount of \$497,000 and City of Loveland local match funds in the amount of \$103,315, for a total project cost of \$600,315. The City funds are included within the approved 2015 budget for the Public Works Department for Transportation Capital Projects. On September 15, 2015, City Council unanimously approved this ordinance on first reading, and approved the Intergovernmental Agreement between the City and CDOT regarding the grant.

4. **DEVELOPMENT SERVICES** (presenter: Nikki Garshelis)
SUBSTATION HISTORIC LANDMARK
A Motion To Approve And Order Published On Second Reading Ordinance #5960 Of City Council Designating As A Historic Landmark The Public Service Company Of Colorado Loveland Substation, Located At 105 E 1st Street In Loveland, Colorado
This is a legislative action requiring a public hearing to consider adopting an ordinance on second reading designating as a Historic Landmark the "Public Service Company of Colorado Loveland Substation," at 105 E 1st Street, per Section 15.56 of the Municipal Code dealing with Historic Preservation. The application is owner-initiated and staff has reviewed the benefits and obligations of historic designation with the property owner. The Historic Preservation Commission (HPC) recommends approval. On September 15, 2015, City Council unanimously approved this ordinance on first reading.

5. **DEVELOPMENT SERVICES** (presenter: Nikki Garshelis)
PUBLIC COMMENT
YOUTH REPRESENTATIVE FOR HISTORIC PRESERVATION COMMISSION
A Motion To Approve And Order Published On First Reading An Ordinance

Amending Section 2.60.130 Of The Loveland Municipal Code Pertaining To The Historic Preservation Commission

This item is a legislative action to consider approval on first reading an ordinance amending Section 2.60.130 of the Loveland Municipal Code. The Historic Preservation Commission unanimously recommends that the City Council amend the code to provide for a designated slot for a high school student representative.

**6. DEVELOPMENT SERVICES (presenter: Brian Burson)
PUBLIC COMMENT**

GREAT WESTERN 3RD SUBDIVISION REZONING

A Motion To Approve And Order Published On First Reading An Ordinance Amending Section 18.04.040 Of The Loveland Municipal Code, The Same Relating To Zoning Regulations For A Portion Of Lot 1, Block 1 Of Great Western Third Subdivision, City Of Loveland, Larimer County, Colorado

This is a quasi-judicial action. This application is to rezone a portion of Lot 1, Block 1, Great Western 3rd Subdivision. The site consists of 5.8 acres and is located along the north side of East 11th Street, between Gorom Avenue and Redwood Drive. This is directly behind JAX/Gold's Gym and west of Home Depot. The lot currently has both Industrial and Business zoning, apparently caused by previous replats that were not accompanied by the appropriate rezoning actions. The rezoning will rectify this situation, assigning I-Developing Industrial zoning to all of Lot 1. The unified zoning designation is the first step in preparing the site for pending development of a mixed-use development of uses allowed in the I zone. The existing zoning and land uses in the area are both industrial and business. The requested zoning action will result in a compatible zoning pattern and allow for appropriate development of the site. The Planning Commission recommended approval of the requested zoning action as part of their Consent Agenda on August 24, 2015.

**7. LOVELAND FIRE RESCUE AUTHORITY (presenter: Mark Miller)
PUBLIC COMMENT**

CODE AMENDMENT TO FIRE RESCUE SERVICES

A Motion To Approve And Order Published On First Reading An Ordinance Amending The City Code To Reflect That The Fire Rescue Department Services Are Provided By An Independent Governmental Entity Created By Intergovernmental Agreement Between The City And The Loveland Rural Fire Protection District And Adding The Loveland Fire Rescue Authority As An Entity Permitted To Enter Into Cooperative Agreements With The City

This is a legislative action for the revision of section 2.44.040 and 2.44.050 of the municipal code clarifying that fire rescue services are allowed to be provided by a third party entity and that the Fire Chief duties are no longer directed by the City, instead they are directed by the Loveland Fire Rescue Authority Board (a five member board comprised of two City of Loveland City Council members, the City Manager, and two Loveland Rural Fire Protection District Board members).

**8. LOVELAND FIRE RESCUE AUTHORITY (presenter: Mark Miller)
LFRA EMPLOYEE CONVERSION**

A Motion To Adopt Resolution #R-62-2015 Transferring All The City Fire And Rescue Department Personnel To The Loveland Fire Rescue Authority, Approving A Third Amendment To The Loveland Fire Rescue Authority Formation Agreement, And Approving The Execution Of Agreements And Documents Necessary To Implement The Transfer

This is an administrative item. There are several documents that need to be approved to

complete the conversion of the Loveland Fire Rescue Authority employees that represent a culmination of about nine months of work. The strategy for the conversion process has been reviewed with city council at a study session on May 26, 2015 and the documents themselves were reviewed with city council at a joint meeting held July 18, 2015. The approval of all documents is targeted for completion by October 31, 2015. The LFRA Board had set an effective date as November 1, 2015 but due to the limitations of the payroll software, the effective date has been established as January 1, 2016.

9. **LOVELAND FIRE RESCUE AUTHORITY** (presenter: Alan Krcmarik)
VOLUNTEER PENSION BENEFITS

A Motion To Adopt Resolution #R-63-2015 Authorizing An Increase In The Loveland And Rural Consolidated Volunteer Fire Department Pension Plan Effective For Monthly Payment Beginning January 1, 2016

This is an administrative action. The proposed resolution authorizes an increase in the benefits paid to vested Plan participants (or their beneficiaries) through the Loveland and Rural Consolidated Volunteer Fire Department Pension Plan (Plan), who have served the Loveland community in the capacity of volunteer firefighters. Currently, participants with at least 20 years of service as a volunteer firefighter receive \$700 per month. If the Resolution is adopted, this amount would be increased to \$750 per month. Other payments that are made to partially-vested retired volunteer firefighters and surviving beneficiaries of said firefighters, are adjusted proportionately according to the schedule attached to the resolution. Based on an independent actuarial study conducted by Gabriel Roeder Smith and Company, the Plan is sufficiently funded to cover the costs of the increased payments.

10. **PUBLIC WORKS** (presenter: Chris Carlson)
CDBG-DR FLOOD MITIGATION

A Motion To Adopt Resolution #R-64-2015 Authorizing The Mayor To Execute The Community Development Block Grant Disaster Recovery Resiliency Planning Grant Agreement (Project No. CDBG-DR P15-059) Between The City Of Loveland And The Colorado Department Of Local Affairs

This is an administrative action. The Community Development Block Grant – Disaster Recovery (CDBG-DR) Grant is intended to reimburse the City of Loveland for the cost of two planning projects related to the September 2013 flood: (1) the Highway 287 Flood Mitigation Feasibility Study, and (2) the Loveland All-Hazard Mitigation Master Plan. Acceptance of the Grant will reimburse the City for amounts up to \$125,000 for the Highway 287 Flood Mitigation Feasibility Study and up to \$167,500 for the All-Hazard Mitigation Master Plan. The total grant is for \$292,500 for the two projects.

11. **PARKS AND RECREATION** (presenter: Scott Sinn)
IGA FOR FRONT RANGE TRAIL

A Motion To Adopt Resolution #R-65-2015 Authorizing An Intergovernmental Agreement Between The City Of Loveland, The City Of Fort Collins, And Larimer County Regarding The Construction Of A Recreation Trail Connecting The Fort Collins And Loveland Trail Systems

This is an administrative action seeking approval of a motion to approve an intergovernmental agreement with Larimer County and the City of Fort Collins for the construction of the Front Range Trail, and authorize the City Manager authority to sign the contract. Grant money from Colorado Department of Transportation and Colorado Parks and Wildlife along with contributions from each of the three entities are funding the project. The City of Loveland's share of the cost is \$72,721.

12. **FINANCE** (presenter: Brent Worthington)
AUGUST 2015 FINANCIAL REPORT
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 August 31, 2015.

13. **CITY MANAGER** (presenter: Alan Krcmarik)
INVESTMENT REPORT FOR AUGUST 2015
This is an information only item. 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 on the securities held by USBank was steady at 1.11%. For August, earnings of \$94,638 were posted to City funds and the year to date total is \$1,156,677. U.S. short-term Treasury interest rates rose in August; the portfolio had an unrealized loss of \$148,348 in August compared to an unrealized gain of \$13,751 in July. The end of August portfolio market value is estimated to be \$215.8 million. The total amount of the portfolio is higher compared to the beginning of the year, but is still not back to the peak amount reached before the 2013 flood, when the portfolio carried an estimated market value of \$226.3 million.

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

14. **FINANCE** (presenter: Brent Worthington)
PUBLIC HEARING
2016 CITY OF LOVELAND BUDGET
1. **A Motion To Approve Resolution #R-66-2015 Adopting The 2016 Schedule Of Rates, Charges, And Fees For Services Provided By The City Of Loveland, Other Than Services Provided By The Water And Power Department And The Storm Water Enterprise, And Superseding All Prior Resolutions Establishing Such Rates, Charges And Fees**
2. **A Motion To Approve Resolution #R-67-2015 On First Reading Adopting The 2016 Schedule Of Rates, Charges, And Fees For Services Provided By The Storm Water**

Enterprise Of The City Of Loveland, Colorado And Superseding All Prior Resolutions Establishing Such Rates, Charges And Fees

3. A Motion To Approve Resolution #R-68-2015 On First Reading Adopting The 2016 Schedule Of Rates, Charges, And Fees For Services Provided By The Water And Power Department Of The City Of Loveland And Superseding All Prior Resolutions Establishing Such Rates Charges, And Fees

4. A Motion To Approve And Order Published On First Reading An Ordinance Adopting The 2015 Mill Levy For The General Fund Of The City Of Loveland, Colorado

5. A Motion To Approve And Order Published On First Reading An Ordinance Adopting The 2016 Budget For The City Of Loveland, Colorado

6. A Motion To Set The Public Hearing Of The Budget And Capital Improvement Plan To October 20, 2015 At 6:30 Or As Soon As Possible Thereafter And Direct The City Clerk To Publish Notice Of Said Hearing

7. A Motion To Approve And Order Published On First Reading An Ordinance Making An Appropriation For The Fiscal Year Beginning January 1, 2016 And Ending December 31, 2016 For The City Of Loveland, Colorado

8. A Motion To Approve And Order Published On First Reading An Ordinance Enacting A Supplemental Budget And Appropriation To The 2016 Budget For Capital And Operational Funding For Transportation Projects

These are administrative actions to adopt the fee resolutions and ordinances, except for the mill levy ordinance, to approve the 2016 Budget on First Reading. The adoption of the 2015 mill levy is a legislative action. Included are all the Fee Resolutions and Ordinances necessary to adopt and implement the 2016 Budget.

**15. FINANCE (presenter: Brent Worthington)
PUBLIC HEARING**

2016 SCHEDULE OF RATES, CHARGES & FEES AND 2016 AIRPORT BUDGET

1. A Motion To Adopt Resolution #R-69-2015 Adopting The 2016 Schedule Of Rates, Charges And Fees For The Fort Collins-Loveland Municipal Airport And Superseding All Prior Resolutions Establishing Such Rates, Charges And Fees, Effective January 1, 2016

2. A Motion To Approve And Order Published On First Reading An Ordinance Adopting The 2016 Budget For The Fort Collins-Loveland Municipal Airport

These are administrative actions. The City of Loveland provides staff support to the Airport through the Intergovernmental agreement with the City of Ft. Collins. As a part of this function the City Council approves the Airport budget, which includes the City's share of the Airport Budget.

**16. FINANCE (presenter: Brent Worthington)
LOVELAND FIRE RESCUE AUTHORITY 2016 SCHEDULE OF RATES, CHARGES & FEES; AND 2016 BUDGET**

A Motion To Approve Resolution #R-70-2015 Approving The Loveland Fire Rescue Authority 2016 Schedule Of Rates, Charges, And Fees For Services And 2016 Budget

This is an administrative action. The resolution provides for Council approval of the Loveland Fire Rescue Authority Budget and fees schedule for 2016. Council approval of the budget is required for the Authority's budget to be in effect.

ADJOURN AS CITY COUNCIL AND CONVENE AS THE BOARD OF DIRECTORS OF THE LOVELAND SPECIAL IMPROVEMENT DISTRICT #1 (SID)

17. **FINANCE** (presenter: Brent Worthington)
PUBLIC HEARING
2016 BUDGET FOR THE LOVELAND SPECIAL IMPROVEMENT DISTRICT #1 (SID)
A Motion To Approve And Order Published On First Reading An Ordinance Adopting The 2016 Budget For The Loveland Special Improvement District #1.
This is an administrative action. The City serves as the sponsoring agency for the Special Improvement District (SID) and the ex officio Board of Directors. The SID #1 was established to allow for the collection of assessments from property owners in the District to back bonded debt used to construct infrastructure improvements in the district. The City does not have any legal obligation towards this debt. By State law, all special districts with a connection to the City must adopt a budget. The City of Loveland serves as staff for the District. The 2016 requested budget is \$1,060,650.

ADJOURN THE BOARD OF DIRECTORS OF THE LOVELAND SPECIAL IMPROVEMENT DISTRICT #1 (SID) AND CONVENE AS THE BOARD OF COMMISSIONERS FOR THE LOVELAND URBAN RENEWAL AUTHORITY (LURA)

18. **FINANCE** (presenter: Brent Worthington)
PUBLIC HEARING
2016 BUDGET FOR THE LOVELAND URBAN RENEWAL AUTHORITY (LURA)
A Motion To Approve And Order Published On First Reading An Ordinance Adopting The 2016 Budget For The Loveland Urban Renewal Authority.
This is an administrative action. City Council serves as the Board of Commissioners for the Loveland Urban Renewal Authority. By State budget law, the Board must approve an annual budget for the Authority. The City of Loveland serves as staff for the District. The Authority is funded by tax increment revenues from property and sales taxes. The adoption of this budget is necessary for the downtown area due to the timing of the Downtown Development Authority (DDA) election. If the DDA mill levy increase is approved in the November election, LURA will be abolished and the budget will be amended to reverse this appropriation.

ADJOURN AS THE BOARD OF COMMISSIONERS FOR THE LOVELAND URBAN RENEWAL AUTHORITY (LURA) AND CONVENE AS THE BOARD OF DIRECTORS FOR THE LOVELAND GENERAL IMPROVEMENT DISTRICT #1 (GID)

19. **FINANCE** (presenter: Brent Worthington)
PUBLIC HEARING
2016 BUDGET FOR THE LOVELAND GENERAL IMPROVEMENT DISTRICT #1 (GID)
1. A Motion To Approve And Order Published On First Reading An Ordinance Adopting The 2015 Mill Levy For The Loveland General Improvement District #1
2. A Motion To Approve And Order Published On First Reading An Ordinance Adopting The 2016 Budget For The Loveland General Improvement District #1
The ordinance adopting the budget is an administrative action. The ordinance adopting the mill levy is a legislative action. City Council serves as the ex-officio Board of Directors for the District. The Board must approve a budget and set the mill levy for the District. The City of Loveland serves as staff for the District.

ADJOURN AS THE BOARD OF DIRECTORS FOR THE LOVELAND GENERAL IMPROVEMENT DISTRICT #1 (GID) AND RECONVENE AS CITY COUNCIL

20. **CITY MANAGER** (presenter: Bill Cahill)
SUPPORT FOR BROADBAND BALLOT MEASURE
A Motion To Adopt Resolution #R-71-2015 In Support Of The Broadband Election Question 2c Referred For The November 3, 2015 Election That Would Restore Local

Authority And Allow Loveland To Provide, Directly Or Indirectly, Advanced Service (High Speed Internet), Cable Television Or Telecommunications Service

This is an administrative item to approve a resolution supporting the passage of ballot question 2c the broadband initiative that would allow the City to restore local autonomy and explore the issue of broadband in the Loveland community.

**21. CITY MANAGER (presenter: Bill Cahill)
SUPPORT FOR DDA ELECTION MATTERS**

A Motion To Adopt Resolution #R-72-2015 In Support Of The Loveland Downtown Development Authority Ballot Issues 5B And 5C Referred For The November 3, 2015 Election

This is an administrative item to approve a resolution supporting the passage of ballot issues 5B and 5C which increase taxes and the debt ceiling limit in the Downtown Development Authority (DDA) to support future economic development efforts and projects in the DDA.

**22. CITY MANAGER (presenter: Mike Scholl)
SOUTH CATALYST PROJECT**

- 1. Discussion of the Preliminary Project Budget**
- 2. A Motion To Issue Developer Request For Proposals (RFP) For The South Catalyst Project Consistent With The Direction Provided By Council**
- 3. Discussion of County Administrative Building Project Status**

This is an administrative item. This is a discussion on the overall budget for the South Catalyst project and secondly a motion to authorize the City Manager to issue a Request for Proposals (RFP) for a development partner for the South Catalyst project in Downtown Loveland.

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