

AGENDA
LOVELAND CITY COUNCIL MEETING
TUESDAY, DECEMBER 1, 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”.

**5:00 P.M. DINNER - RECEPTION CITY OF LOVELAND EMPLOYEE AWARD
RECIPIENTS – Council Chambers Foyer**

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATION OF THE CITY OF LOVELAND EMPLOYEE AWARDS (Bill Cahill)

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 November 17, 2015 Regular Meeting
 1. This is an administrative action to approve the City Council meeting minutes for the November 17, 2015 Regular Meeting.

2. **CITY MANAGER** (presenter: Bill Cahill)
APPOINTMENTS TO THE CONSTRUCTION ADVISORY BOARD, THE LOVELAND UTILITIES COMMISSION, AND THE SENIOR ADVISORY BOARD
 1. A Motion to reappoint Roger Lewis to the Construction Advisory Board for a term effective until June 30, 2018.
 2. A Motion to reappoint Andrew Ross to the Construction Advisory Board for a term effective until June 30, 2018.
 3. A Motion to appoint Jon Rudolph to the Construction Advisory Board for a term effective until June 30, 2018.
 4. A Motion to appoint Dave Kavanagh to the Loveland Utilities Commission for a partial term effective until June 30, 2018.
 5. A Motion to appoint Dixie Huff to the Senior Advisory Board for a partial term effective until December 31, 2017.

This is an administrative action recommending the appointments of members the Construction Advisory Board, the Loveland Utilities Commission, and the Senior Advisory Board.

3. **DEVELOPMENT SERVICES** (presenter: Greg George)
SILVER SHORE DRIVE EASEMENT VACATION
A Motion To Approve On Second Reading Ordinance #5980 Vacating A Portion Of A Public Street Right-Of-Way Within Silver Glen 1st Subdivision, City Of Loveland, County Of Larimer, State Of Colorado

This is a legislative action to consider adoption of an ordinance, on second reading, to vacate a short segment and unused public street right-of-way that was never constructed as a public street and provides access to only one residential lot. Pursuant to state statutes, ownership of the vacated right-of-way will be returned to the owner of the adjacent property to the south, and will be incorporated into a replat of several lots along the west edge of Silver Lake. The replacement access will be a private access, emergency access and utility easement making the current right-of-way no longer necessary. The Planning Commission recommended approval of the vacation as part of their Consent Agenda on October 26, 2015. On November 17, 2015, City Council unanimously approved this ordinance on first reading.

4. **FINANCE** (presenter: Brent Worthington)
2015 BUDGET FINALIZING AND YEAR-END
A Motion To Approve On Second Reading Ordinance #5981 Enacting A Supplemental Budget And Appropriation To The 2015 City Of Loveland Budget

This is an administrative action. The ordinance appropriates funding for year-end issues and finalizing the 2015 budget. On November 17, 2015, City Council unanimously approved this ordinance on first reading.

5. **FINANCE** (presenter: Brent Worthington)
2015 BUDGET TRANSFERS AND ADMINISTRATIVE CORRECTIONS

A Motion To Approve On Second Reading Ordinance #5982 Enacting A Supplemental Budget And Appropriation To The 2015 City Of Loveland Budget For Transfer And Administrative Corrections

This is an administrative action. The ordinance appropriates funding for transfer and administrative corrections. On November 17, 2015, City Council unanimously approved this ordinance on first reading.

6. **HUMAN RESOURCES** (presenter: Julia Holland)

PUBLIC COMMENT

ESTABLISHING THE HEALTH & WELFARE TRUST

A Motion To Approve On First Reading An Ordinance Enacting A Supplemental Budget And Appropriation To The 2016 City Of Loveland Budget For Establishing The Health & Welfare Trust

This is an administrative item which authorizes the establishment of the Health & Welfare Trust Fund using \$804,060 approved in the 2016 Budget. No new funding is requested.

7. **HUMAN RESOURCES** (presenter: Julia Holland)

PUBLIC COMMENT

LFRA INSURANCE PROVIDER CHANGE

A Motion To Approve On First Reading An Ordinance Enacting A Supplemental Budget And Appropriation To The 2016 City Of Loveland Budget For Changing Loveland Fire Rescue Authority's (LFRA) Insurance Provider From Colorado Intergovernmental Risk Sharing Agency (CIRSA) To Colorado Special District (CSD)

This is an administrative action. The appropriation reduces the City's Risk & Insurance Fund's revenue by \$189,941 and expenses by \$241,910. The City funds 82% of the Fire Authority's expenses, thus, \$50,620 is requested to fund services and coverage provided by CSD.

8. **FINANCE** (presenters: Brent Worthington & Mark Miller)

PUBLIC COMMENT

LFRA RADIO COMMUNICATION TOWER

A Motion To Approve On First and Only Reading An Emergency Ordinance #5985 Enacting A Supplemental Budget And Appropriation To The 2015 City Of Loveland Budget For Replacement Of The Radio Communications Tower

This is an administrative action for a supplemental budget ordinance to appropriate a \$200,000 project to replace the radio communications tower on an emergency basis. Funds have been identified within existing budgeted resources. \$154,000 of the project total needs to be transferred from a variety of operating funds to a Capital Replacement Fund; and therefore, a supplemental budget ordinance is required. \$46,000 of the funding is already in the Capital Projects Fund. The impacted departments (Police, Public Works, and Water and Power), Loveland Fire Rescue Authority and the Thompson Valley Emergency Medical Service have all contributed budget savings in 2015 to ensure this emergency project can be completed by year end. These appropriations are transfers only and not a request for additional budget resources.

9. **DEVELOPMENT SERVICES** (presenter: Greg George)

PUBLIC HEARING

U.S. 287 STRATEGIC PLAN

A Motion To Adopt Resolution #R-83-2015 Approving the U.S. 287 Strategic Plan

This item is a legislative action to consider a resolution adopting the Loveland 287 Strategic Plan (the "Plan"). The Plan is a policy document meant to serve as a guide for residents, property and business owners, developers, City staff, and elected and appointed officials in making future infrastructure, land use and development decisions. The Plan sets forth a unique economic development strategy for each of five zones within

the corridor. Each strategy is intended to stimulate redevelopment, reinvestments and new development within the corridor. Action Plans for each zone identify further studies, policies and projects that would further economic opportunities in the corridor, including some highly efficient and low cost actions that could be undertaken in the short-term. It is recognized that many of the recommended projects would require the expenditure of capital funds by the City and that such expenditures are subject to city-wide capital planning priorities in the future. On October 26th, the Planning Commission approved a resolution recommending that City Council adopt the Plan.

10. **ECONOMIC DEVELOPMENT** (presenter: Mike Scholl)
2016 DDA BUDGET
A Motion To Adopt Resolution #R-84-2015 Approving The Loveland Downtown Development Authority's 2016 Budget
This is an administrative action to consider approval of the fiscal year 2016 budget for the Downtown Development Board (DDA). The 2016 budget recommended to Council by the DDA Board is a zero budget. On November 3, 2015 two ballot issues were submitted to the voters to authorize a mill levy within the DDA boundaries and a debt ceiling. The voters did not approve either ballot issue leaving no anticipated funding for the DDA in fiscal year 2016. State statute requires approval of a budget each fiscal year by the Board and City Council.

11. **FINANCE** (presenter: Brent Worthington)
LFRA EMPLOYEE CONVERSION
A Motion To Adopt Resolution #R-85-2015 Approving The Loveland Fire Rescue Authority's Supplemental Budget And Appropriation Resolution No. R-61 For Additional Funding For Expenditures Associated With The Employee Conversion
This is an administrative action to consider approval of an \$81,732 supplemental appropriation by the Loveland Fire Rescue Authority (LFRA), with a City share of \$50,620. The LFRA Board approved the supplemental budget on November 18, 2015 and the Loveland Rural Fire Protection District will consider it December 2, 2015. This is consistent with the procedures required in the intergovernmental agreement for budget appropriations.

12. **HUMAN RESOURCES** (presenter: Karen Rees)
EMPLOYEE MEDICAL STOP LOSS RENEWAL
A Motion To Award The Contract For City Employee Medical Stop Loss Coverage To Sun Life Of Canada In An Amount Not To Exceed \$1,103,000 For Stop Loss Insurance And To Authorize The City Manager To Execute The Contract On Behalf Of The City
This is an administrative action to authorize the City Manager to enter into a contract for up to \$1,103,000 for Stop Loss Insurance in 2016 with Sun Life of Canada for the City of Loveland employee healthcare stop loss insurance. The contract stipulates that Sun Life of Canada will provide stop loss insurance for health claims over \$175,000 while Cigna retains processing claims under \$175,000. This contract is within the benefits budget already approved for 2016.

13. **HUMAN RESOURCES** (presenter: Karen Rees)
EMPLOYEE LIFE AND DISABILITY COVERAGE RENEWAL
A Motion To Award The Contract For City Employee Life And Disability Plans With The Hartford In An Amount Not To Exceed \$541,000 And To Authorize The City Manager To Execute The Contract On Behalf Of The City
This is an administrative action to authorize the City Manager to enter into a contract for up to \$541,000 with The Hartford for the City of Loveland employee life and disability plans. The contract stipulates that life insurance will be provided for all benefit eligible

employees at 1.5 times their annual salary (\$200,000 cap), short term disability & leave management, long term disability wage replacement and voluntary (employee paid) life insurance. This contract is within the benefits budget already approved for 2016.

**14. CITY MANAGER (presenter: Bill Cahill)
LETA BOARD REPRESENTATIVE**

A Motion To Appoint A Representative To The Larimer Emergency Telephone Authority (“LETA”) Board Pursuant To City Ordinance #5435

This is an administrative action to designate a City representative to the LETA Board. Pursuant to City Ordinance #5435 the City Council may designate an elected City official or a City employee. The City Manager’s Office proposes to re-appoint Bill Westbrook, IT Director, as the City’s representative to the LETA Board.

**15. FINANCE (presenter: Brent Worthington)
OCTOBER 2015 FINANCIAL REPORT**

This is an information only item. 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 October 31, 2015. Citywide Revenue (excluding internal transfers) of \$226,171,398 is 94.5% of year to date (YTD) budget or \$13,071,908 below the budget. This is due to reimbursement grant revenues budgeted in total in 2015; actual revenue is received as the projects are submitted for reimbursement. Sales Tax collections are 98.0% of the YTD budget or \$706,256 under budget. This shows a slight but continuing rebound from the low point of this variance (2.5%). Building Material Use Tax is 135.9% of YTD budget, or \$743,754 over budget. Sales and Use Tax collections combined were 101.8% of YTD budget or \$691,720 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 5.3% or \$2,013,813. Citywide total expenditures of \$217,526,140 (excluding internal transfers) are 72.9% of the YTD budget or \$80,800,096 under the budget.

**16. CITY MANAGER (presenter: Alan Krmarik)
INVESTMENT REPORT FOR OCTOBER 2015**

This is an information only item. At the end of October, the City’s portfolio had an estimated market value of \$219.7 million, about \$1.5 million more than a month ago. Of this amount, USBank held \$191.6 million (including accrued interest) in trust accounts; other funds are held in local government investment pools, in operating accounts at First National Bank, and a few other miscellaneous accounts. Interest rates trended to all-time record lows in 2012-2013 before rising in the second half of 2014. After a sharp drop in January, interest rates have cycled down, up, down, and back up through October. Short-term rates are projected to rise later in 2015 and are dependent upon the actions of the Federal Open Market Committee. City investments are in U.S. Treasury Notes, high-rated U.S. Agency Bonds, highly-rated corporate bonds, money market accounts, insured certificates of deposit and local government investment pools. The City’s investment strategy emphasizes safety of principal, then sufficient liquidity to meet cash needs, and finally, return on investment. Each percent of earnings on the portfolio equates to about \$2.19 million annually.

**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

17. PUBLIC WORKS (presenter: Ken Cooper)

PUBLIC COMMENT

POLICE REGIONAL TRAINING CAMPUS

1. A Motion To Approve On First Reading An Ordinance Enacting A Supplemental Budget And Appropriation To The 2016 City Of Loveland Budget For Contributions From Fort Collins For The Police Regional Training Facility

2. A Motion To Adopt Resolution #R-86-2015 Approving An Intergovernmental Agreement For The Sharing Of The Cost Of The Preliminary Design, Design Development, Construction Drawings, And Construction Administration Relating To The Construction Of A Regional Training Campus

This is an administrative action. The ordinance on first reading appropriates funding required for the two Cities to design the project, though Fort Collins will reimburse Loveland exactly half of those costs.

An IGA between the Cities of Loveland and Fort Collins will form an equal capital partnership to design and eventually construct a Police Regional Training Campus on the west side of the Fort Collins-Loveland Airport.

The \$1.62M design and engineering contract will equally be shared between the two cities at \$810K each.

Funds have been appropriated and budgeted in the City of Loveland 10-year capital plan to support an \$18.5M shared capital project. All associated project costs will continue to be shared equally between the Cities, and Loveland's total project cost will be \$9.25M.

18. WATER AND POWER (presenter: Briana Reed-Harmel)

FEMA ALTERNATE SOLAR PROJECT BID AWARD

A Motion To Adopt Resolution #R-87-2015 Authorizing A Notice Of Award For The Photovoltaic Facility Design And Construction And Authorizing The City Manager To Execute The Contract

This is an administrative action. Approval of this item will allow the Photovoltaic Facility for the FEMA Alternate Project to be awarded to Namaste Solar of Boulder, Colorado for work to begin following the final rezoning approval by Council and the special review appeal period for the Foothills site and completing by December 31, 2016. On July 7, 2015, City Council approved a supplemental appropriation on second reading to appropriate money for this project. Loveland Water and Power (LWP) will seek maximum reimbursement from FEMA for expenses as this project progresses. On November 24, 2015, the City was advised that FEMA had administratively approved the change of location for this project to the 29th Street site. With the scope of work project site change and environmental approvals, the City is now able to consider approval of this bid award.

19. CITY MANAGER (presenter: Bill Cahill)

CENTERRA MFA AMENDMENT

A Motion To Direct Staff To Negotiate And Finalize An Amendment To The Centerra Master Financing Agreement (MFA), And Return To Council For Further Action (Including A Possible Executive Session As Allowed By CRS Sections 24-6-402(4) (b) and (e) And Charter Sections 4-4(c)(1) And (3) Regarding Matters That Are The Subject Of Negotiation And To Receive Legal Advice).

This is an administrative item to direct staff to negotiate and finalize an amendment to the Centerra MFA to add specified public parking facilities as a public improvement eligible for financing through the Metro District. The public parking facilities would allow for a denser mixed-use development, which is instrumental in attracting a major primary job-generating project, and other office, retail, and residential uses.

**20. PARKS AND RECREATION (presenters: Elizabeth Anderson & Steve Southard)
OLDE COURSE GOLF MANAGEMENT AGREEMENT**

A Motion Calling An Executive Session As Allowed By CRS Sections 24-6-402(4)(a), (b) and (e) And Charter Sections 4-4(c)(1), (2) And (3) Concerning The Olde Golf Course Management Agreement And Matters That Are The Subject Of Negotiation, To Consider The Acquisition Of Personal Property, And To Receive Legal Advice

This is an administrative action to conduct an executive session on December 1, 2015, concerning issues associated with the Olde Golf Course Management Agreement. This executive session was requested by Councilor Krenning and placed on this Agenda via the City Council's Rule of Four procedure.

**21. HUMAN RESOURCES (presenter: Julia Holland)
CITY MANAGER GOALS AND OBJECTIVES**

A Motion Calling An Executive Session As Allowed By CRS Section 24-6-402(4)(F)(I) And Charter Section 4-4(C)(5) Concerning Personnel Matters To Conduct An Interim Review Of Performance And Goal Setting For The City Manager

This is an administrative action to conduct an executive session on December 1, 2015, for the review of performance and goals for the City Manager.

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