

AGENDA
LOVELAND CITY COUNCIL MEETING
TUESDAY, MARCH 15, 2016
CITY COUNCIL CHAMBERS
500 EAST THIRD STREET
LOVELAND, COLORADO

The City of Loveland is committed to providing an equal opportunity for services, programs and activities and does not discriminate on the basis of disability, race, age, color, national origin, religion, sexual orientation or gender. For more information on non-discrimination or for translation assistance, please contact the City's Title VI Coordinator at TitleSix@cityofloveland.org or [970-962-2372](tel:970-962-2372). The City will make reasonable accommodations for citizens in accordance with the Americans with Disabilities Act (ADA). For more information on ADA or accommodations, please contact the City's ADA Coordinator at bettie.greenberg@cityofloveland.org or [970-962-3319](tel:970-962-3319).

“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”.

Please Note: Starting times shown on agenda are estimates only; actual times may vary.

(5:00 P.M.) DINNER – City Manager’s Conference Room

(6:00 P.M.) REGULAR MEETING - City Council Chambers

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PROCLAMATION RECOGNIZING MARCH AS DEVELOPMENTAL DISABILITY AWARENESS MONTH IN LOVELAND
(Dan Soldner, Taylor Summer, and Julian Wang; the Arc of Larimer County)

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. Comments will be limited to no more than three minutes, the City Clerk will start the timer once an introduction is made and a buzzer will sound when the three minutes have expired.

(6:05) CONSENT AGENDA

1. **CITY CLERK** (presenter: Terry Andrews)
APPROVAL OF MEETING MINUTES
A Motion To Approve City Council Minutes For the February 23, 2016 Special Meeting and the February 29, 2016 Regular meeting
This is an administrative action to approve the City Council minutes for the February 23, 2016 special meeting and the February 29, 2016 regular meeting.

2. **CITY MANAGER** (presenter: Bill Cahill)
APPOINTMENTS TO THE CITIZENS' FINANCE ADVISORY COMMISSION, GOLF ADVISORY BOARD AND VISUAL ARTS COMMISSION
 1. Adopt a motion to appoint Joseph Lynch to the Citizens' Finance Advisory Commission for a term effective until December 31, 2018.
 2. Adopt a motion to appoint Roger Weidelman to the Citizens' Finance Advisory Commission for a term effective until December 31, 2018.
 3. Adopt a motion to reappoint Julie Nelson to the Golf Advisory Board for a term effective until December 31, 2018.
 4. Adopt a motion to reappoint Jan Wall to the Golf Advisory Board for a term effective until December 31, 2018.
 5. Adopt a motion to appoint Chuck Weirauch to the Golf Advisory Board for a term effective until December 31, 2018.
 6. Adopt a motion to appoint Jade Windell to the Visual Arts Commission for a partial term effective until December 31, 2017.This is an administrative item appointing members to the Citizens' Finance Advisory Commission, the Golf Advisory Board and the Visual Arts Commission.

3. **PUBLIC WORKS** (presenter: Chris Carlson)
FLOOD RECOVERY PROJECTS FINAL DESIGN
A Motion To Approve On Second Reading, Ordinance #6000 Enacting a Supplemental Budget and Re-Appropriation (Rollover) to the 2016 City of Loveland Budget for Final Design of the Wilson to Taft Reach Flood Recovery Projects and for Completion of the Highway 287 Bridge Flood Mitigation Feasibility Study
This is an administrative action. The ordinance on second reading re-appropriates funding approved in 2015 for engineering/final design of the Wilson to Taft Reach Flood Recovery Projects and for the Highway 287 Flood Mitigation Feasibility Study. Funding for both projects was previously approved in 2015, but work was delayed pending FEMA approval of a scope change request, signature of a Community Development Block Grant – Disaster Recovery (CDBG-DR) planning grant contract, and selection of an engineering consultant. Because time is of the essence affecting analysis, design, permitting, bidding, construction and deadlines outside City control (FEMA and State deadlines), Public Works needs to move forward quickly to complete each of the two projects on schedule. Therefore, re-appropriation of \$246,000 for the flood recovery project work (Wilson to Taft reach projects) and \$172,150 for the Highway 287 Bridge Flood Mitigation Feasibility Study is requested. On February 29, 2016, City Council unanimously approved this ordinance on first reading.

4. **HUMAN RESOURCES** (presenter: Karen Rees)
EMPLOYEE BENEFITS FUND APPROPRIATION
A Motion To Approve On Second Reading, Ordinance #6001 Enacting A Supplemental Budget And Appropriation To The 2015 City Of Loveland Budget For A General Fund Contribution To The Employee Benefits Fund
The Employee Benefits Fund ended 2015 negative due to higher claims than expected in the months of November & December. In order to correct the shortfall, an appropriation of

\$610,000 is needed. The total \$5,342,782 General Fund contribution to the Employee Benefits Fund will not change, but the timing of the contribution will. On February 29, 2016, City Council unanimously approved this ordinance on first reading.

5. **POLICE** (presenter: Tim Brown and Brent Worthington)
SUPPLEMENTAL APPROPRIATION FOR VEHICLES

A Motion To Approve On Second Reading, Ordinance #6002 Enacting A Supplemental Budget And Appropriation To The 2016 City Of Loveland Budget For Four Police Vehicles

City Council approved the addition of three (3) officers funded by existing appropriations. Three (3) vehicles are needed to support the additional officers. One (1) vehicle is requested for a School Resource Officer approved in 2016 under acceptance of a COPS grant with Thompson School District R2J. On February 29, 2016, City Council unanimously approved this ordinance on first reading.

6. **LOVELAND FIRE RESCUE AUTHORITY** (presenter: Mark Miller)
LFRA BUDGET ROLLOVER

A Motion to Adopt Resolution #R-19-2016 Approving The Loveland Fire Rescue Authority's Supplemental Budget And Appropriation Resolution No. R-064 For The Loveland Fire Rescue Authority's 2016 Budget

This is an administrative action. The resolution provides for Council approval of supplemental changes to the Loveland Fire Rescue Authority 2016 Budget to re-appropriate operational expenses not spent in 2015 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 \$362,054 to be appropriated from fund balance, available due to 2015 savings in the budgeted contribution to LFRA. At year end the contribution from the City had a balance of \$401,400, leaving \$39,386 of the savings to be retained in the City's General Fund Balance.

7. **CITY CLERK** (presenter: Terry Andrews)
DDA ELECTION PREPARATION

A Motion to Adopt Resolution #R-20-2016 Directing The City Clerk To Prepare For The Possibility Of An Election Issue Involving The Downtown Development Authority

This is an administrative action. The resolution would authorize the City Clerk and other staff to begin the process of creating the "qualified elector" list, for a possible November TABOR election for the Downtown Development Authority, created in February of 2015.

8. **AIRPORT** (presenter: Jason Licon)
PUBLIC COMMENT

AMENDMENT TO NCRA COMMISSION BYLAWS

A Motion to Adopt Resolution #R-21-2016 Amending The Bylaws Of The Northern Colorado Regional Airport Commission

This is an administrative action to adopt a resolution to the bylaws governing the responsibilities and duties of the Northern Colorado Regional Airport Commission.

END OF CONSENT AGENDA

(6:15) CITY CLERK READS TITLES OF ORDINANCES ON THE CONSENT AGENDA

(6:20) 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

(6:45)

9. **ECONOMIC DEVELOPMENT** (presenter: Mike Scholl)
PUBLIC COMMENT

SOUTH CATALYST PROJECT FUNDING

A Motion To Approve On Second Reading, Ordinance #6003 Enacting A Supplemental Budget And Appropriation To The 2016 City Of Loveland Budget To Re-Appropriate Funding Approved In 2014 For The Purchase Of Property And Other Costs Associated With Downtown Land Purchases For The South Catalyst Project

This is an administrative action. The ordinance re-appropriates \$1,734,414, which is the balance of the \$6.5 million that was originally approved in 2014 for the acquisition of Downtown property and other activities in support of the South Catalyst redevelopment project. The proposed project, a partnership with the Brinkman Partners, is expected to result in a vertically dense mixed-use project that would include office, residential and retail. The total investment is expected to be \$50 to \$70 million. Since the initial appropriation in 2014, the City has purchased twelve properties and completed extensive pre-development activities. The funding for the appropriation of \$1,734,414 is from Unreserved Fund Balance in the General Fund. The appropriation of this fund balance reduces the flexibility to fund other projects. On February 29, 2016 City Council approved the first reading of the ordinance by a 6 to 3 vote.

(7:10)

10. **CITY ATTORNEY** (presenter: Tami Yellico)
PUBLIC COMMENT

CONSTRUCTION DEFECTS

A Motion to Approve On Second Reading, Ordinance #6004 Adding a New Chapter 15.58 to the Loveland Municipal Code to Encourage Construction of Condominiums

This is a legislative action to consider the adoption of an ordinance that addresses the issues of builder and developer liability as it relates to construction defects. On February 29, 2016 City Council approved the first reading of the ordinance by an 8 to 1 vote.

(7:30) **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