

**AMENDED AGENDA  
LOVELAND CITY COUNCIL MEETING  
LOVELAND URBAN RENEWAL AUTHORITY BOARD OF COMMISSIONERS  
TUESDAY, MAY 3, 2016  
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](mailto: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](mailto: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 DECLARING MAY 1-7 AS DRINKING WATER WEEK (Gretchen Stanford, Water and Power Customer Relations Manager)**

**PROCLAMATION DECLARING May 8 -14, 2016 As ECONOMIC DEVELOPMENT WEEK (Susan Grafton, Economic Development Director)**

**PROCLAMATION DECLARING MONTH MAY 2016, AS ARCHAEOLOGY & HISTORIC PRESERVATION MONTH (Jon Patterson, Historic Preservation Commission Chair)**

**PROCLAMATION DECLARING MAY 1-7 AS MUNICIPAL CLERKS WEEK (Terry Andrews, City Clerk)**

**PROCLAMATION DECLARING MAY 15-21, 2016 AS NATIONAL PUBLIC WORKS WEEK (Leah Browder, Public Works Director)**

*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.*

**(6:30) CONSENT AGENDA**

1. **CITY CLERK** (presenter: Terry Andrews)  
**APPROVAL OF MEETING MINUTES**  
**A Motion To Approve City Council Minutes For the April 19, 2016 Regular Meeting and the April 26, 2016 Study Session**  
This is an administrative action item to approve the City Council minutes for the April 19, 2016 regular meeting and the April 26, 2016 study session.
  
2. **CITY MANAGER** (presenter: Bill Cahill)  
**APPOINTMENT TO THE PARKS AND RECREATION COMMISSION**  
**A motion to appoint Brett Dowgin as the Thompson School District representative on the City of Loveland Parks and Recreation Commission for a partial term effective until December 31, 2017.**  
This is an administrative item appointing a member to the Parks and Recreation Commission.
  
3. **PUBLIC WORKS** (presenter: Kevin Gingery)  
**AMENDING FLOOD PLAIN BUILDING CODE**  
**A Motion To Approve On First Reading, An Ordinance Amending The Loveland Municipal Code At Chapter 15.14.020 Regarding Definitions For The Floodplain Building Code**  
This is an administrative action to simplify two definitions and add seven additional definitions to the Floodplain Building Code chapter. This action has no cost associated with it.
  
4. **DEVELOPMENT SERVICES** (presenter: Noreen Smyth)  
**PUBLIC HEARING**  
**FAIRGROUNDS 8<sup>TH</sup> ADDITION ANNEXATION**
  1. **A Motion to Adopt Resolution #R-30-2016 Concerning The Annexation To The City Of Loveland, Colorado, Of A Certain Area Designated As "Fairgrounds Eighth Addition" More Particularly Described Herein, And Setting Forth Findings Of Fact And Conclusions Based Thereon As Required By The State Constitution And State Statutes**
  
  2. **A Motion To Approve On First Reading, An Ordinance Approving The Annexation Of Certain Territory To The City Of Loveland, Colorado, To Be Known And Designated As "Fairgrounds Eighth Addition" To The City Of Loveland**
  
  3. **A Motion To Approve On First Reading, An Ordinance Amending Section 18.04.060 Of The Loveland Municipal Code, The Same Relating To Zoning Regulations For "Fairgrounds Eighth Addition" To The City Of Loveland**

This is a public hearing to consider the following items on first reading:

- A legislative action to adopt a resolution and ordinance to annex 4 acres of city owned property to be known as the fairgrounds eighth addition; and
- A quasi-judicial action to zone the 4 acres to i-developing industrial district.

The property is located immediately west of the existing Loveland Fire Training Facility and East of S. Roosevelt Avenue, approximately 1200 feet north of 14th Street SW. The applicant is the City of Loveland.

The city has already purchased the subject property. While the annexation and zoning of the property has negligible impact on the budget, the eventual development of the property, which will be reviewed by the city in succeeding development applications, will have a cost impact to the city and to the Loveland Fire Authority.

5. **DEVELOPMENT SERVICES** (presenter: Kerri Burchett)  
**WATERS EDGE ADDITION ANNEXATION**

**A Motion To Adopt Resolution #R-31-2016 Finding a Certain Petition for Annexation Known as Waters Edge Addition, Filed April 14, 2016, to be in Substantial Compliance with Section 30 of Article II of the Colorado Constitution and with the Requirements of Section 31-12-107(1), C.R.S.; and Establishing a Date, Time, and Place for a Hearing to Determine Whether the Proposed Annexation Complies with the Applicable Requirements of Sections 31-12-104 and 31-12-105, C.R.S., and is Eligible for Annexation to the City of Loveland, Colorado**

This is a legislative action to set a public hearing date of June 7, 2016 for the consideration of an annexation of 82.68 acres to be known as the Waters Edge Addition. The property is located north of 28<sup>th</sup> Street SW, south of Ryan's Gulch Reservoir and west of Taft Avenue and the Lakeside Terrace Subdivision. Included with the annexation proposal is a request to zone the property R1-Developing Low Density Residential. The applicant is Lynda Beierwaltes with Luxor, LLC.

6. **FINANCE** (presenter: Brent Worthington)  
**MARCH 2016 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 March 31, 2016.

7. **CITY MANAGER** (presenter: Alan Krcmarik)  
**MARCH 2016 INVESTMENT REPORT**

This is an information only item. The budget projection for investment earnings for 2016 is \$2,199,328. On the portfolio's 2016 beginning balance this equates to an annual interest rate of 1.02%. Based on the March monthly statement, the estimated yield on the fixed income securities held by USBank was at 1.27%, for total assets the yield was 1.13%. For the first quarter, total earnings of \$381,113 were posted to City fund accounts; the year-to date target was \$533,560. U.S. short-term Treasury interest rates fell slightly again in March; the portfolio's change in unrealized gain for the year-to-date was \$1.84 million. The end of March portfolio market value is estimated to be \$215.7 million. The total amount of the portfolio is lower than the end of 2015 by \$1.5 million. The peak amount for the portfolio was reached before the 2013 flood when it had estimated market value of \$226.3 million.

8. **ECONOMIC DEVELOPMENT** (presenter: Cindy Mackin)  
**AIRPORT MARKETING**

**A Motion To Approve On First Reading, An Ordinance Enacting A Supplemental Budget And Appropriation To The 2016 City Of Fort Collins-Loveland Municipal Airport Budget For Airport Marketing**

This is an administrative action item. The ordinance provides \$50,000 from the Lodging Tax Fund to support the Fort Collins-Loveland Airport marketing and PR efforts through a

comprehensive marketing campaign which would include advertising. The funding is from reserves in the Lodging Tax Fund and reduces the flexibility for funding other future events or programs. The current balance of the Lodging Tax reserves is \$781,053.

## **ADDENDUM ITEM**

**12. PUBLIC WORKS (presenter: Jeff Bailey)  
CDOT FUNDS FOR BYRD DRIVE**

**A Motion to Approve Resolution #R-35-2016 Approving An Intergovernmental Agreement Between The City Of Loveland, Colorado And The State Of Colorado, Acting By And Through The Colorado Department Of Transportation, For Construction Of Byrd Drive.**

This is an administrative action item. City Council approval is necessary to approve the submitted IGA and to authorize the use of \$1,100,000 in Colorado Department of Transportation (CDOT) funds to construct the missing segment of roadway. Council approval is also required to provide the \$500,000 to the developer for construction of Byrd Drive by the time CDOT needs to remove the Frontage Road. This request will be submitted to City Council at a later date once a development agreement is finalized with the developer.

## **END OF CONSENT AGENDA**

**(6:40) CITY CLERK READS TITLES OF ORDINANCES ON THE CONSENT AGENDA**

**(6:50) 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**

**(7:10) 9. YOUTH ADVISORY COMMISSION  
NATIONAL LEAGUE OF CITIES CONFERENCE**

**(presenters:** Commissioners Jack Crowley, Mark McKenna, Ava McQuade, Hattie Volk,)  
This is an information only item. Members of the Youth Advisory Commission would like to personally thank the City Council for funding their trip to the National League of Cities in Washington, DC in March 2016. The YAC who attended this conference returned with valuable information and ideas that they are excited to share with other commissioners and look forward to discovering ways to implement these ideas into the Loveland community.

**(7:40) 10. CITY ATTORNEY (presenter: Tami Yellico)  
CENTERRA MFA PARKING STRUCTURE**

**A Motion To Approve Resolution #R-33-2016 Of The Loveland City Council Approving The Minor Modification To The Seventh Amendment To The Centerra Master Financing And Intergovernmental Agreement As Amended.**

These resolutions are administrative actions to approve the proposed Minor Modification to the Seventh Amendment to the Centerra Master Financing and Intergovernmental Agreement (“MFA”) to modify Paragraph 2 of the Seventh Amendment to state that the term “Parcel 206 Parking Improvements” shall mean and include public surface parking and public parking structure to be constructed and owned by the Service District, to serve the mixed-use development on Parcel 206, within the Commercial District.

**ADJOURN AS CITY COUNCIL AND CONVENE AS BOARD OF COMMISSIONERS FOR THE LOVELAND URBAN RENEWAL AUTHORITY**

(7:55) 11. **CITY ATTORNEY** (presenter: Tami Yellico)

**CENTERRA MFA PARKING STRUCTURE**

**A Motion To Approve Resolution #R-34-2016 Of The Loveland Urban Renewal Authority Approving The Minor Modification To The Seventh Amendment To The Centerra Master Financing And Intergovernmental Agreement As Amended.**

These resolutions are administrative actions to approve the proposed Minor Modification to the Seventh Amendment to the Centerra Master Financing and Intergovernmental Agreement (“MFA”) to modify Paragraph 2 of the Seventh Amendment to state that the term “Parcel 206 Parking Improvements” shall mean and include public surface parking and public parking structure to be constructed and owned by the Service District, to serve the mixed-use development on Parcel 206, within the Commercial District.

**ADJOURN AS BOARD OF COMMISSIONERS FOR THE LOVELAND URBAN RENEWAL AUTHORITY AND RECONVENE AS CITY COUNCIL**

(8:00) **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**