



MINUTES
LOVELAND CITY COUNCIL MEETING
Tuesday, November 1, 2016 CITY COUNCIL CHAMBERS 6:00 PM

COUNCIL PRESENT: Mayor Gutierrez
Mayor Pro Tem Fogle
Councilors:
Krenning, Ball, Shaffer, Overcash, Clark, McKean and Johnson.

COUNCIL ABSENT: None

1. INTRODUCTION
- 1.1 CALL TO ORDER
- 1.2 PLEDGE OF ALLEGIANCE
- 1.3 ROLL CALL
- 1.4 PROCLAMATIONS AND PRESENTATIONS
- 1.4.1 PROCLAMATION DECLARING NOVEMBER 10, 2016 AS PATH TO HEALING FOR AT-RISK CHILDREN DAY
Read by Councilor Johnson and received by Craig Secher and Ted Ray, Realities for Children
- 1.4.2 PROCLAMATION DECLARING NOVEMBER 1, 2016 AS NATIONAL FAMILY LITERACY DAY
Read by Mayor Pro TEM Fogle and received by Regent Barb Wilkinson, Lois Ashcraft, Jody Klein and Mary Ellen Denton, DAR Namaqua Chapter

2. CONSENT AGENDA

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.

Councilor Krenning asked for Item 2.10 to be moved to the Regular Agenda.

Moved by Councilor Shaffer, seconded by Councilor Clark

A motion to approve the Consent Agenda with the exception of item 2.10.

CARRIED UNANIMOUSLY

**2.1 CITY CLERK
APPROVAL OF MINUTES**

Approval of the City Council minutes for the September 27, 2016 Study Session, October 11, 2016 Special Meeting and Study Session and the October 18, 2016 Special and Regular Meeting.

A Motion to Approve the City Council minutes for the September 27, 2016 Study Session, the October 11, 2016 Special Meeting and Study Session and the October 18, 2016 Regular Meeting.

CARRIED.

**2.2 CITY MANAGER
APPOINTMENTS TO THE LOVELAND UTILITIES COMMISSION**

This is an item appointing a member to the Loveland Utilities Commission.

A motion to appoint John Butler to the Loveland Utilities Commission for a partial term effective until June 30, 2019.

CARRIED.

**2.3 DEVELOPMENT SERVICES
MARIANA BUTTE 27TH SUBDIVISION EASEMENT VACATION**

These ordinances vacate two categories of easements that exist on the Mariana Butte 27th Subdivision (reception number 20160062602) – also known as Mariana Butte PUD First Subdivision. The surveyor who prepared the easements used the Mariana Butte PUD First Subdivision in the legal description for two reasons: 1)

these easements were dedicated through separate instruments associated with the Mariana Butte PUD First Subdivision – making it easier to connect the vacated easements to the appropriate documents, and; 2) the Mariana Butte 27th Subdivision recordation had not occurred at the time the surveys were completed. It has been communicated to City staff, proceeding with the use of Mariana Butte PUD First Subdivision in the legal descriptions is appropriate from a surveying perspective for vacating utility and storm drain easements. The property is generally located south between W. 1st Street and W. Eisenhower Boulevard along both sides of Rossum Drive – directly south of the Big Thompson River. The applicant is Blaine Rappe with LC Real Estate Group. The first reading of the ordinances were unanimously approved by City Council at the October 18, 2016 Council meeting.

1. A Motion to Approve, on Second Reading, Ordinance #6058 Vacating A Twenty Foot Utility Easement Located On, Over And Across A Portion Of Tract S Mariana Butte PUD First Subdivision, City Of Loveland, County Of Larimer, State Of Colorado.

CARRIED.

2. A Motion to Approve, on Second Reading, Ordinance #6059 Vacating Six (6) Twenty Foot Storm Drainage Easements Located On, Over And Across Portions Of Tract S Mariana Butte PUD First Subdivision, City Of Loveland, County Of Larimer, State Of Colorado

CARRIED.

2.4 DEVELOPMENT SERVICES

EVERGREEN MEADOWS SECOND EASEMENT VACATION

This ordinance, on second reading, vacates a 10' wide utility and drainage easement along the north side of Lot 10, Block 1, Evergreen Meadows Second Subdivision, aka 3590 Silver Leaf Drive. The property is located at the north dead-end of Silver Leaf Drive, approximately 2,200 feet north of East 29th Street. There are no utilities in the easement and all utility providers have indicated that this portion of the easement is not needed for existing or planned utilities or drainage. Staff supports the vacation application. The first reading of the ordinance was unanimously approved by City Council at the October 18, 2016 Council meeting.

A Motion to Approve, on Second Reading, Ordinance #6060 Vacating A Ten foot Wide Utility and Drainage Easement Located On, Over and Across A Portion Of Lot 10, Block 1, Evergreen Meadows Second Subdivision, City of Loveland, County of Larimer, State of Colorado

CARRIED.

2.5 WATER & POWER

POWER PLANT INVESTMENT FEE INTERNAL LOAN

An internal loan from the Power Enterprise Fund to the Power Plant Investment Fee (PIF) Enterprise Fund of \$4 million is proposed. This is a bridge loan that is intended to keep the Power PIF Fund Balance positive until \$4.435 million of reimbursements from FEMA and the State are received for the FEMA Alternate Foothills Solar Project. These reimbursements are anticipated to be received in full by the middle of 2017 or sooner. The appropriation uses existing balances within the Power Enterprise Fund. The existing working cash balance of the Power Enterprise Fund is \$28,465,096. It will be reduced by \$4,000,000 to a new balance of \$24,465,096. The first reading of the ordinance was unanimously approved by City Council at the October 18, 2016 Council meeting.

A Motion to Approve, on Second Reading, Ordinance #6061 Enacting a Supplemental Budget and Appropriation to the 2016 City of Loveland Budget for an Internal Loan From the Power Enterprise Fund to the Power Plant Investment Fee Enterprise Fund Until Reimbursement is Received From FEMA and the State of Colorado for the FEMA Alternate Foothills Solar Project.

CARRIED.

2.6 PUBLIC WORKS

WEST 8TH STREET BRIDGE REPLACEMENT

Colorado Department of Transportation (CDOT) serves as the federal agent for mandated bridge inspections in Colorado. During the last year, federal attention and standard evaluations have been heightened for bridges. After 2015 inspections, the City was notified that three structures require priority attention. Funding in the amount of \$200,000 is requested to design a replacement for the approximately 51 feet of the West 8th Street bridge span over the Big Barnes Ditch that has received a severely structurally deficient rating. The City was not successful securing grant funding for the design phase of this project, but will be seeking grant monies so that bridge reconstruction can occur in FY 2017. This request is necessary due to the inability to secure grant funding for the design phase of this project. TABOR Excess Reserve is the recommended funding source. The current unassigned TABOR Excess fund balance is \$17,291,859. If this request is approved the remaining unassigned TABOR Excess fund balance would be \$17,091,859. The first reading of the ordinance was unanimously approved by City Council at the October 18, 2016 Council meeting.

A Motion to Approve, on Second Reading, Ordinance #6062 Enacting A Supplemental Budget And Appropriation To The 2016 City Of Loveland Budget For Design For Replacement Of The West 8th Street Bridge Over The Big Barnes Ditch.

CARRIED.

**2.7 DEVELOPMENT SERVICES
LEE FARM ADDITION GDP AMENDMENT**

This is a quasi-judicial action amending the previously approved General Development Plan for Lee Farm. Primary changes include removal of a commercial community center, reduction in density, as well as reconfiguring some internal road networks (primarily W. 35th Street, minor collector, and local streets). The amendment focuses on developing a mixture of residential uses on 247 acres in northwest Loveland. The property is generally located on the west side of N. Wilson Avenue, east of the Hogback and future Cascade Avenue alignment. It is directly north of the Hunter's Run Subdivision and directly south of the Buck Subdivision (see vicinity map on opposite page). The applicant is The True Life Companies represented by Katie Cooley. This item was heard by City Council at a public hearing on September 20, 2016. City Council continued consideration of the proposed GDP amendment in an effort to explore other alternatives with respect to the location/alignment of W. 35th Street. The applicant met with City Staff (including upper management) on September 29, 2016, to determine an alternative location for W. 35th Street that would respond to resident concerns and not impact the City's overall transportation network. The solution was to create a row of "like" lots (in terms of size and use) along the entire southern boundary of the project site – providing the same relationship to established lots in the approved GDP and Preliminary Development Plan for Lee Farm. These lots would be accessed off of lanes, serving groups of approximately 20 lots. In turn, each lane would access W. 35th Street. In relation to those lots along the northern boundary of Hunter's Run, the design would include "like" lots backing onto the established lots, an internal lane, and landscape buffer. This concept is illustrated in the attached documents. On Monday, October 3, 2016, the applicant met with the two individuals who raised concerns during the hearing on September 20, 2016. Feedback was positive and further refinements were made to the concept based on additional input from City staff. The applicant held a larger meeting with more of the surrounding neighbors on October 10, 2016. Consensus was reached between both parties and is outlined in Attachment 3 to this coversheet. From September 20, 2016, up to approaching the hearing on October 18, 2016, a lot of effort was put into the City Council's direction by the applicant, neighbors, and City staff to reach compromise in offering the alternative being presented.

A Motion to Approve, on Second Reading, Ordinance #6063 Amending Section 18.04.060 Of The Loveland Municipal Code, The Same Relating To Zoning Regulations For Certain Property Located Within The Lee Farm Addition Planned Unit Development (# P-91) And Approving The Amendment To The General Development Plan For Said Planned Unit Development.

CARRIED.

**2.8 PARKS AND RECREATION
PUBLIC COMMENT**

VIESTENZ-SMITH MOUNTAIN PARK RECONSTRUCTION PROJECT

This ordinance will appropriate supplemental funding for the Viestenz-Smith Mountain Park (Phase I) Reconstruction, a flood recovery project. The total estimated project cost for the Viestenz-Smith Mountain Park (Phase I) Reconstruction is \$4,029,725. Five funding sources are available to cover the cost of this project, three of which have been appropriated and two have yet to be appropriated. The first appropriation is the Community Development Block Grant – Disaster Recovery (CDBG-DR) Implementation Grant, which will reimburse the City \$501,620 once construction is complete. This grant was awarded to the City of Loveland by the State of Colorado. There is no City funding match requirement for this grant and the grant agreement will be presented to City Council on November 15, 2016. The second is the \$500,000 received from the lease of the Round Mountain Staging Area for the Colorado Department of Transportation (CDOT) reconstruction efforts on US 34. This funding was paid to the City by Kiewit Infrastructure Group in July 2016. These two funding sources will provide much needed supplemental funding for this reconstruction project, and need to be appropriated to facilitate completion of the reconstruction project. Funding sources related to this project are summarized below and total an amount equal to the estimated project cost of \$4,029,725.

A Motion to Approve, on First Reading, An Ordinance Enacting a Supplemental Budget Appropriation to the 2016 City of Loveland Budget for the Viestenz-Smith Mountain Park (Phase I) Reconstruction Project.

CARRIED.

**2.9 COMMUNITY PARTNERSHIP OFFICE
REALLOCATION OF CDBG FUNDS**

The Affordable Housing Commission is recommending a reallocation of \$5,000 of 2014-2015 Community Development Block Grant (CDBG) funds and \$3,751 of 2015-2016 CDBG funds to Volunteers of America to provide minor rehabilitation to seniors and persons with disabilities. These CDBG funds became available due to Habitat for Humanity's inability to use the funds to mitigate water run-off issues in the Sierra Valley subdivision. Funds were allocated by the U.S. Department of Housing and Urban Development (HUD) and were initially appropriated in the 2014 and 2015 City Budgets and rolled over to the 2016 City Budget.

A Motion to Adopt Resolution R-107-2016 Approving the Grant Funding Recommendation of the Loveland Affordable Housing Commission for the Reallocation of Certain Community Development Block Grant Funds.

CARRIED.

**2.10 ECONOMIC DEVELOPMENT
CRUNCHY GROCER INCENTIVE AGREEMENT**

This item was considered on the Regular Agenda: Item 5.1.1

**2.11 FINANCE
SEPTEMBER FINANCE REPORT**

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 September 30, 2016. Citywide Revenue (excluding internal transfers) of \$215.0 million is 97.6% of year to date (YTD) budget. Sales Tax collections in the month of September are 4.0% above September in 2015, and 99.3% of the YTD budget. Building Material Use Tax is 113.5% of YTD budget. Sales and Use Tax collections combined are 102.3% of YTD budget. Citywide total expenditures of \$206.2 million (excluding internal transfers) are 70.8% of the YTD budget.

**2.12 CITY MANAGER'S OFFICE
SEPTEMBER 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 September monthly report, the estimated yield on the fixed income securities held by USBank was at 1.30%, for total assets the yield was 1.08%. For the year-to-date, total earnings of \$1,621,315 have been posted to City fund accounts. U.S. short-term Treasury interest rates edged lower in September; the portfolio's change in unrealized gain for the year-to-date eased down by about \$40,000. The end of September market value is estimated to be \$216.1 million. The peak amount for the portfolio was reached before the 2013 flood when the market value was estimated to be \$226.3 million.

**2.13 CITY CLERK
COUNCIL MEETING SCHEDULE**

This Council action will cancel the December 20, 2016 meeting and set a Special meeting for December 13, 2016. The motion to set the special meeting at this time, is necessary to accommodate notification requirements for agenda items to be considered at the December 13, 2016 regular meeting, i.e. LURA amendment, Easements, etc.

A Motion to Cancel the December 20, 2016 Regular meeting of City Council and Calling for a Special Meeting of Council December 13, 2016.

CARRIED.

3. CITY CLERK READS TITLES OF ORDINANCES ON THE CONSENT AGENDA

4. PUBLIC COMMENT

Anyone who wishes to speak to an item NOT on the Agenda may address the Council at this time.

1) Jackie Marsh, Rabbask Designs expressed concern with Council's direction regarding the Refurbishment of the Pullium Building. Ms. Marsh stated that the City should not request the Pullium Foundation not be required to pay for the improvements.

5. REGULAR AGENDA
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.

5.1 CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA

5.1.1 ECONOMIC DEVELOPMENT
CRUNCHY GROCER INCENTIVE AGREEMENT

At the October 18, 2016 City Council meeting, staff was directed by motion to bring back an amendment to the incentive agreement with the Crunchy Grocer to rebate \$75,000 of the sales tax previously collected by the City. If the amendment is approved, the original agreement that calls for a rebate of 1/3 of the sales tax collected at the store, would be voided.

Moved by Councilor Shaffer, seconded by Councilor Krenning

A Motion to Adopt Resolution R-108-2016 Approving An Addendum To The Crunchy Grocer, LLC Agreement For City Sales Tax Refund, Fee Waiver, And Construction Materials Use Tax Waiver.

CARRIED UNANIMOUSLY

5.2 HUMAN RESOURCES
POLICE RETIREMENT PLAN AMENDMENT

The current Police Retirement Plan is a mandatory 401 (a) Money Purchase Plan,

which is a defined contribution plan not a defined benefit program. Participant contributions are mandatory and pre-tax at 7% of an employee's base pay. The City contribution is 11% of base pay per participant. The City does not provide Social Security contributions for public safety positions, but does contribute to Medicare for participants of the Plan (if hired after 1986). At the January 12, 2016, Study Session the Retirement Board brought a proposal to Council for a revised Police Retirement Plan. The proposed changes require an increase to the mandatory contribution from the participants (3% increase), reduction of the base contribution from the City (1% reduction) and an option for voluntary employee contributions up to a maximum of 5% that would be matched by the City. If employees participated in the match option, the maximum City contribution would be 4% higher than the current contribution. The Police Retirement Board is bringing the proposal back to City Council for consideration per Council direction at the study session to gather additional information, wait for the new Police Chief and align the proposal with an annual budget cycle. The proposed Plan change may affect the City's net expense depending on employee participation in the match option. If 100% of employees participate in the full 5% match option the total increase of City expenses is estimated to be \$331,061.00 annually. If no employees participate in the match option the total reduction of City expenses is estimated to be (\$82,765.28) annually. Due to the uncertainty of funds that may or may not be needed to fund the Retirement Plan amendment, the Budget Office recommends no appropriation of fund until after the first quarter of 2017, if needed.

Moved by Councilor , seconded by Councilor Y

A Motion to Adopt Resolution R-109-2016 Approving An Amendment To The City Of Loveland Police Retirement Plan Regarding Contributions.

CARRIED.

The following individuals spoke in support of the proposal: John Tindle from the PCAB, Police Chief Bob Ticer and Rob Pride, Fraternal Order of Police president.

5.3 FINANCE 2017 BUDGET

This item is the 2017 Budget and adopts the fee resolutions and ordinances, including the 2016 mill levy ordinance, on Second Reading. Included are all the Fee Resolutions and Ordinances necessary to adopt and implement the 2017 Budget. These items establish the 2017 Budget for the City of Loveland, Colorado and implement fees and rates to meet the revenue projections in the budget. The first reading of the resolutions and ordinances were unanimously approved by City Council at the October 18, 2016 Council meeting. There were no public comments made.

Moved by Councilor Shaffer, seconded by Councilor Clark

1. A Motion to Adopt, on Second Reading, Resolution R-100-2016 adopting

the 2017 Schedule of Rates, Charges and Fees for City Services, other than fees imposed for services of the Water and Power Department and Storm Water Enterprise, and superseding all prior Resolutions establishing such rates, charges and fees, effective January 1, 2017.

CARRIED UNANIMOUSLY.

Moved by Councilor Shaffer, seconded by Councilor Johnson

2. A Motion to Adopt, on Second Reading, Resolution R-101-2016 adopting the 2017 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.

CARRIED UNANIMOUSLY

Moved by Councilor Shaffer, seconded by Councilor Clark

3. A Motion to Adopt, on Second Reading, Resolution R-102-2016 adopting the 2017 Schedule of Rates, Charges and Fees for services provided by the Water & Power Department of the City of Loveland.

CARRIED UNANIMOUSLY

Moved by Councilor Shaffer, seconded by Councilor Clark

4. A Motion to Approve, on Second Reading, Ordinance #6064 adopting the mill levy for the General Fund of the City of Loveland, Colorado.

CARRIED UNANIMOUSLY

Moved by Councilor Shaffer, seconded by Councilor Clark

5. A Motion to Approve, on Second Reading, Ordinance #6065 adopting the 2017 budget for the City of Loveland, Colorado.

CARRIED UNANIMOUSLY

Moved by Councilor Shaffer, seconded by Councilor Clark

6. A Motion to Approve, on Second Reading, Ordinance #6066 making an appropriation for the fiscal year beginning January 1, 2017 and ending December 31, 2017 for the City of Loveland, Colorado.

CARRIED UNANIMOUSLY

**5.4 FINANCE
2017 AIRPORT BUDGET**

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 contribution to the 2017 Airport Budget. A Resolution adopting the 2017 Schedule of Rates, Charges and Fees for the Northern Colorado Regional Airport and superseding all prior resolutions establishing such rates, charges and fees, effective January 1, 2017 was unanimously adopted by City Council at the October 18, 2016 Council meeting, as well as the first reading of the ordinance. There no public comments made.

Moved by Councilor Shaffer, seconded by Councilor Clark

A Motion to Approve, on Second Reading, Ordinance #6067 Adopting the 2017 Budget for the Northern Colorado Regional Airport .

CARRIED UNANIMOUSLY

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

**5.5 FINANCE
SPECIAL IMPROVEMENT DISTRICT BUDGET**

The City serves as the sponsoring agency for the Special Improvement District (SID) #1 and the City Council acts as its 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 2017 Budget is \$490,000. This action adopts the budget and appropriates funds for the 2017 expenditures of the District. The first reading of the ordinance was unanimously approved by City Council at the October 18, 2016 Council meeting. There wer no public comments made.

Moved by Councilor Shaffer, seconded by Councilor Clark

A Motion to Approve, on Second Reading, Ordinance #6068 adopting the 2017 Budget for the Loveland Special Improvement District #1.

CARRIED UNANIMOUSLY

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

5.6 FINANCE

LOVELAND URBAN RENEWAL AUTHORITY BUDGET

City Council serves as the Board of Commissioners for the Loveland Urban Renewal Authority (LURA). By State budget law, the Board must approve an annual budget for LURA. The City of Loveland serves as staff for LURA. LURA is funded by tax increment revenues from property and sales taxes. This action adopts the budget and appropriates funds for the 2017 expenditures LURA. The first reading of the ordinance was unanimously approved by City Council at the October 18, 2016 Council meeting. There were no public comments made.

Moved by Councilor Shaffer, seconded by Mayor Pro Tem Fogle

A Motion to Approve, on Second Reading, Ordinance #6069 of the Board of Commissioners of the Loveland Urban Renewal Authority Adopting the 2017 Budget for the Loveland Urban Renewal Authority.

CARRIED UNANIMOUSLY

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

5.7 FINANCE

GENERAL IMPROVEMENT DISTRICT BUDGET

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. These items establish a budget and appropriate funds for District expenses in 2017 and set the mill levy rate for the property tax collections. The first reading of the ordinance was unanimously approved by City Council at the October 18, 2016 Council meeting. There were no public comments made.

Moved by Councilor Shaffer, seconded by Councilor Clark

1. A Motion to Approve, on Second Reading, Ordinance #6070 Adopting the 2017 Budget for the Loveland General Improvement District #1

CARRIED UNANIMOUSLY

Moved by Councilor Shaffer, seconded by Mayor Pro Tem Fogle

2. A Motion to Approve, on Second Reading, Ordinance #6071 Adopting the 2016 Mill Levy for the Loveland General Improvement District #1

CARRIED UNANIMOUSLY

**ADJOURNED AS THE BOARD OF DIRECTORS FOR THE LOVELAND GENERAL
IMPROVEMENT DISTRICT #1 (GID) AND RECONVENED AS CITY COUNCIL**

**5.8 ECONOMIC DEVELOPMENT
PRELIMINARY REVIEW OF DRAFT RDA FOR THE FOUNDRY AND POSSIBLE
EXECUTIVE SESSION**

The item is a public briefing on the Foundry project (formerly the South Catalyst Project); specifically, to review the draft Disposition and Redevelopment Agreement prior to the formal consideration by Council on November 15, 2016. The presentation will include the terms of the agreement, the final proposed scope of the project including the parking structure and the overall cost to the City and Downtown Development Authority. Staff will discuss next steps for consideration, including the financing plan and the proposed start of construction. The City will be expected to contribute the land value, fee waivers as well as additional public contributions of \$7 million. Approximately, \$10.5 million will be financed through Downtown Development Authority bonds issued by the City. The following individuals spoke in support of the project: Mindy McCloughen, Executive Director of the Chamber of Commerce; Downtown Property and Business owners: Michael Hoffman, Randall Johnson, Barry Floyd, Clay Caldwell, Jim Edwards, County Commissioner Tom Donnelly, Loveland Downtown Partnerships members: Jim Cox and Dan Johnson. Other Comments: Darren Barrett, spoke in opposition to the project; Jackie Marsh asked if there would be public restrooms; Larry Sarner, Ward 2, requested a little more information regarding alternate public funding, should the issues not pass; Bruce Croissant expressed concern with more business coming forward to request funds, as this project progresses. Consensus of Council was to move forward with the details of the contract, but requested more information regarding conveyance of the property in the case of a bankruptcy.

**5.9 CITY ATTORNEY
APPOINTMENT OF INTERIM CITY ATTORNEY AND POSSIBLE EXECUTIVE
SESSION**

City Council is being asked to adopt a resolution appointing an Interim City Attorney.

Moved by Councilor Shaffer, seconded by Mayor Pro Tem Fogle

A Motion to Adopt Resolution R-111-2016 Appointing Claybourne Douglas To The Position Of Interim City Attorney Effective November 10, 2016 At Noon.

CARRIED UNANIMOUSLY

**5.10 CITY ATTORNEY
SECURITY AT COUNCIL MEETINGS DISCUSSION AND POSSIBLE EXECUTIVE
SESSION**

LOVELAND CITY COUNCIL MEETING
November 1, 2016

Discussion and possible executive session regarding security at City Council meetings. Council had a discussion regarding public disorder. One uniformed officer will attend every meeting. If there is overflow, an additional officer will be provided. Staff will extend the time the outside lights will be on. Council may have a discussion regarding tactics in the future with the Police Chief. Safety for Council members will be addressed in the New Council Orientation.

6. **ADJOURNMENT**

Hearing no other business to come before this Council, Mayor Gutierrez adjourned the November 1, 2016 Regular City Council meeting at 10:30 p.m.

Respectfully Submitted,




Teresa G. Andrews, City Clerk


Cecil A. Gutierrez, Mayor