



MINUTES
LOVELAND CITY COUNCIL MEETING
Tuesday, March 7, 2017 CITY COUNCIL CHAMBERS 6:00 PM

COUNCIL PRESENT: Mayor Gutierrez
Mayor Pro Tem Fogle
Councilors:
Krenning, Ball, Overcash, Clark and Johnson. Shaffer arrived at 6:40 p.m.

COUNCIL ABSENT: None

1. INTRODUCTION

1.1 CALL TO ORDER

1.2 PLEDGE OF ALLEGIANCE

1.3 ROLL CALL

1.4 PROCLAMATIONS AND PRESENTATIONS

1.1.1 PROCLAMATION RECOGNIZING MARCH AS DEVELOPMENT DISABILITY AWARENESS MONTH IN LOVELAND

Councilor Ball read the proclamation recognizing March as Development Disability Awareness Month in Loveland, received by Cari Brown, Arc of Larimer County.

1.2.1 PROCLAMATION DECLARING MARCH 10, 2017, AS COLORADO CHILDREN'S DAY

Councilor Johnson read the proclamation declaring March 10, 2017 as Colorado Children's Day, received by Pam Greaney, Parks and Recreation.

Mayor Pro Tem Fogle invited Triva Edwards to present the Public Library's Teen Scene program. Amber Holmes introduced High School Students, Maya Bontrager and Lena Eichmiller-Smith who spoke about the Teen Scene program.

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.

Item 2.4 was removed from the Consent Agenda by Councilor Krenning.

Moved by Councilor Clark, seconded by Councilor Johnson

A Motion approving the Consent Agenda, items 2.1 through 2.17 with item 2.4 moved to the Regular Agenda.

CARRIED UNANIMOUSLY.

**2.1 CITY CLERK
APPROVAL OF MINUTES**

Approval of the City Council minutes for the February 21, 2017 Regular Meeting.

A Motion to Approve the City Council minutes for the February 21, 2017 Regular Meeting.

CARRIED.

**2.2 CITY MANAGER
MEMBER APPOINTMENTS TO THE DISABILITIES ADVISORY
COMMISSION AND THE LOVELAND UTILITIES COMMISSION**

This is an item appointing members to the Disabilities Advisory Commission and the Loveland Utilities Commission

- 1) *A Motion To Reappoint Vern Richardson To The Disabilities Advisory Commission For A Term Effective Until June 30, 2018*
- 2) *A Motion To Appoint Cari Brown To The Disabilities Advisory Commission For A Term Effective Until June 30, 2017*
- 3) *A Motion To Appoint Sean Cronin To The Loveland Utilities Commission For A Partial Term Effective Until June 30, 2017*
- 4) *A Motion To Appoint Stephanie Fancher-English As An Alternate Member On The Loveland Utilities Commission For A Term Effective Until June 30, 2017*

CARRIED.

2.3 LOVELAND POLICE DEPARTMENT POLICE SIU OVERTIME REIMBURSEMENTS

Each year, the City receives seizures and forfeitures funds from the Fort Collins Police Department related to the Northern Colorado Drug Task Force. These funds are used to offset Police overtime costs for the Special Investigations Unit (SIU), which is a component of the NCDTF and is responsible for investigating narcotics and vice violations. These revenues and associated expenditures are not currently included in the budget within the Seizures and Forfeitures Fund for 2016. Staff recommends that City Council approve the 2016 ordinance on second reading. The 2017 ordinance was postponed indefinitely by City Council and will be brought forward again for City Council consideration once staff has had a chance to thoroughly research available options regarding use of these funds. These funds cannot be comingled with any other City funds per federal reporting requirements. For 2018 and beyond, Budget Office staff will work with Police Department staff to ensure these funds are properly budgeted as part of the annual adopted budget as directed into the appropriate revenue stream by City Council. The 2016 Supplemental Budget and Appropriation item was adopted unanimously by City Council on first reading on February 21, 2017. There is a net neutral budget and fund balance impact, because revenues fully offset expenditures for the 2016 Police Budget.

A Motion To Adopt, On Second Reading, Ordinance # 6094 Enacting A Supplemental Budget And Appropriation To The 2016 City Of Loveland Budget For The Police Special Investigations Unit Overtime Reimbursements

CARRIED.

**2.4 DEVELOPMENT SERVICES
PULLIAM BUILDING LOCAL LOVELAND HISTORIC LANDMARK**

This item was considered on the Regular Agenda, item 6.1.1.

**2.5 DEVELOPMENT SERVICES
PUBLIC HEARING
MIRASOL COMMUNITY PLANNED UNIT GENERAL DEVELOPMENT
PLAN**

This is the public hearing for the first reading of an ordinance to modify the Mirasol Community PUD General Development Plan. The amendment would add the use of "Green House" skilled nursing homes as an allowable land use option in GDP Area I. Area I is located adjacent to the south of 4th Street SE and east of St. Louis Avenue. The applicant is the Housing Authority of the City of Loveland.

A Motion To Adopt, On First Reading, An Ordinance Amending Section 18.04.060 Of The Loveland Municipal Code, The Same Relating To Zoning Regulations For Mirasol Community Planned Unit Development Third Amendment (#P-87), City Of Loveland, County Of Larimer, Colorado

CARRIED.

**2.6 DEVELOPMENT SERVICES
PUBLIC HEARING
LOVELAND ORIGINAL TOWN VACATION**

This is a public hearing and legislative matter concerning the vacation of Opera Alley and portions of E. Third Street in conjunction with the Foundry redevelopment project. The purpose in vacating both Opera Alley and portions of E. Third Street is in response to the Foundry redevelopment plan to extend buildings across Opera Alley and redesign E. Third Street to become more pedestrian focused – integrating into an adjacent central plaza space. The Foundry redevelopment project generally consists of a 456 space multi-story parking garage, a 98,000 square foot mixed-use building along N. Cleveland Avenue, a 58,000 square foot mixed-use building along N. Lincoln Avenue, and a central plaza containing the Little Man Ice Cream and other amenities. Details of the theater and hotel are to follow in what likely will be separate site plan submittals. The project site is approximately 4 acres located in the heart of downtown between Backstage Alley

and E. 1st Street and N. Lincoln Avenue and Cleveland Avenue.
Area of the rights-of-way proposed to be vacated total 0.31 acres.

*A Motion To Adopt, On First Reading, An Ordinance Vacating
Public Rights-Of-Way Comprised Of Opera Alley And Portions Of
Third Street Within The Original Town Of Loveland, City Of
Loveland, County Of Larimer, State Of Colorado*

CARRIED.

2.7 DEVELOPMENT SERVICES

PUBLIC HEARING

ANDERSON FARM 12TH EASEMENT VACATION

This is a public hearing to consider a request for vacating emergency access, drainage and utility easements within Lot 1, Block 1 Anderson Farm Fourth Subdivision. This site is located to the north of East 1st Street and west of Denver Avenue along a private street named Peridot Avenue. The easement vacation is in preparation of a new drive through coffee kiosk proposed within this easement on the east side of Peridot Avenue which is adjacent to the proposed Larimer County offices at the corner of Denver and 1st Street. The property is currently vacant and is owned by Freedom Homes, LLC. The applicant is Ken Merritt with JR Engineering. The coffee kiosk and associated drive through facility have been approved administratively through the special review process. The requested easement vacation is a final step in accommodating this project. All City Divisions and all applicable outside City utility providers have reviewed the vacation request and indicated no objections. Planning Commission supported the vacation of easements with approval of the Commission's consent agenda on February 27, 2017; therefore, approved Planning Commission minutes are not included as an attachment.

*A Motion To Adopt, On First Reading, An Ordinance Vacating A
Utility, Drainage And Emergency Access Easement Located On,
Over And Across Lot 1, Block 1, Anderson Farm Fourth
Subdivision, City Of Loveland, County Of Larimer, State Of
Colorado*

CARRIED.

**2.8 WATER & POWER
PUBLIC COMMENT**

**REVISIONS OF LOCAL LIMITS OF WASTEWATER
PRETREATMENT STANDARDS**

In accordance with the Wastewater Treatment Plant's (WWTP) discharge permit, Loveland Water and Power's Pretreatment Program performed a technical evaluation of the need to revise or develop the local wastewater pretreatment standards. Significant Industrial users of the City's wastewater system may not release wastewater into the system that contains levels of pollutants that exceed the local limits. After evaluating current water quality standards, monitoring data, and WWTP operation data, the technical evaluation showed that local limits need to be revised. The revised local limits should continue to protect against pass through and interference, protect beneficial use of biosolids of the WWTP, and will have no impact on current significant industrial users. In addition, the Director of Water & Power has been provided the authority to develop specific discharge limitations for any other toxic or inhibiting pollutant that could endanger the treatment facility, public health, or the environment.

A Motion To Adopt, On First Reading, An Ordinance Amending Section 13.10.205 Of The Loveland Municipal Code Concerning Local Limits Wastewater Pretreatment Standards

CARRIED.

**2.9 PUBLIC WORKS
PUBLIC COMMENT**

U.S. 287 & ORCHARDS TRAFFIC SIGNAL

The City has been awarded Federal Hazard Elimination grant funds to rebuild a traffic signal at Orchards and US287. Tonight's action would appropriate the grant funding and allow the funds to be used by the City for this purpose on first reading of an ordinance. A Resolution approving and authorizing the City Manager to execute the Colorado Department of Transportation (CDOT) Intergovernmental Agreement to accept federal funding for the construction of the traffic signal will be included with the City Council package along with the second reading of this item. The CDOT agreement is provided for City Council's information only at this time. If Council approves the Agreement, the City Traffic Engineering Division will design, advertise, bid, and provide all construction management responsibilities for the installation and completion of the traffic signal. The estimated construction cost for the project is \$300,000. The agreement provides that the City is eligible to receive grant funds for 90% of

the construction costs up to \$300,000, or no more than \$270,000. In receiving the grant funds, the City is required to provide matching funds in the amount of 10% or up to \$30,000. This expense is eligible for funding through the TABOR Excess Fund. If approved, the remaining balance in the TABOR Excess Fund would be \$16,811,256.

A Motion To Adopt, On First Reading, An Ordinance Enacting A Supplemental Budget And Appropriation For The 2017 City Of Loveland Budget For The Removal and Replacement Of A Traffic Signal At The Intersection Of US 287 and Orchards Shopping Center

CARRIED.

2.10 PUBLIC WORKS

IGA WITH LARIMER COUNTY FOR ROAD MAINTENANCE

This Resolution would approve an Intergovernmental Agreement (IGA) with Larimer County to provide maintenance and resurfacing of portions of 20E east of Boyd Lake Ave and West 57th Street west of the BNSF crossing. This is an IGA for the 2017 calendar year.

A Motion To Adopt Resolution #R-16-2017 Approving An Intergovernmental Agreement Between The City Of Loveland, Colorado And Larimer County, Colorado Regarding Road Maintenance

CARRIED.

2.11 PUBLIC WORKS

ASPHALT MAINTENANCE CONTRACT RENEWAL

The City wishes to renew for one additional year the Asphalt Maintenance Contract for Asphalt Paving for the 2017 Street Resurfacing Program to Coulson Excavating Company of Loveland, Colorado in the amount of \$1,325,000 and to authorize the City Manager to execute the Contract. Funding has been appropriated in the Adopted 2017 Budget for this purpose.

A Motion To Adopt Resolution #R-18-2017 Authorizing The Third And Final One-Year Renewal Of Asphalt Paving Contract To Coulson Excavating Company Of Loveland, Colorado For The 2017 Street Resurfacing Program

CARRIED.

**2.12 ECONOMIC DEVELOPMENT
2017-2020 VISIT LOVELAND TOURISM STRATEGIC PLAN**

City staff will review the strategic plan that was created in 2011 for Destination Loveland, discuss the accomplishments of the former plan and present the newly created 2017-2020 Visit Loveland Strategic Plan that was created with input from Staff, Community Marketing Commission and stakeholder input.

A Motion To Adopt Resolution #R-14-2017 Approving The Visit Loveland Tourism Strategic Plan For The Use Of Lodging Tax Funds And Marketing Of Loveland

CARRIED.

**2.13 HUMAN RESOURCES
MUNICIPAL COURT JUDGE CONTRACT RENEWAL**

At the February 28, 2017, Special Meeting City Council directed staff to provide at the next regular meeting a Resolution to reappointment Gerellen Joneson as the Presiding Municipal Judge effective February 28, 2017. Council also directed the resolution to include the salary for the Presiding Municipal Judge to be \$125,000.00 effective February 28, 2017. The directed salary for the Presiding Judge beginning February 28, 2017, was not included in the projected and adopted 2017 budget.

A Motion To Adopt Resolution #R-15-2017 Regarding The Reappointment And Compensation Of The Municipal Judge

CARRIED.

**2.14 PARKS AND RECREATION
CDOT IGA NAMAQUA AVE TRAIL UNDERPASS CONSTRUCTION**

The City of Loveland was awarded a \$600,000 Transportation Alternatives Program (TAP) grant from the Colorado Department of Transportation (CDOT) for the construction of an underpass at Namaqua Avenue, on the City of Loveland Recreation Trail. The new underpass will provide trail users with a safe, grade-separated crossing of an arterial roadway projected to double in volume by 2035. The estimated cost for construction of the underpass is \$1,313,673. The City shall provide \$150,000 in matching funds per the grant agreement, and be responsible for

the overmatch. Based on an initial cost estimate, the City would be responsible for a total of \$713,673 in matching funds, including the local overmatch. The local match funds are appropriated in the 2017 budget, and Parks and Recreation will include the grant funds and over match funds in the 2019 budget request. Conservation Trust Funds (201) will be used for the City's obligations under the grant agreement.

A Motion To Adopt Resolution #R-17-2017 Approving An Intergovernmental Agreement Between The City Of Loveland, Colorado And The State Of Colorado, Acting Through The Department Of Transportation, Awarding A Transportation Alternative Grant To The City For The Construction Of The Namaqua Avenue Underpass

CARRIED.

2.15 PARKS AND RECREATION AMENDMENT TO CDOT IGA FOR U.S. HWY 34 CONSTRUCTION

In July 2016, the City of Loveland ("City") and the Colorado Department of Transportation ("CDOT") and Kiewit Infrastructure ("Kiewit") entered into mutual agreements that benefited both the City and CDOT regarding the reconstruction of U.S. Highway 34. The current agreements address the needs for construction staging, development of a rock spoil site and the reclamation of the staging area once CDOT and Kiewit Infrastructure complete the US 34 project. The resolution tonight addresses CDOT's reclamation responsibilities for the limited expansion of the Round Mountain staging site. The second amendment obligates CDOT to restore and reclaim the approx. 4.5 acres of additional land needed for material storage (stockpiles) or waste rock needed for the US 34 highway reconstruction at the Round Mountain property. All other terms of the original agreement remain the same. Due to schedule changes and resequencing of the US 34 project, CDOT and Kiewit wish to amend both agreements to expand the Round Mountain Site. The Kiewit amendment was reviewed and approved by City Council on February 21, 2017. In order to keep the US 34 project moving forward without further delays, staff separated the review and approval of the Kiewit amendment and now wishes to amend the CDOT agreement for the full restoration which will permit CDOT to move forward with additional construction packages for the first phase of re-construction for US 34. The City of Loveland will receive full restoration of the Round Mountain property at no cost to the City.

A Motion To Adopt Resolution #R-19-2017 Approving An Amendment To The Intergovernmental Agreement Between The City Of Loveland, Colorado And The Colorado Department Of Transportation Regarding The Expansion Of Restoration And Use Of The Round Mountain Staging And Rock Spoil Site At Viestenz-Smith Mountain Park, For Construction On U.S. Highway 34 And Authorizing The City Manager To Execute The Amendment

CARRIED.

**2.16 FISCAL ADVISOR
JANUARY INVESTMENT REPORT**

The budget projection for investment earnings for 2017 is \$2,167,387. On the portfolio's 2017 beginning balance, this equates to an annual interest rate of 0.98%. Based on the January monthly report, the estimated yield on the fixed income securities held by USBank was at 1.36%, for total assets the yield was 1.31%. For January, Accounting posted total earnings of \$155,046 of interest earnings to City fund accounts. U.S. short-term Treasury interest rates moved sharply higher since the second week of November 2016. The end of January estimated market value is \$216.6 million. The portfolio's change in unrealized gain for the January was an increase in value of \$209,021, lowering the unrealized loss in the portfolio to \$1,872,367. The portfolio market value peaked just before the 2013 flood when the market value was an estimated \$226.3 million.

Information Only

**2.17 FINANCE
JANUARY 2017 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 January 31, 2017. Citywide Revenue of \$26.1 million is 7.9% of total annual budget. Sales Tax collections in the month of January are 13.1% above January in 2016, and 11.6% of the total annual budget. Building Material Use Tax collections in the month of January are 54.3% below January in 2016, and 3.4% of the total annual budget. Sales and Use Tax collections combined are

11.0% of total annual budget. Citywide total expenditures of \$19.2 million are 12.1% of the total annual budget.

Information Only

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.

Gene Duran, 550 N Lincoln Ave, expressed concern regarding the Broadband Initiative.

Howard Dotson, 348 N Jefferson, expressed concern regarding Senate Bill 166.

John Keil, 563 Kathryn Ct, expressed concern regarding the Broadband Initiative.

Larry Sarner, 1739 W 8th St, presented Council with a proposed amendment to the Loveland City Charter, he expressed his intent to submit a Letter of Intent to circulate a petition.

**5. REGULAR AGENDA
PROCEDURAL INFORMATION**

Anyone in the audience will be given time to speak to any action 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 DEVELOPMENT SERVICES

PULLIAM BUILDING LOCAL LOVELAND HISTORIC LANDMARK

Brett Limbaugh, Development Services Director, presented this item. The City of Loveland as owner of the Art Moderne historic Pulliam Community Building at 545 N Cleveland Avenue is requesting Loveland Historic Landmark designation to recognize the building's significance to Loveland's community character. The Historic Preservation Commission acknowledges the building's significance and recommends that City Council designate the building to the Loveland Historic Register. This item was adopted unanimously by City Council on first reading on February 21, 2017.

Council discussed historic designations and asked staff to prepare information regarding pros and cons.

Moved by Councilor Krenning, seconded by Councilor Clark

A Motion To Continue This Item To A Future Meeting At The Discretion Of The City Manager.

CARRIED UNANIMOUSLY.

5.2 FINANCE

2017-2027 BIG PICTURE CAPITAL PROGRAM

Brent Worthington, Finance Director; Theresa Wilson, Budget Manager; and Matthew Elliott, Senior Budget Analyst; presented this item to Council. During the January 28, 2017, City Council Retreat and the Police Regional Training Center agenda item at the February 21, 2017 City Council Meeting, City Council requested additional information on planned capital projects and associated capital project fund balances (especially the TABOR Excess Fund). Budget Office staff has prepared a preliminary draft of the Traditionally Funded Capital Program, which includes the approved 2017-2016 Capital Program list (including re-appropriations) along with the January 28, 2017 City Council Retreat (Unfunded Needs List) with Staff Prioritization (DRAFT). At the City Council Retreat, City Council also requested staff to prioritize the Unfunded Needs List using the criteria of previous City Council commitments, awarded grant funding, and projects inextricably intertwined with these factors. Staff will present information included as attachments to this cover sheet to City Council at the March 7, 2017, City Council meeting, answer questions, and request feedback and direction from City Council. Feedback and direction will be incorporated in the complete draft of the 2018-2027 Capital Program.

Information Only

5.3 FISCAL ADVISOR

FOUNDRY REDEVELOPMENT PROJECT FINANCING

Alan Krcmarik, Executive Fiscal Advisor, presented this item to Council. A recommendation to call for a Special Meeting on March 9, 2017 at 4:30 p.m. in the City Council Chambers, to consider conditions to substitution of garage as leased property in connection with the Foundry Redevelopment Project.

The request for a Special Meeting on March 9, 2017 at 4:30 p.m. was made by Mayor Gutierrez and three Council members: Fogle, Clark and Johnson.

**5.4 PUBLIC WORKS
CDOT NORTH I25 COMPANION PROJECTS FUNDING**

Leah Browder, Public Works Director, presented this item to Council. At the January 10, 2017 City Council Study Session, CDOT representatives provided an update on the North I25 Widening Project including possible local coordinating interchange projects at US34 and SH402. At the January 17, 2017 City Council Meeting, the Council adopted a Resolution affirming the City's support for the local coordinating projects being included in the base configuration of CDOT's North I25 design-build bid package. The inclusion of the two local interchange projects creates the potential for significant efficiencies and economies of scale. CDOT's financial framework makes these two local interchange projects, estimated at a total cost of \$54 million, possible with a local cash funding contribution totaling approximately \$14 million. CDOT has provided information to a variety of potential local funding partners. The City of Loveland, Town of Johnstown, Larimer County and Weld County have expressed an interest in contributing toward the realization of these local interchange projects. The City of Loveland's share of the required \$14 million would not exceed \$6 million contributed over three years and contingent upon other funding partners' contributions. In order to meet CDOT's timeline requirements, the City of Loveland must approve a Resolution of Commitment tonight for its share of the required funding. This expense is eligible for funding through the TABOR Excess Fund. If approved in concept tonight and assuming other potential funding partners also participate, City of Loveland staff would return to City Council with an IGA and recommended \$2 million 2017 supplemental budget appropriation funded through the TABOR Excess Fund. The remaining up to \$4 million funding of the City of Loveland's share would be included in Fiscal Year 2018 and 2019 Proposed Budgets subject to funding availability and City Council review and approval. Public Comment: none.

Moved by Councilor Clark, seconded by Councilor Shaffer

A Motion To Adopt Resolution #R-20-2017 Affirming the City of Loveland's Commitment to Participate in Funding Local Companion Projects at the US34 and SH402 Interchanges as Part of the Colorado Department of Transportation's (CDOT) North I25 Widening Project.

CARRIED UNANIMOUSLY.

**5.5 COMMUNITY PARTNERSHIP OFFICE
AFFORDABLE HOUSING FUND REVENUE STREAM INCREASE**

Alison Hade, Community Partnership Administrator, presented this item to Council. On February 7, 2017, City Council requested a Resolution to provide dedicated funding to the Affordable Housing Fund. Two Resolutions accompany the Cover Sheet, one designating a specific \$500,000 amount to be transferred from the General Fund to the Affordable Housing Fund and the other designating a percentage (1.25%) of sale tax revenue on an annual basis. Dedicated revenue from the General Fund to the Affordable Housing Fund would mean that funding would not be available for other purposes. Public Comment: Joe Chastain, Roger Clark, Ronda Rodriguez, Tracy Mead, Howard Dotson, Rachel Beckstrand, Tony Hale, Sam Betters, Cindy Warner, Jeff Feneis, Cassandra Sousa, Janey Leichfuss, John Keil, and Roger Weidelman expressed support for the Resolution.

Moved by Councilor Clark, seconded by Councilor Johnson

Option 1) A Motion To Adopt Resolution #R-21-2017 Approving The Annual Allocation Of General Fund Monies For Affordable Housing

Moved by Councilor Krenning, seconded by Councilor Fogle

A Motion to amend Resolution #R-21-2017 to include, the use of previous years actual sales tax collection of 1.25% to establish a budget amount for the existing years funding.

CARRIED UNANIMOUSLY.

Roll was called on the original motion.

CARRIED UNANIMOUSLY.

Moved by Councilor Clark, seconded by Councilor Johnson

A Motion to extend the meeting to 11:00 p.m.

CARRIED UNANIMOUSLY.

**5.6 HUMAN RESOURCES
DISCUSSION OF CITY ATTORNEY CANDIDATES WITH POSSIBLE
EXECUTIVE SESSION**

The purpose of the Executive Session is to review and consider applications for the position of City Attorney.

Moved by Councilor Shaffer, seconded by Councilor Clark

A Motion that the City Council recess into executive session for the purpose of reviewing applicants and considering applications and related materials for the position of City Attorney, pursuant to City of Loveland Charter section 4-4,

To determine a position relative to issues subject to negotiation, to receive reports on negotiation progress and status, to develop negotiation strategy, and to instruct negotiators as authorized by Charter Section 4-4(c)(1) and CRS § 24-6-402 (4)(e)

As required, to discuss matters of attorney-client privilege, to receive legal advice from an attorney representing the City, and for matters required by law to be kept confidential as authorized by CRS § 24-6-402 (4)(b) and Charter Section 4-4(c)(3)

To receive information and discuss Personnel matters to include review, evaluation, deliberation, and discussion as authorized by CRS § 24-6-402(4)(f)(l) and Charter Section 4-4(c)(5), regarding the review of applications for the City Attorney position; and as authorized by CRS § 24-6-402(4)(g) and Charter Section 4-4(c)(3)

To consider and discuss documents and materials related to these personnel matters that are not subject to public inspection under the Colorado Open Records Act

To consider additional matters for which an executive session is permitted under the State statutes concerning the meetings of local public bodies as authorized by Charter Section 4-4(c)(6).

CARRIED UNANIMOUSLY.

Council recessed into executive session at 10:10 p.m.

Council reconvened at 10:45 p.m.

Moved by Councilor Clark, seconded by Councilor Johnson

A Motion to direct staff to set up interviews with the selected candidates.

CARRIED UNANIMOUSLY.

6. REPORTS

6.1 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.

No Reports were given.

6.2 CITY MANAGER REPORT

No Report.

6.3 CITY ATTORNEY REPORT

No Report.

7. ADJOURN

Mayor Pro Tem Fogle adjourned the March 7, 2017 Regular Meeting of Council at 10:50 p.m.

Respectfully Submitted,




Beverly A. Walker, Acting City Clerk


John H. Fogle, Mayor Pro Tem