



**MINUTES**  
**LOVELAND CITY COUNCIL MEETING**  
**Tuesday, September 5, 2017 CITY COUNCIL CHAMBERS 6:00 PM**

**COUNCIL PRESENT:** Mayor Gutierrez  
Councilors:  
Fogle, Krenning, Ball, Shaffer, Overcash, Clark, Johnson, Olson.

**COUNCIL ABSENT:** None

**1. INTRODUCTION**

**1.1. CALL TO ORDER**

**1.2. PLEDGE OF ALLEGIANCE**

**1.3. ROLL CALL**

**1.4. PROCLAMATIONS**

**1.4.1. PROCLAMATION FIRST RESPONDERS RED BANDANA DAY**

Mayor Pro Tem Fogle presented Lisa Melby, Executive Director of Good Samaritan Loveland Village. She also presented Mark Miller, Fire Chief; Robert L. Ticer, Police Chief; and Randy Leshner, Thompson Valley EMS Chief with framed proclamations.

**1.4.2. PROCLAMATION DECLARING HUNGER ACTION MONTH**

Councilor Shaffer presented the proclamation to Brittney Stephenson, Board Member of Food Bank for Larimer County.

**1.4.3. PROCLAMATION DECLARING HIGH WATER READY DAY**

Councilor Clark presented the proclamation to Kevin Gingery, the City's Stormwater Engineer.

**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.*

**Mayor Gutierrez asked for and received consensus that the order of items 5.3 and 5.4 be switched.**

Items removed from Consent Agenda: Items 2.12 and 2.16 pulled by Larry Sarner, Loveland resident.

Item 2.5 pulled by Councilor Krenning and Items 2.9 and 2.11 pulled by Councilor Clark.

***A Motion to Suspend Council Rules and Procedures, moving the pulled Consent Agenda Items, with the exception of Item 2.9 to the end of the Regular Agenda.***

Moved by Councilor Fogle, seconded by Councilor Ball

CARRIED 7 - 2 No Votes: Shaffer and Krenning.

***A Motion to Approve the Consent Agenda Items 2.1 through 2.16 with the exception of Items 2.5, 2.9, 2.11, 2.12 , and 2.16.***

Moved by Councilor Shaffer, seconded by Councilor Fogle

CARRIED 8 - 1 No Vote: Shaffer.

**2.1. CITY CLERK  
APPROVAL OF MINUTES**

Approval of the City Council minutes for the August 1, 2017 Regular Meeting, the August 8, 2017 Study Session and Special Meeting, and the August 15, 2017 Regular Meeting.

***A Motion to Approve the City Council minutes for the August 1, 2017 Regular Meeting, the August 8, 2017 Study Session and Special Meeting, and the August 15, 2017 Regular Meeting.***

CARRIED.

**2.2. CITY CLERK  
APPOINTMENTS TO SENIOR ADVISORY BOARD**

This is an item appointing members to the Senior Advisory Board.

***1) A Motion To Reappoint Linda Aron To The Senior Advisory Board For A Term Effective Until December 31, 2019***

***2) A Motion To Appoint Patti Welfare As The UCHealth Aspen Club/Senior Services Representative On The Senior Advisory Board For A Term Effective Until September 5, 2019***

CARRIED.

**2.3. CITY CLERK**

**REAPPOINTMENTS TO THE DOWNTOWN DEVELOPMENT AUTHORITY BOARD**

The purpose of this item is to approve the reappointment of members to the Downtown Development Authority (DDA) Board. If the motion is approved, Clay Caldwell and Joe Goacher will be reappointed for four-year terms effective until June 30, 2021.

***1) A Motion To Reappoint Clay Caldwell To The Downtown Development Authority Board For A Term Effective Until June 30, 2021***

***2) A Motion To Reappoint Joe Goacher To The Downtown Development Authority Board For A Term Effective Until June 30, 2021***

CARRIED.

**2.4. DEVELOPMENT SERVICES**

**PARKSIDE VILLAGE ADDITION**

Development Services is presenting the following information to City Council:

- A legislative action to adopt an ordinance to annex 41.23 acres of property to be known as the Parkside Village Addition; and
- A quasi-judicial action to zone the 41.23 acres to P-105: Parkside Village Addition Planned Unit Development (PUD).

The property is located at the northeast corner of Boedecker Reservoir on the south side of W. First Street. The applicants are the current owners of the property (Eileen Husinkveld and Kirk A. Mortinson), represented by Kenneth Mitchell/Mosaic Real Estate, LLC. The proposal is to annex and incorporate the 41.23 acres into the City for development of 62 single-family detached homes and 14 attached two-family dwellings. Development is planned to be clustered on the eastern 24 acres of the site, leaving 17 acres as natural open space along the shoreline of Boedecker Reservoir with acquisition by The City's Open Lands Division.

Included with the annexation is a request to zone the property Planned Unit Development (PUD). Details of the PUD zoning are being presented through a Preliminary Development Plan (PDP) and a Preliminary Plat, which are included as attachments to the Planning Commission Staff report dated June 26, 2017 (Attachment 2). At the Planning Commission hearing, a significant amount of public testimony was provided, expressing concerns over the annexation/zoning. Primary concerns related to the impacts of development on the natural area and wildlife habitats, increased traffic along W. First Street, and a development that is too dense/out of context with the surrounding rural character. These concerns are further detailed in the attached Planning Commission Minutes (Attachment 3). After much deliberation and detailed questioning of the applicant and staff, the Planning Commission unanimously recommended approval of the Parkside Village Addition to City Council with a 8 to 0 Vote. City Council unanimously approved the ordinances on first reading and adopted the Resolution at the August 15, 2017 Regular City Council meeting with a 9 to 0 Vote.

***1) A Motion To Adopt, On Second Reading, Ordinance No. 6133 Approving The Annexation Of Certain Territory To The City Of Loveland, Colorado, To Be Known And Designated As "Parkside Village Addition" To The City Of Loveland***

CARRIED.

***2) A Motion To Adopt, On Second Reading, Ordinance No. 6134 Amending Section 18.04.060 Of The Loveland Municipal Code, The Same Relating To Zoning Regulations For "Parkside Village Addition" Of The City Of Loveland***

CARRIED.

**2.5. DEVELOPMENT SERVICES  
REHABILITATION LOAN PROGRAM**

**This item was pulled from the Consent Agenda, but due to time constraints was postponed to September 19, 2017.**

The Historic Landmark register is voluntary and property owners initiate the application process. Economic incentives like the zero percent loan program, grants and tax credits, as well as the prestige of the designation are some of the reasons property owners decide to apply. The purpose of the Rehabilitation Loan Program is to provide a zero-interest loan to aid property owners in rehabilitating their historic properties. Some of the loans were dispersed to organizations that seldom sell property; therefore, the program was not regularly replenishing its funds. This item was presented to the Historic Preservation Commission on July 17, 2017 where the Commission recommended the amended ordinance. This item was then presented to City Council at their Regular meeting held on August 15, 2017 where it was approved, on first reading, with a 9 to 0 Vote; however, there was a discussion about the program where Councilors had several concerns with the program. This item was discussed the the August 21, 2017 Historic Preservation Commission where Commissioners agreed to review the program more closely to determine if other amendments should be made. They believe that the five-year term is a good start to revitalize the program. Since the loan fund is so small, perhaps a larger fund would allow for more loans to be dispersed. A discussion also took place regarding how awareness of this program can be increased.

**2.6. ECONOMIC DEVELOPMENT  
JAMES FISHER TECHNOLOGIES, LLC BUSINESS ASSISTANCE REQUEST**

Staff has received the request from James Fisher Technologies, LLC's ownership for the reimbursement of Loveland Water and Power transformer/meter upgrade on their leased property at 5821 Langley. The proposed reimbursement amount is not to exceed \$20,000. The staff has met with the expanding firm who had been looking for a new building in both Loveland and Longmont, Colorado where JFT, LLC is currently located. They chose 5821 Langley, an 8,000 square-foot facility located at the Loveland Airport as their preferred site. This ordinance will utilize the Unassigned Fund Balance. This item was presented to City Council on August 15, 2017 where the ordinance was approved, on first reading, and the resolution was adopted with a unanimous Vote of 9 to 0. This item was approved on the Consent Agenda.

***A Motion To Adopt, On Second Reading, An Ordinance No. 6136 Enacting A Supplemental Budget And Appropriation To The 2017 City Of Loveland Budget For An Economic Incentive Agreement With James Fisher Technologies, LLC***

CARRIED.

**2.7. FINANCE**

**PUBLIC COMMENT**

**A SUPPLEMENTAL BUDGET AND APPROPRIATION TO CONTINUE THE UTILITY SHUTOFF/RECONNECT SERVICES AGREEMENT**

This item discusses continued outsourcing of the Delinquent Utility Shutoff/Reconnect program in the Revenue/Meter Reading Division. \$100,000 was originally included in the 2017 budget to begin this program; however, that funding fell short. This mid-2017 ordinance is needed to proceed through the end of the 2017 budget year.

***A Motion to Adopt, On First Reading, an Ordinance Enacting A Supplemental Budget And Appropriation to The 2017 City Of Loveland Budget For Continuation Of The Utility Shutoff/Reconnect Services Agreement With Utility Sales and Services, Inc.***

CARRIED.

**2.8. PARKS AND RECREATION**

**POSSESSION AND USE AGREEMENT WITH CDOT FOR FINAL CONSTRUCTION PACKAGE ON US HIGHWAY 34**

Work within City of Loveland right-of-way has been an ongoing collaboration with the Colorado Department of Transportation (CDOT) since the start of the US Highway 34 Construction project. The work includes permanent repairs and improvements to US Highway 34. This item was presented to the City Council on July 19, 2016 where Council approved a Possession and Use Agreement for certain parcels of City property needed by CDOT for its first construction package. This item was also presented to City Council at their July 18, 2017 Regular meeting where Council approved CDOT's temporary use of certain City parcels for its fifth construction package.

***A Motion To Adopt Resolution #R-74-2017 Approving Possession And Use Agreement Between The City Of Loveland, Colorado And The Colorado Department Of Transportation For Public Rights Of Way For The Final Construction Package For Permanent Repairs To U.S. Highway 34 And Authorizing The City Manager To Execute The Agreement***

CARRIED.

**2.9. FINANCE**

**SET PUBLIC HEARING FOR 2018 BUDGET ADOPTION**

This item was considered on the Regular Agenda, Item 5.1.

**2.10. PUBLIC WORKS**

**HUNTERS RUN WEST FILING 1 AND FILING 2 (VANGUARD FAMLECO 13TH AND 16TH SUBDIVISIONS) UNDERDRAIN SYSTEM AGREEMENT**

In a Subsurface Hydrologic Investigation Report dated October 2007, prepared by Ayres & Associates for the Hunters Run West residential development, recommendations were provided for the installation of an underdrain system to mitigate the potential negative impacts of shallow groundwater to the public street subgrade as well as private basement foundations. The underdrain system must be placed within the right-of-way to work effectively. The proposed agreement is necessary to ensure that the underdrain system is maintained adequately and in perpetuity by the Metro District set up for this development.

*A Motion To Adopt Resolution #R-76-2017 Approving An Agreement Between The City Of Loveland, Colorado And Cascade Ridge Metropolitan District Regarding The Construction, Maintenance And Repair Of An Underdrain System For The Hunters Run West Filing 1 And Filing 2 (Vanguard Famleco 13th And 16th Subdivisions)*

CARRIED.

**2.11. CITY MANAGER**

**AMENDMENT TO BOARDS AND COMMISSIONS HANDBOOK**

This item was pulled from the Consent Agenda, but due to time constraints was postponed to September 19, 2017.

The purpose of this resolution is to amend the City of Loveland Handbook For Boards and Commissions (Handbook). The proposed amendments to the Handbook address the process for selecting, appointing, and reappointing members to a Board or Commission. The amendment is located in the Loveland Municipal Code in Section 2.60.010, Appointments and Vacancies section, number 4. The Handbook was previously amended at the May 6, 2014 Regular City Council meeting on the Regular Agenda and was adopted with a 5 to 4 Vote.

**2.12. EXECUTIVE FISCAL ADVISOR**

**PRIVATE ACTIVITY BOND ASSIGNMENT TO THE LOVELAND HOUSING AUTHORITY**

This item was considered on the Regular Agenda, Item 5.8

**2.13. HUMAN RESOURCES**

**CALL FOR A SPECIAL MEETING ON SEPTEMBER 12, 2017 FOR THE CITY ATTORNEY QUARTERLY PERFORMANCE EVALUATION MEETING WITH POSSIBLE EXECUTIVE SESSION**

This action is for City Council to conduct the City Attorney's quarterly performance review meeting on September 12, 2017, which may include an executive session to discuss and consider personnel matters, matters of attorney-client privilege, legal advice, matters required by law to be kept confidential and matters subject to negotiation.

***A Motion Calling A Special Meeting On September 12, 2017 At 5:30 PM For The City Attorney's Quarterly Performance Evaluation Meeting With Possible Executive Session***

CARRIED.

**2.14. HUMAN RESOURCES  
PUBLIC COMMENT**

**A SUPPLEMENTAL BUDGET AND APPROPRIATION TO THE 2017 CITY OF LOVELAND BUDGET FOR A RISK RESERVE CONTRIBUTION TO THE PROPERTY LIABILITY BUDGET**

Supplement the Risk Management Property and Casualty budget for premium and claims payments in the amount of \$325,000.00 from the Risk Reserve Fund. In January a storm caused a large tree to fall on the Water Treatment Plant's electrical switch gear causing a temporary loss of electricity to the plant and required a full replacement of the switch gear. In order to expedite the recovery, Risk Management advanced the payment of \$325,000 to Water and Power out of the property casualty deductible budget. Once the claim closed, our carrier reimbursed Risk Management the \$325,000 and then invoiced for the \$200,000 deductible. This accounting process resulted in a total payment of \$525,00.00 from the property casualty deductible budget for this event. Due to internal policy, the reimbursement payment of \$325,000.00 from our carrier was credited to the Risk Reserve fund, which makes the reimbursement dollars inaccessible for other payments during this budget cycle.

***A Motion To Adopt, On First Reading, An Ordinance Enacting A Supplemental Budget And Appropriation To The 2017 City Of Loveland Budget For A Property Casualty Claim Reimbursement***

CARRIED.

**2.15. FISCAL ADVISOR  
JULY 2017 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 July monthly report, the estimated yield on fixed income securities held by US Bank was at 1.42%; for total assets, the yield was 1.33%. For July, accounting staff posted total earnings of \$140,069 to City fund accounts. U.S. short-term Treasury interest rates had moved sharply higher from the second week of November 2016 to a peak in March, but since then they have trended downward. In June after the Federal Open Market Committee raised the federal funds rate by 0.25%, interest rates on short term investments (3 years and shorter) moved higher while longer term rates moved lower. The estimated market value at the end of June is \$235.8 million. Proceeds from the lease for the downtown parking facility are included in the total. The portfolio increased in value by \$301,930 in July, decreasing the unrealized loss in the portfolio to \$964,301. The City's combined fund balances now exceed \$235 million and the investment program strives to earn competitive returns within state law and City investment policy guidelines.



*Information Only*

**2.16. FINANCE**

**JULY 2017 FINANCIAL REPORT**

This item was considered on the Regular Agenda, Item 5.9

**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.*

Larry Sarner, Loveland resident, expressed concern regarding safety of the 8th Street bridge and funds going to I-25 widening project.

*Leah Browder, Public Works Director and Dave Klockeman, Senior Civil Engineer, responded to the funding and the design for the bridge being finalized with replacement expected within 2018.*

Thomas Keranza, expressed concern regarding the need for legalizing homeless camping. Howard Dotson, Loveland resident, expressed concern regarding mental health issues.

**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 ITEM 2.9 REMOVED FROM CONSENT AGENDA**

**FINANCE**

**SET PUBLIC HEARING FOR 2018 BUDGET ADOPTION**

The purpose of this item is to set a date, time and place for a public hearing on the 2018 Recommended Budget as required by City Charter. Councilor's concerned about the numbers regarding the TABOR issue and where the funds went. Councilor Olson is working on metrics format and handed out a table to compare previous years and current. Brent Worthington, Finance Director, shared information regarding the upcoming Study Session in which the 2018 Budget and TABOR issue will be discussed. Discussion ensued regarding the summarizing of the budget data.

Public comment was not given.



Moved by Councilor Shaffer, seconded by Councilor Clark

***A Motion To Adopt Resolution #R-75-2017 Setting The Date And Time For A Public Hearing On The 2018 Proposed Budget And Capital Projects Program For The City Of Loveland***

CARRIED UNANIMOUSLY 9 - 0.

**5.2. CITY MANAGER**

**PUBLIC HEARING**

**EAGLE CROSSING METRO DISTRICT SERVICE PLAN AMENDMENT AND BRANDS WEST METRO DISTRICT SERVICE PLAN**

Rod Wensing, Assistant City Manager; Stewart Lowenstein, developer representative; William Ankele, White Bear Ankele Tanaka and Waldron; presented this item to Council. Mr. Ankele, stated to the extent that the development plan changes and residential rentals are changed to for sale residential property the district would be required to get permission from Council. Some Councilors expressed concern regarding the inclusion of workforce housing needs and public transportation. Deadlines for repaying debt not included in the plan. There is a 30 year term bonds for Special Districts.

1) The purpose of Resolution #R-79-2017 is to change the name of Eagle Crossing-Loveland Metropolitan District Nos. 1-4 to The Brands Metropolitan District Nos. 1-4 and Approve the Amended and Restated Service Plan for The Brands Metropolitan District Nos. 1-4, which increases the maximum debt authorization from \$10 million to \$100 million for public improvements.

2) The purpose of Resolution #R-80-2017 is to approve a new metropolitan district to be known as The Brands West Metropolitan District Nos. 1-4 and the related service plan with maximum debt authorization of \$100 million for public improvements.

Council discussion ensued regarding; if there was a risk to the City, lack of workforce housing, if the EMS facility would move, and benefits of generated sales tax to the City. Public Comment: Gary Lindquist, Loveland resident, expressed concern regarding the type of bond that is being requested and the City's obligation.

John Keil, Loveland resident, asked again if the owners in the district could be on the board and what are the qualification requirements.

Larry Sarner, expressed concern regarding sales tax and concern regarding the type of bond that is being requested and the City's obligation.

Bruce Coussant, Loveland resident, expressed concern over the private industry control over revenues.

Sam Betters, Loveland resident, expressed with concern regarding lack of affordable housing.

Response by representatives: The bonds are not supported by the City; the City has no obligation to the debt incurred; the housing was discussed in the previously approved business assistance agreement; no formal decision has been made regarding the EMS facility; owners may be on the board with the following qualifications: registered to vote, own taxable or real property, or resident of the district.

Moved by Councilor Shaffer, seconded by Councilor Krenning

**1) A Motion To Adopt Resolution #R-79-2017 Of The Loveland City Council Changing The Name Of Eagle Crossing-Loveland Metropolitan District Nos. 1-4 To The Brands Metropolitan District Nos. 1-4 And Approving An Amended And Restated Service Plan For The Brands Metropolitan District Nos. 1-4**

CARRIED 6 - 3. No Votes: Gutierrez, Shaffer, and Johnson

Moved by Councilor Shaffer, seconded by Councilor Krenning

**2) A Motion To Adopt Resolution #R-80-2017 Of The Loveland City Council Approving The Service Plan For The Brands West Metropolitan District Nos. 1-4**

CARRIED 6 - 3. No Votes: Gutierrez, Shaffer, and Johnson

Councilor Krenning left at 9:00 p.m.

#### 5.4. FINANCE

##### PUBLIC COMMENT

##### SUPPLEMENTAL APPROPRIATION FOR CONTRACTING FOR THE TABOR ELECTION PROJECT

Brent Worthington, Finance Director, presented this item to Council. At the January 28, 2017 Council planning session, Staff was directed to proceed with the idea of asking Loveland voters to approve a sales tax increase with the intention of using the new revenue to fund certain capital projects for the benefit of the City. This item was presented to City Council at their Regular meeting held on July 18, 2017. No vote was taken, and staff received direction from Council consensus.

Council discussion ensued regarding the need to figure out the budget and TABOR funds.

Public Comment: Larry Sarnar and Gary Lindquist, spoke in opposition to the project.

John Keil, questioned if the increase in the sales tax rate also increases the amount the DDA receives. Staff will research and respond.

Jacki Marsh, Loveland resident, spoke regarding eliminating the sales tax on food.

Moved by Councilor Shaffer, seconded by Councilor Johnson

**A Motion To Approve, On First Reading, An Ordinance Enacting A Supplemental Budget And Appropriation To The 2017 City Of Loveland Budget For Contracting For The TABOR Election Project**

CARRIED 5 - 3, No Votes: Overcash, Clark and Olson.

Councilor Olson left at 9:30 p.m.

#### 5.5. ECONOMIC DEVELOPMENT

**PUBLIC COMMENT**

**DEPARTMENT OF LOCAL AFFAIRS (DOLA) GRANT FOR THE PULLIAM  
COMMUNITY BUILDING RENOVATION PROJECT**

Mike Scholl, Economic Development Manager, presented this item to Council. The Ordinance appropriates the funds for the Department Of Local Affairs (DOLA) grant for use in Phase I of the Pulliam Renovation Project. Phase I will address the critical interior building needs that will allow the auditorium space to be used efficiently and safely with the inclusion of the fire detection system and suppression system. The first phase is estimated to be completed in the first quarter of 2018. The City will be able to use the \$326,010 grant from DOLA in support of the renovation of the Pulliam Building. The City is matching the grant from the \$1,500,000 appropriation and the \$500,000 from the Pulliam Community Building Foundation. This item was presented at a City Council Study Session held on October 11, 2016 where Council directed Staff to move forward with a partnership agreement with the Pulliam Community Building Foundation. This item was also presented at a Regular City Council meeting held on November 15, 2016 where a resolution was approved with an 8 to 1 Vote authorizing staff to submit the grant application to DOLA. This item was presented at a regular City Council meeting held on July 18, 2017 where it was postponed after City Council's in-depth discussion. Council requested that Economic Development bring the item back on first reading with additional information regarding the funding.

Public Comment: Larry Sarner, spoke regarding the Pulliam renovation in the DDA's Plan of Development.

Staff stated that the renovation had been taken out of the revised plan.

Moved by Councilor Shaffer, seconded by Councilor Johnson

***A Motion To Adopt, On First Reading, An Ordinance Enacting A Supplemental Budget And Appropriation To The 2017 City Of Loveland Budget For The Pulliam Community Building Renovation Project***

CARRIED 6 - 1. No Vote: Clark.

**5.6. DEVELOPMENT SERVICES**

**PULLIAM BUILDING LOVELAND HISTORIC LANDMARK DESIGNATION**

Nikki Garshelis, Development Services Manager, presented this item to Council. 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 designation would allow the building to be eligible for grants and other financial incentives. 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. On March 7, 2017, the item returned to City Council for consideration and was removed from the Consent Agenda by Councilor Krenning who expressed his concerns over the designation. The Historic Preservation Commission has since taken action to allay Councilor Krenning's concerns and are returning this item for consideration by Council.

Last, this item was presented to the Historic Preservation Commission that was held on July 17, 2017 where the Commissioners, through a formal motion, unanimously approved the Pulliam renovation plans.

Public Comment was not given.

Moved by Councilor Shaffer, seconded by Councilor Fogle

***A Motion To Adopt, On Second Reading, Ordinance No. 6137 Designating As An Historic Landmark The Pulliam Community Building Located At 545 North Cleveland Avenue In Loveland, Colorado***

CARRIED UNANIMOUSLY 7 - 0.

### 5.3. FINANCE

#### PUBLIC COMMENT

#### BUDGET DE-APPROPRIATION TO THE 2017 CITY OF LOVELAND BUDGET

Matthew Elliott, Senior Budget Analyst, presented this item to Council. This projects de-appropriations measure is two-fold:

1) It seeks to de-appropriate project funding that was re-appropriated in 2017, but ultimately accrued back to 2016.

2) It also seeks to de-appropriate project funding related to 2017 projects that have not started or been completed in order to provide additional funding for higher priority 2018 projects.

Ordinance No. 6088, which re-appropriated budget for projects appropriated but not completed in 2016, passed on second reading on February 7, 2017. Project re-appropriations occurred earlier in the year than ever before to improve customer service to departments and promote smooth project continuation from 2016 year-end to the beginning of 2017. Due to the earliness of the project re-appropriation effort, staff knew there would be a risk in re-appropriating some items that would ultimately be accrued back to 2016. This measure is proposed to de-appropriate those items that were ultimately accrued back to 2016 from the 2017 budget.

In addition to this, Budget Office Staff worked closely with departments to identify existing 2017 projects that could be de-appropriated to provide additional funding for higher priority 2018 projects. This funding will be returned to the fund balance of origin and made available for appropriation in 2018. The total Citywide gross de-appropriation is (\$10,016,674).

Recommended project de-appropriations are fully detailed in the Net De-appropriations Detail and Gross De-appropriations Detail attachments. The Gross Detail attachment includes detail regarding interfund transfers. The Net Detail attachment does not. The 2018 Recommended Budget is built on these project de-appropriations, in order to fund additional high priority capital projects in 2018.

Public Comment was not given.

Moved by Councilor Shaffer, seconded by Councilor Fogle

***A Motion To Adopt, On First Reading, An Ordinance Enacting A Supplemental Budget And De-Appropriation To The 2017 City Of Loveland Budget For Project Re-Appropriations That Were Ultimately Accrued Back To 2016 And Paid Out Of 2016 Appropriations***

CARRIED UNANIMOUSLY 7 - 0.

**5.7. PUBLIC WORKS**

**OVERVIEW OF CITY-PROVIDED DOWNTOWN SERVICES AND PROPOSED 2018 BUDGET REQUEST**

Leah Browder, Public Works Director, presented this item to Council. The purpose of this information item is to make tangible progress on downtown improvements and integration of aesthetics pending completion of HIP Streets implementation plans, increased redevelopment activity, and identification of future funding. Currently included in the Proposed 2018 operating budget is a request for \$152,000 to purchase new downtown benches, litter cans with cigarette ash management features, bike racks, plantings, and additional public art. This information was presented to the Loveland Downtown Partnership Board on May 8, 2017 where both Boards were supportive of the asset focus areas and approach as an interim step toward larger-scale improvements.

*Information Only*

**CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA**

Councilor Fogle recused himself prior to item 5.8

**5.8. EXECUTIVE FISCAL ADVISOR**

**PRIVATE ACTIVITY BOND ASSIGNMENT TO THE LOVELAND HOUSING AUTHORITY**

Alan Krcmarik, Executive Fiscal Advisor, presented this item to Council. This Resolution will authorize the assignment of all of the City's 2017 private activity bond allocation in the amount of \$3,723,050 to the Housing Authority of the City of Loveland ("HACOL" or the "Authority") for the purpose of issuing bonds or a revenue note for a 4% low income housing tax credit project. The private activity bond assignment is not a cash contribution. It allows the funding for an eligible project to come from the issuance of bonds, a loan, or a note. The project will be affordable housing and will meet the federal and state requirements for the use of Private Activity Bond financing and federal tax credits. The City of Loveland will not have any financial responsibility for the repayment of the bonds or note issued for the project. The project will be responsible to make the bond or note payments.

Public Comment: Larry Sarner, questioned where the bonds come from and if they are Municipal Bonds and are they a multi-year obligation?

Moved by Councilor Shaffer, seconded by Councilor Johnson

***A Motion To Adopt Resolution #R-77-2017 Authorizing The Assignment Of The City's Private Activity Bond Allocation For 2017 To The Housing Authority Of The***

***City Of Loveland, Colorado; Providing Other Details In Connection Therewith;  
And Providing An Effective Date***

CARRIED UNANIMOUSLY 6 - 0.

**5.9. FINANCE  
JULY 2017 FINANCIAL 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 July 31, 2017. Citywide Revenue of \$198.5 million is 55.2% of total annual budget. Sales Tax collections July YTD are 6.4% above June 2016 YTD, and 60.7% of the total annual budget. Building Material Use Tax collections for June are 8.0% below July 2016 YTD, and 55.2% of the total annual budget. Sales and Use Tax collections combined are 60.1% of total annual budget. Citywide total expenditures of \$172.4 million are 57.2% of the total annual budget.

Public Comment: Larry Sarner, questioned the amount reported from Centerra, asked for information on the Retail Sales Fees collected at Centerra and how much goes back to Centerra.

*Information Only*

**6. REPORTS**

Reports were not given due to time constraints.

**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.*

**6.2. CITY MANAGER REPORT**

**6.3. CITY ATTORNEY REPORT**

**7. ADJOURN**

**Mayor Gutierrez adjourned the September 5, 2017 Regular Council meeting at 10:28 p.m.**



Respectfully Submitted,

  
Beverly A. Walker, Acting City  
Clerk

  
Cecil A. Gutierrez, Mayor