



MINUTES
LOVELAND CITY COUNCIL MEETING
Tuesday, June 5, 2018 CITY COUNCIL CHAMBERS 6:00 PM

COUNCIL PRESENT: Mayor Marsh
Councilors:
Overcash, Fogle, Ball, Clark, Johnson, Olson, Jersvig, and Wright.

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
PROCLAMATION DECLARING PARKS AND RECREATION MONTH AS JULY 2018

Councilor Ball presented the proclamation to Elizabeth Kayl, Parks and Recreation Director.

1.4.2 PROCLAMATION
PROCLAMATION DECLARING JUNE 14, 2018 AS FLAG DAY

Councilor Johnson presented the proclamation to members of Lodge 51 of the Elks Club. Don Smith, Officer of the Elks Club, extended an invitation to attend the Flag Day ceremony on June 14, 2018.

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 end 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.

**2.1 CITY CLERK
APPROVAL OF MINUTES**

Approval of the City Council minutes for the May 8, 2018 Special Meeting and Study Session and the May 15, 2018 Regular Meeting.

A Motion to Approve the City Council minutes for the May 8, 2018 Special Meeting and Study Session and the May 15, 2018 Regular Meeting

CARRIED.

**2.2 CITY CLERK
MEMBER APPOINTMENTS TO THE YOUTH ADVISORY COMMISSION**

This is an item appointing members to the Youth Advisory Commission.

1) A Motion To Appoint Eloise Nelson To The Youth Advisory Commission With A Term Effective Until May 31, 2019

2) A Motion To Appoint Shannon Tyler To The Youth Advisory Commission With A Term Effective Until May 31, 2019

3) A Motion To Appoint Autumn Zhou To The Youth Advisory Commission as an Alternate With A Term Effective Until May 31, 2019

4) A Motion To Appoint Colby Finnigsmier To The Youth Advisory Commission as an Alternate With A Term Effective Until May 31, 2019

5) A Motion To Appoint Leah Carter To The Youth Advisory Commission as an Alternate With A Term Effective Until May 31, 2019

6) A Motion To Appoint Paris Huckaby To The Youth Advisory Commission as an Alternate With A Term Effective Until May 31, 2019

7) A Motion To Reappoint Jackson Bakovich To The Youth Advisory Commission With A Term Effective Until May 31, 2019

8) A Motion To Reappoint Maya Bontrager To The Youth Advisory Commission With A Term Effective Until May 31, 2019

9) A Motion To Reappoint Ian Hansen To The Youth Advisory Commission With A Term Effective Until May 31, 2019

10) A Motion To Reappoint Connor Lindren To The Youth Advisory Commission With A Term Effective Until May 31, 2019

11) A Motion To Reappoint Avery Pflieger To The Youth Advisory Commission With A Term Effective Until May 31, 2019

12) A Motion To Reappoint Katie Runions To The Youth Advisory Commission With A Term Effective Until May 31, 2019

13) A Motion To Reappoint Rachel Samuels To The Youth Advisory Commission With A Term Effective Until May 31, 2019

14) A Motion To Reappoint Alisa Sautter To The Youth Advisory Commission With A Term Effective Until May 31, 2019

15) A Motion To Reappoint Annalina Scalise To The Youth Advisory Commission With A Term Effective Until May 31, 2019

16) A Motion To Reappoint Lincoln Solt To The Youth Advisory Commission With A Term Effective Until May 31, 2019

CARRIED.

2.3 CITY CLERK

APPOINTMENTS TO THE DOWNTOWN DEVELOPMENT AUTHORITY (DDA) BOARD

This item is a recommendation to City Council to appoint two Directors to fill the current vacancies on the Downtown Development Authority (DDA) Board. The DDA has a five to eleven member Board of Directors which includes voting positions for a City Council member. If the motion is approved, Kim Bernhardt and Cheri Waneka will be appointed to terms effective until June 30, 2022. Both candidates meet the qualifications for appointment as defined in C.R.S. Section 31-25-806.

1) A Motion To Appoint Kim Bernhardt To The DDA Board For A Term Effective Until June 30, 2022

2) A Motion To Appoint Cheri Waneka To The DDA Board For A Term Effective Until June 30, 2022

CARRIED.

2.4 CITY CLERK

CALL FOR A SPECIAL MEETING TO BE HELD ON JUNE 12, 2018, AT 6:00 PM FOR THE CITY ATTORNEY'S QUARTERLY PERFORMANCE REVIEW WITH A POSSIBLE EXECUTIVE SESSION

This item provides a motion calling for a Special Meeting on June 12, 2018. If approved, the City Clerk shall call for a Special Meeting on February 27, 2018 at 6:00 PM for items to be noticed at least twenty-four hours in advance. The item currently anticipated is the City Attorney's Review.

A Motion To Direct The City Clerk To Call For A Special Meeting To Be Held On June 12, 2018 At 6:00 PM For The Purpose of Conducting the City Attorney's Review

CARRIED.

2.5 CITY CLERK

HISTORIC PRESERVATION COMMISSION MEETING LOCATION CHANGE

The Historic Preservation Commission, at the March 19, 2018 meeting, with unanimous consensus approved the location change for their meetings. The Development Center at 410 E 5th Street, works well because of the additional conference room they are able to use for subcommittee meetings they are holding prior to the Commission meeting. As well as the convenience of accessing the Historic Preservation program documents, such as, historic newspapers and the preservation library which are stored at the Development Center. The HPC will continue to meet on the 3rd Monday of the month at 6:00 p.m. This item was presented to the Historic Preservation Commission (HPC) at their March 19, 2018 meeting where the HPC approved the location change with unanimous consent.

A Motion To Adopt Resolution #R-58-2018 Changing The Meeting Location For the Historic Preservation Commission

CARRIED.

2.6 DEVELOPMENT SERVICES

PUBLIC COMMENT

NORTH TAFT THIRD SUBDIVISION ZONING

This is consideration of the annexation and zoning concerning the proposed North Taft Third Addition in northwest Loveland. This request is to annex and zone a 5.22-acre parcel at the southeast corner of N. Taft Ave. and W. 43rd St. This parcel is considered a county enclave, and as such it is subject to different hearing and notice standards than conventional annexations as detailed in the attached ordinance. The parcel currently is zoned Larimer County FA-Farming, and the requested City of Loveland zoning is R2-

Developing Two-Family Residential. A detailed description of the proposal can be found in Attachment 5, the North Taft Third Addition Planning Commission Staff Report. This item was presented to City Council on May 15, 2018 where the ordinances were adopted unanimously, on first reading, with a vote of 9 to 0.

1) A Motion to Adopt, On Second Reading, Ordinance No. 6204 Approving the Annexation of Certain Territory to the City of Loveland, Colorado, to be Known and Designated as "North Taft Third Addition" to the City of Loveland

CARRIED.

2) A Motion To Adopt, On Second Reading, Ordinance No. 6205 Amending Section 18.04.060 of the Loveland Municipal Code, the Same Relating to Zoning Regulations for "North Taft Third Addition" to the City of Loveland

CARRIED.

2.7 DEVELOPMENT SERVICES

PUBLIC COMMENT

AMENDMENT TO THE WINDSONG TENTH DEVELOPMENT AGREEMENT

The vacant lot, referred to as 0 Knobcone Drive, 680 Sunday Drive, (attachment 1) was originally intended to be sited for a church, business or multi-family property and is approximately 2.1 acres. Since then, the applicant has purchased this corner property in hopes to build a single-family residence (attachment 2), similar to that found in the Windsong 10th Subdivision (attachment 4). Based on the homeowner's architectural proposal (attachment 5) for their house, an amendment to the Development Agreement is needed to accommodate their roof pitch from the required 5/12 – 6/12 to 3/12. (attachment 3). The applicant has also filed for a variance from their Home Owners Association (HOA) and received a letter of approval (attachment 6), pending the City amending the development agreement per the regulatory procedures outlined within the Development Agreement. This item was presented to City Council on May 15, 2018 where the ordinance was adopted on the consent agenda, unanimously, with a 8 to 0 Vote.

A Motion To Adopt, On Second Reading, Ordinance No. 6206 of The City Council of the City of Loveland, Colorado Approving A Second Amendment To A Development Agreement For Certain Property Located Within The Windsong Tenth Addition, City of Loveland, County of Larimer, Colorado

CARRIED.

2.8 DEVELOPMENT SERVICES

PUBLIC HEARING

GENERAL IMPROVEMENT DISTRICT #1 PROPERTY INCLUSIONS

This item was pulled from the agenda by Steve Adams, City Manager.

**2.9 DEVELOPMENT SERVICES
PUBLIC HEARING
SOUTH VILLAGE VESTED PROPERTY RIGHTS**

This is consideration of a first reading of an ordinance to extend the vested property rights that were established in the South Village 2003 Annexation Agreement, and referenced in the General Development Plan, from fifteen years to eighteen years. The 90-acre subject property is located southeast of the intersection of S. Lincoln Avenue (Highway 287) and 14th Street SE (Highway 402); a vicinity map is included as Attachment 1. It was annexed in 2003 and obtained approval for the South Village General Development Plan (GDP) thereafter. The South Village GDP (Attachment 3) allows for medium density residential land uses along with certain neighborhood commercial land uses. Development of the property had been delayed for a number of reasons (Attachment 2). Then, in 2017, the applicant submitted to the City a conceptual review application to begin development of the property according to the requirements of the GDP. Floodplain issues are a paramount concern for the applicant in the development of the property, as the Big Thompson floodway is just to the north of the subject property and majority of the subject property is within floodplain. The Federal Emergency Management Agency (FEMA) is currently in the process of revising the floodplain maps in this area. Until that process is completed, certain stormwater matters necessary to the development of the property cannot be finalized. While it is anticipated that the FEMA floodplain map revisions will be completed this year, it will not occur in time for the preparation of a formal development application prior to the expiration of the existing vested rights term. Thus, the applicant is seeking an extension of the vested rights to allow for the submittal of formal development applications after the floodplain matter is resolved.

A Motion to Adopt, on First Reading, An Ordinance Approving A Second Amendment To The Annexation And Development Agreement For The Property Known As South Village First Addition To Extend Certain Vested Property Rights Pursuant To Section 24-68-103 Colorado Revised Statutes, As Amended And Loveland Municipal Code Chapter 18.72 And Amendment To The Corresponding GDP

CARRIED.

**2.10 WATER & POWER
PUBLIC HEARING
SUPPLEMENTAL APPROPRIATION FOR THE POWER UTILITY FOR THREE CAPITAL PROJECTS RELATED TO BOYD PARALLEL INTERCEPTOR, WILSON AVENUE FLOOD MITIGATION AND NORTH LAKE PARK DOUBLE SWITCH TO COORDINATE TIMING WITH OTHER CITY PROJECTS**

The City of Loveland Power Division is seeking a supplemental budget appropriation totaling \$2,379,000. Funds will be allocated to three unplanned system projects to help take advantage of economies of scale by completing these projects at the same time other departments are constructing in the area. Completing these projects will improve overall electric system reliability. If approved, \$2.379 million would be appropriated from the City's Power Unrestricted Fund. The Loveland Utilities Commission met on May 16, 2018 and voted unanimously to recommend that City Council approve the Power Division request for a special appropriation of \$2,379,000 from the power reserves for the use on Boyd Parallel, Wilson Avenue and North Lake Park projects, helping the Power Division to maintain a reliable electrical system and take advantage of major construction work conducted by other departments.

A Motion To Adopt, On First Reading, An Ordinance Enacting A Supplemental Budget And Appropriation To The 2018 City Of Loveland Budget For The Power Utility For Three Capital Projects Related To Boyd Parallel Interceptor, Wilson Ave. Flood Mitigation And North Lake Park Double Switch To Coordinate Timing With Other City Projects

CARRIED.

2.11 COMMUNITY PARTNERSHIP OFFICE

PUBLIC HEARING

COMMUNITY DEVELOPMENT BLOCK GRANT FUND APPROPRIATION

The City of Loveland receives an annual entitlement grant from the U.S. Department of Housing and Urban Development (HUD). For the 2018-2019 grant year, that amount is \$369,693.

A Motion To Adopt, On First Reading, An Ordinance Enacting A Supplemental Budget And Appropriation To The 2018 City Of Loveland Budget For 2018-2019 Community Development Block Grant (CDBG) Appropriation

CARRIED.

2.12 COMMUNITY PARTNERSHIP OFFICE

AFFORDABLE HOUSING CODE CHANGES

The proposed Affordable Housing Code changes allow: 1) the Community Partnership Office to enter into professional services contracts; and 2) updates all sections of 16.43 that refer to reimbursing utility fees only out of the general fund. The Affordable Housing Commission met on May 10, 2018 where they voted to add allow access to the Community Housing Development Fund to reimburse utility fees as applicable throughout 16.43.

A Motion To Adopt, On First Reading, An Ordinance Amending The Loveland Municipal Code At Chapter 16.38, And Sections 16.43.020 And 16.43.060, Regarding The Community Housing Fund

CARRIED.

2.13 LOVELAND POLICE DEPARTMENT

PUBLIC HEARING

**APPROPRIATION OF GRANT MONEY FROM COLORADO STATE PATROL FOR
AUTOMATED LICENSE PLATE RECOGNITION**

The purpose of this item is to request Council's approval for the Police Department to accept the Colorado State Patrol's (CSP) Award of \$26,996 to purchase an Elsag Automatic License Plate Recognition System (ALPR) system. The Loveland Police Department will receive reimbursement from the Colorado State Patrol for the cost associated with the purchase of the Elsag ALPR system.

A Motion To Adopt, On First Reading, An Ordinance Enacting A Supplemental Budget and Appropriation to the 2018 City Of Loveland Budget For An Automated License Plate Recognition (ALPR) System.

CARRIED.

2.14 COMMUNITY PARTNERSHIP OFFICE

2018 GRANT FUNDING RECOMMENDATIONS

The Human Services and Affordable Housing Commissions considered 52 grant requests totaling \$1,620,825 and recommended funding 30 with allocations of \$555,454 for human services and \$240,301 for affordable housing and public facilities projects. An additional \$185,447 in 2017-2018 Community Development Block Grant funding will be reallocated as well.

Attachment 1 describes a loss of CDBG funding presented by HUD on May 29, 2018. Attachment 2 describes how the commissions made funding decisions.

A Motion To Adopt Resolution #R-51-2018 Approving The 2018 Grant Funding Recommendations Of The Loveland Human Services Commission And The Loveland Affordable Housing Commission

CARRIED.

2.15 DEVELOPMENT SERVICES

WEST EISENHOWER REINVESTMENT ZONE EXTENSION

The West Eisenhower Reinvestment Zone (WERZ) seeks to stimulate development by waiving building permit, utility and capital-related fees, as well as providing Use Tax Credits at the time of permitting. This two-year program extension would continue to provide economic assistance for redevelopment of properties along West Eisenhower Boulevard generally between Wilson and Taft Avenue. To date, there have been 34 vouchers processed totaling just over \$48,456. This item was presented to City Council at their Study

Session held on March 20, 2018 where Council decided they would like to see this extended for an additional two years.

A Motion To Adopt Resolution #R-52-2018 Extending The West Eisenhower Reinvestment Zone Along West Eisenhower Boulevard In The City Of Loveland And Waiving Building Permit Fees And Capital-Related Fees And Granting Use Tax Credits For Development For A Period Of Two Years

CARRIED.

2.16 PUBLIC WORKS

AWARD OF CONSTRUCTION CONTRACT FOR WILSON AVENUE FLOOD MITIGATION PROJECT

The purpose of this item is to award the construction contract to Walsh Construction, Inc. in the amount of \$3,187,014.30 to construct the Wilson Avenue Flood Mitigation Project, which consists of raising Wilson Avenue out of the Big Thompson River 100-year floodplain and constructing transportation, drainage, and pedestrian trail related improvements between 1st Street and the Big Barnes Ditch on Wilson Avenue. The City was awarded a \$3,372,221 Community Development Block Grant - Disaster Recovery (CDBG-DR) grant by the State of Colorado Department of Homeland Security and Emergency Management (DHSEM) for construction of the project. There will be no impact on the unassigned fund balance due to the requested funds already being appropriated within the 2018 budget. This item was presented to City Council at their Regular Meeting held on May 15, 2018 where it passed unanimously, with a 9 to 0 Vote.

A Motion to Adopt Resolution #R-53-2018 Authorizing a Notice of Award for the Wilson Avenue Flood Recovery Project, Project No. EN1708, to Walsh Construction, Inc. Of Loveland Colorado and Authorizing the City Manager to Execute the Contract

CARRIED.

2.17 PARKS AND RECREATION

AWARD OF THE LOVELAND SPORTS PARK PHASE II CONSTRUCTION PROJECT TO ECI SITE CONSTRUCTION MANAGEMENT, INC.

This item is awarding a construction contract for Loveland Sports Park Phase II Construction to ECI Site Construction Management, Inc. for the amount of \$3,173,881.75. This price includes an approved bid alternate for a future water line connection to the north of the property. The project includes 6 multi-purpose fields, a new restroom, a new shelter, new parking lot and lighting, expanded parking in existing lots, expansion of the maintenance facility, trails, landscaping and irrigation. There will not be any impact on unassigned Parks CEF Fund Balance due to the funds being requested are already appropriated within the 2018 Budget.

A Motion To Adopt Resolution #R-54-2018 Authorizing A Notice Of Award For The Loveland Sports Park Phase II Construction Project (PKLSP2) To ECI Site

Construction Management, Inc. Of Loveland, Colorado, And Authorizing The City Manager To Execute The Contract

CARRIED.

2.18 PARKS AND RECREATION

ACCEPTANCE OF TRANSFER OF LAND FROM LARIMER COUNTY TO THE CITY OF LOVELAND FOR FUTURE TRAIL CONNECTIONS

The 2014 Parks and Recreation Master Plan has identified the need for trail connections near and along the Big Thompson River. The Old St. Louis Natural Area is a 35-acre natural area that has been developed with a parking lot and soft surface trail. Access to this area by pedestrians is very difficult due to the narrow width of St. Louis Avenue. These parcels proposed to be transferred to the City by Larimer County would allow for a safe trail connection to Madison Avenue.

A Motion to Adopt Resolution #R-55-2018 Approving An Intergovernmental Agreement Between The City Of Loveland And Larimer County For The Transfer Of Two Parcels Of Land From Larimer County To The City For Future Trail Connections

CARRIED.

2.19 COMMUNITY PARTNERSHIP OFFICE

LOVELAND HOUSING AUTHORITY FEE WAIVER REQUEST

Loveland Housing Authority (LHA) is requesting a waiver of development fees totaling \$257,416 for the construction of the Green House Homes project, which is 10 skilled nursing rooms in each of three buildings. This request includes \$152,432 in fees that require backfilling and \$104,984 in fees that do not. The Community Housing Development Fund has \$912,519. After this request, the balance will be \$326,666. This item was presented to City Council on February 7, 2017, where Council designated the Loveland Housing Authority as a preferred partner. This item was also presented to City Council on June 6, 2017, where Council approved the Mirasol Third Subdivision as a Qualified Affordable Housing Development. This item was presented to the Affordable Housing Commission on May 10, 2018, where the Commission unanimously approved a waiver of fees for the LHA Green House Homes.

A Motion To Adopt Resolution #R-57-2018 Granting Loveland Housing Authority's Fee Waiver Request For the Green House Homes at Mirasol

CARRIED.

2.20 HUMAN RESOURCES

RENEWAL OF THE CITY OF LOVELAND'S WORKERS' COMPENSATION INSURANCE

The purpose of this item is to provide Workers' Compensation insurance coverage for the City of Loveland full and part time employees and volunteers. Approval of this item will result

in the City being compliant with Colorado statutes and to provide insurance coverage in the event of an employee(s) injury while on the job. There is no budgetary impact for this request as the funding has already been appropriated within the 2018 Budget.

A Motion to Adopt Resolution #R-59-2018 Approving Renewal Of A Contract With Pinnacol Assurance For Workers' Compensation Coverage.

CARRIED.

2.21 FISCAL ADVISOR

APRIL 2018 INVESTMENT REPORT

The budget projection for investment earnings for 2018 is \$2,527,729. On the portfolio's 2018 beginning balance, this equates to an annual interest rate of 1.13%. Based on the April 2018 monthly report, the estimated yield on fixed income securities (market value) held by US Bank was at 1.74%; for total assets, the yield was 1.66%. For the month, accounting staff posted net total earnings of \$481,647 to various City fund accounts. The year to April month end total is \$1,003,801. U.S. short-term Treasury interest rates had moved sharply higher from the second week of November 2016, to a peak in March 2017, and then trended downward. In June 2017, 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. For the last seven and a half months, rates all along the interest rate curve have moved generally upwards. The Federal Reserve Board increased the Federal Funds rate again on March 21, 2018. Additional rate increases are expected in June, September, and perhaps in December 2018. Three more rate increases are forecast for 2019. The combination of these rate increases would put the Federal funds rate at 3.25%.

Information Only

2.22 FINANCE

APRIL 2018 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 April 30, 2018. Citywide Revenue of \$100.3 million is 26.6% of total annual budget. Sales Tax collections April YTD are 2.3% above April 2017 YTD, and 33.3% of the total annual budget. Building Material Use Tax collections for April are 32.1% below April 2017 YTD, and 17.9% of the total annual budget. Sales and Use Tax collections combined are 32.0% of total annual budget. Citywide total expenditures of \$97.2 million are 33.5% of the total annual budget.

Information Only

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

4. MOTION TO ADOPT THE CONSENT AGENDA

A Motion To Adopt The Consent Agenda, Items 2.1 to 2.22, with the exception of Item 2.8 pulled by Steve Adams, City Manager.

CARRIED UNANIMOUSLY, 9 – 0.

5. PUBLIC COMMENT

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

Jamie Powell (Loveland Chorale Society Board of Directors), Ariel Kukafka (Loveland Chorale Society performer), Tim Black (Loveland resident) and Bob Lucero (Loveland resident) all spoke in opposition to the Rialto being rented to Rez Church for Sunday morning services.

Timothy Thompson expressed concern regarding a crime he felt had been covered up in the City of Loveland.

Mayor Marsh requested a Rule of 4 to discuss policy for renting public assets on an upcoming agenda; there was no support for the request.

**6. REGULAR AGENDA
PROCEDURAL INFORMATION**

Council will give anyone in the audience time to speak to any PUBLIC COMMENT or PUBLIC HEARING item on the Regular Agenda before acting upon it. The Mayor will call for public comment following any staff report. Council conducts public hearings according to its Rules of Procedure and legal requirements. Loveland's Charter only requires that a majority of the quorum present vote in favor to adopt an ordinance first reading. However, adopting an ordinance on second or final reading requires that at least five of the nine Council members vote in favor.

**6.1 PARKS AND RECREATION
PUBLIC HEARING
SUPPLEMENTAL APPROPRIATION FOR THE ACQUISITION OF LAND FOR FUTURE
COMMUNITY PARK DEVELOPMENT**

Dan Willadsen, Parks Manager in the Parks and Recreation Department, presented this item to Council. On July 15, 2014, City Council adopted the Parks and Recreation Master Plan, which identified the need for community park development to keep pace with projected community growth. The Parks and Recreation Master Plan guideline for community park acres is 4.5 acres/1000 residents. In 2019, with an estimated population of 79,388, and including the additional 20 acres of Loveland Sports Parks Phase II, our measure will be 4.14

acres/1000 residents. With projected residential growth, we will not be able to meet and maintain this service level without the acquisition of additional parkland. Capital Expansion Fees are collected for park development to meet community growth. The funding ordinance would appropriate \$2,200,000 from the Parks CEF Fund for the acquisition of land suitable for community park development in the northwest portion of the City and within the Growth Management Area. Council questioned how the service level standards were determined and the \$35,000 per acre cost for the property. They also expressed concern regarding the availability of an adequate water supply to maintain current and new parks. Staff noted that the service level standards were derived from the 2014 Parks Master Plan and water shares will need to be changed to acquire water for the park. Brian Hayes, Parks and Recreation Department, provided an overview of local comparatives related to the park purchase price.

Moved by Councilor Jersvig, seconded by Councilor Johnson

A Motion To Adopt, On First Reading, An Ordinance Enacting A Supplemental Budget Appropriation To The 2018 City of Loveland Budget For The Acquisition of Land For Future Community Park Development

CARRIED UNANIMOUSLY, 9 - 0.

6.2 LOVELAND POLICE DEPARTMENT PUBLIC HEARING

AMENDMENT TO SECTION 10.20.040 OF THE LOVELAND MUNICIPAL CODE TO MODIFY THE PARKING RESTRICTIONS OF CERTAIN VEHICLES IN RESIDENTIALLY ZONED AREAS

This item was presented by Nathan Schadewald, Community Service Officer with the Loveland Police Department (LPD); it was noted that the portion of code looking to be updated was put into place in 1977. The Loveland Police Department's Community Service Officer (CSO) Unit spends a significant portion of its time enforcing the City's parking restrictions. One of those parking restrictions is related to the current language in Loveland Municipal Code (LMC) 10.20.040, which prohibits any truck or bus in excess of six thousand pounds from parking in a residentially zoned area. Utilizing law enforcement resources regarding the enforcement of vehicles that weigh over six thousand pounds, but less than eighty five thousand pounds or another specifically referenced vehicle, in residentially zoned areas, is not desirable. The proposed modifications to LMC 10.20.040 ease the burden on those who have larger trucks that weigh more than six thousand pounds as the empty weight of vehicles has steadily grown over time to a point where vehicles, parked in residentially zoned areas, now routinely exceed six thousand pounds, empty weight. The Police Citizen Advisory Board (PCAB) offered support on October 2, 2017 and will present to the same board on June 4, 2018. Several council members expressed concern with the one hour limitation on unattached trailers on residential streets which is in the current and proposed code. Council inquired how this ordinance change would affect City vehicles that are on standby for emergencies such as Water & Power. An exemption for these types of City of Loveland vehicles will be included in second reading of the ordinance.

Moved by Councilor Jersvig, seconded by Councilor Fogle

A Motion To Adopt, On First Reading, An Ordinance Amending Section 10.20.040 Of The Loveland Municipal Code To Modify The Parking Restrictions Of Certain Vehicles In Residentially Zoned Areas

CARRIED UNANIMOUSLY, 9 – 0.

6.3 WATER & POWER

AWARD OF CONTRACT FOR FIBER-TO-THE-PREMISES BROADBAND NETWORK DESIGN AND ENGINEERING SERVICES

Briana Reed-Harmel, Senior Electric Engineer, presented this item to Council. This item approves the award of a contract to Nokia of America Corporation (Nokia) in the amount of \$2,170,137.10 for a broadband build-ready network design and engineering services, and authorizes the City Manager to execute the contract. For a detailed look into different City Council meetings that this item has been presented to, please view the attached AIR under the Council or Board/Commission Review section. Staff reviewed for Council the various components of the Request for Proposal which included a progressive design/build process and evaluation criteria that were used for scoring the vendors. As noted, the preferred vendor proposed is Nokia with their construction partner Bear Communication.

Moved by Councilor Jersvig, seconded by Councilor Fogle

A Motion to Adopt Resolution #R-56-2018 Authorizing A Notice Of Award To Nokia Of America Corporation For Fiber-To-The-Premises Broadband Network Design And Engineering Services And Authorizing The City Manager To Execute The Contract Documents

CARRIED UNANIMOUSLY, 9 – 0.

6. CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA

Item 2.8

ADJOURN AS LOVELAND CITY COUNCIL AND CONVENE AS THE GENERAL IMPROVEMENT DISTRICT BOARD

DEVELOPMENT SERVICES

PUBLIC HEARING

GENERAL IMPROVEMENT DISTRICT #1 PROPERTY INCLUSIONS

Councilors Fogle and Johnson recused themselves from this item due to personal interests in the property. City Attorney Garcia advised that the two Councilors should not provide comments.

Troy Bliss, Senior Planner with Development Services, presented on this agenda item. Three (3) properties within the downtown area of Loveland have petitioned for inclusion into the General Improvement District #1 (GID). The properties include 400 N. Garfield Avenue; 409, 411, 413, & 427 N. Railroad Avenue (aka Sports Station Restaurant building); and, 209 & 211 N. Cleveland Avenue. Each property is contiguous to the current boundaries of the GID and have filed separate petitions from the respective owners for City Council consideration. These petitions are being presented under this Agenda Item Report (AIR) but are to be evaluated separately on their own individual merits. The respective owners/business owners have provided supplementary information attached to this AIR (see Attachments 3, 4 and 5). Mr. Bliss noted that many inaccuracies have been discovered on the map of the GID; through the years many properties have been excluded from the boundary. A remapping effort will take place and focus on where the actual boundaries are to be able to provide a more accurate representation of the GID. Council requested an overlay map of the various districts; City Manager Adams advised an overlay map and more detail in the AIR will be included for second reading of the ordinances. Council also acknowledged the need for additional parking in the downtown area. Cody Balsler, representing the development at 4th and Garfield, addressed Council regarding onsite parking at the location

Moved by Councilor Jersvig, seconded by Councilor Clark; Councilors Fogle and Johnson recused themselves from the vote

1) A Motion To Adopt, On First Reading, An Ordinance Granting A Petition For Inclusion Of 400 N. Garfield Avenue, City Of Loveland, County Of Larimer Within The Loveland General Improvement District No. 1 In Loveland, Colorado

CARRIED UNANIMOUSLY, 7-0

Moved by Councilor Jersvig, seconded by Councilor Overcash

2) A Motion To Adopt, On First Reading, An Ordinance Granting A Petition For Inclusion Of 409, 411, 413, 415 And 427 North Railroad Avenue, City Of Loveland, County Of Larimer Within The Loveland General Improvement District No. 1 In Loveland, Colorado

CARRIED UNANIMOUSLY, 9-0

Moved by Councilor Jersvig, seconded by Councilor Clark

3) A Motion To Adopt, On First Reading, An Ordinance Granting A Petition For Inclusion Of 209 And 211 North Cleveland Avenue, City Of Loveland, County Of Larimer Within The Loveland General Improvement District No. 1 In Loveland, Colorado

CARRIED UNANIMOUSLY, 9-0

ADJOURN AS THE GENERAL IMPROVEMENT DISTRICT BOARD AND RECONVENE AS LOVELAND CITY COUNCIL

7. REPORTS

7.1 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.

Overcash - requested to bring back the Finance Committee and Staff Task Force in December to see how the process worked and to set the stage for next year. Council concurred.

Olson and Johnson - reported on the Water Literacy Course they completed.

Jersvig - inquired about making motions after public comment so the Council could go straight into deliberation; no one objected. City Attorney Garcia will include it in Council Procedure recommendation for consideration. Mr. Jersvig also asked if the Cultural Services staff are working on anything regarding policy changes; Mr. Adams advised they are working on a set of lease specific conditions. It was noted that any substantive changes to current policy would be brought back before Council. City Manager Adams reported that he intended on having the contract with the Rialto signed on Wednesday, June 5. City Attorney Garcia reported that it is an annual contract with provisions which would allow the City to terminate the contract early if there were legitimate reasons to do so.

Wright - Tom Dwyer was selected as Rotarian of the year; judged 8th grade presentations regarding growth of Loveland; City Council will see an update on the ADA compliance study once it's complete; Visual Arts Commission dedicated the Chilson Center Art in Public Places. Councilor Wright asked for and achieved a Rule of 4 to have a Study Session to develop Neighborhood Captains for every neighborhood in Loveland, similar to Fort Collins with Jersvig, Fogle and Overcash agreeing.

Fogle - Will not be at the June 26 meeting.

7.2 CITY MANAGER REPORT

Mr. Adams - Requested a Special Meeting for June 26 regarding the Foundry project and a sanitation truck contract. Mayor Marsh asked for and achieved a Rule of 4 to have a Special Meeting on June 26, 2018 with Councilors Fogle, Jersvig and Johnson agreeing.

Water & Power and Parks & Recreation have a Memorandum of Understanding on how to manager water resources. June 12 study session will be related to budget.

7.3 CITY ATTORNEY REPORT

Mr. Garcia - no update.

8. ADJOURN

Mayor Marsh adjourned the June 5, 2018 Loveland City Council meeting at 9:30 p.m.

Respectfully Submitted,



Patti Garcia

Patti Garcia, City Clerk

Jacki Marsh

Jacki Marsh, Mayor

