



MINUTES
LOVELAND CITY COUNCIL MEETING
Tuesday, July 3, 2018 CITY COUNCIL CHAMBERS 6:00 PM

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

COUNCIL ABSENT: Johnson

1. INTRODUCTION

1.1 CALL TO ORDER

1.2 PLEDGE OF ALLEGIANCE

1.3 ROLL CALL

1.4 PROCLAMATIONS

4.1.1 PROCLAMATION

PROCLAMATION DECLARING WOMEN OF VISION DAY AS JULY 18, 2018

Councilor Wright presented the proclamation to Ann Clarke with the Colorado Women of Influence Foundation.

2. CONSENT AGENDA

**2.1 CITY CLERK
APPROVAL OF MINUTES**

Approval of the City Council minutes for the June 5, 2018 Regular Meeting.

A Motion to Approve the City Council minutes for the June 5, 2018 Regular Meeting

CARRIED.

**2.2 CITY CLERK
MEMBER APPOINTMENTS TO BOARDS AND COMMISSIONS**

This item is the recommendation to City Council to appoint members to the following Boards and Commissions:

Affordable Housing Commission, Human Services Commission, Loveland Utilities Commission, and Transportation Advisory Board.

- 1) A Motion To Appoint Debbie Blendell To The Affordable Housing Commission For A Term Effective Until June 30, 2021**
- 2) A Motion To Reappoint Gil Barela To The Affordable Housing Commission For A Term Effective Until June 30, 2021**
- 3) A Motion To Reappoint Jerry Beers To The Affordable Housing Commission For A Term Effective Until June 30, 2021**
- 4) A Motion To Reappoint Nicole Pasco To The Human Services Commission For A Term Effective Until June 30, 2021**
- 5) A Motion To Reappoint Carolyn Benson To The Human Services Commission For A Term Effective Until June 30, 2021**
- 6) A Motion To Reappoint Sara Lipowitz To The Human Services Commission For A Term Effective Until June 30, 2021**
- 7) A Motion To Appoint Stephanie Fancher-English To The Loveland Utilities Commission For A Term Effective Until June 30, 2021**
- 8) A Motion To Reappoint Gary Hausman To The Loveland Utilities Commission For A Term Effective Until June 30, 2021**
- 9) A Motion To Reappoint Dan Herlihey To The Loveland Utilities Commission For A Term Effective Until June 30, 2021**
- 10) A Motion To Appoint Tom Vail As An Alternate To The Loveland Utilities Commission For A Term Effective Until June 30, 2021**
- 11) A Motion To Appoint Kimberly Baker To The Transportation Advisory Board For A Term Effective Until June 30, 2021**
- 12) A Motion To Appoint Darin Barrett To The Transportation Advisory Board For A Term Effective Until June 30, 2021**
- 13) A Motion To Appoint Greg Netzner As An Alternate To The Transportation Advisory Board For A Term Effective Until June 30, 2021**

CARRIED.

2.3 CITY CLERK

Call for Special Meeting on July 10, 2018 for City Manager Quarterly Performance Review with Possible Executive Session

This action is for City Council to conduct the City Manager's quarterly performance review meeting on July 10, 2018 at 6:00 PM, which may include an executive session to discuss personnel matters. City Council will also consider an exemption of the Adequate Community Facilities (ACF) for the Loveland Housing Authority EDGE II Project.

A Motion Calling For A Special Meeting To Be Held On July 10, 2018, At 6:00 PM, For The Purpose Of Conducting An Employee Performance Evaluation Meeting And Discussion Of Personnel Matters For The City Manager, Steve Adams, With A Possible Executive Session, and Consideration Of The Loveland Housing Authority EDGE II Project

CARRIED.

**2.4 DEVELOPMENT SERVICES
PUBLIC COMMENT**

SOUTH VILLAGE VESTED PROPERTY RIGHTS

This is consideration of a second 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. This item was presented to City Council on June 5, 2018, where it was adopted unanimously with a vote of 9 to 0.

A Motion to Adopt, on Second Reading, Ordinance No. 6211 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.

2.5 WATER & POWER

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 recommended 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. City Council unanimously approved this item on first reading at the June 5, 2018 City Council meeting, with a vote of 9 to 0.

A Motion To Adopt, On Second Reading, Ordinance No. 6212 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.

**2.6 COMMUNITY PARTNERSHIP OFFICE
PUBLIC COMMENT
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. The Affordable Housing Commission presented this item to City Council on June 5, 2018, and it was carried unanimously on the Consent Agenda.

A Motion To Adopt, On Second Reading, Ordinance No. 6213 Enacting A Supplemental Budget And Appropriation To The 2018 City Of Loveland Budget For 2018-2019 Community Development Block Grant (CDBG) Appropriation

CARRIED.

**2.7 COMMUNITY PARTNERSHIP OFFICE
PUBLIC COMMENT
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 allow access to the Community Housing Development Fund to reimburse utility fees as applicable throughout 16.43.

A Motion To Adopt, On Second Reading, Ordinance No. 6214 Amending The Loveland Municipal Code At Chapter 16.38, And Sections 16.43.020 And 16.43.060, Regarding The Community Housing Fund

CARRIED.

**2.8 LOVELAND POLICE DEPARTMENT
PUBLIC COMMENT
APPROPRIATION OF GRANT MONEY FROM COLORADO STATE PATROL FOR
AUTOMATED LICENSE PLATE RECOGNITION**

The purpose of this item is to request City 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 Second Reading, Ordinance No. 6215 Enacting A Supplemental Budget and Appropriation to the 2018 City Of Loveland Budget For An Automated License Plate Recognition (ALPR) System

CARRIED.

2.9 PARKS AND RECREATION

PUBLIC COMMENT

SUPPLEMENTAL APPROPRIATION FOR THE ACQUISITION OF LAND FOR FUTURE COMMUNITY PARK DEVELOPMENT

On July 15, 2014, City Council Adopted the Parks and Recreation Master Plan (Attachment 3 hyperlink), which identified the need for community park development to keep pace with projected community growth. City staff consulted with MIG Inc. and the National Research Center. The Parks and Recreation Master Plan guideline for community park acres is 4.5 acres/1000 residents. In 2018, with an estimated population of 76,000, and including the additional 20 acres of Loveland Sports Parks Phase II to be completed in 2019, our measure will be 4.32 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 (CEF) are collected for park development to meet community growth. The funding ordinance would appropriate \$2,200,000 from Parks CEF Fund for the acquisition of land suitable for community park development within the Growth Management Area. City staff has included supplemental information in the AIR that addresses City Council questions that surfaced during the presentation on June 5, 2018 City Council Regular Meeting.

A Motion To Adopt, On Second Reading, Ordinance No. 6216 Enacting A Supplemental Budget Appropriation To The 2018 City of Loveland Budget For The Acquisition of Land For Future Community Park Development

CARRIED.

2.10 DEVELOPMENT SERVICES

PUBLIC HEARING

CHILSON-STROH FARMS SECOND SUBDIVISION DEVELOPMENT AGREEMENT

This is a request to approve a development agreement associated with the Chilson-Stroh Farms Second Subdivision. The 73.39-acre subject property is located southeast of the intersection of E. Eisenhower Blvd/US 34 and N. Boyd Lake Ave (Attachment 3). The subdivision proposes to split a portion of the Chilson-Stroh Farms Addition into three lots (Attachment 1), and the development agreement documents standard City conditions that accompany the subdivision. There are no detailed development applications under review in

conjunction with the plat of subdivision and development agreement (Exhibit B to the Ordinance).

A Motion To Adopt, On First Reading, An Ordinance Approving An Agreement Setting Forth Specific Requirements, Restrictions, And Conditions Regarding All Blocks, Lots, Tracts And Outlots Located In The Chilson-Stroh Farms Addition, Second Subdivision, City Of Loveland, Larimer County, Colorado, And The Development Or Re-Development Thereof

CARRIED.

**2.11 DEVELOPMENT SERVICES
BIGHORN FIRST ADDITION AND ANNEXATION**

This item was considered at the end of the Regular Agenda.

**2.12 PARKS AND RECREATION
PUBLIC HEARING
BUDGET DE-APPROPRIATION ORDINANCE FOR OPEN LAND ACQUISITIONS**

This ordinance will allow for 2018 budgeted dollars for open lands acquisitions to be de-appropriated from the 2018 budget and included in the 2019 budget. The Open Lands and Trails Division is in negotiations with landowners for highly valued open land parcels, but the owners do not wish to close on the transaction until 2019. The requested funding, if approved, would be de-appropriated in 2018 and re-appropriated in the 2019 Budget. Therefore, there will not be any impact on unassigned fund balance in either fund. This item was heard by the Open Lands Advisory Commission on June 13, 2018, where it received unanimous recommendation to be presented to City Council.

A Motion To Adopt, On First Reading, An Ordinance Enacting A Supplemental Budget and De-appropriation To The 2018 City Of Loveland Budget For Open Lands Acquisitions

CARRIED.

**2.13 PUBLIC WORKS
PUBLIC HEARING
2018 BUDGET DE-APPROPRIATION (TABOR EXCESS REVENUE) AND
APPROPRIATION (CDBG-DR GRANT) FOR THE WILSON AVENUE FLOOD MITIGATION
PROJECT**

The City was recently awarded additional Community Development Block Grant - Disaster Recovery (CDBG-DR) grant funding by the State of Colorado Department of Homeland Security and Emergency Management (DHSEM) for construction of the Wilson Avenue Flood Mitigation Project. The additional grant funding allows the City to de-appropriate \$700,000 of project funding back into the Excess TABOR Unassigned Fund Balance and use the CDBG-DR grant funding instead. The ordinance will also enact a supplemental appropriation of an additional \$1,352,581 CDBG-DR grant funds that are in addition to the original \$2,340,000 supplemental appropriation of CDBG-DR grant funds approved on April 18, 2017. Item to

accept the CDBG-DR grant agreement for construction of the Wilson Avenue Flood Mitigation Project was presented to City Council on May 15, 2018, and it was carried unanimously on Consent Agenda.

A Motion to Adopt, On First Reading, An Ordinance Enacting A Supplemental Budget, De-appropriation (TABOR Excess Revenue), And Appropriation (CDBG-DR Grant) to the 2018 City of Loveland Budget for the Wilson Avenue Flood Mitigation Project

CARRIED.

2.14 CULTURAL SERVICES

RESOLUTION TO CHANGE THE CULTURAL SERVICES BOARD MEETING TO THE 1ST WEDNESDAY OF EACH MONTH.

The Cultural Services Board meets the fourth Tuesday of each month at 4:30 p.m. in the Museum Conference Room. Most Tuesdays there is also a City Council Regular Meeting or Study Session at 6:00 p.m. Oftentimes the City Council Liaison and City Staff have to leave before the Cultural Services Board Meeting has ended to get to the City Council meeting on time. For this reason, the Cultural Services Board would like to change their monthly meetings to the first Wednesday of each month starting August 1, 2018.

A Motion To Adopt Resolution #R-61-2018 Amending The Scheduled Meeting Times Of The City Of Loveland Cultural Services Board

CARRIED.

2.15 PUBLIC WORKS

AMENDMENT TO ROCKSOL CONSULTING GROUP SERVICES CONTRACT

In order to complete construction to the Railroad Avenue Flood Recovery Project, an amendment to the RockSol Consulting Group, Inc. Professional Engineering service contract is needed. The original project scope did not include construction management services during the construction phase; the amendment also includes preliminary and final design, construction bid documents, and post design services. The impact to the City budget is neutral as the project funding has already been appropriated. The contract price will be increased by \$257,580.42 to a total amount not to exceed \$786,474.23. The contract term will be extended to December 31, 2018. This amendment represents an 48.7% increase to the current contract amount and a total increase from the original contract of 81.3%. CDOT will reimburse 91.395% of the design effort and the City is responsible for 8.605% of the cost. The City's share is approximately \$22,164.80 of the amended contract amount.

A Motion To Adopt Resolution #R-62-2018 To Amend The Rocksol Consulting Group's Consultant Services Contract To Include Construction Management Services During The Construction Phase of the Railroad Avenue Flood Recovery Project

CARRIED.

2.16 COMMUNITY PARTNERSHIP OFFICE

HABITAT FOR HUMANITY FEE WAIVER REQUEST

Loveland Habitat for Humanity is requesting a waiver of development fees totaling \$167,896 for the construction of six homes to be built in 2018. This request includes \$67,351 in fees that require backfilling and \$100,545 in fees that do not. This item was originally presented to City Council on May 15, 2018 with the waiver of Capital Expansion Fees listed as \$67,351 instead of the correct amount of \$80,057. The \$80,057 includes the Fire Impact Fee, which will be reimbursed at a later date. The original resolution was #R-48-2018.

A Motion To Adopt Resolution #R-66-2018 Waiving Certain Development Fees For The Construction of Six Residences by Loveland Habitat for Humanity

CARRIED.

2.17 FISCAL ADVISOR 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 May 2018 monthly report, the estimated yield on fixed income securities (market value) held by US Bank was at 1.77%; for total assets, the yield was 1.65%. For the month, accounting staff posted net total earnings of \$346,865 to various City fund accounts. The year to May month end total is \$1,350,674.

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. After moving generally upwards for eight moves, rates were lower in May. The Federal Reserve Board increased the Federal Funds rate again on June 13, 2018. Additional rate increases are expected in September and 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

2.18 FINANCE MAY 2018 FINANCIAL REPORT

The Snapshot Report is submitted for City Council review and includes the reporting of the City's revenue and expenditures, including detailed reports on tax revenue and health claims, as of May 31, 2018. Citywide Revenue of \$132.3 million is 35.1% of total annual budget; this is 6.6% below projections. Sales Tax collections May YTD are 2.0% above May 2017 YTD, and 40.8% of the total annual budget; this is .8% below the budget projection. Building Material Use Tax collections for May are 3.5% above May 2017 YTD, and 32.8% of the total annual budget; this is 8.8% below projections. Sales and Use Tax collections combined are 40.0% of total annual budget; this is 1.7% below projections. Citywide total expenditures of \$128.1 million are 40.8% of the total annual budget, 9.8% of projections.

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

4. MOTION TO ADOPT THE CONSENT AGENDA

Moved by Councilor Jersvig, seconded by Councilor Clark.

A Motion To Adopt The Consent Agenda, Items 2.1 to 2.18, with the exception of Item(s) 2.11 pulled by Jessica Alizadeh at the request of the applicant.

CARRIED UNANIMOUSLY, 8 - 0

5. PUBLIC COMMENT

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

Greg Goettsch addressed the Council regarding veterans.

Hugh McKean provided an update on the 2018 legislative session.

Larry Sarnar provided to comments to Council regarding the tri-point appropriation and subsidy.

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.

Moved by Councilor Jersvig, seconded by Councilor Olson.

A Motion to allow the City Manager Adams' request to remove and postpone indefinitely Item 6.2, 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, 8 - 0

6.1 CITY MANAGER
PUBLIC COMMENT
FOUNDRY DRA AMENDMENT #4 CAP ADJUSTMENT & FOUNDRY SECURITY
SYSTEM

Michael Hogan, Facilities Operations Manager, addressed Council on the agenda item. Since April 2017, the City of Loveland Foundry Project Team has been proactively managing the Foundry Project with the aid of Ditesco Construction Management Services and in partnership with both Brinkman Construction and Brinkman Partners (Brinkman). Since that time, Brinkman has encountered increasing costs related directly to materials, labor, dewatering requirements, and scope clarification. In partnership with Brinkman, the City has crafted a plan that will address these costs and allow both the City and Brinkman to complete the Foundry Project and deliver an exceptional public experience. The first objective is to cover increasing costs and continue moving the Foundry Project forward by increasing contributions from the City, Brinkman, and the Metropolitan District as outlined in the proposed Fourth Amendment to the DRA. The second objective is to install a security camera system in the Garage and Plaza using Capital Expansion Fees (CEF) to protect the safety of the citizenry and the City's Garage. If this request is approved, the remaining unassigned fund balance in the PD CEF will be \$40,383 and \$1,816,794 in the General Government CEF. This item was presented to City Council on June 13, 2018 Special Meeting and the May 8, 2018 Executive Session as information only. City staff has included supplemental information in the AIR that addresses City Council questions that surfaced during the first reading presentation of this item on June 26, 2018 which was a Special Meeting, and passed with a 8 - 0 vote.

Council asked for clarification regarding how funds could be moved from one part of the project to another and requested reporting of when funds move between the garage and plaza fund. Mr. Hogan stated that the change order process guides the funding which goes through the City Manager and Mr. Hogan.

Jay Hardy, Brinkman, stated he agreed with the current amendment and the change order process.

Mayor Marsh stated her concern regarding the potential pay for parking at the Foundry; she indicated that it was always promoted as being free. She expressed concern that businesses downtown would be harmed if customers were required to pay for parking. She asked for information regarding the contract for the parking lot behind the Pulliam Building and asked if there was the ability to change what is charged for those spaces. Town Manager Adams will locate the agreement and answer her questions.

In response to questions from Council regarding paying for parking at the Foundry, Mr. Adams stated that staff does not have a proposal for paid parking at the Foundry and that a parking study is being worked on which will be presented to Council at a later time.

Mayor Marsh opened the meeting for public comment.

Larry Sarner expressed his concern regarding the Tri Point Agreement and its application to this situation and the parking garage, lease back arrangement and the temporary certificate of occupancy.

Moved by Councilor Jersvig, seconded by Councilor Fogle

1) A Motion To Adopt, On Second Reading, Ordinance No. 6218 Enacting a Supplemental Budget And Appropriation To The City Of Loveland Budget To Fund A CAP Adjustment To The Foundry Project Disposition And Redevelopment Agreement (DRA), And To Purchase A Garage And Plaza Security System.

CARRIED UNANIMOUSLY, 8 - 0

Moved by Councilor Jersvig, seconded by Councilor Olson

2) A Motion To Adopt Resolution No.#R-64-2018 Approving a Fourth Amendment to Disposition and Redevelopment Agreement Between the City of Loveland and the Foundry Loveland, LLC Regarding Development of the Foundry Project, and Approving a First Amendment to Declaration of Covenants Imposing A Surcharge on the Sale of Movie Tickets in Connection With the Connection With the Development of the Foundry Project.

CARRIED 7 - 1; No Vote: Marsh

**6.2 LOVELAND POLICE DEPARTMENT
PUBLIC COMMENT**

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

Postponed indefinitely.

**6.3 LOVELAND POLICE DEPARTMENT
PUBLIC HEARING
SUPPLEMENTAL APPROPRIATION FOR COLORADO REGIONAL INFORMATION
SYSTEM**

Eric Stewart, Deputy Chief of Police, provided an overview of the project including projected costs. Mr. Stewart stated the proposed ordinance will provide funding for the Combined Regional Information Systems (CRISP) and simultaneously permit the City to enter into an Intergovernmental Agreement (IGA) with Fort Collins and Larimer County for the project. The partnership will provide regional consistency in the management of criminal justice records and will improve efficiency and effectiveness of police and fire services, and positively impact public safety. No funds will be impacted as \$1,398,157 has already been appropriated for Loveland's records management system. An additional \$347,497 is needed to fund the development and implementation of the combined regional information systems project. The IGA calls for each entity to be responsible for 1/3 of the cost allocation between the Parties for all costs associated with the project; the total project is over \$5M.

City Manager Adams provided an overview of the use of the excess TABOR funds which will be used for the project. He also addressed Council on the benefits of the CRISP program.

Council requested a fact sheet which provides an overview of the value of the program and asked if there has been any work towards using the program with FirstNet.

This item was presented at the Loveland Police Citizens Advisory Board on October 2, 2017 where they gave unanimous support for the approval of the IGA and the necessary funding to move forward with the Loveland Police Department's partnership with CRISP.

Mayor Marsh opened the meeting for public comment to which there was none.

Moved by Councilor Jersvig, seconded by Councilor Overcash

A Motion To Adopt, On First Reading, An Ordinance Enacting A Supplemental Budget And Appropriation To The 2018 City Of Loveland Budget For The Combined Regional Information Systems Project (CRISP)

CARRIED UNANIMOUSLY, 8 - 0

6.4 WATER & POWER

LOVELAND COMMUNICATION ADVISORY BOARD MEMBER APPOINTMENTS

City Manager Adams addressed Council regarding the agenda item stating action will appoint members to the newly formed Loveland Communication Advisory Board. Thirty applications were received during the recruitment cycle from April 5, 2018 to May 7, 2018. Interviews were held on June 18, 2018 by Brieana Reed-Harmel, Joe Bernosky, Councilor Overcash and Councilor Fogle. There was strong consensus among the panel to select the following candidates for the initial (1), (2) and (3) year terms:

Brian Martisius, Vi Wickam, and Tom McInerney - (1) year terms

Adam Auriemmo, JD Walker, and Paul Langfield - (2) year terms

Korey Streich, David Hetrick, and Richard Bilancia - (3) year terms

Moved by Councilor Jersvig, seconded by Councilor Clark

1) A Motion To Appoint Brian Martisius To The Loveland Communication Advisory Board For A Term Effective Until June 30, 2019

2) A Motion To Appoint Vi Wickam To The Loveland Communication Advisory Board For A Term Effective Until June 30, 2019

3) A Motion To Appoint Tom McInerney To The Loveland Communication Advisory Board For A Term Effective Until June 30, 2019

4) A Motion To Appoint Paul Langfield To The Loveland Communication Advisory Board For A Term Effective Until June 30, 2020

5) A Motion To Appoint Adam Auriemmo To The Loveland Communication Advisory Board For A Term Effective Until June 30, 2020

- 6) A Motion To Appoint JD Walker To The Loveland Communication Advisory Board For A Term Effective Until June 30, 2020**
- 7) A Motion To Appoint Korey Streich To The Loveland Communication Advisory Board For A Term Effective Until June 30, 2021**
- 8) A Motion To Appoint David Hetrick To The Loveland Communication Advisory Board For A Term Effective Until June 30, 2021**
- 9) A Motion To Appoint Richard Bilancia To The Loveland Communication Advisory Board For A Term Effective Until June 30, 2021**

CARRIED UNANIMOUSLY, 8 - 0

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

6.5 DEVELOPMENT SERVICES

PUBLIC COMMENT

GENERAL IMPROVEMENT DISTRICT #1 PROPERTY INCLUSIONS

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).

Troy Bliss, Planning Division, noted this was second reading of an ordinance for three properties within the downtown area of Loveland which 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. The 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 the AIR. This item was presented to City Council on June 5, 2018 where the following action took place:

The Ordinance related to 400 N. Garfield was adopted, on first reading, with a vote of 7-0;

The Ordinance related to 409, 411, 413, 415 and 427 N. Railroad Avenue was adopted, on first reading, with a vote 9-0;

The Ordinance related to 209 and 211 N. Cleveland Avenue was adopted, on first reading, with a vote 9-0.

During the public hearing, City Council requested of staff to provide additional information relating to the various designated areas in downtown Loveland and how they relate to one another. An additional attachment was prepared to help further explain. City staff has included supplemental information in the AIR that addresses City Council questions that surfaced during the first reading presentation of this item on June 5, 2018.

Council discussed the addition of more businesses in the downtown and not providing more parking as businesses located in the GID are not required to provide additional parking. It is anticipated the parking study will address these concerns.

The Mayor opened the meeting for public comment to which there was none.

Councilor Fogle stated he would recuse himself from voting on Ordinance No. 6208.

Moved by Councilor Jersvig, seconded by Councilor Clark

1) A Motion To Adopt, On Second Reading, Ordinance No. 6208 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 Clark

2) A Motion To Adopt, On Second Reading, Ordinance No. 6209 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, 8 - 0

Moved by Councilor Jersvig, seconded by Councilor Olson

3) A Motion To Adopt, On Second Reading, Ordinance No. 6210 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, 8 - 0

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

6.6 CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA

2.11 DEVELOPMENT SERVICES

PUBLIC HEARING

BIGHORN FIRST ADDITION AND ANNEXATION

This is an application to annex a 5.02-acre vacant property at the northwest corner of the intersection of N. Garfield Avenue/Highway 287 and W. 57th Street zone it B-Developing Business. Future development of the property would be subject to the standards of that district and other Municipal Code requirements. The objective is to annex the property into

City limits and zone it to allow business uses. Future development applications would be reviewed by the City. No specific developments are being reviewed in conjunction with the annexation and zoning, but the applicant is interested in later submitting an application for a special review for an indoor recreational vehicle storage facility if the annexation and zoning are approved. See the Planning Commission staff report for a more detailed description of the proposed future development on the property. This item was presented to the Planning Commission on May 14, 2018 where the application was unanimously approved 6 to 0 with two members absent and one member recused.

Jessica Alizadeh, Attorney with Fairfield and Woods and representing the applicant addressed Council requesting that all items related to the agenda item be entered into the record. Ms. Alizadeh also requested Council's assistance in the adoption of a petition to be made effective upon approval of their special review permit. The condition is being requested for tax purposes as there is a significant tax burden on the property once it gets annexed into the city. City Attorney Garcia stated that the change is insignificant and can be made between first and second reading of the ordinance.

Moved by Councilor Jersvig, seconded by Councilor Clark.

1) A Motion To Adopt Resolution #R-65-2018 Concerning The Annexation To The City Of Loveland, Colorado, Of A Certain Area Designated As Bighorn 1st Addition, More Particularly Described Herein, And Setting Forth Findings Of Fact And Conclusions Based Thereon As Required By The Colorado Constitution And By State Statute

CARRIED UNANIMOUSLY, 8 - 0

Moved by Councilor Jersvig, seconded by Councilor Clark

2) A Motion To Adopt, On First Reading, An Ordinance Approving The Annexation Of Certain Territory To The City Of Loveland, Colorado, To Be Known And Designated As "Bighorn First Addition" To The City Of Loveland

CARRIED UNANIMOUSLY, 8 - 0

Moved by Councilor Jersvig, seconded by Councilor Clark

3) A Motion To Adopt, On First Reading, An Ordinance Amending Section 18.04.040 Of The Loveland Municipal Code, The Same Relating To Zoning Regulations For "Bighorn First Addition" To The City Of Loveland

CARRIED UNANIMOUSLY, 8 - 0

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.

The Mayor and Council reported on their attendance at various meetings and events.

Councilor Olson inquired of the status of the solution being prepared related to citizens being allowed to pull items from the consent agenda. City Attorney Garcia stated that it will be brought forward on a date after the CORA presentation which is scheduled for August 7, 2018.

Mayor Pro Tem Overcash inquired about the resiliency plan for budgeting and related action steps. City Manager Adams stated that his office is working with the finance department and an update will be discussed with Council within the next few weeks.

7.2 CITY MANAGER REPORT

City Manager Adams provided an update on items on the upcoming agenda.

Staff will be providing Councilor Olson with the continued work on the dashboard report by early next week.

Mark Jackson, Public Works Director, provided an update on the Wilson Avenue project to improve sidewalk safety.

7.3 CITY ATTORNEY REPORT

City Attorney Garcia reported that he would be scheduling one on one meetings with the Mayor and Councilors to update them on items related to the attorney's office.

8. ADJOURN

Mayor Marsh adjourned the July 3, 2018 Regular Council meeting at 8:35 p.m.

Respectfully Submitted,



Patti Garcia

Patti Garcia, City Clerk

Jacki Marsh

Jacki Marsh, Mayor