



**MINUTES
LOVELAND CITY COUNCIL
EMERGENCY SPECIAL MEETING
Monday, October 8, 2018 Council Chambers 6:00 PM**

COUNCIL PRESENT:

Marsh, Overcash, Fogle, Johnson, Clark, Olson, Jersvig, Wright

COUNCIL ABSENT:

Ball

SPECIAL MEETING

1. INTRODUCTION

1.1 CALL TO ORDER

1.2 ROLL CALL

2. AGENDA

2.1 DEVELOPMENT SERVICES

DISCUSSION ON MAGPIE OPERATING, INC. NOTICE OF PLAN TO DRILL AND OPERATE WITH POSSIBLE EXECUTIVE SESSION

Brett Limbaugh, Development Services Director and Phil Barber, Oil and Gas Attorney, asked Council to provide direction on Magpie Operating, Inc. Notice of Plan to Drill and Operate by entering into an Executive Session to discuss legal strategy. The City has received a Notice of Magpie's intent to locate a pad site in Larimer County that will drill and operate on land below the City limits. The City had until October 5, 2018 to make any objection regarding the Notice, and voted at the October 2, 2018 Regular meeting to extend the deadline.

Council recessed into Executive Session at 6:07 PM.

Moved by Councilor Jersvig, seconded by Councilor Olson

A Motion for the Loveland City Council to recess into executive session concerning Magpie Operating Inc.'s notice of plan to drill and operate within the City and beneath City real property pursuant to the Colorado Revised Statutes and the City of Loveland Charter.

The executive session concerning this matter would be held:

- ***To determine a position relative to issues subject to negotiation, to receive reports on negotiation progress and status, to develop negotiation***

strategy, and to instruct negotiators as authorized by CRS § 24-6-402 (4)(e) and Charter Section 4-4(c)(1);

- *To receive information regarding or discuss the purchase, acquisition, lease, transfer, or sale of any real, personal, or other property interest, as authorized by CRS § 24-6-402 (4)(a) and Charter Section 4-4(c)(2);*

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

- *To consider and discuss documents and materials related to these matters that are not subject to public inspection under the Colorado Open Records Act, as authorized by CRS § 24-6-402(4)(g).*

CARRIED, 8 - 0.

Council reconvened at 7:00 PM

Mayor Marsh asked several questions of Sam Bradley, the Magpie representative, regarding the notification requirements, geological studies, pipelines, whether Magpie would be willing to enter into an MOU. Magpie plans to have a large community outreach program.

Moved by Councilor Fogle, seconded by Councilor Johnson

A Motion to direct the City Manager to respond to the Magpie and Colorado Oil & Gas Commission Notice in a manner that does not object to the Notice, but preserves the City's right to comment upon future filing of a formal application with the Commission.

CARRIED, 8 - 0.

3. REPORTS

3.1 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 that Council form a sub-committee to organize the Council Retreat in January; Jersvig, Fogle, Wright and Olson will join him on the committee. Overcash will follow-up with meeting dates.

Shared information on the Open Lands Advisory Commission meeting and the lack of a plan on the taxes for the Devil's Backbone and the need to give feedback to the County Commissioners.

Olson: Spoke of a comprehensive list he provided, where the City could partner with groups to fill gaps in care regarding Suicide, Homelessness and Opioid Addiction. The City Manager is working on information to provide Council with the resource impact to the City and how these items could be implemented and presented at a future meeting.

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Johnson: Reminded Council of the Loveland Connect event this Friday and the need for volunteers.

Jersvig: Informed Council of the need for an ordinance that would amend the attendance requirement on the Human Services Commission to allow the youth commissioners to attend fewer meetings due to school finals happening at the same time as the grant presentations.

Fogle: Spoke of the Telephone Townhall on Thursday night for the Broadband presentation.

Wright: Reminded Council of the 100th Anniversary party for PHILO. Mentioned to CM Olson that the Disabilities Advisory Commission is a current commission he could work with as well.

3.2 CITY MANAGER REPORT

Mr. Adams reminded Council of the Special Meeting tomorrow night and asked for consensus from the Council to remove the Oil and Gas item from the agenda, which they agreed to.

3.3 CITY ATTORNEY REPORT

No report.

4. ADJOURN

Mayor Marsh adjourned the October 8, 2018 City Council Emergency Special Meeting at 7:35 PM.

Respectfully Submitted,



Patti Garcia

Patti Garcia, City Clerk

Jacki Marsh

Jacki Marsh, Mayor