



**MINUTES**  
**LOVELAND CITY COUNCIL MEETING**  
**Tuesday, January 15, 2019 CITY COUNCIL CHAMBERS 6:00 PM**

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

**COUNCIL ABSENT:** Clark, Olson

1. INTRODUCTION
  - 1.1 CALL TO ORDER
  - 1.2 PLEDGE OF ALLEGIANCE
  - 1.3 ROLL CALL
2. CONSENT AGENDA
  - 2.1 CITY CLERK  
APPROVAL OF MINUTES

Approval of the City Council minutes for the December 4, 2018 Regular Meeting and the December 11 Special Meeting and Study Session.

*A Motion to Approve the City Council minutes for the December 4, 2018 Regular Meeting and the December 11 Special Meeting and Study Session*

CARRIED.

- 2.2 PARKS AND RECREATION
  - PUBLIC COMMENT
  - PERMANENT RIGHT OF WAY AND TEMPORARY EASEMENTS OF CITY PROPERTY AT THE NORTH NAMAQUA AVENUE BRIDGE ON THE BIG THOMPSON RIVER**

Larimer County has secured CDBG Disaster Recovery funds for this bridge replacement project. The new bridge will be 156' long, 57' wide which includes two 12' travel lanes, two 7' bike lanes, two 8' wide sidewalks and 3' of railing. It will also have a pedestrian underpass on the south side of the river. The City of Loveland owns three properties that will be effected by the bridge reconstruction. Medina's Crossing Natural Area is on the SW corner of the bridge, Namaqua Park is on the SE corner of the bridge, and Namaqua Natural Area which is on the NE corner of the bridge. Granting the Permanent ROW and Temporary Easements to Larimer County will allow the bridge replacement to be completed in a timely manner when the river is low. The construction project will close Namaqua Ave at the Big Thompson Bridge from January 2019 to May 2019.

City Council heard the first reading of this item at the December 18, 2018 regular meeting where it passed on the consent agenda with an 8-0 vote.

*A Motion to Adopt, On Second Reading, Ordinance No. 6271 Authorizing The Sale Of Right-Of-Way To Larimer County For The Namaqua Bridge Project BRO C060-084 Pursuant To Section 4-7 Of The City Of Loveland Municipal Charter*

CARRIED.

## **2.3 DEVELOPMENT SERVICES**

### **PUBLIC COMMENT**

#### **FALLGOLD DRIVE UTILITY EASEMENT VACATION**

Ordinance No. 6258 was approved by Council on second reading on November 20, 2018. However, the legal description was not attached to the ordinance. As a result, this item is being resubmitted for approval to make this correction. The attached ordinance provides for the vacating of a 34.25 sq ft portion of a postal and utility easement at 5296 Fallgold Drive. A single family house was recently constructed in a manner that encroaches slightly into the existing easement. There are currently no utilities or postal facilities in the area of encroachment, and it is not anticipated that the area of encroachment will be needed for utility or postal purposes in the future. The vacating of the easement in the area of encroachment will have no negative impacts, and it will allow the existing house to be free of any associated encumbrance.

City Council heard the first reading of this item at the December 18, 2018 Regular City Council meeting, where it passed on the consent agenda with an 8-0 vote.

*A Motion To Adopt, On Second Reading, Ordinance No. 6272 Vacating A Portion of A Postal and Utility Easement Located On Lot 12, Block 3, Alford Lake Fourth Subdivision, City Of Loveland, County Of Larimer, State Of Colorado*

CARRIED.

## **2.4 PUBLIC WORKS**

### **PUBLIC COMMENT**

#### **US 34 WIDENING FROM DENVER AVENUE TO ROCKY MOUNTAIN AVENUE**

The widening of US 34 from Denver Avenue to I-25 has been a City Council, City Staff and regional priority for many years. In recent years, funding has been identified in the City's Transportation Capital Improvement Program for this purpose. In addition, applications were submitted through the North Front Range Metropolitan Planning Organization (NFRMPO) for Federal Funding through several different sources, several of which were successful. This current request is for a Supplemental Budget and Appropriation of \$2,670,000 of Federal Funds (82.79% of total) coupled with \$555,027 of Local Funds (the required Local Match of 17.21% of total), for a total of \$3,225,027.

The next phase of the US 34 Widening Project will be to add an additional travel lane on the westbound side from Boyd Lake Avenue to Denver Avenue and on the eastbound side from east of Denver to west of Boyd Lake Avenue. The project also includes expansion of the network of bike lanes and sidewalks. This supplement will be in addition to the \$4,259,848 included in the 2019 City of Loveland Budget. This is addition to the widening planned by CDOT for US 34 from west of Rocky Mountain Avenue to east of Centerra Parkway.

City Council heard the first reading of this item at the December 18, 2018 Regular Council meeting, where it passed on the consent agenda with an 8-0 vote.

*A Motion To Adopt, On Second Reading, Ordinance No. 6273 Enacting A Supplemental Budget And Appropriation To The 2019 City Of Loveland Budget For The US 34 Widening From Denver Avenue To Rocky Mountain Avenue Related To An Intergovernmental Agreement Between The City Of Loveland, Colorado And The Colorado Department Of Transportation (CDOT).*

CARRIED.

*A Motion To Adopt Resolution #R-3-2019 Approving An Intergovernmental Agreement Between The City Of Loveland, Colorado And The State of Colorado, Acting By and Through the Colorado Department Of Transportation, For The Widening of U.S. Highway 34 From Denver Avenue To Rocky Mountain Avenue*

CARRIED.

## **2.5 ECONOMIC DEVELOPMENT**

### **PUBLIC COMMENT**

#### **AMENDING CHAPTER 2.60 OF TITLE 2 TO ESTABLISH THE DOWNTOWN DEVELOPMENT AUTHORITY AS A BOARD OF THE CITY OF LOVELAND**

To bring the Downtown Development Authority (DDA) board under the Boards and Commissions' policies and procedures, and to be subject to the Boards and Commissions handbook.

*A Motion To Adopt, On First Reading, An Ordinance Amending Chapter 2.60 Of Title 2 Of The City Of Loveland Municipal Code To Establish The Loveland Downtown Development Authority As A Board Of The City Of Loveland*

CARRIED.

## **2.6 CITY CLERK**

### **PUBLIC COMMENT**

#### **AN ORDINANCE AMENDING TITLE 8 OF THE LOVELAND MUNICIPAL CODE TO UPDATE COLORADO REVISED STATUTE CITATIONS**

Governor Hickenlooper recently signed into law HB 18-1025 which recodified, among other things, the Colorado Beer Code, the Colorado Liquor Code and the Colorado Special Events Permit Code from Title 12 to Title 44 but did not make any substantive changes to these statutes. The purpose of this ordinance is to update the Loveland Municipal Code, which references Title 12 to be consistent with the legislative changes under HB 18-1025.

*A Motion To Adopt, On First Reading, An Ordinance Amending Title 8 Of The Loveland Municipal Code To Update Colorado Revised Statute Citations*

CARRIED.

**2.7 WATER & POWER**

**PUBLIC COMMENT**

**AN ORDINANCE ENACTING A SUPPLEMENTAL BUDGET AND APPROPRIATION TO THE 2019 CITY OF LOVELAND BUDGET TO FUND PHASE 2 OF THE WILSON AVENUE EMERGENCY WATER LINE REPLACEMENT PROJECT**

The Wilson Avenue Emergency Water Line Replacement Project was initiated on an emergency basis due to failing water lines in Wilson Avenue from Highway 34 to 22nd Street, and on 22nd Street just east of Wilson Avenue. The Water Department repaired eight leaks in this area during a recent three-week period. Given the observed condition of the pipeline, additional leaks can be expected if a complete replacement is not effected. This will provide the additional \$500,000 needed to finish the emergency water line replacement project on Wilson Avenue that began during the last week of 2018.

*A Motion To Adopt, On First Reading, An Ordinance Enacting A Supplemental Budget And Appropriation To The 2019 City Of Loveland Budget To Fund Phase 2 Of The Wilson Avenue Emergency Water Line Replacement Project.*

CARRIED.

**2.8 PUBLIC WORKS**

**AWARD OF THE 2019 FLEET FUEL CONTRACT**

This item is to award the contract for purchasing fuel used by the City of Loveland fleet using the cooperative award from the Colorado Multiple Assembly of Procurement Officials (MAPO). Annually, Fleet Management evaluates fuel usage, crude oil market pricing, and fuel delivery options. To minimize financial risk and/or negative budget impact to the City of Loveland, Fleet Management locks product pricing per gallon for twelve months during the lowest annual cyclical averages (usually occurs in January). This contract with Hill Petroleum for \$1,400,000 is for 2019 diesel and unleaded fuel purchased from February 1, 2019 to January 31, 2020 at various City fueling locations including the City of Loveland Service Center (main fueling center), golf courses, water and wastewater treatment plants, and the Northern Colorado Regional Airport.

*A Motion To Adopt Resolution #R-4-2019 Authorizing The Award Of The 2019 Fleet Fuel Contract And Authorizing The City Manager To Execute The Contract*

CARRIED.

**2.9 PUBLIC WORKS**

**INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF FORT COLLINS FOR THE FLEX BUS SERVICE**

This is an on-going Intergovernmental Agreement (IGA) with Fort Collins to provide a regional bus service. The route includes stops in Fort Collins, Loveland, Berthoud and Longmont along the US287 corridor. This service is referred to as the Fort Collins-Longmont Express or FLEX Service and requires an annual contribution from the City of Loveland. The funding was approved in the 2019 budget for the payment of \$231,220 to provide continued services in 2019, therefore there is not an impact on the General Fund Unassigned Fund Balance with this item.

*A Motion To Adopt Resolution R-5-2019 Approving An Intergovernmental Agreement Between The City Of Loveland, Colorado And The City Of Fort Collins, Colorado For Bus Service For The Calendar Year 2019*

CARRIED.

## **2.10 PUBLIC WORKS**

### **ADOPTION OF COLORADO DEPARTMENT OF TRANSPORTATION GROUP TRANSIT ASSET MANAGEMENT PLAN**

City of Loveland Transit (COLT) is participating in the Group TAM plan as an alternative to creating an individual plan. The Group Transit Asset Management Plan (TAM) plan is designed to meet federal requirements that are tied to the funding required for Colorado's transit system. The Colorado Department of Transportation has created a TAM Plan for its participating agencies to document asset management processes, project future performance of assets given expected funding, and develop recommendations for transit asset management improvements moving forward. The Federal Transit Administration's (FTA) TAM Rule, effective October 1, 2016 applies to recipients and sub-recipients of Federal financial assistance under 49 U.S.C. Chapter 53 that own, operate or manage capital assets in the provision of public transportation. Failure to establish a Transportation Asset Management (TAM) plan or participate in a group TAM plan can result in denial of FTA funding.

*A Motion to Adopt Resolution #R-6-2019 Approving Participation of the City of Loveland Transit (COLT) in the Colorado Department of Transportation Group Asset Management (TAM) Plan.*

CARRIED.

## **2.11 COMMUNITY PARTNERSHIP OFFICE**

### **AFFORDABLE HOUSING DESIGNATION FOR LOVELAND HOUSING AUTHORITY, THE EDGE II**

The Loveland Housing Authority (LHA) The Edge II project will bring a total of 135 apartments in seven buildings west of Boyd Lake and north of east 15th Street, south and east of the 70 units built in 2015. Housing will include studios, 1, 2, and 3-bedroom units for individuals and families living between 30% and 60% of the Area Median Income.

An Affordable Housing Designation locks in fees as of the date that the resolution is signed for a period of five years as per 18.16.508(A) of the Unified Development Code. It also allows the recipient to ask for a waiver of development and capital expansion fees at a subsequent City Council meeting. On February 7, 2017, City Council designated the Loveland Housing Authority and Loveland Habitat for Humanity as preferred partners.

*A Motion To Adopt Resolution #R-7-2019 Approving An Affordable Housing Designation For The Housing Authority Of The City Of Loveland Within The Waterfall Sixth Subdivision In Loveland, Colorado*

CARRIED.

**2.12 CITY MANAGER**

**A RESOLUTION APPROVING THE DISSOLUTION OF WATERFALL METROPOLITAN DISTRICT NO. 2**

The Board of Directors of the Waterfall Metropolitan District No. 2 is requesting that the City Council approve dissolution of the District. The terms of the Service Plan adopted in 2008 require that the City approve dissolution of the District because dissolution is considered to be a material modification of the Service Plan. Upon approval of the resolution providing for the dissolution of the District, the City Manager will execute the consent form and protect the interests of the City.

*A Motion To Adopt Resolution #R-8-2019 Approving The Dissolution Of Waterfall Metropolitan District No. 2*

CARRIED.

**2.13 CITY CLERK**

**A REAPPOINTMENT TO THE NORTHERN COLORADO REGIONAL AIRPORT COMMISSION**

The Airport Selection Committee, which was appointed by the City Councils of Loveland and Fort Collins, interviewed applicants desiring to serve on the Commission and the Airport Selection Committee recommended Jerry Stooksbury be appointed as the "Joint Citizen Member" and was appointed by the City Council by Resolution #R-30-2015 on May 19, 2015 to serve a four-year term on the Commission. Mr. Stooksbury sought to resign his position on the Commission due to an error in communication and subsequently agreed to rescind that resignation.

*A Motion To Adopt Resolution #R-10-2019 Making A Reappointment To The Northern Colorado Regional Airport Commission*

CARRIED.

**2.14 FISCAL ADVISOR**

**INVESTMENT REPORT**

At the end of November 2018, the market value of the City's investment portfolio is \$233,574,107. The budget revenue projection for the full year of 2018 was set at \$2,527,729. So far this year, actual interest received is \$611,034 ahead of the annual target with one more month to go. Using the portfolio's beginning year balance, the rate needed to reach the annual interest earning target is 1.13%. The annualized interest rate at the end of November remained 1.91%. For the month, accounting staff posted \$405,876 to various fund accounts. The year to November month-end total is \$3,138,763.

U.S. short-term (under five years) Treasury interest rates had moved sharply higher since November 2016. In mid-December, the Federal Open Market Committee increased the federal funds rate for the fourth time this year to the range of 2.25% to 2.50%. Another rate increase will likely be imposed in March. The Fed has also announced repeatedly their intention to stay on a path of gradual increases.

The number of increases projected for 2019 has varied from four to two. With the recent struggles in the stock markets and a trend toward lower interest rates, the probability of an increase in March of 2019 is being hotly debated. Many economists and financial analysts believe the Fed needs to slow down the pace of increases. The Fed will be watching economic conditions closely and also paying attention to the yield curve. When very short-term interest rates (3 months) are higher than the longer term rates (10 years), the yield curve is "inverted." An inverted yield curve has been one of the most accurate predictors of an upcoming recession, usually within one year.

*Information Only*

## **2.15 FINANCE 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 November 30, 2018. Sales tax continues to trend up which is positive however, Citywide revenues are only up 7.9% from last year while Citywide expenditures have increased 12.5%.

Citywide Revenue of \$301.3 million is 78.7% of total annual budget; this is 12.9% below projections. Sales Tax collections November YTD are 3.1% above November 2017 YTD, and 93.0% of the total annual budget; this is 1.3% above projections. Building Material Use Tax collections for November are 12.3% above November 2017 YTD, and 98.1% of the total annual budget; this is 6.5% above projections. Sales and Use Tax collections combined are 93.4% of total annual budget; this is 1.7% above projections. Citywide total expenditures of \$304.8 million are 64.4% of the total annual budget; this is 27.2% below projections.

*Information Only*

### **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 Johnson

*A Motion To Adopt The Consent Agenda, Items 2.1 to 2.15.*

CARRIED UNANIMOUSLY 7-0.

### **5. PUBLIC COMMENT**

Galon Lyle, Loveland resident, thanked the City for disclosing how the fee assessment was calculated but noted there was a \$400 discrepancy. Alan Krcmarik, Acting Finance Director, state the discrepancy was due to inflationary issues. Mr. Lyle requested the fees and tables he received be disclosed on the website and updated based on inflation.

### **6. NEW BUSINESS FROM CITY COUNCIL**

Councilmember Johnson reported she had letters delivered to her from constituents who attend the Community Connection School which is located on Monroe. The program is with the school district which supports 18-21 year old developmentally disabled individuals. The letters noted a concern that there is not a crosswalk to get across Monroe between 5<sup>th</sup> and 6<sup>th</sup> to the bus station. A Rule of 4 was called if staff cannot accomplish it internally. The Rule of 4 consisted of Councilors Jersvig, Overcash, Fogle and Clark.

## **7. REGULAR AGENDA**

### **RECESS AS CITY COUNCIL AND CONVENE AS THE LOVELAND ELECTRIC AND COMMUNICATIONS ENTERPRISE**

#### **7.1 WATER & POWER**

##### **PUBLIC COMMENT**

##### **ELECTRIC AND COMMUNICATIONS ENTERPRISE BOND ISSUANCE AND SALE ORDINANCE**

Alan Krcmarik, Acting Finance Director/Fiscal Advisor reported that this item is related to issuance of revenue bonds for the City of Loveland proposed broadband system. The Ordinance authorizes the financing for construction of a municipal broadband system to provide telecommunication facilities and services, including the transmission of voice, data, graphics, and video to customers within the Electric and Communication Enterprise service territory.

City Council heard the first reading of this item at the December 15, 2018 Regular meeting where it passed with a 7-1 vote. Mr. Krcmarik reported that there had been no changes since first reading.

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

Mayor Marsh noted that the communities that did not take the issue to the voters – most were mountain communities. She believes that the voters needed the opportunity to be heard and will be voting no on the ordinance.

Councilor Fogle reported that the City of Centennial is paying for the fiber network out of city coffers and that Loveland's price to users will still be lower than theirs.

Moved by Councilor Jersvig, seconded by Councilor Fogle.

*A Motion To Adopt, On Second Reading, Ordinance No. 6274 Of The City Of Loveland, Colorado, Electric And Communications Enterprise Authorizing The Issuance And Sale Of Its Tax-Exempt Revenue Bonds, Series 2019A And Its Taxable Revenue Bonds, Series 2019B, Providing For The Sources Of Payment Of The Bonds, And Providing Other Details Concerning The Bonds And The Enterprise's System*

CARRIED 6-1.  
No vote - Marsh

**ADJOURN AS THE LOVELAND ELECTRIC AND COMMUNICATIONS ENTERPRISE AND RECONVENE AS CITY COUNCIL**



**7.2 WATER & POWER  
PUBLIC COMMENT  
ELECTRIC AND COMMUNICATIONS ENTERPRISE TAX-EXEMPT AND TAXABLE  
REVENUE BONDS**

Alan Krcmarik, Acting Finance Director/Fiscal Advisor reported this item is to authorize the terms and provisions of the tax-exempt and taxable revenue bonds for the Electric and Communications Utilities. To issue debt to provide funding for capital improvements, limited operations expenses, and capitalized interest for the broadband system project, approval of two separate ordinances is required. This ordinance is for Council, as the governing body of the City, to authorize the terms and provisions of the bond ordinance. In a separate action, the City Council, acting as the Board of Electric and Communication Enterprise, considered on second reading an ordinance to approve the issuance and sale of the Broadband Enterprise Revenue Bonds, Series 2019A and Series 2019B.

City Council heard the first reading of this item at the December 15, 2018 Regular meeting where it passed with a 7-1 vote and it was noted that there have been no changes since first reading.

Mr. Krcmarik reported that the City is working to move to get the bonds into the market by early March and that the rates are lower than they were a few months ago.

Mayor Marsh opened the meeting for public comment.

Linda Rosa, Loveland resident, voiced concern with the broadband initiative stating citizens were misled on the 2015 ballot issue and that the bonding should have gone to a vote of the people.

Gary Lindquist, Loveland resident, voiced concern regarding the bonding ordinance being considered.

Vi Wickam, Loveland resident and member of Communications Advisory Board, thanked the Loveland City Council for moving Loveland forward instead of lagging behind the other cities in the state in providing municipal broadband; he believes this will be a great move for the city of Loveland.

Mayor Marsh closed public comment.

Councilor Johnson referenced a National League of Cities workshop she attended which conveyed to elected officials the need to making a community better in 50 years through good policy. She stated that the decisions she is making are ones that that will benefit the community for years to come.

Mayor Pro Tem Overcash provided an overview of the history of broadband in Loveland and stated the concerns he had regarding risk were addressed which made him change his mind to be in support of the ordinance.

Councilor Jersvig stated he has been for a public vote on municipal broadband for this but that the time for that has come and gone; now is the time to move forward with council decision.

Councilor Fogle thanked the members of Loveland Communication Advisory Board for their work and stated that this is being built for the future and the next generation of Loveland citizens.

Mayor Marsh stated that this is the right direction; she just wanted to have the citizen's vote on the debt.

Moved by Councilor Jersvig, seconded by Councilor Johnson

*Motion To Adopt, On Second Reading, Ordinance No. 6275 Authorizing The Terms And Provisions Relating To The Tax-Exempt Revenue Bonds, Series 2019A And Taxable Revenue Bonds, Series 2019B, To Be Issued By The City Of Loveland, Colorado, Electric And Communications Enterprise, To Finance Improvements To The City's Electric And Communications System, Including, Without Limitation, Covenants And Agreements Of The City In Connection Therewith*

CARRIED 6-1.  
No vote - Marsh

### **7.3 LOVELAND POLICE DEPARTMENT**

#### **PUBLIC COMMENT**

#### **SUPPLEMENTAL BUDGET AND APPROPRIATION TO THE 2019 CITY OF LOVELAND FOR TWO FULL TIME EMPLOYEE POLICE OFFICER POSITIONS**

Ray Butler, Assistant Chief, addressed Council stating the purpose of the item is to appropriate funding for two Full Time Employee (FTE) police officer positions. Funding the two FTEs will allow the Department to assign two officers to the School Resource Officer (SRO) program, which expands the SRO program from six to eight officers. The expansion of the SRO program will improve efficiency and effectiveness of police services within the Thompson School District, and positively impact school safety.

Mr. Butler noted the request came from Thompson Valley School District (TVSD) and presented to Council the breakdown of salaries for the SRO and replacement officers; sources of funding from the City of Loveland and TVSD were also part of the presentation included in the Council packet. Benefits of bringing in two additional SRO's were noted which included reduction in response time and the ability to have broader support at the schools. Additionally, the SRO's would transition during the summer as members of a downtown impact team.

Moved by Councilor Jersvig, seconded by Councilor Johnson

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

Council thanked staff for moving forward and working with school system and thanked TVSD for increasing their percentage to help the effort.

*A Motion To Adopt An Ordinance, On First Reading, Enacting A Supplemental Budget And Appropriation To The 2019 City Of Loveland Budget For Two Full Time Employee Police Officer Positions*

CARRIED UNANIMOUSLY 7-0.

**7.4 ECONOMIC DEVELOPMENT  
A RESOLUTION APPROVING THE FIRE SUPPRESSION GRANT PROGRAM AND  
FINDING A PUBLIC PURPOSE**

Mike Scholl, Economic Development Manager, presented to Council this item noting the need to make a finding of "Public Purpose" as it relates to the Fire Suppression Pilot Grant Program.

Mr. Scholl stated that the program was discussed at a study session on December 11, 2018; as it was included in the 2019 budget staff is prepared to move forward. After legal review of the grant program it was determined that the City needed to make a finding a public purpose. The Downtown Partnership is already marketing the program and the funds have been appropriated.

Mayor Marsh asked about the sprinkler system requirements for townhomes and apartments and if a brick building with several thicknesses of brick would be required to have a sprinkler system. Ned Sparks, Division Chief/Fire Marshal, stated that apartments of three or more are generally required to have sprinkler systems. Townhouses are usually built as single homes such as a single family residence. Mr. Sparks stated that the older style building is very different and the fire load is different due to commercial versus residential in those instances with commercial on the first floor and residential above.

Council noted that the code being discussed is located within the International Fire Code, which has been adopted by the City of Loveland and is part of the municipal code.

Moved by Councilor Jersvig, seconded by Councilor Fogle.

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

Mayor Marsh stated that her building is as safe as it was 140 years ago when it was built. She believes the water main should be paid by City if it is required and feels that the requirement could be unnecessary.

*A Motion To Adopt Resolution #R-9-2019 Approving The Fire Suppression Grant Program And Finding A Public Purpose*

CARRIED UNANIMOUSLY 7-0.

**7.5 FINANCE  
PUBLIC HEARING  
A RESOLUTION OF THE LOVELAND CITY COUNCIL APPROVING THE ISSUANCE OF  
DEBT BY FOUNDRY LOVELAND METROPOLITAN DISTRICT**

Alan Krcmarik, Acting Finance Director/Fiscal Advisor, reported the Foundry Loveland Metropolitan District has requested the ability to issue debt to provide funding for public improvements in the district. The issuance of debt was not authorized in the original Service Plan. Adoption of the resolution will allow the metro district to obtain needed financial resources to complete the planned

improvements. The request is to issue up to \$2M in order to finish up public improvement projects in the metropolitan district.

Pursuant to questions from Mayor Marsh, Jay Hardy, President – Brinkman, reported the debt issue of \$13M that was previously approved was for the parking structure and city also provided \$4M for the plaza with the understanding that it would be owned by the metropolitan district. Mr. Hardy reviewed additional funds received and how they have been used for the project. The additional issuance of debt that is being requested will be for amenities that were requested.

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

Moved by Councilor Jersvig, seconded by Councilor Fogle.

CARRIED UNANIMOUSLY 7-0

## 7.6 FINANCE

### PUBLIC HEARING

#### **A RESOLUTION OF THE CITY OF LOVELAND APPROVING A SECOND AMENDMENT TO DISTRICT PLEDGE AGREEMENT BETWEEN THE CITY OF LOVELAND AND THE FOUNDRY LOVELAND METROPOLITAN DISTRICT**

Alan Krcmarik, Acting Finance Director/Fiscal Advisor, reported that the financing plan for the parking facility and other public improvements in the Loveland Urban Renewal Authority Downtown Plan area included a Foundry Loveland Metropolitan District 25 mill property tax for debt payments and a 5 mill property tax levy for operations and maintenance for maintenance of the public improvements. Additional revenues to support the debt payments and operating costs include an add-on public improvement fee on retail sales, an add-on lodging public improvement fee, a ticket surcharges at the theater, and parking charges to be paid by the users of commercial and residential space.

Since the financing of the public improvements through the lease, the representatives of the Metropolitan District have requested and received some modifications to the Disposition and Redevelopment Agreement and the District Pledge Agreement.

Jay Hardy, Brinkman, reported that Town Place Suites by Marriott is scheduled to open June 15, 2019 with the theater opening 7-10 days afterwards.

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

Moved by Councilor Jersvig, seconded by Councilor Fogle.

*A Motion To Adopt Resolution #R-12-2019 Approving A Second Amendment To District Pledge Agreement Between The City Of Loveland And The Foundry Loveland Metropolitan District*

CARRIED UNANIMOUSLY 7-0.

**RECESS AS LOVELAND CITY COUNCIL AND CONVENE AS THE LOVELAND URBAN RENEWAL AUTHORITY**

**7.7 FINANCE**

**A RESOLUTION APPROVING A COOPERATION AGREEMENT BETWEEN FOUNDRY LOVELAND METROPOLITAN DISTRICT AND LOVELAND URBAN RENEWAL AUTHORITY**

Alan Krcmarik, Acting Finance Director/Fiscal Advisor reported the Foundry Metropolitan District is planning to issue \$1,415,000 of debt to repay the developer for funds already advanced and to provide additional funding to complete portions of the project in downtown Loveland. The District will be imposing an additional mill levy to provide the source of repayment of the debt. According to the provisions of Cooperation Agreement provided for in the Resolution, the Loveland Urban Renewal Authority (LURA) will administer the receipt of property tax revenues from the additional mill levy and remit them to the Foundry Loveland Metropolitan District. The Foundry Metropolitan District will then be able to apply the proceeds of the additional mill levy to the repayment of the to-be issued debt.

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

Moved by Councilor Jersvig, seconded by Councilor Fogle.

*A Motion To Adopt Resolution #R-13-2019 Approving A Cooperation Agreement Between Foundry Loveland Metropolitan District And Loveland Urban Renewal Authority*

CARRIED UNANIMOUSLY 7-0.

**ADJOURN AS THE LOVELAND URBAN RENEWAL AUTHORITY AND RECONVENE AS LOVELAND CITY COUNCIL**

**7.8 CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA**

There were no items removed from the Consent Agenda.

**8. REPORTS**

**8.1 REPORTS FROM CITY COUNCIL**

Councilor Fogle reported on a meeting hosted by the Loveland Historic Preservation Commission (HPC) at the Rialto on January 14, 2019 for all HPC's in northern Colorado. He also attended the Elks Club meeting at which they approved the matching funding for phase 2 of their project.

Mayor Pro Tem Overcash stated that he had learned that the bandwidth cost for Thompson Valley School District was \$40,839 which was due in February. TSD 40,839 for Comcast for February. Mr. Overcash also reported on the presentation he made for iHeart Media with the help of Tom Hacker. He also provided information on the Open Lands Commission and noted

the emphasis that Loveland needs to be placing on maintenance and opening properties up for citizens including looking at ways to collaborate with the County.

Councilor Wright reported that she and Councilor Johnson would be having a Ward 2 meeting on Saturday, February 2. Ms. Wright also stated that there were over a dozen people who attended the Winter Holiday Council meeting.

Councilor Johnson stated that she and Councilor Jersvig attended a joint meeting of the Human Services Division and Affordable Housing Commission and noted that she continues to be impressed with the work of the two groups.

Councilor Ball reported on the downtown area and stated he was impressed with how the projects, such as the Foundry, are all coming together such.

Mayor Marsh reported that she and Councilor Olson attended a behavioral health policy meeting and noted that Councilor Olson had sent an email providing an overview of the meeting. It was noted that Loveland has not identified who will be representing the City on the Behavioral Health Advisory Board.

**8. CITY MANAGER REPORT**

City Manager Adams reported on the 2018 sales tax collections stating preliminary numbers show a 5.5% increase from 2017 to 2018 and that year-end is up 3.3% - Mr. Adams stated that the numbers were preliminary and that the year has not closed out yet.

Mr. Adams thanked staff, consultants, Loveland Communications Advisory Board and Council liaisons for their work on the broadband project.

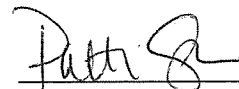
**8.3 CITY ATTORNEY REPORT**

The City Attorney had no report

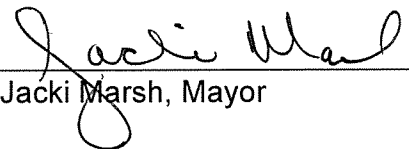
**9. ADJOURN**

Mayor March adjourned the Regular Meeting of January 15, 2019 8:33 p.m.

Respectfully Submitted,



\_\_\_\_\_  
Patti Garcia, City Clerk



\_\_\_\_\_  
Jacki Marsh, Mayor