

CALL TO ORDER Mayor Gutierrez called the regular meeting of the Loveland City Council to order on the above date at 6:30 PM.

PLEDGE OF ALLEGIANCE

ROLL CALL Roll was called and the following responded: Gutierrez, McKean, Klassen, Heckel, Rice Johnson, McEwen, Shaffer and Solt.

PROCLAMATION Councilor Rice read a proclamation declaring April 15, 2011, as "Arbor Day". The proclamation was received by City employee Robert MacDonald.

PROCLAMATION

WHEREAS, in 1872 J. Sterling Morton proposed that a special day be set aside for the planting of trees; and
WHEREAS, Arbor Day is now observed throughout the nation and the world; and
WHEREAS, the City of Loveland has been designated as a Tree City USA by the National Arbor Day Foundation; and
WHEREAS, trees provide numerous environmental benefits, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and
WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal, enhancing the economic vitality of our business areas and beautifying our community;

NOW, THEREFORE, we, the City Council of the City of Loveland, proclaim April 15, 2011,
as

ARBOR DAY

and encourage the citizens of Loveland to support efforts to protect our trees and urban forests, to learn more about trees, and to support our City's urban forestry program.

Signed this 5th day of April, 2011

Cecil A. Gutierrez, Mayor

PROCLAMATION Councilor Shaffer read a proclamation declaring April 16, 2011 as "Spring Waterway Clean-up Event". The proclamation was received by City employee Joe Chaplin.

PROCLAMATION

WHEREAS, the 9th Annual Spring Waterway Clean-up event is one of the programs listed in the City of Loveland's General Municipal Separate Storm Sewer (MS4) Permit; and

WHEREAS, each of the Adopt-A-Waterway Groups including Bill Reed Middle School, the Loveland High River Watch Club, the Kiwanis Club of Loveland, the Namaqua Unitarian Universalist Congregation, the Loveland Open Lands Advisory Commission, Sylvan Dale Guest Ranch, Reflections for Youth, and Cub Scout Pack 184 will be cleaning their adopted sections of the Big Thompson River, the Morey Wildlife Reserve, the Reflections for Youth and Meadow Brook Natural Areas; and

WHEREAS, the Greeley-Loveland irrigation Company, Seven Lakes Reservoir Company, Larimer County, the Big Thompson Watershed Forum, National River Clean-up 2011, the City of Greeley, the City of Loveland, along with businesses such as American Rivers, World Beverage, Quad Graphics, Orchards Ace Hardware, Walgreens, LaQuinta, Aspen Grill, WashTime Car Wash, Big T 4-Wheelers, and others will be involved to collaborate and provide materials for a successful event; and

WHEREAS, the 9th Annual Spring Waterway Clean-up event is planned to coincide with Earth Day and should attract over 250 Loveland volunteers; and

WHEREAS, the 9th Annual Spring Waterway Clean-up event will help improve the aesthetics of the community; and

WHEREAS, the purpose of the 9th Annual Spring Waterway Clean-up event is to increase the public's awareness on nonpoint source pollution, and to provide the citizens of Loveland an opportunity to remove trash and other assorted debris from the City's waterways; and

WHEREAS, these critical efforts of the City of Loveland will help protect and improve upon the water quality of the City's waterways, the riparian corridors and our environment.

NOW, THEREFORE, we, the City Council of Loveland, do hereby proclaim Saturday, April 16, 2011 as

SPRING WATERWAY CLEAN-UP EVENT

Signed this 5th day of April, 2011
Cecil A. Gutierrez, Mayor

PROCLAMATION Councilor Klassen read a proclamation declaring the week of April 10-16, 2011, as "National Crime Victims' Rights Week". The proclamation was received by Gary Sampson.

PROCLAMATION

WHEREAS 20 million Americans are victims of crime each year and each crime affects many more, including families, friends and communities; and,
WHEREAS crime exacts an emotional, physical, psychological, and financial toll on victims as they have lost loved ones, life savings, physical and mental health, and often their sense of security that has the potential to irrevocably change the course of their lives forever; and
WHEREAS more than 30 years of progress for crime victims stands on the shoulders of dedicated advocates and brave victims who overcame shame, isolation, and indifference to gain a voice, rights, and respect; and
WHEREAS, we applaud the progress that our nation has made in recognizing crime's impact on victims and celebrate advocates and survivors who through their determination brought rights and resources for victims and have changed the course of history; and
WHEREAS, victim assistance programs across the country are reaching more victims and criminal justice officials are honoring victims' rights more consistently, public understanding of victims' rights remains minimal, and our nation's victim services system remains fragmented, underfunded, and uncoordinated; and
WHEREAS, more work remains to be done to address the mental health impact of crime, and to meet the needs of victims of non-violent crime, victims of terrorism, and other underserved victims; and
WHEREAS, National Crime Victims' Rights Week, April 10 – 16, 2011, provides an opportunity for us to reshape the future for victims by honoring the past and reflecting on hard-won victories, and to recommit to working together to insist on better treatment for victims to help them overcome the harm caused by crime; and
WHEREAS, Loveland is joining forces with victim service programs, criminal justice officials and concerned citizens throughout the county and America to raise awareness of victims' rights and observe National Crime Victims' Rights Week;

Now, therefore, we the City Council of the City of Loveland, Colorado do hereby proclaim the week of April 10-16, 2011 as
NATIONAL CRIME VICTIMS' RIGHTS WEEK

And reaffirm this county's commitment to respect and enforce victims' rights and address their needs during National Crime Victims' Rights Week and throughout the year; and express our appreciation for those victims and crime survivors who have turned personal tragedy into a motivating force to improve our response to victims of crime and build a more just community.

Signed this 5th day of April, 2011
Cecil A. Gutierrez, Mayor

PROCLAMATION Councilor Solt read a proclamation declaring April, 2011 as "Month of the Young Child". The proclamation was received by Beverly Hall and Lorna Green.

PROCLAMATION

WHEREAS, the Larimer County District of the Colorado Association for the Education of Young Children, the Early Childhood Council of Larimer County, the Thompson School District Early Childhood Programs, United Way of Larimer County, Pathways Past Poverty Child Access initiative, the Licensed Family Childcare Association, in conjunction with the National Association for the Education of Young Children, are celebrating the Month of the Young Child, April 2011; and
WHEREAS, these organizations are working to improve early learning opportunities, including early literacy programs, that can provide a foundation of learning for children in Loveland and Larimer County Colorado; and
WHEREAS, "Early Years are Learning Years"; and
WHEREAS, by calling attention to the needs for quality early childhood care and education for all young children and families within our community we can hope to improve the quality and availability of such services, and
WHEREAS, teachers and others who make a difference in the lives of young children deserve thanks and recognition; and
WHEREAS, public policies that support early learning for all young children are crucial to young children's futures;

NOW THEREFORE, we the Loveland City Council do hereby proclaim April 2011, as the
MONTH OF THE YOUNG CHILD

in Loveland, Colorado.

Signed this 5th day of April, 2011

Cecil A. Gutierrez, Mayor

PROCLAMATION

Mayor Gutierrez read a proclamation declaring April 28 - 30, 2011 as "Walt Clark Lego Robotics Team Days". The proclamation was received by the members of the Walt Clark Robotics Team.

PROCLAMATION

WHEREAS, the Walt Clark Lego Robotics Team, The Knights of the Field Table, comprised of five young student engineers and Inventors, Nick Brubaker, Patrick Canny, Cody Marvin, Daniel Probasco, and Ian Spence; and

WHEREAS, the students on the Walt Clark Lego Robotics Team have demonstrated gracious professionalism and sacrifice in teamwork; designed and developed an innovative solution to address the needs of Long Term Oxygen Therapy users; and worked tirelessly to create and program a custom-designed robot to compete in FIRST (For Inspiration and Recognition in Science and Technology) Lego Robotic Tournaments; and

WHEREAS, the Knights of the Field Table have represented themselves with honor, integrity and dedication befitting a Knight in our local, regional, state and soon-to-be global communities; and

WHEREAS, the Walt Clark Lego Robotics Team, has been awarded the highest FIRST Lego League honor, the Champion's Award, so as to represent the State of Colorado in the multi-cultural Worlds Robotic Event held in St. Louis on April 28 - 30, 2011.

NOW, THEREFORE, we the City Council of the City of Loveland, Colorado do hereby proclaim April 28 - 30, 2011 as
WALT CLARK LEGO ROBOTICS (Knights of the Field Table) TEAM DAYS

in Loveland, and call upon the community and partner organizations to celebrate with appropriate ceremonies to acknowledge these efforts.

Signed this 5th day of April, 2011

Cecil A. Gutierrez, Mayor

PROCLAMATION

Councilor Heckel read a proclamation declaring the week of April 10 - 16, 2011 as "Loveland Public Safety Communications Week". The proclamation was received by City Communication Manager Mark Gaisford.

PROCLAMATION

WHEREAS, April 10 through April 16, 2011, will be celebrated across the United States and Canada as National Dispatchers Week; and

WHEREAS, the week shall be devoted to increasing public awareness of the outstanding job performed by City of Loveland Emergency Communications Center personnel; and

WHEREAS, the public, police officers, medical technicians and firefighters are encouraged to acknowledge the important role Communications Specialists play in their ability to perform their services to the community.

NOW, THEREFORE, we, the Loveland City Council, do hereby proclaim April 10 through April 16, 2011 as
LOVELAND PUBLIC SAFETY COMMUNICATIONS WEEK

and encourage the citizens of Loveland to share in acknowledging respect for this critical position and the outstanding job the Loveland Emergency Communications Specialists perform in serving the entire community.

Signed this 5th day of April, 2011

Cecil A. Gutierrez, Mayor

PRESENTATION

Karlin Paige, from the Commission on Accreditation for Law Enforcement Agencies, presented Police Chief Hecker and staff, an award on the recent re-accreditation of the Communication Center as an Accredited Center of Excellence (ACE).

**PROCEDURAL
INFORMATION**

Mayor Gutierrez made the following procedural announcement: Anyone In the audience will be given time to speak to any Item on the Consent Agenda. Please ask for that item to be removed from the Consent Agenda. Items pulled will be heard at the beginning of the Regular Agenda. You 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. Please limit your comments to no more than three minutes.

CONSENT AGENDA

Mayor Gutierrez asked if anyone In the audience, Council or staff wished to speak on any of the Items or public hearings listed on the Consent Agenda. Councilor Johnson moved to approve the Consent Agenda. The motion was seconded by Councilor Heckel and a roll call vote was taken with all councilors present voting in favor thereof.

1. MINUTES

- a) Minutes for the March 8, 2011 special meeting were approved.
- b) Minutes for the March 15, 2011 regular meeting were approved.

2. DEVELOPMENT SERVICES

**Utility and Drainage Easement Vacation – Lot 2, North Lake First Subdivision
Ordinance #5567**

Legislative Action: "AN ORDINANCE VACATING A PORTION OF A PUBLIC UTILITY AND DRAINAGE EASEMENT LOCATED ON LOT 2, THIRD REPLAT TO NORTH LAKE FIRST SUBDIVISION TO NORTH LAKE ADDITION, CITY OF LOVELAND, LARIMER COUNTY, COLORADO" was approved and ordered published on second reading.

3. DEVELOPMENT SERVICES

**MUNICIPAL CODE AMENDMENT – REMOVES EXCLUSION FOR PETS UNDER 4 MONTHS OF AGE
Ordinance #5568**

Legislative Action: "AN ORDINANCE AMENDING CITY CODE SECTION 6.28.010 TO LIMIT THE NUMBER OF PETS ALLOWED TO BE KEPT IN RESIDENTIAL DWELLING UNITS" was approved and ordered published on second reading.

4. POLICE

**Municipal Code Change – Special Event Defined
1st Rdg Ord & P.H.**

Legislative Action: A public hearing was held and "AN ORDINANCE AMENDING CHAPTER 12.26 OF THE LOVELAND MUNICIPAL CODE AND OTHER RELATED CODE PROVISIONS TO REPLACE THE TERM SPECIAL EVENT WITH THE TERM LOCAL EVENT TO DISTINGUISH BETWEEN THE CITY'S EVENT PERMITTING PROCESS AND THE STATE'S LIQUOR CODE SPECIAL EVENTS PERMITTING PROCESS" was approved and ordered published on first reading.

5. DEVELOPMENT SERVICES

**Drainage Easement Vacation – Peakview Commercial Park First Subdivision
1st Rdg Ord & P.H.**

Legislative Action: A public hearing was held and "AN ORDINANCE VACATING A DRAINAGE EASEMENT LOCATED ON LOT 6 BLOCK 1, AMENDED PLAT OF PEAKVIEW COMMERCIAL PARK FIRST SUBDIVISION, CITY OF LOVELAND, LARIMER COUNTY, COLORADO" was approved and ordered published on first reading.

6. PUBLIC WORKS

Purchase of a Cold Milling Machine

Motion

Administrative Action: A motion authorizing the City Manager to enter into a purchase contract with Honnen Equipment Company for the replacement of one cold milling machine was approved.

7. PUBLIC WORKS

Purchase Order Increase – Coulson Excavating Company

Motion

Administrative Action: A motion approving an increase to Purchase Order 110356 to Coulson Excavating Company of Loveland by \$259,000 was approved.

END OF CONSENT AGENDA

CITY CLERK READ TITLES OF ORDINANCES ON THE CONSENT AGENDA.

CITY COUNCIL

Anyone who wishes to speak to an item NOT on the Agenda may address the Council under Citizens' Report.

a) Citizens' Reports

- John Mietters, Loveland Citizen, requested Council consider adding a warning label regarding the fluoride in city water and its impact on infants. Staff will study the matter.
- Evelyn King, Loveland Citizen, spoke about emission testing requirements in Larimer County.

b) City Council/City Manager Announcements

Klassen	Councilor Klassen attended the tour of Ostermiller's Studio. The grand opening of "Orchard Place" is scheduled for Friday, April 8.
McKean	Councilor McKean attended the tour of Road Narrows Robotics.
Rice	Councilor Rice gave an update on her recent trip to the National League of Cities Conference in Washington D.C.
Shaffer	Councilor Shaffer also attended the tour of Ostermiller's Studio. Councilor Shaffer requested a future study session item to discuss concerns from local artists.
Gutierrez	Mayor Gutierrez attended the Governor's regional economic development meeting at the Ranch. A Human Trafficking Awareness Night will be held 6-8 p.m. Monday, April 11, at the Garden Room Suites, 697 Denver Ave. The free event is sponsored by United Way Global Youth Service Week. Expert speakers will discuss the social injustice issue. The Mayor attended the "Welcome Home Vietnam Veterans Day" event hosted by the VFW on March 30.
Cahill	City Manager Cahill announced the former Agilent business park in Loveland was selected as the site for the development of the Aerospace Clean Energy Manufacturing and Innovation Park.

PROCEDURAL INFORMATION

Anyone who wishes to address the Council on any item on this part of the agenda may do so when the Mayor calls for public comment. All public hearings are conducted in accordance with Council Policy. When Council is considering adoption of an ordinance on first reading, Loveland's Charter only requires that a majority of the Council present vote in favor of the ordinance for it to be adopted on first reading. However, when an ordinance is being considered on second or final reading, at least five of the nine members of Council must vote in favor of the ordinance for it to become law.

REGULAR AGENDA

CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA

8. CITY MANAGER

Discussion and consideration of any needed action concerning the ACE Manufacturing and Innovation Park

City Manager Cahill announced the former Agilent business park in Loveland was selected as the proposed site for the development of the Aerospace Clean Energy Manufacturing and innovation Park.

9. FINANCE

February 2011 Financial Report

This is an information only item. No action is required. Assistant City Manager and Finance Director Renee Wheeler introduced this item to Council. Renee highlighted a new city service for local businesses. The City will offer on-line transaction services for sales tax licensing, tax return processing and payments. Renee thanked the team for their hard work on this project. The Snapshot Report includes the City's preliminary revenue and expenditures including detailed reports on tax revenue, health claims and cash reserves for the two months ending February 28, 2011.

10. CITY MANAGER'S OFFICE

Investment Report for February 2011

This is an information only item. No Council action is required. Executive Fiscal Advisor Alan Krmarik introduced this item to Council. The budget estimate for investment earnings for 2011 is \$3,163,130. For the year-to-date, the amount posted to the investment account is \$513,687 including realized gains. The actual year-to-date earnings are lower than the year-to-date budget projection by \$13,502. Based on February's monthly statement, the estimated annualized yield is about 2.0%, precisely on the path of the 2.0% budget estimate for earnings.

CITY COUNCIL NEW BUSINESS

Klassen Councilor Klassen requested an update on the Request For Proposals (RFP) process for the Agilent property. City Manager Cahill replied that the process was put on hold until the site selection decision was made by Colorado Association of Manufacturing and Technology.


Shaffer Councilor Shaffer acknowledged Amy White, owner of downtown store Almosta was closing her doors and expressed appreciation for all of her contributions to Downtown development.

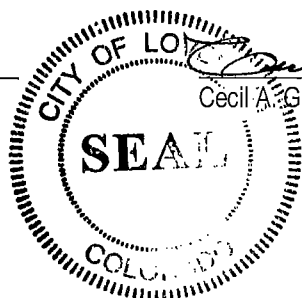
Special Meeting Councilor Johnson made a motion to call for a Special Meeting on April 12th. Councilor Shaffer seconded the motion and a roll call vote was held with all Councilors present voting in favor thereof.

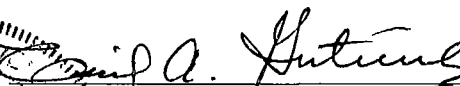
Gutierrez Mayor Gutierrez confirmed attendance at the following events, both scheduled for April 28th: Councilors Shaffer, Klassen and Johnson will attend the Regional joint meeting of elected officials in Larimer and Weld Counties and Mayor Gutierrez and Councilor McEwen will attend the "Heroes Among Us" event.

ADJOURNMENT Having no further business to come before Council, the April 5, 2011 Regular Meeting was adjourned at 8:49 p.m.

Respectfully Submitted,


Teresa G. Andrews, City Clerk




Cecil A. Gutierrez, Mayor