

## REGULAR MEETING AGENDA

### CALL TO ORDER

### APPROVAL OF MINUTES – 07/10/2019

### CITIZENS REPORT (\*See procedural instructions on the following page.)

### REGULAR AGENDA

1. Interfund Loan from the Power Enterprise Fund to the Municipal Fiber Enterprise Fund for Municipal Fiber Services – Joyce Robinson

### STAFF REPORTS

2. Construction RFP Update – Kim Reeves
3. Marketing and Outreach Update – Lindsey Johansen

### COMMISSION & COUNCIL REPORTS

### DIRECTOR'S REPORT

### ADJOURN

#### **\* Citizens Report Procedures**

Anyone in the audience may address the LCAB on any topic relevant to the commission. Members of the public will be given an opportunity to speak to the item during the Regular Agenda portion of the meeting before the LCAB acts upon it. If the topic is a Staff Report item, members of the public should address the LCAB during this portion of the meeting; no public comment is accepted during the Staff Report portion of the meeting.

Anyone making comment during any portion of tonight's meeting should identify himself or herself and be recognized by the LCAB chairman. Please do not interrupt other speakers. Side conversations should be moved outside the Service Center Board Room. Please limit comments to no more than three minutes.

#### **Notice of Non-Discrimination**

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#### **Notificación en Contra de la Discriminación**

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**Commission Members Present:** Adam Auriemmo, David Hetrick, J.D. Walker, Korey Streich, Paul Langfield, Ralph Treney, Richard Bilancia, and Shane Mares

**Commission Members Absent:** N/A

**Council Liaisons Present:** Don Overcash, John Fogle

**Council Liaisons Absent:** Dave Clark (Alternate)

**City Staff Members Present,** Brieana Reed-Harmel, Coreen Callahan, Jim Lees, Joe Bernoksy, John Beckstrom, Kim Reeves, Lindsey Johansen, Lori Stirman, Noah Cecil, Ryan Greene, and Steve Adams

**Guest Attendance:** Brian Greene, Leslie Mattos, and Paul Ferris

**CALL TO ORDER:** Richard Bilancia called the meeting to order at 4:05pm

**APPROVAL OF MINUTES:** Bilancia asked for a motion to approve the minutes of the May 8, 2019 meeting.

**Motion:** Adam Auriemmo made the motion

**Second:** J.D. Walker seconded the motion. The minutes were unanimously approved.

## REGULAR AGENDA

### Item 1: LCAB Leadership and Introduction of New Members – Richard Bilancia

Provided an update on the interviews for new members, as well as introduced the new members appointed by City Council. A vote for new LCAB Chair and LCAB Vice Chair took place.

Paul Langfield nominated himself for LCAB Chair

**Motion:** Shane Mares made the motion

**Second:** Adam Auriemmo seconded the motion. The motion was approved unanimously

Vi Wickam nominated himself for LCAB Vice Chair.

**Motion:** Adam Auriemmo made the motion

**Second:** J.D. Walker seconded the motion. The motion was approved unanimously

### Item 2: 2020 Proposed Budget for Municipal Fiber – Jim Lees

This item provides an overview of the proposed 2020 Municipal Fiber Budget for City Council's consideration.

#### Recommendation:

Adopt a motion recommending the City Council consider the 2020 Municipal Fiber Budget. John Fogle suggested an adjustment to the percentages using total population.

**Motion:** Adam Auriemmo made the motion

**Second:** J.D. Walker seconded the motion. The motion was approved unanimously

**Item 3: Wireless Communication Code – Briana Reed-Harmel**

This item is seeking approval and recommendation to City Council of approval of the City of Loveland Wireless Communications Code located in Title 14 of the Loveland Municipal Code, and associated amendments to the Unified Development Code and Title 13 of the Loveland Municipal Code regarding pole attachments.

**Recommendation:**

Motion to approve and recommend that City Council adopt the Wireless Communications Code in Title 14 of the Loveland Municipal Code and associated revisions to the Unified Development Code in Title 18 and pole attachment provisions in Title 13 of the Loveland Municipal Code.

**Motion:** Adam Auriemmo made the motion.

**Second:** Shane Mares seconded the motion. The motion was approved unanimously

**STAFF REPORTS**

**Item 4: Broadband Update– Briana Reed-Harmel**

Provided a brief update on the recent work since the last LCAB meeting on May 8, 2019

Staff report only. No action required.

**Item: 5: Marketing and Outreach Update – Lindsey Johansen**

Provided an update on the outreach done since the last LCAB meeting on May 8, 2019

Staff report only. No action required.

**COMMISSION/COUNCIL REPORTS**

**Item 6: Commission/Council Reports**

John Fogle discussed information regarding different meetings he's attended, including last night's City Council meeting

Don Overcash shared that he is addressing questions about Pulse from the community

**DIRECTOR'S REPORT**

**Item 7: Director's Report – Joe Bernosky**

No additional information

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**ADJOURN** The meeting adjourned at 5:45 pm. The next LCAB Meeting will be August 14, 2019 at 4:00 pm.

Respectfully submitted,

Coreen Callahan  
Recording Secretary  
Loveland Communications Advisory Board



**AGENDA ITEM:** 1  
**MEETING DATE:** 8/14/2019  
**SUBMITTED BY:** Jim Lees  
**STAFF TITLE:** Utility Accounting Manager

**ITEM TITLE:**

Interfund Loan From The Power Enterprise Fund To The Municipal Fiber Enterprise Fund For Municipal Fiber Services

**DESCRIPTION:**

The purpose of this item is to ask LCAB: 1) to adopt a motion recommending that City Council approve an interfund loan between the Power Enterprise Fund and the Municipal Fiber Enterprise Fund, 2) adopt a motion recommending that City Council approve a supplemental budget and de-appropriation for the Power Enterprise Fund, and 3) adopt a motion recommending that City Council approve a corresponding supplemental budget and appropriation for the Power Enterprise Fund.

**SUMMARY:**




In February of 2018, City Council approved a supplemental budget and appropriation for the Power Enterprise Fund in the amount of \$2.5 million. This \$2.5 million was to be used to develop a build-ready design for a potential municipal fiber network, develop a business plan, evaluate financing options and conduct outreach and education. All of the output from the \$2.5 million investment was to be used to evaluate whether consideration should be given to establish a City of Loveland fiber utility. City Council voted on November 6, 2018 to establish a municipal fiber utility, relying heavily on information that was made possible from this \$2.5 million investment. The intent from the time that the supplemental budget appropriation was approved was that, if the municipal fiber utility was established, then the \$2.5 million would be paid back to the Power Enterprise Fund. The first ordinance presented here formally establishes the interfund loan between the Power Enterprise Fund and the Municipal Fiber Enterprise Fund to pay back the \$2.5 million to the Power Enterprise Fund. The loan is structured to be paid back over a ten-year period (2019-2028), with the first five years being interest-only payments. The first loan payment is included in the 2019 Municipal Fiber budget and the remaining nine payments are accounted for in the Municipal Fiber 10-Year Financial Plan.

The second and third ordinances are housekeeping matters that are associated with the first ordinance. Of the \$2.5 million supplemental budget and appropriation that was approved in February of 2018, \$1,183,128 was spent in 2018, and the remaining \$1,316,872 was re-appropriated in 2019 and will be spent before the end of the year. When the \$2.5 million is completely spent, those expenses, which have been charged to the Power Enterprise Fund, will need to be moved to the Municipal Fiber Enterprise Fund. The second and third ordinances accomplish moving the 2019 budget of \$1,316,872 that currently resides in the Power Enterprise Fund to the Municipal Fiber Enterprise Fund. So, \$1,316,872 will be de-appropriated from the Power Enterprise Fund budget in 2019 (Attachment B) and \$1,316,872 will be added to the Municipal Fiber Enterprise Fund budget in 2019 (Attachment C). This will enable the Municipal Fiber Enterprise Fund to have budgeted funds to cover the \$1,316,872 of 2019 expenses that will be getting transferred from the Power Enterprise Fund. By the end of 2019, journal entries will be completed that will remove all of the \$2.5 million of expenses that have been incurred by the Power Enterprise Fund and transfer them to the Municipal Fiber Enterprise Fund.

## RECOMMENDATION:

- 1) Adopt a motion recommending that City Council approve an interfund loan between the Power Enterprise Fund and the Municipal Fiber Enterprise Fund
- 2) Adopt a motion recommending that City Council approve a supplemental budget and de-appropriation for the Power Enterprise Fund
- 3) Adopt a motion recommending that the City Council approve a corresponding supplemental budget and appropriation for the Municipal Fiber Enterprise Fund

## ATTACHMENTS:

-  Ordinance 1
-  Ordinance 2
-  Ordinance 3

FIRST READING: \_\_\_\_\_

SECOND READING: \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE ENACTING A SUPPLEMENTAL BUDGET AND APPROPRIATION TO THE 2019 CITY OF LOVELAND BUDGET FOR AN INTERFUND LOAN FROM THE POWER ENTERPRISE FUND TO THE MUNICIPAL FIBER ENTERPRISE FUND FOR MUNICIPAL FIBER SERVICES**

**WHEREAS**, the City has reserved funds not anticipated or appropriated at the time of the adoption of the 2019 City budget for an Interfund Loan from the Power Enterprise Fund to the Municipal Fiber Enterprise Fund for Municipal Fiber Services; and

**WHEREAS**, the City Council desires to authorize the expenditure of these funds by enacting a supplemental budget and appropriation to the 2019 City budget for an Interfund Loan from the Power Enterprise Fund to the Municipal Fiber Enterprise Fund for Municipal Fiber Services, as authorized by Section 11-6(a) of the Loveland City Charter.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOVELAND, COLORADO:**

**Section 1.** That reserves in the amount of \$2,500,000 from unassigned fund balance in the Power Enterprise Fund are available for appropriation. Such revenues in the total amount of \$2,500,000 are hereby appropriated to the 2019 City budget for an Interfund Loan from the Power Enterprise Fund to the Municipal Fiber Enterprise Fund for Municipal Fiber Services. The spending agencies and funds that shall be spending the monies supplementally budgeted and appropriated are as follows:

**Supplemental Budget  
Power Utility Fund 330**

**Revenues**

Unassigned Fund Balance	2,500,000
<b>Total Revenue</b>	<b>2,500,000</b>

**Appropriations**

330-00-000-0000-47335	Initial Loan Set Up (transferring funds from Power to Muni-Fiber)	2,500,000
<b>Total Appropriations</b>		<b>2,500,000</b>

**Section 2.** That as provided in City Charter Section 4-9(a)(7), this Ordinance shall be published by title only by the City Clerk after adoption on second reading unless the Ordinance has

been amended since first reading in which case the Ordinance shall be published in full or the amendments shall be published in full.

**Section 3.** That this Ordinance shall be in full force and effect upon final adoption, as provided in City Charter Section 11-5(d).

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2019.

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Jacki Marsh, Mayor

ATTEST:

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Patti Garcia, City Clerk

[INSERT AATF]



# Attachment B

FIRST READING: August 6, 2019

SECOND READING: \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

## AN ORDINANCE ENACTING A SUPPLEMENTAL BUDGET AND DE-APPROPRIATION TO THE 2019 CITY OF LOVELAND BUDGET FOR THE POWER ENTERPRISE FUND

WHEREAS, the City has appropriated funds for Municipal Broadband Services in the Power Enterprise Fund (*Ordinance No. 6184*); and

WHEREAS, the City Council desires to authorize the expenditure of these funds by enacting a supplemental budget and de-appropriation to the 2019 City budget for the Power Enterprise Fund, as authorized by Section 11-6(a) of the Loveland City Charter.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOVELAND, COLORADO:

**Section 1.** That reserves in the amount of \$1,316,872 from existing appropriations in the Power Enterprise Fund are available for de-appropriation. Such revenues in the total amount of \$1,316,872 are hereby de-appropriated from the 2019 City budget for the Power Enterprise Fund. The spending agencies and funds that shall be spending the monies supplementally budgeted and appropriated are as follows:

### Supplemental Budget Power Utility Fund 330

#### Revenues

Unassigned Fund Balance	(1,316,872)
<b>Total Revenue</b>	<b>(1,316,872)</b>

#### Appropriations

330-45-335-2900-49352 PW1801	PULSE Charges in Power (De-Appropriation)	(189,535)
330-45-335-2900-49352 PW1801	PULSE Charges in Power (De-Appropriation)	(1,127,337)
<b>Total Appropriations</b>		<b>(1,316,872)</b>

**Section 2.** That as provided in City Charter Section 4-9(a)(7), this Ordinance shall be published by title only by the City Clerk after adoption on second reading unless the Ordinance has been amended since first reading in which case the Ordinance shall be published in full or the amendments shall be published in full.

**Section 3.** That this Ordinance shall be in full force and effect upon final adoption, as provided in City Charter Section 11-5(d).

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2019.

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

ATTEST:

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

[INSERT AATF]

# Attachment C

FIRST READING: August 6, 2019

SECOND READING: \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

## AN ORDINANCE ENACTING A SUPPLEMENTAL BUDGET AND APPROPRIATION TO THE 2019 CITY OF LOVELAND BUDGET FOR MUNICIPAL FIBER SERVICES

WHEREAS, the City has reserved funds not anticipated or appropriated at the time of the adoption of the 2019 City budget for Municipal Fiber Services; and

WHEREAS, the City Council desires to authorize the expenditure of these funds by enacting a supplemental budget and appropriation to the 2019 City budget for Municipal Fiber Services, as authorized by Section 11-6(a) of the Loveland City Charter.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOVELAND, COLORADO:

**Section 1.** That reserves in the amount of \$1,316,872 from unassigned fund balance in the Municipal Fiber Fund are available for appropriation. Such revenues in the total amount of \$1,316,872 are hereby appropriated to the 2019 City budget for Municipal Fiber Services. The spending agencies and funds that shall be spending the monies supplementally budgeted and appropriated are as follows:

### Supplemental Budget Municipal Fiber (PULSE) Fund 335

#### Revenues

Unassigned Fund Balance	1,316,872
<b>Total Revenue</b>	<b>1,316,872</b>

#### Appropriations

335-47-349-2903-43450 FB1801	PULSE Charges moved from Power	189,535
335-47-349-2903-49352 FB1801	PULSE Charges moved from Power	1,127,337
<b>Total Appropriations</b>		<b>1,316,872</b>

**Section 2.** That as provided in City Charter Section 4-9(a)(7), this Ordinance shall be published by title only by the City Clerk after adoption on second reading unless the Ordinance has been amended since first reading in which case the Ordinance shall be published in full or the amendments shall be published in full.

**Section 3.** That this Ordinance shall be in full force and effect upon final adoption, as provided in City Charter Section 11-5(d).

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2019.

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

ATTEST:

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

[INSERT AATF]



**AGENDA ITEM:** 2  
**MEETING DATE:** 8/14/2019  
**SUBMITTED BY:** Kim Reeves  
**STAFF TITLE:** Construction Project Manager

**ITEM TITLE:**

Construction RFP Update

**DESCRIPTION:**

The purpose of the Fiber to the Premise (FTTP) Construction Contractor Request for Proposal (RFP) is to select a contractor to provide the ongoing material procurement coordination, construction and installation, testing and completion of an outside plant fiber optic network. This includes the installation of underground handholes, vaults, conduit and the placement of the fiber including splicing up to the curb. The fiber installation from the curb to the home will be on a separate premise installation contract.

**SUMMARY:**


The RFP was advertised in the Reporter Herald and issued electronically on Bidnet July 30<sup>th</sup> with the following schedule:

Issuance of RFP	July 29, 2019
Mandatory Pre-Bid Meeting	August 15, 2019
RFP Question Deadline	August 22, 2019
Response to RFP Questions Posted	August 29, 2019
RFP Responses Due	September 5, 2019

**RECOMMENDATION:**

Information item only. No action required.

**ATTACHMENTS:**

-  Memo from Briean Reed-Harmel dated July 19, 2019

# Attachment A

## MEMORANDUM

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**TO:** Loveland City Council  
Loveland Communications Advisory Board

**CC:** Steve Adams, City Manager  
Joe Bernosky, Loveland Water and Power Director

**FROM:** Briana Reed-Harmel, Municipal Fiber Manager

**DATE:** July 19, 2019

**SUBJECT:** Pulse Construction Update

As you know from this week's council meeting, work on the Pulse fiber-optic network continues to move forward. I wanted to follow up with a project update as we are re-issuing the RFP for a construction contractor next week.

Yesterday afternoon, the City of Loveland informed Kansas-based BEAR Communications, Inc. that it would no longer be continuing contract negotiations for the construction of Loveland's high-speed fiber network. During negotiations, BEAR Communications and the City of Loveland were unable to come to a mutually-agreeable contract price and decided that it is in the best interest of both parties that our organizations part ways at this time.

Our goals for this project are centered on our commitment to serving our community, transparency and continued communication to Loveland and future Pulse customers. While this news is unfortunate, this decision was necessary for cost management and was made in the best interest of the project to ensure that our community receives the reliable, cost-effective, high-speed fiber network we committed to.

Construction of the Pulse fiber-optic network was slated to begin this September, and once it starts, is expected to take 36-48 months to pass by every home and business in the service area. In the coming weeks, we will be re-assessing the timelines for construction and buildout. We estimate that the updated construction RFP process will impact the start of network construction and potentially our first customer connection. However, we had 12 responses to the initial construction RFP and know that interest in this project from qualified, experienced companies is strong. Once we have RFP responses back and begin negotiations with the successful bidder, updated timelines will be solidified.



Despite this change and because of the other proactive work that has been happening, we are confident that the majority of our community will have service available within the original 36-48 month construction timeframe.

The progress on the Pulse project has been significant over the past several months. We have successfully executed agreements for completion of design, project management services through Ditesco, telecommunications equipment huts, billing and provisioning software, and an intergovernmental agreement with the City of Fort Collins for data transport and upstream connectivity infrastructure. We are also continuing contract negotiations in a number of other necessary areas including the fiber-to-the-premise installation team, voice services, and materials management during construction.

We have put forth an aggressive timeline and have, with few exceptions, been rapidly moving toward the end goal of providing reliable high-speed broadband service to our community. Please know that our team is working hard to resolve this in the best interest of the City and our community while limiting the impact on the overall project. We thank you for your continued confidence in our efforts and look forward to installing Pulse service in the near future.



**AGENDA ITEM:** 3  
**MEETING DATE:** 8/14/2019  
**SUBMITTED BY:** Lindsey Johansen  
**STAFF TITLE:** Communications and Marketing Manager

**ITEM TITLE:**

Marketing and Outreach Update

**DESCRIPTION:**

This item will provide an update on the broadband outreach activities.

**SUMMARY:**

Lindsey Johansen will provide updates on broadband outreach including:

1. Review of recent activities

**Media Summary:**

7/29/2019	Loveland Reporter-Herald	Letter to the editor - <a href="#">John Fogle's expertise will be key in development of municipal broadband</a>
8/2/2019	Loveland Reporter-Herald	Letter to the editor - <a href="#">Return experienced, thoughtful, engaged John Fogle to City Council</a>

**RECOMMENDATION:**

Information item only. No action required.





**AGENDA ITEM:** 4  
**MEETING DATE:** 8/14/2019  
**SUBMITTED BY:** Joe Bernosky  
**STAFF TITLE:** Director

**ITEM TITLE:**

Commission & Council Report

**SUMMARY:**

Discuss events that the Loveland Communications Advisory Board Liaisons attended, special topics and any City Council items related to the Broadband Project from the past month.

- City Council Report – Verbal

**RECOMMENDATION:**

Commission/Council report only.



**AGENDA ITEM:** 5  
**MEETING DATE:** 8/14/2019  
**SUBMITTED BY:** Joe Bernosky  
**STAFF TITLE:** Director

**ITEM TITLE:**

Director's Report

**SUMMARY:**

Discuss events that the Director attended, special topics and items directly related to the Broadband Project from the past month.

- Director's Report - Verbal

**RECOMMENDATION:**

Director's report only.