



MINUTES
LOVELAND CITY COUNCIL MEETING
Tuesday, June 4, 2019 CITY COUNCIL CHAMBERS 6:00 PM

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

COUNCIL ABSENT: None

1. INTRODUCTION

1.1. CALL TO ORDER

1.2. PLEDGE OF ALLEGIANCE

1.3. ROLL CALL

**1.4. PROCLAMATION
DECLARING JUNE 9-19, 2019 AS AMERICAN LEGION DAYS**

Councilor Jersvig presented the proclamation to Commander Gary Gardner, Jennifer Rivera, Bart Bartholomew, Tony DuMosch and William Bill Munsell.

**1.5. PROCLAMATION
DECLARING JUNE 2019 AS SAFETY MONTH**

Councilor Jersvig presented the proclamation to Jason Smitherman.

Mayor Marsh called for a moment of silence in honor of victims and community of Virginia Beach, VA.

**1.6. PROCLAMATION
DECLARING JUNE 14, 2019 AS FLAG DAY**

Councilor Olson presented the proclamation to Donn Smith, Gary Sampson, Jennie Votaw, John Butler, Ted Ullmann and Carole Anderson.

PROCEDURAL INFORMATION

2. PUBLIC COMMENT

Olivia Lowe, Loveland resident, acknowledged Mayor Marsh on her participation in Run for the Wall that is a motorcycle ride from California to Washington DC in honor of veterans. Bruce Croissant, Loveland resident, reported on a trip he took from Loveland to Boulder using public transit. He observed that cities in good repair make for good visiting by tourists and living for residents.

Linda Rosa, Loveland resident, reported on the detailed analysis that she sent to City Council regarding the Community Improvement Program preparation. She questioned the statistical analysis of the survey, specifically the phone interviews and the margin of error of the survey. Ms. Rosa expressed concerns regarding the task force recommendations.

3. CONSENT AGENDA

**3.1. CITY CLERK
APPROVAL OF MINUTES**

Approval of the City Council minutes for the May 7, and May 21, 2019 Regular Meetings and May 14, 2019 Special Meeting and Study Session.

A Motion to Approve the City Council minutes for the May 7, and May 21, 2019 Regular Meetings and May 14, 2019 Special Meeting and Study Session

CARRIED.

**3.2. CITY CLERK
MEMBER APPOINTMENTS TO THE CITIZENS' FINANCE ADVISORY COMMISSION
AND THE LIBRARY BOARD**

This is an item appointing members to Citizens' Finance Advisory Commission and Library Board.

A Motion To Appoint John Cittadino To The Citizens' Finance Advisory Commission With A Term Effective Until December 31, 2020

CARRIED.

A Motion To Appoint Kalysa Christopher As The Youth Member To The Library Board With A Term Effective Until July 31, 2020

CARRIED.

**3.3. CITY CLERK
CALL FOR A SPECIAL MEETING TO BE HELD ON JUNE 11, 2019, AT 6:00 PM FOR
THE CITY ATTORNEY'S QUARTERLY PERFORMANCE REVIEW WITH A
POSSIBLE EXECUTIVE SESSION**

This item provides a motion calling for a Special Meeting on June 11, 2019. If approved, the City Clerk shall call for a Special Meeting on June 11, 2019 at 6:00 PM for items to be

noticed at least twenty-four hours in advance. The item currently anticipated is the City Attorney's Review.

A Motion To Direct The City Clerk To Call For A Special Meeting To Be Held On June 11, 2019 At 6:00 PM For The Purpose of Conducting the City Attorney's Review With Possible Executive Session

CARRIED.

3.4. CITY MANAGER

PUBLIC COMMENT

AN ORDINANCE EXTENDING THE GAS FRANCHISE GRANTED TO PUBLIC SERVICE COMPANY OF COLORADO

The existing Natural Gas Franchise Agreement is set to expire on July 1, 2019. This six (6) month extension through December 31, 2019 will allow adequate time for staff negotiations with Xcel Energy to continue. Any further needed extensions beyond 2019 can be done through written agreement by the City Manager.

The first reading of this item was heard at the May 21, 2019 Council meeting, where it passed on the consent agenda with an 8-0 vote.

A Motion To Adopt, On Second Reading, Ordinance No. 6304 Extending The Gas Franchise Granted To Public Service Company Of Colorado

CARRIED.

3.5. COMMUNITY PARTNERSHIP OFFICE

PUBLIC COMMENT

ORDINANCE ENACTING A SUPPLEMENTAL BUDGET AND APPROPRIATION TO THE 2019 CITY OF LOVELAND BUDGET FOR ALLOCATION OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM INCOME

Community Development Block Grant (CDBG) funding allocated to the Loveland Housing Authority's (LHA) Larimer Home Improvement Program (LHOP) for down payment assistance for low-income Loveland residents is being returned to the City of Loveland to be allocated to other CDBG projects.

LHA has not been able to use the money for down payment assistance because it is required to be loaned to a resident living at, or below 80%, of the area median income, which is \$61,280 for a family of three. There are few homes in Loveland that are for attainable for someone living at that level of income and LHA has not had an application for down payment assistance for quite some time.

This CDBG funding is in addition to our annual allocation.

The first reading of this item was heard at the May 21, 2019 Council meeting, where it passed on the consent agenda with an 8-0 vote.

A Motion To Adopt, On Second Reading, Ordinance No. 6305 Enacting A Supplemental Budget And Appropriation To The 2019 City Of Loveland Budget For Allocation Of Community Development Block Grant (CDBG) Program Income

CARRIED.

3.6. ECONOMIC DEVELOPMENT

PUBLIC COMMENT

ORDINANCE AND RESOLUTION ENACTING A SUPPLEMENTAL BUDGET AND APPROPRIATION TO THE 2019 CITY OF LOVELAND BUDGET FOR AN INCENTIVE AGREEMENT WITH COMPLETE SOLUTIONS ROBOTICS, LLC

This item approves the second reading of the appropriation ordinance for \$75,000 from the Economic Incentives Fund and approves the incentive agreement with CSR. Under the approved Economic Development Incentive Policy, any proposed incentive in excess of \$30,000 requires staff to bring the item to City Council for formal consideration. Complete Solutions Robotics intends to build two 20,000 square foot manufacturing facilities at 7151 Franklin Avenue Longview Midway Business Park in Loveland.

The first reading of this item was heard at the May 21, 2019 Council meeting, where it passed on the regular agenda with an 8-0 vote.

A Motion To Adopt, On Second Reading, Ordinance No. 6306 Enacting A Supplemental Budget And Appropriation To The 2019 City Of Loveland Budget For An Incentive Agreement With Complete Solutions Robotics, LLC

CARRIED.

A Motion To Adopt Resolution #R-56-2019 Approving An Economic Incentive Agreement For Complete Solution Robotics For Expansion And Building Production Facilities In The City Of Loveland

CARRIED.

3.7. ECONOMIC DEVELOPMENT

PUBLIC COMMENT

ORDINANCE ENACTING A SUPPLEMENTAL BUDGET AND APPROPRIATION TO THE 2019 CITY OF LOVELAND BUDGET FOR AN ECONOMIC INCENTIVE AGREEMENT WITH INTELLIVATION, LLC

Under the approved Economic Development Incentive Policy, any proposed incentive in excess of \$30,000 requires staff to bring the item to City Council for review prior to formal consideration. The appropriation ordinance will fund the proposed incentive

agreement. Mike Simmons will present the request to City Council on behalf of Intellivation.

The first reading of this item was heard at the May 21, 2019 Council meeting, where it passed on the regular agenda with an 8-0 vote.

A Motion To Adopt, On Second Reading, Ordinance No. 6307 Enacting A Supplemental Budget And Appropriation To The 2019 City Of Loveland Budget For An Economic Incentive Agreement With Intellivation, LLC

CARRIED.

A Motion to Adopt Resolution #R-57-2019 Approving An Economic Incentive Agreement For Intellivation For Expansion and Building Production Facilities In The City of Loveland

CARRIED.

**3.9. COMMUNITY PARTNERSHIP OFFICE
RESOLUTION AUTHORIZING THE ASSIGNMENT OF PRIVATE ACTIVITY BOND
ALLOCATION FOR 2019 TO THE HOUSING AUTHORITY OF THE CITY OF
LOVELAND, COLORADO**

This resolution will authorize the assignment of all of the City's 2019 private activity bond allocation in the amount of \$4,088,280 to the Housing Authority of the City of Loveland (HACOL or the Authority) for the purpose of issuing bonds or a revenue note for a 4% low income housing tax credit project. The private activity bond assignment is not a cash contribution. It allows the funding for an eligible project to come from the issuance of bonds, a loan, or a note. The project will be affordable housing and will meet the federal and state requirements for the use of Private Activity Bond financing and federal tax credits. The City of Loveland will not have any financial responsibility for the repayment of the bonds or note issued for the project. The project will be responsible to make the bond or note payments.

The City does not have any other uses for the allocation in 2019. No one has approached the Economic Development Department, the Community Partnership Office or the Executive Fiscal Advisor with a project that would be eligible for the allocation.

This is a normal and customary process for the City as we have used our private activity bond allocation in the past to assist in the financing of affordable multi-family housing.

A Motion To Adopt Resolution #R-53-2019 Authorizing The Assignment Of Private Activity Bond Allocation For 2019 To The Housing Authority Of The City Of Loveland, Colorado

CARRIED.

**3.9. COMMUNITY PARTNERSHIP OFFICE
RESOLUTION APPROVING THE 2019 GRANT FUNDING RECOMMENDATIONS OF
THE LOVELAND HUMAN SERVICES COMMISSION AND THE LOVELAND
AFFORDABLE HOUSING COMMISSION**

This item was pulled from consent agenda by Councilor Olson.

**3.10. NORTHERN COLORADO REGIONAL AIRPORT
RESOLUTION APPROVING A SECOND AMENDMENT TO THE AMENDED AND
RESTATED INTERGOVERNMENTAL AGREEMENT FOR THE JOINT OPERATION
OF THE FORT COLLINS-LOVELAND AIRPORT DATED JANUARY 22, 2015**

The purpose of this item is to stagger the terms of the citizen members appointed to the Northern Colorado Regional Airport Commission. The resolution will amend the Intergovernmental Agreement (IGA) to modify the terms of citizen members of the Northern Colorado Regional Airport Commission such that the terms will be staggered rather than expiring in the same year.

A Motion To Adopt Resolution #R-55-2019 Approving A Second Amendment To The Amended And Restated Intergovernmental Agreement For The Joint Operation Of The Fort Collins-Loveland Airport Dated January 22, 2015

CARRIED.

**3.11. PUBLIC WORKS
RESOLUTION ADOPTING THE BIG THOMPSON RIVER CORRIDOR MASTER PLAN**

The City of Loveland received a Community Development Block Grant – Disaster Recovery (CDBG-DR) grant from the State of Colorado Department of Local Affairs (DOLA) to develop a detailed multi-objective master plan for the Big Thompson River corridor through the Loveland area. The Master Plan provides a long-term vision for the river corridor by focusing on reducing flood hazards, protecting existing infrastructure and property, increasing resiliency of the corridor to future floods, restoring the ecological functions of the river and floodplain, improving recreation and public-nature interaction opportunities, helping the City capitalize on its river, and improving river corridor management. The purpose of this agenda item is to request City Council's adoption of the Master Plan.

A Motion To Approve Resolution #R-58-2019 Adopting The Big Thompson River Corridor Master Plan

CARRIED.

**3.12. PUBLIC WORKS
RESOLUTION APPROVING CONTRACT WITH ACC ROOFING, INC.**

Pulled from consent agenda by Mayor Marsh.

**3.13. PUBLIC WORKS
RESOLUTION APPROVING THE DEDICATION TO LOVELAND OF A PORTION OF
PROPERTY AT THE NORTHERN COLORADO REGIONAL AIRPORT AS RIGHT-OF-
WAY FOR THE EXTENSION OF ROCKWELL AVENUE**

The purpose of this item is to authorize the City Manager to sign a deed of dedication on behalf of the City to dedicate a portion of property on Northern Colorado Regional Airport land to the City as right-of-way. The dedicated right-of-way will permit the extension of Rockwell Avenue as required for the Airpark North First Subdivision and in the future serve Airport development.

A Motion To Adopt Resolution #R-60-2019 Approving The Dedication To Loveland Of A Portion Of Property At The Northern Colorado Regional Airport As Right-Of-Way For The Extension Of Rockwell Avenue

CARRIED.

**3.14. FINANCE
RESOLUTION APPROVING THE FIFTH AMENDMENT TO AGREEMENT
REGARDING ENVIRONMENTAL FEES**

Since 2006, the City, McWhinney Real Estate Services, and the High Plains Foundation and the High Plains Environmental Center have operated under an Agreement that specifies the level of Environmental Fees that are associated with the parcels located in the Millennium Addition Planned Unit Development. Over the years the planned development on some of the parcels has changed. Periodic adjustments are made to the fee schedule to reflect the proposed changes in use. In this Fifth Amendment, the fees for Parcel B-6 are to be changed, imposing a fee of 43 cents per square foot for residential development that will occur within the Parcel. The levels of the Environmental Fees are presented in Exhibit C.2 to the Resolution describing the Fifth Amendment to the original Agreement.

On the approval of the Resolution, the revised fee schedule will go into effect and the currently undeveloped residential development in Parcel B-6 will be required to pay the appropriate fee, upon development.

A Motion To Adopt Resolution #R-65-2019 Approving The Fifth Amendment To Agreement Regarding Environmental Fees

CARRIED.

**3.15. FISCAL ADVISOR
INVESTMENT REPORT**

Through April, the market value (including accrued interest) of the City's investment portfolio is estimated to be \$222,103,388. The budget revenue projection for the full year of 2019 was set at \$3,319,680. So far this year, actual interest received is now \$165,223 ahead of schedule. Using the portfolio's beginning year balance, the rate needed to reach the annual interest earning target is 1.43%. The annualized interest rate at the end of April was 1.91%. For the month, accounting staff posted \$550,361 to various fund accounts. The year to April month-end total is \$1,271,572. U.S. short-term (under five years) Treasury interest rates were almost flat in April.

The Federal Open Market Committee increased the federal funds rate in December, the fourth increase of 2018. Due to softening growth rates in Europe, Japan, and China, The Fed decided not to raise rates in March and indicated that they would probably not raise rates for the rest of 2019. The next meeting is about three weeks away.

The Fed is watching economic conditions closely and also paying very close 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." On Friday, March 22, the three month Treasury was higher than the 10-year, so a technical inversion occurred. In the last few weeks the curve inverted again. On the date of preparing this report the 3 month to 10 year was not inverted.

Information only

**3.16. 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 April 30, 2019. Citywide Revenue of \$102.6 million is 22.1% of total annual budget. Sales Tax collections April YTD are 3.1% above April 2018 YTD, and 32.9% of the total annual budget. Building Material Use Tax collections for April are 23.1% below April 2018 YTD, and 16.7% of the total annual budget. Sales and Use Tax collections combined are 31.9% of total annual budget. Citywide total expenditures of \$83.2 million are 28.9% of the total annual budget.

Information Only

**4. CITY CLERK READS TITLES OF ORDINANCES ON THE CONSENT
AGENDA**

5. MOTION TO ADOPT THE CONSENT AGENDA
Moved by Councilor Clark; seconded Councilor Olson.

A Motion To Adopt The Consent Agenda, Items 3.1 to 3.16, with the exception of Item(s) 3.9 and 3.12.

CARRIED UNANIMOUSLY 9-0.

**6. REGULAR AGENDA
PROCEDURAL INFORMATION**

**6.1. FINANCE
2018 COMPREHENSIVE ANNUAL FINANCIAL REPORT**

Alan Krcmarick, Chief Financial Officer, introduced this informational item to Council. The Comprehensive Annual Financial Report for the year ending December 31, 2018, received an unmodified opinion from the external auditors. This indicates that, in all material respects, the report fairly presents the financial position of the City and is in conformity with generally accepted accounting principles. Members of the Citizens' Finance Advisory Commission were presented with audit findings in relation to the CAFR (Comprehensive Annual Financial Report) on May 22, 2018 by auditors Cheryl Wallace and Matthew Marino with RubinBrown. The City's net position, \$1.09 billion, increased by 3.6% from 2017 to 2018. Governmental activities increased by 2.0% and business-type activities increased by 5.1%.

Information Only

CARRIED.

**6.2. FINANCE
RESOLUTION AUTHORIZING THE USE OF OLD HIRE FIREFIGHTERS' PENSION
FUND WHERE NO BENEFICIARIES EXIST**

Joyce Robinson, Accounting Manager, presented this item noting the purpose of the resolution is for the distribution of the idle funds residing with Fire & Police Pension Association of Colorado (FPPA) for the Old Hire Pension fund in the amount of \$72,551.37 as of 12/31/2018. The Old Hire Plan was required for employees hired before April 1978. There are no longer any beneficiaries of the Old Hire Pension fund. The remaining funds revert to the City of Loveland after this resolution is approved by City Council. The city's General Fund made the contributions to the Old Hire Plan resulting in the surplus funds.

City Manager Adams noted that this is the first step in taking the remaining funds and reverting them to the City of Loveland. The city's General Fund made the contributions to the Old Hire Plan resulting in the surplus funds.

Moved by Councilor Clark; seconded by Councilor Olson.

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

A Motion to Adopt Resolution #R-61-2019 Authorizing The Use Of Old Hire Firefighters' Pension Fund Where No Beneficiaries Exist

CARRIED UNANIMOUSLY 9-0.

6.3. PUBLIC WORKS

DISCUSSION REGARDING PROPOSED PROPERTY SALE NEGOTIATIONS WITH POSSIBLE EXECUTIVE SESSION

Mark Jackson, Director of Public Works, reported the agenda items is for City Council to discuss potential property sale negotiations. Due to the sensitive nature of a property purchase, the location under consideration has not been publicly identified. Per the Loveland City Charter, a meeting may be recessed into an executive session by the affirmative vote of two-thirds (2/3) of the members of City Council present to consider the acquisition or disposal of property if, in the judgement of City Council, premature disclosure of the information might give any person an unfair competitive or bargaining advantage.

Moved by Councilor Clark; seconded by Councilor Olson.

A Motion to Recess Into Executive Session For The Purpose of Discussing Property Sale Negotiations And To Receive Legal Advice Pursuant to the Colorado Revised Statutes and City of Loveland Charter

- *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);*

CARRIED UNANIMOUSLY 9-0.

6.4. WATER & POWER

RESOLUTION APPROVING A CONTRACT FOR BROADBAND ENGINEERING SERVICES DURING CONSTRUCTION TO DITESCO, LLC

Brieana Reed-Harmel, Broadband Manager, stated that this item approves the award of contract to Ditesco, LLC in the amount of \$3,432,749 for broadband engineering services and construction management and authorizes the City Manager to execute the contract. Ditesco will be performing the engineering services during construction; it was noted that they have successfully performed worked on other projects for the City.

Ms. Reed-Harmel explained that the contract was more than originally planned due to shifting some of the scope of work from Nokia to Ditesco. This allows the use of contractors who understand City of Loveland rules and regulations. The contract good for the duration of the program; up to five years. The contract includes many items that have been identified such as set projects and related hours, the number of railroad crossings, etc. so the cost is fixed.

Council spoke of concerns regarding the set contract amount and made a request for continuing budget information through the project.

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

Moved by Councilor Clark; seconded by Councilor Olson.

A Motion to Adopt Resolution #R-62-2019 Approving A Contract For Broadband Engineering Services During Construction To Ditesco, LLC

CARRIED UNANIMOUSLY 9-0.

6.5. WATER & POWER

RESOLUTION AUTHORIZING APPROVAL OF A CONTRACT WITH NOKIA FOR FIBER TO THE PREMISE ACTIVE EQUIPMENT, SOFTWARE, AND HARDWARE

Briana Reed-Harmel, Broadband Manager, presented the item noting it approves the award of a five year contract to Nokia in an amount of \$5,912,612.48 for Fiber-to-the-Premise Active Equipment, hardware, software, and services and authorizes the City Manager to execute the contract. The expense is estimated to be less than \$6M based on the estimated take rate; the city will only be paying for the equipment actually ordered.

Ms. Reed-Harmel noted that the unit prices were firm for five years and this was not an exclusive contract.

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

Moved by Council Clark; seconded by Councilor Fogle.

A Motion to Adopt Resolution #R-63-2019 Authorizing Approval Of A Contract With Nokia For Fiber To The Premise Active Equipment, Software, And Hardware

CARRIED UNANIMOUSLY 9-0.

6.6. WATER & POWER

RESOLUTION AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF LOVELAND AND THE CITY OF FORT COLLINS FOR BROADBAND TRANSPORT AND ACCESS FACILITIES

Briana Reed-Harmel, Broadband Manager, stated that the agenda item approves a resolution for the execution of an Intergovernmental Agreement (IGA) shown as Exhibit A to the resolution between the City of Loveland and the City of Fort Collins to share data transport and upstream connectivity infrastructure and costs. It was noted that there is a parallel agreement between Fort Collins and Estes Park and that this is a

great opportunity to partner with regional neighbors. Ms. Reed-Harmel stated that the City can get more bandwidth collaborating with Estes Park and Fort Collins and that we will be sharing costs equally the first year. As the system builds out and the needs are established there will be a three party contract between Loveland, Estes Park and Fort Collins.

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

A Motion to Adopt Resolution #R-64-2019 Authorizing An Intergovernmental Agreement Between The City Of Loveland And The City Of Fort Collins For Broadband Transport And Access Facilities

CARRIED UNANIMOUSLY 9-0.

6.7. CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA

3.9. COMMUNITY PARTNERSHIP OFFICE

RESOLUTION APPROVING THE 2019 GRANT FUNDING RECOMMENDATIONS OF THE LOVELAND HUMAN SERVICES COMMISSION AND THE LOVELAND AFFORDABLE HOUSING COMMISSION

Alison Hade, Community Partnership Administrator, reported the Human Services and Affordable Housing Commissions considered 53 grant requests totaling \$1,645,671 and recommended funding 41 with allocations of \$570,290 for human services and \$336,325 for affordable housing and public facilities projects.

Ms. Hade referenced the staff report in the packet that described how the commissions made funding decisions, including final funding amounts.

Pursuant to questions from Council, Ms. Hade reviewed the grant process and the two funding streams they work with; one is human services and one is for bricks and mortar. Ms. Hade explained how applicants work through the process and then how the applications are reviewed. It was noted that there are different requirements based on the type of grant offered, such as CBDG grants.

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

Moved by Councilor Clark, seconded by Ball

A Motion To Adopt Resolution #R-54-2019 Resolution Approving The 2019 Grant Funding Recommendations Of The Loveland Human Services Commission And The Loveland Affordable Housing Commission

CARRIED UNANIMOUSLY 7-0

Councilors Olson & Fogle recused themselves from the vote.

3.12. PUBLIC WORKS**RESOLUTION APPROVING CONTRACT WITH ACC ROOFING, INC.**

Michael Hogan, Facilities Operations Manager, presented the item stating the resolution is to receive approval to enter into a contract with ACC Roofing, Inc. for the replacement of four (4) roofs at the Water & Power Service Center Campus, for a contract value of \$955,000.

The roof on the Service Center Administration building, warehouse and old vehicle wash experienced damage from a July 2018 hailstorm, and staff is now ready to proceed with replacement of the roof. Facilities Budget will fund the replacement of one additional building included in the bid documents, as it is part of the deferred maintenance program. The Risk Reserve Fund received a Supplemental Appropriation from insurance proceeds to pay for the replacement of these roofing systems.

This was a Competitive Sealed Proposal bid, and as such there were many factors evaluated and weighed in determining to award the contract to ACC Roofing, Inc. It was noted that the type of material for the project was not indicated in the RFP but it was required to be an 80 mill product to be laid on a denseboard type backer board. In the past, the City has required Durolast as the material in similar projects but Mr. Hogan changed that requirement which has allowed more companies to participate in the RFP process. The rating criteria was reviewed with an explanation that the weighted scoring is done to assure that the vendor chosen would meet the needs of the project.

Mayor Marsh opened the meeting for public comment.

John Deal, Durolast, addressed council stating he had a long history with the City of Loveland. He noted that the lowest bid on the bid sheet was by RTN which uses Durolast. Mr. Deal acknowledged that they had scored lower in the similar projects category and stated if they had received the full points in that category they would have had the highest score and the lowest bid.

Mayor Marsh inquired if there was an appeal process if contractors want to protest a bid decision. Steve Adams, City Manager, stated that the bidder has standing to protest but city has not received any protests as of the time of the meeting.

Moved by Councilor Clark, seconded by Councilor Olson.

A Motion To Adopt Resolution #R-59-2019 Approving Contract with ACC Roofing, Inc.

CARRIED UNANIMOUSLY 9-0.

7. NO-ACTION ITEMS**8. DEVELOPMENT SERVICES
UNIFIED DEVELOPMENT CODE CORRECTIONS**

Brett Limbaugh, Development Services Director, stated that this is an informational item to report minor, technical corrections made to the Unified Development Code (UDC) by the Director of Development Services to City Council. As provided for by the UDC, the Director has the authority to make minor, non-substantial corrections to the UDC. Upon making the corrections, the UDC stipulates that the Planning Commission and City Council be informed.

Information Only

8. REPORTS**8.1. BUSINESS AND REPORTS FROM CITY COUNCIL**

Councilor Wright reported on the Pulse branding and Foundry events stating both were very good. She stated she attended the Health and Policy Council meeting at which it was reported that requests for funding were coming in and the Council is discussing how to allocate funds. She learned at the Transportation Commission meeting that there has been an increase of 23.5% in ridership the past year.

Councilor Johnson referred to the Aspire 3-D thank you included in the packet. This is a new non-profit related to the Housing Authority whose main purpose is to provide quality of life for individuals with the Authority. She extended an invitation to others to volunteer at the Habitat build on June 27.

Councilor Fogle reported that he and Councilor Olson would be attending Accelerate Colorado in Washington DC and would be meeting with congressional delegates. He stated he had received additional messages from a citizen regarding concerns with camping at the Library and requested to have information soon regarding the city's response and plan moving forward.

Councilor Ball reported he attended the celebration to open the Foundry and stated he believes the Foundry will be a change maker for downtown Loveland.

Mayor Pro Tem Overcash reported he appreciated the article that came out Reporter Herald regarding tourism rates. He also noted the great celebration on behalf of the Pulse unveiling event.

Councilor Jersvig inquired as to the status of the Rule of 4 regarding marijuana; City Manager Adams stated that there is an internal team working on it and the topic is scheduled for a study session on July 9, 2019.

8.2. CITY MANAGER REPORT

City Manager Adams reported on a Safe Routes to School Project for Bill Reed Reed Middle School. The item will be on June 11 Special Meeting agenda as the goal is to have the project completed as much as possible before school starts.

Mr. Adams also noted that he and Matt LeCerf, Johnstown Town Manager, would like to set up a joint meeting for the elected officials in September to discuss items of interest of both communities such as the Highway 402 Plan, general transportation items, etc.

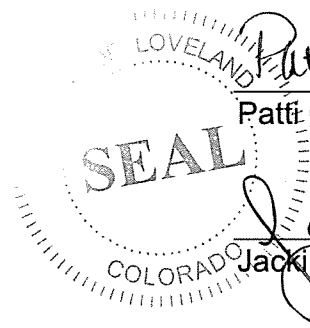
8.3. CITY ATTORNEY REPORT

No report.

9. ADJOURN

Mayor Marsh adjourned the June 4, 2019 City Council meeting at 9:33 p.m.

Respectfully Submitted,



Patti Garcia
Patti Garcia, City Clerk

Jack Marsh
Jack Marsh, Mayor

