

LOVELAND CITY COUNCIL MEETING  
TUESDAY, AUGUST 16, 2011  
CITY COUNCIL CHAMBERS  
500 EAST THIRD STREET  
LOVELAND, COLORADO

THE CITY OF LOVELAND DOES NOT DISCRIMINATE ON THE BASIS OF DISABILITY, RACE, CREED, COLOR, SEX, SEXUAL ORIENTATION, RELIGION, AGE, NATIONAL ORIGIN, OR ANCESTRY IN THE PROVISION OF SERVICES. FOR DISABLED PERSONS NEEDING REASONABLE ACCOMMODATION TO ATTEND OR PARTICIPATE IN A CITY SERVICE OR PROGRAM, CALL 962-2343 OR TDD # 962-2620 AS FAR IN ADVANCE AS POSSIBLE.

5:30 P.M.                   DINNER - City Manager's Conference Room  
6:30 P.M.                   REGULAR MEETING - City Council Chambers

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

**PRESENTATION OF THE DISTINGUISHED BUDGET PRESENTATION AWARD (2011 BUDGET) TO THE CITY OF LOVELAND**

*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**

1.     **MINUTES**  
      **CONSIDERATION OF MINUTES FOR:**
  - a) July 26, 2011 Study Session
  - b) August 2, 2011 Regular Meeting

2.     **CITY MANAGER**  
      **BOARD & COMMISSION APPOINTMENTS**

This is an administrative action appointing members to the Cultural Services Board and Transportation Advisory Board. Teresa Mueller is recommended for appointment to the Cultural Services Board for a partial term effective until December 31, 2012. The

Transportation Advisory Board recommends the reappointment of Irene Fortune, Robert Massaro, and David Martinez, all for three year terms effective until June 30, 2014.

3. **PUBLIC WORKS**

**SUPPLEMENTAL APPROPRIATION – SCHOOL CROSSING GUARD**

**Consideration on second reading of an ordinance enacting a supplemental budget and appropriation to the 2011 City of Loveland budget for a new school crossing guard at 29th Street and Madison Avenue**

This is an administrative action. The ordinance appropriates funds for a new school crossing guard at the beginning of the new school year. On August 2, 2011, City Council unanimously adopted the ordinance on first reading.

4. **INFORMATION TECHNOLOGY**

**DISSOLVE COMMUNICATIONS TECHNOLOGIES COMMISSION**

**Consideration on second reading of an ordinance amending the Loveland Municipal Code at Section 2.60.070 to dissolve the Communications Technologies Commission**

This is a legislative action to dissolve the Communications Technologies Commission based on reviews conducted for all Boards and Commissions as part of the financial sustainability project. On August 2, 2011, City Council unanimously adopted the ordinance on first reading.

5. **DEVELOPMENT SERVICES**

**MUNICIPAL CODE AMENDMENT REGARDING AFFORDABLE HOUSING**

**Consideration on second reading of an ordinance amending the Loveland Municipal Code at Section 16.08.010, Section 16.38.085, and Chapter 16.43 regarding Affordable Housing**

This is a legislative action to adopt an ordinance on second reading to amend Title 16. Some of the changes include establishing that fees calculated under Section 16.38.085 are valid for only five years and thereafter can only be calculated based on the development fee schedule in affect a maximum of five years prior (“five-year rolling lock”) and adding a new section establishing that applications for a designation of an “affordable housing development” must obtain a recommendation from the Affordable Housing Commission and final approval by City Council. On August 2, 2011, City Council unanimously adopted the ordinance on first reading.

6. **CITY CLERK**

**ELECTION AGREEMENT WITH LARIMER COUNTY**

**Consideration of Resolution #R-49-2011 approving and authorizing the execution of an agreement between the City of Loveland and the Larimer County Clerk and Recorder concerning the coordinated mail ballot election to be held on November 1, 2011**

This is an administrative action to adopt a resolution authorizing the execution of an agreement between the City of Loveland and the Larimer County Clerk and Recorder concerning the coordinated election to be held on November 1, 2011.

7. **DEVELOPMENT SERVICES**

**PUBLIC HEARING**

**SUPPLEMENTAL APPROPRIATION – DONATIONS TO HISTORIC PRESERVATION COMMISSION**

**Consideration on first reading of an ordinance enacting a supplemental budget and appropriation to the 2011 City of Loveland budget for historic preservation conferences and education**

A public hearing and administrative action of an ordinance, on first reading, to appropriate funding from donations received in 2010 for historic preservation conferences and education. The total funding is from donations of \$2,770 received by the Historic Preservation Commission from the Loveland Historical Society in September of 2010.

**8. DEVELOPMENT SERVICES**

**PUBLIC HEARING**

**EASEMENT VACATION – WEST INDUSTRIAL ADDITION (CARDINAL GLASS)**

**Consideration on first reading of an ordinance vacating a portion of a water main and pipeline easement located on Lot 1, Block 1, replat of Lots 1, 4, 5, 6, and 7, Block 1, West Industrial Addition, City of Loveland, Larimer County, Colorado.**

A public hearing and legislative action of an ordinance, on first reading, to vacate a portion of a water main and pipeline easement on Lot 1, Block 1, of the Replat of Lots 1, 4, 5, 6, and 7, Block 1 of the West Industrial Addition.

**9. FINANCE**

**CONTRACT AMENDMENT – ASPLUNDH TREE EXPERTS**

**Consideration of a motion to approve a contract change in the amount of \$250,000 to the Asplundh Tree Experts Company contract for 2011, bringing the total not to exceed \$600,000, and authorize the City Manager to execute the contract change**

This is an administrative action to increase the contract with Asplundh Tree Experts Company for tree trimming in Parks, Golf Courses, ROW, facility grounds, and around City owned electrical lines from \$350,000 to \$600,000 and authorizes the City Manager to execute the contract change.

**END OF CONSENT AGENDA**

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

**CITY COUNCIL**

- a. **Citizens' Report** *Anyone who wishes to speak to an item NOT on the Agenda may address the Council at this time.*
- b. **Business from Council** *This is an opportunity for Council Members to report on recent activities or introduce new business for discussion at this time or on a future City Council agenda.*
- c. **City Manager Report**
- d. **City Attorney Report**

**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 quorum 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**

10. **FIRE & RESCUE**  
**AGREEMENT TO CREATE LOVELAND FIRE RESCUE AUTHORITY**  
**Consideration of Resolution #R-50-2011 approving an Intergovernmental Agreement between the City of Loveland and the Loveland Rural Fire Protection District creating the Loveland Fire Rescue Authority**  
This is an administrative action. The fire authority will be established with an intergovernmental agreement (IGA), creating a partnership between the City of Loveland and the Loveland Rural Fire Protection District, to provide all fire and rescue services to the citizens living within the boundary lines of both the City and the Rural District. The attached IGA is the legal document that will be used for implementation of the fire authority.
11. **FINANCE**  
**BALLOT MEASURE FOR NOVEMBER 1, 2011 ELECTION**  
**Consideration on second reading of an ordinance submitting to the registered electors of the City of Loveland at the City's Regular Election to be held on November 1, 2011, the Ballot Issue of whether, without creating any new tax or increasing the rate of any existing tax, the City of Loveland shall be permitted, beginning in 2013 and each year thereafter, to collect, retain and spend all city revenues in excess of the spending, revenue and other limitations in Article X, Section 20 of the Colorado Constitution to be used for Police and Fire, Street Construction and Maintenance, and Parks Construction and Maintenance**  
This is an administrative action to refer a ballot measure to allow the City to retain revenue in excess of the TABOR (State Constitutional Amendment) revenue limits beginning January, 2013. On August 2, 2011, City Council adopted the ordinance on first reading by a vote of five to three.
12. **POLICE**  
**AGREEMENT FOR SHARED COST OF NORTHERN REGIONAL LAB GROUP FACILITY**  
**Consideration of Resolution #R-51-2011 approving an Intergovernmental Agreement for the shared use of a Weld County stand-alone facility that will act as a host facility for the Northern Regional Lab Group**  
This is an administrative action to consider adoption of an intergovernmental agreement by City Council to share equally with other members of the Northern Regional Lab Group (NRLG) in the payment of the operation and maintenance costs of the planned facility (to be constructed or purchased) that will house various forensic services provided by NRLG members and the Colorado Bureau of Investigation. The annual costs for operation and maintenance of the facility are estimated to be approximately fifty- five to seventy thousand (\$55,000.00 - \$70,000.00) per NRLG member.
13. **DEVELOPMENT SERVICES**  
**PUBLIC HEARING**  
**PURCHASE AND REMEDIATION OF LESLIE-THE-CLEANER PROPERTY**  
**Consideration on first reading of an ordinance enacting a supplemental budget and appropriation to the 2011 City of Loveland budget for the purchase and remediation of the Leslie-the-Cleaner property located at 301 N. Lincoln Avenue**  
A public hearing to consider an administrative action to adopt an ordinance on first reading enacting a supplemental budget and appropriation to the 2011 City of Loveland budget for the purchase and remediation of the Leslie-the-Cleaner property located at 301 N. Lincoln Avenue. Total funding for the purchase, clean-up and demolition of said property is \$555,800. \$242,800 would be from the Council Capital Reserve and \$313,000 is from a Colorado Department of Public Health and Environment grant.

**14. DEVELOPMENT SERVICES  
AMENDMENTS TO PROJECT AREAS OF DOWNTOWN AND LINCOLN PLACE URBAN  
RENEWAL AUTHORITIES**

**Consideration of a motion to direct staff to take the necessary actions to amend the Urban Renewal Authority to facilitate the North Catalyst Project including securing a blight study and developing the necessary financing for the public improvements and to repay the Museum CEFs.**

This is an administrative action. To facilitate the North Catalyst Project public/private partnership with the Brinkman Partners, staff is requesting some amendments to the Downtown Urban Renewal Authority project area and the Finley's Block (Lincoln Place URA) project area. Specifically, staff is requesting that three parcels be added to the Lincoln Place URA including the North Catalyst project site, the existing museum and the proposed museum expansion site. Staff will be required to conduct a blight study, URA plan amendment and an appraisal for less than \$10,000. The funding would come from existing Downtown URA Tax Increment, not general fund dollars.

**ADJOURN**