

**LOVELAND CITY COUNCIL MEETING  
LOVELAND URBAN RENEWAL AUTHORITY BOARD OF COMMISSIONERS  
GENERAL IMPROVEMENT DISTRICT BOARD OF DIRECTORS  
TUESDAY, OCTOBER 4, 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**

*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:**
  - a) September 13, 2011 Study Session**
  - b) September 20, 2011 Regular Meeting****
  
- 2.     DEVELOPMENT SERVICES  
      **ANNEXATION AGREEMENT AMENDMENT OZZIE'S FIRST ADDITION (HABITAT FOR HUMANITY RESTORE)**  
      **Consideration on second reading of an ordinance of the City Council of the City of Loveland, Colorado approving an amendment to the annexation agreement for certain property located within the Ozzie's First Addition, City of Loveland, County of Larimer, Colorado****

Consideration of a legislative action for adoption of an ordinance on second reading to amend the Ozzie's First Addition Annexation Agreement. The agreement pertains to the Loveland Habitat for Humanity Restore located at 5250 N. Garfield Avenue. The property is approximately 2.16 acres in size and zoned B – Developing Business. The owner of the property is Loveland Habitat for Humanity, Inc. On September 20, 2011, City Council unanimously adopted the ordinance on first reading.

3. **DEVELOPMENT SERVICES**

**EASEMENT VACATION WINDEMERE 1ST SUBDIVISION**

**Consideration on second reading of an ordinance vacating a portion of a utility and drainage easement on Lot 7, Block 2, Windemere First Subdivision**

A legislative action to adopt an ordinance, on second reading, vacating a portion of a utility and drainage easement on Lot 7, Block 2, Windemere 1st Subdivision, aka 2629 West 28th Street. On September 20, 2011, City Council unanimously adopted the ordinance on first reading.

4. **DEVELOPMENT SERVICES**

**EASEMENT VACATION MCKEE MEADOWS 9TH SUBDIVISION (LIQUOR MAX)**

**Consideration on second reading of an ordinance vacating a portion of a utility and drainage easement on Lot 2, Block 1, amended plat of Lots 1 & 2, Block 1, of the amended plat of Lots 3 & 5, Block 1, McKee Meadows 9th Subdivision**

A legislative action to adopt an ordinance on second reading vacating a 1,295 square foot portion of a utility and drainage easement located in Lot 2, Block 1, Amended Plat of Lots 1 & 2, Block 1, of the Amended Plat of Lots 3 & 5, Block 1, McKee Meadows 9th Subdivision. The applicant is Hal Rogers, the owner of the subject property. On September 20, 2011, City Council unanimously adopted the ordinance on first reading.

5. **CULTURAL SERVICES**

**SUPPLEMENTAL APPROPRIATION – MUSEUM PROGRAMS AND EXHIBITS**

**Consideration on second reading of an ordinance enacting a supplemental budget and appropriation to the 2011 City of Loveland budget for Museum programs and exhibits**

This is an administrative action. Donations received by the Department are appropriated for programs and exhibit expenses. The appropriation is totally funded by donations received from outside entities. Total donation amount is \$49,910. On September 20, 2011, City Council unanimously adopted the ordinance on first reading.

**ADJOURN AS CITY COUNCIL AND CONVENE AS THE BOARD OF DIRECTORS FOR THE LOVELAND GENERAL IMPROVEMENT DISTRICT #1 (GID)**

6. **PUBLIC WORKS**

**SUPPLEMENTAL APPROPRIATION – TRAFFIC SIGNAL & LIGHTING UPGRADES**

**Consideration on second reading of an ordinance enacting a supplemental budget and appropriation to the 2011 Loveland General Improvement District #1 for traffic signal pole and arm upgrades**

This is an administrative action for consideration of an ordinance on second reading. The ordinance appropriates reserved funds not appropriated at the time of adoption of the General Improvement District #1 budget for 2011 for traffic signal pole, arm and street lighting upgrades at Cleveland Avenue (US 287) and 4th Street. The funds will provide decorative signal pole bases, luminaire arms and LED lighting in concert with the recent Downtown plan. This funding request and appropriation is for \$11,000. The request

appropriates funding from reserved funds within the General Improvement District #1 fund. On September 20, 2011, City Council unanimously adopted the ordinance on first reading.

**ADJOURN AS THE BOARD OF DIRECTORS FOR THE GENERAL IMPROVEMENT DISTRICT #1 AND RECONVENE AS CITY COUNCIL**

**7. PUBLIC WORKS  
PUBLIC HEARING**

**U.S. 287 AND GARFIELD AVENUE SIGNAL REPLACEMENT – CDOT GRANT**

- a) **Consideration of Resolution #R-58-2011 approving an Intergovernmental Agreement between the City of Loveland, Colorado and the State of Colorado, acting by and through the Department of Transportation, for U.S. 287 and Garfield Avenue signal replacement**
- b) **Consideration on first reading of an ordinance enacting a supplemental budget and appropriation to the 2011 City of Loveland budget for signal replacement at the US 287 and Garfield Avenue intersection**

This is an administrative action to consider:

- 1. A resolution approving an intergovernmental agreement between the City of Loveland and the Colorado Department of Transportation (CDOT) for a project funded by federal and state grants for signal replacement at the US 287 and Garfield Avenue intersection.
- 2. First reading of an ordinance to appropriate federal and state funds for the project included in the intergovernmental agreement.

The project is funded from federal grant funds and state match funds. The City of Loveland will provide in-kind services for the oversight of the project from within the approved 2011 budget for the Public Works Department, Traffic Division.

**8. PUBLIC WORKS  
PUBLIC HEARING**

**SUPPLEMENTAL APPROPRIATION – SAFE ROUTES TO SCHOOL PROGRAM**

**Consideration on first reading of an ordinance enacting a supplemental budget and appropriation to the 2011 City of Loveland budget for the Safe Routes to School Program**

This is an administrative action. Funding is appropriated for police overtime for enforcement and operating costs for Loveland to host a National Safe Routes to School Training Course. The entire appropriation is funded with a grant from CANDO Loveland.

**9. PUBLIC WORKS  
PUBLIC HEARING**

**SUPPLEMENTAL APPROPRIATION – INSTALLATION OF TRAFFIC SIGNALS AT I-25 & US34**

**Consideration on first reading of an ordinance enacting a supplemental budget and appropriation to the 2011 City of Loveland budget for management of the installation of the I-25 and U.S. 34 traffic signals**

This is an administrative action. By a contractual arrangement the Centerra Metropolitan District agreed to pay the City a management fee for oversight of the installation of the signals at the I-25 and US 34 interchange.

**10. PARKS & RECREATION  
DRYLAND FARM LEASE AGREEMENT**

**Consideration of Resolution #R-59-2011 approving a Dryland Farm Lease on the Sauer open lands property**

This is an administrative action. A resolution approving a 1 year lease for agricultural crop production on the Sauer open lands property, also known as Prairie Ridge Natural Area, located northwest of 57th Street and Wilson Avenue.

**11. PUBLIC WORKS**

**SUPPORT FOR NORTH I-25 FINAL ENVIRONMENTAL IMPACT STATEMENT**

**Consideration of Resolution #R-60-2011, of the City Council of the City of Loveland expressing support for the North I-25 Final Environmental Impact Statement (EIS)**

This is an administrative action to adopt a resolution expressing support for the Final EIS released by the Federal Highway Administration and the Colorado Department of Transportation to examine improvements to the I-25 corridor from Denver to Wellington in northern Colorado.

**12. FINANCE**

**FUND BALANCE POLICY**

**Consideration of Resolution #R-61-2011 adopting a policy establishing minimum fund balances for various City of Loveland governmental and enterprise funds**

This is an administrative item to adopt a policy to identify the minimum amount of unassigned fund balance, in a governmental fund, or working capital, in an Enterprise Fund, that should be maintained to ensure the City could respond to an unanticipated event that could adversely affect the financial condition. It targets retaining a minimum of 15% of expenditures in the fund balance in all operating funds.

**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**

13. **FINANCE**

**PUBLIC HEARING**

**2012 CITY OF LOVELAND BUDGET**

- a) **Consideration of Resolution #R-62-2011 adopting the 2012 Schedule of Rates, Charges and Fees for city services, other than fees imposed for services of the Water and Power Department and Storm Water Enterprise, and superseding all prior Resolutions establishing such rates, charges and fees, effective January 1, 2012**
- b) **Consideration on first reading of Resolution #R-63-2011 adopting the 2012 Schedule of Rates, Charges, and Fees for services provided by the Stormwater Enterprise of the City of Loveland and superseding all prior resolutions establishing such rates, charges, and fees**
- c) **Consideration on first reading Resolution #R-64-2011 adopting the 2012 Schedule of Rates, Charges, and Fees for services provided by the Water and Power Department of the City of Loveland and superseding all prior resolutions establishing such rates, charges, and fees**
- d) **Consideration on first reading of an ordinance adopting the 2011 Mill Levy for the General Fund of the City of Loveland, Colorado**
- e) **Consideration on first reading of an ordinance adopting pay plan for City employees, and superseding all prior ordinances adopting such a pay plan**
- f) **Consideration on first reading of an ordinance adopting the 2012 Budget for the City of Loveland, Colorado**
- g) **Consideration on first reading of an ordinance making an appropriation for the fiscal year beginning January 1, 2012 and ending December 31, 2012 for the City of Loveland, Colorado**
- h) **Consideration on first reading of an ordinance amending Section 3.08.020 of the Loveland Municipal Code regarding placement of General Fund tax revenues in a reserve account**
- i) **Consideration of Staff's recommendation to take no action and, pursuant to the provisions of the Municipal Code Section 16.38.110 as reinstated on July 1, 2011 with Ordinance #5593, the inflationary increases will continue as of January 1, 2012**

This is an administrative action to adopt the fee resolutions and ordinances, except for the mill levy ordinance, to approve the 2012 Budget on First Reading. The adoption of the 2011 mill levy is a legislative action.

- Items 13a through 13g are all the Fee Resolutions and Ordinances necessary to adopt and implement the 2012 Budget. These items establish the budget for the City of Loveland, Colorado in 2012 and implement fees and rates to meet the revenue projections in the budget.
- Item 13h proposes to modify the annual contribution to Council Reserve so that it remains at 2.5% indefinitely (instead of expiring December 31, 2015) and can be appropriated by Council for operating programs, special projects or capital improvements (instead of appropriation only for capital improvements).
- Item 13i is a discussion of the annual inflationary increase for Capital Expansion Fees. If City Council would like the annual inflationary increase to occur the fees will increase by 7.79% and no action will be necessary. This is staff's recommendation. If City Council would like to suspend the inflationary increase pending the 2012 completion of the 5-year Capital Expansion Fee major update, then a public hearing must be conducted to consider an Ordinance, on first reading, to suspend said CEF increases for 2012. Consideration of the ordinance would be a legislative action.

14. **FINANCE**  
**PUBLIC HEARING**  
**2012 BUDGET FOR THE LOVELAND SPECIAL IMPROVEMENT DISTRICT #1**  
**Consideration on first reading of an ordinance adopting the 2012 Budget for the Loveland Special Improvement District #1**  
This is an administrative action. The City serves as the sponsoring agency for the Special Improvement District (SID) and the City Council acts as the governing body for the District. The SID #1 was established to allow for the collection of assessments from property owners in the District to back bonded debt used to construct infrastructure improvements in the district. The City does not have any legal obligation towards this debt. By State law, all special districts with a connection to the City must have a budget approved by the City Council. The City of Loveland serves as staff for the District.

**ADJOURN AS CITY COUNCIL AND CONVENE AS THE BOARD OF COMMISSIONERS FOR THE LOVELAND URBAN RENEWAL AUTHORITY (LURA)**

15. **FINANCE**  
**PUBLIC HEARING**  
**2012 BUDGET FOR THE LOVELAND URBAN RENEWAL AUTHORITY**  
**Consideration on first reading of an ordinance adopting the 2012 Budget for the Loveland Urban Renewal Authority**  
This is an administrative action. City Council serves as the Board of Commissioners for the Loveland Urban Renewal Authority. By State budget law, the Board must approve an annual budget for the Authority. The City of Loveland serves as staff for the District. The Authority is funded by tax increment revenues from property and sales taxes.

**ADJOURN AS THE BOARD OF COMMISSIONERS FOR THE LOVELAND URBAN RENEWAL AUTHORITY AND CONVENE AS THE BOARD OF DIRECTORS FOR THE LOVELAND GENERAL IMPROVEMENT DISTRICT #1 (GID)**

16. **FINANCE**  
**PUBLIC HEARING**  
**2012 BUDGET FOR THE LOVELAND GENERAL IMPROVEMENT DISTRICT #1**  
a) **Consideration on first reading of an ordinance adopting the 2012 Budget for the Loveland General Improvement District #1**  
b) **Consideration on first reading of an ordinance setting the 2011 Mill Levy for the Loveland General Improvement District #1**  
The ordinance adopting the budget is an administrative action. The ordinance setting the mill levy is a legislative action. City Council serves as the ex-officio Board of Directors for the District. The Board must approve a budget and set the mill levy for the District. The City of Loveland serves as staff for the District. These items establish a budget and appropriate funds for District expenses in 2012, and set the mill levy rate for the property tax collections.

**ADJOURN AS THE BOARD OF DIRECTORS FOR THE GENERAL IMPROVEMENT DISTRICT #1 AND RECONVENE AS CITY COUNCIL**

17. **FINANCE**  
**PUBLIC HEARING**  
**AIRPORT SCHEDULE OF RATES, CHARGES & FEES AND 2012 BUDGET**  
a. **Consideration of Resolution #R-65-2011 adopting the 2012 Schedule of Rates, Charges and Fees for the Fort Collins-Loveland Municipal Airport and**

superseding all prior resolutions establishing such rates, charges and fees, effective January 1, 2012

**b. Consideration on first reading of an ordinance adopting the 2012 Budget for the Fort Collins-Loveland Municipal Airport**

This is an administrative action. The City of Loveland provides staff support to the Airport through the Intergovernmental agreement with the City of Ft. Collins. As a part of this function the City Council approves the Airport budget, which includes the City's share of the Airport Budget.

**18. FINANCE**

**AUGUST 2011 FINANCIAL REPORT**

This is an information only item. No action is required. The Snapshot Report includes the City's preliminary revenue and expenditures including detailed reports on tax revenue, health claims and cash reserves for the eight months ending August 31, 2011.

**19. CITY MANAGER'S OFFICE**

**INVESTMENT REPORT FOR AUGUST 2011**

This is an information only item. No Council action is required. The budget estimate for investment earnings for 2011 is \$3,163,130. For the first eight months of 2011, the amount posted to the investment account is \$2,623,857 including realized gains. Actual year-to-date earnings are higher than the year-to-date projection by \$513,093. Based on August's monthly statement, the estimated annualized yield on the U.S. agencies and corporates was up to 1.54%, well under the annual target rate. Reinvestment rates are now significantly lower.

**20. CITY MANAGER (no packet materials)**

**A report from the Economic Development Director and consideration of any needed action concerning the ACE Manufacturing and Innovation Park**

**ADJOURN**