

**LOVELAND CITY COUNCIL MEETING
LOVELAND URBAN RENEWAL AUTHORITY BOARD OF COMMISSIONERS
GENERAL IMPROVEMENT DISTRICT BOARD OF DIRECTORS
TUESDAY, OCTOBER 18, 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

PROCLAMATION DECLARING OCTOBER 12, 2011 AS "DISABILITIES ADVISORY COMMISSION'S 35TH ANNIVERSARY DAY"

PROCLAMATION DECLARING NOVEMBER 2, 2011 AS "NORTHERN COLORADO AIDS PROJECT DAY"

PRESENTATIONS:

- JAIL PRESENTATION BY TOM DONNELLY, LARIMER COUNTY COMMISSIONER AND NICK CHRISTENSEN, LARIMER COUNTY SHERIFF'S OFFICE**

- CERTIFICATE PRESENTATION BY ED AITKEN, ASSOCIATED VETERANS 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:

- a) September 27, 2011 Study Session
- b) September 27, 2011 Special Meeting
- c) September 28, 2011 Special Meeting
- d) October 4, 2011 Regular Meeting
- e) October 5, 2011 Special Meeting

2. CITY MANAGER

BOARD & COMMISSION APPOINTMENTS

Consideration of a motion to approve appointments to the Community Marketing Commission, Human Services Commission and Open Lands Commission

This is an administrative action to approve the following appointments: Community Marketing Commission - Diana McKinney for a term effective until June 20, 2013 and Kurt Albers and Ingrid Bush as alternate members for terms effective until October 18, 2012; Human Services Commission - Rebecca Paulson and Penn Street for terms effective until June 20, 2014; and the Open Lands Advisory Commission - Ted Mioduski, Jr. for a term effective until December 31, 2014.

3. PUBLIC WORKS

US 287 AND GARFIELD AVENUE SIGNAL REPLACEMENT – CDOT GRANT

Consideration on second 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 the second reading of an ordinance to appropriate federal and state funds for the signal replacement at the US 287 and Garfield Avenue intersection. 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. The first reading of this ordinance was unanimously approved by City Council at the October 4, 2011 meeting.

4. PUBLIC WORKS

SUPPLEMENTAL APPROPRIATION – SAFE ROUTES TO SCHOOL PROGRAM

Consideration on second 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. The first reading of this ordinance was unanimously approved by City Council at the October 4, 2011 meeting.

5. PUBLIC WORKS

SUPPLEMENTAL APPROPRIATION – TRAFFIC SIGNALS AT I-25 & US34

Consideration on second 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. The appropriation is funded by outside revenue.

The first reading of this ordinance was unanimously approved by City Council at the October 4, 2011 meeting.

6. FINANCE

2012 CITY OF LOVELAND BUDGET

- a) **Consideration on second 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**
- b) **Consideration on second 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**
- c) **Consideration on second reading of an ordinance adopting the 2011 Mill Levy for the General Fund of the City of Loveland, Colorado**
- d) **Consideration on second reading of an ordinance adopting pay plan for City employees, and superseding all prior ordinances adopting such a pay plan**
- e) **Consideration on second reading of an ordinance adopting the 2012 Budget for the City of Loveland, Colorado**
- f) **Consideration on second 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**
- g) **Consideration on second 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**

This is an administrative action to adopt the fee resolutions and ordinances, except for the mill levy ordinance, to approve the 2012 Budget on second reading. By ordinance, the fee resolutions for the Utilities require two readings. The adoption of the 2011 mill levy is a legislative action. The first reading of the resolutions and ordinances were unanimously approved by City Council at the October 4, 2011 meeting.

- Items 13a through 13f are 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 13g 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).

7. FINANCE

2012 BUDGET FOR THE LOVELAND SPECIAL IMPROVEMENT DISTRICT

Consideration on second 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. The first reading of this ordinance was unanimously approved by City Council at the October 4, 2011 meeting.

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

8. FINANCE

2012 BUDGET FOR THE LOVELAND URBAN RENEWAL AUTHORITY

Consideration on second 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. The first reading of this ordinance was unanimously approved by City Council at the October 4, 2011 meeting.

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)

9. FINANCE

2012 BUDGET FOR THE LOVELAND GENERAL IMPROVEMENT DISTRICT #1

a) Consideration on second reading of an ordinance adopting the 2012 Budget for the Loveland General Improvement District #1

b) Consideration on second 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. The first reading of this ordinance was unanimously approved by City Council at the October 4, 2011 meeting.

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

10. FINANCE

2012 BUDGET FOR LOVELAND-FORT COLLINS MUNICIPAL AIRPORT

Consideration on second 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. The first reading of this ordinance was unanimously approved by City Council at the October 4, 2011 meeting.

11. AIRPORT

PUBLIC HEARING

SUPPLEMENTAL APPROPRIATION – SMALL COMMUNITY AIR SERVICE DEVELOPMENT PROGRAM GRANT

a) Consideration of Resolution #R-66-2011 authorizing a grant award and agreement with the U.S. Department of Transportation for a grant pertaining to the Fort Collins-Loveland Municipal Airport

b) Consideration on first reading of an ordinance enacting a supplemental budget and appropriation to the 2011 Ft. Collins-Loveland Airport budget for the Small Community Air Service Development Program Grant

These are administrative actions. This Resolution authorizes the City Manager to execute a Grant Agreement with the United States Department of Transportation. The first grant is in the amount of \$221,500.00. The grant will be used to fund the Airport's efforts to address the air service needs of the community through completion of an air service development, communications and marketing plan for the Airport and development of a plan for the wingless flight program. The appropriation is for a Federal Grant and local cash match to enhance service from the Airport. The program is funded with a federal grant. The grant requires a local match of \$19,600, which is funded from reserves.

12. AIRPORT

PUBLIC HEARING

SUPPLEMENTAL APPROPRIATION – FACILITIES REMODELING PROJECT

Consideration on first reading of an ordinance enacting a supplemental budget and appropriation to the 2011 Fort Collins-Loveland Municipal Airport budget for a General Aviation Facilities Remodeling Project

This is an administrative action. The Airport currently has a newly renegotiated lease agreement with the Fort Collins – Loveland jetCenter. This lease requires the jetCenter Corporation to contribute \$141,000 worth of improvements to the airport owned facility prior to November 30, 2011, or their leased rate will be increased. This project will be funded through new revenue not anticipated at the time of budget adoption, as a pass through to the airport, as the airport is the owner of the grounds and the associated improvements.

13. PUBLIC WORKS

UTILITY EASEMENT GRANT - PUBLIC SERVICE COMPANY OF COLORADO

Consideration of Resolution #R-67-2011 granting a non-exclusive utility easement to Public Service Company of Colorado for installation and maintenance of gas, oil, and associated communication facilities

This is an administrative action to adopt a resolution granting a non-exclusive utility easement to Public Service Company of Colorado ("PSCo") for installation and maintenance of gas, oil, and associated communication facilities. This easement was requested due to PSCo's need to replace a leaking natural gas pipeline, which is located in an adjacent easement.

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

14. **CITY MANAGER**
SUPPORT FOR THOMPSON SCHOOL DISTRICT'S MILL LEVY OVERRIDE
Consideration of Resolution #R-68-2011 of the Loveland City Council in support of Thompson School District's Mill Levy Override 3a ballot issue on the November 2011 ballot
This is an administrative item voicing City Council's support for the Thompson School District's Mill Levy Override 3A ballot issue on the November 1, 2011 ballot.

15. **CITY MANAGER**
ANNUAL INFLATIONARY INCREASES IN CAPITAL EXPANSION FEES
Consideration on second reading of an ordinance suspending annual increases in capital expansion fees pursuant to Loveland Municipal Code Section 16.38.110 for 2012
This is a legislative action regarding the annual inflationary increases in capital expansion fees (CEFs). On October 4, 2011, at first reading, staff recommended City Council take no action and allow the annual inflationary increases for CEFs to take effect. After conducting a public hearing, City Council, by a 5 to 4 vote, approved the ordinance suspending annual increases in CEFs pursuant to Loveland Municipal Code Section 16.38.110 for 2012.

16. **CULTURAL SERVICES**
STATE OF THE ARTS IN LOVELAND: AN ART IN PUBLIC PLACES UPDATE
No action required. This presentation is for information only. The presentation will provide an annual update regarding the activities of the Visual Arts Commission. Information on projects completed in the last year, projects currently in process with other City departments and an overview of plans for 2012 will be presented. Additionally, the recently revised Handbook of Guidelines will be distributed at the meeting. Final approval of the handbook by the Visual Arts Commission is expected Tuesday, October 11, 2011.

17. **CITY MANAGER**
PUBLIC HEARING
MUNICIPAL CODE AMENDMENT - INVESTMENT POLICY
Consideration on first reading of an ordinance amending Loveland Municipal Code Section 3.04.070 regarding investment of City Funds and the City Investment Policy
This is a legislative action to adopt an ordinance on first reading that will clarify the types of investments that may be made by the City. The ordinance (i) amends Loveland Municipal Code Section 3.04.070 so that City Council may authorize specified investments in addition to those already permitted under state law; and (ii) modifies the City's Investment Policy by adding descriptions, credit rating levels, maturity risk restrictions, and diversification limits for eight types of permitted investments. This item has a budget impact in that investment earnings on reserve funds are part of the revenues on which the City relies to provide services and build capital improvements. Without this proposed set of amendments, the City would not be able to earn as much on its reserves as it has in the past.

ADJOURN