

**LOVELAND CITY COUNCIL MEETING
TUESDAY, JANUARY 3, 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. CITY CLERK
 APPROVAL OF COUNCIL MINUTES
 Consideration of a motion approving Council minutes
 This is an administrative action to approve Council minutes from the December 13, 2011 study session and the December 20, 2011 regular meeting.**

- 2. CITY MANAGER
 BOARD & COMMISSION APPOINTMENTS
 Consideration of a motion appointing members to the Citizens' Finance Advisory Commission, Golf Advisory Board, Historic Preservation Commission, Parks and Recreation Commission, Planning Commission, Senior Advisory Board and Visual Arts Commission
 This is an administrative item appointing members to the Citizens' Finance Advisory Commission, Golf Advisory Board, Historic Preservation Commission, Parks and Recreation**

Commission, Planning Commission, Senior Advisory Board, and Visual Arts Commission. The individual members appointed to each board or commission is listed on the coversheet.

3. **CITY CLERK**

POSTING LOCATION FOR CITY OF LOVELAND MEETING NOTICES

Consideration of Resolution #R-1-2012 establishing the location for the posting of City of Loveland meeting notices

This is an administrative action. Approval of the Resolution will designate the bulletin board immediately adjacent to the Loveland City Council Chambers located at 500 East 3rd Street, City of Loveland, Colorado, as the location for the posting for all of the City of Loveland's written notices in the year 2012.

4. **PUBLIC WORKS**

MEETING LOCATION CHANGE – TRANSPORTATION ADVISORY BOARD

Consideration of Resolution #R-2-2012 amending the scheduled meeting place of the City of Loveland Transportation Advisory Board

This is an administrative action to change the meeting location of the City of Loveland Transportation Advisory Board from the City Council Chambers to the Emergency Operations Center (EOC) at the Fire Administration Building located at 410 E. 5th Street, Loveland, Colorado.

5. **WATER & POWER**

AMENDMENT TO THE AGREEMENT FOR THE WINDY GAP FIRING PROJECT

Consideration of Resolution #R-3-2012 approving and authorizing the execution of a Fifth Amendment to the Fourth Interim Agreement with the Municipal Subdistrict, Northern Colorado Water Conservancy District Windy Gap Firing Project Water Activity Enterprise, for participation in the Windy Gap Firing Project

This is an administrative action to approve a "Fifth Amendment to the Fourth Interim Agreement with the Municipal Subdistrict, Northern Colorado Water Conservancy District Windy Gap Firing Project Water Activity Enterprise," for continued participation in the National Environmental Policy Act activities directed toward completing the Final Environmental Impact Statement and receiving a positive Record of Decision and approval from the U.S. Bureau of Reclamation for the Windy Gap Firing Project.

6. **FINANCE**

PUBLIC HEARING

2012 SUPPLEMENTAL APPROPRIATION – FINANCIAL ADMINISTRATIVE CHANGES

Consideration on first reading of an ordinance enacting a supplemental budget and appropriation to the 2012 City of Loveland budget to reorganize the utility billing, customer service and meter reading functions within the General Fund under the Finance Department-Revenue Division

This is an administrative action. The ordinance moves the budget for three functions managed by the Finance Department to the General Fund. The budgets for these three functions were originally within the Water, Wastewater, and Power Enterprise Funds. These functions were originally budgeted within three enterprise funds. The amount of these budgets is transferred to the General Fund. No additional revenue or fund balance is needed for this action.

7. **FINANCE**

PUBLIC HEARING

2011 SUPPLEMENTAL APPROPRIATION – SPECIAL IMPROVEMENT DISTRICT #1

Consideration on first reading of an ordinance enacting a supplemental budget and appropriation to the 2011 Loveland Special Improvement District #1 budget and ratifying District bond prepayment

This is an administrative action. Reserves in the Loveland Special Improvement Fund 702 from prepaid assessments are appropriated for prepayment of District bond debt, and such prepayment in 2011 is ratified. Reserves from prepaid assessments are available for the appropriation. By paying down the principal in advance the total cost is reduced due to lower interest payments in the future.

8. DEVELOPMENT SERVICES

MARIANA BUTTE 23rd SUBDIVISION - FINDINGS AND CONCLUSIONS

Consideration of Resolution #R-4-2012 adopting findings and conclusions regarding denial of an amendment to a Preliminary Development Plan and Preliminary Plat for Lots 1-5, Block 1 and Outlots A, B, C and D of Mariana Butte 23rd Subdivision located within the Mariana Butte Planned Unit Development (#P-8), City of Loveland, Larimer County, Colorado

This is a quasi-judicial action to consider a resolution adopting findings and conclusions in support of the December 6, 2011 City Council denial of the proposed amendment to the Mariana Butte 23rd Preliminary Development Plan and Mariana Butte 26th Subdivision Preliminary Plat. The property is located at the northwest corner of the intersection of West 1st Street and Rossum Drive.

9. CITY MANAGER

2012 LEGISLATIVE POLICY AGENDA

Consideration of a motion approving the City of Loveland 2012 Legislative Policy Agenda

This is an administrative action. The Council Legislative Review Committee and City staff are recommending approval of the 2012 Loveland City Council Legislative Policy Agenda.

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. FINANCE

NOVEMBER 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 eleven months ending November 30, 2011.

11. CITY MANAGER

INVESTMENT REPORT FOR NOVEMBER 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 eleven months of 2011, the amount posted to the investment account is \$3,251,372 including realized gains. Actual year-to-date earnings are higher than the year-to-date projection by \$351,689. Based on November's monthly statement, the estimated annualized yield on the U.S. agencies and corporates was up to 1.76%, under the annual target rate of 2% but higher than recent months. Reinvestment rates are still significantly lower than the first-half of 2011.

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