

CALL TO ORDER Mayor Gutierrez called the regular meeting of the Loveland City Council to order on the above date at 6:30 PM.

PLEDGE OF ALLEGIANCE

ROLL CALL Roll was called and the following responded: Gutierrez, Taylor, Farley, McEwen, Klassen, Shaffer, Trenary, McKean and Fogle.

PROCLAMATION Mayor Gutierrez read the proclamation "American Music Month" which was received by Ruth Fleming and Ruth Hale.

PROCLAMATION

WHEREAS, Music, the universal language of peace, is one of the great arts and an outstanding feature of our culture; and

WHEREAS, The National Federation of Music Clubs, having as a foremost objective, the promotion of American music, will stage its annual "Parade of American Music" throughout the month of November; and

WHEREAS, The Colorado Federation of Music Clubs and Loveland join in encouraging and stimulating interest in American music and the enjoyment and appreciation thereof; and

WHEREAS, The "Parade of American Music" is designed to give our own worthy United States composers recognition, encouragement and support, and to impress upon the public of the United States that it has creative as well as performing musical artists and a musical culture equal to that of other countries.

NOW, THEREFORE, we, the City Council of Loveland, in recognition of the American Composer and in order to encourage native creative musical art, do hereby proclaim November, 2011 as

AMERICAN MUSIC MONTH

and urge all our citizens to join in the observance and share the joy of music.

Signed this 15th day of November, 2011

Cecil A. Gutierrez, Mayor

PROCLAMATION Councilor Farley read the proclamation "Alzheimer's Awareness Month" which was received by Emmalie Connor.

PROCLAMATION

WHEREAS, More than 5 million Americans are now living with Alzheimer's disease, a figure that is expected to grow to as many as 16 million by mid-century if we don't take action today; and

WHEREAS, There are currently 72,000 people in the state of Colorado living with Alzheimer's approximately 5,000 people over the age of 65 diagnosed with Alzheimer's disease in Larimer County; and

WHEREAS, Alzheimer's disease is not a normal part of aging; and

WHEREAS, Because 80% of those with Alzheimer's are cared for at home, we know there are 222,000 family members in Colorado providing \$3 billion in unpaid care; and

WHEREAS, Every 70 seconds someone is diagnosed with Alzheimer's disease therefore the number of people with Alzheimer's in Colorado is expected to increase to 140,000 by 2015; and

WHEREAS, You will never meet a survivor of Alzheimer's disease. There is no cure.

WHEREAS, There is hope with 25 medications currently in clinical trials and researchers making great strides in developing better treatments and eventually a cure for Alzheimer's disease.

NOW, THEREFORE, we, the City Council of the City of Loveland, do hereby proclaim November 2011 as

ALZHEIMER'S AWARENESS MONTH

In the City of Loveland.

Signed this 15th day of November, 2011

Cecil A. Gutierrez, Mayor

PROCLAMATION

Councilor McKean read the proclamation for the "Loveland Salvation Army Red Kettle Kickoff Day" which was received by Mike Knight.

PROCLAMATION

- WHEREAS The City of Loveland recognizes the importance of assisting Loveland families and individuals living in or near poverty in 2012; and
- WHEREAS More than 50% of our homeless neighbors in Loveland are families and in need of emergency services throughout the year; and
- WHEREAS Current funds available to help our neighbors in need just doesn't cover all these emergency needs; and
- WHEREAS The generous people of Loveland take pride that the Loveland Salvation Army Red Kettle Campaign is an all volunteer effort that assists our local human service agencies in their efforts to reach out to those in greatest need; and
- WHEREAS Our primary goal is to continue assisting local programs like the House of Neighborly Service, Neighbor to Neighbor Rental Assistance, Loveland Police Chaplains, Back to School backpacks, Christ's Church of the Rockies Front Porch Meal Ministry Boys and Girls Club, Disabled Resource Service, Alternatives to Violence, The Community Kitchen and Salvation Army Special Needs Request Fund

NOW, THEREFORE, we, the City Council of Loveland, do hereby proclaim the 18th of November, 2011 as
Loveland Salvation Army Red Kettle Kickoff Day

in Loveland, Colorado, and in so doing, urge all citizens to join us by volunteering to ring bells for two hours in one of nine locations in a citywide effort to help us reach our goal of \$100,000 to aid and assist needy families and individuals in 2012.

Signed this 15th day of November, 2011

Cecil A Gutierrez, Mayor

**PROCEDURAL
INFORMATION**

Mayor Gutierrez made the following procedural announcement: 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

Mayor Gutierrez asked if anyone in the audience, Council or staff wished to speak on any of the items or public hearings listed on the Consent Agenda. Councilor McEwen moved to approve the Consent Agenda. The motion was seconded by Councilor Klassen and a roll call vote was taken with all councilors present voting in favor thereof.

1. CITY MANAGER

Board & Commission Appointment

Motion

Administrative Action: A motion appointing Blaine Rappe to the Construction Advisory Board for a full term effective until June 30, 2014 was approved.

2. FINANCE

Supplemental Appropriation – City's 2011 Budget

Ordinance #5651

Administrative Action: "AN ORDINANCE ENACTING A SUPPLEMENTAL BUDGET AND APPROPRIATION TO THE CITY OF LOVELAND, COLORADO 2011 BUDGET" was approved and ordered published on second reading.

3. FINANCE

Supplemental Appropriation – 2011 Special Improvement District #1 Budget

Ordinance #5652

Administrative Action: "AN ORDINANCE ENACTING A SUPPLEMENTAL BUDGET AND APPROPRIATION TO LOVELAND SPECIAL IMPROVEMENT DISTRICT #1 2011 BUDGET" was approved and ordered published on second reading.

4. PUBLIC WORKS

Sale of the Bishop House

Ordinance #5653

Administrative Action: "AN ORDINANCE AUTHORIZING THE SALE OF THE BISHOP HOUSE AND THE SALE OF REAL PROPERTY OWNED BY THE CITY OF LOVELAND PURSUANT SECTION 4-7 OF THE CITY OF LOVELAND MUNICIPAL CHARTER" was approved and ordered published on second reading.

5. ECONOMIC DEVELOPMENT

Meeting Date & Location Change – Creative Sector Development Advisory Commission

Resolution #R-73-2011

Administrative Action: Resolution #R-73-2011 amending the scheduled meeting dates and location of the Creative Sector Development Advisory Commission was approved.

RESOLUTION #R-73-2011

A RESOLUTION AMENDING THE SCHEDULED MEETING DATES AND LOCATION OF THE CREATIVE SECTOR DEVELOPMENT ADVISORY COMMISSION

WHEREAS, on December 7, 2010, City Council adopted Resolution #R-67-2010 setting forth the 2011 meeting dates and location for the City's boards and commissions, including the City of Loveland Creative Sector Development Commission (the "CSDC"); and

WHEREAS, the CSDC regular meeting time is currently set on the third Thursday of each month at 6:00 p.m. in the City Manager's Conference Room, 500 East Third Street, Loveland, Colorado; and

WHEREAS, the CSDC desires to change the regular meeting time to the third Thursday of every other calendar month and the meeting location commencing with the November, 2011 meeting as set forth in this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOVELAND, COLORADO:

Section 1. That the meeting dates and location adopted in Resolution #R-67-2010 are hereby amended to change the CSDC's regular meeting dates and location from the third Thursday of each calendar month in the City Manager's Conference Room to the third Thursday of every other calendar month in the Council Chambers commencing with the November, 2011 meeting. The meeting time shall remain the same: 6:00 p.m. The Council Chambers is located at 500 East Third Street, Loveland, Colorado.

Section 2. That Resolution #R-67-2010, as amended herein and by prior resolutions, shall remain in full force and effect.

Section 3. That pursuant to City Code Section 2.14.020B, the City Clerk is directed to publish the revised meeting dates and location established by this Resolution within seven days after the date of this Resolution to be published in a newspaper of general circulation in the City and in addition to post notice of such revised meeting dates and location in a conspicuous place in the City Municipal Building.

Section 4. That this Resolution shall take effect as of the date and time of its adoption.

ADOPTED this 15th day of November, 2011.

Cecil A. Gutierrez, Mayor

Attest: Teresa G. Andrews, City Clerk

6. FINANCE

Increase to Fuel Contract

Motion

Administrative Action: A motion awarding an increase to the contract for fuel from \$1,175,000 to \$1,350,000 to Gray Oil and authorizing the City Manager to sign the contract on behalf of the City for the remainder of 2011 (November –December 2011) was approved.

AT 6:45 P.M. CITY COUNCIL ADJOURNED AND CONVENED AS THE BOARD OF COMMISSIONERS FOR THE LOVELAND URBAN RENEWAL AUTHORITY (LURA)

7. DEVELOPMENT SERVICES

Supplemental Appropriation for Downtown Façade Improvement Grant Program

1st Rdg Ordinance & Public Hearing

Administrative Action: A public hearing was held and "AN ORDINANCE ENACTING A SUPPLEMENTAL BUDGET AND APPROPRIATION TO LOVELAND URBAN RENEWAL AUTHORITY 2011 BUDGET" was approved and ordered published on first reading.

AT 6:45 P.M. THE BOARD OF COMMISSIONERS FOR THE LOVELAND URBAN RENEWAL AUTHORITY ADJOURNED AND CITY COUNCIL RECONVENED

8. ECONOMIC DEVELOPMENT

Rezoning Property in Waterfall Subdivision

1st Rdg Ordinance & Public Hearing

Quasi-judicial Action: A public hearing was held and "AN ORDINANCE AMENDING SECTION 18.04.040 OF THE LOVELAND MUNICIPAL CODE, THE SAME RELATING TO ZONING REGULATIONS FOR CERTAIN PROPERTY LOCATED IN THE WATERFALL SUBDIVISION, CITY OF LOVELAND, LARIMER COUNTY, COLORADO was approved and ordered published on first reading.

9. FIRE & RESCUE

Modify purpose & membership of Fire & Rescue Advisory Commission

1st Rdg Ordinance & Public Hearing

Legislative Action: A public hearing was held and "AN ORDINANCE AMENDING SECTION 2.60.110 OF THE LOVELAND MUNICIPAL CODE TO MODIFY THE PURPOSE OF THE FIRE AND RESCUE ADVISORY COMMISSION TO REFLECT THE CREATION OF A FIRE AUTHORITY AND TO INCREASE THE LOVELAND RURAL FIRE PROTECTION DISTRICT'S REPRESENTATION ON THE COMMISSION TO INCLUDE VOTING MEMBERS" was approved and ordered published on first reading.

10. PARKS & RECREATION

Farm Lease

Resolution #R-74-2011

Administrative Action: Resolution #R-74-2011 approving Farm Lease between the City of Loveland and Schwarz Farms, LLC was approved.

Resolution #R-74-2011

A RESOLUTION APPROVING A FARM LEASE BETWEEN THE CITY OF LOVELAND AND SCHWARZ FARMS, LLC

WHEREAS, the City of Loveland (the "City") owns approximately 34 acres of land located in the city of Loveland (the "Property"); and

WHEREAS, the City has in previous years, entered into a Lease Agreement with Schwarz Farms, LLC, ("Tenant") for the purpose of farming and maintenance of the Property; and

WHEREAS, the City of Loveland desires to enter into a new lease agreement with Tenant for farming of the Property, which is attached hereto as Attachment 1 and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOVELAND, COLORADO:

Section 1. That the Farm Lease attached hereto and incorporated herein as Attachment 1 is hereby approved.

Section 2. That the Mayor is hereby authorized and directed to enter into the Farm Lease, subject to such modifications in form or substance as the Mayor, in consultation with the City Attorney, may deem necessary to effectuate the purposes of this resolution or to protect the interests of the City.

Section 3. That this Resolution shall go into effect as of the date and time of its adoption.

ADOPTED the 15th day of November, 2011.

Cecil A. Gutierrez, Mayor

Attest: Teresa G. Andrews, City Clerk

Attachment 1 is available in the City Clerk's Office

11. FINANCE

Revised Centerra Retail Development Collection Agreement

Resolution #R-75-2011

Administrative Action: Resolution #R-75-2011 approving the First Amended and Restated Collection Agreement for the City of Loveland to collect Public Improvement Fee Revenues and Retail Sales Fee Revenues in the Centerra Retail Development was approved.

RESOLUTION #R-75-2011

A RESOLUTION APPROVING THE FIRST AMENDED AND RESTATED COLLECTION AGREEMENT FOR THE CITY OF LOVELAND TO COLLECT PUBLIC IMPROVEMENT FEE REVENUES AND RETAIL SALES FEE REVENUES IN THE CENTERRA RETAIL DEVELOPMENT

WHEREAS, on January 20, 2004, the City Council approved the Centerra Master Financing and Intergovernmental Agreement (the "MFA"); and

WHEREAS, the MFA authorized a public improvement fee ("PIF") to be charged on retail sales made in the Centerra Development; and

WHEREAS, subsequently, covenants imposing and implementing the PIF, as well as a Centerra retail sales fee (the "Centerra RSF") and a Lifestyle Center retail sales fee ("Lifestyle RSF") were finalized and recorded; and

WHEREAS, pursuant to the respective covenants, the Centerra Public Improvement Collection Corporation (with respect to the PIF), the Centerra RSF Corporation (with respect to the Centerra RSF) and G&I VI Retail Prom, LLC (as the owner of the Lifestyle Center and successor in interest with respect to the Lifestyle RSF) are entitled to receipt of these respective revenues; and

WHEREAS, on September 7, 2004, the Loveland City Council adopted Resolution #R-79-2004 to approve a Collection Agreement, dated September 1, 2004 (the "Collection Agreement"), pursuant to which the City collects the Lifestyle RSF, Centerra RSF, and PIF, remits the revenues to the respective recipients, and is compensated for this service; and

WHEREAS, the Collection Agreement has been amended by that certain First Amendment approved by the City Council's adoption of Resolution #R-27-2008 on March 18, 2008 (the Collection Agreement and the First Amendment are referred to collectively as the "Collection Agreement"); and

WHEREAS, the parties desire to further amend and restate the Collection Agreement in its entirety as more fully set forth in that certain First Amended and Restated Collection Agreement dated as of November 1, 2011 attached hereto as Exhibit A attached hereto and incorporated herein by this reference (the "First Amended and Restated Collection Agreement").

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOVELAND, COLORADO:

Section 1: That the First Amended and Restated Collection Agreement attached hereto as Exhibit A is hereby approved.

Section 2. That the City Manager is authorized, following consultation with the City Attorney, to modify the First Amended and Restated Collection Agreement in form or substance as deemed necessary to effectuate the purposes of this resolution or to protect the interests of the City.

Section 3. That the City Manager and the City Clerk are hereby authorized and directed to execute the First Amended and Restated Collection Agreement on behalf of the City of Loveland.

Section 4. That this Resolution shall take effect as of the date and time of its adoption.

ADOPTED this 15th day of November, 2011

Cecil A. Gutierrez, Mayor

Attest: Teresa G. Andrews, City Clerk

Exhibit A is available in the City Clerk's Office

12. HUMAN RESOURCES

2012 PROPERTY AND LIABILITY CONTRACT

Motion

Administrative Action: A motion awarding the City's property and liability insurance coverage for 2012 to CIRSA, authorizing the City to continue the Intergovernmental Agreement with CIRSA and establishing a purchase order in the amount of \$861,978 was approved.

13. HUMAN RESOURCES

2012 WORKERS' COMPENSATION CONTRACT

Motion

Administrative Action: A motion awarding the workers' compensation contract to Pinnacol Assurance and authorizing the City Manager to execute a contract with Pinnacol, on behalf of the City, not to exceed \$1,727,920 was approved.

END OF CONSENT AGENDA

CITY CLERK READ TITLES OF ORDINANCES ON THE CONSENT AGENDA.

CITY COUNCIL

a) Citizens' Reports

* Todd Primmer, 1738 Silver Leaf Dr, spoke to restricting a home security camera to the homeowner's property only. Staff was directed to contact Mr Primmer for additional information on the issue.

* Charles Jay, 3942 Cottonwood, complemented staff in regards to the drop off sites for tree branches and leaves setup after the October storms.

* Ed Klen, 6909 Shannon Ct, distributed information to Council regarding his claims of a public safety issue at the building located at 209 4th St.

b) Business from Council

City Council Liaison Appointment to Boards & Commissions

Councilor McEwen made a motion to approve the liaison appointments as submitted, with the addition of Councilor Shaffer as the liaison to the Economic Development Committee. Councilor Shaffer seconded the motion and a roll call vote was taken with all Councilors present voting in favor thereof.

Shaffer	Councilor Shaffer participated as a judge for Loveland's "Miss Valentine", attended the HACOL Veterans Day luncheon and was a panelist at the Larimer County Advocacy Training Workshop.
Trenary	Councilor Trenary offered congrats on the Veteran's Day Services and bell ringers.
McEwen	Councilor McEwen participated in the Veteran's Day parade and attended the ribbon cutting at the Odd Fellows Lodge.
Klassen	in response to Councilor Klassen's request, City Manager Cahill updated Council on the storm cleanup. The cleanup is going well with some work continuing for the disabled and elderly. Loveland's cost continues to be less than surrounding communities.
Gutierrez	By consensus of Council, Councilors McKean and Klassen will be part of the Council Advance planning subcommittee along with the City Manager and Mayor. The Mayor encouraged Loveland citizens to apply for the openings on the various Boards and Commissions. He also attended a "Shine A Light" event in support of those touched by lung cancer.
c) <u>City Manager Report</u>	None
d) <u>City Attorney Report</u>	None

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 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 CLERK'S OFFICE

Approval of Council Minutes Motion

Administrative Action: Mayor Gutierrez introduced this item. This is an administrative action to approve the Council minutes from the study session and special meeting held on October 25 and the regular meeting held on November 1. Four Councilors were sworn into office on November 8, 2011. As they were not present for the October 25 and November 1, 2011 meetings, staff recommends they take no action on this item. This item is on the regular agenda to allow the Councilors who were present to take action. This is a standard administrative action that will be on the consent agenda for future meetings. City Attorney John Duval clarified that abstaining counts as an affirmative vote. Councilor McEwen moved to approve Council meeting minutes from October 25, 2011 and November 1, 2011 as submitted. Councilor Klassen seconded the motion and a roll call vote was taken with Councilors Gutierrez, McEwen, Klassen and Shaffer voting in favor and Councilors Trenary, McKean, Fogle, Taylor and Farley abstaining. The motion passed.

15. DEVELOPMENT SERVICES

Municipal Code Amendment – Air Pollution 1st Reading Ordinance & Public Hearing

Legislative Action: Development Services Director Greg George introduced this item to Council. This is a public hearing to consider a legislative action to adopt, on first reading, an ordinance amending Title 7 of the Loveland Municipal Code to protect the health, safety, and welfare of the residents of the City by prohibiting unreasonable emissions into the air. The proposed ordinance would declare it to be unlawful for any person to cause, permit or maintain a public nuisance resulting from the emission of smoke, ashes, fumes, odors and other substances in such a manner as to: (i) unreasonably endanger the public's health, safety, or welfare; (ii) cause physical injury to any person or damage to any property; (iii) or interfere with any person's comfortable enjoyment of that person's real property or the normal conduct of that person's business. The Mayor opened the public hearing at 7:28 p.m.

John Rust, W 6th St, spoke in opposition; Robin Thayer, 1710 Elk Springs Ct, spoke in opposition; Linda Hays, 1532 W 8th St, spoke in support; Joyce Hanson, 2029 Creede Ave, spoke in opposition; Bob Boss, 514 Sherry Dr, spoke in opposition; Everrette Roberts, 1803 Tincup Ct, spoke in opposition; John Larmas, Loveland resident, spoke in support; Jim Hays, 1532 W 8th St, spoke in support; Ken Johnson, 2038 Rio Blanco Ave, spoke in opposition; Becky Amschwand, 2053 Creede Ave, spoke in opposition; Kent Hanson, 2029 Creede, spoke in opposition; Tom Green, 1973 Creede Ave, spoke in support; Charles Jay, 3942 Cottonwood Dr, spoke in opposition; Nancy Larma, 2005 Creede Ave, spoke in support; Janet Johnson, 874 E 5th St, spoke in opposition; Bob Gardner, 1166 N. Madison, spoke in opposition; Tom Holden, 242 E 2nd St, spoke in opposition; Tom Buchanan, 910 W 8th St, spoke in opposition; Kevin S., 585 Wildstone, spoke in opposition; Dennis Trentadue, 4195 Peach Tree Ct, spoke in opposition; Ray Ezinga, 5258 N. Monroe spoke in opposition; Larry Dassow, 3363 Cuchara Ct spoke in opposition.

The Mayor closed the public hearing at 8:37 p.m. Discussion ensued. Councilor McEwen made a motion to approve and ordered published on first reading "AN ORDINANCE TO ENACT A NEW CODE CHAPTER 7.38 TO PROHIBIT AIR POLLUTION NUISANCES". Councilor Fogle seconded the motion and a roll call vote was taken with all Councilors present voting against the motion. The motion failed unanimously.

16. POLICE

Larimer Humane Society – Licensing Fees & Contract Approval

Administrative Actions: Police Chief Luke Hecker introduced this item to Council. The resolution approves Larimer Humane Society's request to increase the licensing fees for spayed and neutered animals from \$10.00 to \$12.00 and for all other animals (Intact and unaltered animals) from \$27.00 to \$35.00. These fee increases reflect increased operational costs including wages, animal food, vaccinations, utilities, building maintenance, vans, fuel and equipment for animal control officers and the shelter. The second action approves the contract for Larimer Humane Society services as revised for the 2012 calendar year. Although a public hearing was not required the Mayor took public comments at 9:56 p.m. Sheila Carasco, 1303 Harlow Lane, spoke in opposition because of the decrease in funding. Council directed staff to evaluate service levels at end of June/beginning of July. Chief Hecker clarified the response to animal emergencies will occur seven days a week, at any time.

- a) Resolution #R-76-2011** Councilor McEwen made a motion to approve Resolution #R-76-2011 approving an increase in the Larimer Humane Society's animal licensing fees for the City of Loveland. Councilor Fogle seconded the motion and a roll call vote was made with all Councilors present voting in favor thereof.

RESOLUTION # R-76-2011

A RESOLUTION APPROVING AN INCREASE IN THE LARIMER HUMANE SOCIETY'S ANIMAL LICENSING FEES FOR THE CITY OF LOVELAND

WHEREAS, the City of Loveland, a home rule municipality (the "City") and the Larimer Humane Society, a Colorado non-profit corporation (the "Humane Society") entered into an Agreement for Animal Control Services dated January 1, 2010, for services through the 2010 calendar year and a Renewal for Animal Control Services dated December 16, 2010, for services through the 2011 calendar year (together, the "Agreement"); and

WHEREAS, City Code Section 6.08.050 A. establishes that licensing fees for animals shall be set by resolution of the Loveland City Council (the "Council") and Section 9 of the Agreement authorizes the Humane Society to collect license and impound fees established by the Council; and

WHEREAS, beginning January 1, 2012, the Humane Society desires to increase the licensing fees for spayed and neutered animals from \$10.00 to \$12.00 and for all other animals (Intact/unaltered animals) from \$27.00 to \$35.00 to reflect its increased operational costs including wages, animal food, vaccinations, utilities, building maintenance, vans, fuel and equipment for animal control officers and the shelter; and

WHEREAS, the Humane Society is facing a budget shortfall because licensing fees have not changed for spayed and neutered animals since 1996 and for all other animals since 2002, and revenue from the Agreement with the City has not increased since 2008; and

WHEREAS, the Council finds that the Humane Society's request for an increase in licensing fee is reasonable and that such increase is in the best interests of the City and its citizens to maintain the services provided by the Humane Society; and

WHEREAS, the Humane Society, which also serves the City of Fort Collins and Larimer County, has received approval from Larimer County for the proposed licensing fee increase.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOVELAND, COLORADO AS FOLLOWS:

Section 1. That beginning January 1, 2012 at 12:01 a.m., the Humane Society fee to license an animal in the City shall be as follows:

	<u>License Fee</u>
Spayed or Neutered Animal	\$12.00
Intact/Unaltered Animal	\$35.00

Section 2. That all other Humane Society fees authorized by Council for the City shall remain in effect.

Section 3. That this Resolution shall go into effect as of the date and time of its adoption.

ADOPTED this 15th day of November, 2011.

Cecil A. Gutierrez, Mayor

Attest: Teresa G. Andrews, City Clerk

- b) Motion** Councilor McEwen made a motion to approve the 2012 Agreement for Animal Control Services with Larimer Humane Society. Councilor McKean seconded the motion and a roll call vote was made with all Councilors present voting in favor thereof.

17. ECONOMIC DEVELOPMENT

Community Marketing Commission & Lodging Tax Fund

These are administrative actions. Economic Development Director Betsey Hale introduced this item to Council. Linda Hughey, chair of the Community Marketing Commission was also present. On October 19th, 2011 the Community Marketing Commission made unanimous recommendations to City Council for approval of:

1. The Destination Loveland strategic plan
 2. A public hearing and ordinance enacting a supplemental budget and appropriation to the 2012 City of Loveland Budget for the Lodging Tax Fund
 3. The recruitment for a Visitor Services Coordinator position
 4. A reallocation of the 2011 lodging tax funds for uses other than grants
- This agenda item addresses the Council actions to be taken as recommended by the CMC.

- a) Resolution #R-77-2011** Councilor McEwen made a motion to approve Resolution #R-77-2011 approving the Destination Loveland Strategic Plan for the use of Lodging Tax Funds and marketing of Loveland. Councilor Shaffer seconded the motion and a roll call vote was taken with all Councilors present voting in favor thereof.

RESOLUTION #R-77-2011

RESOLUTION APPROVING THE DESTINATION LOVELAND STRATEGIC PLAN FOR THE USE OF LODGING TAX FUNDS AND MARKETING OF LOVELAND

WHEREAS, the City began collecting lodging tax pursuant to Chapter 3.24 of the Loveland Municipal Code in January, 2010; and

WHEREAS, the purpose of the lodging tax is to promote tourism, conventions, and related activities within the City by marketing the City and sponsoring community events; and

WHEREAS, the Destination Loveland strategic plan was developed with the assistance of a third-party marketing consultant after a ten month period of stakeholder input and research in the tourism industry and is intended to guide the use of lodging tax funds to market the City as a destination for art, leisure and business visitors in order to attract more visitors to Loveland and increase visitor spending; and

WHEREAS, the Community Marketing Commission unanimously recommended the Destination Loveland strategic plan to City Council for approval.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOVELAND, COLORADO:

Section 1. That the Destination Loveland strategic plan attached hereto as Exhibit A and incorporated herein by this reference, be, and is hereby, approved.

Section 2. That this Resolution shall be effective as of the date of its adoption.

ADOPTED this 15th day of November, 2011.

Cecil A. Gutierrez, Mayor

Attest: Teresa G. Andrews, City Clerk

Exhibit A is available in the City Clerk's Office

b) 1st Reading Ordinance & Public Hearing

The Mayor opened the public hearing at 10:19 p.m. Sheila Carasco, 1303 Harlow Lane, a member of the Creative Sector Development Advisory Commission, spoke about getting clarity for Community Marketing Commission work. The Mayor closed the public hearing at 10:27 p.m. Councilor McEwen made a motion to approve and ordered published on first reading "AN ORDINANCE ENACTING A SUPPLEMENTAL BUDGET AND APPROPRIATION TO THE 2012 CITY OF LOVELAND BUDGET FOR THE LODGING TAX FUND". Councilor Farley seconded the motion and a roll call vote was taken with all Councilors present voting in favor thereof.

c) Motion

Council discussed the Visitor's Center's budget. Councilor McEwen made a motion directing staff to recruit and hire the Visitor Services Coordinator position. Councilor Shaffer seconded the motion and a roll call vote was taken with all Councilors present voting in favor thereof.

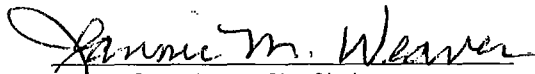
d) Motion

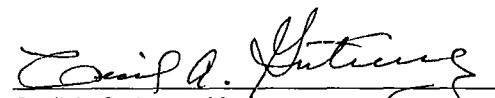
Staff was directed to look into the feasibility of televising the CMC meetings. Councilor McEwen made a motion approving reallocation and use of funds in the 2011 Lodging Tax budget. Councilor Farley seconded the motion and a roll call vote was taken with all Councilors present voting in favor thereof.

ADJOURNMENT

Having no further business to come before Council, the November 15, 2011 Regular Meeting was adjourned at 11:34 p.m.

Respectfully Submitted,


~~Teresa G. Andrews, City Clerk~~
Jannie M. Weaver, Deputy City Clerk


Cecil A. Gutierrez, Mayor