

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, McKean, Klassen, Heckel, Johnson, Solt, Shaffer, McEwen and Rice.

PROCLAMATION Councilor Klassen read the proclamation which was received by Victor Beebe.
PROCLAMATION

WHEREAS the City of Loveland recognizes the importance of the contributions of the disabled community; and
WHEREAS according to the 2010 census, there are 36 million people who have at least one disability, about 12 percent of the total U.S. population. Those with vision difficulties number 6.5 million, while 19.4 million have problems walking or climbing stairs. Another 13.5 million have difficulty concentrating, remembering, or making decisions; and

WHEREAS in 2010, approximately 9.6% of citizens in Colorado are considered disabled; and

WHEREAS according to the 2010 census, the number of senior citizens and number of persons with disabilities living in Loveland is over 15% of the City's population; and

WHEREAS to give more of a voice to the people with disabilities in Loveland and to assist the City in addressing issues related to persons with disabilities, the City Council formed the Disabilities Advisory Commission in October, 1976. The formation of the Disabilities Advisory Commission 35 years ago predates the Americans with Disabilities Act, which was implemented in 1990. The City also recognizes the important role that the Disabilities Advisory Commission plays in assisting the City to meet the requirements of the ADA and in raising awareness regarding disability issues.

NOW, THEREFORE, we, the City Council of Loveland, do hereby proclaim October 12, 2011 as
DISABILITIES ADVISORY COMMISSION'S 35TH ANNIVERSARY DAY

Signed this 18th day of October, 2011
Cecil A Gutierrez, Mayor

PROCLAMATION Councilor McEwen read the proclamation which was received by Danielle Willis.
PROCLAMATION

WHEREAS, the prevalence of those living with HIV/AIDS continues to increase in communities across our nation; and

WHEREAS, the mission of the Northern Colorado AIDS Project (NCAP) is to improve the quality of life for people living with HIV/AIDS and to help reduce the spread and stigma of the disease; and

WHEREAS, for twenty-five years, NCAP has advocated for and served those living with HIV/AIDS in an eight-county area of northern Colorado that encompass nearly 16,000 square miles - an area roughly equivalent in size to West Virginia; and

WHEREAS, the work performed by NCAP is entirely unduplicated, offering comprehensive assistance through HIV testing, prevention counseling, medical case management and mental health care; and

WHEREAS, NCAP's national recognition in presentations at the Boston School of Social Work National Conference on HIV/AIDS 2008-2011, the Rural Centers for AIDS Prevention National Conference 2010-2011, and The US Conference on AIDS 2010 substantiates its efficacy as a successful model of delivery, programming and management; and,

WHEREAS, NCAP has now joined forces with Western Colorado Aids Project, Southern Colorado Aids Project and Denver Colorado Aids Project to form a new centralized, statewide organization to achieve greater efficiencies and benefits to those it serves.

NOW THEREFORE, we the City Council of Loveland, do hereby join with the Northern Colorado AIDS Project in its mission to improve awareness through prevention, education and the delivery of care through testing and case management do hereby proclaim November 2nd as

NORTHERN COLORADO AIDS PROJECT DAY

in Loveland and ask everyone in healthcare and our citizens as a whole to recognize the importance of prevention, education and testing in our effort to reduce the number of newly diagnosed cases of HIV/AIDS and to join us in thanking NCAP for twenty-five years of continuous service to our community.

Signed this 18th day of October, 2011

Cecil A. Gutierrez, Mayor

PRESENTATIONS

1. Tom Donnelly, Larimer County Commissioner and Nick Christensen, Larimer County Sheriff's Office presented information about the Larimer County jail facility.
2. Ed Aitken and Tony DuMosch with Post 41 of the Associated Veterans of Loveland presented a certificate of appreciation to the City of Loveland.

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 Johnson moved to approve the Consent Agenda. The motion was seconded by Councilor Heckel and a roll call vote was taken with all councilors present voting in favor thereof.

1. MINUTES

- a) Minutes for the September 27, 2011 Study Session were approved.
- b) Minutes for the September 27, 2011 Special Meeting were approved.
- c) Minutes for the September 28, 2011 Special Meeting were approved.
- d) Minutes for the October 4, 2011 Regular Meeting were approved.
- e) Minutes for the October 5, 2011 Special Meeting were approved.

2. CITY MANAGER

Board & Commission Appointments

Motion

Administrative Action: A motion to approve the following appointments was approved.
Community Marketing Commission: Diana McKinney for a partial term effective until June 30, 2013. Kurt Albers and Ingrid Bush were appointed as Alternate members each for a one year term effective until October 18, 2012.
Human Services Commission: Rebecca Paulson and Penh Street were each appointed to a three year term effective until June 30, 2014.
Open Lands Advisory Commission: Ted Mioduski, Jr was appointed to a term effective until December 31, 2014.

3. PUBLIC WORKS

Supplemental Appropriation – Safe Routes to School Program US 287 and Garfield Avenue Signal Replacement – CDOT Grant

Ordinance #5633

Administrative Action: "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" was approved and ordered published on second reading.

4. PUBLIC WORKS

Supplemental Appropriation – Safe Routes to School Program

Ordinance #5634

Administrative Action: "AN ORDINANCE ENACTING A SUPPLEMENTAL BUDGET AND APPROPRIATION TO THE 2011 CITY OF LOVELAND BUDGET FOR THE SAFE ROUTES TO SCHOOL PROGRAM." was approved and ordered published on second reading.

5. PUBLIC WORKS

Supplemental Appropriation – Traffic Signals at I-25 and US34

Ordinance #5635

Administrative Action: "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" was approved and ordered published on second reading.

6. FINANCE

2012 City of Loveland Budget

a) Resolution #R-63-2011

Administrative Action: 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 was approved on second reading.

RESOLUTION #R-63-2011

A RESOLUTION 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

WHEREAS, the Loveland Municipal Charter and Code provide that all utility rates, charges, and fees of the City shall be set by resolution upon two readings of the City Council; and

WHEREAS, the City Council last set the rates, charges, and fees for services provided by the City's Stormwater Enterprise in Resolution #R-52-2010; and

WHEREAS, the City Council periodically adjusts the rates, charges, and fees for services provided by the City's Stormwater Enterprise to more accurately reflect the cost of providing such services to the customers; and

WHEREAS, City staff has presented to the City Council a revised "Schedule of Rates, Charges, and Fees," a copy of which is attached hereto as Exhibit A and incorporated herein by reference ("Schedule of Rates, Charges, and Fees").

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

Section 1. That the Schedule of Rates, Charges, and Fees, attached hereto as Exhibit A, is hereby adopted for services provided by the Stormwater Enterprise of the City of Loveland and shall apply to all billings mailed on or after January 1, 2012.

Section 2. That this Resolution shall supersede in all respects all previous resolutions of the City Council which set the rates, charges, and fees now being set, including those set in Resolution #R-52-2010, for all billings mailed on or after January 1, 2012.

Section 3. That notwithstanding the foregoing, the rates, charges, and fees set in Resolution #R-52-2010 shall continue in full force and effect from the date of this Resolution until they are superseded on January 1, 2012 as provided herein.

Section 4. That this Resolution shall be effective as of the date of its adoption on second reading as provided in the Loveland Municipal Code.

ADOPTED this 4th day of October, 2011.

Cecil A. Gutierrez, Mayor

Attest: Teresa G. Andrews, City Clerk

Exhibit A is available in the City Clerk's Office

b) Resolution #R-64-2011 Administrative Action: 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 was approved on second reading.

RESOLUTION #R-64-2011

A RESOLUTION 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

WHEREAS, the Loveland Municipal Charter and Code provide that all utility rates, charges, and fees of the City shall be set by resolution upon two readings of the City Council; and

WHEREAS, the City Council last set the rates, charges, and fees for services provided by the City's Water and Power Department in Resolution #R-53-2010; and

WHEREAS, the City Council periodically adjusts the rates, charges, and fees for services provided by the City's Water and Power Department to more accurately reflect the cost of providing said services to the customers; and

WHEREAS, City staff has presented to the City Council a revised "Schedule of Rates, Charges, and Fees," a copy of which is attached hereto as Exhibit A and incorporated herein by reference ("Schedule of Rates, Charges, and Fees").

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

Section 1. That the Schedule of Rates, Charges, and Fees, attached hereto as Exhibit A, is hereby adopted for services provided by the Water and Power Department of the City of Loveland and shall apply to all billings mailed on or after January 1, 2012. Section 2. That this Resolution shall supersede in all respects all previous resolutions of the City Council which set the rates, charges, and fees now being set, including those set in Resolution #R-53-2010, for all billings mailed on or after January 1, 2012.

Section 3. That notwithstanding the foregoing, the rates, charges, and fees set in Resolution #R-53-2010 shall continue in full force and effect from the date of this Resolution until they are superseded on and after January 1, 2012 as provided herein.

Section 4. That this Resolution shall be effective as of the date of its adoption on second reading as provided in the Loveland Municipal Code.

Cecil A. Gutierrez, Mayor

Attest: Teresa G. Andrews, City Clerk

Exhibit A is available in the City Clerk's Office

c) Ordinance #5636 Legislative Action: "AN ORDINANCE ADOPTING THE 2011 MILL LEVY FOR THE GENERAL FUND OF THE CITY OF LOVELAND, COLORADO" was approved and ordered published on second reading.

d) Ordinance #5637 Administrative Action: "AN ORDINANCE ADOPTING A 2012 PAY PLAN FOR CITY EMPLOYEES, AND SUPERSEDING ALL PRIOR ORDINANCES ADOPTING SUCH A PAY PLAN" was approved and ordered published on second reading.

- e) **Ordinance #5638** Administrative Action: "AN ORDINANCE ADOPTING THE 2012 BUDGET FOR THE CITY OF LOVELAND, COLORADO" was approved and ordered published on second reading.
- f) **Ordinance #5639** Administrative Action: "AN ORDINANCE MAKING AN APPROPRIATION FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2012 AND ENDING DECEMBER 31, 2012 FOR THE CITY OF LOVELAND, COLORADO" was approved and ordered published on second reading.
- g) **Ordinance #5640** Administrative Action: "AN ORDINANCE AMENDING SECTION 3.08.020 OF THE LOVELAND MUNICIPAL CODE REGARDING PLACEMENT OF GENERAL FUND TAX REVENUES IN A RESERVE ACCOUNT" was approved and ordered published on second reading.

7. FINANCE

2012 Budget for the Loveland Special Improvement District #1

Ordinance #5641

Administrative Action: "AN ORDINANCE ADOPTING THE 2012 BUDGET FOR THE LOVELAND SPECIAL IMPROVEMENT DISTRICT #1" was approved and ordered published on second reading.

At 6:45 p.m., City Council adjourned and Convened as the Board of Commissioners for the Loveland Urban Renewal Authority (LURA)

8. FINANCE

2012 Budget for the Loveland Urban Renewal Authority

Ordinance #5642

Administrative Action: "AN ORDINANCE ADOPTING THE 2012 BUDGET FOR THE LOVELAND URBAN RENEWAL AUTHORITY" was approved and ordered published on second reading.

At 6:45 p.m., the Board of Commissioners for the Loveland Urban Renewal Authority adjourned and Convened 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) **Ordinance #5643** Administrative Action: "AN ORDINANCE ADOPTING THE 2012 BUDGET FOR THE LOVELAND GENERAL IMPROVEMENT DISTRICT #1" was approved and ordered published on second reading.
- b) **Ordinance #5644** Administrative Action: "AN ORDINANCE SETTING THE 2011 MILL LEVY FOR THE LOVELAND GENERAL IMPROVEMENT DISTRICT #1" was approved and ordered published on second reading.

At 6:45 p.m., the Board of Directors for the General Improvement District #1 adjourned and reconvened as City Council

10. FINANCE

2012 Budget for Loveland-Fort Collins Municipal Airport

Ordinance #5645

Administrative Action: "AN ORDINANCE ADOPTING THE 2012 BUDGET FOR THE FORT COLLINS-LOVELAND MUNICIPAL AIRPORT" was approved and ordered published on second reading.

11. PARKS & RECREATION

Dryland Farm Lease Agreement

Resolution #R-59-2011

Administrative Action: Resolution #R-59-2011 approving a Dryland Farm Lease on Sauer Open Lands Property was approved.

RESOLUTION # R-66-2011

A RESOLUTION AUTHORIZING A GRANT AWARD AND AGREEMENT WITH THE U.S. DEPARTMENT OF TRANSPORTATION FOR A GRANT PERTAINING TO THE FORT COLLINS-LOVELAND MUNICIPAL AIRPORT

WHEREAS, the Cities of Fort Collins and Loveland jointly own and operate the Fort Collins-Loveland Municipal Airport (the "Airport"); and

WHEREAS, the Cities have applied for a grant under the Small Community Air Service Development Program from the U.S. Department of Transportation ("DOT") in the amount of \$221,500.00 (the "Grant") 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; and

WHEREAS, the DOT has notified that the Grant has been awarded to the Airport on the terms and conditions set forth in the Grant Award and Agreement attached hereto as Exhibit A and incorporated herein by this reference (the "Grant Agreement"); and

WHEREAS, the Grant requires local matching cash funds in the amount of \$19,602.00 (the "Local Cash Funds"), which are available for appropriation from the Airport Fund balance, and a local matching "in kind" contribution valued at \$16,335.00 to be provided by the Airport; and

WHEREAS, the Grant funds and the Local Cash Funds required under the Grant Agreement will be appropriated as a supplement appropriation to the Airport's 2011 budget.

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

Section 1. That the Grant Agreement and the Grant Assurances attached thereto are hereby approved.

Section 2. That the City Manager is authorized, following consultation with the City Attorney, to modify the Grant 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 Grant Agreement, and the Grant Assurances attached thereto, 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 18th day of October, 2011.

Cecil A. Gutierrez, Mayor

Attest: Teresa G. Andrews, City Clerk

Exhibit A is available in the City Clerk's Office

11. AIRPORT

Supplemental Appropriation - Small Community Air Service Development Program Grant

a) Resolution #R-66-2011

Administrative Action: 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 was approved.

RESOLUTION # R-66-2011

A RESOLUTION AUTHORIZING A GRANT AWARD AND AGREEMENT WITH THE U.S. DEPARTMENT OF TRANSPORTATION FOR A GRANT PERTAINING TO THE FORT COLLINS-LOVELAND MUNICIPAL AIRPORT

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WHEREAS, the DOT has notified that the Grant has been awarded to the Airport on the terms and conditions set forth in the Grant Award and Agreement attached hereto as Exhibit A and incorporated herein by this reference (the "Grant Agreement"); and

WHEREAS, the Grant requires local matching cash funds in the amount of \$19,602.00 (the "Local Cash Funds"), which are available for appropriation from the Airport Fund balance, and a local matching "in kind" contribution valued at \$16,335.00 to be provided by the Airport; and

WHEREAS, the Grant funds and the Local Cash Funds required under the Grant Agreement will be appropriated as a supplement appropriation to the Airport's 2011 budget.

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

Section 1. That the Grant Agreement and the Grant Assurances attached thereto are hereby approved.

Section 2. That the City Manager is authorized, following consultation with the City Attorney, to modify the Grant 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 Grant Agreement, and the Grant Assurances attached thereto, 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 18th day of October, 2011.

Cecil A. Gutierrez, Mayor

Attest: Teresa G. Andrews, City Clerk

Exhibit A is available in the City Clerk's Office

b) 1st Rdg Ord & P.H.

Administrative Action: A public hearing was held and "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" was approved and ordered published on first reading.

12. AIRPORT

Supplemental Appropriation – Facilities Remodeling Project

1st Rdg Ord & P.H.

Administrative Action: A public hearing was held and "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" was approved and ordered published on first reading.

13. PUBLIC WORKS

Utility Easement Vacation – Public Service Company of Colorado

Resolution #R-67-2011

Administrative Action: 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 was approved.

RESOLUTION #R-67-2011

A RESOLUTION GRANTING A NON-EXCLUSIVE UTILITY EASEMENT TO PUBLIC SERVICE COMPANY OF COLORADO FOR INSTALLATION AND MAINTENANCE OF GAS, OIL, AND ASSOCIATED COMMUNICATION FACILITIES

WHEREAS, Public Service Company of Colorado ("PSCo") has requested that the City of Loveland grant PSCo a non-exclusive utility easement for installation of gas, oil, and associated communication facilities within a portion of property owned by the City at the northwest corner of Taft Avenue and 14th Street Southwest; and

WHEREAS, the Public Works Department reviewed PSCo's request and found that the proposed installation would not affect the City's operations at that location; and

WHEREAS, the City Council desires to grant the requested easement on the terms and conditions set forth in the "Public Service Company of Colorado Easement."

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

Section 1. That the "Public Service Company of Colorado Easement," attached hereto as Exhibit A and incorporated herein by reference ("Easement"), is hereby approved.

Section 2. That the City Manager and the City Clerk are hereby authorized and directed to execute the Easement on behalf of the City of Loveland.

Section 3. That the City Manager is authorized, following consultation with the City Attorney, to approve changes to the form or substance of the Easement as deemed necessary to effectuate the purposes of this Resolution or to protect the interests of the City.

Section 4. That this Resolution shall be effective as of the date of its adoption.

ADOPTED this 18th day of October, 2011.

Cecil A. Gutierrez, Mayor

Attest: Teresa G. Andrews, City Clerk

Exhibit A is available in the City Clerk's Office

END OF CONSENT AGENDA

CITY CLERK READ TITLES OF ORDINANCES ON THE CONSENT AGENDA.

CITY COUNCIL

a) Citizens' Reports None

b) Business from Council

Shaffer Councilor Shaffer attended the Milner Schwartz house dedication, the ribbon cutting at the new Consignment Café and the poverty simulation. The Metropolitan Planning Organization reviewed funding. She extended "kudo's" to the Healthy Kids Club at B.F. Kitchen. The Alternative to Violence fundraiser will be held at Henry's.

Johnson Councilor Johnson mentioned there were additional agenda items for the Joint meeting with the School District.

Gutierrez Mayor Gutierrez also attended the Milner Schwartz house dedication, the Art Studio Tour and a ribbon cutting at Corecat Data Solutions. Group Publishing will host a luncheon for local charities on Wednesday.

c) City Manager Report City Manager Cahill announced Cumberland & Western (C&W) executed the letter of intent. The attorney's office is creating a draft purchase agent agreement to C&W. Economic Development Director Betsey Hale will attend the Transformative Investment Conference in Colorado Springs, October 27 and 28, 2011.

d) City Attorney Report 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 MANAGER

Support for Thompson School District's Mill Levy Override

Resolution #R-68-2011

Administrative Action: This is an administrative item voicing City Council's support for the Thompson Schools Mill Levy Override 3A ballot issue on the November 1, 2011 ballot. The Mayor took public comment. Pam Howard spoke in support of the Resolution. Lucille Sienard, Thompson School District, spoke in support of the Resolution. Councilor Johnson made a motion to approve Resolution #R-68-2011 of the Loveland City Council in support of the Thompson School District's Mill Levy Override 3A Ballot Issue on the November 2011 Ballot. Councilor Shaffer seconded the motion and a roll call vote was taken with all Councilors present voting in favor thereof.

RESOLUTION #R-68-2011

A RESOLUTION OF THE LOVELAND CITY COUNCIL IN SUPPORT OF THOMPSON SCHOOL DISTRICT'S MILL LEVY OVERRIDE 3A BALLOT ISSUE ON THE NOVEMBER 2011 BALLOT

WHEREAS, the Thompson School District ("School District") has been faced with State funding cuts of \$18.5 million over the past three years; and

WHEREAS, the quality of Loveland's public schools is critical to retaining businesses and attracting other businesses with good paying jobs to the community; and

WHEREAS, businesses seeking to expand or relocate to Loveland require strong local schools; and

WHEREAS, strong local schools also attract and retain quality physicians, medical facilities and other professionals; and

WHEREAS, the School District has placed on this November's ballot a TABOR ballot Issue identified as "Mill Levy Override 3A" (the "Mill Levy Override"); and

WHEREAS, the Mill Levy Override will allow the School District to restore teacher and classroom support positions; and

WHEREAS, the proceeds from the Mill Levy Override will stay exclusively within the School District; and

WHEREAS, the quality of our local schools has a direct impact on the readiness of our workforce; and

WHEREAS, the Mill Levy Override will raise an estimated \$12.8 million; and

WHEREAS, the Mill Levy Override sunsets in 12 years; and

WHEREAS, the City Council is permitted under the Colorado Fair Campaign Practices Act to express its support for the Mill Levy Override by the adoption of this Resolution.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF LOVELAND hereby declares its support for the School District's Mill Levy Override ballot Issue that will be on the November 1 ballot. The City Council strongly urges the School District's registered electors to vote in favor of this Mill Levy Override, as it will directly benefit the entire community.

ADOPTED this 18th day of October, 2011

Cecil A. Gutierrez, Mayor

Attest: Teresa G. Andrews, City Clerk

Councilor McEwen left the Council meeting at 8:35 p.m. and was absent during the rest of the meeting.

15. CITY MANAGER

Annual Inflationary Increases in Capital Expansion Fees

Ordinance #5646

Legislative Action: Executive Fiscal Advisor Alan Krcmarik introduced this item to Council. This is a legislative action to approve an Ordinance suspending the normal and

customary annual inflationary increase for Capital Expansion Fees for 2012 on second reading. Councilor Johnson made a motion to approve and ordered published on second reading "AN ORDINANCE SUSPENDING ANNUAL INCREASES IN CAPITAL EXPANSION FEES PURSUANT TO LOVELAND MUNICIPAL CODE SECTION 16.38.110 FOR 2012". Councilor Heckel seconded the motion and a roll call vote was taken with five Councilors present voting in favor and Councilors Gutierrez, Shaffer and Solt voting against. The motion passed.

16. Cultural Services
State of the Arts in Loveland

No action required. Andrea Svetlow, chair of the Visual Arts Commission and Museum staff member Suzanne Janssen introduced this item to Council. 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. The revised Art in Public Places Handbook of Guidelines, approved by the Visual Arts Commission on Tuesday, October 12, 2011 was distributed to Council.

17. CITY MANAGER

Municipal Code Amendment – Investment Policy

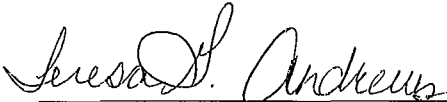
1st Rdg Ord & P.H.

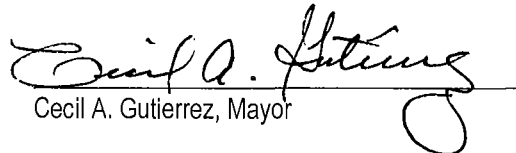
Legislative Action: Executive Fiscal Advisor Alan Krcmarik introduced this item to Council. This is a legislative action to adopt an ordinance on first reading that will clarify the types of Investments that may be made by the City. The ordinance (i) amends Loveland Municipal Code Section 3.04.070 so 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. These changes provide specific guidance regarding investment in securities issued by government sponsored enterprises and corporate entities. The proposed changes provide support for the City to continue investing in the same manner as it has since 2005. The clarification is necessary because of the recent downgrade by Standard & Poor's of United States Treasury issues and securities issued by the United States government sponsored enterprises which constitute the majority of the City's investments.

ADJOURNMENT

Having no further business to come before Council, the October 18, 2011 Regular Meeting was adjourned at 9:48 p.m.

Respectfully Submitted,


Teresa G. Andrews, City Clerk


Cecil A. Gutierrez, Mayor

