

**LOVELAND CITY COUNCIL MEETING
TUESDAY, MAY 15, 2012
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 MAY 13 - 19, 2012 AS "POLICE WEEK"

PROCLAMATION DECLARING MAY 20 - 26, 2012 AS "NATIONAL PUBLIC WORKS WEEK"

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 April 24, 2012 study session and May 1, 2012 regular meeting.

2. **DEVELOPMENT SERVICES**

UTILITY EASEMENT VACATION – LOVELAND BUSINESS PLAZA FIRST ADDITION
Consideration on second reading of an ordinance vacating a utility easement on Lot 1, Block One, amended Plat of Lots 2-6, Block 3 Loveland Business Plaza First Addition

A legislative action to consider an ordinance on second reading vacating a 250 square foot utility easement on Lot 1, Block One in the Loveland Business Plaza First Addition, located at 1122 North Denver Avenue. City Council unanimously approved the second reading ordinance on May 1, 2012.

3. **FINANCE**

SUPPLEMENTAL APPROPRIATION – MATCHING GRANT FUNDING TO LOVELAND FIRE RESCUE AUTHORITY

Consideration on second reading of an ordinance enacting a supplemental budget and appropriation to the 2012 City of Loveland budget to provide funding to the Loveland Fire Rescue Authority for matching funds required by a federal grant and for the programing and installation of the radios

This is an administrative action. The ordinance increases the City's contribution to the Loveland Fire Rescue Authority to provide 100% of local matching funds for a Federal Emergency Management (FEMA) Assistance to Firefighters Grant to replace radios, and provide funding to install and program the radios after the purchase. City Council unanimously approved the first reading ordinance on May 1, 2012.

4. **WATER & POWER**

SUPPLEMENTAL APPROPRIATION – VALLEY SUBSTATION EQUIPMENT

Consideration on second reading of an ordinance enacting a supplemental budget and appropriation to the 2012 City of Loveland budget for the purchase for switchgear at the Valley Substation

This is an administrative action. The department is requesting the movement of funds which allows the purchase of the new system protection equipment at the Valley Substation. City Council unanimously approved the first reading ordinance on May 1, 2012.

5. **CITY CLERK**

MUNICIPAL CODE AMENDMENT – LIEN PROCESSES

Consideration on second reading of an ordinance amending Title 3 of the Loveland Municipal Code by the addition of a new Chapter 3.50 to consolidate and amend the lien and collection processes for the city's current code provisions related to weed abatement, graffiti removal, refuse removal and snow removal

This is a legislative action. Approval of the ordinance will amend the Municipal Code to collect the full costs associated with the City's actions to mitigate certain real property Code violations when a property owner does not comply with the City Code. It creates a standard lien and collection process within the Code for certain types of real property Code violations. City Council unanimously approved the first reading ordinance on May 1, 2012.

6. **CITY CLERK**

CITY COUNCIL MEETING SCHEDULE

Consideration of a motion canceling the June 19, 2012 regular meeting

This is an administrative action. On May 1, 2012 there was a consensus of City Council to cancel the June 19, 2012 regular meeting, since several Councilors and staff have

expressed interest in attending the Colorado Municipal League Conference to be held during that week.

**7. FIRE & RESCUE
PUBLIC HEARING**

MUNICIPAL CODE AMENDMENT AND ADOPTION OF LOCAL EMERGENCY OPERATIONS PLAN, 2012 REVISIONS

Consideration on first reading of an ordinance adopting the City of Loveland Emergency Operations Plan and amending Section 2.72.010 of the Loveland Municipal Code concerning the comprehensive disaster plan

This is an legislative action. The Local Emergency Operations Plan is the City's primary emergency document that describes the authority and responsibilities that the City holds during emergencies and large-scale disasters. Revisions of this plan will be conducted every three years.

8. AIRPORT

COLORADO STATE AVIATION DISCRETIONARY GRANT

Consideration of Resolution #R-34-2012 authorizing the City Manager to execute a grant agreement with the State of Colorado Division of Aeronautics (CDAG #12-FNL-02) for equipment, improvements and funding pertaining to the Fort Collins-Loveland Municipal Airport

This is an administrative action. The resolution authorizes the City Manager to execute a Grant from the State of Colorado, Division of Aeronautics for funds in the amount of \$13,684.00. The State Aviation Discretionary Grant will be used to cover an increase in match for the FAA 2012 Entitlement Grant for Design Services for the first phase of the general aviation ramp rehabilitation that will be completed in 2013 and for acquisition of an additional snow removal vehicle.

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

9. CITY MANAGER / CITY ATTORNEY

PUBLIC HEARING

MORATORIUM ON PROCESSING APPLICATIONS, PERMITS, OTHER APPROVALS FOR OIL AND GAS EXTRACTION

Consideration on the only reading of an emergency ordinance of the Council of the City of Loveland imposing a nine-month moratorium on the City's acceptance and processing of land use applications, permits and other approvals concerning the conduct of oil and gas extraction and related operations within the City

This is a legislative action to consider an emergency ordinance enacting a nine-month moratorium on the acceptance and processing of land use applications and other approvals related to oil and gas extraction and related operations within the City, pursuant to Council's request at its May 1, 2012 meeting. An alternative (non-emergency) ordinance is included should there not be at least six votes to pass this Ordinance as an emergency ordinance, but nevertheless a majority of the Council quorum present wishes to consider adopting a moratorium ordinance on first reading in lieu of the emergency ordinance.

10. DEVELOPMENT SERVICES

AMEND GENERAL DEVELOPMENT PLAN FOR MILLENNIUM ADDITION

Consideration on second reading of an ordinance amending Section 18.04.040 of the Loveland Municipal Code, the same relating to zoning regulations for certain property located within the Millennium Addition PUD - 8th Amendment (#P-59), approving the 9th Major Amendment to the General Development Plan for the Millennium Addition PUD

Consideration of a quasi-judicial action to adopt an ordinance on second reading amending the land use, development standards and public hearing process established in the Millennium General Development Plan (the "GDP"). The Millennium PUD consists of 2,916 acres located generally on the east side of Loveland. The applicant is McWhinney Real Estate Services, Inc. City Council approved the first reading of the ordinance on May 1, 2012 by a vote of eight to one.

11. ECONOMIC DEVELOPMENT

AMENDMENT TO PARK PLACE PLAZA FEE DEFERRAL AGREEMENT

Consideration of Resolution #R-35-2012 approving a First Amendment to the Park Place Plaza Fee Deferral Agreement dated July 7, 2008

This is an administrative action. This is an amendment to an agreement originally approved by City Council in 2008 for the benefit of the Park Place Plaza Project, located at 1st Street and Railroad Avenue (102 – 140 E. 1st Street). The agreement deferred the requirement to pay water and wastewater system impact fees and the raw water development fee applicable to a two-inch residential water meter totaling \$107,660 by collecting the fees through the imposition of a capital recovery surcharge. The amendment would defer those same fees applicable to water and wastewater service for four new housing units to be added to the project.

12. ECONOMIC DEVELOPMENT

CONTRACT TEMPLATE FOR DOWNTOWN BROKERAGE SERVICES

Consideration of a motion approving a contract template for brokerage services for Downtown properties and authorizing the City Manager, in consultation with the City Attorney, to make changes to the contract form, in form or substance, as deemed necessary to protect the interest of the City and to execute contracts for brokerage services

This is an administrative action to approve the contract form for brokerage services for Downtown properties. The contract template will allow the City to contract with brokers that are interested in assisting the City with property valuations and assemblages in Downtown for the purposes of redevelopment. The brokerage contract is non-exclusive and does not obligate the City to acquire any property or pay any commissions. Staff had previously submitted the contract template and staff memorandum to Council for review prior for formal consideration.

13. **CITY MANAGER**
Proposed Executive Session to Receive Advice from Legal Counsel concerning Klen v. City of Loveland lawsuit

ADJOURN



CITY COUNCIL

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PROCLAMATION

To recognize National Police Week 2012 and to honor the service and sacrifice of those law enforcement officers killed in the line of duty while protecting our communities and safeguarding our democracy.

- WHEREAS,** there are approximately 900,000 law enforcement officers serving in communities across the United States, including the dedicated members of the Loveland, Colorado Police Department; and,
- WHEREAS,** nearly 60,000 assaults against law enforcement officers are reported each year, resulting in approximately 16,000 injuries; and,
- WHEREAS,** since the first recorded death in 1791, almost 20,000 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty, including one member of the Loveland, Colorado Police Department; and,
- WHEREAS,** the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C.; and,
- WHEREAS,** 362 new names of fallen heroes are being added to the National Law Enforcement Officers Memorial this spring, including 163 officers killed in 2011 and 199 officers killed in previous years; and,
- WHEREAS,** the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial Fund's 24th Annual Candlelight Vigil, on the evening of May 13, 2012; and,
- WHEREAS,** the Candlelight Vigil is part of National Police Week, which takes place this year on May 13-19; and,
- WHEREAS,** May 15 is designated as Peace Officers Memorial Day, in honor of all fallen officers and their families.

THEREFORE, BE IT RESOLVED that the City of Loveland City Council formally designates May 13-19, 2012, as

POLICE WEEK

in Loveland, Colorado, and publicly salutes the service of law enforcement officers in our community and in communities across the nation.

Signed this 15th day of May, 2012

Cecil A. Gutierrez
 Mayor





CITY COUNCIL

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PROCLAMATION

- WHEREAS,** public works services provided in our community are an integral part of our citizen's everyday lives; and
- WHEREAS,** having the support of an understanding and informed citizenry is vital to the efficient operations of the various public works systems and programs such as stormwater, streets, transit, solid waste, fleet, development review, traffic, facilities and public buildings; and
- WHEREAS,** the health and safety and comfort of this community greatly depends on these facilities and services; and
- WHEREAS,** the quality and effectiveness of these facilities and services, as well as their planning, design, construction, is vitally dependent upon the efforts and skill of public works officials; and
- WHEREAS,** this year's observance of Public Works Week celebrates the theme, "Public Works: Creating a Lasting Impression", recognizing the valuable work carried out by our highly capable and reliable public works professionals, engineers and administrators and acknowledging their contributions to an improved quality of life in this community.

NOW, THEREFORE, we, the City Council of the City of Loveland do hereby proclaim May 20-26, 2012 as

NATIONAL PUBLIC WORKS WEEK

in the City of Loveland, and we call upon all citizens to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which public works officials make every day to our health, safety, comfort and quality of life.

Signed this 15th day of May, 2012

Cecil A. Gutierrez, Mayor



Mayor Gutierrez called the Study Session of the Loveland City Council to order at 6:30 p.m. on the above date. Councilors present: Gutierrez, Farley, Fogle, Taylor, McKean, Trenary, Klassen, McEwen and Shaffer. City Manager, Bill Cahill was also present.

1. ECONOMIC DEVELOPMENT

Downtown Strategic Plan Review

City Planner, Mike Scholl presented this item to Council for review of the Downtown Strategic Plan, Infrastructure Plan and Downtown Vision Book. Together, the documents have been used to guide the actions of City staff in the ongoing Downtown revitalization efforts over the past four years. Mr. Scholl presented the timeline starting in 2002 with the creation of the Downtown URA, 2007 Lincoln Place Development, 2008 parking study and the 2009 retail market analysis. The plans helped guide the City in completing the Vision Book for the Downtown RFP and undertaking two catalyst projects. The Rialto Theater Center was recently completed and the North Catalyst Project is underway. Council consensus indicated that the plans and combined efforts of many are forming a long term strategy for moving the City forward towards success for Downtown revitalization.

2. FIRE & RESCUE

Water for Hydraulic Fracturing

Larry Howard, Senior Civil Engineer presented this item to Council. Information was provided on the impacts of supplying Loveland municipal water for hydraulic fracturing (fracking). The presentation provided information to answer two questions: 1) Should the City of Loveland continue to provide treated water or provide raw water to support fracking; and 2) Should the City of Loveland support the leasing of Platte River Power Authority's water for fracking operations?

Mr. Howard presented background information for the first question regarding the city's policies on leasing and selling water, focusing on water to be used for hydraulic fracturing (fracking). Council discussion ensued. Council directed staff to continue at this time with the current policy which allows the lease or sale of treated or raw water to be used for the purpose of hydraulic fracturing.

CEO Brian Moeck and Bill Emslie from Platte River Power Authority (PRPA) presented information on the second question regarding water leasing opportunities which would provide PRPA water for fracking. The leasing opportunities will be considered at the PRPA board meeting on May 30, 2012. Council discussion ensued. Council consensus at this time favored having water from PRPA made available for lease to haulers or drillers for the purpose of hydraulic fracturing.

The study session was adjourned at 9:43 p.m.

Respectfully Submitted,

Jeannie M. Weaver, Deputy City Clerk

Cecil A. Gutierrez, Mayor

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, McEwen, Farley, Klassen, Shaffer, Trenary, McKean, Fogle and Taylor.

PROCLAMATION

Mayor Gutierrez read a proclamation declaring May 7 through May 11, 2012 as Epsilon Sigma Alpha Week. The proclamation was received by Phyllis Minch of Epsilon Sigma Alpha.

PROCLAMATION

WHEREAS Epsilon Sigma Alpha International - a service organization devoted to philanthropic, educational, and leadership endeavors that promote the public good - is commemorating

83 years of tireless work in communities, states, and nations around the world; and

WHEREAS founded in 1929, Epsilon Sigma Alpha is an international leadership and service organization; and

WHEREAS Epsilon Sigma Alpha members provide over 650,000 direct service hours each year, including more than 30,000 in the state of Colorado; and

WHEREAS Epsilon Sigma Alpha is a network of thousands of members in more than 1,100 chapters in the United States and abroad, with a membership in Colorado of more than 500 members and comprising of 56 chapters; and

WHEREAS Epsilon Sigma Alpha raises over \$9 million each year for charitable causes through both international and local projects and recipients, some of which are Larimer County Food Bank, McKee Baby Foundation, Pathway Hospice, Alternatives to Violence, House of Neighborly Service, and supply and fund raising efforts for Veterans; and

WHEREAS the State of Colorado honors Epsilon Sigma Alpha for 83 years of dedication to the citizens of this state.

NOW, THEREFORE, we, the City Council of Loveland, do hereby proclaim May 7 through May 11, 2012 as

EPSILON SIGMA ALPHA WEEK

Signed this 1st day of May, 2012

Cecil A. Gutierrez

Mayor

PROCLAMATION

Councilor McKean read a proclamation declaring the week of April 29 through May 5, 2012 as Municipal Clerks Week. The proclamation was received by Loveland City Clerk, Terry Andrews.

PROCLAMATION

WHEREAS The Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world, and

WHEREAS The Office of the Municipal Clerk is the oldest among public servants, and

WHEREAS The Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and

WHEREAS Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all.

WHEREAS The Municipal Clerk serves as the information center on functions of local government and community.

WHEREAS Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, province, county and international professional organizations.

WHEREAS It is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

NOW, THEREFORE, we the City Council of Loveland, do hereby recognize the week of April 29 through May 5, 2012 as

MUNICIPAL CLERKS WEEK

and further extend appreciation to our Municipal Clerk Team and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Signed this 1st day of May, 2012

Cecil A. Gutierrez

Mayor

PROCLAMATION

Councilor Trenary read a proclamation declaring May 2012 as Mental Health Month. The proclamation was received by Emily Dawson Peterson.

PROCLAMATION

WHEREAS mental health is essential to everyone's overall physical health and emotional well-being; and
WHEREAS one in every four families is affected by a mental illness in a given year regardless of age, gender, race, ethnicity, religion or economic status; and
WHEREAS Colorado is ranked as the 18th most depressed state and has the 9th highest suicide rate in the United States; and
WHEREAS the vast majority of children, youth, and adults in Colorado who have mental health disorders are not receiving the help they need; and
WHEREAS access to medically necessary medication and treatment helps prevent individuals from ending up in emergency rooms and corrections facilities and from becoming homeless and, most importantly, prevents suicide; and
WHEREAS it costs 6.5 times more to incarcerate an individual experiencing mental health issues than to treat them in the community; and
WHEREAS improvements are being made in the quality of and quantity of mental health care that is being delivered, and research in this field is being accelerated; and
WHEREAS indirect costs of mental illness in Larimer County total over \$22 million per year; and
WHEREAS comprehensive, community-based services that respond to individuals with mental health needs and their families are cost-effective and beneficial to consumers and to our community.
WHEREAS with appropriate care, people who have a mental illness can recover and lead full productive lives; and
WHEREAS Larimer Center for Mental Health observes nationally recognized Mental Health Month every May to raise awareness and understanding of mental health and illness.

NOW, THEREFORE, we, the City Council of the City of Loveland do hereby proclaim May 2012 as

MENTAL HEALTH MONTH

in the City of Loveland and call upon the citizens, government agencies, public and private institutions, businesses and schools to recommit our community to increasing awareness and understanding of mental health, and the need for appropriate and accessible services for all citizens.

Signed the 1st day of May, 2012

Cecil Gutierrez, Mayor

PROCLAMATION

Councilor Fogle read a proclamation declaring May 2012 as Archaeology & Historic Preservation Month. The proclamation was received by City Planner Bethany Clark. 3 Historic Sites were awarded with Historic plaques donated by Home Depot: Remington House, 1005 N. Garfield Ave; Larimer County Bank Building/Stroh Bldg, 247 E. 4th St; Meyers Bldg/McClusky Mercantile/Henry's Pub, 234 E. 4th St.

PROCLAMATION

WHEREAS, historic preservation helps provide a deeper understanding of the diversity of our uniquely local and American heritage; and
WHEREAS, historic preservation is an effective tool for revitalizing neighborhoods, fostering local pride and maintaining community character while enhancing livability of communities across America; and

WHEREAS, Colorado Archaeology & Historic Preservation Month 2012 provides an opportunity for citizens of all ages and from all walks of life to make the connection between historic preservation and the aesthetic, environmental and economic well-being of their communities; and

WHEREAS, it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of the heritage that has shaped us as a people; and

WHEREAS, "Discover America's Hidden Gems" is the theme for Archaeology & Historic Preservation Month 2012; and

WHEREAS, fifteen heritage-related events, ranging from presentations, a historic homes tour, a bicycle tour, farm and food activities, a local play, and many others will be held by the Loveland community in May 2012 and are listed on the City's website; and

NOW, THEREFORE, we, the City Council of the City of Loveland, do hereby proclaim May 2012, as

ARCHAEOLOGY & HISTORIC PRESERVATION MONTH

and call upon the people of Loveland to recognize and participate in this special observance. In recognition of Archaeology & Historic Preservation Month, we would like to honor all the buildings and sites in Loveland that are on the National Register of Historic Places, Colorado State Register of Historic Places, and Loveland Register of Historic Places.

Signed this 1st day of May, 2012

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. Mayor Pro-tem Ewen pulled Item 1. Councilor McEwen moved to approve the Consent Agenda with the exception of Item 1. The motion was seconded by Councilor McKean and a roll call vote was taken with all councilors present voting in favor thereof.

1. CITY CLERK

Approval of Council Minutes
 Motion

This item was pulled from the Consent Agenda.

2. FINANCE

Supplemental Appropriation - Appropriate Unused Funds from 2011 City budget

Ord. #5676

Administrative Action: "AN ORDINANCE ENACTING A SUPPLEMENTAL BUDGET AND APPROPRIATION TO THE 2012 CITY OF LOVELAND BUDGET TO REAPPROPRIATE REMAINING FUNDS FOR PROJECTS APPROVED BUT NOT

COMPLETED IN 2011 AND NEW PROJECTS" was approved and ordered published on second reading.

3. FINANCE

Supplemental Appropriation - Appropriate Unused Funds from 2011 Airport budget

Ord #5677

Administrative Action: "AN ORDINANCE ENACTING A SUPPLEMENTAL BUDGET AND APPROPRIATION TO THE 2012 FT. COLLINS-LOVELAND MUNICIPAL AIRPORT BUDGET TO APPROPRIATE FUNDS FOR PROJECTS APPROVED BUT NOT COMPLETED IN 2011 AND FOR PROJECTS ASSOCIATED WITH AN EXPANDED STATE GRANT" was approved and ordered published on second reading.

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

4. FINANCE

Supplemental Appropriation – Appropriate Unused Funds from 2011 LURA budget

Ord #5678

Administrative Action: "AN ORDINANCE ENACTING A SUPPLEMENTAL BUDGET AND APPROPRIATION TO THE LOVELAND URBAN RENEWAL AUTHORITY BUDGET TO REAPPROPRIATE FUNDING FOR THE FAÇADE GRANT PROGRAM APPROVED IN 2011 BUT NOT COMPLETED" was approved and ordered published on second reading.

At 6:45 p.m., adjourned as the Board of Commissioners for the Loveland Urban Renewal Authority and convened as the Board of Directors for the Loveland General Improvement District #1 (GID)

5. FINANCE

Supplemental Appropriation – Appropriate Unused Funds from 2011 GID #1 budget

Ord #5679

Administrative Action: "AN ORDINANCE ADOPTING A SUPPLEMENTAL BUDGET AND APPROPRIATION FOR THE 2012 LOVELAND GENERAL IMPROVEMENT DISTRICT #1 TO REAPPROPRIATE FUNDS FOR SIGNAL POLE UPGRADES APPROVED IN 2011 BUT NOT COMPLETED" was approved and ordered published on second reading.

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

END OF CONSENT AGENDA

6. CITY CLERK

Municipal Code Amendment – Lien Processes

1st Rdg Ord & P.H.

Legislative Action: A public hearing was held and "AN ORDINANCE AMENDING TITLE 3 OF THE LOVELAND MUNICIPAL CODE BY THE ADDITION OF A NEW CHAPTER 3.50 TO CONSOLIDATE AND AMEND THE LIEN AND COLLECTION PROCESSES FOR THE CITY'S CURRENT CODE PROVISIONS RELATED TO WEED ABATEMENT, GRAFFITI REMOVAL, REFUSE REMOVAL AND SNOW REMOVAL" was approved and ordered published on first reading.

7. PUBLIC WORKS

Bicycle and Pedestrian Plan

Resolution #R-31-2012

Legislative Action: Resolution #R-31-2012 adopting the Bicycle and Pedestrian Plan of the City of Loveland and amending the 2005 Comprehensive Master Plan by addition of the Bicycle and Pedestrian Plan to the 2030 Transportation Plan, which is a functional (component) element of the 2005 Comprehensive Master Plan was approved.

RESOLUTION #R-31-2012

A RESOLUTION ADOPTING THE BICYCLE AND PEDESTRIAN PLAN OF THE CITY OF LOVELAND AND AMENDING THE 2005 COMPREHENSIVE MASTER PLAN BY ADDITION OF THE BICYCLE AND PEDESTRIAN PLAN TO THE 2030 TRANSPORTATION PLAN, WHICH IS A FUNCTIONAL (COMPONENT) ELEMENT OF THE 2005 COMPREHENSIVE MASTER PLAN

WHEREAS, on March 6, 2007, by Resolution #R-21-2007, the City Council adopted the "2005 Comprehensive Master Plan" ("2005 Comprehensive Plan"); and

WHEREAS, pursuant to Section 6 of the 2005 Comprehensive Plan, the City Council may amend the 2005 Comprehensive Plan by amendment of a functional (component) element previously adopted as part of the 2005 Comprehensive Plan after a duly-noticed public hearing is held, and recommendations are made to the City Council, by the Planning Commission; and

WHEREAS, on April 3, 2007, by Resolution #R-37-2007, the City Council adopted the "2030 Transportation Plan," which is a functional (component) element of the 2005 Comprehensive Plan; and

WHEREAS, the 2005 Comprehensive Plan - 2011 Implementation Plan contains Objective 10.B.4.1.P.1., assigned as an objective for the Transportation Advisory Board, which calls for completion and adoption of a bicycle and pedestrian component to the 2030 Transportation Plan; and

WHEREAS, Public Works Department staff has prepared a Bicycle and Pedestrian Plan to be incorporated into the 2030 Transportation Plan; and

WHEREAS, on April 2, 2012, the Transportation Advisory Board adopted a motion recommending that the City Council adopt the Bicycle and Pedestrian Plan; and

WHEREAS, on April 9, 2012, the Planning Commission adopted Resolution # 3-2012 recommending that the City Council amend the 2005 Comprehensive Plan by addition of the Bicycle and Pedestrian Plan to the 2030 Transportation Plan, which is a functional (component) element of the 2005 Comprehensive Plan, and making certain findings in support of that recommendation as required by Section 6.0 of the 2005 Comprehensive Plan; and

WHEREAS, the City Council desires to adopt the Bicycle and Pedestrian Plan and amend the 2005 Comprehensive Plan by addition of the Bicycle and Pedestrian Plan to the 2030 Transportation Plan, the adoption of which Plan is in the best interest of the citizens of the City of Loveland.

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

Section 1. That the Bicycle and Pedestrian Plan, a copy of which is on file with the Loveland City Clerk, is hereby adopted.

Section 2. That the City Council hereby adopts and incorporates by reference the findings set forth in Resolution # 3-2012 adopted by the Planning Commission on April 9, 2012.

Section 3. That the 2005 Comprehensive Plan is hereby amended by the addition of the Bicycle and Pedestrian Plan to the 2030 Transportation Plan, which is a functional (component) element of 2005 Comprehensive Plan.

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

ADOPTED this 1st day of May, 2012.

Cecil A. Gutierrez, Mayor

Attest: Teresa G. Andrews, City Clerk

8. PUBLIC WORKS**Traffic Signal Installation Contract Award****Motion**

Administrative Action: A motion awarding a contract for traffic signal installation services in the amount of \$1,196,635 and authorizing the City Manager to execute the contract was approved.

9. DEVELOPMENT SERVICES

Utility Easement Vacation – Loveland Business Plaza First Addition

1st Rdg Ord & P.H.

Legislative Action: A public hearing was held and "AN ORDINANCE VACATING A UTILITY EASEMENT ON LOT 1, BLOCK ONE, AMENDED PLAT OF LOTS 2-6, BLOCK 3 LOVELAND BUSINESS PLAZA FIRST ADDITION" was approved and ordered published on first reading.

10. FINANCE

Supplemental Appropriation – Matching Grant Funding to Loveland Fire Rescue Authority

1st Rdg Ord & P.H.

Administrative Action: A public hearing was held and "AN ORDINANCE ENACTING A SUPPLEMENTAL BUDGET AND APPROPRIATION TO THE 2012 CITY OF LOVELAND BUDGET TO PROVIDE FUNDING TO THE LOVELAND FIRE RESCUE AUTHORITY FOR MATCHING FUNDS REQUIRED BY A FEDERAL GRANT AND FOR THE PROGRAMING AND INSTALLATION OF THE RADIOS" was approved and ordered published on first reading.

11. WATER & POWER

Morning Drive Waterline Construction Bid Award

Motion

Administrative Action: A motion awarding a contract for the Morning Drive 36-inch Waterline Project to Connell Resources, Inc. in the amount of \$1,528,942.75 and authorizing the City Manager to execute the contract was approved.

12. WATER & POWER

IGA with Colorado State University for Research & Lab Services

Resolution #R-32-2012

Administrative Action: Resolution #R-32-2012 approving an Intergovernmental Agreement between the City of Loveland, Colorado and the Board of Governors of the Colorado State University System, acting by and through Colorado State University, for research and lab services was approved.

RESOLUTION #R-32-2012

A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF LOVELAND, COLORADO AND THE BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM, ACTING BY AND THROUGH COLORADO STATE UNIVERSITY, FOR RESEARCH AND LAB SERVICES

WHEREAS, Colorado State University ("CSU") owns and operates a water quality and solids testing lab, which is capable of providing water quality and solids testing services that other water quality labs in the region are not; and

WHEREAS, the City would like to utilize CSU's lab for water quality and solids testing services to test for certain properties in the City's water and sludge at a rate established by CSU consistent with rates CSU charges other entities for similar services; and

WHEREAS, the City also would like to utilize CSU's lab for research opportunities regarding planning and evaluating for water quality, water treatment, and wastewater treatment alternatives to assist in planning for future needs; and

WHEREAS, as governmental entities in Colorado, the City and CSU are authorized, pursuant to C.R.S. § 29-1-203, to cooperate or contract with one another to provide any function, service, or facility lawfully authorized to each.

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

Section 1. That the "Intergovernmental Agreement for Colorado State University Research and Lab Services Provided to City of Loveland," attached hereto as Exhibit A and incorporated herein by reference ("Intergovernmental Agreement"), is hereby approved.

Section 2. That the City Manager is hereby authorized, following consultation with the City Attorney, to modify the

Intergovernmental 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 Intergovernmental Agreement on behalf of the City.

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

ADOPTED this 1st day of May, 2012.

Cecil A. Gutierrez, Mayor

Attest: Teresa G. Andrews, City Clerk

Exhibit A is available in the City Clerk's Office

13. WATER & POWER

Supplemental Appropriation – Valley Substation Equipment

1st Rdg Ord & P.H.

Administrative Action: A public hearing was held and "AN ORDINANCE ENACTING A SUPPLEMENTAL BUDGET AND APPROPRIATION TO THE 2012 CITY OF LOVELAND BUDGET FOR THE PURCHASE FOR SWITCHGEAR AT THE VALLEY SUBSTATION" was approved and ordered published on first reading.

CITY CLERK READ TITLES OF ORDINANCES ON THE CONSENT AGENDA.

CITY COUNCIL

a) Citizens' Reports

Tim Ward, 1519 Selmar, spoke about the Kum 'n Go Appeal item on the May 15th Council meeting. He requested City Planner Brian Burson be present at that meeting.

Andrew Leach, 4195 Buffalo Mountain Drive (High Plains Village), requested a moratorium on natural gas operations within Loveland city limits through December 31, 2012. The purpose of the moratorium is to provide time to educate and investigate potential safety issues related to natural gas extraction process known as hydraulic fracturing.

Kim Orr, resident of Centerra, requested a moratorium on natural gas extraction and exploration in the Loveland city limits until the end of 2012.

Don Belcer, 4132 Buffalo Mountain Dr, requested a moratorium through December 31, 2012 within Loveland city limits on natural gas exploration and extraction.

Carol Hall, 4045 Temple Gulch Cir, requested a moratorium through December 31, 2012 within the city limits of Loveland on natural gas operations.

Sue Mullins, 4785 Hahn's Peak Dr, requested a moratorium through December 31, 2012 within the city limits of Loveland on natural gas operations.

b) Business from Council

Taylor

Councilor Taylor wished all a "Happy May Day".

Trenary

Councilor Trenary highlighted the opportunities for citizens to apply for several board and commission openings. He also mentioned upcoming Memorial Day events including "Remembering Our Fallen" a tribute to fallen Coloradoan soldiers at the Devereaux Room, Rialto Theater Center from May 24 to 31, 2012. On May 26, 2012 another Memorial Day service at the Rialto Theater Center will take place.

McKean

Item 16 (Finance Report) and Item 17 (Investment Report) were pulled from the agenda. Please direct questions regarding these items to staff.

Fogle	Councilor Fogle mentioned he had an inquiry from a resident on adding their property to the historic registry. He also encouraged citizens to participate in Loveland's Boards and Commissions.
Farley	Councilor Farley attended the Colorado Governor's Invitation Art Show at the Loveland Museum. Sales from the show benefit the Loveland Rotary Foundation. The show is opened through June 10, 2012.
Shaffer	Councilor Shaffer participated in a joint meeting with Congressman Garner to discuss train noise.
Klassen	Councilor Klassen attended Loveland Choral Society's "Classic Broadway" concert at the Rialto Theater Center.
Gutierrez	Mayor Gutierrez thanked all involved with the Children's Day event. He attended an award ceremony for Monroe Elementary students for the highest attendance at the Library over spring break. The Mayor encouraged early registration for the June Colorado Municipal League conference. The Mayor was at the Horseshoe substation transmission line when it was energized. The City now has redundant power sources. He extended congratulation to all for completing this project a month early.

c) City Manager Report

June 12, 2012 study session will include the following two discussion items: the City's ability to regulate oil and gas development and policy on leasing mineral rights on city owned land. The consensus of council was to allow public comment for these two items at the study session.

Pending State Legislation (HB12-1356) affects local governments by withholding severance tax distribution if any local government restricts or delays oil and gas drilling and production. Councilor McEwen moved to pass a resolution opposing House Bill 12-1356 now being considered in the Colorado General Assembly including the amendment of the citation of the Colorado Supreme Court case "Voss v. Lundvall Brothers, Inc" and if HB-1356 is passed by the Legislature, the City Council encourages Governor Hickenlooper to veto HB-1356. Councilor Shaffer seconded the motion and a roll call vote was taken with all Councilors present voting in favor thereof.

Councilors Shaffer, Trenary, Farley and McEwen directed staff to bring back to Council, at the May 15, 2012 regular meeting, an ordinance in support of a moratorium on oil and gas activity within the city limits of Loveland. Councilor Fogle requested staff report back to Council on the three proposed wells near Highway 34 and I-25 and if they are within city limits.

City Manager Cahill asked Council if they wanted to consider cancelling the June 19, 2012 regular council meeting due to several Council members attending the Colorado Municipal League conference. After receiving consensus, Staff will bring back a motion cancelling the meeting.

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

1. CITY CLERK

Approval of Council Minutes

- Administrative Actions:
- a) Motion Councilor Klassen moved to approve the minutes from the April 10, 2012 study session. Councilor Shaffer seconded the motion and a roll call vote was taken with eight Councilors present voting in favor and Councilor McEwen abstaining.
 - b) Motion Councilor McEwen moved to approve the minutes from the April 17, 2012 regular meeting. Councilor McKean seconded the motion and a roll call vote was taken with all Councilors present voting in favor thereof.

14. DEVELOPMENT SERVICES

Amend General Development Plan for Millennium Addition

1st Rdg Ord & P.H.

Quasi-judicial Action: City Planner Kerri Burchett introduced this item to Council. Kim Perry was present representing the applicant, McWhinney Real Estate Services, Inc. This item is a public hearing to consider a quasi-judicial action to adopt an ordinance on first reading amending the land use, development standards and public hearing process established in the Millennium General Development Plan (the "GDP"). The Millennium PUD consists of 2,916 acres located generally on the east side of Loveland. The applicant is McWhinney Real Estate Services, Inc. Kerri Burchett entered into the record a written statement from Planning Commissioner John Crescibene. The Mayor opened the public hearing at 8:55 p.m. Jennifer Beaver, 1200 17th St, Denver representing G&I 6th Promenade the owner of the Promenade Shops, spoke in opposition. Buddy Meyers, Member of the Loveland Planning Commission, 2429 Cameo Ct., spoke in opposition. Ed Klen, Loveland resident, spoke in opposition. The Mayor closed the public hearing at 9:38 p.m. Councilor McEwen moved to adopt and ordered published on first reading "AN ORDINANCE AMENDING SECTION 18.04.040 OF THE LOVELAND MUNICIPAL CODE, THE SAME RELATING TO ZONING REGULATIONS FOR CERTAIN PROPERTY LOCATED WITHIN THE MILLENNIUM ADDITION PUD - 8TH AMENDMENT (#P-59), APPROVING THE 9TH MAJOR AMENDMENT TO THE GENERAL DEVELOPMENT PLAN FOR THE MILLENNIUM ADDITION PUD". Councilor Klassen seconded the motion and a roll call vote was taken with eight Councilors present voting in favor thereof and Councilor Trenary voting against.

15. ECONOMIC DEVELOPMENT

Loveland Brand Concepts

Information Only

No action required: Cindy Mackin, Visitors Services Coordinator, introduced this item to Council. John Metcalf from Perfect Square was also present. This is a discussion with City Council regarding the Destination Loveland brand concepts which the Community Marketing Commission is considering for Loveland's tourism marketing effort. Council members provided feedback to staff.

16. FINANCE

March 2012 Financial Report This item was not heard.
Information Only

17. CITY MANAGER

Investment Report - March 2012 This item was not heard.
Information Only

18. CITY MANAGER

Executive Session concerning the Department of Housing and Urban Development's (HUD) Mirasol decision

Councilor Fogle recused himself from this discussion as his wife works for the Loveland Housing Authority.

City Council opted not to convene into an executive session. Consensus of City Council was to direct staff to send a letter to HUD as recommended by the City Attorney regarding the validity of the fees charged at Mirasol.

ADJOURNMENT

Having no further business to come before Council, the May 1, 2012 Regular Meeting was adjourned at 12:08 a.m.

Respectfully Submitted,

Teresa G. Andrews, City Clerk

Cecil A. Gutierrez, Mayor



CITY OF LOVELAND
DEVELOPMENT SERVICES DEPARTMENT
Civic Center • 500 East 3rd Street • Loveland, Colorado 80537
(970) 962-2346 • FAX (970) 962-2945 • TDD (970) 962-2620

AGENDA ITEM: 2
MEETING DATE: 5/15/2012
TO: City Council
FROM: Greg George, Development Services Director
PRESENTER: Sherry Albertson-Clark, Current Planning

TITLE:

An ordinance vacating a utility easement on Lot 1, Block One, amended plat of Lots 2-6, Block 3 Loveland Business Plaza First Addition.

RECOMMENDED CITY COUNCIL ACTION:

Move to adopt the ordinance on second reading

OPTIONS:

1. Adopt the action as recommended
 2. Deny the action
 3. Adopt a modified action (specify in the motion)
 4. Refer back to staff for further development and consideration
 5. Adopt a motion continuing the item to a future Council meeting
-

DESCRIPTION:

Consideration of an ordinance on second reading vacating a 250 square foot utility easement on Lot 1, Block One in the Loveland Business Plaza First Addition, located at 1122 North Denver Avenue.

BUDGET IMPACT:

- ☐ Positive
☐ Negative
☒ Neutral or negligible
-

SUMMARY:

The existing business on the property, ARC Science, is proposing to construct a second commercial/industrial building on the lot. The new building would be located over the easement. The easement occupies an area 10' by 25' on the east side of the lot. The easement to be vacated contains no existing utilities. An existing sewer main will remain within its own 10' easement and is not affected by this proposed vacation. Council adopted the ordinance on first reading on May 1, 2012.

REVIEWED BY CITY MANAGER:

William DeCavill

LIST OF ATTACHMENTS:

A. Ordinance

FIRST READING: May 1, 2012
SECOND READING: May 15, 2012

ORDINANCE NO.

**AN ORDINANCE VACATING A UTILITY EASEMENT ON LOT 1, BLOCK ONE,
 AMENDED PLAT OF LOTS 2-6, BLOCK 3 LOVELAND BUSINESS PLAZA FIRST
 ADDITION**

WHEREAS, the City Council, at a regularly scheduled meeting, considered the vacation of a utility easement described below, and depicted on **Exhibit A** attached hereto and incorporated herein by this reference, located in Lot 1, Block One, Amended Plat of Lots 2-6, Block 3 Loveland Business Plaza First Addition to the City of Loveland, County of Larimer, State of Colorado;

WHEREAS, the City Council finds and determines that no land adjoining any easement to be vacated is left without an established public or private easement connecting said land with another established public or private easement; and

WHEREAS, the City Council finds and determines that the utility easement to be vacated is no longer necessary for the public use and convenience; and

WHEREAS, the City Council further finds and determines that the application filed at the Development Center was signed by the owners of more than 50% of property abutting the easement to be vacated.

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

Section 1. That the City Council hereby adopts and makes the findings set forth above.

Section 2. That based on the City Council's findings described above, the following utility easement be and the same is hereby vacated:

A portion of **Lot 1, Block One, Amended Plat of Lots 2-6, Block 3 Loveland Business Plaza First Addition** to the City of Loveland, County of Larimer, State of Colorado being more particularly described as follows:

The Easement and Right-of-Way as described in that certain Grant of Easement recorded December 30, 1994 in the real property records of the Office of the Clerk and recorder of Larimer County, Colorado at Reception No. 94102185 being more particularly described as follows:

The South Ten (10) Feet of the East Twenty-Five (25') of Lot 3, Block 3, of the LOVELAND BUSINESS PLAZA FIRST ADDITION to the City of Loveland, Colorado, being further described as:

That portion of Lot 1, Block One, AMENDED PLAT OF LOTS 1 THROUGH 6, BLOCK 3, LOVELAND BUSINESS PLAZA FIRST ADDITION, situate in the Northeast Quarter of Section 18, Township 5 North, Range 68 West of the 6th P.M., City of Loveland, County of Larimer, State of Colorado being more particularly described as follows:

Considering the East line of said Lot 1, Block One, AMENDED PLAT OF LOTS 1 THROUGH 6, BLOCK 3, LOVELAND BUSINESS PLAZA FIRST ADDITION as bearing South 00°29'10" West and with all bearings contained herein relative thereto:

Beginning at the Northeast corner of said Lot 1, Block One, AMENDED PLAT OF LOTS 1 THROUGH 6, BLOCK 3, LOVELAND BUSINESS PLAZA FIRST ADDITION; thence along the East line of said Lot 1, Block One, AMENDED PLAT OF LOTS 1 THROUGH 6, BLOCK 3, LOVELAND BUSINESS PLAZA FIRST ADDITION South 00°29'10" West 22.11 feet, more or less, to the Northeast corner of said Easement and Right-of-Way as described in said Reception No. 94102185; said Northeast corner being the TRUE POINT OF BEGINNING; thence continuing along said East line of said Lot 1, Block One, AMENDED PLAT OF LOTS 1 THROUGH 6, BLOCK 3, LOVELAND BUSINESS PLAZA FIRST ADDITION and along the East line of said Easement and Right-of-Way as described in said Reception No. 94102185 South 00°29'10" West 10.00 feet, more or less, to the Southeast corner of said Easement and Right-of-Way as described in said Reception No. 94102185; thence departing said East line of said Lot 1, Block One, AMENDED PLAT OF LOTS 1 THROUGH 6, BLOCK 3, LOVELAND BUSINESS PLAZA FIRST ADDITION and said East line of said Easement and Right-of-Way as described in said Reception No. 94102185 and along the South line of said Easement and Right-of-Way as described in said Reception No. 94102185 North 89°28'05" West 25.00 feet, more or less, to the Southwest corner of said Easement and Right-of-Way as described in said Reception No. 94102185; thence departing said South line of said Easement and Right-of-Way as described in said Reception No. 94102185 and along the West line of said Easement and Right-of-Way as described in said Reception No. 94102185 North 00°29'10" East 10.00 feet, more or less, to the Northwest corner of said Easement and Right-of-Way as described in said Reception No. 94102185; thence departing said West line of said Easement and Right-of-Way as described in said Reception No. 94102185 and along the North line of said Easement and Right-of-Way as described in said Reception No. 94102185 South 89°28'05" East 25.00 feet, more or less, to a point on the East line of said Lot 1, Block One, AMENDED PLAT OF LOTS 1 THROUGH 6, BLOCK 3, LOVELAND BUSINESS PLAZA FIRST ADDITION; said point being the Northeast corner of said Easement and Right-of-Way as described in said Reception No. 94102185 and the TRUE POINT OF BEGINNING.

Containing 250.0 Square Feet, more or less

Section 2. That as provided in City Charter Section 4-9(a)(7), this Ordinance shall be published by title only by the City Clerk after adoption on second reading unless the Ordinance

has been amended since first reading in which case the Ordinance shall be published in full or the amendments shall be published in full. This Ordinance shall be in full force and effect ten days after its final publication, as provided in City Charter Section 4-8(b).

Section 3. That the City Clerk is hereby directed to record the Ordinance with the Larimer County Clerk and Recorder after its effective date in accordance with State Statutes.

Signed this 15th day of May, 2012.

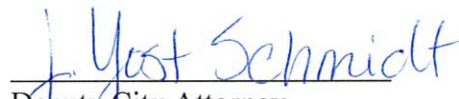
ATTEST:

CITY OF LOVELAND, COLORADO:

City Clerk

Cecil A. Gutierrez, Mayor

APPROVED AS TO FORM:



Deputy City Attorney



**CITY OF LOVELAND****BUDGET OFFICE**

Civic Center • 500 East Third • Loveland, Colorado 80537
(970) 962-2329 • FAX (970) 962-2901 • TDD (970) 962-2620

AGENDA ITEM: 3
MEETING DATE: 5/15/2012
TO: City Council
FROM: Bonnie Steele, Finance Department
PRESENTER: John Hartman, Budget Officer

TITLE:

Consideration of an ordinance on second reading enacting a supplemental budget and appropriation to the 2012 City of Loveland budget to provide funding to the Loveland Fire Rescue Authority for matching funds required by a federal grant and for the programing and installation of the radios

RECOMMENDED CITY COUNCIL ACTION:

Approve the ordinance on second reading

OPTIONS:

1. Adopt the action as recommended
 2. Deny the action
 3. Adopt a modified action (specify in the motion)
 4. Refer back to staff for further development and consideration
 5. Adopt a motion continuing the item to a future Council meeting
-

DESCRIPTION:

This is an administrative action. The ordinance increases the City's contribution to the Loveland Fire Rescue Authority to provide 100% of local matching funds for a Federal Emergency Management (FEMA) Assistance to Firefighters Grant to replace radios, and provide funding to install and program the radios after the purchase.

BUDGET IMPACT:

- ☒ Positive
☐ Negative
☐ Neutral or negligible

The local commitment of \$170,671 to match \$682,686 in grant revenue from Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant (AFG) and \$49,300 for programming and installation costs not approved by FEMA will be appropriated upon approval from a reserve in the General Fund included in the Financial Plan for the replacement of Self Contained Breathing Apparatus (SCBA). The total appropriation is \$219,970.

The total amount reserved in the budget was \$434,690. The amount was based on the projected total cost to replace the SCBA gear for the Department in the event a grant that was submitted to FEMA for the replacement of the gear was not approved. The Department was successful in receiving the grant and only \$110,920 from the reserve was required to match the SCBA grant, bringing the balance down to \$323,770. The balance can be made available for this grant match request of \$170,670 and for the \$49,300 of additional costs, leaving a balance of \$103,800 remaining in the reserve.

SUMMARY:

The Loveland Fire Rescue Authority was awarded by FEMA \$682,686, representing 80% of a radio replacement project that will cost \$853,357. An additional \$49,300 for programming and installation, was not approved. The total project cost is \$902,660. The required 20% match of the radio replacement project cost is \$170,671. The grant match, in addition to the programming and installation costs not approved, will be appropriated from the remaining amount in a reserve established in the 2012 Budget for the replacement of SCBA gear.

The following equipment will be programmed and installed upon appropriation of funds:

- 9 desktop radio units @ \$5,500 each for \$49,500,
- 7 base stations @ \$7,515 each for \$52,605,
- 99 portable radios @ \$4,736 each for \$468,864, and
- 39 mobile radios @ \$6,192 each for \$241,488.

The programming and installation costs approved were \$39,400 of the \$88,700 estimated cost. The grant writing reimbursement was approved for \$1,500 of \$5,500 requested.

Background

The Federal Communications Commission (FCC) has delivered some mandates over the last ten years to isolate emergency communications on particular frequencies. The 800MHz was the first mandated roughly ten years ago and the current mandate is to convert to narrow banding of the 700 MHz frequencies by 2017.

There are three components to the radio system: mobile radios (use on apparatus), portable radios (personnel carry with them), and base radios (at each station). The department has 173 – 800 MHz radios. Over 70% of those radios were purchased in 1997 and are no longer supported by Motorola. This means that there is a 50% chance that the radio can be repaired by our contracted radio technicians, but no parts are available from Motorola. Last year 3 radios were not repairable, and the concern is that the number of failed units will increase as these radios continue to age.

The department's inventory has:

- Portable radios (hand held) that became unsupported by Motorola in 2010,
- Base radios (station radios) that became unsupported by Motorola in late 2010,

- Mobile radios (vehicle radios) that became unsupported by Motorola in 2011, and
- Radios that will not meet the FCC mandate in 2017 for the 700 MHz frequency “re-banding”.

REVIEWED BY CITY MANAGER: 

LIST OF ATTACHMENTS:

Ordinance

FIRST READING May 1, 2012

SECOND READING May 15, 2012

ORDINANCE NO. _____

AN ORDINANCE ENACTING A SUPPLEMENTAL BUDGET AND APPROPRIATION TO THE 2012 CITY OF LOVELAND BUDGET TO PROVIDE FUNDING TO THE LOVELAND FIRE RESCUE AUTHORITY FOR MATCHING FUNDS REQUIRED BY A FEDERAL GRANT AND FOR THE PROGRAMING AND INSTALLATION OF THE RADIOS

WHEREAS, the City has reserved funds not appropriated at the time of the adoption of the City budget for 2012; and

WHEREAS, the Loveland Fire Rescue Authority (“Authority”) has been awarded a federal grant for the purchase, programming and installation of radios to be owned and used by the Authority; and

WHEREAS, the Authority has requested that City reserve funds be appropriated to fund the full local match required under the grant, notwithstanding the provisions of the Intergovernmental Agreement creating the Authority, which provide for allocating the payment of costs and expenses of the Authority between the City and the Loveland Rural Fire Protection District; and

WHEREAS, the City Council desires to authorize the expenditure of these reserve funds by enacting a supplemental budget and appropriation to the City budget for 2012, as authorized by Section 11-6(a) of the Loveland City Charter.

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

Section 1. That revenues and/or reserves in the amount of \$219,970 from reserves in the General Fund 100 are available for appropriation. Revenues in the total amount of \$219,970 are hereby appropriated for a contribution to the Loveland Fire Rescue Authority to match a Federal grant to the Authority for the purchase of radios and the programming and installation of the radios and transferred to the funds as hereinafter set forth. The spending agencies and funds that shall be spending the monies supplementally budgeted and appropriated are as follows:

**Supplemental Budget
General Fund 100**

Revenues

Fund Balance	219,970
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Total Revenue	219,970
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Appropriations

100-91-902-0000-43714 Payment to Outside Agencies - Loveland Fire Rescue Authority	219,970
--	---------

Total Appropriations	219,970
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Section 2. That as provided in City Charter Section 4-9(a)(7), this Ordinance shall be published by title only by the City Clerk after adoption on second reading unless the Ordinance has been amended since first reading in which case the Ordinance shall be published in full or the amendments shall be published in full.

Section 3. That this Ordinance shall be in full force and effect upon final adoption, as provided in City Charter Section 11-5(d).


ADOPTED this 15th day of May, 2012.

Cecil A. Gutierrez, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:



Deputy City Attorney



CITY OF LOVELAND
WATER & POWER DEPARTMENT
200 North Wilson • Loveland, Colorado 80537
(970) 962-3000 • FAX (970) 962-3400 • TDD (970) 962-2620

AGENDA ITEM: 4
MEETING DATE: 5/15/2012
TO: City Council
FROM: Steve Adams, Water and Power Department
PRESENTER: Bob Miller, Water and Power Department

TITLE:

Consideration of an ordinance enacting a supplemental budget and appropriation to the 2012 City of Loveland budget for the purchase of new system protection equipment for the Valley Substation.

RECOMMENDED CITY COUNCIL ACTION: Approve the ordinance on second reading

OPTIONS:

1. Adopt the action as recommended
 2. Deny the action
 3. Adopt a modified action (specify in the motion)
 4. Refer back to staff for further development and consideration
 5. Adopt a motion continuing the item to a future Council meeting
-

DESCRIPTION:

This is an administrative action. The department is requesting the movement of funds which allows the purchase of the new system protection equipment.

BUDGET IMPACT:

- ☐ Positive
☒ Negative
☐ Neutral or negligible

The project funding is from fund balance in the fund that was not anticipated when the budget was adopted. Use of the funds will limit the City options for funding capital projects from this source in the near future. This project was not known when the 2012 budget was developed. The supplemental budget request, if approved, would lower available funds that could be used to cover other unforeseen project needs.

SUMMARY:

The City of Loveland has a long history of providing low cost reliable power to its customers. Currently, the Water & Power Department has identified a need to replace the system protection equipment at the Valley Substation.

The October 26th, 2011 snow storm caused a significant number of outages and many of our customers were without power for several hours and in some cases days. A large number of the customers that were out of power were served from the Valley Substation. After investigating the outage staff concluded that there was a malfunction in the system protection equipment at the Valley Substation that caused the outage to be more widespread than it should have been. While staff was investigating the cause of the malfunctioning system protection equipment, Valley Substation experienced another outage on December 31, 2012, that was more widespread than it should have been. Additional investigation found a faulty component in the protective equipment which was subsequently replaced with a spare unit that was in stock. Staff contacted the company who manufactured the equipment to have the faulty piece rebuilt. The manufacturer replied that the faulty piece of equipment is no longer supported by them and that this equipment is obsolete. Upon receiving this information staff reviewed the other system protection equipment in the Valley substation and found that the majority of the major components are no longer supported by the manufacturer and are also obsolete.

Having protection equipment in substations that is reliable and supported by the manufacturer is critical to providing reliable service to our customers. Therefore staff is recommending that this equipment be replaced as soon as possible. The cost of ordering this equipment is approximately \$644,920 and the lead time for delivery is 30 weeks. The cost to install this equipment is approximately \$260,000 and this will be included as part of the 2013 budget process.

On April 18, 2012, the Loveland Utilities Commission (LUC) unanimously approved Water and Power staff's recommendation to have City Council approve the supplemental appropriation. The item passed first reading at City Council with a unanimous vote on May 1, 2012.

REVIEWED BY CITY MANAGER:



LIST OF ATTACHMENTS:

1. An ordinance enacting a supplemental budget and appropriation to the 2012 City of Loveland budget for the purchase for switchgear at the Valley Substation.

FIRST READING May 1, 2012

SECOND READING May 15, 2012

ORDINANCE NO. _____

AN ORDINANCE ENACTING A SUPPLEMENTAL BUDGET AND APPROPRIATION TO THE 2012 CITY OF LOVELAND BUDGET FOR THE PURCHASE FOR SWITCHGEAR AT THE VALLEY SUBSTATION

WHEREAS, the City has reserved funds not appropriated at the time of the adoption of the City budget for 2012; and

WHEREAS, the City Council desires to authorize the expenditure of these funds by enacting a supplemental budget and appropriation to the City budget for 2012, as authorized by Section 11-6(a) of the Loveland City Charter.

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

Section 1. That reserves in the amount of \$640,000 from fund balance in the Power PIF Fund 331 are available for appropriation. Revenues in the total amount of \$640,000 are hereby appropriated for the purchase of switchgear at the Valley substation and transferred to the funds as hereinafter set forth. The spending agencies and funds that shall be spending the monies supplementally budgeted and appropriated are as follows:

**Supplemental Budget
Power PIF Fund 331**

Revenues		
Fund Balance		640,000
Total Revenue		640,000
Appropriations		
331-47-332-2903-49399-PW920	Other Capital	640,000
Total Appropriations		640,000

Section 2. That as provided in City Charter Section 4-9(a)(7), this Ordinance shall be published by title only by the City Clerk after adoption on second reading unless the Ordinance has been amended since first reading in which case the Ordinance shall be published in full or the amendments shall be published in full.

Section 3. That this Ordinance shall be in full force and effect upon final adoption, as provided in City Charter Section 11-5(d).

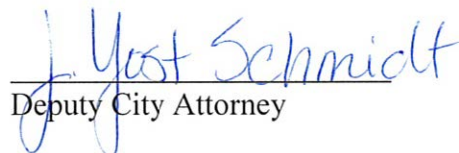
ADOPTED this 15th day of May, 2012.

Cecil A. Gutierrez, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:



Deputy City Attorney

**CITY OF LOVELAND****CITY CLERKS OFFICE**

Civic Center • 500 East Third • Loveland, Colorado 80537
(970) 962-2322 • FAX (970) 962-2901 • TDD (970) 962-2620

AGENDA ITEM: 5
MEETING DATE: 5/15/2012
TO: City Council
FROM: Terry Andrews, City Clerk
PRESENTER: Terry Andrews

TITLE:

An ordinance amending Title 3 of the Loveland Municipal Code by the addition of a new Chapter 3.50 to consolidate and amend the lien and collection processes for the City's current code provisions related to weed abatement, graffiti removal, refuse removal and snow removal

RECOMMENDED CITY COUNCIL ACTION:

Approve the ordinance on second reading

OPTIONS:

1. Adopt the action as recommended
2. Deny the action
3. Adopt a modified action (specify in the motion)
4. Refer back to staff for further development and consideration
5. Adopt a motion continuing the item to a future Council meeting

DESCRIPTION:

This is a legislative action. Approval of the ordinance will amend the Municipal Code to collect the full costs associated with the City's actions to mitigate certain real property Code violations when a property owner does not comply with the City Code, and create a standard lien and collection process within the Code for certain types of real property Code violations. City Council unanimously approved the ordinance on first reading on May 1, 2012.

BUDGET IMPACT:

- ☐ Positive
☐ Negative
☒ Neutral or negligible

Reimbursement would be realized when the lien is paid which could occur in two ways: the outstanding debt is certified to the tax roll and assessed to the property owner via the annual tax bill, or at the time the property changes ownership.

SUMMARY:

Currently in certain instances the City acts to correct City code violations such as weed mowing, snow removal, or tree, refuse and graffiti removal when, after notifying the property owner of code violations that exist on their property, the owner fails to bring the property into compliance with the City Code. After mitigating the Code violation the City will invoice the property owner. If after a follow up notice to the property owner the invoice is not paid, the City will place a lien on the property.

Currently the Code allows the City to assess an administrative charge between 0% and 10%, depending on the service, incidental to provision of the service and a penalty charge of 10% to cover collection costs; however that does not cover the actual cost to lien a property. For example: A customer would receive a final notice to reimburse the City \$70 (actual cost) for weed mowing plus a 10% or \$7 administrative fee. If the customer does not pay the final invoice the City spends \$22.00 to process the lien. The proposed language would allow the City to receive the administrative fee as well as the \$22.00 actual lien costs. Staff is recommending Title 3 be amended to allow the City to seek reimbursement for “actual costs” to lien and remove a lien for a property, in addition to the administrative and penalty fees.

The individual lien and collection processes currently are located throughout the Code. A single location that outlines those processes in the Code will ensure consistency. All the types of services that use this process will be referred to this section of the Code. City services that do not fall within this new Code section will continue to use lien and collection processes outlined elsewhere in the Code or as provided by state law.

REVIEWED BY CITY MANAGER:



LIST OF ATTACHMENTS:

Ordinance

FIRST READING: May 1, 2012

SECOND READING: May 15, 2012

ORDINANCE No. _____

AN ORDINANCE AMENDING TITLE 3 OF THE LOVELAND MUNICIPAL CODE BY THE ADDITION OF A NEW CHAPTER 3.50 TO CONSOLIDATE AND AMEND THE LIEN AND COLLECTION PROCESSES FOR THE CITY'S CURRENT CODE PROVISIONS RELATED TO WEED ABATEMENT, GRAFFITI REMOVAL, REFUSE REMOVAL AND SNOW REMOVAL

WHEREAS, the Loveland Municipal Code ("City Code") currently authorizes the City to place liens against properties in certain circumstances such as snow removal, refuse/rubbish removal, weed abatement, tree and shrub maintenance, and graffiti removal when City resources are expended to bring a property into compliance with the City Code due to a property owners failure to address a property code violation and then failure to pay for the City's abatement of the violation; and

WHEREAS, the City Code provides for collection by the City from the property owners of incidental administrative charges and actual costs for the services provided to bring properties into compliance and, if a lien is filed, further provides for a 10% penalty on the amount due; and

WHEREAS, the penalty amount which is applied to the administrative cost associated with the lien process does not cover the actual filing cost for placement or removal of a lien (currently twenty-two dollars per event) in the majority of cases because the City's abatement cost is low; and

WHEREAS, the City Council desires to require property owners to cover the actual placement and removal costs of liens and the related administrative collection costs, in addition to the administrative charges for providing the services to bring the property into compliance with the City Code; and

WHEREAS, the City Council further desires to consolidate the liens and collections processes set forth throughout the City Code into a new Chapter 3.50 in order to provide consistency and minimize duplication and to amend City Code provisions related to snow removal, refuse/rubbish removal, weed abatement, tree and shrub maintenance, and graffiti removal to refer to the new Chapter 3.50.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOVELAND, COLORADO as follows:

Section 1. Title 3 of the City Code is hereby amended by the addition of a new Chapter 3.50 to read in full as follows:

Chapter 3.50

LIENS & COLLECTIONS

3.50.010 Liens.

- A. When a provisions within this code provides for the city's recovery of costs, assessments, penalties, or other charges associated with the city's provision of services to bring any property, lot, block, or parcel of land into compliance with this code and the amount due to the city is not paid within the time provided, the amount due shall become a lien against such property, lot, block or parcel of land associated with and benefitting from said services and shall have priority over all liens, except general taxes and prior special assessments.
- B. Each amount due under paragraph A., together with ten percent added thereto to defray the administrative cost of collection, plus actual cost to file and remove a lien, may be certified by the city clerk to the county treasurer and placed by the treasurer upon the tax list for the current year, and thereby collected in the same manner as real property taxes are collected.
- C. The recovery of amounts due through the use of the lien provisions herein shall be supplementary and in addition to any other collection procedures or remedies as provided by law, in equity or elsewhere in this code.

3.50.020 Collections.

The city shall have the right to proceed for the amounts due on behalf of the city in any manner provided by law or in equity for collection of debts and claims including, but not limited to, lien and foreclosure procedures.

3.50.030 Criminal Proceedings.

The city remedies set forth in this chapter shall not be exclusive, and nothing shall restrict the city from concurrently pursuing the enforcement and prosecution of any violation of this code through the Loveland Municipal Court.

Section 2. That Section 7.18.042 of the City Code is hereby amended to read in full as follows:

7.18.042 City removal and assessment.

- A. If a notice and order to abate is served pursuant to Section 7.18.040, and if the weeds are not cut within the stated time and maintained in compliance for the remainder of the calendar year, the City may cause a notice of abatement to be served upon the owner or agent in charge of such property, either by personal service or by posting and certified mail, which notice shall allow the City to cut the weeds and assess the whole cost thereof, including ten percent for inspection and other incidental costs in connection therewith, upon the land. The costs and any charges assessed by the City pursuant to this Chapter associated with cutting of weeds shall be paid by the owner of the property or agent for such owner within thirty (30) days after mailing of the bill or assessment of such cost by the City to said owner or agent.

- B. If the customer fails to pay the charges associated with weed abatement within the described 30-day period, a notice of the assessment shall be mailed via certified mail by the City to the owner of the property, notifying the owner that failure to pay the assessed amount within ten (10) days of the date of the letter shall cause the assessment to become a lien against the property.
- C. Failure to pay the amount assessed for weed abatement services including inspection and incidental costs within the ten-day period specified in the notice of assessment shall cause the owner of the property to be subject to the lien and collection provisions of Chapter 3.50 of this code.

Section 3. That Section 7.26.070 of the City Code is hereby amended to read in full as follows:

7.26.070 City removal and assessment.

- A. If any person fails to comply with the provisions of this chapter, a written notice and order to abate may be served upon the owner or agent in charge of such property, such notice and order to be served personally or by certified mail and posting, requiring the removal from the property of all refuse and rubbish found on the premises or in the adjoining streets and alleys. Such notice and order shall require removal of all refuse and rubbish within seventy-two (72) hours after mailing or delivery of such notice, except that if such accumulation of refuse and rubbish may create a fire, health or safety hazard, or may provide harborage for rodents, it shall be deemed a nuisance and shall require removal within twenty-four (24) hours. If such refuse and rubbish is not removed within the stated time and maintained within compliance for the remainder of the calendar year, the city may remove or cause to be removed from the property all refuse and rubbish found on the premises or in the adjoining streets and alleys and assess the whole cost thereof, including ten (10) percent of the costs for inspection and other incidental costs in connection therewith, upon the land. The costs and any charges assessed by the city pursuant to this chapter associated with removal of refuse and rubbish shall be paid by the owner of the property or agent for such owner within thirty (30) days after mailing of the bill or assessment of such cost by the city to the said owner or agent.
- B. If the customer fails to pay the charges associated with refuse/rubbish removal within the described thirty-day period, a notice of the assessment shall be mailed via certified mail by the city to the owner of the property, notifying the owner that failure to pay the assessed amount within ten (10) days of the date of the letter shall cause the assessment to become a lien against the property.
- C. Failure to pay the amount assessed for refuse/rubbish removal including inspection and incidental costs within the ten-day period specified in the notice of assessment shall cause the owner of the property to be subject to the lien and collection provisions of Chapter 3.50 of this code.

Section 4. That paragraph D. of Section 7.30.050 of the City Code is hereby amended to read in full as follows:

- D. Failure to pay the amount assessed for graffiti abatement including inspection and incidental costs within the ten-day period specified in the notice of assessment shall cause the owner of the property to be subject to the lien and collection provisions of Chapter 3.50 of this code.

Section 5. That Section 12.24.035 of the City Code is hereby amended to read in full as follows:

12.24.035 Removal of snow and ice by city-Assessment.

If any person fails to comply with Section 12.24.030, a written notice of assessment may be served upon the owner, tenant or agent in charge of such property requiring the removal of such snow or ice, or both. If the snow or ice, or both, is not removed within twenty-four hours after the service of such notice, the city may remove the snow or ice, or both, and assess the whole cost thereof, including five percent for inspection and other incidental costs in connection therewith, upon the lot, block or parcel of real property from which the snow or ice, or both, is removed. Such notice shall be served by delivering a copy thereof to such owner, occupant or agent in charge of said property, or by leaving such copy with some person, above the age of fifteen years, who is a member of such owner's, occupant's, or agent's family and residing with such owner, occupant or agent, if such owner, occupant or agent resides within the limits of the city, or, in the event that no one is on the property from which the snow or ice, or both, is to be removed or at the residence of such owner, occupant or agent in charge, if within the city, then by posting such copy in some conspicuous place on the property from which the snow or ice, or both, is to be removed. Failure to pay the amount assessed for snow or ice removal including inspection and incidental costs within thirty days (30) of the notice of assessment shall cause the owner of the property to be subject to the lien and collection provisions of Chapter 3.50 of this code. The laws of the state for assessment and collection of general taxes, including the laws for the sale and redemption of property for taxes, shall apply to the collection of such assessment.

Section 6. That Chapter 12.24 is hereby amended by the addition of a new Section 12.24.037 to read in full as follows:

12.24.037 Administrative review of assessment.

Any owner who disputes the amount of assessment made against such owner's property under Section 12.24.035 may, within twenty (20) days of receipt of notice of such assessment, petition the City Manager for a revision or modification of such assessment in accordance with Chapter 7.70 of this code.

Section 7. That Section 12.32.170 of the City Code is hereby amended to read in full as follows:

12.32.170 Notice of compliance.

It is unlawful for any person to fail to comply with the requirements of any notice given pursuant to Sections 12.32.130 through 12.32.160 within the time specified in such notice. In all cases the city shall notify the owner or his agent to maintain and care for all trees and shrubs within thirty days or other period of time thereof deemed reasonable by the city from the date of service of such notice. The owner shall have the right to care for and maintain their trees and shrubs in conformity with the rules, regulations and standards of the city. The notice shall be in writing and served in person upon the owner if found within the city, and if not, it may be served by registered or certified United States Mail or by publication in a daily newspaper published in the city. If, at the end of the thirty days, or other time established, the property owner has failed to care for and maintain the tree or shrub as required by the city, the city may have the work done by day labor or contract and when work is done issue to the person doing the work a certificate therefore stating the just amount due him, which certificate shall draw interest at a rate of six percent per year until paid. The city shall mail a copy of such certificate to the property owner at his last known address and amount of the certificate plus all accrued interest shall become and remain a lien upon the property until it is paid. Failure to pay the amount assessed for tree or shrub maintenance, care or removal including inspection and incidental costs within thirty days (30) of the mailing of the certificate shall cause the owner of the property to be subject to the lien and collection provisions of Chapter 3.50 of this code.

Section 8. That as provided in City Charter Section 4-9(a)(7), this Ordinance shall be published by title only by the City Clerk after adoption on second reading unless the Ordinance has been amended since first reading in which case the Ordinance shall be published in full or the amendments shall be published in full. This Ordinance shall be in full force and effect ten days after its final publication, as provided in City Charter Section 4-8(b).

Dated this _____ day of May, 2012.

Cecil A. Gutierrez, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:


Assistant City Attorney

An Ordinance Amending Title 3 of the Loveland Municipal Code by the Addition of a New Chapter 3.50 to Consolidate and Amend the Lien and Collection Processes for the City's Current Code Provisions Related to Weed Abatement, Graffiti Removal, Refuse Removal and Snow Removal

**CITY OF LOVELAND****CITY CLERKS OFFICE**

Civic Center • 500 East Third • Loveland, Colorado 80537
(970) 962-2322 • FAX (970) 962-2901 • TDD (970) 962-2620

AGENDA ITEM: 6
MEETING DATE: 5/15/2012
TO: City Council
FROM: Terry Andrews, City Clerk
PRESENTER: Terry Andrews

TITLE:

A motion canceling the June 19, 2012 regular meeting.

RECOMMENDED CITY COUNCIL ACTION:

Move to cancel the City Council June 19, 2012 Regular Meeting.

OPTIONS:

1. Adopt the action as recommended
2. Deny the action
3. Adopt a modified action (specify in the motion)

DESCRIPTION:

This is an administrative action. On May 1, 2012, there was a consensus of City Council to cancel the June 19, 2012 regular meeting, since several Councilors and Staff have expressed interest in attending the Colorado Municipal League Conference to be held during that week.

BUDGET IMPACT:

- ☐ Positive
☐ Negative
☒ Neutral or negligible

SUMMARY:

The Municipal Code identifies the meeting day and time for Council to conduct regular meetings. Council can, by a majority vote, change, cancel or call a special meeting.

REVIEWED BY CITY MANAGER:

LIST OF ATTACHMENTS:

None

**CITY OF LOVELAND****FIRE & RESCUE DEPARTMENT**

Administration Offices • 410 East Fifth Street • Loveland, Colorado 80537
(970) 962-2471 • FAX (970) 962-2922 • TDD (970) 962-2620

AGENDA ITEM: 7
MEETING DATE: 5/15/2012
TO: City Council
FROM: Pat Mialy, Fire – Office of Emergency Management
PRESENTER: Pat Mialy / Merlin D. Green

TITLE: An ordinance adopting the City of Loveland Emergency Operations Plan and amending Section 2.72.010 of the Loveland Municipal Code concerning the comprehensive disaster plan

RECOMMENDED CITY COUNCIL ACTION:

Conduct a public hearing and approve the ordinance

OPTIONS:

1. Adopt the action as recommended
2. Deny the action
3. Adopt a modified action (specify in the motion)
4. Refer back to staff for further development and consideration
5. Adopt a motion continuing the item to a future Council meeting

DESCRIPTION:

This is a legislative action. The Local Emergency Operations Plan (LEOP) is the City's primary emergency document that describes the authority and responsibilities that the City holds during emergencies and large-scale disasters.

BUDGET IMPACT:

- ☐ Positive
☐ Negative
☒ Neutral or negligible

SUMMARY: The LEOP underwent an extensive content and formatting revision to reflect new Federal requirements. The revision of this plan will be conducted every three years. Staff reviewed the revisions to the plan with Council at a study session on April 10, 2012. This submission for formal consideration is a follow up to that review.

REVIEWED BY CITY MANAGER:

LIST OF ATTACHMENTS:

Ordinance
Local Emergency Operations Plan – Revised 2012

First Reading May 15, 2012
 Second Reading _____

ORDINANCE _____

AN ORDINANCE ADOPTING THE CITY OF LOVELAND EMERGENCY OPERATIONS PLAN AND AMENDING SECTION 2.72.010 OF THE LOVELAND MUNICIPAL CODE CONCERNING THE COMPREHENSIVE DISASTER PLAN

WHEREAS, the City of Loveland (the “City”) has previously adopted the City of Loveland Emergency Operations Plan dated August 2007, as its comprehensive disaster plan; and

WHEREAS, the City desires to adopt a revised comprehensive disaster plan in order to assure the continued effective response to disasters and emergencies occurring within the City and surrounding area.

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

Section 1. That the City of Loveland Emergency Operations Plan, 2012 Revisions, a copy of which is on file with the City Clerk’s Office, is hereby adopted as the City’s comprehensive disaster plan.

Section 2. That section 2.72.010 of the Loveland Municipal Code is amended to read as follows:

2.72.010 Adoption of Comprehensive Disaster Plan.

The City of Loveland Emergency Operations Plan, 2012, as amended from time to time, is adopted as the comprehensive disaster plan for the City of Loveland.

Section 3. That as provided in City Charter Section 4-9(a)(7), this Ordinance shall be published by title only by the City Clerk after adoption on second reading unless the Ordinance has been amended since first reading in which case the Ordinance shall be published in full or the amendments shall be published in full. This Ordinance shall be in full force and effect ten (10) days after its final publication as provided in the City Charter Section 4-8(b).

ADOPTED this ____ day of _____, 2012.

Cecil A. Gutierrez, Mayor

ATTEST:

City Clerk

Approved as to form:



Teresa Ablao
Assistant City Attorney



LOCAL EMERGENCY OPERATIONS PLAN



Office of Emergency Management
410 East Fifth Street
Loveland, Colorado 80537
(970) 962-2519

Published 2007
Revised 2012
~~REVISION DUE 2014~~

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City of Loveland Office of Emergency Management

Mission Statement

~~The mission of the City of Loveland Office of Emergency Management is to serve the citizens of the City and surrounding area through effective planning for natural and man-made disasters. Our goal is to save lives and protect property through coordination of an integrated emergency management system with all emergency response organizations, support services, and volunteers.~~

~~We will be an advocate for greater community efforts, including educating the general public to mitigate and prepare for potential disasters.~~

~~We will support efforts to train and exercise emergency responders in both the public and private sectors.~~

~~We will coordinate with all local, state and federal resources for mitigation, preparedness, response, and recovery operations.~~

~~**This agency is committed to effective actions to prevent some disasters and reduce the impact of those disasters over which we have no control.**~~

CITY OF LOVELAND – LOCAL EMERGENCY OPERATIONS PLAN**LETTER OF PROMULGATION**

This Local Emergency Operations Plan is approved and hereby ordered published, posted, and distributed. All departments and personnel are directed to accept the assigned responsibilities herein and to conduct the organizational planning and training necessary to implement the Local Emergency Operations Plan when and to the extent required.

City Manager

Date

Record of Changes

Changes that are significant in nature shall be reflected and preserved as a stand-alone copy of the master document. Minor changes will be incorporated into this plan during the next scheduled update and specifically listed on the Record of Changes below.

<u>Date Posted</u>	<u>Change(s)</u>	<u>Page / Paragraph / Line</u>	<u>Made by</u>
<u>July 2011</u>	<u>Content and formatting</u>	<u>Multiple – changes tracked</u>	<u>OEM - Mialy</u>
<u>March 2012</u>	<u>Content and formatting</u>	<u>Multiple – changes tracked</u>	<u>OEM - Mialy</u>
<u>April 2012</u>	<u>Added TVEMS</u>	<u>Pg. 40, Section v, 1st sentence</u>	<u>OEM - Mialy</u>

First Reading August 21, 2007

Second Reading _____

ORDINANCE _____

~~AN ORDINANCE ADOPTING THE CITY OF LOVELAND EMERGENCY OPERATIONS PLAN AND AMENDING SECTION 2.72.010 OF THE LOVELAND MUNICIPAL CODE CONCERNING THE COMPREHENSIVE DISASTER PLAN~~

~~**WHEREAS**, the City of Loveland (the “City”) has previously adopted the City of Loveland Emergency Management System Plan dated January 1, 1995, and on August 2007 as its comprehensive disaster plan; and~~

~~**WHEREAS**, the City desires to adopt a revised comprehensive disaster plan in order to assure the continued effective response to disasters and emergencies occurring within the City and surrounding area.~~

~~**_____ NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOVELAND, COLORADO:**~~

~~**_____ Section 1. That the City of Loveland Emergency Operations Plan dated August 2007, a copy of which is on file with the City Clerk’s Office, is hereby adopted as the City’s comprehensive disaster plan.**~~

~~**_____ Section 2. That section 2.72.010 of the Loveland Municipal Code is amended to read as follows:**~~

~~**2.72.010 _____ Adoption of Comprehensive Disaster Plan.**~~

~~**_____ The City of Loveland Emergency Operations Plan dated August 2007, is adopted as the comprehensive disaster plan for the City of Loveland.**~~

~~**Section 3.** That as provided in City Charter Section 4-9(a)(7), this Ordinance shall be published by title only by the City Clerk after adoption on second reading unless the Ordinance has been amended since first reading in which case the Ordinance shall be published in full or the amendments shall be published in full. This Ordinance shall be in full force and effect ten (10) days after its final publication as provided in the City Charter Section 4-8(b).~~

~~ADOPTED~~ this _____ day of _____, 2011.

_____ Cecil Gutierrez, Mayor

~~ATTEST:~~ _____

~~City Clerk~~

~~APPROVED AS TO FORM:~~

~~Assistant City Attorney~~

Table of Contents

I.	PURPOSE	13
II.	AUTHORITY	14
III.	SPECIAL DEFINITIONS	15
IV.	SCOPE	15
V.	SITUATION	15
VI.	PLANNING ASSUMPTIONS	21
VII.	CONCEPT OF OPERATIONS	24
VIII.	CONTINUITY OF GOVERNMENT	42
IX.	ORGANIZATIONAL MANAGEMENT	47
X.	THE EMERGENCY OPERATIONS CENTER	53
XI.	EMERGENCY OPERATIONS ORGANIZATION	58
A.	General	58
B.	The Emergency Preparedness Levels.	59
C.	The Modes of Activation.	62
XII.	INCIDENT MANAGEMENT RESPONSIBILITIES BY PHASE	68
A.	Preparedness Phase	68
B.	Response Phase	69
C.	Recovery Phase	73
D.	Mitigation Phase	73
XIII.	DIVISION AND ASSIGNMENT OF RESPONSIBILITIES	75
XIV.	APPENDICIES	127
A.	APPENDIX: GLOSSARY	
B.	APPENDIX: EMERGENCY SUPPORT FUNCTIONS	
C.	APPENDIX: DECLARATION OF LOCAL DISASTER	
D.	APPENDIX: REQUEST FOR PROCLAMATION OF DISASTER	
E.	APPENDIX: BIBLIOGRAPHY	
F.	APPENDIX: LEOP DISTRIBUTION LIST	

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Introduction

The U.S. Department of Homeland Security (DHS) has established objectives for a national effort to prevent terrorist attacks within the United States and reduce its vulnerability to terrorism, natural disasters, and other emergencies; and to minimize the damage, and recover from attacks or natural disasters.

To meet these objectives DHS implemented the **National Response FramePlan (NRPNRF)**. Based on the **National Incident Management System (NIMS)**, the NRPNRF aligns federal, state, and local special purpose incident management and emergency response plans into a common format and structure.

The NRPNRF, using NIMS, is an all hazards plan that provides the structure and mechanisms for national level policy and operational direction for domestic incident management. The NIMS structure is an incident coordination system based on the Incident Command System. The NRPNRF can be partially or fully implemented, in anticipation of or in response to a significant event. This allows for selective implementation through the activation of one or more of the system's components, thus providing maximum flexibility in meeting the unique operational and information sharing requirements of the situation. It also enables effective interaction with various non-federal entities.

In Colorado, each level of government is responsible through its statutory authority to address the safety and security needs of its citizens. CitizensColoradoans expect all levels of government both state and local governments to keep them informed and provide ample assistance in the event of an emergency or disaster. The City of Loveland's Local Emergency Operations Plan is a comprehensive, all-hazards disaster plan that provides emergency response direction to local and volunteer agencies, as well as to the private sector. It delineates emergency response procedures, responsibilities, lines of authority, and continuity of government.

The format of this Emergency Operations Plan aligns itself with the NRPNRF by incorporating NIMS and employing a functional approach to providing assistance. Here, emergency support functions (ESFs) are assigned to a lead city department or other agencies in supporting roles. The lead agency will work with the Office of Emergency Management in the development, coordination, and maintenance of appropriate Continuity of Operation Plans and for ensuring all assigned tasks are completed during emergency operations. These ESFs are attached to this document as annexes.

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I. PURPOSE

The purpose of the Local Emergency Operations Plan (LEOP) is to minimize the loss of life and property caused by a disaster. It is applicable to all elements of the city government and the private sector engaged in, or acting in support of, emergency operations. It prescribes the course of action to be taken by city departments to protect the lives of the population and the management of human and material resources during and after any emergency.

~~The purpose of this document, the Local Emergency Operations Plan (LEOP), is to minimize the loss of life and property during and while recovering from an emergency or disaster through effective management of the emergency. This Plan is applicable to all elements of city government and the private sector engaged in, or acting in support of, emergency operations.~~

These tasks will be accomplished through:

- A. Identification of the roles, responsibilities and actions required of City departments and other agencies in preparing for and responding to major emergencies and disasters;
- B. Ensuring a coordinated local response by ~~local, State, and Federal~~ governments ~~s-sponsored agencies through~~ by the use of the NIMS in managing emergencies or disasters; to save lives, prevent injuries, protect property and the environment, and to return the affected area to a new state of normalcy as quickly as possible;
- C. Providing a framework for coordinating, integrating, and administering this emergency operations plan and related programs of local ~~, State, and Federal~~ governments;
- D. Providing for the integration and coordination of volunteer agencies and private organizations involved in emergency response and relief efforts.
- E. -The format of this Local Emergency Operations Plan aligns itself with the National Response Framework by incorporating the National Incident Management System and employing a functional approach to managing emergencies.
- F. Emergency Support Functions (ESFs) are assigned to a lead city department and to other agencies in supporting roles. The ESFs are attached to this document as an appendix.
- G. All City Departments will work with the Office of Emergency Management in the development, coordination, and maintenance of the Continuity of

Operation Plan (COOP) and for ensuring all assigned tasks are completed during emergency operations.

II. LEGAL AUTHORITY

A. Local

1. ~~1.~~—Code of the City of Loveland, Chapter 2.72, Comprehensive Disaster Plan, Section 2.72.010

4.2. Title 24, Article 32, Part 2109 et. seq., Colorado Revised Statutes, as amended; entitled the Colorado Disaster Emergency Act of 1992

B. State

1. Title 24, Article 32, Part 2101 et. seq., Colorado Revised Statutes, as amended; entitled the Colorado Disaster Emergency Act of 1992
2. Title 25, Article 11, Part 101 et. seq., Colorado Revised Statutes; entitled the Radiation Control Act
3. Article IV, Constitution of the State of Colorado; entitled the Executive Department

C. Federal

1. The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. §§ 5121-5206)
2. The National Response ~~Framework Plan, December-2008~~⁴

III. SPECIAL DEFINITIONS

Most definitions of terms, abbreviations, and acronyms used in this ~~LEOP Plan~~ and the definitions ~~of to several~~ other commonly used emergency management acronyms or terms are found in the Glossary ~~S~~section of this ~~document Plan~~.

IV. SCOPE

This plan replaces the Local Emergency Operations Plan dated 2007.

The Local Emergency Operations Plan (LEOP, or “the Plan”) ~~utilizes~~ the all-hazards emergency management approach that addresses a full range of complex and constantly changing requirements in anticipation of, or in response to, threats or acts of major disasters (natural or technological), terrorism, and other emergencies.

The LEOP details the specific incident management roles and responsibilities of city departments and external agencies involved in emergency management.

The LEOP ~~was~~ developed to provide a seamless link between local ~~to~~-local and local ~~to~~-County/State/Federal operations by following the principles outlined in the ~~NRP~~NRF.

V. SITUATION

A. Vulnerability and Hazard Analysis

~~1. Geography~~

- ~~a. The City of Loveland covers approximately 30.82 square miles and is situated along the eastern edge of the Rocky Mountains. The City's most prominent geological features are the Rocky Mountain Range to the west and the numerous fresh water lakes, ponds, and rivers within the city limits. The Loveland Rural Fire Protection District covers approximately 280 square miles and encompasses the entire City of Loveland's boundaries.~~

~~b. Elevation is 4982 feet.~~

~~c. There are 250 miles of existing streets.~~

~~d. The City's transportation infrastructure consists of one major Interstate Highway, one U.S. Highway, and a major railway corridor. Connections to two other major Interstates are less than 60 miles in both the North and South directions. The rail system is utilized by Burlington Northern, Great Western, and Union Pacific railroads.~~

~~e. The City of Loveland's local transportation system includes the inter-city service of the City of Loveland Transit (C.O.L.T.) and the Fox Trot bus which provides connections between Loveland and Fort Collins.~~

~~f. The City has a municipal general aviation airport that provides both private and commercial air services.~~

~~2. Demographics:~~

~~—~~

~~a. The City of Loveland's population is estimated at 61,871 for 2006.~~

~~b. Loveland's racial and ethnic make up is*:~~

~~African American 0.4%~~

~~Asian 0.8%~~

~~Caucasian 92.9%~~

~~Hispanic / Latino origin 8.6%~~

~~Multi-racial 2.0%~~

~~Native American / Alaskan <0.1%~~

~~Other race 3.2%~~

~~*~~

~~c. Median age is 36.0~~

~~d. Median household income \$47,119~~

~~e. Median home sale price is \$224,565~~

~~f. Unemployment rate is 3.6% for 2006~~

~~g. The majority of Colorado's population, industrial and commercial development, and the seat of state government, is located along the Front Range. Given the high population concentration, major industrial activities, and history of major disaster events, the Front Range represents the area of greatest vulnerability for repeated occurrences of disastrous events.~~

~~(1) Approximately 81% of Colorado's population is concentrated in the counties of the Front Range.~~

~~(2) Approximately 4% of Colorado's population is not fluent in the English language.~~

~~(3) Approximately 9.7% of Colorado's population is 65 years of age and over.~~

~~(4) Approximately 7.4% of Colorado's population is persons identified with special needs.~~

~~h. The combination of high hazard areas and large numbers of out-of-state visitors, who are unfamiliar with local conditions and emergency response capabilities represent a unique emergency planning and response challenge to both State and local government.~~

~~B. Hazards Analysis Summary~~

1. Larimer County has experienced, and continues to be vulnerable to, a multitude of natural ~~and~~ man-made hazards such as floods, wildfires, winter storms, and hazardous material incidents. There is a probability of the occurrence of major events striking simultaneously or within a close time frame where the occurrence of one event will trigger one or more secondary events. ~~Emergency Mmanagers must plan for these secondary or cascading events.~~

~~NOTE:~~

2. For in-depth information on these and other hazards see the Northern Colorado Regional Hazard Mitigation Plan 2009~~3~~, currently located at:
<http://larimer.org/bcc/100518/2009HazardMitigationPlan.htm>.

~~1. **Flooding.** Riverine flooding, caused by rapid snowmelt, usually occurs in May and June. Flash flooding, usually caused by heavy, stationary thunderstorms, most often occurs in the spring and early summer months. Damage potential is greatest along the river basins in the inter mountain areas and the floodplains along the Front Range. Areas in and below land burned by wildfire have an increased risk of flooding. Flooding (flash and~~

riverine) is the single greatest potential hazard to property in Colorado. Colorado averages 20+ floods each year.

2. **Severe weather.** Winter storms in Loveland are occasionally severe enough to overwhelm snow removal efforts, transportation, utilities, livestock management, and business and commercial activities. Urban areas are more vulnerable because of larger, more complex, and interdependent services and utilities.
3. **Wildfires.** Wildfire, both natural and human-caused, is a risk to which the entire State is susceptible. A century of aggressive fire suppression, combined with cycles of drought and changing land management practices, has left many of Colorado's forests unnaturally dense and ready to burn. In 2002 there were more than 3,072 wildfires that burned more than 915,000 acres.
4. **Drought.** Even in high moisture years, Colorado rainfall does not provide a consistent, dependable water supply throughout the year. Severe drought results in devastating economic consequences for agriculture, forestry, wildlife management, the environment and tourism. Drought recorded history includes severe drought in 1894, 1930-1937, and 1976-1977. The drought of 2002-2005 caused loss of crops and livestock throughout much of the State and reduced revenues from lowered tourist visits.
5. **Landslide.** Landslides may occur by themselves or in conjunction with another natural event such as wildfire, severe winter snowmelt, or heavy rains. In recent years, losses from landslides and debris flows have been extremely high in areas already devastated by wildfires.
6. **Tornadoes.** Tornadoes are a common threat to those who live along the Front Range and on the eastern plains of Colorado; however, tornadoes have occurred in nearly all Colorado counties. The effect of damaging tornadoes is increasing as more people and businesses are locating in threatened areas. April thru October is considered the tornado season, with May and June as the greatest risk months.
7. **Earthquake.** Colorado is rated in the U.S.G.S. National Earthquake Hazard Maps as having low to moderate earthquake risk. However, several significant earthquakes have occurred within Colorado, including a magnitude 6.6 near Estes Park in 1882. There are 90 potentially active faults identified to date, with potential, maximum credible earthquakes as high as magnitude 7.5. It is difficult to establish a statewide probability of future occurrences because of the geological diversity within Colorado. Therefore, the Colorado Geological Survey recommends that site specific earthquake studies should be conducted for any proposed critical facility in the state.

|

~~C. Technological Hazards Common to Colorado.~~

- ~~1. **Hazardous materials.** Hazardous materials used in agriculture, industry, and in the home, pose a daily hazard to people and the environment. Between the years 2002-2005, the Department of Public Health and Environment recorded 2431 reported spills or releases; 993 were at fixed facilities. The steady growth in the use of chemicals has resulted in an increased need to transport these materials. Hazardous materials are transported over every major roadway throughout the City of Loveland.~~

~~NOTE: Seizures of methamphetamine laboratories (Meth Labs) have sky rocketed in recent years and are considered a hazardous materials fixed-facility event due to the critical and volatile nature of mitigating this type of incident.~~

- ~~2. **Dam failure.** In the last 100 years, at least 130 of the more than 2000 dams in the state have failed. The most recent major incident was the 1982 Lawn Lake disaster in Estes Park, which caused more than \$30 million in damages and the loss of three lives. The failure of any of these dams has the potential of causing extensive property damage and possibly the loss of life. Many of these dams were constructed in the early 1900's making age a concern.~~

~~D. Terrorism.~~

- ~~1. Colorado is at some risk for domestic terrorism incidents. These incidents could take the form of: threats and hoaxes, chemical, biological, radiological, nuclear, small-scale conventional weapons or explosives, improvised explosive devices, or cyber attacks.~~

VI. PLANNING ASSUMPTIONS

A. ~~The premise of the NRP/NRF and this Plan is that~~ A all levels of government share the responsibility for working together in the prevention of, preparing for, responding to, and recovering from the effects of an emergency or disaster event. There are several assumptions ~~which can be~~ made with regard to the expectations of emergency response and service delivery ~~during for~~ a local emergency or disaster. These assumptions include the following:

1. ~~A.~~ —The “NIMS”-based Incident Command System will be the principle management system to direct and control response and initial relief actions and activities. City departments will ensure that all personnel concerned are properly trained, “NIMS” compliant, are familiar with existing plans and procedures, and are capable of implementing these in a timely manner.
2. ~~B.~~ —City government will continue to function under all disaster and emergency conditions. Continuity of Operations Plans (COOPs) must be developed in accordance with this Plan and the ~~NRP/NRF and shall be~~ updated at least annually.
3. ~~C.~~ —The City will modify normal operations and will redirect resources in order to save lives, relieve human suffering, sustain survivors, protect property, and assist in reestablishing essential services. Life-saving and life-protecting response activities have precedence over other emergency response activities, except when national security implications are determined to be of a higher priority.
4. ~~D.~~ —An emergency or disaster can occur at any time and any location. It may create significant degrees of human suffering, property damage and economic hardship to individuals, governments, the environment, and for the business community.
5. ~~E.~~ —Assistance will be available from neighboring jurisdictions, ~~if required,~~ through mutual-aid agreements, intergovernmental agreements, and other formal agreements. Likewise, the City of Loveland will be available to assist neighboring jurisdictions, as requested, through mutual aid, ~~and~~ automatic aid and other formal agreements.
6. ~~F.~~ —With the increased possibility of terrorism and employment of weapons of mass destruction (WMD), biological, ~~and any~~ technological emergencies ~~iesy~~ must be approached as a potential ~~if it could be an~~ act of terrorism.
7. ~~G.~~ —The ~~Mayor City Manager~~ may request the Governor of Colorado to declare a ~~major~~ disaster or state of emergency ~~when~~ if the local response to an event is beyond the combined response capabilities of the City of

Loveland and external mutual-aid agencies. Once the Governor authorizes the allocation of resource requests made to the State, resource requests have been authorized, local jurisdictions should ~~not~~ plan appropriately for ~~on~~ the arrival of state response assets ~~until~~ approximately 72 hours after the original request on set of the incident.

~~8. H. The Loveland Rural Fire Protection District is a Colorado Special District organized in 1950 for the purpose of providing fire and emergency services to its residents and property located within its boundaries. The Loveland Rural Fire Protection District provides fire and emergency service to the District through the Loveland Fire and Rescue Department ("LFR") pursuant to the terms and conditions of the Contract with the City of Loveland. In the event of an emergency or disaster occurring within the boundaries of the Loveland Rural Fire Protection District, LFR will be the operational representative of the Loveland Rural Fire Protection District.~~

~~9. I. During any emergency or disaster within the Loveland Rural Fire Protection District, LFR shall, to the extent feasible, consult with the President of the Board of Directors of the Loveland Rural Fire Protection District or in his/her absence or unavailability, consult with the Secretary of the Loveland Rural Fire Protection District.~~

~~10. In the event there is a need during an emergency or disaster for authorization or action by the Board of Directors of the District including, but not limited to, requests for assistance from the State of Colorado and/or the Federal Government, said authorization or approval may be given by the President of the Board of Directors of the Loveland Rural Fire Protection District or in his/her absence or unavailability, the Secretary of the Loveland Rural Fire Protection District.~~

~~11.8. J. If the Governor of Colorado determines that an emergency exists where the primary responsibility for response rests with the State of Colorado, the Governor may unilaterally direct the provision of assistance and will, if practicable, consult with the local jurisdiction.~~

~~12.9. K. Multiple programs exist within the Federal government to assist states and local entities to respond and recover from disasters and emergencies. Each program has unique processes, procedures, and routes of request. The City of Loveland will keep the Larimer County Emergency Management Office informed of activities and provide copies of assistance documentation. The Larimer County Emergency Management Office will, in turn, coordinate with the State of Colorado Department of Emergency Management.~~

~~L. The City of Loveland's evacuation plans must address primary and alternate routes, special needs populations, and a supporting infrastructure.~~

However, when a local evacuation order is given by the State of Colorado, the State shall provide assets to support that evacuation. This support assistance ~~may~~shall utilize assets from the Colorado Department of Local Affairs, the Colorado Department of Transportation, the Colorado Department of Public Health and Environment, the Colorado State Patrol, the National Guard (Department of Military and Veterans Affairs), and other Colorado agencies along with the Salvation Army, and Red Cross.

VII. EMERGENCY OPERATIONS PLAN MANAGEMENTCONCEPT OF OPERATIONS

A. General

- ~~1. The concept of operations of this Plan is based on the principle that the capabilities of on-scene resources are or will be exceeded by an emergency or disaster event, thereby requiring the assistance of mutual aid agencies and the assistance of / or other city departments.~~
- ~~2. The Governor of Colorado may request assistance from the Federal government if the capabilities and resources of both local and State governments are exceeded.~~
13. This Plan~~LEOP~~ is the primary and general plan for managing incidents and it details the coordinating structures and processes used during emergencies in the jurisdiction~~city~~. Supplemental plans outlined within the attached Emergency Support Functions (ESFs) and the separate Continuity of Operations Plans provides additional details on authorities, protocols, and technical guidance for managing specific situations.
24. Continuity of Operations is manifested through standardization operational management concepts based on the Incident Command System (ICS), NIMS, and the hierarchy of governmental responsibility and authority and articulated in the Continuity of Operations Plans (COOP).
- ~~5. Incidents are handled at the local government level. In some instances, a county or state agency represented in the local area may act as a first responder and may provide direction or assistance consistent with its specific statutory authorities and responsibilities.~~
- ~~6. The LEOP is designed to integrate quickly and efficiently with the NRP~~NRE.

B. Plan Development and Maintenance

1. The LEOP Revision ~~2011~~2007 and subsequent revisions, supersedes all previous editions and is effective immediately for planning, training and exercising, preparedness, and response operations.
2. All plans, ~~annexes~~, appendixes, ~~COOPs~~, implementing procedures, and resource inventories shall be based on identified~~those~~ potential hazards to which the local area is subject, along with the support needed to assist local government before, during, and after any emergency or disaster incident. Plans, ~~annexes~~, appendixes, and procedures will detail who (by

title or functional assignment), what, when, where, and how emergency tasks and responsibilities will be conducted.

3. This Plan, its ~~annexes and~~ appendixes, ~~COOPs, checklists, and notification/recall lists as well as the COOPs~~ shall be maintained and kept current by all parties on the following schedule:
 - a. Review and update the ~~City Of Loveland Local~~ Emergency Operations Plan, ~~annexes,~~ and appendixes every three (3) years.
 - b. COOPs revised at least annually ~~and revisions tested via tabletop exercise or other OEM approved testing method.~~
 - c. Associated Resource inventories, database lists, and department internal plans and checklists will be updated at least annually.
 - d. Verify notification and recall lists every six (6) months.
4. ~~Where deficiencies were noted in the documents,~~ Rreview and revise procedures and update the associated plans following critiques of actual emergency or disaster operations and/or exercises ~~where deficiencies were noted.~~
5. All changes, revisions, and/or updates to COOPs, the LEOP, and its ~~annexes, and~~ appendixes shall be forwarded to OEM for review, publication, posting, and distribution to all holders of the Plan. If no changes, revisions, and/or updates are required, OEM shall be notified ~~in writing~~ by the department ~~head~~ that the respective plans, ~~annexes,~~ appendixes, etc., ~~were have been~~ reviewed and are ~~considered valid, and current~~

C. Local Emergency Operations Plan Implementation

1. The LEOP has the force and effect of law adopted by the Loveland City Council in the Loveland Municipal Code Section 2.72.010 as the comprehensive disaster plan. ~~LEOP, “The Plan”;~~ implementation and the subsequent supporting actions taken by local government will be specific to the emergency or disaster situation. Implementation is influenced by the timely acquisition and assessment of reliable information gathered from the affected area(s). This Plan is in effect for all phases of emergency and disaster management~~preparedness activities, response, and initial relief activities~~ when a major emergency or disaster occurs or is imminent.
- ~~2. Consistent with NIMS and ICS principles, this Plan can be partially or fully implemented, thus allowing for maximum flexibility to meet the unique operational requirements of any situation.~~

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VIII.D. ————— Delineation of Responsibilities of Government

A. Local Government

1. Direction and control prior to, during, and following an emergency or disaster rests with the elected leadership of the legally recognized jurisdiction impacted by a given emergency or disaster. This authority continues throughout all stages of emergency operations or until conditions warrant a change in such authority. The Mayor holds this authority, as defined within the Colorado Disaster Emergency Act of 1992.

B. City Departments

1. All City departments are mandated under the authority of the Colorado Disaster Emergency Act of 1992 and this City of Loveland Emergency Operations Plan to carry out assigned activities related to mitigating the effects of a major emergency or disaster and to cooperate fully with each other, the Larimer County Emergency Management Office, the Colorado Division of Emergency Management, and other political subdivisions in the provision of emergency assistance.
2. City departments, within their given authorities, are responsible for their assigned roles as delineated within the Emergency Support Functions (ESF). The ESFs represent the types of assistance activities that local government may need regardless of the nature of the disaster or emergency.
3. City departments will retain administrative control of their personnel and equipment when tasked to support the EOC or other jurisdictions, unless directed otherwise by the City Manager or his/her designee.
4. City departments will maintain detailed logs of actions taken while implementing their COOP, while staffing the EOC, or during operations supporting the Incident Action Plan, and of personnel and equipment, and other costs for expenditure reporting and reimbursement documentation.
5. All City departments and agencies, within their authority and through the EOC, will monitor and coordinate with their County or State counterparts during the implementation of emergency assistance programs in Colorado.
6. City departments will provide the Office of Emergency Management with information regarding potential or impending incidents or disasters.

7. Each City department shall develop and maintain a department / division-specific Continuity of Operations Plan (COOP) that is congruent with this Emergency Operations Plan and the National Response Framework. Each department shall implement the actions defined by the COOP when unusual or extraordinary circumstances preclude the normal operations and/or the provision of critical services.

C. Field-Level Management

1. The on-scene Incident Commander (IC) or Area Command is responsible for the command and control of specific activities at the incident site; however, the local government is generally responsible for coordination and control of all administrative and overhead functions. When activated, the EOC directly supports the needs of the Incident Commander or Area Command to address the needs of the incident.

1. City Government:

~~City departments, within their given authorities, are responsible for their assigned roles as delineated within the Emergency Support Functions (ESF). The ESFs represent the types of assistance activities that local government may need regardless of the nature of the disaster or emergency. The operational roles, responsibilities, and intra-organizational relationships of City departments are described within each specific in the assigned ESF to this Plan. ESFs are described in further detail in the annex section of this document. The ESFs City emergency functions were have been realigned to match the State and Federal Emergency Support Functions in the NRP/NRF.~~

D2. State Government

÷

1. The elected officials of the State have responsibility for reducing the vulnerability of people and property to the effects of emergencies and disasters, and. ~~They should ensure~~ that local governmental agencies are capable of efficient and responsive mobilization of resources ~~in order to protect lives, minimize property loss, and can~~ expedite recovery efforts during an emergency or disaster. ~~They should ensure that an Emergency Management Office serves the jurisdiction. The State Emergency Operations Plan should be prepared based upon a valid hazards and risk analysis.~~

E3. Federal Government:

~~The Federal government has responsibilities to respond to national emergencies and to provide assistance to Colorado when an emergency or disaster is beyond statewide capabilities.~~

1. The Department of Homeland Security has the overall responsibility for the coordination of Federal emergency / disaster relief programs and supporting local and State government capabilities with additional resources.

F4. Volunteer and Private Organizations:

1. Several agencies exist within the county and State, which are organized to provide assistance during a disaster or emergency to meet essential needs. ~~The Some~~ organizations identified for serving critical roles in disasters have agreed to hold-with-existing Memorandums of Understanding / Agreements with the City of Loveland and/or the State of Colorado ~~and arehave-been~~ assigned to a supporting roles ~~withinto~~ specific Emergency Support Functions.

~~E. Management Levels and Organization~~

~~1. Management Concepts and Policies~~

~~a. Principle of Local Government Control:~~

~~Direction and control prior to, during, and following an emergency or disaster rests with the elected leadership of the legally recognized jurisdiction impacted by a given emergency or disaster. This authority continues throughout all the stages of emergency operations or until conditions warrant a change in such authority.~~

~~b. Incident Level Management:~~

~~A local incident management system, incorporating the functions, principles, and components of the Incident Command System (ICS) and NIMS is should be adopted and is utilized by all response agencies. The Loveland Emergency Operations Plan (LEOP) delineates the incident management responsibilities. AnThe expandable organizational structure and the use of a common terminology make this system particularly useful when coordinating a multi-functional response, as well as, easily adapting to supporting multiple agencies and /or multiple jurisdictional emergencies.~~

~~c. Local Level Management:~~

~~The on-scene Incident Commander (IC) is responsible for the command and control of specific activities at the incident site; however, local government is generally responsible for coordination and control of all administrative and overhead functions. When an emergency situation threatens to escalate beyond the capabilities of on-scene responders, including mutual aid assistance, activation of the EOC may be required. The acquisition of additional resources and dissemination of disaster information functions move to the EOC so that the management of these functions can be more easily controlled and coordinated by the responsible authorities.~~

~~d. State Level Management:~~

~~In an emergency or disaster that overwhelms the resources and capability of the City of Loveland and Larimer County, the Governor may exercise his/her authority to use the resources of state government. The management of the State's response is facilitated through the policies of the State Emergency Operations Plan (SEOP) and its implementing procedures.~~

~~The Colorado Division of Emergency Management (CDEM) is responsible for the coordination of the State response to an emergency or disaster. The principal emergency management function of the State Emergency Operations Center (SEOC) is not that of an initial responder, but that of coordinator for the acquisition, prioritization, and distribution of State, private, and, if needed, Federal resources.~~

~~Based upon the timely receipt and verification of the emergency request of a local jurisdiction, DEM will task the appropriate Colorado State agency to provide requested resources, services or information. The State department receiving a tasking / mission will coordinate the providing of assistance with the incident management structure of the requesting jurisdiction. If the disaster situation is of such magnitude as to require Federal assistance the State, through the SEOC, or a Joint Field Office (JFO) if one has been established, will function as the primary coordination agency for the rendering of Federal assistance.~~

~~e. Federal Level Management:~~

~~If the emergency is of a magnitude that Federal assistance is granted, the Federal agencies actions are in support of the State of Colorado, Larimer County, and the City of Loveland. Coordination will take place from the appropriate Emergency Support Function to the Federal Emergency Support Function. Coordination will take place at the SEOC or a JFO, if one is established.~~

~~f. Volunteer organizations:~~

~~These organizations may be called upon, as appropriate, to assist in disaster preparedness, response, and recovery. Coordination of these organizations will be at the EOC.~~

~~The private sector:~~

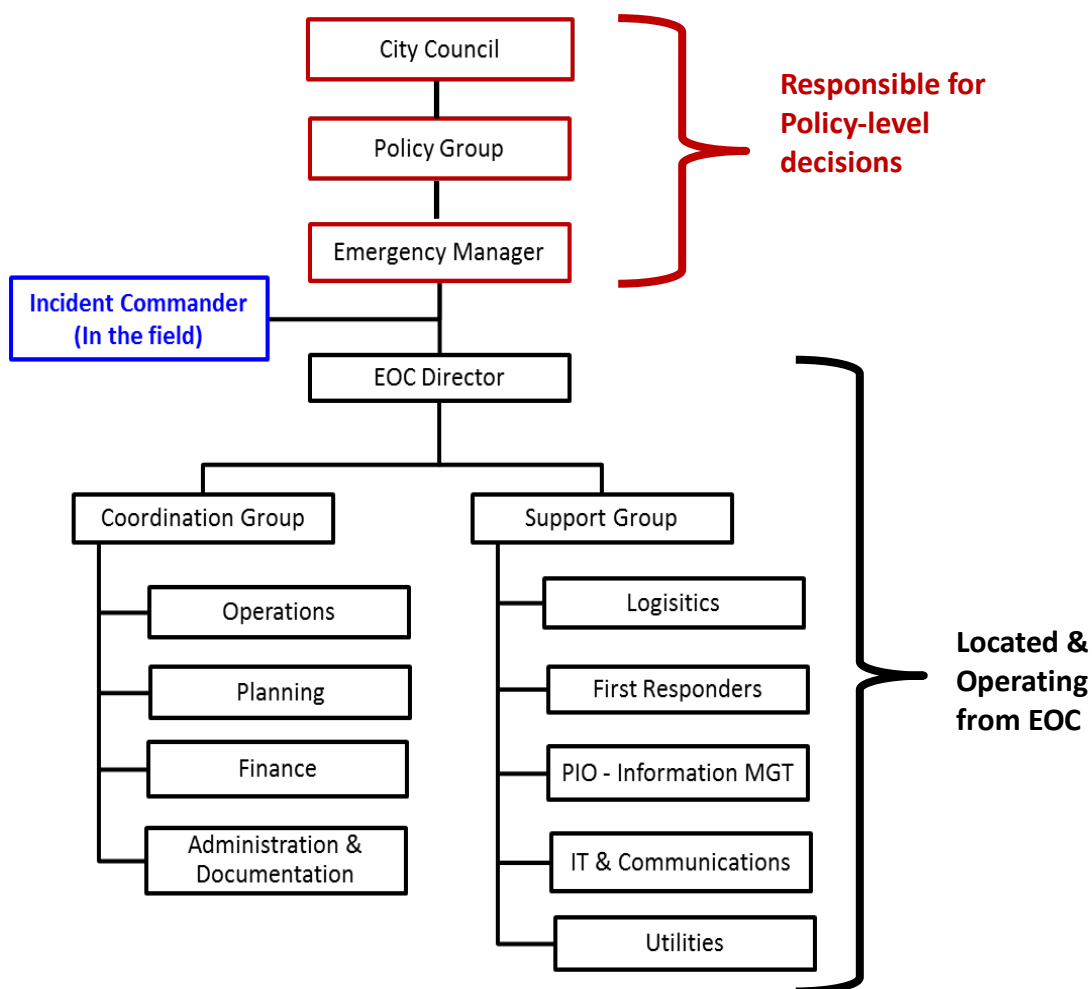
~~This group has significant responsibility for critical infrastructure protection and business restoration. Although the role of the private sector is not legislated, their responsibilities to the public make them an important partner with at all levels of government.~~

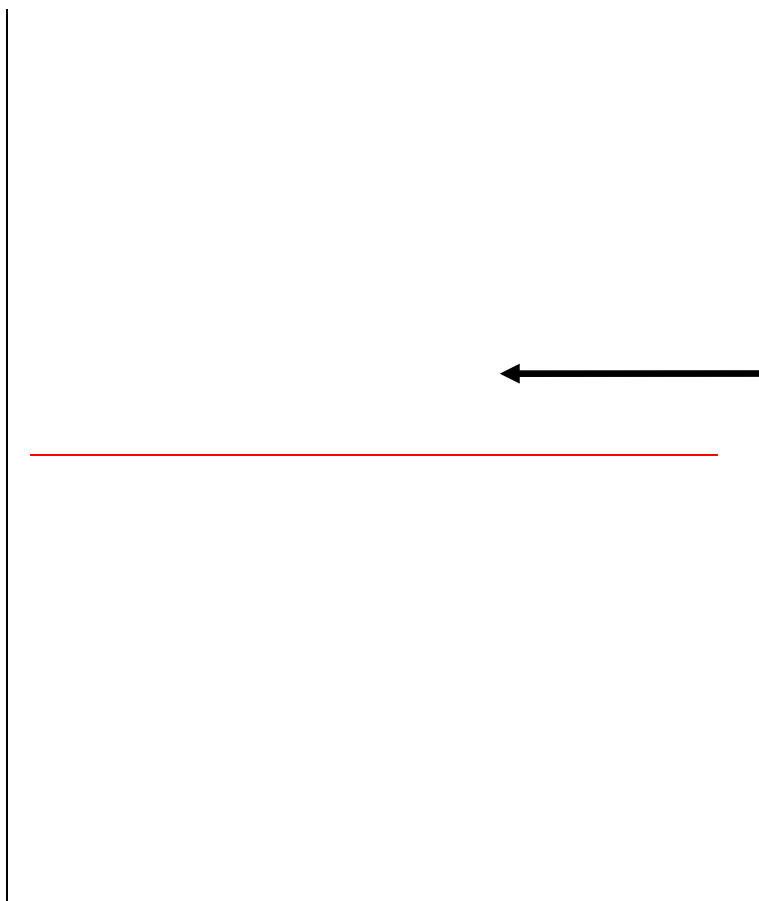
~~2. Emergency Operations Organization~~

~~3.~~

- ~~4. ICS and the organization of the EOC must be closely integrated in order to adequately address the issues facing the community during emergencies and disasters. The criteria for EOC activation, its organizational structure, the issue of the transfer of incident command functions, and authority are delineated in the LEOP and must be understood by all concerned parties before an incident occurs.~~

- a. The City of Loveland EOC should be organized following the ICS structure to provide for the following functions: Incident Command and Management, Operations, Planning and Information, and Logistics, as well as Finance/Administration (Figure 1). Based upon the staffing requirements and the needs of the incident, these functions can be combined.





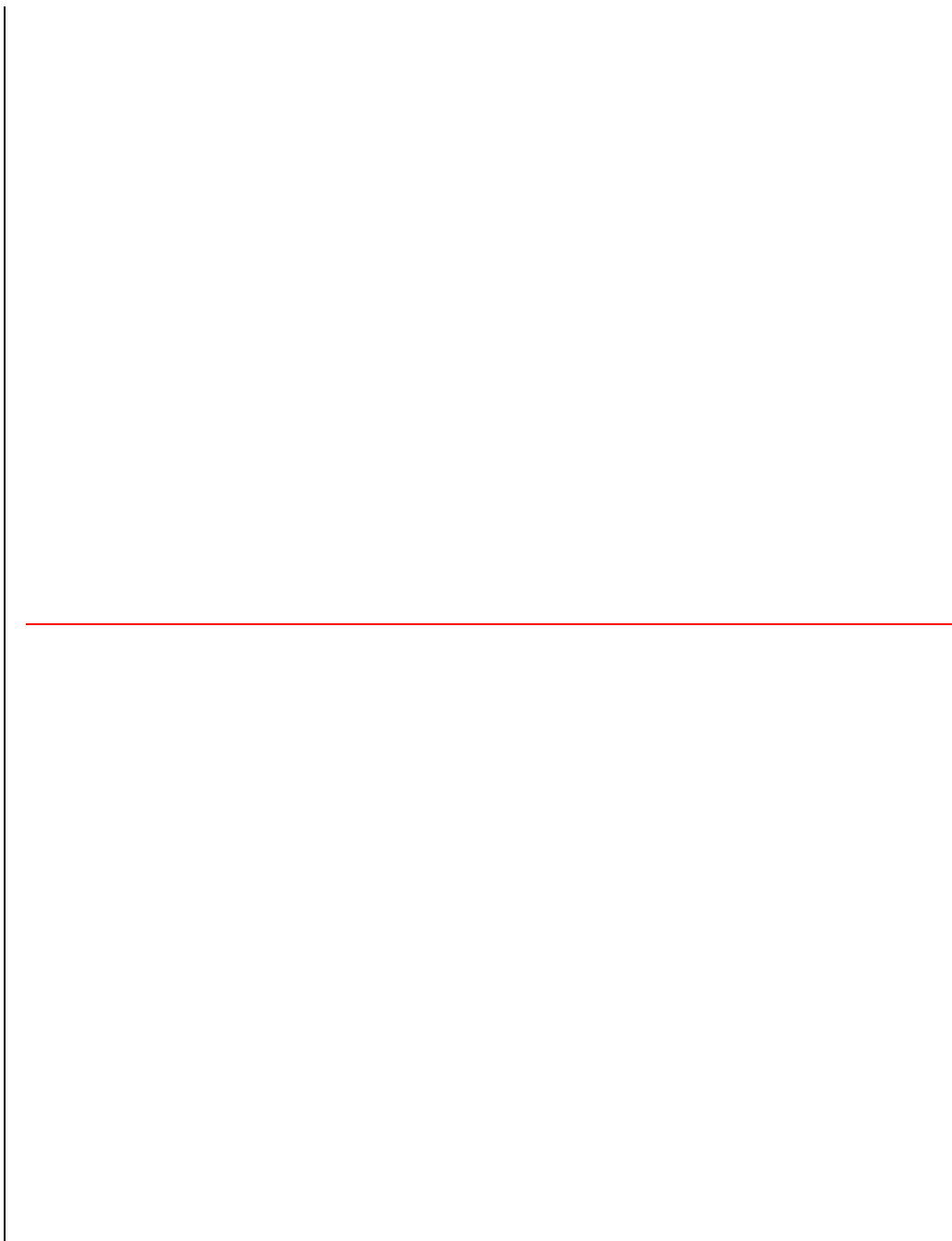
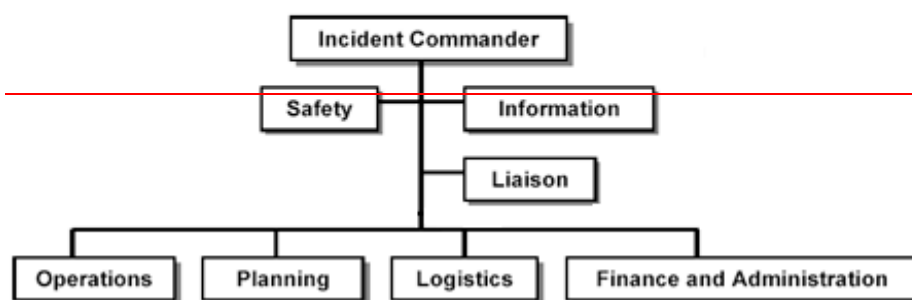


Figure 1 – Emergency Management Organizational Structure

Figure 1 — Incident Command System Structure



Incident Commander (IC)

- Provides overall incident objectives and strategy

- Establishes procedures for resource ordering, activation, and mobilization
- Approves the Incident Action Plan

With the Safety Officer:

- Reviews hazards associated with the incident and proposed tactical assignments
- Develops safe tactics and safety messages

Operations Section Chief

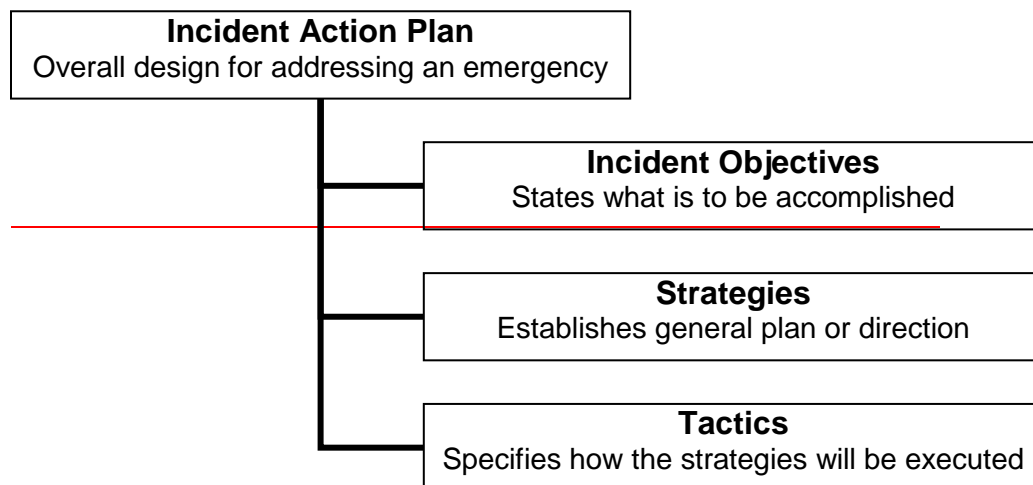
- Assists in developing strategies
- Determines tactics to achieve command objectives
- Determines work assignments and resource requirements

Planning Section Chief
Conducts the Planning meeting
Coordinates preparation and documentation of the Incident Action Plan

Logistics Section Chief
Ensures resource ordering procedures are communicated to ordering points
Develops a transportation system to support operational needs
Supports the Incident Action Plan by managing resource needs and requests

Finance / Admin Section Chief
Provides cost implications of incident objectives
Ensures that the Incident Action Plan is within financial limits set by the IC
Evaluates facilities, transportation assets, and contractual services and develops special contract arrangements as needed

Figure 2—Inter-relationship of the Incident Action Plan, Objectives, Strategies, and Tactics



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VIII. CONTINUITY OF GOVERNMENT

A. General

1. _____The activities necessary to maintain continuity of government are addressed and detailed within the Continuity of Operations Plan (COOP) The COOP is an appendix to -the main body of the LEOP and serves a critical role in the overall success of response and recovery efforts and therefore is utilized in any event that affects city-owned property and/or city employees.-
2. Effective and responsive emergency operations are inseparable from the concept of Continuity of Operations. The COOP identifies several important factors for assuring continuity of government:
 - a. Well defined and understood lines of succession for officials, department directors, and supervisors.
 - b. Preservation of records and critical facilities which are essential to the functions of government and for the protection of rights and interests of the City of Loveland and its citizens.
 - c. Setting action priorities for sustained provision of critical services to the community, such as utilities and public safety.

COOPs are standard operating procedures and checklists that prescribe in detail how the department will implement its assigned responsibilities, how to maintain critical services during emergencies, or the rapid resumption of critical functions following a disruption.

2. Each entity or department of the City of Loveland shall design, develop, exercise and implement a COOP. Each of these plans shall be made available in printed form as well as in electronic format for management operations within their respective departments as well as made available for the Emergency Operations Center and the Office of Emergency Management (OEM).

The COOPs are stand alone documents and are not attached to this Plan. The evolving nature of COOPs and the document size prevent the inclusion of COOPs within this LEOP.

3. ~~Each entity or department shall update their respective COOP document at least annually and revisions to the document shall be tested for accuracy and efficacy either through table top exercises or other OEM approved testing method.~~
4. ~~COOPs are a necessary part of emergency management because:~~
 - a. ~~Disasters can interrupt, paralyze, or destroy the ability of government to carry out their executive, legislative and judicial functions. Therefore, it is important that each level of government have the capability to preserve, maintain, and reconstitute its ability to carry out essential functions under the threat, or actual occurrence of any disaster that could disrupt governmental operations and services.~~
 - b. ~~Effective and responsive emergency operations are inseparable from the concept of Continuity of Operations. The COOPs program identifies two important factors for assuring continuity of government:~~
 - (1). ~~Well defined and understood lines of succession for key officials and authorities.~~
 - (2). ~~Preservation of records and critical facilities which are essential to the effective functioning of government and for the protection of rights and interests of the City of Loveland and its citizens.~~

B. ~~Administrative City of Loveland~~ Line of Succession

~~1. 1. —~~ The members of City Council are responsible for following line of succession rules as adopted by City Charter or Resolution.

~~1.2. —~~ To insure the continuity of local government during the management of a major emergency, the line of succession for the City Manager shall be:

- a. The City Manager
- b. The Acting / Assistant City Manager
- c. The Fire Chief
- d. The Chief of Police

~~2.3. —~~ 2. — Each member of the Policy Group Emergency (Management-Team) is responsible for establishing his or her own specific line of succession.

~~3. —~~ The members of City Council are responsible for following line of succession rules as adopted by City Charter or Resolution.

~~4. —~~ Each Department is responsible for line of succession plan for their individual departments/divisions.

C. ~~Provision of Essential Services~~

~~1. 1. —~~ Provision of those services that are determined to be life-saving/preserving and those critical to the immediate economy of the City of Loveland need to be maintained or restored immediately should they be struck by a disaster and rendered unusable. In the event that a City of Loveland facility is rendered unusable, a back-up facility shall be designated that will allow for essential services to be provided.

D. ~~Preservation of Essential Records~~

~~1. —~~ Protection of essential local records is vital if government and society are to resume functioning after a major catastrophe or emergency.

~~2. —~~ Essential records and documents, which require safeguarding, fall into three (3) general types:

- a. ~~Records that protect the rights and interests of individuals: vital statistics, land and property records, financial and tax records, election records, license registers, articles of incorporation, etc.;~~

~~b. Records required for effective emergency operations: plans, procedures, resource inventories, lists of succession, maps, memorandums of understanding, agreements, and lists of regular and auxiliary personnel;~~

C. Provision of Critical and Essential Services

1. Should critical infrastructure be struck by a disaster and rendered unusable, services normally provided by the City of Loveland that are life-saving/preserving and critical to sustain the economy shall be maintained or restored immediately. In the event that a City of Loveland facility is rendered unusable, a pre-designated back-up facility shall be operated to allow for resumption of critical and essential services.
2. The provision of critical and essential services and the means to restore these services is defined and detailed within the City of Loveland Continuity of Operations Plan.

e. — Records required for re-establishing normal government functions and protecting the rights and interests of government: local, Federal and State laws, rules and regulations, official proceedings, financial and court records.

3. — The selection of the records to be preserved rests with the official rendering the service involved or with the custodians of the records. The decision should be made in concert with the organization's overall plan for determination of value, protection, and disposal of records. The vital records should be duplicated and the duplicate copies maintained in an accessible format in the safest possible locations.

~~IX. ORGANIZATIONAL MANAGEMENT~~

DA. City Administration

1. During an emergency or disaster, local government shall determine, ~~if necessary, which~~ at if any normal administrative procedures shall be suspended, relaxed or made optional in order to prevent unnecessary impediments of emergency operations and recovery activities. ~~Such action should be carefully considered, and the consequences should be projected realistically.~~ Any ~~State-level government~~ departure from the usual methods of doing business will ~~normally be stated in the Governor's declaration or Executive Order of Disaster / Emergency, or as specified in the City of Loveland Continuity of Operations Plan (COOP) State Emergency Operations Plan~~ LEOP and its supporting policies or procedures ~~documents~~.

EB. Finance

1. A major disaster or emergency may require the expenditure of large sums ~~from of~~ a variety of funds. Financial operations may be carried out under compressed schedules and intense political pressures, which will require expeditious actions that still meet sound financial management and accountability requirements.
2. Financial support for emergency operations shall be from funds regularly appropriated to City departments. If the demands exceed available funds, ~~the City Manager and~~ the City Council may make emergency ~~additional~~ funds available. ~~If money available from other funds is insufficient,~~ Additionally, the City Manager ~~Mayor~~ has the authority to request assistance under a State Declaration of Disaster / Emergency to receive additional funds for the reimbursement of extraordinary expenditures incurred during the management of a significant event ~~transfer and expend moneys appropriated for other purposes.~~

~~3. 3.~~ City departments designated as a lead agency~~ies~~ for an Emergency Support Functions (ESF) ~~conducting emergency support activities~~ will be responsible for ~~organizing their functional activities to provide~~ing financial support for their operations by working with the Finance Section and through the EOC.

~~4.4.~~ Each City of Loveland department is responsible for maintaining appropriate documentation to support requests for reimbursement, for submitting bills in a timely fashion, and for closing out assignments by working with the Admin & Documentation Section of the EOC.

~~54.~~ City of Loveland~~Government~~ departments or working groups~~entities~~ are responsible for documenting all emergency or disaster related expenditures using generally accepted accounting procedures including: - ~~Care must be taken throughout the course of the emergency to maintain~~ logs, records, receipts, invoices, purchase orders, rental agreements, etc. These documents ~~are~~will be necessary to support claims, purchases, reimbursements and disbursements. ~~Record keeping is necessary to facilitate closeouts and to support post recovery audits.~~

C. Logistics

~~The City of Loveland will utilize local resources to address logistical support needs of the emergency. (i.e., provide supplies and equipment) and, if required, sleeping and feeding facilities for EOC staff. In major EOC activations, a logistics branch in the Larimer County EOC may be established to address these needs.~~

- ~~2. The Colorado Division of Emergency management State Department of Local Affairs, in coordination with other State departments, will facilitate logistical support for statewide emergency operations.~~
- ~~3. The City of Loveland shall implement established resource controls and determine resource availability; this includes source and quantity of available resources. Further, the EOC will advise the City Manager and the City Council of any anticipated shortfalls in required resources needed to support a given emergency or disaster operation.~~
- ~~4. The City of Loveland will utilize the Larimer County Resource List and will support efforts to develop and maintain this a current database of locally available resources and their locations. The database includes should include public and available private equipment, and personnel with special technical skills, pertinent to the anticipated needs of the local jurisdiction.~~

FD. Mutual Aid and Inter-Governmental Agreements

1. It is unreasonable to assume that any single local jurisdiction will have all the personnel, equipment, and materials required to cope with a major emergency or disaster. Additional assistance may be rendered through Mutual Aid Agreements that provide for obtaining needed resources from non-impacted, inter/intra-jurisdictional governmental agencies and other organizations.
2. Mutual Aid Agreements are an essential component of emergency management planning, response, and recovery activities. These agreements can significantly increase the availability of critical resources and improve response and recovery efforts. According to C.R.S. 24-32-2113, as amended; it is the responsibility of local government to ensure that local emergency operations plans contain adequate provisions for the rendering and the receipt of mutual aid.

3. Where appropriate, Inter-Governmental Agreements shall be established with stakeholders in order to facilitate a rapid and seamless system of support and collaboration during an emergency.
2. ~~Over 200 counties, municipalities, special districts and associations are signatory to the Intergovernmental Agreement for Emergency Management.~~

E. Compacts

1. Colorado is a member of the Emergency Management Assistance Compact (EMAC). ~~Former Colorado Governor Bill Owens signed into law Senate Bill 01-141 on March 28, 2001 officially adopting The Compact. EMAC is administered by the National Emergency Management Association (NEMA).~~ Any Member State may request EMAC assistance when the Governor of the affected state has declared a state of emergency. When Colorado suffers or expects to suffer a major disaster and needs assistance from other states, the Authorized Representative for each state ~~(identified in the EMAC SOP)~~ will initiate the EMAC procedures for requesting assistance. ~~(Reference: Title 24, Article 60, Part 29 Colorado Revised Statutes, as amended).~~

F. Training

1. Training of local Emergency Operations staff ~~will-should~~ be conducted on a continuing basis. In-house sessions, exercises, actual operations, or sponsored classes are sources for accomplishing this training. ~~Various training courses are provided by multiple government-sponsored and private agencies, including: Department of Emergency Management, Division of Fire Safety, Department of Public Health and Environment, Federal Emergency Management Agency, etc.~~
2. During increased readiness conditions, accelerated/refresher training for emergency operations staff and emergency response coordinators may be conducted by the ~~ODEM~~.

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X. THE EMERGENCY OPERATIONS CENTER

A. General

1. The Emergency Operations Center (EOC) ~~is a physical~~provides the ~~primary~~ location through which the Office of Emergency Management can coordinate the support efforts in disaster situations. It provides a location for the assembly and analysis of critical information, for the coordination and support of the response and recovery activities of local government, and to ensure interagency cooperation and communication. The EOC serves as the principal point for coordinating and tasking City departments and volunteer agencies in the delivery of emergency assistance to the affected areas. It provides a location for the Emergency Manager to ~~assemble and analyze~~size of critical disaster or Homeland Security information, facilitate the decision-making processes, supporting ~~coordinate the response activities of local government, and ensuring~~ interagency cooperation, coordination and communications. Additionally, it provides the City Manager with a secure location to command the incident.
2. The EOC is activated and ~~is~~ staffed based upon the severity of an emergency, disaster, or planned event and according to the anticipated or actual level of involvement by ~~City of Loveland employees~~local government in and supporting agencies. for incident response and mitigation. In a major event, the EOC coordinates with the Larimer County EOC for the collaboration of mutually-beneficial efforts.~~transforms to a Multi-Agency Coordination Center (MACC) that accommodates representatives of other agencies, as appropriate.~~
3. ~~The purpose of coordinating efforts with the Larimer County EOC the Multiple Agency Coordination System (MACS) is to provide a management~~voluntary organization between political jurisdictions and response agencies in Loveland and Larimer County that will, through effective utilization of critical resources, minimize the loss of life, property, and environment from any natural or man-made disaster.
- 4.3. Each City department ~~within the City of Loveland~~ has or may have the legal responsibility and authority to respond to or command any unforeseen event or emergency that could result in a loss of life, property, or have an environmental impact to those people residing in or traveling through the City of Loveland and its borders.
5. ~~It is the responsibility of all City of Loveland department directors and their designees, all local elected officials, and all chief officers of Loveland Fire & Rescue to understand, follow, and implement all or parts of this document~~the “modes of operation”, as needed. The Emergency

~~Manager will ensure that the appropriate above listed personnel receive annual training in the set up and operation of the Emergency Operations Center (EOC).~~

B. Structure and Functional Organization

1. The Incident Command System and the organization of the EOC must closely integrate in order to adequately address the issues facing the community during emergencies and disasters. The criteria for EOC activation, its organizational structure, the issue of the transfer of incident command functions and issues of authority are delineated in the LEOP and must be understood by all participants before an incident occurs.
2. The City of Loveland EOC is organized to provide for basic incident management functions. These functions can be combined into the best appropriate form and function based upon the staffing requirements and the needs of the incident.
3. The organization of the EOC in relationship to the Incident Command Structure facilitates the coordination of the political decisions made by the City Council and the procedural decisions made by the Policy Group with the needs of the incident as managed by the Incident Commander or the Area Command and is illustrated by the following chart:

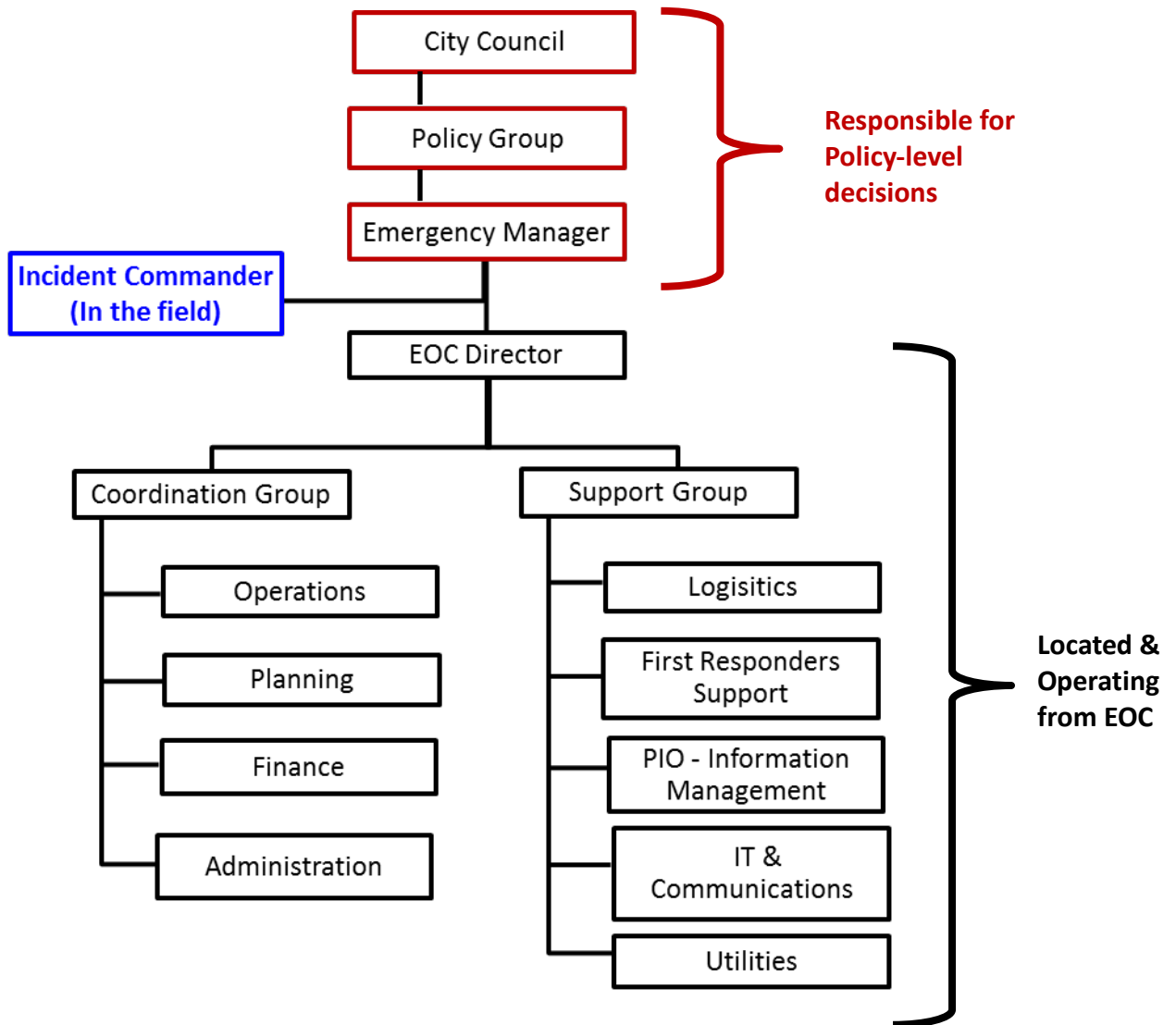


Figure 1 – Emergency Management Organizational Structure

~~A. Sequence of Emergency Operations~~

- ~~1. With few exceptions, there are certain similarities in the procedures followed by each level of government in response to an emergency or disaster. Local requests for lifesaving emergency assistance may be acted upon verbally and subsequent local declaration and justification documentation should follow as soon as practical. The typical sequence is "local to County to State to Federal".~~

~~B. City Departments and Agencies Responsibilities~~

~~1. General~~

- ~~a. All City of Loveland departments are mandated under the authority of the Colorado Disaster Emergency Act of 1992 and the City of Loveland Emergency Operations Plan to carry out assigned activities related to mitigating the effects of a major emergency or disaster and to cooperate fully with each other, the Larimer County Office of Emergency Management, the State Division of Emergency Management, and other political subdivisions in providing emergency assistance.~~
- ~~b. Each City of Loveland department shall develop and maintain a current Continuity of Operations Plan (COOP). The COOP is an internal emergency operations plan that contains the specific procedures and checklists necessary for accomplishing predefined or emergent tasks. Additionally, the COOP shall address the specific protocols for maintaining essential city services and recovery plans. COOPs may delegate authority and reassign responsibility to divisions, bureaus, offices, or other components within or outside of each department. Such agency plans and checklists should be written consistent with this Local Emergency Operations Plan and the NRP/NRE.~~
- ~~c. City departments will retain administrative control of their personnel and equipment when tasked to support the EOC or other jurisdictions.~~
- ~~d. City departments will maintain detailed logs of actions taken while staffing the EOC or during operations supporting the Incident Action Plan, of personnel and equipment, and other costs for expenditure reporting and reimbursement documentation.~~
- ~~e. All City departments and agencies, within their authority, will monitor and coordinate with their County or State counterparts during the implementation of emergency assistance programs in Colorado. As~~

~~this occurs, the local, County, and/or State EOC will be kept informed of this coordination.~~

~~f. City departments will notify OEM of any information regarding potential or impending incidents or disasters.~~ C. Emergency Activation Plan

1. The Emergency Activation Plan (EAP) is a set of procedures that shall be implemented within the initial hour of large planned events or emergencies that require coordination between multiple City departments. The EAP is appendix C of this Emergency Operations Plan and shall be subject to scheduled review and revision.
3. The major functions of the EAP include: determining the emergency activation level for the event, defining the organization of working groups during the first hour of significant events, establishing the roles and responsibilities of those working groups and some specific individuals, defining initial notification and communication requirements, and facilitating employee integration into the Incident Command System.
4. While the Mayor holds the authority to activate the EOC, the City Manager and his/her designee hold the authority to implement the Emergency Activation Plan.

XI. EMERGENCY OPERATIONS ORGANIZATION

A. General

1. The operations organizational structure is designed to be flexible, easily expanded, and proactive to meet the needs of local government. The ~~emergency~~City organization is set up by functional elements to provides for a uniform linkage between the county, State, and Federal systems.

2. The Emergency Operations Center (EOC) organization is established ~~functions~~ through a series of situational evaluations made by the Mayor, ~~the Policy Group~~City Manager, and the Emergency Manager, ~~and the Emergency Management Team~~. There are two evaluation tools utilized for this purpose. These evaluation tools are the *Emergency Preparedness Levels and the Modes of Activation*.

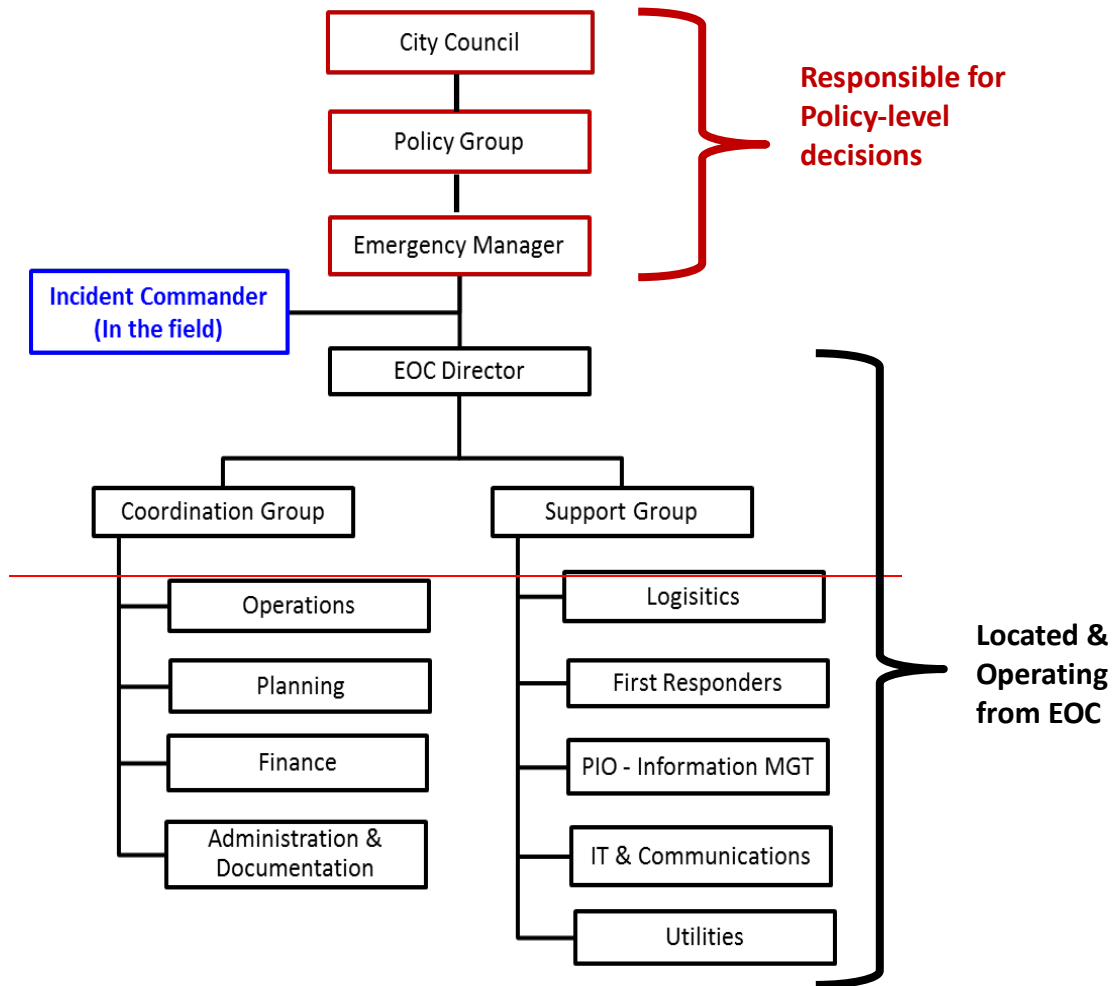


Figure 1—Emergency Management Organizational Structure

BA. The Emergency Preparedness Levels

1. Emergency Preparedness Levels, as defined by the Department of Homeland Security, are issued ~~at the Federal or State level~~ to indicate what level of readiness the City of Loveland should be in to adequately prepare for any impending threat or hazard. ~~The highest threat level, Level I, corresponds with the highest response readiness position; whereas, the lowest threat level, Level V, corresponds with the lowest readiness position.~~ The EOC will be activated in a mode that corresponds to the specificat threat level.

~~2. The Emergency Preparedness level issued by the State of Colorado will usually be the same as the federal level, but may be changed if threat conditions differ in Colorado.~~

~~1. 3. The new National Terrorism Advisory System has replaced the A common color-coded designation has been associated with each level for simplified identification. This system has been developed to that corresponded~~ with the National Security Threat Levels issued by the Department of Homeland Security. The color-coding levels are no longer used in the new system. The new system will clearly indicate whether the threat is:

Elevated - if no specific time or location information is available

Or

Imminent - if the threat is impending

~~4. There are five Emergency Preparedness Levels:~~

~~a. Level V—Green (Homeland Security Condition Low)~~

~~Classified as day to day operations where the focus is on planning, training, and exercising with an awareness of impending situations.~~

~~b. Level IV—Blue (Homeland Security Condition Guarded)~~

~~Typically, this is a monitoring phase where some actions or assistance may be given to local jurisdictions from the State of Colorado. Notification is made to those City departments or outside agencies that may need to take action as part of their everyday responsibilities. The Emergency Manager assumes responsibility for fulfilling all of the functional responsibilities.~~

~~c. Level III - Yellow (Homeland Security Condition Elevated)~~

~~This is a limited activation or heightened awareness for all EOC staff. Certain City of Loveland departments may be alerted. The EOC will be initially~~

~~staffed (if activated) for business hours only. Emergency Management Team (EMT) members will be called in as necessary.~~

~~d. **Level II—Orange** (Homeland Security Condition High)~~

~~Limited (or higher) activation of the EOC where all City of Loveland departments and other agencies are alerted for potential staffing requirements. Emergency Management personnel and other agency representatives, as necessary, will staff the EOC. Around the clock staffing of the EOC is considered at this level.~~

~~e. **Level I—Red** (Homeland Security Condition Severe)~~

~~Full activation of the EOC with representatives from the Lead and supporting City departments and other agencies. Full 24 hour a day staffing may be required. The National Response Plan may be activated at this point.~~

CB. The EOC Modes of Activation.

1. EOC Modes of Activation ~~are similar in nature to the Preparedness Levels in that they~~ reflect the level at which the City of Loveland ~~is prepared to respond to an emergency or disaster. The two systems differ in purpose and designation at each particular level and should not be automatically correlated. For example: Preparedness Level 1 is the highest level of national preparedness, whereas an EOC Mode 1 Activation is the lowest level of EOC activation.~~ is prepared to respond to an emergency. The STANDBY Mode is the lowest level of EOC activation; whereas, FULL ACTIVATION is the highest level.

2. ~~There are five Modes of Activation:~~

1.2. STANDBY MODE 1: (Information)

- a. This mode requires no physical activation of the EOC and is usually prompted by weather related or in anticipation of scheduled events to provide key officials with planning opportunities in advance of an event. ~~This mode requires **no activation** of the EOC. This mode is usually weather related and is designed to give advanced warning of a potential event or situation to key City of Loveland officials. Mode 1 can also be activated to coordinate large scale events that could have an impact on local resources and their ability to provide and or maintain normal services. These events can include, but are not limited to: art shows, motorcycle rallies, air shows, or any event that will exceed the ability of the local responders to mitigate the incident.~~

~~Notification of the mode status will be sent out by the Emergency Manager, the Fire Chief, or their designee and they will continually monitor the situation. Notifications will be delivered by phone or pager. In Mode 1, all communications will be handled by the Loveland Communications Center.~~

2.3. PARTIAL ACTIVATION **MODE 2: (Limited)**

a. _____ This mode requires *limited activation* of the EOC when any event has the potential to create operational deficiencies and requires additional input from local officials to develop an Incident Action Plan (IAP). Limited activation of the EOC will consist of staffing only the minimum necessary the following EOC positions and workstations.

b. Demobilizing and resupplying procedures may also be conducted while the EOC is in a partial or full activation. Demobilizing and resupplying procedures are implemented to release all resources from other agencies and the incident command is returned to the appropriate City of Loveland official.

~~Incident Command, Plans Section Chief, Fire Section, and any other positions as needed.~~

~~The Emergency Manager or designee will ensure that all key officials of Loveland have been notified of the “mode” status. This mode may also be established to ensure that work stations in the EOC are readied in a “stand-by” mode during a large scale planned event. Leaders of adjacent communities will be advised of the situation.~~

4. FULL ACTIVATION ~~MODE 3:~~

- a. This mode requires full activation of the EOC where all work stations may be operational and appropriate department representatives are working in the EOC. In this mode, the incident has or may exceed the capabilities and resources of the local and mutual aid responders. Additionally, the Communications Emergency Operations Center (CEOC) located in Police Dispatch may be activated to support the increasing volume of 911 phone calls and radio traffic. This mode requires **full activation** of the EOC. All work stations shall be operational and all department directors or designees shall be physically located in the EOC. In the event that the emergency will be long term (defined as more than 24 hours), representatives from each position will ensure that relief personnel have been notified and are prepared to report to the EOC. In Mode 3, a dispatcher from the Loveland Communications Center may be assigned to the EOC, if required, to assist with the communications needs of the incident.

In Mode 3, assistance will be requested from neighboring communities. The appropriate officials from surrounding communities and leaders at the County and State levels will be advised of the situation.

~~MODE 4: (Full with assistance from outside agencies)~~

This mode requires **full activation** of the EOC and the command of the incident is turned over to County, State, or Federal officials. In this mode, the incident has exceeded the capabilities and resources of the local and mutual aid responders. A Field Command Post is most likely established and all communications will be directed back to the "Command Center" at the EOC.

~~MODE 5: (Demobilization)~~

In this mode, all resources from other agencies are released and the incident command is returned to the appropriate City of Loveland official. Documentation of all acquired resources, equipment used, and expenditures are gathered to formulate a cost recovery plan. Regardless if Federal assistance is required or not, the collection of data and plan documents shall begin at the first opportunity. These records shall be filed and stored, and used as training material once determined as non-confidential.

C. Phases of Incident Management

Emergency management activities during peacetime and national security emergencies are associated with four (4) federally defined phases, namely **Prevention, Preparedness, Response, and Recovery.**

1. Prevention.

Prevention involves actions to interdict, disrupt, pre-empt or avert a potential incident. Prevention includes actions to:

- a. Collect, analyze, and apply intelligence, and conduct investigations to determine the full nature and source of the threat;
- b. Implement countermeasures such as inspections, surveillance, security and infrastructure protection;
- c. Conduct tactical operations to interdict, preempt, or disrupt illegal activity; and to apprehend and prosecute the perpetrators;
- d. Conduct public health surveillance and testing processes, immunizations, and isolation or quarantine for biological and agricultural threats; and
- e. Deter, defeat, detect, deny access or entry, and take decisive action to eliminate threats.

2. Preparedness.

The preparedness phase involves activities that are undertaken in advance of an emergency or disaster. These actions might include emergency/disaster planning, training and exercises, and public education.

Under NIMS, the preparedness phase encompasses:

- a. Development of plans and procedures, training, and exercising. Pre-deployment of response resources;
- b. Pre-establishment of incident command posts, mobilization centers, staging areas and other facilities;
- c. Evacuation and protective sheltering;
- d. Implementation of structural and non-structural mitigation measures;
- e. Use of remote sensing technology, risk assessment, predictive and plume modeling tools; and

f. ~~Private sector implementation of business and continuity of operations plans.~~

3. ~~Response.~~

~~Response includes activities to address the immediate and short-term actions to preserve life, property, environment, and the social, economic, and political structure of the community. The response phase is entered upon formal activation of the EOC. The response to an emergency can be roughly divided between initial response and extended response. The Local Emergency Operations Plan is intended to be flexible so that emergency personnel can engage in the appropriate actions as dictated by an incident's characteristics.~~

4. ~~Recovery.~~

~~Recovery activities involve the restoration of services to the public and returning the affected area(s) to pre-emergency conditions. Recovery activities may be both short-term and long-term, ranging from restoration of essential utilities such as water and power, to mitigation measures designed to prevent future occurrences of a given threat. Additionally, they may include new activities enacted as a part of the recovery process after the disaster has abated (i.e., debris removal following a flood). Recovery actions often extend long after the incident itself. Recovery programs include mitigation components designed to avoid damage from future incidents.~~

a. ~~Mitigation~~

~~Mitigation efforts occur before, during, and after emergencies or disasters. Post-disaster mitigation is actually part of the recovery process and includes eliminating or reducing the impact of hazards that exist. Pre-disaster mitigation involves activities designed to reduce the damaging impact of a future disaster should it occur.~~

~~Mitigation activities provide a critical foundation across the incident management spectrum from prevention through response and recovery. Examples of key mitigation activities include the following:~~

- ~~(1). Ongoing public education and outreach activities designed to reduce loss of life and destruction of property;~~
- ~~(2). Structural retrofitting to deter or lessen the impact of incidents and reduce loss of life, destruction of property, and impact on the environment;~~

- ~~(3). Code enforcement through such activities as zoning regulations, land management, and building codes; and~~
- ~~(4). Flood insurance and the buy out of properties subjected to frequent flooding, etc.~~

XII. INCIDENTEMERGENCY MANAGEMENT PHASE RESPONSIBILITIES PHASES

A. Emergency and disaster management activities are associated with five (5) defined phases: Preparedness and Prevention, Response, Recovery, and Mitigation. These phases are naturally occurring divisions in the emergency where the demands for resources change and the operational strategies shift.

1. A. Preparedness and Prevention Phases

- a. 1. — Each department director or designee will act on behalf of their department shall be prepared to and will provide a representative on for at the EOC during activations and exercises. The representative shall be will represent all divisions and programs within the department and be empowered to make decisions and expend resources in providing operational and technical support of to the emergency incident. They will report all actions taken by their department agency in the form of a situation and status report to the Planning Section of the EOC. Pertinent Names and 24-hour contact phone numbers will be furnished to the EOC Director or Emergency Manager.

b. ~~2.~~—Each City department will ~~develop and maintain~~ have immediate access to the Continuity of Operations Plans (COOPs), Standard Operating Procedures (SOPs), and checklists that prescribe in detail how the department will implement its assigned responsibilities and maintain critical and essential services during emergencies. ~~Instructions within~~ These plans will include notification processes of key personnel, setting up 24-hour staffing plans work shifts for multiple work periods the EOC, and other appropriate measures. All plans and checklists will be written in a manner that is consistent with ~~this~~ the LEOP and the ~~NRP/NRF~~.

e. ~~3.~~—~~Departments that have a lead role in an Emergency Support Function will develop and maintain the appropriate documents to support the LEOP.~~

~~d.c.~~4.—All departments will maintain on site or have immediate access to a current resource database of all departmental equipment, specialty personnel, and materials available to perform assigned functions.

e. ~~5.~~—~~All departments will ensure that personnel assigned specific functional responsibilities in support of this Plan are adequately trained and prepared to assume those designated responsibilities.~~

~~6.~~—~~The EMT will coordinate plans, procedures, and preparations with participating Federal, State, local, private, and volunteer agencies. As appropriate, they will enter into working agreements with these agencies in order to promote effective and efficient emergency response and relief efforts.~~

~~The designated department with primary authority will coordinate the release of emergency public information through the PIO, OEM, or the Joint Public Information Center, if one is activated.~~

d. As defined by the local Hazard Mitigation Plan, ~~t~~The OEM will revise the local hazard threat assessment plan a minimum of every five (5) years or when the local hazards have significantly changed. every three (3) years.

2.B.—Response Phase

a. ~~1.~~—Upon a 911 emergency notification or by official request, the designated departments, local resources, and personnel shall be prepared to support all response capabilities to stabilize the emergency incident.~~to respond to the following activities:~~

~~a.~~—~~Search and rescue;~~

~~b.~~—~~Emergency shelter, housing, food, and water;~~

- ~~c. Emergency medical, mortuary services, and public health and safety;~~
 - ~~d. Decontamination following a chemical, biological, or radiological incident;~~
 - ~~e. Removal of threats to the environment;~~
 - ~~f. Emergency restoration of critical services (electric and gas services, water, sewer, telephone);~~
 - ~~g. Transportation, logistics, and other emergency services;~~
 - ~~h. Private sector provision of needed goods and services through contracts or donations;~~
 - ~~i. Secure crime scene, investigate, and collect evidence.~~
- b. ~~2. — All City departments shall implement departmental emergency plans, and procedures and activities defined within the COOP as appropriate or and as when requested by the Mayor or City Manager. City Manager or the Office of Emergency Management.~~
 - c. ~~3. — To protect the lives of employees, vendors, and citizens, all City departments shall participate in alerting city personnel of an emergency situation and mobilize resources in affected and adjacent areas as requested by the Mayor or City Manager.~~
 - d. ~~4. — Upon request of the Policy Group or the EOC, City departments shall provide a department representatives either in person or virtually to coordinate efforts with the EOC.~~
 - e. ~~5. — City departments shall coordinate emergency response activities with local, State, Federal, and other agencies the EOC.~~
 - f. ~~6. — City departments shall coordinate the release of emergency public information through the PIO /Emergency Information Management Group, OEM, or through the Joint Public Information Center, if one is activated.~~
 - g. ~~7. — Through the staffing of Rapid Needs Assessment Teams or Damage Assessment Teams, designated City departments will provide personnel for assist in assessing and reporting local emergent needs of the community and to determine the damages to any City of Loveland facility or property under departmental jurisdiction. Report this information to the Damage Assessment Section located at the EOC.~~

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- h. ~~8. —~~Record and report to the EOC Finance Section ~~in the EOC~~ all costs that are incurred in carrying out emergency or support operations ~~utilizing best practice~~.
- i. The M-Team acting as the Policy Group will coordinate plans and procedures with participating State, local, private, and volunteer agencies. Additionally, they will facilitate working agreements with these agencies in order to promote effective and efficient emergency response and relief efforts.

3. Recovery Phase

a. ~~The designated departments shall~~ Assure that upon notification or official request local resources and personnel, ~~upon notification or official request,~~ are prepared to address the following recovery activities:

1) ~~Restoration of critical services (electric and gas services, water, sewer, telephone);~~

~~1)2)~~ Repair and replacement of disaster damaged public facilities (roads, bridges, schools, hospitals, ~~qualified non-profits~~);

~~2)3)~~ Debris cleanup and removal;

~~3)4)~~ Temporary housing and other assistance for disaster victims;

~~4)5)~~ Facilitating the provision of Individual Assistance Programs for ~~obtaining low interest loans to help~~ individuals and businesses to help with long-term rebuilding and mitigation measures;

~~e. Restoration of public services (electric and gas services, water, sewer, telephone);~~

~~5)6)~~ Crisis counseling and mental health;

~~6) Disaster unemployment;~~

~~7)~~ Planning and programs for long-term economic stabilization, community recovery, and mitigation.

b. ~~2.~~ Upon request, designated departments shall provide personnel, equipment and other ~~required~~ resources to support initial relief operations.

4. ~~D.~~ Mitigation Phase

a. ~~1.~~ Examples of key mitigation activities include the following:

1) ~~a.~~ Ongoing public education and outreach activities designed to reduce loss of life and destruction of property;

~~2)b.~~ Structural retrofitting to deter or lessen the impact of incidents and reduce loss of life, destruction of property, and impact on the environment;

~~3)~~ Code enforcement through such activities as zoning regulation, land management, and building codes;

4)

Flood insurance and the buy-out of properties subjected to frequent flooding, etc.

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XIII. DIVISION AND ASSIGNMENT OF RESPONSIBILITIES

This Emergency Operations Plan can be effectively implemented and managed appropriately when the appointed personnel are familiar with their unique roles and responsibilities ~~within their respective assignments~~ during Emergency ~~situations~~ Operations Center (EOC) activation. A summary of necessary tasks and responsibilities specific to each internal department or participative external organization is included in the COOPs., as outlined:

A. The Mayor shall:

1. Act as liaison between the Policy Group and the City Council.
2. In coordination with the City Manager, direct the Office of Emergency Management to activate all or part of the EOC.
3. Serve on the Policy Group and support the City Manager in notifying and informing the City Council of the emergency situation.
4. When local resources are inadequate to cope with the emergency, proclaim the existence of a local emergency and forwarding this request to the Governor for a proclamation of a "state of disaster emergency". In the event a local emergency is proclaimed, the Mayor will facilitate:
 - a. The issuing rules and regulations on matters related to the protection of life, health, safety and property.
 - b. Authorizing the acquisition of vital supplies and equipment; and, if required immediately, commandeering the same for public use.
 - c. Requiring the formation of an emergency labor force of city employees and commandeering the aid of as many citizens of the City of Loveland as deemed necessary.

B. The City Council Members shall:

1. Report to or establish direct communications with the City Council Chambers, 500 E. Third Street; Loveland, CO to obtain briefings from the City Manager, the Mayor, or other designee.
2. Support the effort for emergency acquisitions; approving emergency declarations, and approving emergency expenditures, as needed.
3. Coordinate with the PIO / Emergency Information Management Group to provide media updates and for holding citizen and business briefings.

C. The Executive Department shall:

1. City Manager:

- a. In the event of an emergency or disaster, implement the Emergency Activation Plan.
- b. Facilitate the response of the Policy Group to the Fire Battalion Chief's Training Room located on the second floor inside Fire Station One.
- c. In collaboration with the Mayor, the City Manager shall serve as the liaison between the M-Team acting as the Policy Group and the City Council.
- d. In coordination with the Mayor, direct the Office of Emergency Management to activate all or part of the EOC.
- e. Resolve questions of authority and responsibility that may arise.
- f. Designate the department that has primary incident management responsibility.
- g. Determine the frequency of briefing session(s) and the members that should attend the briefing sessions.
- h. The City Manager's office staff shall support the City Manager as needed.

2. The Assistant City Manager shall:

- a. Serve as the Admin Section Chief and as the liaison between the City Manager and all City Departments.
- b. Coordinate the activation of the Continuity of Operations Plan to ensure the continued provision of critical and essential services.

3. Economic Development shall:

- a. Coordinate with the Policy Group for the development of long-term economic recovery planning.
- b. Provide personnel for the Emergency Workforce, as requested.

D. The Management Team shall:

1. Serve as the Policy Group and report to the Fire Battalion Chief's Training Room located on the second floor inside Fire Station One. The members of the M-Team / Policy group may include:

- i. The City Manager
- ii. The Assistant City Manager
- iii. The City Attorney
- iv. The Public Works Director
- v. The Director of Community Services
- vi. The Fire Chief
- vii. The Chief of Police
- viii. The Emergency Manager
- ix. The Human Resources Director
- x. The Director of Water and Power
- xi. The Budget Officer
- xii. Subject Matter Experts

2. Evaluate the emergency in terms of the need for a proclamation of "local emergency" or a "state of disaster emergency" pursuant to State law. See Appendix D for an example disaster declaration.

3. Establish or modify policies concerning the expenditure and allocation of funds as well as a resource priority assignment and allocation policy.

4. In coordination with the Assistant City Manager, implement the COOP in their respective departments for the provision of critical and essential services and assure continuity of government.

5. Implement mutual aid agreements with other government and private agencies.

6. Provide staff members to the EOC in order to coordinate operations and tasks associated with managing the emergency.

~~A. City Department Directors and Division Managers~~ shall be responsible for:

~~1. Preparing their respective departments for disasters that might occur in the City and assuring continuity of government operations during the disaster. This is achieved through the development of Continuity of Operations Plans (COOPs). These plans should be evaluated through testing and revised annually or more frequently, as needed.~~

- ~~2. COOPs shall describe their department's responsibilities and functions that must be performed to sustain essential city services throughout the duration of an emergency~~
- ~~3. COOP documents shall be maintained in hard copy format as well as in electronic format and shall updated at least yearly. Copies of these documents will be reserved at the department's EOC workstations and will be utilized during the emergency incident. Electronic formats may also be pre loaded into computer laptops used within the EOC.~~
- ~~4. Providing staff members to the EOC, when activated, in order to coordinate their emergency response functions.~~
- ~~5. Ensuring that the Emergency Management Team (EMT) is kept informed of the situation during emergencies by reporting events and activities to the EOC.~~
- ~~6. Creating a line of succession for their department to maintain continuity in this system.~~

~~**B. The Emergency Management Team (EMT)** is responsible for the direction and control of city operations as defined by the COOPs and implemented via the Emergency Operations Center (EOC) during a disaster or emergency as outlined herein. The members of the EMT are: _____~~

~~The City Manager or designee will serve as the Incident Commander~~

~~The Mayor or Mayor Pro Tem~~

~~The Assistant City Manager or designee will serve as the Public Information Officer~~

~~The City Attorney will serve as the Legal Officer~~

~~The Public Works Manager will serve as the Logistics Section Chief~~

~~The Director of Community Services~~

~~The Fire Chief~~

~~The Chief of Police~~

~~The Emergency Manager~~

~~The Risk Manager~~

~~The Director of Water and Power~~

~~The Budget Officer or designee will serve as the Finance Section Chief~~

~~The EMT will be responsible for:~~

- ~~1. Implementing the Local Emergency Operations Plan (LEOP), directing the implementation of COOPs, and the direction and control of all departments and external agencies before, during, and after an emergency or disaster.~~
- ~~2. Implementing mutual aid agreements with other government and private agencies.~~
- ~~3. Establishing fiscal policy concerning the expenditure and allocation of funds as well as a resource priority assignment and allocation policy.~~
- ~~4. Evaluating the emergency or disaster in terms of the need for a proclamation of "local emergency" or a "state of disaster emergency" declared pursuant to State law. See Section XVII addendum for an example disaster declaration.~~

~~C. The City Manager shall be responsible for:~~

- ~~1. Directing the Emergency Manager to activate all or part of the EOC.~~
- ~~2. Determine EOC staffing needs, staff work schedules, and operating periods.
Arrange relief of key positions when the EOC is projected to be open for more than 24 hours.~~
- ~~3. Serving as the Incident Commander, establishment of Command Staff, delegation of command functions, and resolving questions of authority and responsibility that may arise.~~
- ~~4. Designate the department that has primary control responsibility. This department will staff the positions of Operations Section Chief & Plans Section Chief.~~
- ~~5. Develop an Incident Action Plan based upon an analysis of the situation status and anticipated probabilities.~~
- ~~6. Determining the frequency of briefing session(s) and the members that are to attend the briefing sessions. Keeping the City Council briefed on the situation.~~
- ~~7. Proclaiming the existence of a local emergency and /or requesting the Governor to proclaim a "state of disaster emergency" when local resources are inadequate to cope with the emergency. In the event a local emergency is proclaimed:~~
 - ~~a. Issuing rules and regulation on matters related to the protection of life, health, safety and property.~~
 - ~~b. Authorizing the acquisition of vital supplies and equipment and, if required immediately, commandeering the same for public use.~~
 - ~~c. Requiring emergency services of city employees and if a "state of disaster emergency" has been declared, commandeering the aid of as many citizens of the City of Loveland as deemed necessary.~~

FD. The **Emergency Manager** shall ~~be responsible for~~:

1. Serve as the liaison between the Policy Group and the EOC.
2. Under the direction of the Mayor and/or the City Manager, activate the Emergency Operations Center.
3. In coordination with the City Manager, implement the Emergency Activation Plan.
4. Notify appropriate officials and agencies of the emergency situation and the applicable phase of operation.
5. Advise the Policy Group and other officials on the current status of the overall emergency operations and current conditions.
6. Assign an EOC Director to assist in the execution of duties and the management of staff in the EOC.
7. Provide the Policy Group with technical references regarding fire and life safety codes.
8. Direct the development of an Incident Action Plan based upon an analysis of the situation status and anticipated probabilities.
9. EOC - IC/ Operations Section
 - a. The primary responsibility is to support tactical operations required to mitigate the emergency. This individual or group is responsible for coordinating all operations directly applicable to the primary mission.
 - b. Objectives:
 - i. Maintain a current awareness of situation
 - ii. Predict current and future resource needs
 - iii. Assist in the coordination of jurisdictional tactical response
 - iv. Appoint and brief coordination staff as needed
 - v. Develop operations position in Incident Action Plan
 - vi. Keep in direct communications with the Incident Commander
10. EOC - Planning Section
 - a. The primary responsibility is to collect, evaluate, display, and disseminate information.
 - b. Objectives:

- i. Collect initial situation and damage assessment information
- ii. Display situation/operational information using maps and other visual aids
- iii. Control and distribute EOC communications
- iv. Provide support to other groups
- v. Ensure accurate recording and documentation of the incident, including time and materials
- vi. Assist in preparation of After Action Report
- vii. Assist in preparation of Recovery Plan
- viii. Produce required documentation for state and FEMA filing requirements

c. Unit Activation: The following units may be activated under PLANNING as the need arises:

- i. Message coordinator
- ii. Rapid needs assessment
- iii. Damage assessment
- iv. Situation status
- v. Resource status
- vi. Recovery planning
- vii. Demobilization
- viii. Documentation

11. EOC - Logistics Section:

- a. The primary responsibility is to acquire, transport, and mobilize the necessary resources to support the response efforts at the emergency sites, public shelters, EOCs, and other locations as needed.
- b. Objectives:
 - i. Obtain facilities, equipment, supplies, services, and other resources as needed.
 - ii. Determine support and supplemental needs.
 - iii. Determine logistical support needs for immediate and long-term operations.
 - iv. Document actions taken and items procured for future use by State and FEMA.
- c. Unit Activation: The following units may be activated under LOGISTICS as the need arises.
 - i. Communications Management
 - ii. Personnel
 - iii. Care/ shelter

- iv. Supply
- v. Facilities
- vi. Transportation

12. EOC - Finance Section

- a. The primary responsibility is to maintain the financial systems necessary to keep the City functioning during a disaster/emergency and to assist the Logistics Section in negotiation and administration of vendor and supply contracts and procedures.
- b. Objectives:
 - i. Implement and notify groups and City Departments that the Disaster Accounting System is to be used for emergency
 - ii. Determine viability of City computer system for financial tracking.
 - iii. Establish procedures and accounting systems to support payment of supplies, vendors, contractors, and other expenses.
 - iv. Upon disaster declaration by the state and/or federal government, finance group will initiate recovery process for costs incurred.
 - v. Coordinate with other groups and departments in the collection and documentation of costs incurred by emergency.
 - vi. Coordinate with the emergency/disaster assistance agencies for the required documentation, audits, and other necessary work in order to recover costs.
- c. Unit Activation: The following units may be activated under the Finance Section as the need arises.
 - i. Claims
 - ii. Time
 - iii. Cost

~~2. Preparing the City of Loveland for response to and recovery from critical incidents and disasters that may occur in the city.~~

~~2. The Emergency Manager will implement a strategy for addressing needs for legislative and regulatory revisions that evolve over time. This will be accomplished through progressive plan evaluations and revisions.~~

~~3. Notifying appropriate officials and agencies of the emergency situation and the applicable phase of operation.~~

- ~~4. Activating the Emergency Operations Center as needed and the facilitation of staffing and operations.~~
- ~~5. Advising the Emergency Management Team on the implementation of the Emergency Response Plan, remaining informed of the situation, and briefing officials on the current status of the overall emergency operation. Keeping the Emergency Management Team briefed on overall readiness of the City of Loveland to respond to all types of emergencies and disasters.~~
- ~~6. Conducting or coordinating "all hazards" exercises to maintain and improve the general readiness posture of all elements of the City of Loveland's response organization.~~
- ~~7. Assign an Assistant Emergency Manager (Fire Department designee) to assist in the execution of duties and the management of staffing the EOC during defined work periods.~~
- ~~8. Providing assistance to EOC workstation personnel in the collection of technical data, links, and information from electronic (Internet and FAX) media and to provide administrative assistance to Fire & Rescue Staff assigned to the EOC.~~
- ~~9. Provide technical references regarding fire and life safety codes.~~

GE. Community & Business Relations Department shall:**1. Implement the Emergency Information Management Plan****H. The Legal Department City Attorney shall be responsible for:**

1. Act ~~in in~~ the ~~Command Support Staff~~ role of Legal Officer for the Policy Group to provide advice concerning legal responsibilities relating to emergency readiness, response, and recovery; and, advising the EOC staff concerning legal matters.
2. Drafting documents such as agreements, declarations, orders, ordinances, and resolutions that may be necessary to address emergency operations.
3. Providing the City of Loveland organization with legal opinions regarding assistance to victims, special districts, or organizations impacted by a disaster.
4. ~~Providing for a legal representative to be present as needed at the Emergency Operations Center and to advise the EOC staff concerning legal matters.~~

F. The Mayor shall:

1. ~~Serve on the Command Policy Staff (on a rotation basis with the Mayor Pro Tem), and support the City Manager in the notification and informing the City Council of the emergency situation.~~
2. ~~Represent the City of Loveland's elected body on the Emergency Management Team, and consult with the City Manager to assist with critical decisions.~~
3. ~~Act as liaison between the Emergency Management Team and the City Council.~~

G. The City Council Members shall:

1. ~~Report to the City Council Chambers, 500 E. Third Street; Loveland, CO to obtain briefings from the City Manager, the Mayor, or other designee.~~
2. ~~Approve declarations as needed.~~
3. ~~Remain available for assignments to needed positions, media updates, and for citizen and business briefings.~~

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III. The ~~Police Services~~**Police Department** shall ~~be responsible for:~~

- ~~1. Establishing and maintaining law and order throughout the city.~~
- ~~21. Assist in warning the public regarding the nature of the emergency or disaster.~~
- ~~3. Issues requiring direct police action including civil disturbance, area security, evacuation, disaster area victim identification, control of looting, liaison with the Larimer County Coroner, and traffic management.~~
- ~~4. Notifying key City of Loveland officials regarding the nature of the emergency.~~
- ~~25. Activating and provide staff for~~ a Police workstation in the EOC.
- ~~36. If the Police Department has incident primary control responsibility: designate an employee as IC / Ops Coordination Section and a Plans Section Chief to be located in the Emergency Operations Center (EOC). Support emergency communications.~~
- ~~7. Maintaining~~ coordinated communications ~~for emergency activities with the Larimer County EOC,~~ as needed.
- ~~48. Establishing and/or coordinate with~~ an Incident Command Post ~~when required~~ for law enforcement-related ~~activities incidents.~~
- ~~59. Coordinate~~~~Utilizing the Department's Public Affairs Officer~~ with the Public Information Officer / Emergency Information Management Group to provide ongoing information to the media and the community.
- ~~10. Designating one Police Officer to the Plans Section and one Police Officer to the Logistics Section.~~
- ~~11. Designating an Operations Section Chief if Police Services has been designated with primary control responsibility; the Operations Section Chief will be located in the EOC.~~
- ~~12. Designating a Branch Director in charge of field operations if Police Services has been designated with primary control responsibility.~~
- ~~613.~~ Providing control~~Controlling~~ access and ~~verifying~~ authorized entry to the EOC, Policy Group meeting room, and the Council Chambers area.

J4. The Loveland Fire & Rescue Authority~~Department~~ shall ~~be responsible~~ for:

1. Establish~~ing~~ and/or coordinate with an Incident Command Post at the incident site(s) and maintain~~ing~~ continuous communications ~~between the Command Post; with~~ the EOC ~~when activated; and the Loveland Communications Center.~~
2. If the Fire Rescue Authority has incident primary control responsibility: designate an employee as IC / Ops Coordination Section and a Plans Section Chief to be located in the Emergency Operations Center (EOC).~~Designating an Operations Section Chief and Plans Section Chief if the Fire & Rescue Dept. has been designated with primary control responsibility.~~
3. ~~Designating one additional Fire Officer to each of these sections:~~
 - a. ~~Plans Section~~
 - b. ~~Operations Section~~
 - c. ~~Logistics Section~~
4. ~~Designating a Branch Director in charge of field operations if the Fire & Rescue Dept. is responsible for primary control functions.~~

~~35. Activateing and staff thea~~ Fire & Rescue workstation in the EOC.

4. The Public Safety Administration Director shall:

a. Serve as the Finance Section Chief in the EOC to coordinate efforts between the City Finance Department, other City Departments, and with external service providers.

~~6. In the event of an Airport /Aircraft related emergency, establish communications with the Airport Manager.~~

~~a. The Operations Division is responsible for:~~

~~(1). Performing emergency medical services, search, evacuation, extrication, rescue operations, fire suppression, hazard stabilization services, underwater rescue and recovery efforts, and rapid triage of damaged buildings or infrastructure. Provide for chemical, biological and radiological mitigation services, and alerting emergency support services of dangers associated with Hazardous Materials.~~

~~2. (2). Coordinating with outside emergency service agencies and the military in the event they are summoned to a local emergency.~~

~~3. (3). Acting as the liaison to Urban Search & Rescue (USAR) teams or other state and federal response teams.~~

KJ. Water & Power Department shall ~~be responsible for:~~

~~1.~~ 1. _____ If the ~~Water or Power De~~partment has been designated with primary control responsibility; ~~designateing~~ an employee as IC / Ops Coordination Operations Section ~~Chief~~ and a Plans Section Chief to be located in the Emergency Operations Center (EOC) and designating a Branch Director in charge of Water / Power field operations.

~~4.2.~~ Establish and/or coordinate with an Incident Command Post at the incident site(s) and maintain continuous communications with Water / Power counterparts in the EOC.

~~2. Designating one manager or supervisor, as needed, to the Logistics and Plans Sections.~~

a. ~~a.~~ **Water Utilities Divisions** shall ~~be responsible for:~~

(1). Expedite emergency shutdown, repair, and restoration of the water distribution system ~~and storm drain conveyance systems.~~

~~(2). Preparing area evacuation plans and providing input regarding relocation centers.~~

~~(23).~~ _____ Provideing for and assessing the quality of an emergency source of potable and non-potable water for essential city activities ~~and providing the PIO with appropriate public information.~~

(3). Coordinate with the PIO / Emergency Information Management Group for the development and release of public information.

(4). Notifyy the Fire & Rescue Authority ~~Department~~ of the status of the fire hydrant grid system.

b. **Wastewater Division** shall:

(1). Expedite emergency shutdown, repair, and restoration of the water treatment and distribution systems.

(2). Expedite emergency repair, bypass operations, and restoration of the wastewater treatment and collection systems.

(3). Expedite emergency shutdown, repair, and restoration of raw water conveyance and storage systems.

c. Power Operations Division shall ~~be responsible for~~:

- (1). Assess~~ing~~ the extent of damage, rerouting power, restoring, and repairing power facilities in accordance with pre-established priorities.
- (2). Provid~~ing~~ technical assistance, personnel, and equipment to the Incident Commander~~Fire Branch Director~~ in the field.
- (3). De-energiz~~ing~~ circuits in the vicinity of an incident, as requested.
- (4). Report~~ing~~ field status updates to the SCADA control center as well as the ~~Water &~~ Power representative at the EOC.
- (5). Restore service to areas that are identified by the EOC as a priority.
- (6). Coordinate with Platte River Power Authority regarding the operations of the transmission and generation systems that may be affected.

b. Utility Finance Division shall:

- (1). Assign the Utilities Accounting Manager or designee to serve in support of the Finance Section Chief, either in person at the EOC or virtually.
- (2). Inform the Policy Group regarding the financial impact of an emergency.
- (3). Prepare in advance, emergency purchase orders that can be utilized during a crisis period.
- (4). Purchase or facilitate the purchase of materials or equipment vital to coping with emergency conditions.
- (5). Coordinate with the Finance Section for the development of cost-based contracts for heavy equipment rental agreements or other services.
- (6). Maintain vital records necessary to support or perpetuate the continuity of city government during an emergency.
- (7). Collect, correlate, and record actual expenses incurred and disseminating information to the Finance Section.

(8). Assist in obtaining and disbursing funds necessary to recover from an emergency.

c. Customer Relations Division shall:

(1). Notify Key Account customers of emergency situation and providing them with situational updates, repair status and restoration estimates.

(2). Maintain constant contact with the EOC, Command Center, SCADA personnel, Water Operations and Power Operations crews for the collection and sharing of information on system damage and outages that affect Key Accounts.

(3). Coordinate with the PIO / Emergency Information Management Group for the development and release of public information.

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LK. The **Public Works Department** shall ~~be responsible for:~~

1. If Public Works has primary control responsibility: designate an IC / Ops Coordination Section and a Plans Section Chief in the Emergency Operations Center (EOC) and designate a Branch Director in charge of Public Works field operations.
24. Providing logistical support for ~~all Branch~~ Field Operations during the course of anthe emergency. ~~This is accomplished through the Logistics Section Chief (Director of the Public Works Department).~~
32. ~~Activat~~ing and staff the ~~Public Works Logistics Section~~ workstation in the Emergency Operations Center (EOC), and staffing it appropriately with additional clerical assistance.
- ~~3.~~ Assign the City of Loveland's Engineer or designee to EOC to serve on the Command Policy Staff.
- ~~4.~~ Establishing a Base and Base Manager to facilitate the collection and distribution of supplies and services utilized for the emergency.
- ~~5.~~ Coordinate the requests for, and deployment of, supplies and services needed by the Operations Section.
- ~~6.~~ Assign personnel to represent the City of Loveland at the Multi-Agency Coordinating Center (MACC) if one has been established by FEMA.
 - a. Vehicle Maintenance Division shall:
 - ~~a.~~ ~~Vehicle Maintenance Division~~ shall be responsible for:
 - (1). Developing an alternative location of the City of Loveland vehicle maintenance shop ~~if flood potential exists.~~
 - (2). Anticipating emergency needs for equipment replacement parts and stocking an appropriate inventory.
 - (3). Ensuring that equipment and vehicles are maintained, and providing 24-hour service for parts and maintenance.
 - (4). Implementing an emergency fueling plan to address prioritization of fueling, power outages, and acquisition of fuel supplies for the duration of the emergency.
 - (5). Developing and maintaining a current list of:
 - (a). Vehicle maintenance personnel.

(b). Local suppliers of parts and fuel.

(c). Locations of City-owned, privately-owned, and rental companies of heavy equipment, support vehicles, refrigerator trucks, and driver/operators.

~~(d). City-owned mechanical equipment or apparatus.~~

~~(e). Refrigerator trucks, support vehicles, and operators.~~

~~(df). Local wrecker services that will respond to emergency or disaster scenes to assist in removal of debris and/or obstacles.~~

(g). Outside contractual services (i.e. welding shops, body shops and radio repair) that can provide services in emergency situations.

~~(h). Rental companies (i.e. for vehicles, heavy equipment, boats, snowmobiles, buses and helicopters).~~

~~(i). Names and phone numbers of the department or division director responsible for each piece of equipment and/or vehicle.~~

(6). Maintaining a liaison with the Thompson School District for the use of vans, buses, and other vehicles.

(7). Communicate status updates with the Logistics Section workstation in the Emergency Operations Center (EOC).

b. Facilities Management Division shall ~~be responsible for:~~

(1). Report~~Maintaining~~ status of City-owned or operated facilities to updates with the Logistics Section ~~workstation~~ in the EOC.

~~(2). Maintaining awareness and reporting status of City-owned or operated facilities by:~~

~~(a). Ensuring that all building mechanical systems are operating properly.~~

~~(b). Assisting in relocating vital records, documents, and equipment to designated relocation sites, as needed.~~

~~(c). Maintaining a liaison with the Thompson Valley School District for the use of school buildings for storage and/or care and shelter in an emergency.~~

~~(d). Providing building floor plans showing locations of main utility shut-offs.~~

(2e). Provideing emergency and/or temporary building repairs.

~~(f). Coordinating installation of temporary phones and building electrical requirements.~~

~~(3g). Manageing emergency power generators at city buildings and monitoring fuel usage at city buildings of the generators at the EOC and the backup facility, during an EOC activation.~~

(4). Facilitate the relocation of workspaces for critical and essential City services.

(5). Facilitate modifications to convert the Chilson and/or Senior Centers into an Employee Dependent Care Center.

~~(3). Providing technical specialist to support command functions, as needed.~~

~~(46). Provide employees to serve on As a member of the “Rapid Needs Assessment Team” and/or the “Damage Assessment Team/Group”. Facilities Management will:~~

~~(a). Coordinate the stabilization of damage and correction of hazards posed by damaged buildings.~~

~~(b). Determine suitability of buildings for occupancy following initial damage and repairs.~~

~~(c). Provide on scene safety consultants to determine building safety in support of fire rescue efforts at damaged or collapsed buildings.~~

c. **Streets, Solid Waste Division** shall ~~be responsible for:~~

(1). Maintain~~ing~~ and repair~~ing~~ streets to ensure minimal traffic disruption in the ~~threat~~-impacteded area.

(2). Provid~~e~~ing emergency traffic control devices, including specialized signs where needed.

(3). Provid~~e~~ing heavy equipment for the removal of debris to facilitate emergency rescue operations and movement of emergency vehicles and supplies.

(4). Provid~~e~~ing the Plans Section Chief in the EOC with damage assessment information regarding transportation systems (i.e., roads and bridges).

- (5). In coordination with Vehicle Maintenance, p~~Provide~~ing the Logistics Section Chief with a ~~current~~ list of the locations of heavy equipment (bulldozers, graders, etc.) and operators available during an emergency.
- (6). Collaborate~~Working~~ with Finance Section ~~personnel~~ relative to entering into cost-based agreements.

- (7). Manage~~ing~~ the snow-removal plan and coordinate efforts through maintaining close contact with the EOC for emergency snow-removal needs.
 - (8). Provide Updating the EOC Plans Section on weather and road status updates on a regular basis.
 - (9). Provide~~ing~~ solid waste collection and removal service at city-designated care and shelter facilities.
 - (10). Provide~~ing~~ equipment and personnel to remove debris, clean drainage, and assist in drainage control in the case of hazardous material release, flooding, or other emergency.
 - (11). Recommend alternative routes and actions to handle flooding and other storm drainage problems.
- d. **Engineering, Transportation Development Divisions** shall ~~be responsible for~~:
- (1). Maintain~~ing~~ current maps of street locations and city limits in the EOC for use during an emergency.
 - (2). Provide employees to serve on the “Rapid Needs Assessment Team” and/or the “Damage Assessment Team” to report ~~Providing on damages to assessment of~~ facilities in the public right-of-way, including roadways and bridges.
 - (3). Project~~ing~~ potential vulnerabilities of transportation systems due to an ~~emergency or disaster~~ emergency and develop plans to address the identified issues.
 - (4). Provide~~ing~~ assessment and information regarding damaged traffic signal equipment to field personnel addressing traffic problems.
 - (5). Coordinate with the IC / Ops Coordination Section in the EOC to utilize ~~Using~~ available traffic control devices to expedite traffic flow on a disaster priority basis.
 - (6). Provide~~ing~~ technical assistance and information for drainage information as it relates to incident mitigation.

- (7). Provide~~ing~~ for the coordination and repair of water, wastewater, and storm drain conveyance systems~~-as necessary~~.

e. Transit Division shall:

1. Provide personnel for the Emergency Workforce, as requested.

ML. The **Finance Department** shall ~~be responsible for~~:

1. The Finance Director

- a. Coordinate with the Finance Section Chief in the EOC to manage all financial aspects of the emergency.

2. The Budget Officer

- a. Serve as a member of the Policy Group.
- b. Inform the Policy Group of the financial impact of an emergency.

32. Accounting & Purchasing Division shall: ~~Informing the City Manager and Mayor regarding the financial impact of an emergency.~~

- a. ~~3. ———~~ Preparing in advance, emergency purchase orders for utilization ~~that can be utilized during an emergency crisis period.~~
- b4.** Purchasing or facilitate the causing to be purchased of materials or equipment vital to coping with emergency ~~conditions, when so directed by the Incident Commander and/or Logistics Section Chief.~~

~~5. Working with personnel from Logistics Section in the development of cost-based contracts for heavy equipment rental agreements or other services.~~

~~c. 6. Maintaining~~ vital records necessary to support or perpetuate the continuity of City government during an emergency.

~~d7. Collecting, correlating, and recording, and disseminating~~ information pertaining to actual expenses incurred by the City of Loveland ~~in responding to an emergency, and provide necessary forms to the EOC and City departments / divisions to facilitate the collection of accounting and purchasing-related activities for the duration of the response and recovery of the event~~

~~8. Assisting in administrative tasks that are associated with emergency operations.~~

~~e9. Assisting~~ in obtaining and disbursing funds necessary to recover from an emergency ~~event~~operation.

4. The City Clerk's office shall:

~~a. With the assistance of the Emergency Workforce, function as the Documentation Unit in the PLANNING Section of the EOC.~~

~~b. Ensure the safe keeping of essential and vital city records.~~

~~c. Collaborate with the Policy Group to assist in the development of documents during an emergency operation.~~

5. The Business Division shall:

~~a. Provide personnel for the Emergency Workforce, as requested.~~

~~**M. The Risk Management Department shall be responsible for the following:**~~

~~1. Reporting to the Emergency Operations Center (EOC) as a member of the Command Support Staff and will assist the Finance Section and Plans Section.~~

~~2. Helping facilitate investigations for insurance claims purposes.~~

~~3. Notifying the City's Insurance Provider (currently CIRSA) of the incident and potential for claims.~~

~~4. Advising the Command Staff of methods to mitigate further loss.~~

- ~~5. Establishing a “Damage Assessment Section” under the supervision of the Plans Section Chief to serve as an emergency reporting center to facilitate fast and accurate reporting of city losses. Coordinate with the city departments formed as a “Damage Assessment Team/Group” in assessing damage to City-owned or operated facilities.~~
- ~~6. Preparing documentation necessary to provide liability and injury coverage for organized citizen volunteers utilized to assist with disaster response and recovery efforts.~~

N. The Information Technology Division shall ~~be responsible for:~~

- ~~1. Protect and maintain ~~Developing and maintaining a comprehensive disaster recovery plan for~~ the City of Loveland’s mainframe core computer and critical applications, ~~that will include off-site storage of file backups. This recovery plan shall be evaluated at least annually.~~~~
- ~~2. Maintaining file backups of all critical and essential information at an off-site storage facility, ~~a reciprocity agreement with another agency or company to allow for computer run time for critical city business. Ensure that IGAs are in place and easily activated.~~~~
- ~~3. Providing a list of cellular phones assigned to non-critical area City employees ~~that could be for~~ used by emergency personnel. Provide emergency phone needs as requested by the Logistics Section.~~
- ~~4. Serve as the coordinator of ESF #2 Communications and/or as the Communications Management Group in the EOC.~~
- ~~5. Ensure network and internet access are running and remain stable.~~
- ~~4. Providing assistance to city personnel in recovering critical information stored at the PC level, and providing guidelines for backup procedures.~~
- ~~5. Report to EOC to ensure network and internet access are running and stable.~~

~~O. The City Clerks office shall be responsible for:~~

- ~~1. Providing documentation support and working with the Incident Commander.~~
- ~~3. 2. Ensuring the safe keeping of essential and vital city records, including developing plans for:~~
 - ~~a. Reconstruction of critical documents and vital records in the event of damage.~~
 - ~~b. The relocation of critical documents and vital records to off site, secure areas to prevent damage.~~

- ~~3. Receiving, retaining, and processing all legal documents stemming from the emergency or disaster that will assure the autonomy of city government (documentation unit).~~
- ~~4. Retaining, in the City Clerk's office, or recording with the Larimer County Clerk and Recorder, any Order or Proclamation declaring, continuing, or terminating a local emergency.~~
- ~~5. Working with the City Attorney to assist in the legal interpretation of documents that may be developed during an emergency operation (documentation unit).~~
- ~~6. Maintaining an accurate chronological record of all activities, incidents and decisions that occur during an emergency, including status boards, incident maps, and message boards at the front of the Emergency Operations Center (EOC)~~

OP. The **Human Resources Department** shall ~~be responsible for:~~

1. Implement and manage and Emergency Workforce labor pool of City employees for providing staff to support emergency efforts, such as clerical assistance, staffing the Emergency Call Center, or other duties.~~Maintaining a list of persons available for temporary assignment, in order to support operations during an emergency including a list of city volunteers who can be called on during an emergency.~~
2. Coordinate~~ing~~ the scheduling of Emergency Workforce personnel for multiple operating periods, ~~as defined by the Incident Commander.~~
3. Assisting in just-in-time training ~~for disaster preparedness.~~
4. Receiv~~ing~~ and addres~~se~~coordinating internal (employee) family safety and welfare requests related to the emergency.~~Working with the Hatfield Chilson Recreation/Senior Center and Library Staff to provide an Employee Dependant Care Center for the dependants of employees called to emergency duty.~~
5. In coordination with the Parks and Recreation Department, activate and manage the operations and staffing of the Chilson and/or Senior Centers as an Employee Dependent Care Center for the dependents of employees called to work during the emergency and/or for the temporary sheltering of employees and their dependents.~~Maintaining current status of all paid and volunteer employees or disaster service workers and coordinating with Logistics Section Chief in the assignment of such personnel.~~

6. The **Human Resources Director** shall:

- a. Serve as a member of the Policy Group.

7. **Risk Management** shall:

- a. As requested, report to the Policy Group and advise the Policy Group of methods to mitigate further loss.
- b. Facilitate investigations for insurance claims purposes.
- c. Coordinate with the “Rapid Needs Assessment Team” in assessing damage to City-owned or operated facilities.
- d. Prepare documentation necessary to provide liability and injury coverage for organized citizen volunteers utilized to assist with disaster response and recovery efforts.

PQ. The **Cultural Services Department** and the Library shall ~~be responsible for:~~

1. ~~Providing personnel for the Emergency Workforce, as requested in the Emergency Operations Center (EOC) to act as liaison for the Plans Section, Operations Section, and Logistics Section.~~
2. Provide staff for the operation of the Chilson and/or Senior Centers that are converted into an Employee Dependent Care Center, if one is opened. Maintaining a list of available Cultural Services employees. Employees shall report to the Museum and receive assignments based on direction from the Emergency Operations Center (EOC)

QR. **Development Services Department** ~~shall duties will include:~~

1. **Building and Planning Divisions**

- a. Provide personnel for the Emergency Workforce, as requested.
- b. Provide employees to serve on the “Rapid Needs Assessment Team” and/or the “Damage Assessment Team” to compile information for development of damage assessment reports.

2. **Community Partnership Office**

- a. Serve as Liaison between the EOC and external community partners including: non-governmental agencies, faith-based organizations, volunteer organizations, and service industries.
- b. Provide personnel for the Emergency Workforce, as requested.

~~2. Provide personnel to the EOC for administrative duties, as needed.~~

RS. The **Parks and Recreation Department** shall ~~be responsible for:~~

1. **Administration shall**

- a. Coordinate department activities and collaborate with the EOC to address the needs of the emergency.
- ~~a.b.~~ Maintaining a list of employees and equipment available for field support assignments and . Reporting of this information shall be made to the Logistics Section Chief in the EOC emergency Operations Center (EOC).

2. The Recreation Center / Senior Center shall:

- a. In coordination with the Human Resources Department, Preparing to activate **and operate** the Hatfield Chilson Recreation/Senior Center as an evacuation shelter, ~~or~~ staging area, or as~~and establishing~~ an Employee Dependent Care Center, ~~as determined by the needs of the Logistics Section Chief.~~
- b. Provide personnel for the Emergency Workforce, as requested.

a. _____

3. The Golf Course, Cemetery, and Parks shall:

~~Establish communications with the Human Resources Department to coordinate care center needs.~~

~~4. Inventory damage to Parks and Recreation facilities, heavy equipment, and infrastructure.~~

a. Assist the Public Works Department with debris management efforts.

b. Provide personnel for the Emergency Workforce, as requested.

~~T. The Library shall be responsible for:~~

- ~~1. Maintaining a list of available Library employees. Employees shall report to the library and receive assignments based on direction from the Emergency Operations Center (EOC).~~
- ~~2. Provide staffing to the Hatfield Chilson Recreation/Senior Center to assist as needed in the Employee Dependent Care Center or to prepare the Library to be used as an additional or alternative Employee Dependent Care Center site.~~

- ~~3. Prepare to update and broadcast information about the incident on Channel 16 under the direction of the incident PIO.~~
- ~~4. Assigning employees to assist the Public Information Officer to act as photographers / videographers for the historical documentation of the incident.~~

S. The Municipal Court shall:

1. Provide personnel for the Emergency Workforce, as requested.

TU. The Airport Manager shall ~~be responsible for:~~

1. Maintain direct communications and coordinate activities with the Incident Command Post or the IC / Ops Coordination Section in the EOC, as appropriate. ~~Providing a designee to report to the Emergency Operations Center (EOC) to act as an airport representative.~~
- ~~2. Maintaining operational readiness and security of the flight line and other airport resources.~~
23. Preparing the airport to receive aircraft transporting disaster assistance from various state and national relief agencies. ~~Coordinate these efforts with direction and feedback through the Logistics Section.~~
34. Coordinating aerial surveillance activities of the affected incident area and to facilitate the transfer of intelligence. ~~Provide surveillance information~~ to the Plans Section and/or the Law Enforcement Section at the EOC.
4. Activate the ~~Maintaining a current~~ Airport Emergency Operations Disaster Plan, ~~and assuring that copies are available to the Emergency Manager and accessible on the Internet.~~
- ~~Provide Liaison to Federal agencies that are responding to our notification of an airport/aircraft related event.~~

U. External Agency Representatives are responsible for:

1. Assisting Policy Group in authorizing and committing agency resources to the incident.
2. Ensuring that current situation / resource status is provided by their agencies.
3. Assisting Policy Coordinating Group in prioritizing multiple incidents.
4. Determining and authorizing resource requirements by agency.
5. Serving as agency representative on the Policy Coordinating Group.

V. Medical Services (Thompson Valley Emergency Services with the support of McKee Medical Center and Medical Center of the Rockies) is responsible for:

1. Providing immediate lifesaving medical care.
2. Coordinating emergency medical transportation to a hospital or other designated emergency treatment facility outside the at-risk area.
3. Coordinating emergency medical assistance to all shelters in operation in order of most emergent situation.
4. Coordinating emergency medical care triage sites.
5. Participating in primary and / or secondary decontamination depending on nature and / or location of incident.
6. Providing accurate and timely information to the public through approved communication plan.
7. Providing public health, disease, and injury control and prevention information to the general public that are located in or near affected areas.
8. Providing a representative to the City of Loveland Emergency Operations Center (EOC).
9. Coordinating with Disaster Medical Assistance Team (DMAT) and other medical response organizations.

W. Volunteer Organizations Active in Disaster (VOAD):

1. American Red Cross (ARC)
 - a. Coordinating sheltering of emergency/disaster victims.
 - b. Providing food and clothing to emergency/disaster victims.
 - c. Assisting with emergency/disaster welfare inquiries.
 - d. Assisting with shelter for victims and families.
 - e. Assisting in mass feeding of citizens.
2. Salvation Army
 - a. Providing canteen trucks for emergency workers and displaced citizens.

- b. Providing suitable comfort, counseling, and religious activities during emergency and disaster situations.

3. ARC and Salvation Army

- a. Providing meals at established shelters and vouchers to purchase food on a case by case basis.
- b. Providing counseling services.

4. Larimer County 211

- a. Maintaining resource list for needs in emergency/disaster situations.
- b. Serving as point of contact for citizen requests / needs.
- c. Serving as point of contact for volunteer registration.
- d. Serving as point of contact regarding information on donations from public.

5. VOAD

- a. Coordinating donations through receiving, warehousing and distribution.

X. County Coroner representatives are responsible for:

- 1. Advising City Management/City Council on matters pertaining to handling, disposition, and identification of deceased.
- 2. Organizing and training hospital, mortuary, and grave registration support teams.
- 3. Establishing a morgue and directing the identification and burial of the dead.
- 4. Providing public information concerning the deceased.
- 5. Coordinating with Disaster Mortuary Operational Response Team (DMORT).

Y. Larimer County Humane Society is responsible for:

1. Providing overall management, coordination, and prioritization of animal services and assets to support pet, farm, and wildlife needs in an emergency or disaster.
2. Facilitating transportation of injured, stray, or nuisance animals to animal care facilities.
3. Assisting emergency response teams with animal related issues.
4. Impounding pet animals at large.
5. Euthanizing of sick and / or injured animals through assigned and authorized persons.
6. Removing and disposing of animal carcasses weighing up to 100 lbs.
7. Utilizing designated animal shelter sites first and then identifying additional shelters, as the situation requires.
8. Coordinating with the Veterinary Medical Assistance Team (VMAT)

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XIV. EMERGENCY SUPPORT FUNCTIONS

A. General

1. When an emergency or disaster ~~occurs, situation exceeds on-scene capabilities~~ there are ~~certain~~ common types of assistance that are likely to be requested from the City of Loveland and external agencies. These common types of assistance ~~are have been~~ grouped into functional areas, termed Emergency Support Functions (ESF). City departments ~~are have been~~ pre-assigned responsibilities for implementing these functions. Individual department assignments are shown on the Emergency Support Functions Assignment matrix, Table 1.
2. Assignments are made based upon the department's statutory, programmatic, or regulatory authorities and responsibilities as well as the availability of resources. In an Emergency Presidential Declaration, ~~these~~ ESFs work directly with the corresponding County, State or National ESF. ~~It is imperative that designated lead City departments understand the relationship between the City ESFs and the State and National ESFs. For a matrix of ESF responsibility assignments by agency involvement for identified hazards see Table 2.~~

~~A. City Departments and Private/Volunteer Organizations~~

~~These organizations are assigned to lead, secondary lead, or supporting roles as related to the ESFs and the development of the corresponding annexes. The responsibilities of each of these positions are:~~

~~1. Lead Department~~

~~Responsible for planning, coordinating, and tasking support departments and agencies in the development of policies, procedures, roles and responsibilities, and requirements of the ESF and its operations management. Develops and maintains specific incident annexes to support this plan.~~

~~4. Secondary Lead Department~~

~~Certain principle components of some ESFs are clearly shared by City department(s) or organizations other than the designated Lead Department. In such situations the department which would normally have primary responsibility for one or more of these major components will be designated as a Secondary Lead Department, and will be responsible for the development and implementation of that specific portion of the corresponding functional attachment.~~

~~5. Supporting Agencies~~

~~Those assigned a supporting role for a given ESF will cooperate with the Lead Department in carrying out the assigned missions and will cooperate in annex development, training, and exercising.~~

~~Specific supporting role functions will be assigned to volunteer and private organizations who through written ordinances, mandates, or Memorandums of Understanding (MOU), are committed to providing disaster response/relief assistance.~~

~~4. Unassigned Departments and Organizations~~ ~~Departments not assigned to specific ESF will serve as a reserve of material and personnel resources, which may be required to perform previously unassigned tasks or supplement other response agencies.~~

~~B. Emergency Support Function Annexes~~

~~ESF 1: Transportation~~

~~ESF 2: Communications and Emergency Warning~~

~~ESF 3: Public Works and Engineering~~

~~ESF 4: Fire Fighting; Wildfire Suppression~~

~~ESF 5: Emergency Management and Planning~~

~~ESF 6: Mass Care, Housing, and Human Services~~

~~ESF 7: Resource Support, Logistics, and Finance~~

~~ESF 8a: Public Health and Medical Services~~

~~—— 8b: Mental Health and Substance Abuse~~

~~—— 8c: Fatalities Management~~

~~ESF 9: Search & Rescue~~

~~ESF 10: Hazardous Materials Response~~

~~ESF 11: Agriculture and Natural Resources~~

~~ESF 12: Energy~~

~~ESF 13: Law Enforcement and Security~~

~~ESF 14: Long Term Community Recovery and Mitigation~~

~~ESF 15: External Affairs~~

Table 1: EMERGENCY SUPPORT FUNCTION RESPONSIBILITY ASSIGNMENTS

P: Primary responsibility S: Secondary responsibility *: Limited responsibility/ incident specific	<u>City Attorney</u>	<u>City Clerk</u>	<u>City Manager</u>	<u>Colt Transit System</u>	<u>Dev. Services</u>	<u>Finance</u>	<u>Fire</u>	<u>Hospitals</u>	<u>Human Resources</u>	<u>IT</u>	<u>Larimer County</u>	<u>Mayor</u>	<u>OEM</u>	<u>Police</u>	<u>PIO</u>	<u>Public Works</u>	<u>R2J Schools</u>	<u>State / Federal</u>	<u>Utilities</u>
Casualty disposition	I *						S	P			I *		S					I *	
Communications										S				P					*
Damage assessment	I *		I *			I *	P	I *		I *	S		S	S		S	I *	S	S
Debris removal						I *					I *		S			P		I *	S
Decontamination							P	S			I *			S				I *	
Direction and control			S				S	I *				P	S	S			I *		
EOC Ops	I *		S	S		S	S	S		I *	I *		P	S	S	S	I *	I *	S
Fatalities			I *			I *	S				P			S		S			
Liaison with elected officials	I *		P									S	S						
Medical/mass casualty	I *			I *	S		S	P						S					
Public information	I *		S					S				S	S		P				
Records	I *	P	I *			S			S										
Recovery coordination	I *				S	S					S		P			S		S	
Resource procurement & allocation	I *				I *	P							S			S			
School safety and evacuation													S	S			P		
Security and protection											I *			P	S			I *	
Shelter issues	I *		I *		S	I *							P		S		S		
Street maintenance																P			S
Transportation				P		I *	I *						S	I *		S	S		
Utility emergency						I *	S			I *			S						P
Vital records	S	P	S																
Warning and notification	I *									S			P	S					

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Table 2: AGENCY INVOLVEMENT FOR IDENTIFIED HAZARDS

Identified Hazards	<u>City Attorney</u>	<u>City Clerk</u>	City Manager	<u>Coroner</u>	Finance	<u>Fire</u>	<u>Human Resources</u>	<u>IT</u>	<u>Larimer County</u>	<u>Mayor</u>	<u>Medical Services</u>	OEM	Police	<u>PIO</u>	Public Works	State / Federal	<u>Transportation</u>	Utilities
Drought	I *		*		*				S	I *		*		S	*	S		P
Aircraft accident	I *		*	I *	*	P				I *	S	*	P	S				
Civil unrest – terrorism	I *		*	I *		S				I *	S	S	P	S				
Communication disruption	I *		*					P						S				
Dam failure/contingency	I *	I *	S	I *	S	S				S	S	S	S	S			S	S
Earthquake	I *		*	I *	*	P		I *	S	I *	S	S	S	S	S	S		S
Flood	I *		*	I *	*	P		I *		I *	S	S	S	S	S	S	I *	S
HAZMAT	I *		*	I *		P				I *	S	S	S	S				
Mass casualty	I *		*	S		S				I *	P	S	S	S			S	
National emergency	I *	I *	S *	I *	*	S	I *	I *	I *	P	I *	S	P	S	*	*	I *	*
Radiological	I *		*	I *		P				I *	I *	S	S	S				
Thunderstorm (wind, hail)	I *		*			P				I *	I *	S	S	S	S			S
Tornado (micro burst)	I *		*	I *		P			I *	I *	S	S	S	S	*	*	I *	S
Urban fire	I *		*	I *		P				I *	S	*	S	I *				S
Utility interruption	I *		*							I *		*	*	S				P
Wildland fire	I *		*			P			S	I *	I *	S	S	S		S		
Winter storm	I *		*	I *		S				I *	S	S	S	S	P		S	S

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B. ESF Responsibilities

1. Lead Department

Responsible for planning, coordinating, and tasking the support departments and agencies with the development of policies, procedures, and other requirements of the ESF and its operations management. The Lead Department also develops and maintains additional incident procedures to support this plan.

6. Secondary Lead Department

Some ESFs require a shared leadership role between two or more City departments. Each department in a shared Lead position is responsible for the development and implementation of their section of the ESF.

7. Supporting Agencies

a. Specific supporting role functions will be assigned to volunteer and private organizations who through written ordinances, mandates, or Memorandums of Understanding (MOU), are committed to providing disaster response/relief assistance.

b. Departments not assigned to specific ESF will serve as a reserve for material and personnel resources, which may be required to perform previously unassigned tasks or supplement other response agencies.

C. Emergency Support Functions List

1. The following list correlates the ESF number and the functional name. The ESFs are attached to this document as Appendix B.

ESF 1: Transportation

ESF 2: Communications and Emergency Warning

ESF 3: Public Works and Engineering

ESF 4: Fire Fighting; Wildfire Suppression

ESF 5: Emergency Management and Planning

ESF 6: Mass Care, Housing, and Human Services

ESF 7: Resource Support, Logistics, and Finance

ESF 8a: Public Health and Medical Services

8b: Mental Health and Substance Abuse

8c: Fatalities Management

ESF 9: Search & Rescue

ESF 10: Hazardous Materials Response

ESF 11: Agriculture and Natural Resources

ESF 12a: Power

12b: Water and Wastewater Infrastructure

ESF 13: Law Enforcement and Security

ESF 14: Long-Term Community Recovery and Mitigation

ESF 15: External Affairs

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XIV. APPENDICIES

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A. APPENDIX: GLOSSARY OF TERMS, ACRONYMS & ABBREVIATIONS

Agency Representative(s)

An individual or group of individuals assigned to an incident from an assisting or cooperating agency. The Agency Representative reports to the Incident Liaison Officer.

Amateur Radio Emergency Service (ARES)

A regional network of amateur radio operators, licensed by the Federal Communications Commission. Similar to the Federal Radio Amateur Civil Emergency Services (RACES).

Area Command

An organizational structure used to oversee the management of multiple incidents that are each being handled by an Incident Command System organization or a very large incident that has multiple incident management teams assigned to it.

Blizzard Warning

An advisory issued by the National Weather Service when considerable snow and winds of 35 miles per hour or more are expected.

Branch Director

The individual responsible for a major segment of geographical/functional operations. The branch level is between a Section and a Division/Group.

Casualty

A person injured and needing treatment or killed because of man-made or natural disaster.

Catastrophic Incident

Any natural or manmade incident that results in an extraordinary level of mass casualties, damage, or disruption severely affecting the population, infrastructure, environment, economy, national morale and/or government functions.

Colorado Division of Emergency Management (CDEM)

The branch of state government under the Department of Local Affairs, which is responsible for the Comprehensive Emergency Management Program for the State of Colorado.

Command Post

A generic term given to the area or vehicle that provides field personnel a physical location from which to give on-site direction, information, coordination and communication.

Command Staff

In a typical ICS configuration, the Command Staff is composed of the Incident Commander, a Safety Officer, a Public Information Officer, and Liaisons to other agencies.

Continuity of Government

The principle of establishing defined procedures that allow a government to continue its essential operations during an emergency or disaster.

Continuity of Operations Plan

A document that (1) delineates lines of succession at the department, division, and supervisor levels; (2) describes which functions or city-provided services are critical, essential, and non-essential within a given group or division; (3) describes the needed actions or procedures necessary to maintain critical services during emergencies; (4) lists facilities for relocation and associated contingency operations; and, (5) describes needed actions for rapid resumption of critical functions following a disruption. Some COOPs also contain contact lists for employees and describes how the emergency needs of employees are addressed.

Damage Assessment

The appraisal or determination of the actual effects resulting from man-made or natural disasters.

Damage Assessment Group / Team

A group designated with the responsibility of assessing the scope and effect of physical damages to the infrastructure and the local community. Damage Assessment Groups provide comprehensive findings in Damage Survey Reports. They also provide situation status (SITSTAT) reports to the Plans Section. Also see Rapid Needs Assessment Team

Damage Survey Report (DSR)

A comprehensive engineering report prepared by a federal-state-local team that outlines the scope of work and estimated cost of repairs at each site of damage that has occurred as a result of disaster. See Damage Assessment Group / Team.

Division of Local Affairs - Office of Emergency Management

The branch of State Government responsible for the comprehensive Emergency Management Program for the State of Colorado.

Emergency

As defined by the Stafford Act, an emergency is “any other occasion or instance for which the President determines that Federal assistance is needed to supplement State, local, and tribal efforts to save lives and to protect property and public health and safety or to lessen or avert the threat of a catastrophe in any part of the United States.”

Emergency Alert System

Consists of broadcast stations and interconnecting facilities which have been authorized by the Federal Communications Commission to operate in a controlled manner during a war, state of public peril or disaster or other national emergency as provided by the state-wide comprehensive Emergency Alert System Plan.

Emergency Management

An integrated approach to the management of emergency programs and activities for all four emergency phases (mitigation, preparedness, response and recovery), for all types of emergencies and disasters (natural and man-made) and for all levels of government (Federal/State/Local) and the private sector.

Emergency Management Operations Plan

See Local Emergency Operations Plan (LEOP).

Emergency Operations Center (EOC)

A protected site from which government officials and support staff facilitate the coordination and supporting operations of an emergency.

Emergency Relocation Center

A temporary geographical area or facility designed to serve as a safe haven for persons in the process of evacuating a dangerous area or environment. Persons usually stay at the Emergency Relocation Center until the establishment of an evacuation shelter.

Evacuation

Organized, timed, and supervised dispersal of civilians from dangerous and potentially dangerous areas, their reception and care in safety areas and their return to their own home communities.

Evacuation / Emergency Shelter

A form of lodging provided for the communal care of individuals or families made homeless by a disaster or an emergency. Typically, the evacuation shelter provides care, minor emergency medical assistance, feeding, and sleeping resources.

Family Safety and Welfare Requests

An information gathering and communication process designed to keep emergency response personnel advised of their own families' condition. An

integral component of sustained operations during a significant disaster or a disaster where an emergency worker is unable to make family contact to personally check his/her family's safety.

Financial Assistance

Any form of loan, grant, guaranty, insurance, payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect Federal assistance, other than general or special revenue sharing or formula grants made to the States.

Fire Emergency Radio Network (FERN)

Established radio network for Fire and Rescue mutual aid operations.

Fire Resource Officer

The individual assigned to the emergency communications center to assist with resource requests, radio traffic, and information processing. Typically, a Fire Officer trained in incident management staffs this position.

Five-Hundred (500) Year Floodplain

Refers to that area which is subject to inundation from a flood having a 0.2 percent (two-tenths of 1%) chance of being equaled or exceeded in any given year.

Flash Flood Warning

An advisory issued by the National Weather Service indicating that flash flooding is **occurring or imminent** on certain streams or designated areas and those threatened should take immediate action.

Flash Flood Watch

An advisory issued by the National Weather Service indicating that heavy rains occurring or expected to occur **may soon result** in flash flooding in certain areas.

Flood Warning

A forecast of **impending flooding**, given by radio, television and local government emergency forces. A flood warning message tells the expected severity of flooding, the affected river, and the location and time when the flooding will begin.

General Staff

The individuals assigned to specific functional areas (Planning, Operations, Logistics, and Finance Sections) within the Incident Command System (I.C.S.).

Group

The organizational level of the Incident Command System having operational responsibility for a specified tactical function. A Group is the same level as that of a Division.

Group Supervisor

The individual having responsibility to direct personnel assigned to a Group.

Hazardous Materials (HazMat)

Any element, compound, or combination thereof which is flammable, corrosive, detonable, toxic, radioactive, an oxidizer, an etiologic agent, or highly reactive and which because of handling, storing, processing or packaging, may have detrimental effects upon operating and emergency personnel, the public, equipment and/or the environment.

Hazard Mitigation

Hazard mitigation includes any cost-effective measure, which will reduce the potential for damage to a facility from a disaster event. Measures may include zoning and building codes, floodplain property acquisitions, home elevations or relocations, and analysis of hazard-related data.

Incident Action Plan (I.A.P.)

The strategic goals, tactical objectives, and support requirements for the incident. The I.A.P. is developed by the Plans Section, for approval by the Incident Commander, and executed by the Operations Section Chief.

Incident Command System (I.C.S.)

A standardized method of managing emergency incidents based on a common organizational structure, common terminology, common operating procedures and known qualifications of agency operating personnel; used on-scene and/or in conjunction with activation of an Emergency Operations Center (EOC) operation where command and control coordination is centralized.

Incident Mitigation

Incident mitigation involves actions taken during an incident designed to minimize impacts or contain the damages to property or the environment.

Liaison Officer

A Command Support Staff or Policy Group member who is the contact point for coordinating information to internal and external agencies.

Line of Succession

A pre-designated assignment of qualified individuals to stand in for key officials, directors, or supervisors in their absence.

Local Emergency

The actual or threatened existence of conditions of disaster or of extreme peril to the safety of persons and property within the City or any other disaster that requires the aid and assistance of outside, local, state or federal agencies.

Local Emergency Operations Plan (LEOP)

Also known as “The Plan”. A description of actions or instructions to all city personnel stating what will be done in the event of an emergency. It states the actions to be taken by whom, what, when and where based on predetermined assumptions, objectives, and capabilities, as well as describing the methods of direction and control in a disaster or emergency.

Major Damage

A structure which has received substantial damage but is technically and economically feasible to repair.

Major Disaster

A natural or man-made catastrophe which, in the determination of the President, is or threatens to be of sufficient severity and magnitude to warrant disaster assistance by the Federal Government to supplement the efforts and available resources of State and Local Governments in alleviating the damage, hardship, or suffering caused by such event.

Management Team (M-Team)

See Policy Group.

Mitigation

Mitigation efforts occur before, during and after emergencies or disasters. Pre-disaster mitigation involves activities designed to reduce the damaging impact of a disaster should it strike. Post-disaster mitigation is actually part of the recovery process and includes eliminating or reducing the impact of hazards that exist. Hazard mitigation includes any cost-effective measure, which will reduce the potential for damage to a facility from a disaster event. Incident mitigation

involves actions taken during an incident designed to minimize impacts or contain the damages to property or the environment.

National Flood Insurance Program (NFIP)

A Federal program enabling property owners to purchase flood insurance based on an agreement which states that if a community implements measures to reduce future flood risks to new construction in Special Flood Hazard Areas, the Federal government will make flood insurance available within the community as a financial protection against flood losses.

National Incident Management System (NIMS)

A system to provide a consistent nationwide approach for Federal, State, local, and tribal governments to work effectively and efficiently together to prepare for, prevent, respond to, and recover from domestic incidents regardless of size, cause, or complexity.

National Response Plan (NRF)

A Federally-designed and organized Emergency Response Plan that establishes a comprehensive all-hazards approach to enhance the ability of the United States to manage domestic incidents.

National Warning System (NAWAS)

A Federal system, originating from NORAD, used to disseminate warnings and other emergency information from the warning centers to warning points at, and within, each State. For the Larimer County area, the receiving point is the Larimer County Communications Center. Information is distributed via Teletype to the Loveland Communications Center.

National Weather Service

The branch of the National Oceanic and Atmospheric Administration (NOAA) which forecasts and issues weather watches and warnings.

NOAA Weather Radio

A broadcast system that furnishes continuous weather messages on dedicated very high frequencies and is a part of the warning system managed by the National Ocean and Atmospheric Administration.

Non-governmental Organization

Include entities that may work cooperatively with government. Such organizations serve a public purpose, not a private benefit. Non-governmental organization may include the Private Sector.

One-Hundred (100) Year Floodplain

Refers to areas that are subject to inundation from a flood having a 1 percent (1%) chance of being equaled or exceeded in any given year.

Plan, the (LEOP)

The term "the Plan" refers to the City of Loveland's Local Emergency Operations Plan.

Policy Group

The Policy Group is responsible for the development of policies and the direction of City operations implemented during a disaster or emergency.

-
- The City Manager and/or Assistant City Manager-serves as the Liaison between the City Council and the Policy Group
 - The City Attorney-serves as the Legal Officer
 - The Public Works Manager
 - The Director of Community Services
 - The Fire Chief
 - The Chief of Police
 - The Emergency Manager-serves as a Liaison between the Policy Group and the EOC
 - The Director of Water and Power
 - The Budget Officer
 - Subject Matter Experts

Preparedness

Those activities, programs and systems that exist prior to an emergency that are used to support and enhance response to an emergency or disaster.

Prevention

The preparedness phase involves activities that are undertaken in advance of an emergency or disaster. These actions might include emergency/disaster planning, training and exercises, and public education.

Public Assistance

The Federal financial assistance provided to State and Local governments or to eligible private nonprofit organizations for disaster-related requirements.

Rapid Needs Assessment Team

A team(s) designated with the responsibility of conducting rapid assessments of physical damages to the City infrastructure and the emergency needs of the impacted local community. Rapid assessments are also known as Windshield Surveys. Rapid Needs Assessment Teams conduct brief evaluations of damage whereas Damage Assessment Group/Teams conduct detailed damage assessments.

Recovery

Recovery activities involve the restoration of services to the public and returning the affected area(s) to pre-emergency conditions. Recovery activities may be both short-term and long-term, ranging from restoration of essential utilities such as water and power, to mitigation measures designed to prevent future occurrences of a given threat. They may reflect the continuation of the response phase activities (i.e., restoration of utilities), or they may include new activities wholly enacted as a part of the recovery process after the disaster has abated (i.e., removal of debris after a flood).

Response

Activities that include immediate actions to preserve life, property, and the environment; meet basic human needs; and maintain the social, economic, and political structure of the affected community. In this phase, emergency personnel engage in the appropriate actions as dictated by an incident's characteristics.

RESTAT

Short version of the term "Resource Status". The Plans Section is responsible for collecting information on RESTAT and providing the information to the Operations Section Chief, Incident Commander, or the IC / Ops Coordination Section.

Riverine

Relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

Severe Blizzard Warning

An advisory issued by the National Weather Service when very heavy snowfall is expected, with winds of at least 45 miles per hour and temperatures of 10 degrees or lower.

SITSTAT

Short version of the term "Situation Status". The Plans Section is responsible for collecting information on SITSTAT and providing the information to the Operations Section Chief, Incident Commander, or the IC / Ops Coordination Section.

Special Flood Hazard Area

The land in the floodplain subject to a one percent or greater chance of flooding in any given year, which is mapped and regulated by the Federal Emergency Management Agency.

Staging Area

The location where incident personnel and resources are assigned for immediate response (available) status.

Staging Manager

The individual responsible for the tracking of response-available personnel and equipment. Usually reports to the Incident Commander or Operations Section Chief.

Support Group

A group of individuals and/or internal and external agencies that support the needs of the incident through the management of tasks assigned by Emergency Support Functions. The Support Group / ESFs coordinator reports directly to the IC / Operations Coordination Section.

Title III

Also known as the "Emergency Planning and Community Right-to-Know Act of 1986," this law establishes requirements for Federal, State, Local governments, and industry regarding emergency planning and "community right-to-know" reporting on hazardous and toxic chemicals.

Tornado Warning

An advisory issued by the National Weather Service when a tornado is sighted or indicated by radar. Warnings describe the area that could be affected. When a warning is issued, take cover immediately.

Tornado Watch

An advisory issued by the National Weather Service indicating tornadoes may occur in certain areas. Watches specify a time period and an area where tornadoes are possible.

Travelers' Advisory

Issued by the National Weather Service when ice and snow are expected to hinder travel, but not seriously enough to require warnings.

Unified Command

The shared responsibility of several agencies for incident management as a result of a multi-jurisdictional or multi-agency response effort. During a large-scale event, a Unified Command may change to an Area Command.

Windshield Surveys

Following a disaster, a rapid assessment of physical damages to the City infrastructure and the local community is conducted by a Rapid Needs Assessment Team.

Winter Storm Warning

An advisory issued by the National Weather Service when heavy snow (expected snowfall of 4 inches or more in a 12 hour period, or 6 inches or more in a 24 hour period), is forecasted to occur.

Winter Storm Watch

An advisory issued by the National Weather Service indicating there is a threat of severe winter weather in a particular area.

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B. APPENDIX: EMERGENCY SUPPORT FUNCTIONS

ESF 1 – TRANSPORTATION

Department with Primary Responsibility - Public Works Department

ESF 1 is designed to provide transportation support to assist in domestic incident management. Activities within the scope of ESF 1 functions include: processing and coordinating requests for transportation support as directed under the Local Emergency Operations Plan; reporting damage to transportation infrastructure as a result of the incident; coordinating alternate transportation services (air, surface, and rail); coordinating the restoration and recovery of the transportation infrastructure; and coordinating and supporting prevention, preparedness, and recovery among transportation infrastructure stakeholders at the local and state levels.

A. Purpose/Scope

1. City of Loveland and NE Region: Provide for coordination, control and allocation of transportation assets in support of the movement of emergency resources including the evacuation of people, and the redistribution of food and fuel supplies; coordination of all transportation needs; transportation safety; movement restrictions; restoration/recovery of transportation infrastructure.

B. Lead Agency/Agencies

1. City of Loveland: Public Works; Streets Department; Engineering Department; Building Department; Emergency Management.
2. NE Region: Public Works; Fleet Services; Transportation/Public Works; Community Development-Planning/Transportation Manager.
3. State: CDOT.
4. NRF: US DOT.

C. Support Agencies

1. City of Loveland: Finance Division; Traffic Engineering; Police Department; EMS; Schools; Fleet Services; local volunteer organizations; private sector contractors.
2. NE Region: municipal and county Public Works; municipal and county Road & Bridge; public transportation; Sheriff/Police; EMS; Schools; CDOT; Emergency Management; Special Transit; AMTRAK; DIA; Fleet Services; COVOAD; CSP; CSU.
3. State: DMVA; DPS; DOLA Corrections; Education; Revenue; Regulatory Agencies.
4. NRF: DHS; Agriculture; Commerce; Defense; Energy; Interior; Justice; GSA; U.S. Postal Service; Dept. of State.

ESF 2 – COMMUNICATIONS

Department with Primary Responsibility - Information Technology

ESF 2 coordinates actions to provide the required temporary telecommunications and the restoration of the telecommunications infrastructure. ESF 2 supports all City departments and agencies in the procurement and coordination of services from the telecommunications and information technology (IT) industry during an incident response.

A. Purpose/Scope

1. City of Loveland and NE Region: Provide communications and IT support; coordinate with telecommunications industry for the restoration or repair of the telecommunications network; ensure the protection, restoration, and the sustained procurement of cyber and information technology resources; and provide GIS and computer support services.

B. Lead Agency/Agencies

1. City of Loveland: Information Technology; Facilities Service Division; local radio and television.
2. NE Region: Telecommunications; Information Technology; Police (Communication and Records)/Information Technology (Telecommunications, Network Systems, End User Support); Technical Services.
3. State: Personnel and Administration.
4. NRF: DHS (Information Analysis and Infrastructure Protection/National Communications System).

C. Support Agencies

1. City of Loveland and NE Region: Emergency Management; Police/Sheriff; Fire/EMS; Qwest; ARES; IT; Dispatch; Parks and Recreation; Health and Environment; Everbridge; Intrado; Comcast; Legacy Communications; Mile-Hi.
2. State: Governor's Office; DMVA; DOLA; CDPHE; DPS; COVOAD; Private Sector.
3. NRF: Defense; Agriculture; Commerce; Interior; FCC; GSA.

ESF 3 – PUBLIC WORKS AND ENGINEERING

Department with Primary Responsibility – Public Works Department

Activities within the scope of this function include conducting pre and post-incident assessments of public works and infrastructure; executing emergency support for life-saving and life-sustaining services; providing technical assistance to include engineering expertise, construction management, and contracting and real estate services; providing emergency repair of damaged infrastructure and critical facilities; and other recovery programs.

A. Purpose/Scope

1. City of Loveland and NE Region: Evaluate, maintain and restore public roads, bridges, public transportation systems, and drainage facilities. Support the protection and restoration of infrastructure (i.e. electrical, gas, communications, water, and wastewater systems). Provide engineering related support for incident operations and coordination of debris removal, storage, and disposal activities.

B. Lead Agency/Agencies

1. City of Loveland: Fire & EMS; Police Department; Public Works; Streets Division; Solid Waste Division, Water & Power Department; Wastewater Department; Engineering Department.
2. NE Region: Public Works/Road and Bridge; Larimer County.
3. State: CDOT.
4. NRF: U.S. Army Corps of Engineers.

C. Support Agencies

1. City of Loveland: Police; Parks and Recreation Department.
2. NE Region: Building Department; Community Development; Parks and Recreation; Emergency Management; Little Thompson Water District; Fort Collins / Loveland Water District; SAME; UDFCD; General Services; Denver Water Board; Schools; Private Sector.
3. State: DOLA; DMVA; Labor & Employment; Higher Education; Corrections; CDPHE.
4. NRF: DHS/FEMA; Agriculture; Commerce; DOD; DOE; Health & Human Services; Interior; Labor; Veterans Affairs; EPA; GSA; NRC; TVA; ARC.

ESF 4(a) – URBAN FIREFIGHTING

Department with Primary Responsibility – Loveland Fire Rescue Authority

ESF 4 manages and coordinates firefighting activities, including the detection and suppression of fires, and providing personnel, equipment and supplies, and the utilization of interagency fire fighting resources in support of local agencies involved in urban firefighting operations. Additionally, this function provides for incident management teams as well as providing a Governor Authorized Representative (GAR) for FEMA Fire Assistance Declarations.

A. Purpose/Scope

1. City of Loveland and NE Region: Provide for the mobilization and deployment, and coordination of all firefighting resources to combat urban and rural incidents.

B. Lead Agency/Agencies

1. City of Loveland: Fire Rescue Authority.
2. NE Region: Fire Departments; Fire Districts.
3. State: DPS; Division of Fire Safety.
4. NRF: Dept. of Agriculture; U.S. Forest Service.

C. Support Agencies

1. City of Loveland: EMS; Police Department.
2. NE Region: EMS; Jefferson County Airport; Dispatch.
3. State: CDOT; DMVA; DOLA; Law; Corrections; Education; ARC; Salvation Army; COVOAD.
4. NRF: DHS/FEMA; Commerce; DOD; Interior; EPA.

ESF 4(b) - WILDFIRE SUPPRESSION

Department with Primary Responsibility – Loveland Fire Rescue Authority, Larimer County Sherriff

This ESF manages and coordinates wildland firefighting activities, including the detection and suppression of fires, and providing personnel, equipment and supplies, and the utilization of interagency fire fighting resources in support of local and tribal agencies involved firefighting operations. Additionally, this function provides for incident management teams as well as providing a Governor Authorized Representative (GAR) for FEMA Fire Assistance Declarations.

A. Purpose/Scope

1. City of Loveland and NE Region: Provide for the mobilization and deployment, and coordination of all firefighting resources to combat and wildland incidents.

B. Lead Agency/Agencies

1. City of Loveland: Fire Rescue Authority.
2. NE Region: Fire Departments; Fire Districts; Sheriff's Departments.
3. State: DPS; Division of Fire Safety.
4. NRF: Dept. of Agriculture; U.S. Forest Service.

C. Support Agencies

1. City of Loveland: EMS; Police Department.
2. NE Region: EMS; Jefferson County Airport; Dispatch.
3. State: CDOT; DMVA; DOLA; Law; Corrections; Education; ARC; Salvation Army; COVOAD.
4. NRF: DHS/FEMA; Commerce; DOD; Interior; EPA.

ESF 5 – EMERGENCY MANAGEMENT

Department with Primary Responsibility – Office of Emergency Management

ESF 5 serves as the support ESF for all City of Loveland departments and agencies across the spectrum of domestic incident management. ESF 5 facilitates information flow in the pre-incident prevention phase in order to place assets on alert or to preposition assets for quick response. During the post incident response phase, ESF 5 transitions and is responsible for support and planning functions.

ESF 5 activities include those functions that are critical to support and facilitate multi-agency planning and coordination for operations. This includes alert and notification, deployment and staffing of designated emergency response teams, incident action planning, coordination of operations, logistics and material, direction and control, information management, facilitation of requests for state and federal assistance, resource acquisition and management (to include allocation and tracking), worker safety and health, facilities management, financial management, and other support as required.

A. Purpose/Scope

1. City of Loveland and NE Region: Provide for the management and coordination emergency operations in support of local response agencies and jurisdictions. Maintain, activate and operate the City/County Emergency Operations Center. Provide information collection, analysis, and dissemination. Coordinate logistical support. Identify the roles and responsibilities of city/county government agencies in coordinating local, state, and federal assistance.

B. Lead Agency

1. City of Loveland and NE Region: Emergency Management.
2. State: DOLA; CDEM.
3. NRF: DHS/FEMA.

C. Support Agencies

1. City of Loveland and NE Region: Leadership/Management; Attorney's Office; Finance; IT; Dispatch; Police/Sheriff; Fire/EMS; Assessor; Clerk and Recorder; Health and Environment; Health and Human Services; Community Resources; Community Development; Court Services; Human Resources; Planning and Zoning; Planning and Development Services; Public Works; Road and Bridge; Schools; American Red Cross; Salvation Army.
2. State: All State Agencies.
3. NRF: All Federal Departments.

ESF 6 – MASS CARE, HOUSING, AND HUMAN SERVICES

Department with Primary Responsibility – Larimer County Department of Health & Environment

ESF 6 promotes the delivery of services and the implementation of programs to assist individuals, households and families impacted by potential or actual disasters, including economic assistance and other services. ESF 6 includes three primary functions: Mass Care, Housing, and Human Services.

Mass Care involves the coordination of non-medical mass care services to include sheltering of victims, organizing feeding operations, providing emergency first-aid at designated sites, collecting and providing information on victims to family members, and coordinating bulk distribution of emergency relief items.

Housing involves the provision of assistance for short and long-term housing needs of victims.

Human Services include providing victim related recovery efforts such as counseling, identifying support for persons with special needs, expediting processing of new benefits claims, assisting in collecting crime victim compensation for acts of terrorism, and expediting mail services in affected areas

A. Purpose/Scope

1. Larimer County Department of Health & Environment with assistance of the City of Loveland: Manages and coordinates the sheltering, feeding and first-aid needs for disaster victims. It provides for temporary housing, food, clothing, transportation assistance, and basic human needs. Mass care operations may also include special needs support, benefit claims assistance, English as a second language, and job search assistance. This assistance may continue well after the emergency phase of the response.

B. Lead Agency/Agencies

1. Larimer County Department of Health & Environment
2. City of Loveland
2. NE Region: Health & Human Services; Human Services; Social Services.
3. State: Human Services.
4. NRF: DHS/FEMA; American Red Cross.

C. Support Agencies

1. American Red Cross; Salvation Army; COVOAD; Emergency Management; Schools; Housing Authority; Victim Advocates/Assistance; CART/Animal Shelters/Adoption Centers/Cooperative Extension; Fairgrounds; Police/Sheriff; Fire/EMS; Parks and Recreation; Parks and Community Resources; Community Resources-Recreation Services/Senior Center; Arenas/Theatres; Environmental Health; Tri-County Health; Community and Economic Opportunity; Jefferson County Airport; Community Reach Center; Broomfield CREW; Community Food Share; Senior Services; Volunteer Connection; CERT Teams; Meals on Wheels; CU; United Way; Faith-Based Groups/Ministerial Alliances.
2. State: DOLA; DPS; DMVA; CDPHE; CDOT; Personnel and Administration; Agriculture; Education; Health Care, Policy and Finance; Higher Education; American Red Cross; Salvation Army; COVOAD; SART.
3. NRF: Agriculture; DOD; Health and Human Services; HUD; Interior; Justice; Labor; US DOT; Treasury; Veterans Affairs; GSA; OPM; SBA; SSA; USPS; NVOAD; Corporation for National and Community Services.

ESF 7 – RESOURCE SUPPORT

Department with Primary Responsibility – As assigned

ESF 7 resources support to local, and tribal governments consists of emergency relief supplies, facility space, office equipment, office supplies contracting services, transportation services (in coordination with ESF 1 – Transportation), security services, and personnel required to support immediate response activities.

ESF 7 provides support for requirements not specifically identified in other ESFs, including excess and surplus property. Resource support may continue until the disposition of excess and surplus property is completed.

A. Purpose/Scope

1. City of Loveland and NE Region: Secures resources through Mutual Aid Agreements, volunteer organizations, and procurement procedures for all ESFs, as needed. Provides for coordination and documentation of personnel, equipment, supplies, facilities and services used during disaster response and initial relief and recovery operations. Supports effective reception and integration of augmentation resources.

B. Lead Agency/Agencies

1. City of Loveland: appropriate City department or Division.
2. NE Region
3. State: DOLA.
4. NRF: General Services Administration (GSA).

C. Support Agencies

1. City of Loveland and NE Region: Emergency Management; Administration; Finance; Assessor; Treasurer; Budget and Management; Purchasing Services; Fleet Services; Facilities Operations; Procurement and Contracting; Public Works; Road and Bridge; IT; Dispatch; Health and Environment; Police/Sheriff; Fire Departments/Districts; Human Services/Social Services; Health and Human Services; Human Resources; Schools; Cooperative Extension; Libraries; Jefferson County Airport; Mountain Resource Center; COVOAD; American Red Cross; Salvation Army; United Way; Fairgrounds; Police/Sheriff; Fire/EMS; Parks and Recreation; Parks and Community Resources; Tri-County Health; Community and Economic Opportunity; Community Foundation.
2. State: Governor's Office; Personnel and Administration; DPS; CDPHE; CDOT; Treasury; DMVA; United Way 211, Agriculture; Corrections; Education; Higher Education; Labor and Employment; Natural Resources; American Red Cross; COVOAD; Salvation Army.
3. NRF: DHS/FEMA; Agriculture; Commerce; DOD; Energy; Labor; US DOT; Veterans Affairs; NASA; National Communications System; OPM.

ESF 8(a) – PUBLIC HEALTH and MEDICAL SERVICES -

Department with Primary Responsibility – Larimer County Department of Health and Environment

ESF 8(a) addresses the identification process and meeting the public health and medical needs of victims of a disaster including a disease Pandemic. This support is categorized in the following core functional areas: assessment of public health/medical needs (including behavioral health); public health surveillance; medical care personnel; and medical equipment and supplies. Management of livestock pandemics are addressed within the ESFs that are attached to this document as an appendix.

A. Purpose/Scope

1. Larimer County Department of Health and Environment with assistance from City of Loveland and NE Region: Coordinates all City/County public health services and operations during epidemics or pandemics (disease/virus outbreaks), or other health related emergencies. Provides on-scene triage, first aid, life support and transportation of the injured. Provides resources to support emergency responder health and safety. Coordinates with local hospitals to ensure timely and appropriate delivery of injured to primary care facilities. Ensures mobilization of public health and environmental sanitation services and disease and vector control. Initiates Mass Casualty response as appropriate.

B. Lead Agency/Agencies

1. Larimer County Department of Health and Environment
2. NE Region: Health and Human Services; Tri-County Health
3. State: CDPHE
4. NRF: Health and Human Services

C. Support Agencies

1. City of Loveland and NE Region: Police/Sheriff; Fire/EMS; Private Sector (hospitals/ambulances); Human Services/Social Services; Health and Environment; Victim Advocates/Assistance; Coroner/Mortuary Services; Environmental Affairs; Senior Services Division; People's Clinic; Community Health Centers; CDPHE; Emergency Management.
 2. State: DOLA; DPS; DMVA; CDPHE; CDOT; Personnel and Administration; Agriculture; Education; Law; Natural Resources; Human Services; Regulatory Agencies; Health Care, Policy and Finance; Higher Education; American Red Cross; Salvation Army; COVOAD; SART.
 3. NRF: DHS/FEMA; Agriculture; DOD; Energy; Interior; Justice; Labor; US DOT; Treasury; State; Veterans Affairs; EPA; GSA; USPS; U.S. Agency for International Development; American Red Cross.
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ESF 8(b) – MENTAL HEALTH AND SUBSTANCE ABUSE

Department with Primary Responsibility - Larimer Center for Mental Health

This ESF provides for the coordination of crisis-counseling services, substance abuse counseling, mobilization of mental health professionals, and education and outreach for coping skills.

A. Purpose/Scope

1. Provides crisis-counseling services to individuals and groups impacted by the disaster situation. Mental health professionals will be mobilized to offer home and community based services. Crisis counseling is a time-limited program designed to assist victims/survivors/responders in returning to their pre-disaster level of functioning. Provide family support, grief counseling and other assistance as needed.

B. Lead Agency/Agencies

1. Larimer Center for Mental Health.

C. Support Agencies

1. Human Services; Victim Advocates/Assistance; Police/Sheriff; Health and Environment; Jefferson/Gilpin Community Crisis Response Team; Schools; American Red Cross; Salvation Army.
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ESF 8(c) – FATALITIES MANAGEMENT**Department with Primary Responsibility – County Coroner****A. Purpose/Scope**

1. Provides for the collection, identification, documentation and protection of human remains. Establishes the cause/means of death and appropriate legal notifications and actions. Initiates mass fatality response as appropriate. Includes Family Assistance Center (FAC) operations.

B. Lead Agency

1. Larimer County Coroner.

C. Support Agencies

1. Police/Sheriff; Fire Departments/Districts; Emergency Management; IT.

ESF 9 – SEARCH AND RESCUE

Department with Primary Responsibility – Loveland Fire Rescue Authority, Larimer County Sherriff

ESF 9 integrates the Search and Rescue system around a core of task forces prepared to deploy immediately and initiate operations in support of ESF 9. These task forces are staffed primarily by highly trained and specially equipped local fire and emergency services personnel.

A. Purpose/Scope

1. City of Loveland and NE Region and State: Includes resources for activities to locate, identify, and rescue or remove persons lost or trapped in buildings or other structures or from remote areas. Provides resources for life-saving assistance, including urban, mountain, dive, and other specialized SAR needs.

B. Lead Agency/Agencies

1. City of Loveland: Fire Rescue Authority.
2. NE Region: Fire Departments/Fire Districts; Sheriff's Department.
3. State: DOLA/CDEM.
4. NRF: DHS/FEMA.

C. Support Agencies

1. City of Loveland and NE Region: Police/Sheriff; SAR Teams, EMS; Public Works; Emergency Management; Risk Management; IT; Open Space; Front Range Rescue Dogs; Civil Air Patrol; USAR.
2. State: Colorado SAR Board; DPS; CDOT; DMVA; Natural Resources; Education; Labor and Employment.
3. NRF: Agriculture; DOD; Commerce; Health and Human Services; Justice; Labor; US DOT; NASA; U.S. Agency for International Development.

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ESF 10 – HAZARDOUS MATERIALS

Department with Primary Responsibility – Loveland Fire Rescue Authority

ESF 10 includes the appropriate response and recovery actions to prepare for, prevent, minimize, or mitigate a threat to public health, welfare, or the environment caused by actual or potential hazardous materials incidents. Hazardous materials addressed under the LEOP include chemical, biological, and radiological substances, whether accidentally or intentionally released. These include certain chemical, biological, and radiological substances considered weapons of mass destruction (WMD).

Response to hazardous materials incidents is carried out in accordance with the NCP (40 CFR, part 300). The EOP implements the response authorities and responsibilities created by the Comprehensive Environmental Response, Compensation, and Liability Act, and the authorities established by section 311 of the Clean Water Act, as amended by the Oil Pollution Act.

A. Purpose/Scope

1. City of Loveland and NE Region: Provides response, inspection, containment, and oversight of cleanup of hazardous materials accidents or releases.

B. Lead Agency/Agencies

1. City of Loveland and NE Region: Fire Departments and Fire Districts; Sheriff's Departments; Public Health department, Risk Management.
2. State: Division of Public Safety.
3. NRF: EPA; DHS/U.S. Coast Guard.

C. Support Agencies

1. City of Loveland and NE Region: Haz-Mat Response Teams; Environmental Health; Human Services; Public Works; City of Loveland Risk Management, Parks and Recreation; Police; EMS; Community Development; Finance; LEPC; EPA.
2. State: Governor's Office; DOLA/CDEM; CDOT; CDPHE; DMVA; Natural Resources; Higher Education; Office of Energy Management and Conservation.
3. NRF: DHS/FEMA; Agriculture; Commerce; DOD; Energy; Health and Human Services; Interior; Justice; Labor; US DOT; State; GSA; NRC.

ESF 11 – AGRICULTURE, NATURAL RESOURCES, and LIVESTOCK

Department with Primary Responsibility – Natural Resources, Division, Larimer County Health Department

The agricultural portion of ESF 11 includes determining nutrition assistance needs, obtaining appropriate food supplies, arranging for delivery of the supplies, and authorizing disaster food stamps.

Animal and plant disease and pest response includes implementing an integrated State, local, and Tribal response to an outbreak of a highly contagious or economically devastating animal-based disease, an outbreak of a highly infective exotic plant disease, or an economically devastating plant pest infestation. ESF 11 ensures, in coordination with ESF 8 – Public Health and Medical Services, that animal/veterinary/wildlife issues on natural disasters are supported.

Assurance of the safety and security of the commercial food supply includes the inspection and verification of food safety aspects of slaughter and processing plants, products in distribution and retail sites, and import facilities at ports of entry; laboratory analysis of food samples; control of products suspected to be adulterated; plant closures; food borne disease surveillance; and field investigations.

Protection of resources includes appropriate response actions to conserve, rehabilitate, recover, and restore resources.

Additionally, this ESF provides guidance for assisting local entities in the response to livestock rescue or protection needs caused by a disaster such as a flood or fire. It also addresses shelter needs for pet owners who are displaced by a large event.

A. Purpose/Scope

1. City of Loveland and NE Region: Provides for the evacuation, transportation, decontamination, care, shelter, treatment and/or disposal of companion animals, livestock and wildlife impacted by disasters or foreign animal disease. Provides for damage assessment for farm animals and support for animal, veterinary, and wildlife issues.

B. Lead Agency/Agencies

1. City of Loveland: Human Services Division.
2. NE Region: Sheriff's Department; Humane Society; Environmental Health.
3. State: Agriculture/Natural Resources.
4. NRF: Agriculture; Interior.

C. Support Agencies

1. City of Loveland and NE Region: House of Neighborly Service, Larimer County Food Bank, Loveland Community Health Center, Community Kitchen, Senior Alternatives in Transportation, Meals on Wheels, CARTs; CVMA/SART; CSU Cooperative Extension; Larimer County Fairgrounds; Animal Shelter/Adoption Center; Health and Human Services; Health and Environment; Parks and Recreation; Public Works.
2. State: CDPHE; Education; Higher Education; Human Services; DMVA; DOLA/CDEM.
3. NRF: DHS/FEMA; Agriculture; Commerce; DOD; Energy; Interior; Justice; State; Health and Human Services; Labor; US DOT; State; EPA; GSA; USPS; American Red Cross.

ESF 12(a) – POWER

Department with Primary Responsibility – Power Operations Division

ESF 12 collects, evaluates, and shares information on energy system damage and estimations on the impact of energy system outages within affected areas. The term “energy” includes producing, refining, transporting, generating, transmitting, conserving, building, distributing, and maintaining energy systems and system components.

A. Purpose/Scope

1. City of Loveland and NE Region: Provides for the rapid restoration of electric services. Support the restoration of private sector critical infrastructure. Coordinate the rationing and distribution of emergency power and fuel. Provides information concerning the energy restoration process such as projected schedules, percent completion of restoration, geographic information on the restoration, and other information as appropriate. Coordinates discussions and activities with Platte River Power Authority regarding problems that may be occurring on the transmission grid or the loss of generating capacity.

B. Lead Agency/Agencies

1. City of Loveland: Power Operations Division.
2. NE Region: Platte River Power Authority; Public Works-Utilities; Public Works/Transportation Support; General Services.
3. State: Regulatory Agencies.
4. NRF: DOE.

C. Support Agencies

1. City of Loveland and NE Region: Loveland Water and Power Department; Platte River Power Authority; Public Works; Telecommunications; IT; Sheriff/Police; Fire Departments and Districts; Environmental Health; Xcel Energy; United Energy; Qwest; Comcast; Other Municipal Electrical Power Utilities Providers.
2. State: Governor’s Office; DOLA/CDEM; CDOT; DMVA; Natural Resources; Private Sector.
3. NRF: FERC; NERC; WECC; DHS/FEMA; Agriculture; Commerce; DOD; Interior; Labor; State; US DOT; EPA; NRC; TVA.

ESF 12(b) – WATER and WASTEWATER INFRASTRUCTURE

Department with Primary Responsibility – Water Utility Division

Activities within the scope of this function include conducting pre and post-incident assessments of water and wastewater infrastructure; executing emergency support for life-saving and life-sustaining services; providing technical assistance to include engineering expertise, construction management, and contracting and real estate services; providing emergency repair of damaged infrastructure and critical facilities; and other recovery programs.

A. Purpose/Scope

1. City of Loveland and NE Region: Evaluate, maintain and restore water treatment, water distribution, raw water, wastewater collection and wastewater treatment infrastructure. Support the protection and restoration of infrastructure (i.e. electrical, and communications). Provide engineering related support for incident operations and coordination of debris removal, storage, and disposal activities.

B. Lead Agency/Agencies

1. City of Loveland: Fire Rescue Authority; EMS; Police Department; Public Works; Streets Division; Solid Waste Division, Water & Power Department; Engineering Department.
2. NE Region: Larimer County; Health Department; NCWCD; NFRWQPA; LTWD; FCLWD.
3. State: CDPHE; State Engineers Office.
4. NRF: U.S. Army Corps of Engineers; EPA.

ESF 13 –LAW ENFORCEMENT AND SECURITY

Department with Primary Responsibility – Police Department

ESF 13 provides a mechanism for coordinating and providing Federal support to State and local authorities to include non-investigative/non-criminal law enforcement, public safety, and security capabilities and resources during potential or actual incidents of national significance.

ESF 13 supports the incident management requirements including force and critical infrastructure protection, security planning and technical assistance, technology support, and public safety in both pre-incident and post-incident situations. ESF13 generally is activated in situations requiring extensive assistance to provide public safety and security and where State and local government resources are overwhelmed or are inadequate, or in pre-incident or post-incident situations that require protective solutions or capabilities unique to the Government.

A. Purpose/Scope

1. City of Loveland and NE Region: Includes the protection of life and property by enforcing laws, orders, and regulations including the movement of persons from threatened or hazardous areas. Provides for security, traffic, and access control of an effected area.

B. Lead Agency/Agencies

1. City of Loveland: Police Department.
2. NE Region: Sheriff/Police.
3. State: Dept. of Public Safety.
4. NRF: DHS; Dept. of Justice.

C. Support Agencies

1. City of Loveland and NE Region: Road and Bridge; Public Works; IT; Attorney; Dispatch; CSP; Other Law Enforcement/Security Resources (Schools, CSOC, CU; CNG, Private).
2. State: Corrections; CDPHE; DMVA; Natural Resources; Law; DOLA/CDEM.
3. NRF: Agriculture; Commerce; DOD; Energy; Interior; Justice; Veterans Affairs; EPA; NASA; SSA; USPS.

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ESF 14 – LONG-TERM COMMUNITY RECOVERY AND MITIGATION

Department with Primary Responsibility – City Administration

The policies and concepts in this ESF apply to appropriate departments and external agencies following a disaster that affects the long-term recovery of the community. Based on an assessment of incident impacts, ESF 14 support may vary depending on the magnitude and type of incident and the potential for long-term and severe consequences. ESF 14 will most likely be activated for large-scale or catastrophic incidents that require State and/or Federal assistance to address significant long-term impacts in the affected area (e.g., impacts on housing, businesses and employment, community infrastructure, and social services).

A. Definitions

1. City of Loveland and NE Region: Manages and coordinates efforts for returning a jurisdiction back to normal. Establish outline for mitigation opportunities in the aftermath of an emergency. Includes the tracking and assessment of economic and social impacts of the Incident Action Plan. Ensures that procedures and experts are available to provide preliminary estimates and descriptions. Engineers and damage assessment teams should base estimates of the extent of damage on observations. Assessments provide a basis for determining the need for a county, state, or Presidential disaster declaration.

B. Lead Agency/Agencies

1. City of Loveland: City Manager and City Council
2. NE Region: County Commissioners; County Manager; Community Development; Planning and Development/Emergency Management; Emergency Management; Building Inspection.
3. State: DOLA.
4. NRF: DHS/FEMA.

C. Support Agencies

1. City of Loveland and NE Region: Leadership; Administration; Attorney; Social Services/Human Services; Finance; Budget Officer; City Clerk; Public Works; Engineering; Streets; Risk Management; Housing Authority; Human Resources; IT; Facilities; Fleet Services; Larimer County Health and Environment; Colorado Department of Transportation; Community and Economic Development; Chamber of Commerce; Thompson School District; VOAD; American Red Cross; Salvation Army; United Way 211, CSU Cooperative Extension.
2. State: All State Agencies.
3. NRF: Agriculture; Commerce; DOD; Energy; Health and Human Services; HUD; Interior; Labor; Treasury; US DOT; SBA; EPA; TVA; American Red Cross.

ESF 15 – EXTERNAL AFFAIRS

Department with Primary Responsibility – City Administration

ESF 15 coordinates government actions to provide the required external affairs support to incident management elements. This ESF details the establishment of support positions to coordinate communications to various audiences. ESF 15 applies to all State and local departments and agencies that may require public affairs support or whose public affairs assets may be employed during a disaster. ESF 15 is organized into the following functional components: Public Affairs, Community Relations, Congressional Affairs, International Affairs, State and Local Coordination, and Tribal Affairs.

The provisions of this ESF apply to any response where significant interagency coordination is required. ESF 15 provides the resources and structure for the implementation of the LEOP. Incident communications actions contained in the LEOP are consistent with the template established in the National Incident Management System (NIMS).

A. Purpose/Scope

1. City of Loveland and NE Region: Provides for effective collection, control, and dissemination of public information to inform the general public adequately of emergency conditions and available assistance. Coordinates efforts to minimize rumors and misinformation during an emergency.

B. Lead Agency/Agencies

1. City of Loveland: the City Manager and City Council.
2. NE Region: County Commissioners/County Administrator/Sheriff.
3. State: Governor's Office.
4. NRF: DHS/FEMA.

C. Support Agencies

1. City of Loveland and NE Region: City Manager, Agency PIOs; Police/Sheriff; Fire Rescue Authority; EMS; Assessor; Office of Emergency Management; Legislative Affairs; Community Development; Community Resources; Human Resources; Attorney; Cable Access Television; state-wide television; Community Relations; Social Services; Tri-County Health; CSU Cooperative Extension; UDFCD; Community Reach Center; Animal Shelter/Adoption Center; Dispatch.
2. State: All State Agencies.
3. NRF: All Federal Departments.

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C. APPENDIX: DECLARATION OF LOCAL DISASTER

DECLARATION of LOCAL DISASTER

**CITY OF LOVELAND DECLARATION of LOCAL DISASTER~~EMERGENCY~~
~~OPERATIONS PLAN~~**

WHEREAS, the City of Loveland (“City”) has suffered or is threatened with serious injury and damage constituting a local disaster caused by _____

_____ resulting in _____ ,

which conditions commenced on the _____ day of _____, in the year of 20__; and,

WHEREAS, CRS section 24-32-2109 provides that a local disaster may be declared only by the principle executive officer of a political subdivision, which under City Charter and Code is the Mayor~~City Manager~~; and

WHEREAS, the declaration of a local disaster at this time will aid the City in the response and recovery aspects of the City of Loveland’s emergency plans; and

WHEREAS, local emergencies have / have not been declared by other jurisdictions in the immediate vicinity of the City, including _____ , Colorado; and

WHEREAS, City residents are strongly encouraged to _____
except for emergency purposes where the health or safety of a person is in imminent
peril.

|

NOW, THEREFORE, BE IT DECLARED BY THE ~~MAYOR~~CITY MANAGER
OF THE CITY OF LOVELAND, COLORADO, that a local disaster exists in the City of
Loveland, Colorado.

FURTHER, IT IS HEREBY ORDERED that this declaration be given prompt and
general publicity and that a copy be filed promptly with the Loveland City Clerk and with
the Division of Emergency Management of the Colorado Department of Local Affairs.

FURTHER, this declaration shall be effective for not more than seven (7) days
from the date hereof unless renewed by the ~~Mayor~~City Manager unless extended by
actions of the City Council of the City of Loveland, Colorado.

Dated at LOVELAND, COLORADO, this ____ Day of _____, in
the year of 20____, at __:__ AM/ PM.

Loveland

~~City Manager~~Mayor, City of

D. APPENDIX: REQUEST FOR PROCLAMATION OF DISASTER
REQUEST FOR GOVERNOR'S PROCLAMATION OF DISASTER

Governor _____
 136 State Capitol
 Denver, CO 80203-1792

Dear Governor _____:

The purpose of this letter is to request that you proclaim a state of disaster emergency in the City of Loveland pertaining to _____ commencing on _____, 20____. This event has exceeded our locally available resources in coping with the emergency.

The City of Loveland ("City") has established an Emergency Management Ordinance and Emergency Operations Plan in accordance with Colorado law to address these kinds of emergencies. Among the problems the City is experiencing are the following:

1. Brief Example ~~1.~~
2. Brief Example ~~2.~~
3. Brief Example ~~3.~~

Our emergency operations have stressed the City's resources beyond its limits. Because this emergency event, which I have declared in the enclosed Declaration to be a "local disaster", has exceeded the City's resources, I am requesting, by this letter, assistance from your office and/or the Colorado Division of Emergency management. The City is also requesting that financial resources be available under §24-32-2106, C.R.S. and/or from FEMA funds that may be available to the State for distribution to local governments or from other resources that are available to the State. I look forward to receiving additional information about the actions the City should take to perfect this request and to obtain a favorable determination from the State.

Sincerely,

~~City Manager~~ Mayor, City of Loveland

Enclosures

cc: ~~Mayor and~~ City Council members
City Manager

Emergency Manager

Director, Division of Emergency Management, Colorado Dept. of Local Affairs

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E. APPENDIX: BIBLIOGRAPHY

- 1. U.S. Department of Homeland Security, National Incident Management System, 2004 Washington, D.C.**
- 2. U.S. Department of Homeland Security, National Response Framework, 2008, Washington, D.C.**
- 3. U.S. Department of Homeland Security, “Robert T. Stafford Disaster Relief and Emergency Assistance Act” 25 August 2006, <<http://www.fema.gov/library/stafact.shtm>> (3 January 2007)**
- 4. State of Colorado, State Emergency Operations Plan, 2006, Centennial, CO.**
- 5. Colorado Department of Local Affairs, Disaster Emergency Procedures Handbook for Local Governments, Centennial, CO.**
- 6. City of Fort Collins, Colorado, Emergency Operations Plan 2006, Fort Collins, CO.**
- 7. Municipal Codes of the City of Loveland, Chapter 2.72, Comprehensive Disaster Plan, Section 2.72.010**

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F. APPENDIX: EMERGENCY OPERATIONS PLAN DISTRIBUTION LIST
Emergency Operations Plan
Distribution List

Loveland City Council.....	12
City M anager's Office.....	4
<u>City Clerk's Office.....</u>	<u>1</u>
City of Loveland Department Directors.....	<u>12</u>
Public Works.....	3
Water & Power.....	2
Loveland Communications.....	2
Fire & Rescue Advisory Commission.....	9
Loveland Rural Fire Protection District.....	2
Colorado State DEM Field Office.....	1
Larimer County OEM.....	1
Fort Collins OEM.....	1
City of Loveland OEM.....	3
Loveland Library.....	1
Thompson Valley EMS.....	1
McKee Medical Center.....	1
Medical Center of the Rockies.....	1
Thompson R2J School District.....	1
 TOTAL # OF COPIES.....	 <u>578</u>

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LOCAL EMERGENCY OPERATIONS PLAN

Office of Emergency Management
410 East Fifth Street
Loveland, Colorado 80537
(970) 962-2519

Published 2007
Revised 2012

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CITY OF LOVELAND – LOCAL EMERGENCY OPERATIONS PLAN**LETTER OF PROMULGATION**

This Local Emergency Operations Plan is approved and hereby ordered published, posted, and distributed. All departments and personnel are directed to accept the assigned responsibilities herein and to conduct the organizational planning and training necessary to implement the Local Emergency Operations Plan when and to the extent required.

City Manager

Date

Record of Changes

Changes that are significant in nature shall be reflected and preserved as a stand-alone copy of the master document. Minor changes will be incorporated into this plan during the next scheduled update and specifically listed on the Record of Changes below.

Date Posted	Change(s)	Page / Paragraph / Line	Made by
July 2011	Content and formatting	Multiple – changes tracked	OEM - Mialy
March 2012	Content and formatting	Multiple – changes tracked	OEM - Mialy
April 2012	Added TVEMS	Pg. 40, Section v, 1 st sentence	OEM - Mialy

Table of Contents

I.	PURPOSE	7
II.	AUTHORITY	7
III.	SPECIAL DEFINITIONS	8
IV.	SCOPE	8
V.	SITUATION	8
VI.	PLANNING ASSUMPTIONS	9
VII.	EMERGENCY OPERATIONS PLAN MANAGEMENT	10
VIII.	DELINIATION OF AUTHORITY	12
IX.	CONTINUITY OF GOVERNMENT	14
X.	EMERGENCY MANAGEMENT PHASES	16
XI.	THE EMERGENCY OPERATIONS CENTER	19
XII.	EMERGENCY OPERATIONS	22
XIII.	RESPONSIBILITIES BY DEPARTMENT / DIVISION	23
XIV.	EMERGENCY SUPPORT FUNCTIONS	41
XV.	APPENDICIES	46
A.	GLOSSARY	46
B.	EMERGENCY SUPPORT FUNCTIONS	55
C.	DECLARATION OF LOCAL DISASTER	77
D.	REQUEST FOR PROCLAMATION OF DISASTER	79
E.	BIBLIOGRAPHY	81
F.	LEOP DISTRIBUTION LIST	82

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I. PURPOSE

- A.** The purpose of the Local Emergency Operations Plan (LEOP) is to minimize the loss of life and property caused by a disaster. It is applicable to all elements of the city government and the private sector engaged in, or acting in support of, emergency operations. It prescribes the course of action to be taken by city departments to protect the lives of the population and the management of human and material resources during and after emergencies.
- B.** These tasks will be accomplished through:
 - 1. Identification of the roles, responsibilities and actions required of City departments and other agencies in preparing for and responding to major emergencies and disasters;
 - 2. Ensuring a coordinated local response by government-sponsored agencies through the use of the National Incident Management System (NIMS) in managing emergencies or disasters; to save lives, prevent injuries, protect property and the environment, and to return the affected area to a new state of normalcy as quickly as possible;
 - 3. Providing a framework for coordinating, integrating, and administering this emergency operations plan and other related programs of local government;
 - 4. Providing for the integration and coordination of volunteer agencies and private organizations involved in emergency response and relief efforts.

II. LEGAL AUTHORITY

A. Local

- 1. Code of the City of Loveland, Chapter 2.72, Comprehensive Disaster Plan, Section 2.72.010
- 2. Title 24, Article 32, Part 2109 et. seq., Colorado Revised Statutes, as amended; entitled the Colorado Disaster Emergency Act of 1992

B. State

- 1. Title 24, Article 32, Part 2101 et. seq., Colorado Revised Statutes, as amended; entitled the Colorado Disaster Emergency Act of 1992
- 2. Title 25, Article 11, Part 101 et. seq., Colorado Revised Statutes; entitled the Radiation Control Act

3. Article IV, Constitution of the State of Colorado; entitled the Executive Department

C. Federal

1. The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. §§ 5121-5206)
2. The National Response Framework, 2008

III. SPECIAL DEFINITIONS

- A. Most definitions of terms, abbreviations, and acronyms used in emergency management are found in the Glossary section of this document.

IV. SCOPE

- A. The 2011 version of this plan replaces the Local Emergency Operations Plan dated 2007.
- B. The LEOP details the specific incident management roles and responsibilities of city departments and external agencies involved in emergency management.
- C. The Local Emergency Operations Plan (LEOP, or “the Plan”) utilizes an all-hazards emergency management approach that addresses a full range of complex and constantly changing requirements in anticipation of, or in response to, threats or acts of major disasters (natural or technological), terrorism, and other emergencies.
- D. The LEOP was developed to provide a seamless link between local-to-local and local-to-County/State/Federal operations by following the principles outlined in the National Response Framework.

V. SITUATION

A. Vulnerability and Hazard Analysis

1. Larimer County has experienced and continues to be vulnerable to a multitude of natural and man-made hazards such as floods, wildfires, winter storms, and hazardous material incidents.

2. There is a probability of the occurrence of major events striking simultaneously or within a close time frame where the occurrence of one event will trigger one or more secondary events.
3. For in-depth information on the identified local hazards refer to the Northern Colorado Regional Hazard Mitigation Plan 2009, currently located at: <http://larimer.org/bcc/100518/2009HazardMitigationPlan.htm>

VI. PLANNING ASSUMPTIONS

- A.** The format of this Local Emergency Operations Plan aligns itself with the National Response Framework by incorporating the National Incident Management System and employing a functional approach to managing emergencies.
- B.** The functional approach to managing emergencies is utilizing Emergency Support Functions (ESFs); a grouping of the most frequently used supporting actions and agencies. ESFs are assigned to a lead city department and to other agencies in supporting roles. The ESFs are attached to this document as appendix B.
- C.** All levels of government share the responsibility for working together in the prevention of, preparing for, responding to, and recovering from the effects of an emergency or disaster event. There are several assumptions made with regard to the expectations of emergency response and service delivery during a local emergency or disaster. These assumptions include the following:
 1. The NIMS-based Incident Command System will be the principle management system to direct and control response, relief actions and recovery activities. City departments will ensure that all personnel concerned are properly trained, NIMS compliant, are familiar with existing plans and procedures, and are capable of implementing these in a timely manner.
 2. City government will continue to function under all disaster and emergency conditions to the extent possible and based on the situation.
 - a. The Continuity of Operations Plan (COOP) must be developed in accordance with this Plan and the NRF and shall be updated at least annually.

- D.** The City will modify normal operations and will redirect resources in order to save lives, relieve human suffering, sustain survivors, protect property, and assist in reestablishing essential services. Life-saving and life-protecting response activities have precedence over other emergency response activities, except when national security implications are determined to be of a higher priority.
- E.** Assistance will be available from neighboring jurisdictions, through mutual-aid agreements, intergovernmental agreements, and other formal agreements. Likewise, the City of Loveland will be available to assist neighboring jurisdictions, as requested, through mutual aid, automatic aid and other formal agreements.
- F.** With the increased possibility of terrorism and employment of weapons of mass destruction, biological and technological emergencies must be approached as a potential act of terrorism.
- G.** The Mayor may request the Governor of Colorado to declare a disaster or state of emergency when the local response to an event is beyond the combined response capabilities of the City of Loveland and external mutual-aid agencies. Once the Governor authorizes the allocation of resource requests made to the State, local jurisdictions should plan appropriately for the arrival of state response assets approximately 72 hours after the original request.
- H.** The City of Loveland will keep the Larimer County Emergency Management Office informed of activities and provide copies of assistance documentation. The Larimer County Emergency Management Office will, in turn, coordinate with the State of Colorado Department of Emergency Management.
- I.** If the Governor of Colorado determines that an emergency exists where the primary responsibility for response rests with the State of Colorado, the Governor may unilaterally direct the provision of assistance and will, if practicable, consult with the local jurisdiction.

VII. EMERGENCY OPERATIONS PLAN MANAGEMENT

A. General

- 1. This Plan is the primary and general plan for managing incidents and it details the coordinating structures, processes, authorities, and protocols used during emergencies.
- 2. Supplemental plans, such as the COOP and department-level operational plans, provide technical guidance for managing specific situations.

B. Plan Development and Maintenance

1. All plans, appendixes, implementing procedures, and resource inventories shall be based on identified potential hazards to which the local area is subject, along with the support needed to assist local government before, during, and after any emergency or disaster incident. Plans, appendixes, and procedures will detail who (by title or functional assignment), what, when, where, and how emergency tasks and responsibilities will be conducted.
2. This Plan and its appendixes, and the COOP shall be maintained and kept current by all parties on the following schedule:
 - a. Review and update the Loveland Emergency Operations Plan and appendixes every three (3) years.
 - b. The COOP document shall be revised annually.
 - c. Associated resource inventories, database lists, and department internal plans and checklists will be updated at least annually.
 - d. Notification and recall lists shall be revised at least every six (6) months.
3. All changes, revisions, and/or updates to COOPs, the LEOP and its appendixes shall be forwarded to Office of Emergency Management (OEM) for review, publication, posting, and distribution to all holders of the Plan.

C. Local Emergency Operations Plan Implementation

1. The LEOP has the force and effect of law adopted by the Loveland City Council in the Loveland Municipal Code Section 2.72.010 as the comprehensive disaster plan. The Plan implementation and the subsequent supporting actions taken by local government will be specific to the emergency or disaster situation.
2. The Plan implementation is influenced by the timely acquisition and assessment of reliable information gathered from the affected area(s). This Plan is in effect for all phases of emergency management when a major emergency or disaster occurs or is imminent.

VIII. DELINEATION OF AUTHORITY

A. Local Government

1. Direction and control during, and following an emergency or disaster rests with the elected leadership of the legally recognized jurisdiction. This authority continues throughout all stages of emergency operations or until conditions warrant a change in such authority. As defined within the Colorado Disaster Emergency Act of 1992, the Mayor holds this authority.

B. City Departments

1. All City departments are mandated under the authority of the Colorado Disaster Emergency Act of 1992 and this City of Loveland Local Emergency Operations Plan to carry out assigned activities related to mitigating the effects of an emergency or disaster and to cooperate with each other, the Larimer County Emergency Management Office, the Colorado Division of Emergency Management, and other political subdivisions in the provision of emergency assistance.
2. City departments, within their given authorities, are responsible for their assigned roles as delineated within the LEOP and the Emergency Support Functions (ESFs). The ESFs represent the types of assistance activities that local government may provide and/or require regardless of the nature of the disaster or emergency.
3. Each department shall implement the actions defined by the COOP when unusual or extraordinary circumstances preclude the normal operations and/or the provision of critical services.
4. City departments will retain administrative control of their own personnel and equipment when tasked to support the Emergency Operations Center (EOC) or other jurisdictions, unless directed otherwise by the City Manager or his/her designee.
5. City departments will maintain detailed logs of actions taken while implementing the COOP, while staffing the EOC, or during operations supporting the Incident Action Plan. Personnel and equipment, and other costs for expenditure reporting and reimbursement documentation shall also be maintained by each city department.
6. All City departments will monitor and coordinate with the EOC during all phases of emergency management.

7. City departments will provide the Office of Emergency Management (OEM) with information regarding potential or impending incidents or disasters.
8. Each City department shall develop and maintain their section of the Continuity of Operations Plan (COOP) that is congruent with this Emergency Operations Plan and the National Response Framework.

C. Field-Level Management

1. The on-scene Incident Commander or Area Command is responsible for the command and control of specific activities at the incident site; however, the local government is generally responsible for the coordination and control of administrative and overhead functions. When activated, the EOC directly supports the needs of the Incident Commander or Area Command to address the needs of the incident.

D. State Government

1. The elected officials of the State have responsibility for reducing the vulnerability of people and property to the effects of emergencies and disasters, and ensuring that local governmental agencies are capable of efficient and responsive mobilization of resources and can expedite recovery efforts during an emergency or disaster. These efforts are accomplished through the funding of mitigation and risk-reduction projects and their direct support to local governments during large-scale events.

E. Federal Government

1. The Department of Homeland Security has the overall responsibility for the coordination of Federal emergency / disaster relief programs and for supporting local and State government capabilities with additional resources from other states.

F. Volunteer and Private Organizations

1. Several agencies exist within the county and state, which are organized to provide assistance during a disaster or emergency to meet essential human needs. The organizations identified for serving critical roles in disasters have agreed to hold Memorandums of Understanding / Agreements with the City of Loveland and are assigned to a supporting role within specific Emergency Support Functions.

IX. CONTINUITY OF GOVERNMENT

A. General

1. The activities necessary to maintain continuity of government are addressed and detailed within the Continuity of Operations Plan (COOP). The COOP serves a critical role in the overall success of response and recovery efforts and therefore is implemented in any event that affects city-owned property and/or city employees.
2. Effective emergency operations are inseparable from the concept of Continuity of Operations. The COOP identifies several important factors for assuring continuity of government:
 - a. Well defined and understood lines of succession for officials, department directors, and supervisors.
 - b. Preservation of vital records and critical facilities which are essential to the functions of government and for the protection of rights and interests of the City of Loveland and its citizens.
 - c. Setting action priorities for sustained provision of critical services to the community, such as utilities and public safety.

B. Administrative Line of Succession

1. City Employees are responsible for following line of succession rules as adopted by City Charter or Resolution.
2. To insure the continuity of local government during the management of a major emergency, the line of succession for the City Manager shall be:
 - a. The City Manager
 - b. The Acting / Assistant City Manager
 - c. The Fire Chief
 - d. The Chief of Police
3. Each member of the City Management Team (M-Team) is responsible for establishing his or her own specific line of succession.

C. Provision of Critical and Essential Services

1. The provision of critical and essential services and the means to restore these services is defined and detailed within the COOP.

2. Should critical infrastructure be struck by a disaster and rendered unusable, services normally provided by the City of Loveland that are life-saving/preserving and critical to sustain the economy shall be maintained or restored as soon as feasible.

D. City Administration

1. During an emergency or disaster, local government shall determine which normal administrative procedures shall be suspended, relaxed or made optional in order to prevent unnecessary impediments of emergency operations and recovery activities. Any departure from the usual methods of doing business will be specified in the COOP and supporting policies or procedures.

E. Finance

1. Financial support for emergency operations shall be from funds regularly appropriated to City departments. If the demands exceed available funds, the City Council may make emergency funds available. Additionally, the Mayor has the authority to request assistance under a State Declaration of Disaster / Emergency to receive additional funds for the reimbursement of extraordinary expenditures incurred during the management of a significant event.
2. City departments designated as a lead agency for an Emergency Support Function (ESF) will be responsible for providing financial support for their operations by working with the Finance Section and through the EOC.
3. Each City of Loveland department is responsible for maintaining appropriate documentation to support requests for reimbursement, for submitting bills in a timely fashion, and for closing out assignments by working with the Admin & Documentation Section of the EOC.
4. City of Loveland departments or working groups are responsible for documenting all emergency or disaster related expenditures using generally accepted accounting procedures including: logs, records, receipts, invoices, purchase orders, rental agreements, etc. These documents are necessary to support claims, purchases, reimbursements and disbursements

F. Mutual Aid and Inter-Governmental Agreements

1. According to C.R.S. 24-32-2113, as amended; it is the responsibility of local government to ensure that local emergency operations plans contain adequate provisions for the rendering and the receipt of mutual aid.

2. Additional emergency or long-term assistance may be rendered through Mutual Aid Agreements for obtaining needed resources from non-impacted, inter/intra-jurisdictional governmental agencies and other organizations.
3. Where appropriate, Inter-Governmental Agreements shall be established with stakeholders in order to facilitate a rapid and seamless system of support and collaboration during an emergency.

E. Compacts

1. Colorado is a member of the Emergency Management Assistance Compact (EMAC). Any Member State may request EMAC assistance when the Governor of the affected state has declared a state of emergency. When Colorado suffers or expects to suffer a major disaster and needs assistance from other states, the Authorized Representative for each state will initiate the EMAC procedures for requesting assistance. Reference: Title 24, Article 60, Part 29 Colorado Revised Statutes, as amended.

F. Training

1. Emergency Operations training of local staff will be conducted on a continuing basis. In-house sessions, exercises, actual operations, or sponsored classes are sources for accomplishing this training.
2. During increased readiness conditions, accelerated/refresher training for emergency operations staff and emergency response coordinators may be conducted.

X. EMERGENCY MANAGEMENT PHASES

- A. Emergency and disaster management activities are associated with five (5) defined phases: Preparedness and Prevention, Response, Recovery, and Mitigation. These phases are naturally occurring divisions in the emergency where the demands for resources change and the operational strategies shift.

1. Preparedness and Prevention Phases

- a. Each department director or designee shall be prepared to provide a representative for the EOC during activations. The representative shall be empowered to make decisions and expend resources in support of the emergency incident. They will report all actions taken by their department in the form of a situation and status report to the Planning Section of the EOC. The department representative should have lists of pertinent names and 24-hour contact phone numbers.

- b. Each City department will have immediate access to the Continuity of Operations Plan (COOP), internal Standard Operating Procedures (SOPs), and checklists that prescribe in detail how their department will implement its assigned responsibilities and maintain critical and essential services during emergencies. These plans will include notification processes of key personnel, setting up staffing plans for multiple work periods, and their department / division sections of the COOP.
- c. All departments will maintain a current resource database of all departmental equipment, specialty personnel, and materials available to perform assigned functions.
- d. The OEM will coordinate with partner jurisdictions and Larimer County to revise the local Hazard Mitigation Plan a minimum of every five (5) years or when the local hazards have significantly changed.

2. Response Phase

- a. Upon a 911 emergency notification or by official request, the designated departments, local resources, and personnel shall be prepared to support all response capabilities to stabilize the emergency incident.
- b. All City departments shall implement departmental emergency plans, and activities defined within the COOP as appropriate or as requested.
- c. To protect the lives of employees, vendors, and citizens, all City departments shall participate in alerting city personnel of an emergency situation and mobilize resources as requested.
- d. Upon request of the Policy Group or the EOC, designated City departments shall provide a department representative either in person or virtually to coordinate efforts with the EOC.
- e. City departments shall coordinate response activities with the EOC.
- f. City departments shall coordinate the release of emergency public information through the PIO Group or through the Joint Public Information Center, if one is activated.
- g. Through the staffing of a Rapid Needs Assessment Team or a Damage Assessment Team, designated City departments will provide personnel for assessing and reporting local emergent needs of the community and to determine the damages to City of Loveland facility or property under departmental jurisdiction.

- h. City departments shall record and report to the EOC Finance Section Chief all costs that are incurred in carrying out emergency or support operations.
- i. The M-Team acting as the Policy Group will coordinate plans and procedures with participating State, local, private, and volunteer agencies. Additionally, they will facilitate working agreements with these agencies in order to promote effective and efficient emergency response and relief efforts.

3. **Recovery Phase**

- a. The designated departments shall assure that upon notification or official request local resources and personnel are prepared to address the following recovery activities:
 - i. Restoration of critical services (electric and gas services, water, sewer, telephone);
 - ii. Repair and replacement of disaster damaged public facilities (roads, bridges, schools, hospitals);
 - iii. Debris cleanup and removal;
 - iv. Temporary housing and other assistance for disaster victims;
 - v. The provision of Individual Assistance Programs for individuals and businesses to help with long-term rebuilding and mitigation measures;
 - vi. Crisis counseling and mental health;
 - vii. Planning and programs for long-term economic stabilization, community recovery, and mitigation.
- b. Upon request, designated departments shall provide personnel, equipment and other resources to support initial relief operations.

4. **Mitigation Phase**

- a. Examples of key mitigation activities include the following:
 - i. Ongoing public education and outreach activities designed to reduce loss of life and destruction of property;
 - ii. Structural retrofitting to deter or lessen the impact of incidents and reduce loss of life, destruction of property, and impact on the environment;
 - iii. Code enforcement through such activities as zoning regulation, land management, and building codes;
 - iv. Flood insurance and the buy-out of properties subjected to frequent flooding, etc.

XI. THE EMERGENCY OPERATIONS CENTER

A. General

1. The Emergency Operations Center (EOC) is a physical location through which the Office of Emergency Management can coordinate the support efforts in disaster situations. It provides a location for the assembly and analysis of critical information, for the coordination and support of the response and recovery activities of local government, and to ensure interagency cooperation and communication. The EOC is not the Incident Command Post, which is always located in the field.
2. The EOC is activated and staffed based upon the severity of an emergency or planned event and according to the anticipated or actual level of involvement by City employees and supporting agencies. In a major event, the EOC coordinates with the Larimer County EOC for the collaboration of mutually-beneficial efforts.
3. Each City department has or may have the legal responsibility and authority to respond to or to take command of an unforeseen event or emergency that could result in a loss of life, property, or have an environmental impact to those people residing in or traveling through the City of Loveland and its borders.

B. Structure and Functional Organization

1. The Incident Command System and the organization of the EOC must closely integrate in order to adequately address the issues facing the community during emergencies. The criteria for EOC activation, its organizational structure and issues of authority are delineated in this document but are determined by the City manager or the Policy Group, if one is established.
2. The EOC is organized to provide for basic incident management functions. These functions can be combined into the best appropriate form and function based upon the staffing requirements and the needs of the incident and will be determined by the needs of the incident.
3. The operations organizational structure is designed to be flexible, easily expanded, and proactive to meet the needs of local government. The emergency organization is set up by functional elements to provide for a uniform linkage between the county, State, and Federal systems.

4. The organization of the EOC in relationship to the Incident Command Structure facilitates the coordination of the political decisions made by the City Council and the procedural decisions made by the Policy Group with the needs of the incident as managed by the Incident Commander / Area Command and is illustrated by Figure 1.

C. Emergency Activation

1. The City of Loveland shall establish a set of procedures to be implemented within the initial hour of large planned events or emergencies that require coordination between multiple City departments.
2. The major functions of an emergency activation plan include: determining the emergency activation level for the event, defining the organization of working groups, establishing the roles and responsibilities of those working groups and specific individuals, defining initial notification and communication requirements, and facilitating employee integration into the Incident Command System.

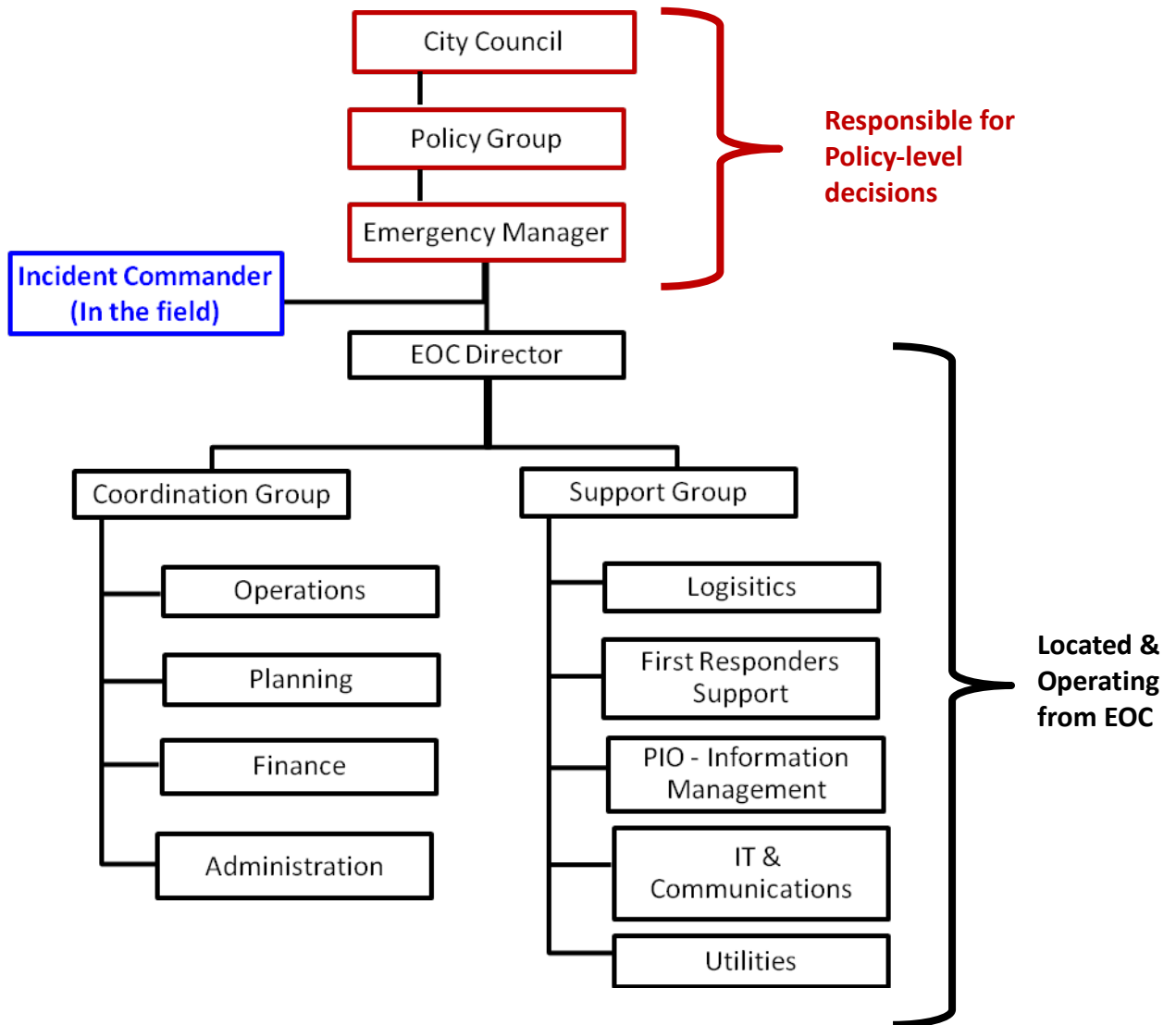


Figure 1: Emergency Management Organizational Structure

XII. EMERGENCY OPERATIONS

A. General

1. The Emergency Operations Center (EOC) organization is established through a series of situational evaluations made by the Mayor, the Policy Group, and the Emergency Manager. There are two evaluation tools utilized for this purpose. These evaluation tools are the *Emergency Preparedness Levels* and the *Modes of Activation*.

B. The Emergency Preparedness Levels

1. An Emergency Preparedness Level is issued to indicate what level of readiness the City of Loveland is to adequately prepare for an impending threat or hazard. The EOC will be activated in a mode that corresponds to the specific preparedness threat level.

2. The Emergency Preparedness levels clearly indicate whether the threat is:

Elevated - if no specific time or location information is available

Or

Imminent - if the threat is impending

C. The EOC Modes of Activation

1. EOC Modes of Activation reflect the level at which the City of Loveland is prepared to respond to an emergency. The Standby Mode is the lowest level of EOC activation; whereas, Full Activation is the highest level.

2. STANDBY MODE:

- a. This mode provides key officials with planning opportunities in advance of an event and requires no physical activation of the EOC and is usually prompted by weather related or in anticipation of scheduled events.

3. PARTIAL ACTIVATION MODE:

- a. This mode requires *limited activation* of the EOC when an event has the potential to create operational deficiencies and requires additional input from local officials to develop an Incident Action Plan (IAP). Limited activation of the EOC will consist of staffing only the minimum necessary EOC positions and workstations.

- b. Demobilizing and resupplying procedures may be conducted while the EOC is in a partial activation. Demobilizing and resupplying procedures are implemented to release all resources from other agencies and the incident command is returned to the appropriate City of Loveland official.

4. **FULL ACTIVATION MODE:**

- a. This mode requires full activation of the EOC where all work stations are operational and appropriate department representatives are working in the EOC. In this mode, the incident has or may exceed the capabilities and resources of the local and mutual aid responders.
- b. The Communications Emergency Operations Center (CEOC) located in Police Dispatch may be activated to support the increasing volume of 911 phone calls and radio traffic.
- c. Demobilizing and resupplying procedures may be conducted while the EOC is in a full activation. Demobilizing and resupplying procedures are implemented to release all resources from other agencies and the incident command is returned to the appropriate City of Loveland official.

XIII. RESPONSIBILITIES BY DEPARTMENT / DIVISION

- A.** This Emergency Operations Plan can be effectively implemented and managed appropriately when the appointed personnel are familiar with their unique roles and responsibilities during Emergency situations, as outlined:
- B.** The **Mayor** shall:
 - 1. Act as liaison between the Policy Group and the City Council.
 - 2. Support the City Manager in notifying and informing the City Council of the emergency situation.
 - 3. When local resources are inadequate to cope with the emergency, proclaim the existence of a local emergency and forwarding this request to the Governor for a proclamation of a "state of disaster emergency". In the event a local emergency is proclaimed, the Mayor will facilitate:
 - a. The issuing rules and regulations on matters related to the protection of life, health, safety and property.

- b. Authorizing the acquisition of vital supplies and equipment; and, if required immediately, commandeering the same for public use.
- c. Requiring the formation of an emergency labor force of city employees and commandeering the aid of as many citizens of the City of Loveland as deemed necessary.

C. The City Council Members shall:

- 1. Report to (or establish direct communications with) the City Council Chambers at 500 E. Third Street to obtain briefings from the City Manager, the Mayor, or other designee.
- 2. Coordinate with the PIO Group to provide media updates and for holding citizen and business briefings.
- 3. Support the effort for emergency acquisitions; approving emergency declarations, and approving emergency expenditures, as needed.

D. The Executive Department shall:

1. City Manager:

- a. In the event of an emergency or disaster, implement the Local Emergency Operations Plan and/or the COOP.
- b. Facilitate the response of the Policy Group to meet at the Fire Battalion Chief's Training Room located on the second floor inside Fire Station One.
- c. Serve on the Policy Group and act as the liaison between the Policy Group and the City Council.
- d. Determine the frequency of Policy Group briefing session(s) and the members that should attend the briefing sessions.
- e. The City Manager's office staff shall support the City Manager as needed.

2. The Assistant City Manager shall:

- a. Serve as the Administration Section Chief and as the liaison between the City Manager and all City Departments.

- b. Coordinate the activation of the Continuity of Operations Plan to ensure the continued provision of critical and essential services.

3. **Economic Development** shall:

- a. Coordinate with the Policy Group for the development of long-term economic recovery planning.
- b. Provide personnel for an emergency workforce, as requested.

E. The Management Team shall:

1. Serve as the Policy Group and report to the Fire Battalion Chief's Training Room located on the second floor inside Fire Station One. The members of the M-Team / Policy group **may** include:
 - a. The City Manager
 - b. The Assistant City Manager
 - c. The City Attorney
 - d. The Public Works Director
 - e. The Director of Community Services
 - f. The Fire Chief
 - g. The Chief of Police
 - h. The Emergency Manager
 - i. The Human Resources Director
 - j. The Director of Water and Power
 - k. The Budget Officer
 - l. Subject Matter Experts, based on the type of incident
2. Designate the department that has primary incident management responsibility at the EOC.
3. Provide staff members to the EOC to coordinate operations and tasks associated with managing the emergency.
4. Evaluate the emergency in terms of the need for a proclamation of "local emergency" or a "state of disaster emergency" pursuant to State law. See Appendix D for an example disaster declaration.
5. Establish or modify policies concerning the expenditure and allocation of funds as well as a resource priority assignment and allocation policy.
6. In coordination with the Assistant City Manager, implement the COOP in their respective departments for the provision of critical and essential services and assure continuity of government.

7. Coordinate with the EOC to implement mutual aid agreements with other government and private agencies.

F. The **Emergency Manager shall:**

1. Serve as the liaison between the Policy Group and the EOC.
2. Recommend to the Mayor and/or the City Manager the activation level of the EOC and the phase of operation within the EOC.
3. At the direction of the City Manager, implement the Local Emergency Operations Plan.
4. Notify appropriate officials and agencies of the emergency situation and the applicable phase of operation.
5. Advise the Policy Group and other officials on the current status of the overall emergency operations and current conditions.
6. Assign an EOC Director to assist in the execution of operational duties and the management of staff in the EOC.
7. Provide the Policy Group with technical information regarding emergency management.
8. Direct the development of an Incident Action Plan based upon an analysis of the situation status and anticipated probabilities.
9. EOC – Incident Command / Operations Coordination Section
 - a. This individual or group is primary responsible for coordinating all operations directly applicable to the primary mission and for supporting operations required to mitigate the emergency.
 - b. Objectives:
 - i. Maintain a current awareness of situation
 - ii. Predict current and future resource needs
 - iii. Assist in the coordination of multi-jurisdictional response
 - iv. Appoint and brief coordination staff as needed
 - v. Develop an Incident Action Plan
 - vi. Keep in direct communications with the Incident Commander/Area Command

10. EOC - Planning Section

- a. The primary responsibility is to collect, evaluate, display, and disseminate information.
- b. Objectives:
 - i. Create and maintain a Situational Status report
 - ii. Collaborate with the Logistics Section to create and maintain a Resource Status report.
 - iii. Collect damage assessment information
 - iv. Display situation/operational information using maps and other visual aids in the EOC
 - v. Control and distribute EOC communications documents
 - vi. Provide support to other groups
 - vii. Ensure accurate recording and documentation of the incident, including time and materials
 - viii. Assist in preparation of After Action Report
 - ix. Assist in preparation of Recovery Plan
 - x. Produce required documentation for state and FEMA filing requirements
- c. Unit Activation: The following units may be activated under PLANNING as the need arises:
 - i. Message coordinator
 - ii. Rapid needs assessment
 - iii. Damage assessment
 - iv. Situation status
 - v. Resource status
 - vi. Recovery planning
 - vii. Demobilization
 - viii. Documentation

11. EOC - Logistics Section:

- a. The primary responsibility is to acquire, transport, and mobilize the necessary resources to support the response efforts at the emergency sites, public shelters, EOCs, and other locations as needed.
- b. Objectives:
 - i. Obtain facilities, equipment, supplies, services, and other resources as needed.
 - ii. Determine support and supplemental needs.

- iii. Determine logistical support needs for immediate and long-term operations.
- iv. Document actions taken and items procured for future use by State and FEMA.
- c. Unit Activation: The following units may be activated under LOGISTICS as the need arises.
 - i. Communications Management
 - ii. Personnel
 - iii. Care/ shelter
 - iv. Supply
 - v. Facilities
 - vi. Transportation

12. EOC - Finance Section

- a. The primary responsibility is to maintain the financial systems necessary to keep the City functioning during a disaster/emergency and to assist the Logistics Section in negotiation and administration of vendor and supply contracts and procedures.
- b. Objectives:
 - i. Implement and notify groups and City Departments that the Disaster Accounting System is to be used for emergency
 - ii. Implement a system for financial tracking.
 - iii. Establish procedures and accounting systems to support payment of supplies, vendors, contractors, and other expenses.
 - iv. Upon disaster declaration by the state and/or federal government, finance group will initiate recovery process for costs incurred.
 - v. Coordinate with other groups and departments in the collection and documentation of costs incurred by emergency.
 - vi. Coordinate with the emergency/disaster assistance agencies for the required documentation, audits, and other necessary work in order to recover costs.
- c. Unit Activation: The following units may be activated under the Finance Section as the need arises.
 - i. Claims
 - ii. Time
 - iii. Cost

G. Community & Business Relations Department shall:

1. Coordinate with the PIO Group to manage information to local businesses and other local stakeholders.

H. The Legal Department shall:

1. Provide a representative to act in the role of Legal Officer for the Policy Group to provide advice concerning legal responsibilities relating to emergency readiness, response, and recovery; and, advising the EOC staff concerning legal matters.
2. Draft documents such as agreements, declarations, orders, ordinances, and resolutions that may be necessary to address emergency operations.
3. Provide the City of Loveland organization with legal opinions regarding assistance to victims, special districts, or organizations impacted by a disaster.
4. Resolve questions of authority and responsibility that may arise.

I. The Police Department shall:

1. Assist in warning the public regarding the nature of the emergency.
2. If the Police Department has incident primary control responsibility: designate an employee as IC / Ops Coordination Section and a Plans Section Chief to be located in the Emergency Operations Center (EOC).
3. Activate and provide staff for a Police workstation in the EOC.
4. Maintain coordinated communications with the Larimer County EOC, as needed.
5. Establish and/or coordinate with an Incident Command Post for law enforcement-related activities.
6. Coordinate with the PIO Group to provide ongoing information to the media and the community.
7. Control access and verify authorized entry to the EOC, Policy Group meeting room, and the Council Chambers.
8. Establish Emergency Support Function #13, as needed.

J. The Loveland Fire Rescue Authority shall:

1. Assist in warning the public regarding the nature of the emergency.
2. Establish and/or coordinate with an Incident Command Post / Area Command and maintain continuous communications with the EOC.
3. If the Fire Rescue Authority has incident primary control responsibility: designate an employee as IC / Ops Coordination Section and a Planning Section Chief to be located in the Emergency Operations Center (EOC).
4. Maintain coordinated communications with the Larimer County EOC, as needed.
5. Activate and staff the Fire Rescue workstation in the EOC.
6. The **Public Safety Administration Director** shall:
 - a. Serve as the Finance Section Chief to coordinate efforts between the City Finance Department, other City Departments, and with external service providers.

K. Water & Power Department shall:

1. If the Water or Power Department has the incident primary control responsibilities: designate an employee as IC / Ops Coordination Section and a Plans Section Chief to be located in the Emergency Operations Center (EOC) and designating a Branch Director in charge of Water / Power field operations.
2. Establish and/or coordinate with an Incident Command Post at the incident site(s) and maintain continuous communications with Water / Power counterparts in the field.
3. Establish Emergency Support Function #12, as needed.
 - a. **Water Utilities Divisions** shall:
 - i. Expedite emergency shutdown, repair, and restoration of the water distribution system.
 - ii. Provide for and assess the quality of an emergency source of potable and non-potable water for essential city activities.
 - iii. Coordinate with the PIO Group for the development and release of public information.
 - iv. Notify the Fire Rescue Authority of the status of the fire hydrant grid system.

b. Wastewater Division shall:

- i. Expedite emergency shutdown, repair, and restoration of the water treatment and distribution systems.
- ii. Expedite emergency repair, bypass operations, and restoration of the wastewater treatment and collection systems.
- iii. Expedite emergency shutdown, repair, and restoration of raw water conveyance and storage systems.

c. Power Operations Division shall:

- i. Assess the extent of damage, rerouting power, restoring, and repairing power facilities in accordance with pre-established priorities.
- ii. Provide technical assistance, personnel, and equipment to the Incident Commander in the field.
- iii. De-energize circuits in the vicinity of an incident, as requested.
- iv. Report field status updates to the SCADA control center as well as the Power representative at the EOC.
- v. Restore service to areas that are identified by the Power representative at the EOC as a priority.
- vi. Coordinate with Platte River Power Authority regarding the operations of the transmission and generation systems that may be affected.

d. Utility Finance Division shall:

- i. Assign the Utilities Accounting Manager or designee to serve in support of the Finance Section Chief, either in person at the EOC or virtually.
- ii. Inform the Policy Group regarding the financial impact of an emergency.
- iii. Prepare in advance, emergency purchase orders that can be utilized during a crisis period.
- iv. Purchase or facilitate the purchase of materials or equipment vital to coping with emergency conditions.
- v. Coordinate with the Finance Section for the development of cost-based contracts for heavy equipment rental agreements or other services.
- vi. Maintain vital records necessary to support or perpetuate the continuity of city government during an emergency.
- vii. Collect, correlate, and record actual expenses incurred and disseminating information to the Finance Section.
- viii. Assist in obtaining and disbursing funds necessary to recover from an emergency.

e. **Customer Relations Division** shall:

- i. Notify Key Account customers of emergency situation and providing them with situational updates, repair status and restoration estimates.
- ii. Maintain constant contact with the EOC, Water and Power Command Center, SCADA personnel, Water Operations and Power Operations crews for the collection and sharing of information on system damage and outages that affect Key Accounts.
- iii. Coordinate with the PIO Group for the development and release of public information.

L. The **Public Works Department** shall:

- 1. If Public Works has primary control responsibility: designate an IC / Ops Coordination Section and a Plans Section Chief in the Emergency Operations Center (EOC) and designate a Branch Director in charge of Public Works field operations.
- 2. Establish Emergency Support Function #3, as needed.
- 3. Providing logistical support for Field Operations during the course of an emergency.
- 4. Activate and staff the Public Works workstation in the EOC.

a. **Vehicle Maintenance Division** shall:

- i. Ensure that equipment and vehicles are maintained, and providing 24-hour service for parts and maintenance.
- ii. Anticipate emergency needs for equipment replacement parts and stock an appropriate inventory.
- iii. Implement an emergency fueling plan to address prioritization of fueling, power outages, and acquisition of fuel supplies for the duration of the emergency.
- iv. Develop an alternative location of the City of Loveland vehicle maintenance shop.
- v. Develop and maintain a current list of suppliers, vendors, heavy equipment and operators, wreckers for large debris removal, and other sources for specialty services.
- vi. Maintain a liaison with the Thompson School District for the use of vans, buses, and other vehicles.
- vii. Communicate status updates with the Planning Section and the Logistics Section workstation in the EOC.

b. Facilities Management Division shall:

- i. Report status of City-owned or operated facilities to the Planning Section in the EOC.
- ii. Provide emergency and/or temporary building repairs.
- iii. Manage emergency power generators and monitor fuel usage at city buildings.
- iv. Facilitate the relocation of workspaces for critical and essential City services.
- v. Facilitate modifications to convert the Chilson and/or Senior Centers into an Employee Dependent Care Center.
- vi. Provide employees to serve on the “Rapid Needs Assessment Team” and/or the “Damage Assessment Team”.

c. Streets, Solid Waste Division shall:

- i. Maintain and repair streets to ensure minimal traffic disruption in the impacted area.
- ii. Provide emergency traffic control devices, including specialized signs where needed.
- iii. Provide heavy equipment for the removal of debris to facilitate emergency rescue operations and movement of emergency vehicles and supplies.
- iv. Provide the Plans Section Chief in the EOC with damage assessment information regarding transportation systems (i.e., roads and bridges).
- v. In coordination with Vehicle Maintenance, provide the Logistics Section Chief with a list of the locations of heavy equipment (bulldozers, graders, etc.) and operators available during an emergency.
- vi. Collaborate with Finance Section relative to entering into cost-based agreements.
- vii. Manage the snow-removal plan and coordinate efforts through the EOC for emergency snow-removal needs.
- viii. Provide the EOC Planning Section on weather and road status updates.
- ix. Provide solid waste collection and removal service at city-designated care and emergency shelter facilities.
- x. Provide equipment and personnel to remove debris, clean drainage, and assist in drainage control in the case of hazardous material release, flooding, or other emergency.
- xi. Recommend alternative routes and actions to handle flooding and other storm drainage problems.

d. **Engineering, Transportation Development Divisions** shall:

- i. Maintain current maps of street locations and city limits in the EOC for use during an emergency.
- ii. Provide employees to serve on the “Rapid Needs Assessment Team” and/or the “Damage Assessment Team” to report on damages to critical infrastructure and to facilities in the public right-of-way, including roadways and bridges.
 - (a). Project potential vulnerabilities of transportation systems due to an emergency and develop plans to address the identified issues.
 - (b). Provide assessment and information regarding damaged traffic signal equipment to field personnel addressing traffic problems.
 - (c). Coordinate with the IC / Ops Coordination Section in the EOC to utilize available traffic control devices to expedite traffic flow on a disaster priority basis.
- iii. Establish Emergency Support Function #1, as needed.
- iv. Provide technical assistance and information for drainage information as it relates to incident mitigation.
- v. Provide for the coordination and repair of water, wastewater, and storm drain conveyance systems.

e. **Transit Division** shall:

- i. Provide personnel for an emergency workforce, as requested.

M. The Finance Department shall:

1. **The Finance Director**

- a. Coordinate with the Finance Section Chief in the EOC to manage all financial aspects of the emergency.

2. **The Budget Officer**

- a. Serve as a member of the Policy Group.
- b. Inform the Policy Group of the financial impact of an emergency.

3. **Accounting & Purchasing Division** shall:

- a. Prepare in advance, emergency purchase orders for utilization during an emergency.

- b. Purchase or facilitate the purchase of materials or equipment vital to coping with emergency.
- c. Maintain vital records necessary to support or perpetuate the continuity of City government during an emergency.
- d. Collect, correlate, and record, and disseminate information pertaining to actual expenses incurred by the City of Loveland and provide necessary forms to the EOC and City departments / divisions to facilitate the collection of accounting and purchasing-related activities for the duration of the response and recovery of the event
- e. Assist in obtaining and disbursing funds necessary to recover from an emergency event.

3. **The City Clerk's office** shall:

- a. With the assistance of the emergency workforce, function as the Documentation Unit in the Planning Section of the EOC.
- b. Ensure the safe keeping of essential and vital city records.
- c. Collaborate with the Policy Group to assist in the development of documents during an emergency operation.

4. **The Business Division** shall:

- a. Provide personnel for the emergency workforce, as requested.

N. **The Information Technology Division** shall:

- 1. Protect and maintain the City of Loveland's computer systems and critical applications.
- 2. Ensure network and internet access are running and remain stable.
- 3. Maintain file backups of critical and essential information at an off-site storage facility.
- 4. Provide a list of cellular phones assigned to non-critical area City employees for use by emergency personnel. Provide emergency phone needs as requested by the Logistics Section.
- 5. Serve as the coordinator of ESF #2 in the EOC, as needed.

O. The Human Resources Department shall:

1. Implement and manage an emergency workforce of City employees for providing staff to support emergency efforts, such as clerical assistance, staffing the Emergency Call Center, or other duties.
2. Coordinate the scheduling of emergency workforce personnel for multiple operating periods.
3. Assist in just-in-time training, as needed.
4. Receive and address employee family safety and welfare requests related to the emergency.
5. In coordination with the Parks and Recreation Department, activate and manage the operations and staffing of the Chilson and/or Senior Centers as an Employee Dependent Care Center for the dependents of employees called to work during the emergency and/or for the temporary sheltering of employees and their dependents.

6. The **Human Resources Director** shall:

- a. Serve as a member of the Policy Group.

7. **Risk Management** shall:

- a. As requested, report to the Policy Group and advise the Policy Group of methods to mitigate further loss.
- b. Facilitate investigations for insurance claims purposes.
- c. Coordinate with the “Rapid Needs Assessment Team” in assessing damage to City-owned or operated facilities.
- d. Prepare documentation necessary to provide liability and injury coverage for organized citizen volunteers utilized to assist with disaster response and recovery efforts.

P. The Cultural Services Department and the Library shall:

1. Provide personnel for the emergency workforce, as requested.
2. Provide staff for the operation of the Chilson and/or Senior Centers that are converted into an Employee Dependent Care Center.

Q. Development Services Department shall:**1. Building and Planning Divisions**

- a. Provide personnel for the emergency workforce, as requested.
- b. Provide employees to serve on the “Rapid Needs Assessment Team” and/or the “Damage Assessment Team” to compile information for development of damage assessment reports.

2. Community Partnership Office

- a. Serve as Liaison between the EOC and external community partners including: non-governmental agencies, faith-based organizations, volunteer organizations, and service industries.
- b. Provide personnel for the emergency workforce, as requested.

R. The Parks and Recreation Department shall:**1. Administration shall**

- a. Coordinate department activities and collaborate with the EOC to address the needs of the emergency.
- b. Maintain a list of employees and equipment available for field support assignments and report this information to the Logistics Section Chief in the EOC.

2. The Recreation Center / Senior Center shall:

- a. In coordination with the Human Resources Department, activate and operate the Hatfield Chilson Recreation/Senior Center as an evacuation shelter, staging area, or as an Employee Dependent Care Center.
- b. Provide personnel for the emergency workforce, as requested.

3. The Golf Course, Cemetery, and Parks shall:

- a. Assist the Public Works Department with debris management efforts.
- b. Provide personnel for the emergency workforce, as requested.

S. The Municipal Court shall:

1. Provide personnel for the emergency workforce, as requested.

T. The Airport Manager shall:

1. Activate the Airport Emergency Operations Plan.
2. Maintain direct communications and coordinate activities with the Incident Command Post and/or the IC / Ops Coordination Section in the EOC, as appropriate.
3. Prepare the airport to receive aircraft transporting disaster assistance from various state and national relief agencies.
4. Coordinate aerial surveillance activities of the affected incident area and to facilitate the transfer of intelligence to the Planning Section and/or the Law Enforcement Section at the EOC.

U. External Agency Representatives are responsible for:

1. Assisting Policy Group in authorizing and committing agency resources to the incident via physical or virtual presence in the EOC.
2. Ensuring that current situation / resource status is provided by their agencies to the Planning Section.
3. Assisting the IC / Ops Coordination Section in prioritizing multiple incidents.
4. Determining and authorizing resource requirements by agency.
5. Serving as agency representative in the EOC.

V. Medical Services (Thompson Valley Emergency Medical Services with the support of McKee Medical Center and Medical Center of the Rockies) is responsible for:

1. Providing a representative to the EOC to serve as the medical Branch Director to:
 - a. Providing immediate lifesaving medical care.
 - b. Coordinating emergency medical transportation to a hospital or other designated emergency treatment facility outside the at-risk area.

- c. Coordinating emergency medical assistance to all shelters in operation in order of most emergent situation.
 - d. Coordinating emergency medical care triage sites.
 - e. Participating in primary and / or secondary decontamination depending on nature and / or location of incident.
2. Providing accurate and timely information to the public through coordination with the PIO Group.
 3. Providing public health, disease, and injury control and prevention information to the general public that are located in or near affected areas.
 4. Coordinating with Disaster Medical Assistance Team (DMAT) and other medical response organizations.

W. Volunteer Organizations:

1. **American Red Cross (ARC)**
 - a. Coordinating sheltering of emergency/disaster victims.
 - b. Providing food and clothing to emergency/disaster victims.
 - c. Assisting with emergency/disaster welfare inquiries.
 - d. Assisting with shelter for victims and families.
 - e. Assisting in mass feeding of citizens.
2. **Salvation Army**
 - a. Providing canteen trucks for emergency workers and displaced citizens.
 - b. Providing suitable comfort, counseling, and religious activities during emergency and disaster situations.
3. **ARC and Salvation Army**
 - a. Providing meals at established shelters and vouchers to purchase food on a case by case basis.
 - b. Providing counseling services.

4. Larimer County 211

- a. Maintaining resource list for needs in emergency/disaster situations.
- b. Serving as point of contact for citizen requests / needs.
- c. Serving as point of contact for volunteer registration.
- d. Serving as point of contact regarding information on donations from public.

5. Volunteers Active in Disasters (VOAD)

- a. Coordinating donations through receiving, warehousing and distribution.

X. County Coroner representatives are responsible for:

- 1. Advising the EOC on matters pertaining to handling, disposition, and identification of deceased.
- 2. Organizing and training hospital, mortuary, and grave registration impromptu support teams.
- 3. Establishing a morgue and directing the identification and burial of the dead.
- 4. Providing public information concerning the deceased.
- 5. Coordinating with Disaster Mortuary Operational Response Team (DMORT).

Y. Larimer County Humane Society is responsible for:

- 1. Providing overall management, coordination, and prioritization of animal services and assets to support pet, farm, and wildlife needs in an emergency or disaster.
- 2. Facilitating transportation of injured, stray, or nuisance animals to animal care facilities.
- 3. Assisting emergency response teams with animal related issues.
- 4. Impounding pet animals at large.

5. Euthanization of sick and / or injured animals through assigned and authorized persons.
6. Removing and disposing of animal carcasses weighing up to 100 lbs.
7. Utilizing designated animal shelter sites first and then identifying additional shelters, as the situation requires.
8. Coordinating with the Veterinary Medical Assistance Team (VMAT)

XIV. EMERGENCY SUPPORT FUNCTIONS

A. General

1. When an emergency or disaster occurs, there are common types of assistance that are likely to be requested from the City of Loveland and external agencies. These common types of assistance are grouped into functional areas, termed Emergency Support Functions (ESFs). City departments are pre-assigned responsibilities for implementing these functions. Individual department assignments are shown on the Emergency Support Functions Assignment matrix; see **Table 1**.
2. Assignments are made based upon the department's statutory, programmatic, or regulatory authorities and responsibilities as well as the availability of resources. In an Emergency Declaration, the ESFs work directly with the corresponding County ESF. For a matrix of ESF responsibility assignments by identified hazard; see **Table 2**.

Table 1: EMERGENCY SUPPORT FUNCTION RESPONSIBILITY ASSIGNMENTS

P: Primary responsibility S: Secondary responsibility *: Limited responsibility/ incident specific	City Attorney	City Clerk	City Manager	Colt Transit System	Dev. Services	Finance	Fire	Hospitals	Human Resources	IT	Larimer County	Mayor	OEM	Police	PIO	Public Works	R2J Schools	State / Federal	Utilities
Casualty disposition	*						S	P			*		S					*	
Communications										S				P					*
Damage assessment	*		*			*	P	*		*	S		S	S		S	*	S	S
Debris removal						*					*		S			P		*	S
Decontamination							P	S			*			S				*	
Direction and control			S				S	*				P	S	S			*		
EOC Ops	*		S	S		S	S	S		*	*		P	S	S	S	*	*	S
Fatalities			*			*	S				P			S		S			
Liaison with elected officials	*		P									S	S						
Medical/mass casualty	*			*	S		S	P						S					
Public information	*		S					S				S	S		P				
Records	*	P	*			S			S										
Recovery coordination	*				S	S					S		P			S		S	
Resource procurement & allocation	*				*	P							S			S			
School safety and evacuation													S	S			P		
Security and protection											*			P	S			*	
Shelter issues	*		*		S	*							P		S		S		
Street maintenance																P			S
Transportation				P		*	*						S	*		S	S		
Utility emergency						*	S			*			S						P
Vital records	S	P	S																
Warning and notification	*									S			P	S					

Table 2: AGENCY INVOLVEMENT FOR IDENTIFIED HAZARDS

Identified Hazards																		
P: Primary responsibility																		
S: Secondary responsibility																		
*: Limited responsibility/ incident specific																		
	City Attorney	City Clerk	City Manager	Coroner	Finance	Fire	Human Resources	IT	Larimer County	Mayor	Medical Services	OEM	Police	PIO	Public Works	State / Federal	Transportation	Utilities
Drought	*		*		*				S	*		*		S	*	S		P
Aircraft accident	*		*	*	*	P				*	S	*	P	S				
Civil unrest – terrorism	*		*	*		S				*	S	S	P	S				
Communication disruption	*		*					P						S				
Dam failure/contingency	*	*	S	*	S	S				S	S	S	S	S			S	S
Earthquake	*		*	*	*	P		*	S	*	S	S	S	S	S	S		S
Flood	*		*	*	*	P		*		*	S	S	S	S	S	S	*	S
HAZMAT	*		*	*		P				*	S	S	S	S				
Mass casualty	*		*	S		S				*	P	S	S	S			S	
National emergency	*	*	S	*	*	S	*	*	*	P	*	S	S	S	*	*	*	*
Radiological	*		*	*		P				*	*	S	S	S				
Thunderstorm (wind, hail)	*		*			P				*	*	S	S	S	S			S
Tornado (micro burst)	*		*	*		P			*	*	S	S	S	S	*	*	*	S
Urban fire	*		*	*		P				*	S	*	S	*				S
Utility interruption	*		*							*		*	*	S				P
Wildland fire	*		*			P			S	*	*	S	S	S		S		
Winter storm	*		*	*		S				*	S	S	S	S	P		S	S

B. ESF Responsibilities

1. Lead Department

Responsible for planning, coordinating, and tasking the support departments and agencies with the development of policies, procedures, and other requirements of the ESF and its operations management. The Lead Department also develops and maintains additional incident procedures to support this plan.

2. Secondary Lead Department

Some ESFs require a shared leadership role between two or more City departments. Each department in a shared Lead position is responsible for the development and implementation of their section of the ESF.

3. Supporting Agencies

- a. Specific supporting role functions will be assigned to volunteer and private organizations who through written ordinances, mandates, or Memorandums of Understanding (MOU), are committed to providing disaster response/relief assistance.
- b. Departments not assigned to specific ESF will serve as a reserve for material and personnel resources, which may be required to perform previously unassigned tasks or supplement other response agencies.

C. Emergency Support Functions List

1. The following list correlates the ESF number and the functional name. The ESFs are attached to this document as Appendix B.

ESF 1: Transportation

ESF 2: Communications & Emergency Warning

ESF 3: Public Works & Engineering

ESF 4a: Urban Fire Fighting

4b: Wildfire Suppression

ESF 5: Emergency Management & Planning

ESF 6: Mass Care, Housing, & Human Services

ESF 7: Resource Support, Logistics, & Finance

ESF 8a: Public Health & Medical Services

8b: Mental Health & Substance Abuse

8c: Fatalities Management

ESF 9: Search & Rescue

ESF 10: Hazardous Materials Response

ESF 11: Agriculture & Natural Resources

ESF 12a: Power

12b: Water & Wastewater Infrastructure

ESF 13: Law Enforcement and Security

ESF 14: Long-Term Recovery & Mitigation

ESF 15: External Affairs

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XIV. APPENDICIES

Appendix A. GLOSSARY OF TERMS, ACRONYMS & ABBREVIATIONS

Agency Representative(s) - An individual or group of individuals assigned to an incident from an assisting or cooperating agency. The Agency Representative reports to the Incident Liaison Officer.

Amateur Radio Emergency Service (ARES) - A regional network of amateur radio operators, licensed by the Federal Communications Commission. Similar to the Federal Radio Amateur Civil Emergency Services (RACES).

Area Command - An organizational structure used to oversee the management of multiple incidents that are each being handled by an Incident Command System organization or a very large incident that has multiple incident management teams assigned to it.

Blizzard Warning - An advisory issued by the National Weather Service when considerable snow and winds of 35 miles per hour or more are expected.

Branch Director - The individual responsible for a major segment of geographical/functional operations. The branch level is between a Section and a Division/Group.

Casualty - A person injured and needing treatment or killed because of man-made or natural disaster.

Catastrophic Incident - Any natural or manmade incident that results in an extraordinary level of mass casualties, damage, or disruption severely affecting the population, infrastructure, environment, economy, national morale and/or government functions.

Colorado Division of Emergency Management (CDEM) - The branch of state government under the Department of Local Affairs, which is responsible for the Comprehensive Emergency Management Program for the State of Colorado.

Command Post - A generic term given to the area or vehicle that provides field personnel a physical location from which to give on-site direction, information, coordination and communication.

Command Staff - In a typical ICS configuration, the Command Staff is composed of the Incident Commander, a Safety Officer, a Public Information Officer, and Liaisons to other agencies.

Continuity of Government - The principle of establishing defined procedures that allow a government to continue its essential operations during an emergency or disaster.

Continuity of Operations Plan - A document that (1) delineates lines of succession at the department, division, and supervisor levels; (2) describes which functions or city-provided services are critical, essential, and non-essential within a given group or division; (3) describes the needed actions or procedures necessary to maintain critical services during emergencies; (4) lists facilities for relocation and associated contingency operations; and, (5) describes needed actions for rapid resumption of critical functions following a disruption. Some COOPs also contain contact lists for employees and describes how the emergency needs of employees are addressed.

Damage Assessment - The appraisal or determination of the actual effects resulting from man-made or natural disasters.

Damage Assessment Group / Team - A group designated with the responsibility of assessing the scope and effect of physical damages to the infrastructure and the local community. Damage Assessment Groups provide comprehensive findings in Damage Survey Reports. They also provide situation status (SITSTAT) reports to the Plans Section. Also see Rapid Needs Assessment Team

Damage Survey Report (DSR) - A comprehensive engineering report prepared by a federal-state-local team that outlines the scope of work and estimated cost of repairs at each site of damage that has occurred as a result of disaster. See Damage Assessment Group / Team.

Division of Local Affairs - Office of Emergency Management - The branch of State Government responsible for the comprehensive Emergency Management Program for the State of Colorado.

Emergency - As defined by the Stafford Act, an emergency is “any other occasion or instance for which the President determines that Federal assistance is needed to supplement State, local, and tribal efforts to save lives and to protect property and public health and safety or to lessen or avert the threat of a catastrophe in any part of the United States.”

Emergency Alert System - Consists of broadcast stations and interconnecting facilities which have been authorized by the Federal Communications Commission to operate in a controlled manner during a war, state of public peril or disaster or other national emergency as provided by the state-wide comprehensive Emergency Alert System Plan.

Emergency Management - An integrated approach to the management of emergency programs and activities for all four emergency phases (mitigation, preparedness, response and recovery), for all types of emergencies and disasters (natural and man-made) and for all levels of government (Federal/State/Local) and the private sector.

Emergency Management Operations Plan - See Local Emergency Operations Plan (LEOP).

Emergency Operations Center (EOC) - A protected site from which government officials and support staff facilitate the coordination and supporting operations of an emergency.

Emergency Relocation Center - A temporary geographical area or facility designed to serve as a safe haven for persons in the process of evacuating a dangerous area or environment. Persons usually stay at the Emergency Relocation Center until the establishment of an evacuation shelter.

Evacuation - Organized, timed, and supervised dispersal of civilians from dangerous and potentially dangerous areas, their reception and care in safety areas and their return to their own home communities.

Evacuation / Emergency Shelter - A form of lodging provided for the communal care of individuals or families made homeless by a disaster or an emergency. Typically, the evacuation shelter provides care, minor emergency medical assistance, feeding, and sleeping resources.

Family Safety and Welfare Requests -

An information gathering and communication process designed to keep emergency response personnel advised of their own families' condition. An integral component of sustained operations during a significant disaster or a disaster where an emergency worker is unable to make family contact to personally check his/her family's safety.

Financial Assistance - Any form of loan, grant, guaranty, insurance, payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect Federal assistance, other than general or special revenue sharing or formula grants made to the States.

Fire Emergency Radio Network (FERN) - Established radio network for Fire and Rescue mutual aid operations.

Fire Resource Officer - The individual assigned to the emergency communications center to assist with resource requests, radio traffic, and information processing. Typically, a Fire Officer trained in incident management staffs this position.

Five-Hundred (500) Year Floodplain - Refers to that area which is subject to inundation from a flood having a 0.2 percent (two-tenths of 1%) chance of being equaled or exceeded in any given year.

Flash Flood Warning - An advisory issued by the National Weather Service indicating that flash flooding is **occurring or imminent** on certain streams or designated areas and those threatened should take immediate action.

Flash Flood Watch - An advisory issued by the National Weather Service indicating that heavy rains occurring or expected to occur **may soon result** in flash flooding in certain areas.

Flood Warning - A forecast of **impending flooding**, given by radio, television and local government emergency forces. A flood warning message tells the expected severity of flooding, the affected river, and the location and time when the flooding will begin.

General Staff - The individuals assigned to specific functional areas (Planning, Operations, Logistics, and Finance Sections) within the Incident Command System (I.C.S.).

Group - The organizational level of the Incident Command System having operational responsibility for a specified tactical function. A Group is the same level as that of a Division.

Group Supervisor - The individual having responsibility to direct personnel assigned to a Group.

Hazardous Materials (Haz Mat) - Any element, compound, or combination thereof which is flammable, corrosive, detonable, toxic, radioactive, an oxidizer, an etiologic agent, or highly reactive and which because of handling, storing, processing or packaging, may have detrimental effects upon operating and emergency personnel, the public, equipment and/or the environment.

Hazard Mitigation - Hazard mitigation includes any cost-effective measure, which will reduce the potential for damage to a facility from a disaster event. Measures may include zoning and building codes, floodplain property acquisitions, home elevations or relocations, and analysis of hazard-related data.

Incident Action Plan (I.A.P.) - The strategic goals, tactical objectives, and support requirements for the incident. The I.A.P. is developed by the Plans Section, for approval by the Incident Commander, and executed by the Operations Section Chief.

Incident Command System (I.C.S.) - A standardized method of managing emergency incidents based on a common organizational structure, common terminology, common operating procedures and known qualifications of agency operating personnel; used on-scene and/or in conjunction with activation of an Emergency Operations Center (EOC) operation where command and control coordination is centralized.

Incident Mitigation - Incident mitigation involves actions taken during an incident designed to minimize impacts or contain the damages to property or the environment.

Liaison Officer - A Command Support Staff or Policy Group member who is the contact point for coordinating information to internal and external agencies.

Line of Succession - A pre-designated assignment of qualified individuals to stand in for key officials, directors, or supervisors in their absence.

Local Emergency - The actual or threatened existence of conditions of disaster or of extreme peril to the safety of persons and property within the City or any other disaster that requires the aid and assistance of outside, local, state or federal agencies.

Local Emergency Operations Plan (LEOP) - Also known as “The Plan”. A description of actions or instructions to all city personnel stating what will be done in the event of an emergency. It states the actions to be taken by whom, what, when and where based on predetermined assumptions, objectives, and capabilities, as well as describing the methods of direction and control in a disaster or emergency.

Major Damage - A structure which has received substantial damage but is technically and economically feasible to repair.

Major Disaster - A natural or man-made catastrophe which, in the determination of the President, is or threatens to be of sufficient severity and magnitude to warrant disaster assistance by the Federal Government to supplement the efforts and available resources of State and Local Governments in alleviating the damage, hardship, or suffering caused by such event.

Management Team (M-Team) - See Policy Group.

Mitigation - *Hazard mitigation* includes any cost-effective measure, which will reduce the potential for damage to a facility from a disaster event. *Incident mitigation* involves actions taken during an incident designed to minimize impacts or contain the damages to property or the environment. Mitigation efforts occur before, during and after emergencies or disasters. *Pre-disaster mitigation* involves activities designed to reduce the damaging impact of a disaster should it strike. *Post-disaster mitigation* is actually part of the recovery process and includes eliminating or reducing the impact of hazards that exist.

National Flood Insurance Program (NFIP) - A Federal program enabling property owners to purchase flood insurance based on an agreement which states that if a community implements measures to reduce future flood risks to new construction in Special Flood Hazard Areas, the Federal government will make flood insurance available within the community as a financial protection against flood losses.

National Incident Management System (NIMS) - A system to provide a consistent nationwide approach for Federal, State, local, and tribal governments to work effectively and efficiently together to prepare for, prevent, respond to, and recover from domestic incidents regardless of size, cause, or complexity.

National Response Plan (NRF) - A Federally-designed and organized Emergency Response Plan that establishes a comprehensive all-hazards approach to enhance the ability of the United States to manage domestic incidents.

National Warning System (NAWAS) - A Federal system, originating from NORAD, used to disseminate warnings and other emergency information from the warning centers to warning points at, and within, each State. For the Larimer County area, the receiving point is the Larimer County Communications Center. Information is distributed via Teletype to the Loveland Communications Center.

National Weather Service - The branch of the National Oceanic and Atmospheric Administration (NOAA) which forecasts and issues weather watches and warnings.

NOAA Weather Radio - A broadcast system that furnishes continuous weather messages on dedicated very high frequencies and is a part of the warning system managed by the National Ocean and Atmospheric Administration.

Non-governmental Organization - Include entities that may work cooperatively with government. Such organizations serve a public purpose, not a private benefit. Non-governmental organization may include the Private Sector.

One-Hundred (100) Year Floodplain - Refers to areas that are subject to inundation from a flood having a 1 percent (1%) chance of being equaled or exceeded in any given year.

Plan, the (LEOP) - The term "the Plan" refers to the City of Loveland's Local Emergency Operations Plan.

Policy Group - The Policy Group is responsible for the development of policies and the direction of City operations implemented during a disaster or emergency.

- The City Manager and/or Assistant City Manager-serves as the Liaison between the City Council and the Policy Group
- The City Attorney-serves as the Legal Officer
- The Public Works Manager
- The Director of Community Services
- The Fire Chief
- The Chief of Police
- The Emergency Manager-serves as a Liaison between the Policy Group and the EOC
- The Director of Water and Power
- The Budget Officer
- Subject Matter Experts

Preparedness - Those activities, programs and systems that exist prior to an emergency that are used to support and enhance response to an emergency or disaster.

Prevention - The preparedness phase involves activities that are undertaken in advance of an emergency or disaster. These actions might include emergency/disaster planning, training and exercises, and public education.

Public Assistance - The Federal financial assistance provided to State and Local governments or to eligible private nonprofit organizations for disaster-related requirements.

Rapid Needs Assessment Team - A team(s) designated with the responsibility of conducting rapid assessments of physical damages to the City infrastructure and the emergency needs of the impacted local community. Rapid assessments are also known as Windshield Surveys. Rapid Needs Assessment Teams conduct brief evaluations of damage whereas Damage Assessment Group/Teams conduct detailed damage assessments.

Recovery - Recovery activities involve the restoration of services to the public and returning the affected area(s) to pre-emergency conditions. Recovery activities may be both short-term and long-term, ranging from restoration of essential utilities such as water and power, to mitigation measures designed to prevent future occurrences of a given threat. They may reflect the continuation of the response phase activities (i.e., restoration of utilities), or they may include new activities wholly enacted as a part of the recovery process after the disaster has abated (i.e., removal of debris after a flood).

Response - Activities that include immediate actions to preserve life, property, and the environment; meet basic human needs; and maintain the social, economic, and political structure of the affected community. In this phase, emergency personnel engage in the appropriate actions as dictated by an incident's characteristics.

RESTAT - Short version of the term "Resource Status". The Plans Section is responsible for collecting information on RESTAT and providing the information to the Operations Section Chief, Incident Commander, or the IC / Ops Coordination Section.

Riverine - Relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

Severe Blizzard Warning - An advisory issued by the National Weather Service when very heavy snowfall is expected, with winds of at least 45 miles per hour and temperatures of 10 degrees or lower.

SITSTAT - Short version of the term "Situation Status". The Plans Section is responsible for collecting information on SITSTAT and providing the information to the Operations Section Chief, Incident Commander, or the IC / Ops Coordination Section.

Special Flood Hazard Area - The land in the floodplain subject to a one percent or greater chance of flooding in any given year, which is mapped and regulated by the Federal Emergency Management Agency.

Staging Area - The location where incident personnel and resources are assigned for immediate response (available) status.

Staging Manager - The individual responsible for the tracking of response-available personnel and equipment. Usually reports to the Incident Commander or Operations Section Chief.

Support Group - A group of individuals and/or internal and external agencies that support the needs of the incident through the management of tasks assigned by Emergency Support Functions. The Support Group / ESFs coordinator reports directly to the IC / Operations Coordination Section.

Title III - Also known as the "Emergency Planning and Community Right-to-Know Act of 1986," this law establishes requirements for Federal, State, Local governments, and industry regarding emergency planning and "community right-to-know" reporting on hazardous and toxic chemicals.

Tornado Warning - An advisory issued by the National Weather Service when a tornado is sighted or indicated by radar. Warnings describe the area that could be affected. When a warning is issued, take cover immediately.

Tornado Watch - An advisory issued by the National Weather Service indicating tornadoes may occur in certain areas. Watches specify a time period and an area where tornadoes are possible.

Travelers' Advisory - Issued by the National Weather Service when ice and snow are expected to hinder travel, but not seriously enough to require warnings.

Unified Command - The shared responsibility of several agencies for incident management as a result of a multi-jurisdictional or multi-agency response effort. During a large-scale event, a Unified Command may change to an Area Command.

Windshield Surveys - Following a disaster, a rapid assessment of physical damages to the City infrastructure and the local community is conducted by a Rapid Needs Assessment Team.

Winter Storm Warning - An advisory issued by the National Weather Service when heavy snow (expected snowfall of 4 inches or more in a 12 hour period, or 6 inches or more in a 24 hour period), is forecasted to occur.

Winter Storm Watch - An advisory issued by the National Weather Service indicating there is a threat of severe winter weather in a particular area.

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Appendix B. EMERGENCY SUPPORT FUNCTIONS

ESF 1 – TRANSPORTATION

Department with Primary Responsibility - Public Works Department

ESF 1 is designed to provide transportation support to assist in domestic incident management. Activities within the scope of ESF 1 functions include: processing and coordinating requests for transportation support as directed under the Local Emergency Operations Plan; reporting damage to transportation infrastructure as a result of the incident; coordinating alternate transportation services (air, surface, and rail); coordinating the restoration and recovery of the transportation infrastructure; and coordinating and supporting prevention, preparedness, and recovery among transportation infrastructure stakeholders at the local and state levels.

Purpose/Scope

1. City of Loveland and NE Region: Provide for coordination, control and allocation of transportation assets in support of the movement of emergency resources including the evacuation of people, and the redistribution of food and fuel supplies; coordination of all transportation needs; transportation safety; movement restrictions; restoration/recovery of transportation infrastructure.

Lead Agency/Agencies

1. City of Loveland: Public Works; Streets Department; Engineering Department; Building Department; Emergency Management.
2. NE Region: Public Works; Fleet Services; Transportation/Public Works; Community Development-Planning/Transportation Manager.
3. State: CDOT.
4. NRF: US DOT.

Support Agencies

1. City of Loveland: Finance Division; Traffic Engineering; Police Department; EMS; Schools; Fleet Services; local volunteer organizations; private sector contractors.
2. NE Region: municipal and county Public Works; municipal and county Road & Bridge; public transportation; Sheriff/Police; EMS; Schools; CDOT; Emergency Management; Special Transit; AMTRAK; DIA; Fleet Services; COVOAD; CSP; CSU.
3. State: DMVA; DPS; DOLA Corrections; Education; Revenue; Regulatory Agencies.
4. NRF: DHS; Agriculture; Commerce; Defense; Energy; Interior; Justice; GSA; U.S. Postal Service; Dept. of State.

ESF 2 – COMMUNICATIONS

Department with Primary Responsibility - Information Technology

ESF 2 coordinates actions to provide the required temporary telecommunications and the restoration of the telecommunications infrastructure. ESF 2 supports all City departments and agencies in the procurement and coordination of services from the telecommunications and information technology (IT) industry during an incident response.

Purpose/Scope

1. City of Loveland and NE Region: Provide communications and IT support; coordinate with telecommunications industry for the restoration or repair of the telecommunications network; ensure the protection, restoration, and the sustained procurement of cyber and information technology resources; and provide GIS and computer support services.

Lead Agency/Agencies

1. City of Loveland: Information Technology; Facilities Service Division; local radio and television.
2. NE Region: Telecommunications; Information Technology; Police (Communication and Records)/Information Technology (Telecommunications, Network Systems, End User Support); Technical Services.
3. State: Personnel and Administration.
4. NRF: DHS (Information Analysis and Infrastructure Protection/National Communications System).

Support Agencies

1. City of Loveland and NE Region: Emergency Management; Police/Sheriff; Fire/EMS; Qwest; ARES; IT; Dispatch; Parks and Recreation; Health and Environment; Everbridge; Intrado; Comcast; Legacy Communications; Mile-Hi.
2. State: Governor's Office; DMVA; DOLA; CDPHE; DPS; COVOAD; Private Sector.
3. NRF: Defense; Agriculture; Commerce; Interior; FCC; GSA.

ESF 3 – PUBLIC WORKS AND ENGINEERING

Department with Primary Responsibility – Public Works Department

Activities within the scope of this function include conducting pre and post-incident assessments of public works and infrastructure; executing emergency support for life-saving and life-sustaining services; providing technical assistance to include engineering expertise, construction management, and contracting and real estate services; providing emergency repair of damaged infrastructure and critical facilities; and other recovery programs.

Purpose/Scope

1. City of Loveland and NE Region: Evaluate, maintain and restore public roads, bridges, public transportation systems, and drainage facilities. Support the protection and restoration of infrastructure (i.e. electrical, gas, communications, water, and wastewater systems). Provide engineering related support for incident operations and coordination of debris removal, storage, and disposal activities.

Lead Agency/Agencies

1. City of Loveland: Fire & EMS; Police Department; Public Works; Streets Division; Solid Waste Division, Water & Power Department; Wastewater Department; Engineering Department.
2. NE Region: Public Works/Road and Bridge; Larimer County.
3. State: CDOT.
4. NRF: U.S. Army Corps of Engineers.

Support Agencies

1. City of Loveland: Police; Parks and Recreation Department.
2. NE Region: Building Department; Community Development; Parks and Recreation; Emergency Management; Little Thompson Water District; Fort Collins / Loveland Water District; SAME; UDFCD; General Services; Denver Water Board; Schools; Private Sector.
3. State: DOLA; DMVA; Labor & Employment; Higher Education; Corrections; CDPHE.
4. NRF: DHS/FEMA; Agriculture; Commerce; DOD; DOE; Health & Human Services; Interior; Labor; Veterans Affairs; EPA; GSA; NRC; TVA; ARC.

ESF 4(a) – URBAN FIREFIGHTING

Department with Primary Responsibility – Loveland Fire Rescue Authority

ESF 4 manages and coordinates firefighting activities, including the detection and suppression of fires, and providing personnel, equipment and supplies, and the utilization of interagency fire fighting resources in support of local agencies involved in urban firefighting operations. Additionally, this function provides for incident management teams as well as providing a Governor Authorized Representative (GAR) for FEMA Fire Assistance Declarations.

Purpose/Scope

1. City of Loveland and NE Region: Provide for the mobilization and deployment, and coordination of all firefighting resources to combat urban and rural incidents.

Lead Agency/Agencies

1. City of Loveland: Fire Rescue Authority.
2. NE Region: Fire Departments; Fire Districts.
3. State: DPS; Division of Fire Safety.
4. NRF: Dept. of Agriculture; U.S. Forest Service.

Support Agencies

1. City of Loveland: EMS; Police Department.
2. NE Region: EMS; Jefferson County Airport; Dispatch.
3. State: CDOT; DMVA; DOLA; Law; Corrections; Education; ARC; Salvation Army; COVOAD.
4. NRF: DHS/FEMA; Commerce; DOD; Interior; EPA.

ESF 4(b) - WILDFIRE SUPPRESSION

Department with Primary Responsibility – Loveland Fire Rescue Authority, Larimer County Sherriff

This ESF manages and coordinates wildland firefighting activities, including the detection and suppression of fires, and providing personnel, equipment and supplies, and the utilization of interagency fire fighting resources in support of local and tribal agencies involved firefighting operations. Additionally, this function provides for incident management teams as well as providing a Governor Authorized Representative (GAR) for FEMA Fire Assistance Declarations.

Purpose/Scope

1. City of Loveland and NE Region: Provide for the mobilization and deployment, and coordination of all firefighting resources to combat and wildland incidents.

Lead Agency/Agencies

1. City of Loveland: Fire Rescue Authority.
2. NE Region: Fire Departments; Fire Districts; Sheriff's Departments.
3. State: DPS; Division of Fire Safety.
4. NRF: Dept. of Agriculture; U.S. Forest Service.

Support Agencies

1. City of Loveland: EMS; Police Department.
2. NE Region: EMS; Jefferson County Airport; Dispatch.
3. State: CDOT; DMVA; DOLA; Law; Corrections; Education; ARC; Salvation Army; COVOAD.
4. NRF: DHS/FEMA; Commerce; DOD; Interior; EPA.

ESF 5 – EMERGENCY MANAGEMENT

Department with Primary Responsibility – Office of Emergency Management

ESF 5 serves as the support ESF for all City of Loveland departments and agencies across the spectrum of domestic incident management. ESF 5 facilitates information flow in the pre-incident prevention phase in order to place assets on alert or to preposition assets for quick response. During the post incident response phase, ESF 5 transitions and is responsible for support and planning functions.

ESF 5 activities include those functions that are critical to support and facilitate multi-agency planning and coordination for operations. This includes alert and notification, deployment and staffing of designated emergency response teams, incident action planning, coordination of operations, logistics and material, direction and control, information management, facilitation of requests for state and federal assistance, resource acquisition and management (to include allocation and tracking), worker safety and health, facilities management, financial management, and other support as required.

Purpose/Scope

1. City of Loveland and NE Region: Provide for the management and coordination emergency operations in support of local response agencies and jurisdictions. Maintain, activate and operate the City/County Emergency Operations Center. Provide information collection, analysis, and dissemination. Coordinate logistical support. Identify the roles and responsibilities of city/county government agencies in coordinating local, state, and federal assistance.

Lead Agency

1. City of Loveland and NE Region: Emergency Management.
2. State: DOLA; CDEM.
3. NRF: DHS/FEMA.

Support Agencies

1. City of Loveland and NE Region: Leadership/Management; Attorney's Office; Finance; IT; Dispatch; Police/Sheriff; Fire/EMS; Assessor; Clerk and Recorder; Health and Environment; Health and Human Services; Community Resources; Community Development; Court Services; Human Resources; Planning and Zoning; Planning and Development Services; Public Works; Road and Bridge; Schools; American Red Cross; Salvation Army.
2. State: All State Agencies.
3. NRF: All Federal Departments.

ESF 6 – MASS CARE, HOUSING, AND HUMAN SERVICES

Department with Primary Responsibility – Larimer County Department of Health & Environment

ESF 6 promotes the delivery of services and the implementation of programs to assist individuals, households and families impacted by potential or actual disasters, including economic assistance and other services. ESF 6 includes three primary functions: Mass Care, Housing, and Human Services.

Mass Care involves the coordination of non-medical mass care services to include sheltering of victims, organizing feeding operations, providing emergency first-aid at designated sites, collecting and providing information on victims to family members, and coordinating bulk distribution of emergency relief items.

Housing involves the provision of assistance for short and long-term housing needs of victims.

Human Services include providing victim related recovery efforts such as counseling, identifying support for persons with special needs, expediting processing of new benefits claims, assisting in collecting crime victim compensation for acts of terrorism, and expediting mail services in affected areas

Purpose/Scope

1. Larimer County Department of Health & Environment with assistance of the City of Loveland: Manages and coordinates the sheltering, feeding and first-aid needs for disaster victims. It provides for temporary housing, food, clothing, transportation assistance, and basic human needs. Mass care operations may also include special needs support, benefit claims assistance, English as a second language, and job search assistance. This assistance may continue well after the emergency phase of the response.

Lead Agency/Agencies

1. Larimer County Department of Health & Environment
2. City of Loveland
2. NE Region: Health & Human Services; Human Services; Social Services.
3. State: Human Services.
4. NRF: DHS/FEMA; American Red Cross.

Support Agencies

1. American Red Cross; Salvation Army; COVOAD; Emergency Management; Schools; Housing Authority; Victim Advocates/Assistance; CART/Animal Shelters/Adoption Centers/Cooperative Extension; Fairgrounds; Police/Sheriff; Fire/EMS; Parks and Recreation; Parks and Community Resources; Community Resources-Recreation Services/Senior Center; Arenas/Theatres; Environmental Health; Tri-County Health; Community and Economic Opportunity; Jefferson County Airport; Community Reach Center; Broomfield CREW; Community Food Share; Senior Services; Volunteer Connection; CERT Teams; Meals on Wheels; CU; United Way; Faith-Based Groups/Ministerial Alliances.
2. State: DOLA; DPS; DMVA; CDPHE; CDOT; Personnel and Administration; Agriculture; Education; Health Care, Policy and Finance; Higher Education; American Red Cross; Salvation Army; COVOAD; SART.
3. NRF: Agriculture; DOD; Health and Human Services; HUD; Interior; Justice; Labor; US DOT; Treasury; Veterans Affairs; GSA; OPM; SBA; SSA; USPS; NVOAD; Corporation for National and Community Services.

ESF 7 – RESOURCE SUPPORT

Department with Primary Responsibility – As assigned

ESF 7 resources support to local, and tribal governments consists of emergency relief supplies, facility space, office equipment, office supplies contracting services, transportation services (in coordination with ESF 1 – Transportation), security services, and personnel required to support immediate response activities.

ESF 7 provides support for requirements not specifically identified in other ESFs, including excess and surplus property. Resource support may continue until the disposition of excess and surplus property is completed.

Purpose/Scope

1. City of Loveland and NE Region: Secures resources through Mutual Aid Agreements, volunteer organizations, and procurement procedures for all ESFs, as needed. Provides for coordination and documentation of personnel, equipment, supplies, facilities and services used during disaster response and initial relief and recovery operations. Supports effective reception and integration of augmentation resources.

Lead Agency/Agencies

1. City of Loveland: appropriate City department or Division.
2. NE Region
3. State: DOLA.
4. NRF: General Services Administration (GSA).

Support Agencies

1. City of Loveland and NE Region: Emergency Management; Administration; Finance; Assessor; Treasurer; Budget and Management; Purchasing Services; Fleet Services; Facilities Operations; Procurement and Contracting; Public Works; Road and Bridge; IT; Dispatch; Health and Environment; Police/Sheriff; Fire Departments/Districts; Human Services/Social Services; Health and Human Services; Human Resources; Schools; Cooperative Extension; Libraries; Jefferson County Airport; Mountain Resource Center; COVOAD; American Red Cross; Salvation Army; United Way; Fairgrounds; Police/Sheriff; Fire/EMS; Parks and Recreation; Parks and Community Resources; Tri-County Health; Community and Economic Opportunity; Community Foundation.
2. State: Governor's Office; Personnel and Administration; DPS; CDPHE; CDOT; Treasury; DMVA; United Way 211, Agriculture; Corrections; Education; Higher Education; Labor and Employment; Natural Resources; American Red Cross; COVOAD; Salvation Army.
3. NRF: DHS/FEMA; Agriculture; Commerce; DOD; Energy; Labor; US DOT; Veterans Affairs; NASA; National Communications System; OPM.

ESF 8(a) – PUBLIC HEALTH and MEDICAL SERVICES -

Department with Primary Responsibility – Larimer County Department of Health and Environment

ESF 8(a) addresses the identification process and meeting the public health and medical needs of victims of a disaster including a disease Pandemic. This support is categorized in the following core functional areas: assessment of public health/medical needs (including behavioral health); public health surveillance; medical care personnel; and medical equipment and supplies. Management of livestock pandemics are addressed within the ESFs that are attached to this document as an appendix.

Purpose/Scope

1. Larimer County Department of Health and Environment with assistance from City of Loveland and NE Region: Coordinates all City/County public health services and operations during epidemics or pandemics (disease/virus outbreaks), or other health related emergencies. Provides on-scene triage, first aid, life support and transportation of the injured. Provides resources to support emergency responder health and safety. Coordinates with local hospitals to ensure timely and appropriate delivery of injured to primary care facilities. Ensures mobilization of public health and environmental sanitation services and disease and vector control. Initiates Mass Casualty response as appropriate.

Lead Agency/Agencies

1. Larimer County Department of Health and Environment
2. NE Region: Health and Human Services; Tri-County Health
3. State: CDPHE
4. NRF: Health and Human Services

Support Agencies

1. City of Loveland and NE Region: Police/Sheriff; Fire/EMS; Private Sector (hospitals/ambulances); Human Services/Social Services; Health and Environment; Victim Advocates/Assistance; Coroner/Mortuary Services; Environmental Affairs; Senior Services Division; People's Clinic; Community Health Centers; CDPHE; Emergency Management.
2. State: DOLA; DPS; DMVA; CDPHE; CDOT; Personnel and Administration; Agriculture; Education; Law; Natural Resources; Human Services; Regulatory Agencies; Health Care, Policy and Finance; Higher Education; American Red Cross; Salvation Army; COVOAD; SART.
3. NRF: DHS/FEMA; Agriculture; DOD; Energy; Interior; Justice; Labor; US DOT; Treasury; State; Veterans Affairs; EPA; GSA; USPS; U.S. Agency for International Development; American Red Cross.

ESF 8(b) – MENTAL HEALTH AND SUBSTANCE ABUSE

Department with Primary Responsibility - Larimer Center for Mental Health

This ESF provides for the coordination of crisis-counseling services, substance abuse counseling, mobilization of mental health professionals, and education and outreach for coping skills.

Purpose/Scope

1. Provides crisis-counseling services to individuals and groups impacted by the disaster situation. Mental health professionals will be mobilized to offer home and community based services. Crisis counseling is a time-limited program designed to assist victims/survivors/responders in returning to their pre-disaster level of functioning. Provide family support, grief counseling and other assistance as needed.

Lead Agency/Agencies

1. Larimer Center for Mental Health.

Support Agencies

1. Human Services; Victim Advocates/Assistance; Police/Sheriff; Health and Environment; Jefferson/Gilpin Community Crisis Response Team; Schools; American Red Cross; Salvation Army.

ESF 8(c) – FATALITIES MANAGEMENT

Department with Primary Responsibility – County Coroner

Purpose/Scope

1. Provides for the collection, identification, documentation and protection of human remains. Establishes the cause/means of death and appropriate legal notifications and actions. Initiates mass fatality response as appropriate. Includes Family Assistance Center (FAC) operations.

Lead Agency

1. Larimer County Coroner.

Support Agencies

1. Police/Sheriff; Fire Departments/Districts; Emergency Management; IT.

ESF 9 – SEARCH AND RESCUE

Department with Primary Responsibility – Loveland Fire Rescue Authority, Larimer County Sherriff

ESF 9 integrates the Search and Rescue system around a core of task forces prepared to deploy immediately and initiate operations in support of ESF 9. These task forces are staffed primarily by highly trained and specially equipped local fire and emergency services personnel.

Purpose/Scope

1. City of Loveland and NE Region and State: Includes resources for activities to locate, identify, and rescue or remove persons lost or trapped in buildings or other structures or from remote areas. Provides resources for life-saving assistance, including urban, mountain, dive, and other specialized SAR needs.

Lead Agency/Agencies

1. City of Loveland: Fire Rescue Authority.
2. NE Region: Fire Departments/Fire Districts; Sheriff's Department.
3. State: DOLA/CDEM.
4. NRF: DHS/FEMA.

Support Agencies

1. City of Loveland and NE Region: Police/Sheriff; SAR Teams, EMS; Public Works; Emergency Management; Risk Management; IT; Open Space; Front Range Rescue Dogs; Civil Air Patrol: USAR.
2. State: Colorado SAR Board; DPS; CDOT; DMVA; Natural Resources; Education; Labor and Employment.
3. NRF: Agriculture; DOD; Commerce; Health and Human Services; Justice; Labor; US DOT; NASA; U.S. Agency for International Development.

ESF 10 – HAZARDOUS MATERIALS

Department with Primary Responsibility – Loveland Fire Rescue Authority

ESF 10 includes the appropriate response and recovery actions to prepare for, prevent, minimize, or mitigate a threat to public health, welfare, or the environment caused by actual or potential hazardous materials incidents. Hazardous materials addressed under the LEOP include chemical, biological, and radiological substances, whether accidentally or intentionally released. These include certain chemical, biological, and radiological substances considered weapons of mass destruction (WMD).

Response to hazardous materials incidents is carried out in accordance with the NCP (40 CFR, part 300). The EOP implements the response authorities and responsibilities created by the Comprehensive Environmental Response, Compensation, and Liability Act, and the authorities established by section 311 of the Clean Water Act, as amended by the Oil Pollution Act.

Purpose/Scope

1. City of Loveland and NE Region: Provides response, inspection, containment, and oversight of cleanup of hazardous materials accidents or releases.

Lead Agency/Agencies

1. City of Loveland and NE Region: Fire Departments and Fire Districts; Sheriff's Departments; Public Health department, Risk Management.
2. State: Division of Public Safety.
3. NRF: EPA; DHS/U.S. Coast Guard.

Support Agencies

1. City of Loveland and NE Region: Haz-Mat Response Teams; Environmental Health; Human Services; Public Works; City of Loveland Risk Management, Parks and Recreation; Police; EMS; Community Development; Finance; LEPC; EPA.
2. State: Governor's Office; DOLA/CDEM; CDOT; CDPHE; DMVA; Natural Resources; Higher Education; Office of Energy Management and Conservation.
3. NRF: DHS/FEMA; Agriculture; Commerce; DOD; Energy; Health and Human Services; Interior; Justice; Labor; US DOT; State; GSA; NRC.

ESF 11 – AGRICULTURE, NATURAL RESOURCES, and LIVESTOCK

Department with Primary Responsibility – Natural Resources, Division, Larimer County Health Department

The agricultural portion of ESF 11 includes determining nutrition assistance needs, obtaining appropriate food supplies, arranging for delivery of the supplies, and authorizing disaster food stamps.

Animal and plant disease and pest response includes implementing an integrated State, local, and Tribal response to an outbreak of a highly contagious or economically devastating animal-based disease, an outbreak of a highly infective exotic plant disease, or an economically devastating plant pest infestation. ESF 11 ensures, in coordination with ESF 8 – Public Health and Medical Services, that animal/veterinary/wildlife issues on natural disasters are supported.

Assurance of the safety and security of the commercial food supply includes the inspection and verification of food safety aspects of slaughter and processing plants, products in distribution and retail sites, and import facilities at ports of entry; laboratory analysis of food samples; control of products suspected to be adulterated; plant closures; food borne disease surveillance; and field investigations.

Protection of resources includes appropriate response actions to conserve, rehabilitate, recover, and restore resources.

Additionally, this ESF provides guidance for assisting local entities in the response to livestock rescue or protection needs caused by a disaster such as a flood or fire. It also addresses shelter needs for pet owners who are displaced by a large event.

Purpose/Scope

1. City of Loveland and NE Region: Provides for the evacuation, transportation, decontamination, care, shelter, treatment and/or disposal of companion animals, livestock and wildlife impacted by disasters or foreign animal disease. Provides for damage assessment for farm animals and support for animal, veterinary, and wildlife issues.

Lead Agency/Agencies

1. City of Loveland: Human Services Division.
2. NE Region: Sheriff's Department; Humane Society; Environmental Health.
3. State: Agriculture/Natural Resources.
4. NRF: Agriculture; Interior.

Support Agencies

1. City of Loveland and NE Region: House of Neighborly Service, Larimer County Food Bank, Loveland Community Health Center, Community Kitchen, Senior Alternatives in Transportation, Meals on Wheels, CARTs; CVMA/SART; CSU Cooperative Extension; Larimer County Fairgrounds; Animal Shelter/Adoption Center; Health and Human Services; Health and Environment; Parks and Recreation; Public Works.
2. State: CDPHE; Education; Higher Education; Human Services; DMVA; DOLA/CDEM.
3. NRF: DHS/FEMA; Agriculture; Commerce; DOD; Energy; Interior; Justice; State; Health and Human Services; Labor; US DOT; State; EPA; GSA; USPS; American Red Cross.

ESF 12(a) – POWER

Department with Primary Responsibility – Power Operations Division

ESF 12 collects, evaluates, and shares information on energy system damage and estimations on the impact of energy system outages within affected areas. The term “energy” includes producing, refining, transporting, generating, transmitting, conserving, building, distributing, and maintaining energy systems and system components.

Purpose/Scope

1. City of Loveland and NE Region: Provides for the rapid restoration of electric services. Support the restoration of private sector critical infrastructure. Coordinate the rationing and distribution of emergency power and fuel. Provides information concerning the energy restoration process such as projected schedules, percent completion of restoration, geographic information on the restoration, and other information as appropriate. Coordinates discussions and activities with Platte River Power Authority regarding problems that may be occurring on the transmission grid or the loss of generating capacity.

Lead Agency/Agencies

1. City of Loveland: Power Operations Division.
2. NE Region: Platte River Power Authority; Public Works-Utilities; Public Works/Transportation Support; General Services.
3. State: Regulatory Agencies.
4. NRF: DOE.

Support Agencies

1. City of Loveland and NE Region: Loveland Water and Power Department; Platte River Power Authority; Public Works; Telecommunications; IT; Sheriff/Police; Fire Departments and Districts; Environmental Health; Xcel Energy; United Energy; Qwest; Comcast; Other Municipal Electrical Power Utilities Providers.
2. State: Governor’s Office; DOLA/CDEM; CDOT; DMVA; Natural Resources; Private Sector.
3. NRF: FERC; NERC; WECC; DHS/FEMA; Agriculture; Commerce; DOD; Interior; Labor; State; US DOT; EPA; NRC; TVA.

ESF 12(b) – WATER and WASTEWATER INFRASTRUCTURE

Department with Primary Responsibility – Water Utility Division

Activities within the scope of this function include conducting pre and post-incident assessments of water and wastewater infrastructure; executing emergency support for life-saving and life-sustaining services; providing technical assistance to include engineering expertise, construction management, and contracting and real estate services; providing emergency repair of damaged infrastructure and critical facilities; and other recovery programs.

Purpose/Scope

1. City of Loveland and NE Region: Evaluate, maintain and restore water treatment, water distribution, raw water, wastewater collection and wastewater treatment infrastructure. Support the protection and restoration of infrastructure (i.e. electrical, and communications). Provide engineering related support for incident operations and coordination of debris removal, storage, and disposal activities.

Lead Agency/Agencies

1. City of Loveland: Fire Rescue Authority; EMS; Police Department; Public Works; Streets Division; Solid Waste Division, Water & Power Department; Engineering Department.
2. NE Region: Larimer County; Health Department; NCWCD; NFRWQPA; LTWD; FCLWD.
3. State: CDPHE; State Engineers Office.
4. NRF: U.S. Army Corps of Engineers; EPA.

ESF 13 –LAW ENFORCEMENT AND SECURITY

Department with Primary Responsibility – Police Department

ESF 13 provides a mechanism for coordinating and providing Federal support to State and local authorities to include non-investigative/non-criminal law enforcement, public safety, and security capabilities and resources during potential or actual incidents of national significance.

ESF 13 supports the incident management requirements including force and critical infrastructure protection, security planning and technical assistance, technology support, and public safety in both pre-incident and post-incident situations. ESF13 generally is activated in situations requiring extensive assistance to provide public safety and security and where State and local government resources are overwhelmed or are inadequate, or in pre-incident or post-incident situations that require protective solutions or capabilities unique to the Government.

Purpose/Scope

1. City of Loveland and NE Region: Includes the protection of life and property by enforcing laws, orders, and regulations including the movement of persons from threatened or hazardous areas. Provides for security, traffic, and access control of an effected area.

Lead Agency/Agencies

1. City of Loveland: Police Department.
2. NE Region: Sheriff/Police.
3. State: Dept. of Public Safety.
4. NRF: DHS; Dept. of Justice.

Support Agencies

1. City of Loveland and NE Region: Road and Bridge; Public Works; IT; Attorney; Dispatch; CSP; Other Law Enforcement/Security Resources (Schools, CSOC, CU; CNG, Private).
2. State: Corrections; CDPHE; DMVA; Natural Resources; Law; DOLA/CDEM.
3. NRF: Agriculture; Commerce; DOD; Energy; Interior; Justice; Veterans Affairs; EPA; NASA; SSA; USPS.

ESF 14 – LONG-TERM COMMUNITY RECOVERY AND MITIGATION

Department with Primary Responsibility – City Administration

The policies and concepts in this ESF apply to appropriate departments and external agencies following a disaster that affects the long-term recovery of the community. Based on an assessment of incident impacts, ESF 14 support may vary depending on the magnitude and type of incident and the potential for long-term and severe consequences. ESF 14 will most likely be activated for large-scale or catastrophic incidents that require State and/or Federal assistance to address significant long-term impacts in the affected area (e.g., impacts on housing, businesses and employment, community infrastructure, and social services).

Purpose/Scope

1. City of Loveland and NE Region: Manages and coordinates efforts for returning a jurisdiction back to normal. Establish outline for mitigation opportunities in the aftermath of an emergency. Includes the tracking and assessment of economic and social impacts of the Incident Action Plan. Ensures that procedures and experts are available to provide preliminary estimates and descriptions. Engineers and damage assessment teams should base estimates of the extent of damage on observations. Assessments provide a basis for determining the need for a county, state, or Presidential disaster declaration.

Lead Agency/Agencies

1. City of Loveland: City Manager and City Council
2. NE Region: County Commissioners; County Manager; Community Development; Planning and Development/Emergency Management; Emergency Management: Building Inspection.
3. State: DOLA.
4. NRF: DHS/FEMA.

Support Agencies

1. City of Loveland and NE Region: Leadership; Administration; Attorney; Social Services/Human Services; Finance; Budget Officer; City Clerk; Public Works; Engineering; Streets; Risk Management; Housing Authority; Human Resources; IT; Facilities; Fleet Services; Larimer County Health and Environment; Colorado Department of Transportation; Community and Economic Development; Chamber of Commerce; Thompson School District; VOAD; American Red Cross; Salvation Army; United Way 211, CSU Cooperative Extension.
2. State: All State Agencies.
3. NRF: Agriculture; Commerce; DOD; Energy; Health and Human Services; HUD; Interior; Labor; Treasury; US DOT; SBA; EPA; TVA; American Red Cross.

ESF 15 – EXTERNAL AFFAIRS

Department with Primary Responsibility – City Administration

ESF 15 coordinates government actions to provide the required external affairs support to incident management elements. This ESF details the establishment of support positions to coordinate communications to various audiences. ESF 15 applies to all State and local departments and agencies that may require public affairs support or whose public affairs assets may be employed during a disaster. ESF 15 is organized into the following functional components: Public Affairs, Community Relations, Congressional Affairs, International Affairs, State and Local Coordination, and Tribal Affairs.

The provisions of this ESF apply to any response where significant interagency coordination is required. ESF 15 provides the resources and structure for the implementation of the LEOP. Incident communications actions contained in the LEOP are consistent with the template established in the National Incident Management System (NIMS).

Purpose/Scope

1. City of Loveland and NE Region: Provides for effective collection, control, and dissemination of public information to inform the general public adequately of emergency conditions and available assistance. Coordinates efforts to minimize rumors and misinformation during an emergency.

Lead Agency/Agencies

1. City of Loveland: the City Manager and City Council.
2. NE Region: County Commissioners/County Administrator/Sheriff.
3. State: Governor's Office.
4. NRF: DHS/FEMA.

Support Agencies

1. City of Loveland and NE Region: City Manager, Agency PIOs; Police/Sheriff; Fire Rescue Authority; EMS; Assessor; Office of Emergency Management; Legislative Affairs; Community Development; Community Resources; Human Resources; Attorney; Cable Access Television; state-wide television; Community Relations; Social Services; Tri-County Health; CSU Cooperative Extension; UDFCD; Community Reach Center; Animal Shelter/Adoption Center; Dispatch.
2. State: All State Agencies.
3. NRF: All Federal Departments.

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Appendix C. DECLARATION OF LOCAL DISASTER

CITY OF LOVELAND DECLARATION of LOCAL DISASTER

WHEREAS, the City of Loveland (“City”) has suffered or is threatened with serious injury and damage constituting a local disaster caused by _____

 resulting in _____ ,
 which conditions commenced on the _____ day of _____, in the year of 20__; and,

WHEREAS, CRS section 24-32-2109 provides that a local disaster may be declared only by the principle executive officer of a political subdivision, which under City Charter and Code is the Mayor; and

WHEREAS, the declaration of a local disaster at this time will aid the City in the response and recovery aspects of the City of Loveland’s emergency plans; and

WHEREAS, local emergencies have / have not been declared by other jurisdictions in the immediate vicinity of the City, including _____ ,
 Colorado; and

WHEREAS, City residents are strongly encouraged to _____
 except for emergency purposes where the health or safety of a person is in imminent peril.

NOW, THEREFORE, BE IT DECLARED BY THE MAYOR OF THE CITY OF LOVELAND, COLORADO, that a local disaster exists in the City of Loveland, Colorado.

FURTHER, IT IS HEREBY ORDERED that this declaration be given prompt and general publicity and that a copy be filed promptly with the Loveland City Clerk and with the Division of Emergency Management of the Colorado Department of Local Affairs.

FURTHER, this declaration shall be effective for not more than seven (7) days from the date hereof unless renewed by the Mayor unless extended by actions of the City Council of the City of Loveland, Colorado.

Dated at LOVELAND, COLORADO, this ____ Day of _____, in the year of 20____, at __:__ AM/ PM.

Mayor, City of Loveland

Appendix D. REQUEST FOR PROCLAMATION OF DISASTER

Governor _____
 136 State Capitol
 Denver, CO 80203-1792

Dear Governor _____:

The purpose of this letter is to request that you proclaim a state of disaster emergency in the City of Loveland pertaining to _____ commencing on _____, 20____. This event has exceeded our locally available resources in coping with the emergency.

The City of Loveland ("City") has established an Emergency Management Ordinance and Emergency Operations Plan in accordance with Colorado law to address these kinds of emergencies. Among the problems the City is experiencing are the following:

1. Brief Example
2. Brief Example
3. Brief Example

Our emergency operations have stressed the City's resources beyond its limits. Because this emergency event, which I have declared in the enclosed Declaration to be a "local disaster", has exceeded the City's resources, I am requesting, by this letter, assistance from your office and/or the Colorado Division of Emergency management. The City is also requesting that financial resources be available under §24-32-2106, C.R.S. and/or from FEMA funds that may be available to the State for distribution to local governments or from other resources that are available to the State. I look forward to receiving additional information about the actions the City should take to perfect this request and to obtain a favorable determination from the State.

Sincerely,

Mayor, City of Loveland

Enclosures

cc: City Council members
 City Manager
 Emergency Manager
 Director, Division of Emergency Management, Colorado Dept. of Local Affairs

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Appendix E. BIBLIOGRAPHY

1. U.S. Department of Homeland Security, National Incident Management System, 2004 Washington, D.C.
2. U.S. Department of Homeland Security, National Response Framework, 2008, Washington, D.C.
3. U.S. Department of Homeland Security, “Robert T. Stafford Disaster Relief and Emergency Assistance Act” 25 August 2006,
<<http://www.fema.gov/library/stafact.shtm>> (3 January 2007)
4. State of Colorado, State Emergency Operations Plan, 2006, Centennial, CO.
5. Colorado Department of Local Affairs, Disaster Emergency Procedures Handbook for Local Governments, Centennial, CO.
6. City of Fort Collins, Colorado, Emergency Operations Plan 2006, Fort Collins, CO.
7. Municipal Codes of the City of Loveland, Chapter 2.72, Comprehensive Disaster Plan, Section 2.72.010

Appendix F. EMERGENCY OPERATIONS PLAN DISTRIBUTION LIST

Loveland City Council	12
City Manager's Office	4
City Clerk's Office	1
Department Directors	12
Public Works	3
Water & Power	2
Loveland Communications	2
Fire Rescue Advisory Commission	9
Loveland Rural Fire Protection District	2
Colorado State DEM Field Office	1
Larimer County OEM	1
Fort Collins OEM	1
City of Loveland OEM	3
Loveland Library	1
Thompson Valley EMS	1
McKee Medical Center	1
Medical Center of the Rockies	1
Thompson R2J School District	1
TOTAL # OF COPIES	58

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**CITY OF LOVELAND**
MUNICIPAL AIRPORT

4900 Earhart Road • Loveland, Colorado 80538
(970) 962-2852 • FAX (970) 962-2855 • TDD (970) 962-2620

AGENDA ITEM: 8
MEETING DATE: 5/15/2012
TO: City Council
FROM: Keith Reester, Public Works Director
Jason Licon, Airport Director
PRESENTER: Jason Licon, Airport Director

TITLE:

A resolution authorizing the City Manager to execute a Grant agreement with the State of Colorado Division of Aeronautics (CDAG #12-FNL-02) for equipment, improvements and funding pertaining to the Fort Collins-Loveland Municipal Airport

RECOMMENDED CITY COUNCIL ACTION:

Adopt the resolution

OPTIONS:

1. Adopt the action as recommended
 2. Deny the action
 3. Adopt a modified action (specify in the motion)
 4. Refer back to staff for further development and consideration
 5. Adopt a motion continuing the item to a future Council meeting
-

DESCRIPTION:

This is an administrative action. The Resolution authorizes the City Manager to execute a Grant from the State of Colorado, Division of Aeronautics for funds in the amount of \$13,684.00. The State Aviation Discretionary Grant will be used to cover an increase in match for the FAA 2012 Entitlement Grant for Design Services for the first phase of the general aviation ramp rehabilitation that will be completed in 2013 and for acquisition of an additional Snow Removal Vehicle.

BUDGET IMPACT:

- ☐ Positive
☐ Negative
☒ Neutral or negligible

The airport's approved 2012 budget includes the expenditure of \$400,000 for the State Discretionary Grant. The remaining \$13,684 State Grant and match will need an additional budget appropriation.

SUMMARY:

The State of Colorado department of Transportation-Aeronautics Division has offered the Fort Collins-Loveland Airport an additional grant that will be used to pay for the increase in local match dollars necessary to obtain federal funding. In February the Federal Aviation Administration's airport improvement program funding percentage was reduced from 95% to 90% for all airport grant programs. Historically the State Division of Aeronautics has funded half of the local contribution match dollars. It is because of this local match increase requirement that the State has offered this additional increase in funding. The grant will be used for the first phase of the general aviation ramp rehabilitation that will be completed in 2013 and for acquisition of an additional Snow Removal Equipment Vehicle.

REVIEWED BY CITY MANAGER:

LIST OF ATTACHMENTS:

Resolution

RESOLUTION # R-34-2012

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A GRANT AGREEMENT WITH THE STATE OF COLORADO DIVISION OF AERONAUTICS (CDAG #12-FNL-02) FOR EQUIPMENT, IMPROVEMENTS AND FUNDING PERTAINING TO THE FORT COLLINS-LOVELAND MUNICIPAL AIRPORT

WHEREAS, the General Assembly of the State of Colorado has declared in Title 43 of the Colorado Revised Statutes, Article 10, 1991 in C.R.S. 43-10-101 (“the Act”) that: “...there exists a need to promote the safe operation and accessibility of general aviation and intrastate commercial aviation in this state; that improvement of general aviation and intrastate commercial aviation transportation facilities will promote diversified economic development across the state; and that accessibility to airport facilities for residents of this state is crucial in the event of a medical or other type of emergency.”; and

WHEREAS, the Act created the Colorado Aeronautical Board (“the Board”) to establish policy and procedures for distribution of monies in the Aviation Fund and created the Division of Aeronautics (“the Division”) to carry out the directives of the Board, including technical and planning assistance to airports and the administration of the state aviation system grant program. (See C.R.S. §43-10-103, C.R.S. §43-10-105, and C.R.S. §43-10-108.5 of the Act); and

WHEREAS, any entity operating a public-accessible airport in the state may file an application for and be a recipient of a grant to be used solely for aviation purposes (an “Application”); and

WHEREAS, The Division is authorized to assist such airports as request assistance by means of a Resolution passed by the applicant’s duly-authorized governing body, which understands that all funds shall be used exclusively for aviation purposes and that it will comply with all grant procedures and requirements as defined in the Division’s Grant program Project Management Manual, revised 1999 (“the Manual”); and

WHEREAS, the City of Fort Collins and the City of Loveland (“the Cities”) own and operate in the State the Fort Collins-Loveland Municipal Airport (“the Airport”); and

WHEREAS, the Cities previously applied for and were awarded grants CDAG #12-FNL-01 and CDAG #12-FNL-101 from the Division as part of a match funding grant with the Federal Aviation Administration (“FAA”), but as a result in a change in the match funding requirement by the FAA, the Cities must allocate additional funding; and

WHEREAS, the Cities have applied for a grant (CDAG #12-FNL-02) attached hereto as Exhibit A and incorporated by reference (the “Grant Agreement”), from the Division to cover one-half of the additional funding needed for the FAA match funding grant.

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

Section 1. That the Council of the City of Loveland (“the Council”), as one of the duly authorized governing bodies of the grant applicant, hereby formally requests assistance from the Colorado Aeronautical Board and the Division of Aeronautics in the form of a state aviation system grant. The City of Loveland states that such grant shall be used solely for aviation purposes, as determined by the State, and as generally described in the Application.

Section 2. That the City of Loveland makes the commitment (a) to keep the Airport facility accessible to, and open to, the public during the entire useful life of the grant funded improvements/equipment; or (b) to reimburse the Division for any unexpired useful life of the improvements/equipment on a pro-rata basis. By signing the Grant Agreement, the City of Loveland further commits to keep open and accessible for public use all grant funded facilities, improvements and services for their useful life, as determined by the Division and stated in the Grant Agreement.

Section 3. That the Council hereby designates Jason Licon, Airport Director, as the Project Director, as described in the Manual, and authorizes the Project Director to act in all matters relating to the work project proposed in the Application in its behalf, and further authorizes the City Manager to execute the Grant Agreement with such modifications in form or substance as the City Manager, in consultation with the City Attorney’s Office, may deem necessary to effectuate the purposes of this resolution or to protect the interests of the City.

Section 4. That the City of Loveland has appropriated or will appropriate or otherwise make available in a timely manner its share of all funds that are required to be provided by the Cities under the terms and conditions of the Grant Agreement.

Section 5. That the City of Loveland, subject to the foregoing, hereby accepts all guidelines, procedures, standards, and requirements described in the Manual as applicable to the performance of the grant work and hereby approves the Grant Agreement submitted by the State, including all terms and conditions contained therein.

Section 6. That this Resolution shall be effective as of the date and time of its adoption.

ADOPTED this ____ day of May, 2012.

Cecil A. Gutierrez, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:



Assistant City Attorney

A Resolution Authorizing the City Manager to Execute a Grant Agreement with the State of Colorado Division of Aeronautics (CDAG #12-FNL-02) for Equipment, Improvements and Funding Pertaining to the Fort Collins-Loveland Municipal Airport

Exhibit A

CDOT-Aeronautics Division
 CDAG No. **12-FNL-02**
 SAP PO No. **291001183**
 Additional Funds: \$ 13,684.00

COLORADO DEPARTMENT OF TRANSPORTATION
Colorado Aeronautical Board

CONTRACT AMENDMENT

Amendment #1	Original Contract CLIN # 12 HAV 39750	Amendment CLIN # 12 HAV 42908
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1) PARTIES

This Amendment to the above-referenced Original Contract (hereinafter called the Contract) is entered into by and between the **City of Fort Collins** and the **City of Loveland** (hereinafter referred to as "the Grantee") and the State of Colorado acting by and through the Department of Transportation-Aeronautics Division (hereinafter called the "the Division" or "the State").

2) EFFECTIVE DATE AND ENFORCEABILITY

This Amendment shall not be effective or enforceable until it is approved and signed by the Colorado State Controller or designee (hereinafter called the "Effective Date"), but shall be effective and enforceable thereafter in accordance with its provisions. The State shall not be liable to pay or reimburse the **City of Fort Collins** and the **City of Loveland** for any performance hereunder, including, but not limited to costs or expenses incurred, or be bound by any provision hereof prior to the Effective Date.

3) FACTUAL RECITALS

The Parties entered into the Contract to participate in Federally Funded design of GA Ramp Rehabilitation. Purchase Snow Removal Equipment, Airport Service Vehicle, Utility Upgrade and Runway Weather Information System (RWIS).

4) CONSIDERATION

Consideration for this Amendment consists of the payments to be made hereunder and the obligations, promises, and agreements herein set forth.

5) LIMITS OF EFFECT

This Amendment is incorporated by reference into the Contract, and the Contract and all prior amendments thereto, if any, remain in full force and effect except as specifically modified herein.

6) MODIFICATIONS

Section 7A is hereby deleted in its entirety and replaced with the following language:

A. Maximum Amount

The maximum amount payable under this Grant to Grantee by the State is \$413,684.00 as determined by the State based on available funds.

The maximum amount payable under this Grant to Grantee by the State is 5% of the project cost not to exceed \$26,000.00 for Element A, 90% of the project cost not to exceed \$22,500.00 for Element B, 90% of the project cost not to exceed \$90,000.00 for Element C and 90% of the project cost not to exceed \$275,184.00 for Element D, as determined by the State from available funds in Fund 160, GL Account 4511000010 & SAP Vendor 2000212 & SAP Partner N/A (if applicable), and Cost Center VDG12-033. Grantee agrees to provide any additional funds required for the successful completion of the Work.

Payments to Grantee are limited to the unpaid obligated balance of the Grant as set forth in **Exhibit A**. The State and Grantee shall participate in providing the Grant amount as follows:

State: \$413,684.00

Local Funds: \$69,115.00

Federal: \$468,000.00

7) CONSIDERATION – COLORADO SPECIAL PROVISIONS

The Parties agree to replacing the Colorado Special Provisions with the most recent version (if such have been updated since the Contract and any modifications thereto were effective) as part consideration for this Amendment. If applicable, such Special Provisions are attached hereto and incorporated by reference herein as Exhibit A.

8) EFFECTIVE DATE OF AMENDMENT

The effective date hereof is upon approval of the State Controller or their delegate.

9) ORDER OF PRECEDENCE

Except for the Special Provisions, in the event of any conflict, inconsistency, variance, or contradiction between the provisions of this Amendment and any of the provisions of the Contract, the provisions of this Amendment shall in all respects supersede, govern, and control. The most recent version of the Special Provisions incorporated into the Contract or any amendment shall always control other provisions in the Contract or any amendments.

10) AVAILABLE FUNDS

Financial obligations of the state payable after the current fiscal year are contingent upon funds for that purpose being appropriated, budgeted, or otherwise made available.

11) STATEWIDE GRANT MANAGEMENT SYSTEM

If the maximum amount payable to Grantee under this Grant is \$100,000 or greater, either on the Effective Date or at anytime thereafter, this §14 applies.

Grantee agrees to be governed, and to abide, by the provisions of CRS §24-102-205, §24-102-206, §24-103-601, §24-103.5-101 and §24-105-102 concerning the monitoring of vendor performance on state Grants and inclusion of Grant performance information in a statewide Grant management system.

Grantee's performance shall be subject to Evaluation and Review in accordance with the terms and conditions of this Grant, State law, including CRS §24-103.5-101, and State Fiscal Rules, Policies and Guidance. Evaluation and Review of Grantee's performance shall be part of the normal Grant administration process and Grantee's performance will be systematically recorded in the statewide Grant Management System. Areas of Evaluation and Review shall include, but shall not be limited to quality, cost and timeliness. Collection of information relevant to the performance of Grantee's obligations under this Grant shall be determined by the specific requirements of such obligations and shall include factors tailored to match the requirements of Grantee's obligations. Such performance information shall be entered into the statewide Grant Management System at intervals established herein and a final Evaluation, Review and Rating shall be rendered within 30 days of the end of the Grant term. Grantee shall be notified following each performance Evaluation and Review, and shall address or correct any identified problem in a timely manner and maintain work progress.

Should the final performance Evaluation and Review determine that Grantee demonstrated a gross failure to meet the performance measures established hereunder, the Executive Director of the Colorado Department of Personnel and Administration (Executive Director), upon request by the Department of Transportation-Aeronautics Division, and showing of good cause, may debar Grantee and prohibit Grantee from bidding on

future Grants. Grantee may contest the final Evaluation, Review and Rating by: **(a)** filing rebuttal statements, which may result in either removal or correction of the evaluation (CRS §24-105-102(6)), or **(b)** under CRS §24-105-102(6), exercising the debarment protest and appeal rights provided in CRS §§24-109-106, 107, 201 or 202, which may result in the reversal of the debarment and reinstatement of Grantee, by the Executive Director, upon showing of good cause.

THE REST OF THIS PAGE LEFT INTENTIONALLY BLANK

ADDENDUM TO SPECIAL PROVISIONS (Replaces the first paragraph of Paragraph 3, captioned INDEMNIFICATION, of the SPECIAL PROVISIONS)

To the extent authorized by law, the «APPLICANT» shall indemnify, save and hold harmless the State, its employees and agents against any and all claims, damages, liability and court awards including costs, expenses, and attorney fees incurred as a result of any act or omission by the Contractor, or its employees, agents, subcontractors or assignees pursuant to the terms of this contract.

Special Provisions

These Special Provisions apply to all contracts except where noted in *italics*.

1. **CONTROLLER'S APPROVAL.** CRS §24-30-202(1). This contract shall not be valid until it has been approved by the Colorado State Controller or designee.
2. **FUND AVAILABILITY.** CRS §24-30-202(5.5). Financial obligations of the State payable after the current fiscal year are contingent upon funds for that purpose being appropriated, budgeted, and otherwise made available.
3. **GOVERNMENTAL IMMUNITY.** No term or condition of this contract shall be construed or interpreted as a waiver, express or implied, of any of the immunities, rights, benefits, protections, or other provisions, of the Colorado Governmental Immunity Act, CRS §24-10-101 et seq., or the Federal Tort Claims Act, 28 U.S.C. §§1346(b) and 2671 et seq., as applicable now or hereafter amended.
4. **INDEPENDENT CONTRACTOR.** Contractor shall perform its duties hereunder as an independent contractor and not as an employee. Neither Contractor nor any agent or employee of Contractor shall be deemed to be an agent or employee of the State. Contractor and its employees and agents are not entitled to unemployment insurance or workers compensation benefits through the State and the State shall not pay for or otherwise provide such coverage for Contractor or any of its agents or employees. Unemployment insurance benefits will be available to Contractor and its employees and agents only if such coverage is made available by Contractor or a third party. Contractor shall pay when due all applicable employment taxes and income taxes and local head taxes incurred pursuant to this contract. Contractor shall not have authorization, express or implied, to bind the State to any agreement, liability or understanding, except as expressly set forth herein. Contractor shall (a) provide and keep in force workers' compensation and unemployment compensation insurance in the amounts required by law, (b) provide proof thereof when requested by the State, and (c) be solely responsible for its acts and those of its employees and agents.
5. **COMPLIANCE WITH LAW.** Contractor shall strictly comply with all applicable federal and State laws, rules, and regulations in effect or hereafter established, including, without limitation, laws applicable to discrimination and unfair employment practices.
6. **CHOICE OF LAW.** Colorado law, and rules and regulations issued pursuant thereto, shall be applied in the interpretation, execution, and enforcement of this contract. Any provision included or incorporated herein by reference which conflicts with said laws, rules, and regulations shall be null and void. Any provision incorporated herein by reference which purports to negate this or any other Special Provision in whole or in part shall not be valid or enforceable or available in any action at law, whether by way of complaint, defense, or otherwise. Any provision rendered null and void by the operation of this provision shall not invalidate the remainder of this contract, to the extent capable of execution.
7. **BINDING ARBITRATION PROHIBITED.** The State of Colorado does not agree to binding arbitration by any extra-judicial body or person. Any provision to the contrary in this contract or incorporated herein by reference shall be null and void.
8. **SOFTWARE PIRACY PROHIBITION.** Governor's Executive Order D 002 00. State or other public funds payable under this contract shall not be used for the acquisition, operation, or maintenance of computer software in violation of federal copyright laws or applicable licensing restrictions. Contractor hereby certifies and warrants that, during the term of this contract and any extensions, Contractor has and shall maintain in place appropriate systems and controls to prevent such improper use of public funds. If the State determines that Contractor is in violation of this provision, the State may exercise any remedy available at law or in equity or under this contract, including, without limitation, immediate termination of this contract and any remedy consistent with federal copyright laws or applicable licensing restrictions.
9. **EMPLOYEE FINANCIAL INTEREST/CONFLICT OF INTEREST.** CRS §§24-18-201 and 24-50-507. The signatories aver that to their knowledge, no employee of the State has any personal or beneficial interest whatsoever in the service or property described in this contract. Contractor has no interest and shall not acquire any interest, direct or indirect, that would conflict in any manner or degree with the performance of Contractor's services and Contractor shall not employ any person having such known interests.
10. **VENDOR OFFSET.** CRS §§24-30-202 (1) and 24-30-202.4. *[Not Applicable to intergovernmental agreements]* Subject to CRS §24-30-202.4 (3.5), the State Controller may withhold payment under the State's vendor offset intercept system for debts owed to State agencies for: (a) unpaid child support debts or child support arrearages; (b) unpaid balances of tax, accrued interest, or other charges specified in CRS §39-21-101, et seq.; (c) unpaid loans due to the Student Loan Division of the Department of Higher Education; (d) amounts required to be paid to the Unemployment Compensation Fund; and (e) other unpaid debts owing to the State as a result of final agency determination or judicial action.
11. **PUBLIC CONTRACTS FOR SERVICES.** CRS §8-17.5-101. *[Not Applicable to agreements relating to the offer, issuance, or sale of securities, investment advisory services or fund management services, sponsored projects, intergovernmental agreements, or information technology services or products and services]* Contractor certifies, warrants, and agrees that it does not knowingly employ or contract with an illegal alien who will perform work under this contract and will confirm the employment eligibility of all employees who are newly hired for employment in the United States to perform work under this contract, through participation in the E-Verify Program or the Department program established pursuant to CRS §8-17.5-102(5)(c). Contractor shall not knowingly employ or contract with an illegal alien to perform work under this contract or enter into a contract with a subcontractor that fails to certify to Contractor that the subcontractor shall not knowingly employ or contract with an illegal alien to perform work under this contract. Contractor (a) shall not use E-Verify Program or Department program procedures to undertake pre-employment screening of job applicants while this contract is being performed, (b) shall notify the subcontractor and the contracting State agency within three days if Contractor has actual knowledge that a subcontractor is employing or contracting with an illegal alien for work under this contract, (c) shall terminate the subcontract if a subcontractor does not stop employing or contracting with the illegal alien within three days of receiving the notice, and (d) shall comply with reasonable requests made in the course of an investigation, undertaken pursuant to CRS §8-17.5-102(5), by the Colorado Department of Labor and Employment. If Contractor participates in the Department program, Contractor shall deliver to the contracting State agency, Institution of Higher Education or political subdivision a written, notarized affirmation, affirming that Contractor has examined the legal work status of such employee, and shall comply with all of the other requirements of the Department program. If Contractor fails to comply with any requirement of this provision or CRS §8-17.5-101 et seq., the contracting State agency, institution of higher education or political subdivision may terminate this contract for breach and, if so terminated, Contractor shall be liable for damages.
12. **PUBLIC CONTRACTS WITH NATURAL PERSONS.** CRS §24-76.5-101. Contractor, if a natural person eighteen (18) years of age or older, hereby swears and affirms under penalty of perjury that he or she (a) is a citizen or otherwise lawfully present in the United States pursuant to federal law, (b) shall comply with the provisions of CRS §24-76.5-101 et seq., and (c) has produced one form of identification required by CRS §24-76.5-103 prior to the effective date of this contract.

Revised 1-1-09

THE PARTIES HERETO HAVE EXECUTED THIS GRANT

* Persons signing for Grantee hereby swear and affirm that they are authorized to act on Grantee's behalf and acknowledge that the State is relying on their representations to that effect.

<p style="text-align: center;">GRANTEE</p> <p>City of Fort Collins / City of Loveland</p> <p>By: _____</p> <p>_____</p> <p>Print Name of Authorized Individual</p> <p>Title: _____</p> <p>_____</p> <p>Print Title of Authorized Individual</p> <p>_____</p> <p style="text-align: center;">*Signature</p> <p>Date: _____</p>	<p style="text-align: center;">STATE OF COLORADO</p> <p style="text-align: center;">John W. Hickenlooper, GOVERNOR</p> <p style="text-align: center;">Colorado Department of Transportation</p> <p style="text-align: center;">Donanld E. Hunt – Executive Director</p> <p>By: David C. Gordon, Director, Aeronautics Div.</p> <p>Date: _____</p>
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ALL GRANTS REQUIRE APPROVAL BY THE STATE CONTROLLER

CRS §24-30-202 requires the State Controller to approve all State Grants. This Grant is not valid until signed and dated below by the State Controller or delegate. Grantee is not authorized to begin performance until such time. If Grantee begins performing prior thereto, the State of Colorado is not obligated to pay Grantee for such performance or for any goods and/or services provided hereunder.

<p>STATE CONTROLLER</p> <p>David J. McDermott, CPA</p> <p>By: _____</p> <p>Colorado Department of Transportation</p> <p>Date: _____</p>

**CITY OF LOVELAND****CITY COUNCIL**

Civic Center • 500 East Third • Loveland, Colorado 80537
(970) 962-2329 • FAX (970) 962-2901 • TDD (970) 962-2620

AGENDA ITEM: 9
MEETING DATE: 5/15/2012
TO: City Council
FROM: William D. Cahill, City Manager
John Duval, City Attorney
PRESENTERS: Greg George/John Duval

TITLE:

An emergency ordinance of the Council of the City of Loveland imposing a nine-month moratorium on the City's acceptance and processing of land use applications, permits and other approvals concerning the conduct of oil and gas extraction and related operations within the City

RECOMMENDED CITY COUNCIL ACTION:

Conduct a public hearing. Council's consideration of the ordinance

OPTIONS:

1. Adopt the emergency ordinance
 2. Adopt the ordinance on first reading as a "non-emergency" ordinance (alternative ordinance attached)
 3. Deny the action
 4. Adopt a modified action (specify in the motion)
 5. Refer back to staff for further development and consideration
 6. Adopt a motion continuing the item to a future Council meeting
-

DESCRIPTION:

This is a legislative action to consider an emergency ordinance enacting a nine-month moratorium on the acceptance and processing of land use applications and other approvals related to oil and gas extraction and related operations within the City, pursuant to Council's request at its May 1, 2012 meeting. An alternative (non-emergency) ordinance is included should there not be at least six votes to pass this Ordinance as an emergency ordinance, but nevertheless a majority of the Council quorum present wishes to consider adopting a moratorium ordinance on first reading in lieu of the emergency ordinance.

BUDGET IMPACT:

- ☐ Positive
☐ Negative
☒ Neutral or negligible

SUMMARY:

At the May 1, 2012 City Council meeting, a number of citizens asked Council to implement a moratorium until the end of 2012 on oil and gas drilling and related operations within City. Council requested that staff bring forward for its consideration an ordinance for such a moratorium.

The proposed ordinance enacts a nine-month moratorium on the acceptance and processing of land use applications, permits and other approvals for oil and gas extraction and related operations within the City. Nine months is believed to be an appropriate time period in which to thoroughly evaluate the potential impacts of such oil and gas activities within the City, to determine whether the City's existing zoning and land use regulations are sufficient to protect the public's health, safety, and welfare or whether additional regulations are necessary, to draft and propose any appropriate changes to the City's land use regulations, and to engage in a public process to obtain input from the public with respect to such issues. Since the proposed moratorium only suspends the City's future processing of land use applications, permits and other applications for approval of such activities, existing oil and gas extraction and related activities would not be terminated or suspended by the moratorium. A nine-month period is not believed to be excessive in light of the scope of the issues to be addressed and does not represent an unreasonable burden on the financial interests of the oil and gas industry and others having an ownership interest in oil and gas rights.

The proposed moratorium period would also be used to clarify the extent of the City's legal authority to regulate oil and gas extraction activities on a local level. It is not clear at this time whether the anticipated process will result in actionable recommendations for regulation that would be legally sufficient or otherwise satisfactory given Colorado's statutory and regulatory environment. Since 1992, the Colorado courts have held that regulation of oil and gas development is a matter of mixed state and local concern. Therefore, home rule cities, like Loveland, can only regulate oil and gas development to the extent that any such local regulations are not in conflict with state law. If a conflict exists, then state law would preempt any conflicting local regulation. Therefore, City staff's task will in large part involve evaluating the extent and parameters of existing state law regulating oil and gas development, and determining the extent to which the City can also regulate oil and gas development without coming into conflict with state law.

Under the City's current Code, oil and gas operations are not permitted in any of the City's zoning districts except in the Industrial ("I") and Developing Resource ("DR") districts. In the I and DR districts oil and gas operations are only permitted if approved through the City's special review process. However, the City's Code does not otherwise contain any provision or criteria specific to the regulation of oil and gas operations. With respect to the Millennium GDP, oil and gas operations are not currently or specifically permitted whether as a use-by-right or a use by special review. The Director of Development Services is, however, given some discretion under the Millennium GDP to make an interpretation that a specific use like oil and gas operations would be a qualified use under a more generally described use allowed in the GDP.

A temporary moratorium has generally been upheld by the Colorado courts so long as it is reasonable in duration (9 months or more has been held to be reasonable in two reported cases) and the action is taken in good faith. Nearby local governments that have recently adopted moratoria on oil and gas land use application approvals include Longmont (5 months), Colorado Springs (6 months), El Paso County (4 months), Erie (6 months) and Boulder County (12 months).

Passage of the proposed ordinance as an emergency ordinance requires a positive vote of six of nine Council members (two-thirds of the entire Council membership). An alternative ordinance is also presented as a regular ordinance for first reading, which requires only a positive vote of the majority of the quorum present to pass on first reading and a positive vote from at least five council members on second reading.

REVIEWED BY CITY MANAGER:



LIST OF ATTACHMENTS:

1. Emergency ordinance for nine month moratorium
2. Alternative (non-emergency) ordinance for nine month moratorium
3. Schedule for oil and gas development regulation
4. Maps

FIRST & ONLY READING: May 15, 2012

ORDINANCE NO. _____

**AN EMERGENCY ORDINANCE OF THE COUNCIL OF THE CITY OF
LOVELAND IMPOSING A NINE-MONTH MORATORIUM ON THE CITY'S
ACCEPTANCE AND PROCESSING OF LAND USE APPLICATIONS, PERMITS
AND OTHER APPROVALS CONCERNING THE CONDUCT OF OIL AND GAS
EXTRACTION AND RELATED OPERATIONS WITHIN THE CITY**

WHEREAS, the Loveland City Council recognizes the importance of natural resources to the community, but believes it is important to minimize adverse impacts of any industry developing those resources on the City and the public's health, safety, and welfare through the exercise of the City's general police power and its zoning and land use regulations; and

WHEREAS, there has been considerable interest in oil and gas resources underlying portions of Loveland, including property owned by the City; and

WHEREAS, the exploration for and extraction of liquid and gaseous hydrocarbon resources and related activities present unique public health, safety, and welfare issues which may be inadequately addressed in the City's current zoning and land use regulations; and

WHEREAS, the present City regulations related to oil and gas exploration, extraction, production, transportation and related operations and activities, including, without limitation, all those oil and gas activities regulated by the Colorado Oil and Gas Conservation Commission (collectively "Oil and Gas Uses") in the City require updating with respect to current regulatory best management practices consistent with the Colorado Oil and Gas Conservation Commission ("Commission") Rules and industry technologies in order to preserve and protect the health, safety, and welfare of Loveland's citizens and the resources of the City; and

WHEREAS, Oil and Gas Uses may negatively impact Loveland citizens and the use and integrity of local water supplies and water infrastructure, air quality, roads and transportation infrastructure, wastewater infrastructure, land resources, wildlife and aesthetic values; and

WHEREAS, Title 18 of the Loveland Municipal Code provides that the City's zoning and land use regulations are designed to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to promote health and general welfare; to provide adequate light and air; to prevent overcrowding of land; to avoid undue

concentration of population; and to facilitate the adequate provision of transportation, water, sewage, schools, parks and other public requirements; and

WHEREAS, a comprehensive study of the impacts of Oil and Gas Uses is needed to determine whether the City's existing zoning and land use regulations are sufficient to protect the public's health, safety, and welfare or whether additional regulations are necessary to address the impact of Oil and Gas Uses; and

WHEREAS, if land use applications, permit applications or any other applications are submitted to the City requesting approval of an Oil and Gas Use prior to the City's examination of the impact of any such Use and before a determination can be made by the Council as to whether any additional local regulations are necessary to protect the public's health, safety, and welfare, irreparable harm may be done to the public's health, safety and welfare and to the City's interests; and

WHEREAS, municipalities throughout Colorado are struggling to address the potential adverse impacts of proliferating Oil and Gas Uses in urban and suburban environments on their citizens' health, safety, and welfare and several municipalities have enacted moratoria permitting a period of time to evaluate those impacts of Oil and Gas Uses in order to assess and determine the appropriate local regulation of such; and

WHEREAS, it is Council's belief that Oil and Gas Uses are likely to commence on property in the City within the next nine (9) months; and

WHEREAS, a significant period of time will be required in order for the City Manager and City Attorney, and their respective staffs, to clarify the extent of the City's legal authority with regard to local regulation of such expected future Oil and Gas Uses and to formulate any recommended amendments to the City Code to deal specifically with those Uses in an adequate manner; and

WHEREAS, the imposition of a nine-month moratorium on the submission, acceptance, consideration, and approval of any and all applications for City licenses, permits and other approvals related in any way to Oil and Gas Uses within the City, will allow City staff and the Council the time needed to investigate the extent of City's authority to regulate such Uses and develop and implement appropriate regulations; and

WHEREAS, nine (9) months is a reasonable period of time and is no longer than necessary for the City to determine the extent to which Oil and Gas Uses may be locally regulated and to properly investigate, develop, and, if appropriate, adopt and implement any local regulations related to Oil and Gas Uses in Loveland in order to protect and preserve the public's health, safety and welfare; and

WHEREAS, existing Oil and Gas Uses in Loveland will not be unduly prejudiced by the imposition of such a moratorium, since such Uses currently permitted and existing in the City will not be prohibited or terminated by this moratorium; and

WHEREAS, Loveland Charter Section 4-10 authorizes the City Council to adopt at one reading an emergency ordinance that goes into effect immediately upon an affirmative vote of at least six (6) members of the Council with a specific statement of the nature of the emergency set forth in the ordinance.

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

Section 1. That the preceding recitals contained in this Ordinance are hereby adopted and incorporated by reference as findings of fact of the City Council.

Section 2. That it is necessary for the immediate preservation of the public's health, safety and welfare to delay the processing of applications for any and all City licenses, permits and any other approvals related to or in any way needed for any and all Oil and Gas Uses within the City until the City has had a reasonable opportunity to investigate the extent of the City's legal authority to regulate such Uses and, if appropriate, adopt and implement any local regulations related to Oil and Gas Uses in Loveland in order to protect and preserve the public's health, safety and welfare.

Section 3. That a nine-month moratorium is hereby imposed upon the acceptance, processing, and approval by the City of any and all applications for City licenses, permits and any other approvals related to or in any way needed for any and all Oil and Gas Uses in the City. No such applications requesting approval to use property within the City for Oil and Gas Uses shall be accepted, processed, or approved commencing May 16, 2012 and for the duration of the nine-month moratorium thereafter. Therefore, this moratorium shall begin on May 16, 2012, and end on February 16, 2013, or such earlier date as may be determined by the City Council by ordinance.

Section 4. That if any section, paragraph, sentence, clause or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of and shall be severable from the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each part or parts hereof irrespective of the fact that any one part or parts may be declared unconstitutional or invalid.

Section 5. That all other ordinances or portions thereof, and all City Code provisions inconsistent or conflicting with this Ordinance or any portion hereof, are hereby superseded by this Ordinance and their legal effect held in abeyance but only to the extent of such inconsistency or conflict and only for the duration of the moratorium herein imposed.

Section 6. That because of the likely and imminent filing of applications for the approval of Oil and Gas Uses on property within the City prior to the City's examination of the impact of such Uses and, if appropriate, its adoption and implementation of specific or adequate zoning, land use and other police power

regulations to govern such Uses, an emergency for the adoption of this Ordinance exists in order to avoid the following adverse consequences:

- a. Adverse changes in the character of the City and its neighborhoods; and
- b. Adverse impacts to the health, safety and welfare of the City's residents as a result of unmitigated or inadequately regulated impacts on water quality, air quality, road and transportation impacts, noise and erosion and stormwater.

Accordingly, the City Council hereby finds and determines that an emergency exists requiring the immediate passage of this Ordinance for the preservation of the health, safety, morals and welfare of the citizens of the City of Loveland.

Section 7. That pursuant to City Charter Section 4-10(b), this Ordinance shall become effective immediately upon its adoption by the City Council.

Signed this 15th day of May, 2012.

CITY OF LOVELAND, COLORADO

Cecil A. Gutierrez, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:



City Attorney

ALTERNATIVE NON-EMERGENCY ORDINANCE**FIRST READING: May 15, 2012****SECOND READING: _____****ORDINANCE NO. _____**

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF
LOVELAND IMPOSING A NINE-MONTH MORATORIUM ON THE CITY'S
ACCEPTANCE AND PROCESSING OF LAND USE APPLICATIONS, PERMITS
AND OTHER APPROVALS CONCERNING THE CONDUCT OF OIL AND GAS
EXTRACTION AND RELATED OPERATIONS WITHIN THE CITY**

WHEREAS, the Loveland City Council recognizes the importance of natural resources to the community, but believes it is important to minimize adverse impacts of any industry developing those resources on the City and the public's health, safety, and welfare through the exercise of the City's general police power and its zoning and land use regulations; and

WHEREAS, there has been considerable interest in oil and gas resources underlying portions of Loveland, including property owned by the City; and

WHEREAS, the exploration for and extraction of liquid and gaseous hydrocarbon resources and related activities present unique public health, safety, and welfare issues which may be inadequately addressed in the City's current zoning and land use regulations; and

WHEREAS, the present City regulations related to oil and gas exploration, extraction, production, transportation and related operations and activities, including, without limitation, all those oil and gas activities regulated by the Colorado Oil and Gas Conservation Commission (collectively "Oil and Gas Uses") in the City require updating with respect to current regulatory best management practices consistent with the Colorado Oil and Gas Conservation Commission ("Commission") Rules and industry technologies in order to preserve and protect the health, safety, and welfare of Loveland's citizens and the resources of the City; and

WHEREAS, Oil and Gas Uses may negatively impact Loveland citizens and the use and integrity of local water supplies and water infrastructure, air quality, roads and transportation infrastructure, wastewater infrastructure, land resources, wildlife and aesthetic values; and

WHEREAS, Title 18 of the Loveland Municipal Code provides that the City's zoning and land use regulations are designed to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to promote health and general welfare; to provide adequate light and air; to prevent overcrowding of land; to avoid undue concentration of population; and to facilitate the adequate provision of transportation, water, sewage, schools, parks and other public requirements; and

WHEREAS, a comprehensive study of the impacts of Oil and Gas Uses is needed to determine whether the City's existing zoning and land use regulations are sufficient to protect the public's health, safety, and welfare or whether additional regulations are necessary to address the impact of Oil and Gas Uses; and

WHEREAS, if land use applications, permit applications or any other applications are submitted to the City requesting approval of an Oil and Gas Use prior to the City's examination of the impact of any such Use and before a determination can be made by the Council as to whether any additional local regulations are necessary to protect the public's health, safety, and welfare, irreparable harm may be done to the public's health, safety and welfare and to the City's interests; and

WHEREAS, municipalities throughout Colorado are struggling to address the potential adverse impacts of proliferating Oil and Gas Uses in urban and suburban environments on their citizens' health, safety, and welfare and several municipalities have enacted moratoria permitting a period of time to evaluate those impacts of Oil and Gas Uses in order to assess and determine the appropriate local regulation of such; and

WHEREAS, it is Council's belief that Oil and Gas Uses are likely to commence on property in the City within the next nine (9) months; and

WHEREAS, a significant period of time will be required in order for the City Manager and City Attorney, and their respective staffs, to clarify the extent of the City's legal authority with regard to local regulation of such expected future Oil and Gas Uses and to formulate any recommended amendments to the City Code to deal specifically with those Uses in an adequate manner; and

WHEREAS, the imposition of a nine-month moratorium on the submission, acceptance, consideration, and approval of any and all applications for City licenses, permits and other approvals related in any way to Oil and Gas Uses within the City, will allow City staff and the Council the time needed to investigate the extent of City's authority to regulate such Uses and develop and implement appropriate regulations; and

WHEREAS, nine (9) months is a reasonable period of time and is no longer than necessary for the City to determine the extent to which Oil and Gas Uses may be locally regulated and to properly investigate, develop, and, if appropriate, adopt and implement any local regulations related to Oil and Gas Uses in Loveland in order to protect and preserve the public's health, safety and welfare; and

WHEREAS, existing Oil and Gas Uses in Loveland will not be unduly prejudiced by the imposition of such a moratorium, since such Uses currently permitted and existing in the City will not be prohibited or terminated by this moratorium.

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

Section 1. That the preceding recitals contained in this Ordinance are hereby adopted and incorporated by reference as findings of fact of the City Council.

Section 2. That it is necessary for the immediate preservation of the public's health, safety and welfare to delay the processing of applications for any and all City licenses, permits and any other approvals related to or in any way needed for any and all Oil and Gas Uses within the City until the City has had a reasonable opportunity to investigate the extent of the City's legal authority to regulate such Uses and, if appropriate, adopt and implement any local regulations related to Oil and Gas Uses in Loveland in order to protect and preserve the public's health, safety and welfare.

Section 3. That a nine-month moratorium is hereby imposed upon the acceptance, processing, and approval by the City of any and all applications for City licenses, permits and any other approvals related to or in any way needed for any and all Oil and Gas Uses in the City. No such applications requesting approval to use property within the City for Oil and Gas Uses shall be accepted, processed, or approved commencing on June 20, 2012 and for the duration of the nine-month moratorium. Therefore, this moratorium shall begin on June 20, 2012, and end on March 20, 2013, or such earlier date as may be determined by the City Council by ordinance.

Section 4. That if any section, paragraph, sentence, clause or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of and shall be severable from the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each part or parts hereof irrespective of the fact that any one part or parts may be declared unconstitutional or invalid.

Section 5. That all other ordinances or portions thereof, and all City Code provisions inconsistent or conflicting with this Ordinance or any portion hereof, are hereby superseded by this Ordinance and their legal effect held in abeyance but only to the extent of such inconsistency or conflict and only for the duration of the moratorium herein imposed.

Section 6. That as provided in City Charter Section 4-9(a)(7), this Ordinance shall be published by title only by the City Clerk after adoption on second reading unless the Ordinance has been amended since first reading in which case the Ordinance shall be published in full or the amendments shall be published in full. This Ordinance shall be in full force and effect ten days after its final publication, as provided in City Charter Section 4-8(b).

Signed this ____ day of May, 2012.

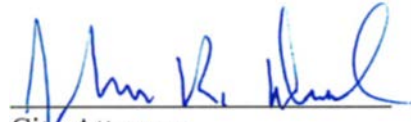
CITY OF LOVELAND, COLORADO

Cecil A. Gutierrez, Mayor

ATTEST:

City Clerk




APPROVED AS TO FORM:



City Attorney

May 9, 2012

Oil and Gas Development Regulations Schedule

Meetings/Study Sessions	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
City Council 1 st Reading Moratorium Ordinance (5/15)	★										
City Council 2 nd Reading Moratorium Ordinance (6/5)		★									
City Council/Planning Commission Joint Informational Study Session (6/12)		★									
City Council/Planning Commission Joint Study Session Draft Ordinance (10/9)						★					
Planning Commission Public Hearing (11/26)							★				
Planning Commission Approval of Minutes (12/10)								★			
City Council Ordinance 1 st Reading (1/8)									★		
City Council Ordinance 2 nd Reading (1/15)									★		
Emergency Moratorium Ends (2/16)										★	
Non–Emergency Moratorium Ends 3/20											★
Staff Work											
Research											
Draft Ordinance											
Release Draft Ordinance to Planning Commission and City Council						★					
Revise Draft Ordinance											

Oil & Gas Drilling Activities

● Well Locations

Directional Well Bottomhole Locations

★ ACTUAL

★ PLANNED

● Well Drilling Permit locations

● Facilities

— Direction Lines

▨ GMA

▨ City Owned Property

▨ COGCC Fields

▨ Loveland City Limits

N

Data Description from COGCC (<http://cogcc.state.co.us/>) Shapefiles on this website are updated daily, for this map the data was downloaded May 3, 2012.

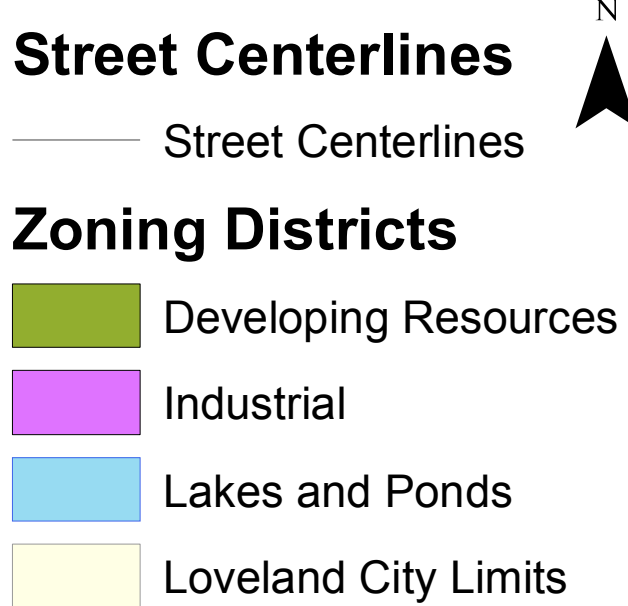
Directional Well Bottomhole Locations data contains bottomhole locations of oil and gas wells that have been, or are proposed to be drilled directional from a surface location. Vertically drilled wells are not represented in this data set.

Direction lines data contains the reference lines that can be used to connect oil and gas surface locations to directionally drilled bottomhole locations on a map.

Well Drilling Permit Locations data contains oil and gas well permits locations that are approved for drilling and/or recompletion. Permits are valid for one year. Once the Operator submits the required completion information to the COGCC documenting that the well has been drilled or recompleted, the permit point is deleted and replaced with a well point (separate data set)

Wells data contains oil and gas well point locations, most of which have been drilled and completed, or drilled and abandoned. Some permitted locations were never drilled but are included.

Facilities data contains oil and gas facility locations, most of these are pits at this time. Additional work by the COGCC database is required to include other facilities such as gas plants, tank batteries and other structures.



**CITY OF LOVELAND****DEVELOPMENT SERVICES DEPARTMENT**

Civic Center • 500 East 3rd Street • Loveland, Colorado 80537
(970) 962-2346 • FAX (970) 962-2945 • TDD (970) 962-2620

AGENDA ITEM: 10
MEETING DATE: 5/15/2012
TO: City Council
FROM: Greg George, Development Services
PRESENTER: Kerri Burchett, Current Planning

TITLE:

An ordinance amending Section 18.04.040 of the Loveland Municipal Code, the same relating to zoning regulations for certain property located within the Millennium Addition PUD - 8th Amendment (#P-59), approving the 9th Major Amendment to the General Development Plan for the Millennium Addition PUD

RECOMMENDED CITY COUNCIL ACTION:

Move to adopt on second reading the ordinance approving the 9th Major Amendment to the Millennium Planned Unit Development General Development Plan.

OPTIONS:

1. Adopt the action as recommended
2. Deny the action
3. Adopt a modified action (specify in the motion)
4. Refer back to staff for further development and consideration
5. Adopt a motion continuing the item to a future Council meeting

DESCRIPTION:

Consideration of a quasi-judicial action to adopt an ordinance on second reading amending the land use, development standards and public hearing process established in the Millennium General Development Plan (the "GDP"). The Millennium PUD consists of 2,916 acres located generally on the east side of Loveland. The applicant is McWhinney Real Estate Services, Inc.

BUDGET IMPACT:

- ☐ Positive
☐ Negative
☒ Neutral or negligible

SUMMARY:

The GDP amendment was initiated in partnership with the City's Economic Development Department. The amendments would streamline City processes by removing public hearing requirements specific to the GDP that are not required in similar zone districts within the City and modify land use definitions to allow light and heavy manufacturing uses in specified locations. The amendments would provide a more competitive development review process for companies looking for "permit ready sites" in Loveland. Generally, the revisions requested are:

- 1) Modify public hearing requirement criteria for development proposals;
- 2) Provide definitions for light and heavy manufacturing and specify location allowances;
- 3) Adjust non-residential criteria for shadow/shading analysis and context diagrams; and
- 4) Divide sub-parcel A-2 into two distinct sub-parcels on the east side of I-25.

The amendments would not alter the comprehensive review of development projects within the GDP by the City's Development Review Team to establish compliance with the regulations in the GDP and other applicable City standards. For a detailed description of the proposed amendments, please refer to the attached City Council staff memorandum.

The Planning Commission recommended approval of the GDP Amendment with a vote of 5-2. The City Council adopted the ordinance on first reading on May 1, 2012.

REVIEWED BY CITY MANAGER:

LIST OF ATTACHMENTS:

- A. Ordinance

FIRST READING: May 1, 2012
SECOND READING: May 15, 2012

ORDINANCE NO.

AN ORDINANCE AMENDING SECTION 18.04.040 OF THE LOVELAND MUNICIPAL CODE, THE SAME RELATING TO ZONING REGULATIONS FOR CERTAIN PROPERTY LOCATED WITHIN THE MILLENNIUM ADDITION PUD – 8TH AMENDMENT (# P - 59), APPROVING THE 9TH MAJOR AMENDMENT TO THE GENERAL DEVELOPMENT PLAN FOR THE MILLENNIUM ADDITION PUD

WHEREAS, McWhinney Real Estate Services, Inc. (“Developer”), the developer of the Millennium Addition PUD – 8TH Amendment (“Millennium GDP”), has requested that the City approve the 9th major amendment to the Millennium GDP modifying sections 1, 2, 6, 12, 13, and Map 4 thereof to add definitions for light and heavy manufacturing and specify allowed locations for each use; modify public hearing requirement criteria for development proposals, divide sub-parcel A-2 into two distinct sub-parcels, and adjust nonresidential site planning criteria for shadow/shading analysis and context diagrams; and

WHEREAS, the modifications to the Millennium GDP agreed to by the City and the Developer, including the condition recommended by the Planning Commission after the public hearing on April 9, 2012 and agreed to by the Developer, are reflected in the 9th Amendment which is on file with the City Current Planning Division and attached to the Staff Memo to City Council dated May 1, 2012 and incorporated herein by this reference (“9th Amendment”); and

WHEREAS, the City desires to approve the 9th Amendment to provide for economic growth in and around the City and to provide for the orderly growth of the entire property.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOVELAND, COLORADO:

Section 1. That Section 18.04.040 of the Loveland Municipal Code and the map referred to therein, said map being part of said Municipal Code and showing the boundaries of the district specified, shall be and the same is hereby amended in the following particulars, to wit:

That the territory included within the Millennium Addition PUD – 8th Amendment (#P-59), City of Loveland, Larimer County, Colorado, and more particularly described as:

DESCRIPTION: GDP OVERALL EAST

A tract of land located in the South Half of Section 2, the Southeast Quarter of Section 3, the East Half of Section 10, the West Half of Section 11, the Northeast Quarter of Section 11 and the Northwest Quarter of Section 14 all in Township 5 North, Range 68 West of the 6th Principal Meridian, City of Loveland, State of Colorado being more particularly described as follows:

Considering the North line of the Northeast Quarter of said Section 10 as bearing North 89°05'00" East and with all bearings contained herein relative thereto:

Commencing at the North Quarter corner of said Section 10; thence along said North line of the Northeast Quarter, North 89°05'00" East, 107.08 feet to the East right-of-way line of Interstate 25, said point being the POINT OF BEGINNING; thence along said East right-of-way line, North 00°35'04" East, 2,631.27 feet to the North line of the Southeast Quarter of said Section 3; thence along said North line, North 89°19'03" East, 2,566.66 feet to the West Quarter corner of said Section 2; thence along the North line of the Southwest Quarter of said Section 2, North 89°03'30" East, 2,643.82 feet to the Center Quarter corner of said Section 2; thence along the East line of said Southwest Quarter, South 01°13'28" West, 2625.29 feet to the North Quarter corner of said Section 11; thence, along the North line of the Northeast Quarter of said Section 11, North 89°08'13" East, 2,618.77 feet to the West line of Astrolabe Avenue (County Road 3); thence along said West line, South 00°27'50" West, 2,641.18 feet to the South line of the Northeast Quarter of said Section 11; thence along said South line, South 89°09'44" West, 2,613.31 feet to the Center Quarter corner of said Section 11; thence along the East line of the Southwest Quarter of said Section 11, South 00°20'46" West, 1926.24 feet to the Southwesterly line of the Union Pacific Railroad; thence along said Southwesterly line, North 68°08'51" West, 536.85 feet; thence continuing along said Southwesterly line and along a curve concave to the northeast having a central angle of 08°44'52" with a radius of 3,919.83 feet, an arc length of 598.47 feet and the chord of which bears North 63°46'25" West, 597.89 feet to a point being on the East line of Parcel B-2 of the Millennium Addition; thence along the East line of said Parcel B-2, South 00°20'17" West, 938.15 feet; thence along the North line of said Parcel B-2, South 88°14'17" East, 528.37 feet; thence along the East line of said Parcel B-2 and the East line of Parcel B-3 of said Millennium Addition, South 00°50'26" East, 76.28 feet; thence along the North line of Parcel B-4 of said Millennium Addition, South 89°03'44" East, 23.48 feet; thence along the East line of said Parcel B-4, South 00°20'17" West, 23.11 feet; thence, South 00°47'17" East, 180.91 feet to the South right-of-way line of East Eisenhower Boulevard (U.S. Highway 34); thence along said South right-of-way line, South 89°11'17" West, 2,158.63 feet; thence, North 00°00'00" East, 50.00 feet to the Southwest Corner of said Section 11; thence, along the West line of the Southwest Quarter of said Section 11, North 00°20'47" East, 130.00 feet to the North line of U.S. Highway 34; thence along said North line, South 89°13'08" West, 1,552.37 feet; thence along the Easterly right-of-way line of Interstate 25 the following 10 courses and distances; North 47°25'44" West, 197.70 feet; thence, South 89°09'42" West, 100.40 feet; thence, North 79°01'48" West, 292.40 feet; thence, North 48°50'18" West, 351.88 feet; thence, along a non tangent curve concave to the northeast having a central angle of 50°42'44" with a radius of 586.70 feet, an arc length of 519.28 feet and the chord of which bears North 23°28'47" West, 502.50 feet; thence, North 00°10'40" East, 471.50 feet; thence, North 00°33'26" East, 451.62 feet; thence, North 00°35'10" East, 230.11 feet; thence, North 00°36'55" East, 457.83 feet; thence, North 00°35'04" East, 2,637.06 feet to the POINT OF BEGINNING.

The above described tract of land contains 1069.037 acres more or less and is subject to all easements and rights-of-way now on record or existing.

AND

A tract of land located in the Southeast Quarter of Section 11, Township 5 North, Range 68 West of the 6th Principal Meridian, County of Larimer, State of Colorado being more particularly described as follows:

Considering the East line of the North Half of the Southeast Quarter of said Section 11 as bearing North 00°28'28" East and with all bearings contained herein relative thereto:

Commencing at the East Quarter Corner of said Section 11; thence along the North line of said Southeast Quarter, South 89°09'44" West, 30.01 feet to a point on the West right-of-way line of High Plains Blvd. (Larimer County Road No. 3), said point being the **POINT OF BEGINNING**; thence, along said West line, South 00°28'28" West, 1320.89 feet to a point on the South line of the North Half of the Southeast Quarter of said Section; thence, along said South line, South 89°10'58" West, 2610.29 feet to the South 1/16 Corner on the West line of the Southeast Quarter of said Section; thence, along said West line, North 00°20'38" East, 1319.88 feet to the Center Quarter Corner of said Section; thence, along the North line of the Southeast Quarter of said Section, North 89°09'44" East, 2613.31 feet to the Point of Beginning.

The above described tract of land contains 3,447,775 square feet or 79.150 acres more or less and is subject to all easements and rights-of-way now on record or existing.

AND

A tract of land located in the Southwest Quarter of Section 11, Township 5 North, Range 68 West of the 6th Principal Meridian, County of Larimer, State of Colorado being more particularly described as follows:

Considering the South line of the Southwest Quarter of said Section 11 as bearing North 89°11'17" East and with all bearings contained herein relative thereto:

Commencing at the South Quarter Corner of said Section 11; thence along the East line of said Southwest Quarter, North 00°20'30" East, 131.31 feet to a point on the North right-of-way line of East Eisenhower Blvd. (U.S. Highway No. 34), said point being the **POINT OF BEGINNING**; thence, along said North line, and along a curve concave to the north having a central angle of 00°11'45", a radius of 28,557.90 feet, an arc length of 97.61 feet and the chord of which bears South 89°03'54" West, 97.61 feet; thence, continuing along said North line, South 89°09'47" West, 386.50 feet to a point on the Northerly line of Millennium East First Subdivision; thence, along said line the following five courses and distances, North 00°20'28" East, 23.11 feet; thence, North 89°03'44" West, 23.49 feet; thence, North 00°50'13" West, 76.16 feet; thence, North 88°14'04" West, 528.37 feet; thence, North 00°20'30" East, 938.15 feet to a point on the Southerly right-of-way line of the Union Pacific Railroad; thence, along said Southerly line along a non-tangent curve concave to the northeast having a central angle of 08°44'52", a radius of 3,919.83 feet, an arc length of 598.47 feet and the chord of which bears South 63°46'12" East, 597.89 feet; thence, continuing along said Southerly line, South 68°08'38" East, 536.80 feet to a point on the East line of said Southwest Quarter; thence, along said East line, South 00°20'30" West, 582.75 feet to the Point of Beginning.

The above described tract of land contains 776,597 square feet or 17.828 acres more or less and is subject to all easements and rights-of-way now on record or existing.

AND**DESCRIPTION: GDP OVERALL SOUTHWEST**

All of Parcels E-1, E-2, F-1, F-2, F-3, G-1, G-2, and G-3, Millennium Addition located in Section 17, Township 5 North, Range 68 West of the 6th Principal Meridian, City of Loveland, County of Larimer, State of Colorado.

ALSO:

A tract of land being a portion of the right-of-way of East Eisenhower Boulevard located in Section 8 and Section 17, Township 5 North, Range 68 West of the 6th Principal Meridian, City of Loveland, County of Larimer, State of Colorado being more particularly described as follows: Considering the North line of the Northwest Quarter of said Section 17 as bearing North 89°39'42" East and with all bearings contained herein relative thereto:

BEGINNING at the Northwest Quarter corner of said Section 17; thence along the West line of the Southwest Quarter of said Section 8, North 00°12'19" East, 114.00 feet to a point on the North right-of-way line of said East Eisenhower Boulevard; thence along said North line, South 89°54'15" East, 2332.62 feet; thence, departing said North line, South 00°05'45" West, 157.18 feet to a point on the South right-of-way line of said East Eisenhower Boulevard; thence along said South line the following 2 courses and distances, South 89°27'40" West, 736.72 feet; thence North 89°51'21" West, 1596.16 feet to a point on the West line of the Northwest corner of said Section 17; thence along said West line, North 00°05'34" East, 50.00 feet to the Point of Beginning.

ALSO:

A tract of land being a portion of the right-of-way of East First Street located in Section 17 and Section 20, Township 5 North, Range 68 West of the 6th Principal Meridian, City of Loveland, County of Larimer, State of Colorado being more particularly described as follows: Considering the South line of the Southwest Quarter of said Section 17 as bearing North 89°55'16" East and with all bearings contained herein relative thereto:

BEGINNING at the Southwest Quarter corner of said Section 17; thence along the West line of the Southwest Quarter of said Section 17, North 00°06'12" East, 30.00 feet to a point on the North right-of-way line of East First Street; thence along said North right-of-way line, North 89°55'16" East, 2587.46 feet to a point on the East line of the Southwest Quarter of said Section 17; thence along said East line, South 00°31'12" West, 30.00 feet to the South Quarter corner of said Section 17; thence, along the East line of the Northwest Quarter of said Section 20, South 00°23'57" East, 50.00 feet to a point on the South right-of-way line of East First Street; thence, along said South line by the following 3 course and distances, South 89°55'16" West, 1347.06 feet; thence, North 00°04'44" West, 20.00 feet; thence, South 89°55'16" West, 1240.55 feet to a point on the West line of the Northwest Quarter of said Section 20, thence along said West line, North 00°05'26" East, 30.00 feet to the Point of Beginning.

ALSO:

A tract of land being a portion of GOROM FIRST ADDITION to the City of Loveland, a portion of North Boyd Lake Avenue and a portion of East Fifth Street, located in the Southeast Quarter of Section 17, Township 5 North, Range 68 West of the 6th Principal Meridian, City of Loveland, County of Larimer, State of Colorado being more particularly described as follows: Considering the North line of said Southeast Quarter as bearing South 89°47'41" West, and with all bearings contained herein relative thereto:

Commencing at the East Quarter corner of said Section 17; thence, South 89°47'41" West, along

the North line of said Southeast Quarter, 30.00 feet to the **POINT OF BEGINNING**; thence, South 00°53'24" West, 30.00 feet; thence, North 89°47'41" East, 60.00 feet to a point being on the East right-of-way line of North Boyd Lake Avenue, thence, along said East right-of-way line and the South right-of-way line of East Fifth Street by the following six (6) courses and distances, South 00°53'24" West, 1286.81 feet; thence, South 69°58'48" West, 96.09 feet; thence, South 88°54'56" West, 271.28 feet; thence, North 86°29'37" West, 98.39 feet; thence, South 89°42'08"

West, 810.37 feet; thence, South 89°23'07" West, 73.88 feet; thence, departing said right-of-way line, North 00°53'52" East, 29.65 feet to a point being the Southeast 1/16th corner of said Section 17; thence, along the West line of the Northeast Quarter of the Southeast Quarter of said Section 17 and the East line of Outlot 5, Millennium SW First Subdivision, North 00°41'45" East, 1319.29 feet to the Center-East 1/16th corner; thence, along the North line of the Southeast Quarter of said Section 17, North 89°47'41" East, 1287.94 feet to the Point of Beginning. The above described tracts of land contain a combined area of 394.612 acres more or less and is subject to all easements and rights-of-way now on record or existing.

AND

DESCRIPTION: GDP OVERALL WEST

A tract of land located in the South Half of Section 34, Township 6 North, Range 68 West, Sections 3, 4, 5, 8, 9 and 10 all in Township 5 North, Range 68 West of the 6th Principal Meridian, City of Loveland, County of Larimer, State of Colorado being more particularly described as follows:

Considering the North line of the Northwest Quarter of said Section 4 as bearing South 89°29'39" East and with all bearings contained herein relative thereto:

Commencing at the Northwest corner of said Section 4; thence along said North line, South 89°29'39" East, 30.00 feet to the East right-of-way line of North Boyd Lake Avenue; thence along said East right-of-way line, South 01°03'56" West, 1,335.52 feet to the **POINT OF BEGINNING**; thence, South 89°18'01" East, 2,597.19 feet; thence, South 89°17'53" East, 1,291.58 feet to a point on the Southwesterly line of that tract of land described at Reception No. 20040112371 on file at the Office of the Clerk and Recorder of said Larimer County; thence, along said Southwesterly line, South 49°21'40" East, 1729.20 feet to a point on the East line of the Northwest Quarter of said Section 4; thence, along said East line, North 01°20'53" East, 32.31 feet; thence, departing said East line, South 49°21'40" East, 38.76 feet to the West line of Myers Group Partnership #949 First Subdivision; thence along the boundary lines of said Myers Group Partnership #949 First Subdivision the following 11 courses and distances, North 01°20'51" East, 2,456.35 feet; thence, North 00°25'35" West, 30.00 feet; thence, South 89°57'25" East, 1,084.99 feet; thence, South 00°02'35" West, 60.00 feet; thence, South 65°43'55" East, 109.70 feet; thence, South 89°57'25" East, 900.00 feet; thence, South 51°28'25" East, 108.50 feet; thence, South 13°27'25" East, 935.84 feet; thence, South 00°34'47" West, 2,793.54 feet; thence, South 07°41'05" West, 201.60 feet; thence, South 00°33'47" West, 456.50 feet; thence, departing said line, South 29°49'16" West, 152.83 feet to the Southwesterly line of Union Pacific Railroad; thence along said Southwesterly line, North 49°06'59" West, 56.74 feet to the East line of Twin Peaks Addition; thence along the boundary lines of said Twin Peaks Addition the following 10 courses and distances, South 00°02'56" West, 86.80 feet; thence, South

12°10'04" East, 269.40 feet; thence, South 00°02'56" West, 358.81 feet; thence, South 88°48'27" West, 1,342.99 feet; thence, South 01°14'31" East, 1,346.99 feet; thence, South 89°36'03" East, 1,305.48 feet; thence, North 89°47'57" East, 10.00 feet; thence, South 00°12'03" East, 282.32 feet; thence, South 00°29'04" West, 939.22 feet; thence, South 89°07'26" West, 54.28 feet to the Southerly line of Tract D, McWhinney Eleventh Subdivision; thence along said Southerly line the following 16 courses and distances, South 28°40'36" West, 120.41 feet; thence, along a non tangent curve concave to the northwest having a central angle of 43°45'26" with a radius of 300.00 feet, an arc length of 229.11 feet and the chord of which bears South 50°33'18" West, 223.58 feet; thence, South 72°25'56" West, 75.60 feet; thence, along a curve concave to the north having a central angle of 21°53'22" with a radius of 630.00 feet, an arc length of 240.69 feet and the chord of which bears South 83°22'42" West, 239.23 feet; thence, North 85°40'36" West, 258.28 feet; thence, along a curve concave to the south having a central angle of 12°58'27" with a radius of 740.00 feet, an arc length of 167.57 feet and the chord of which bears South 87°50'10" West, 167.21 feet; thence, South 81°20'56" West, 402.96 feet; thence, along a curve concave to the north having a central angle of 04°55'58" with a radius of 200.00 feet, an arc length of 17.22 feet and the chord of which bears South 83°48'55" West, 17.21 feet; thence, South 86°16'54" West, 159.73 feet; thence, along a curve concave to the north having a central angle of 10°15'15" with a radius of 1,415.00 feet, an arc length of 253.24 feet and the chord of which bears N 88°35'28" West, 252.90 feet; thence, along a compound curve concave to the north, having a central angle of 13°43'37" with a radius of 200.00 feet, an arc length of 47.92 feet and the chord of which bears North 76°36'02" West, 47.80 feet; thence, along a compound curve concave to the northeast, having a central angle of 18°13'26" with a radius of 850.00 feet an arc length of 270.36 feet and the chord of which bears North 60°38'25" West, 269.22 feet; thence, along a compound curve concave to the northeast, having a central angle of 13°26'27" with a radius of 300.00 feet an arc length of 70.38 feet and the chord of which bears North 44°48'28" West, 70.21 feet; thence, along a reverse curve concave to the southwest, having a central angle of 25°41'09" with a radius of 200.00 feet, an arc length of 89.66 feet and the chord of which bears North 50°55'49" West, 88.91 feet; thence, North 63°45'29" West, 101.22 feet; thence, North 15°47'12" East, 23.85 feet to the North line of the Southwest Quarter of Section 10; thence along said North line, South 89°05'34" West, 144.59 feet to the West Quarter corner of said Section 10; thence along the North line of the Southeast Quarter of Section 9, North 89°19'44" West, 2570.74 feet to the Center Quarter corner of said Section 9; thence along the North line of the Southwest Quarter of Section 9, North 89°16'54" West, 2,624.87 feet to the West Quarter corner of said Section 9; thence, North 89°16'54" West, 30.00 feet to the West right-of-way line of North Boyd Lake Avenue; thence along said West right-of-way line the following 5 courses and distances, North 00°24'03" East, 1,848.66 feet; thence, North 88°07'20" West, 20.01 feet; thence, North 00°24'03" East, 788.48 feet; thence, North 01°03'10" East, 2,672.03 feet; thence, North 01°03'56" East, 627.97 feet; thence, departing said West line, South 88°56'07" East, 80.00 feet to a point on the East right-of-way line of North Boyd Lake Avenue; thence along said East right-of-way line, North 01°03'56" East, 663.56 feet to the POINT OF BEGINNING.

EXCEPT:

That tract of land described at Reception No. 96050699 on file at the Larimer County Office of the Clerk and Recorder.

The above described tract of land contains 1,188.539 acres more or less.

ALSO EXCEPT:

A tract of land located in the North Half of Section 4, Township 5 North, Range 68 West of the 6th Principal Meridian, City of Loveland, County of Larimer, State of Colorado being more particularly described as follows:

Considering the North line of said Northwest Quarter as bearing South 89°29'39" East, and with all bearings contained herein relative thereto:

Commencing at the Northwest corner of said Section 4; thence along the West line of the Northwest Quarter of said Section 4, South 01°03'56" West, 1335.42 feet; thence, South 89°18'01" East, 30.00 feet to the Northwest corner of Parcel A of Savanna Addition; thence along the North line of said Parcel South 89°18'01" East, 826.78 feet to the **POINT OF BEGINNING**; thence continuing along said North line the following two (2) courses and distances, South 89°18'01" East, 1770.42 feet; thence, South 89°17'53 East, 1096.70 feet to the Southwesterly right-of-way line of the Union Pacific Railroad; thence along said Southwesterly line South 49°21'40" East, 1766.92 feet; thence departing said Southwesterly line, South 25°21'00" West, 15.16 feet; thence along a curve concave to the East having a central angle of 37°55'36" with a radius of 221.00 feet, an arc length of 146.29 feet and the chord of which bears South 06°19'55" West, 143.63 feet to the North right-of-way line of East 37th Street; thence along said North line, North 89°17'52" West, 1729.37 feet; thence departing said North line, North 18°51'11" West, 117.29 feet; thence along a curve concave to the Southwest having a central angle of 71°08'49" with a radius of 825.00 feet, an arc length of 1024.44 feet and the chord of which bears North 54°25'36" West, 959.88 feet; thence, North 89°54'02" West, 1039.97 feet; thence, South 90°00'00" West, 600.84 feet; thence, North 00°17'39" East, 649.90 feet to the Point of Beginning.

The above described tract contains 3,201,264 square feet or 73.490 acres more or less and is subject to all easements and rights-of-way now on record or existing.

AND

Rocky Mountain Village 14th Subdivision, being a subdivision of Outlot A, Rocky Mountain Village Ninth Subdivision, to the City of Loveland, County of Larimer, State of Colorado. Containing 23.426 acres more or less and is subject to all easements and rights-of-way now on record or existing.

AND

Lot 1, Block 1, McWhinney Seventh Subdivision, in the City of Loveland, according to the Plat thereof recorded on July 19, 1996, at Reception No. 96052293 of the Larimer County, Colorado records.

Containing 1.148 acres more or less and is subject to all easements and rights-of-way now on record or existing.

AND

A tract of land being a portion of Tract E of the McWHINNEY ELEVENTH SUBDIVISION, located in the Southwest Quarter of Section 10, Township 5 North, Range 68 West of the 6th Principal Meridian, City of Loveland, County of Larimer, State of Colorado being more particularly described as follows:

Considering the South line of said Tract E as bearing South 86°24'11" West and with all bearings contained herein relative thereto:

Commencing at the Southeast corner of said Tract E; thence along the South line of said Tract E, and the North right-of-way line of McWhinney Boulevard, South 86°24'11" West, 367.80 feet to the **POINT OF BEGINNING**; thence, continuing along said South and North line, South

86°24'11" West, 873.21 feet; thence along a curve concave to the Northeast having a central angle of 42°52'57" with a radius of 75.00 feet, an arc length of 56.13 feet and the chord of which bears North 72°09'20" West, 54.83 feet; thence along a curve concave to the Northeast having a central angle of 22°19'11" with a radius of 45.96 feet, an arc length of 17.90 feet and the chord of which bears North 24°16'59" West, 17.79 feet to a point on the East right-of-way line of Rocky Mountain Avenue; thence, along said East right-of-way line by the following eight (8) courses and distances, along a curve concave to the East having a central angle of 12°24'25" with a radius of 285.77 feet, an arc length of 61.88 feet and the chord of which bears North 06°55'11" West, 61.76 feet; thence, North 00°42'58" West, 54.42 feet; thence, North 01°49'57" West, 131.44 feet; thence, North 03°12'54" West, 216.41 feet; thence along a curve concave to the East having a central angle of 02°29'59" with a radius of 1050.00 feet, an arc length of 45.81 feet and the chord of which bears North 01°57'55" West, 45.81 feet; thence, North 00°42'55" West, 260.65 feet; thence along a curve concave to the Southeast having a central angle of 16°44'05" with a radius of 1050.00 feet, an arc length of 306.68 feet and the chord of which bears North 07°39'08" East, 305.59 feet; thence, North 16°01'10" East, 44.02 to a point on the North line of said Tract E; thence; along said North line by the following four (4) courses and distances, South 33°11'24" East, 48.55 feet; thence along a curve concave to the Northeast having a central angle of 26°16'54" with a radius of 200.00 feet, an arc length of 91.74 feet and the chord of which bears South 46°19'51" East, 90.94 feet; thence, South 59°28'18" East, 187.49 feet; thence along a curve concave to the Northeast having a central angle of 23°25'53" with a radius of 800.00 feet, an arc length of 327.16 feet and the chord of which bears South 71°11'15" East, 324.89 feet; thence departing said North line, South 14°22'12" West, 184.24 feet; thence along a curve concave to the Southwest having a central angle of 01°46'17" with a radius of 830.00 feet, an arc length of 25.66 feet and the chord of which bears South 58°15'46" East, 25.66 feet; thence, South 57°22'37" East, 117.65 feet; thence along a curve concave to the Southwest having a central angle of 53°46'48" with a radius of 530.00 feet, an arc length of 497.48 feet and the chord of which bears South 30°29'13" East, 479.42 feet; thence, South 03°35'49" East, 102.53 feet; thence along a curve concave to the Northeast having a central angle of 90°00'00" with a radius of 20.00 feet, an arc length of 31.42 feet and the chord of which bears South 48°35'49" East, 28.28 feet to the Point of Beginning. The above described tract of land contains 16.296 acres more or less and is subject to all easements and rights-of-way now on record or existing.

AND

A portion of the southwest quarter of Section 10, Township 5 North, Range 68 West of the 6th Principal Meridian, Larimer County, Colorado, more particularly described as follows:

Considering the north line of the northwest quarter of said Section 10 as bearing North 89°02'24" East with all bearings contained herein relative thereto;

Commencing at the west quarter corner of said Section 10; thence North 89°21'24" East along the north line of the southwest quarter of Section 10 a distance of 144.97 feet to a point on the east right-of-way line of Rocky Mountain Avenue also being a point on the north line of McWhinney Eleventh Subdivision; thence North 89°21'24" East along the north line of McWhinney Eleventh Subdivision a distance of 2330.47 feet to the west right-of-way line of Interstate Highway 25; thence along the west right-of-way line of Interstate Highway 25 the following two (2) courses: South 00°08'49" East a distance of 57.83 feet; South 03°09'36" East a distance of 60.19 feet to the Point of Beginning; thence along the west right-of-way line of Interstate Highway 25 South 03°45'05" East a distance of 262.09 feet to the north line of Tract E,

McWhinney Eleventh Subdivision; thence North 89°09'50" West along the north line of Tract E a distance of 383.80 feet to the south line of Outlot A, McWhinney Eleventh Subdivision also being the south line of the Greeley-Loveland Irrigation Canal; thence along the south line of said Outlot A and the Greeley-Loveland Irrigation Canal the following three (3) courses: North 70°40'10" East a distance of 200.00 feet; North 53°06'10" East a distance of 100.00 feet; North 37°03'10" East a distance of 162.50 feet to the Point of Beginning, containing 35,873 square feet or 0.82 acres more or less.

AND

A tract of land located in the Northeast Quarter of Section 16, Township 5 North, Range 68 West of the 6th Principal Meridian, County of Larimer, State of Colorado being more particularly described as follows:

Considering the North line of the Northeast Quarter of said Section 16 as bearing South 89°24'51" East and with all bearings contained herein relative thereto:

Commencing at the Northeast Corner of said Section 16; thence along the East line of the Northeast Quarter of said Section 16, South 00°18'41" West, 50.00 feet to a point on the South right-of-way line of East Eisenhower Blvd. (U.S. Highway No. 34), said point being the **POINT OF BEGINNING**; thence, continuing along said East line, South 00°18'41" West, 2,491.52 feet to the North right-of-way line of Great Western Railroad; thence, along said North right-of-way line, North 89°33'50" West, 2,634.75 feet to the West line of said Northeast Quarter; thence along said West line, North 00°27'00" East, 1,227.75 feet to the North 1/16 corner of said Section 16; thence, continuing along said West line, North 00°27'25" East, 1,270.62 feet to a point on the South right-of-way line of East Eisenhower Blvd. (U.S. Highway No. 34); thence, along said South right-of-way line, South 89°24'51" East, 2,628.58 feet to the Point of Beginning.

The above described tract of land contains 6,565,932 square feet or 150.733 acres more or less and is subject to all easements and rights-of-way now on record or existing.

AND

A tract of land located in the Northwest Quarter of Section 4, Township 5 North, Range 68 West of the 6th Principal Meridian, County of Larimer, State of Colorado being more particularly described as follows:

Considering the South line of the Northwest Quarter of said Section 4 as bearing North 89°18'02" West and with all bearings contained herein relative thereto:

Commencing at the West Quarter corner of said Section 4; thence, North 45°52'55" East, 42.56 feet to the **POINT OF BEGINNING**, said point being a point on the East right-of-way line of Boyd Lake Avenue; thence, along said East right-of-way line, North 01°03'56" East, 320.01 feet; thence, South 89°18'02" East, 670.01 feet; thence, South 01°03'53" West, 320.01 feet to a point being on the North right-of-way line of East 37th Street; thence, along said North right-of-way line, North 89°18'02" West, 670.01 feet to the Point of Beginning.

The above described tract of land contains 214,404 square feet or 4.922 acres more or less and is subject to all easements and rights-of-way now on record or existing.

AND

A tract of land located in the Northwest Quarter of Section 10, Township 5 North, Range 68 West of the 6th Principal Meridian, County of Larimer, State of Colorado being more particularly described as follows:

Considering the East line of the Northwest Quarter of said Section 10 as bearing North 00°21'14" East and with all bearings contained herein relative thereto:

Commencing at the North Quarter corner of said Section 10; thence, South 81°10'16" West, 225.65 feet to the **POINT OF BEGINNING**, said point being a point on the West right-of-way line of Interstate Highway No. 25; thence, along said West right-of-way line, South 00°04'38" East, 1383.69 feet to a point on the North line of Lot 1, Block 1, Twin Peaks First Subdivision; thence, along said North line, South 89°48'11" West, 10.00 feet; thence, continuing along said North line; North 89°35'49" West, 1305.48 feet to a point on the East line of Outlot B, Twin Peaks First Subdivision; thence, along said East line, North 01°14'19" West, 1346.99 feet to a point on the South right-of-way line of East 29th Street; thence, along said South right-of-way line, North 88°48'40" East, 1342.99 Feet to the Point of Beginning.

The above described tract of land contains 1,814,642 square feet or 41.658 acres more or less and is subject to all easements and rights-of-way now on record or existing.

shall be included within the boundaries of the district designated as follows:

"MILLENNIUM ADDITION PUD – 9TH AMENDMENT" (# P - 59)

Section 2. That the **MILLENNIUM ADDITION PUD – 9TH AMENDMENT** is subject to the Millennium GDP as amended by the 9th Amendment. The 9th Amendment is on file with the City Current Planning Division and attached to the Staff Memo to City Council dated May 1, 2012 and is hereby approved.

Section 3. That the **MILLENNIUM ADDITION PUD – 9TH AMENDMENT** remains subject to the Amended and Restated Annexation and Development Agreement for the Millennium General Development Plan ("Restated Millennium Agreement"), the First Amendment to the Amended and Restated Annexation and Development Agreement for the Millennium General Development Plan ("First Amendment"), and the Second Amendment to the Amended and Restated Annexation and Development Agreement for the Millennium General Development Plan ("Second Amendment").

Section 4. That **MILLENNIUM ADDITION PUD – 9TH AMENDMENT** shall be subject to all applicable zoning regulations for the City of Loveland except where they conflict with the Millennium GDP as amended by the 9th Amendment, the Restated Millennium Agreement, the First Amendment and the Second Amendment, or any approved development application or permit applicable to the property.

Section 5. That as provided in City Charter Section 4-9(a)(7), this Ordinance shall be published by title only by the City Clerk after adoption on second reading unless the Ordinance has been amended since first reading in which case the Ordinance shall be published in full or the amendments shall be published in full.

Section 6. That this Ordinance shall be in full force and effect ten days after its final publication, as provided in City Charter Section 4-8(b).

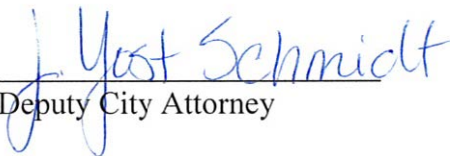
Signed this 15th day of May, 2012.

Cecil A. Gutierrez, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:


Deputy City Attorney

**CITY OF LOVELAND****ECONOMIC DEVELOPMENT OFFICE**

Civic Center • 500 East Third • Loveland, Colorado 80537
(970) 962-2304 • FAX (970) 962-2900 • TDD (970) 962-2620

AGENDA ITEM: 11
MEETING DATE: 5/15/2012
TO: City Council
FROM: Economic Development
PRESENTER: Mike Scholl, Economic Development Manager

TITLE:

A resolution approving a First Amendment to the Park Place Plaza Fee Deferral Agreement dated July 7, 2008

RECOMMENDED CITY COUNCIL ACTION:

Adopt the resolution

OPTIONS:

1. Adopt the action as recommended
 2. Deny the action
 3. Adopt a modified action (specify in the motion)
 4. Refer back to staff for further development and consideration
 5. Adopt a motion continuing the item to a future Council meeting
-

DESCRIPTION:

This is an administrative action. This is an amendment to an agreement originally approved by City Council in 2008 for the benefit of the Park Place Plaza Project, located at 1st Street and Railroad Avenue (102 – 140 E. 1st Street). The agreement deferred the requirement to pay water and wastewater system impact fees and the raw water development fee applicable to a two-inch residential water meter totaling \$107,660 by collecting the fees through the imposition of a capital recovery surcharge. The amendment would defer those same fees applicable to water and wastewater service for four new housing units to be added to the project. The summary below describes the project and the amendment in greater detail.

BUDGET IMPACT:

- ☐ Positive
☐ Negative
☒ Neutral or negligible

The deferred water and wastewater system impact fees and raw water development fee will be recovered over time through the imposition of a capital recovery surcharge added to the monthly utility bill in perpetuity.

SUMMARY:

In 2008, the City and the developer of Park Place Plaza, Discovery Homes, LLC, agreed to a defer the water system impact fees, wastewater system impact fees, and the raw water development fee applicable to a two-inch residential water meter by imposition of a capital recovery surcharge . The surcharge is added to the monthly utility bill for water and sewer in perpetuity. Currently, the surcharge is \$1.614 per 1,000 gallons of water.

Prior to completion of the project, Discovery Homes lost its financing when New Frontier Bank failed and was taken over by the Federal Deposit Insurance Corporation (FDIC). The construction loan was bundled with other New Frontier loans and auctioned to a financial firm out of Texas. The firm allowed Discovery Homes an opportunity to sell the property before it initiated foreclosure proceedings.

Discovery Homes sold the property to a local development company, Cleveland Properties, LLC, which is owned and operated by Henderson Management and Real Estate. The new developer plans to complete the project this summer. The new developer is changing the interior design to include four additional residential units. The exterior design will remain the same. Also, the new developer will be leasing the units as rental properties, not selling them as condominiums as previously contemplated.

For tax and management purposes, Cleveland Properties intends to convey the property to Park Place Plaza RE, LLC, a related legal entity on May 18, 2012 (it is common in the real estate industry to create single purpose entities for these purposes). Cleveland Properties, Park Place Plaza RE, and their bank scheduled the closing on the construction loan for the project to occur during the last week of May. The bank has requested that this amendment be completed prior to closing on the construction loan.

The amendment will allow the new developer to reduce certain fees that would normally be due up front through imposition of the capital recovery surcharge so that it may have the financial ability to complete the project. Park Place Plaza RE expects to start construction in June.

REVIEWED BY CITY MANAGER:


LIST OF ATTACHMENTS:

- a. Resolution
- b. First Amendment to the Park Place Plaza Fee Deferral Agreement (Exhibit A to Resolution)
- c. Letter from Henderson Management and Real Estate
- d. Memo from Water & Power

RESOLUTION #R-35-2012**A RESOLUTION APPROVING A FIRST AMENDMENT TO THE PARK PLACE PLAZA FEE DEFERRAL AGREEMENT DATED JULY 7, 2008**

WHEREAS, in conjunction with its development of a mixed-use development in historic downtown Loveland known as “Park Place Plaza,” located at 102-110 East First Street (“Development”), Discovery Homes requested and received, by the City Council’s adoption of Resolution #R-69-2008, a deferral of the water system impact fee, wastewater system impact fee, and raw water development fee (collectively, the “Fees”) applicable to a two-inch residential water meter (“Meter”) necessary to serve one lot within the Development consisting of four (4) buildings with four (4) residential condominium units in each, for a total of sixteen (16) residential condominium units, legally described as Lot 2, Block 1, Amended Plat, Portions of Lots 2 & 3, Block 1, Jefferson Place Addition, City of Loveland, County of Larimer, State of Colorado (“Property”); and

WHEREAS, this deferral of the Fees was set out in an agreement between Discovery Homes and the City known as the “Park Place Plaza Fee Deferral Agreement” dated July 7, 2008 and recorded with the Larimer County Clerk and Recorder’s Office at Reception No. 20080044689 on July 14, 2008 (“Agreement”); and

WHEREAS, the Agreement, which runs with the Property and is binding on future fee title owners of the Property, provides for the deferment of the Fees applicable to the Meter in the total amount of Sixty-five Thousand, Six Hundred Ninety-six Dollars (\$65,696) by collecting said amount through the capital recovery surcharge established in City Code Section 13.04.034, to be applied in perpetuity to the utility bills of those customers who are served by the Meter; and

WHEREAS, Discovery Homes was unable to complete the Development, and fee title ownership of the Property was transferred to Cleveland Properties, LLC (“Cleveland Properties”); and

WHEREAS, no certificates of occupancy have been issued for any of the original sixteen (16) residential condominium units, and Cleveland Properties represents and has provided a title commitment to the City indicating that there are no fee title owners of the Property other than Cleveland Properties; and

WHEREAS, Cleveland Properties plans to convey the Property to Park Place Plaza RE, LLC (“Park Place Plaza RE”), a related entity, on or about May 18, 2012; and

WHEREAS, Park Place Plaza RE desires to complete the Development and has proposed to change the configuration of the Development from four (4) buildings with four (4) residential condominium units in each, for a total of sixteen (16) residential condominium units, to two (2) buildings with four (4) residential apartment units in each, and two (2) buildings with six (6) residential apartment units in each, for a total of twenty (20) residential apartment units; and

WHEREAS, in conjunction with the proposed reconfiguration, Cleveland Properties and Park Place Plaza RE have requested that the City Council amend the Agreement to recalculate the Fees associated with the Meter to serve the (20) residential apartment units and, pursuant to City Code Section 16.38.071, to defer payment of the Fees applicable to the Meter in the total amount of One Hundred Seven Thousand, Six Hundred Sixty Dollars (\$107,660) by collecting said amount through the capital recovery surcharge established in City Code Section 13.04.034 that will be applied in perpetuity to the utility bills of those customers who are served by the Meter; and

WHEREAS, Cleveland Properties, Park Place Plaza RE, and the City have negotiated the “First Amendment to the Park Place Plaza Fee Deferral Agreement,” a copy of which is attached hereto as Exhibit A and incorporated by reference (“First Amendment”).

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

Section 1. That pursuant to City Code Section 16.38.071, the City Council hereby finds that: (a) the terms and conditions of the Agreement, as amended by the First Amendment, are in the best interests of the City; and (b) the deferral of the Fees applicable to the Meter pursuant to the Agreement, as amended by the First Amendment, will serve the public purpose of providing the public with significant social, economic, and cultural benefits including, without limitation, removing blight in historic downtown Loveland, creating new jobs, and increasing property and sales taxes.

Section 2. That the City Council hereby approves the First Amendment and authorizes the Mayor to sign it on behalf of the City. The Mayor, in consultation with the City Manager and the City Attorney, may agree to minor modifications to the form of the First Amendment, provided said modifications do not change significantly the substantive terms and conditions of the First Amendment.

Section 3. That the approval and authorization set forth in Section 2 above is expressly conditioned upon the City’s receipt of the signed First Amendment from Cleveland Properties or Park Place Plaza RE, as the fee title owner of the Property, on or before July 15, 2012. In the event that Cleveland Properties or Park Place Plaza RE, as the fee title owner of the Property, fails to sign the First Amendment on or before July 15, 2012, then the approval and authorization set forth in Section 2 shall automatically be revoked.

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

ADOPTED this 15th day of May, 2012.

Cecil A. Gutierrez, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:



Assistant City Attorney

**FIRST AMENDMENT TO THE
PARK PLACE PLAZA FEE DEFERRAL AGREEMENT**

THIS FIRST AMENDMENT TO THE PARK PLACE PLAZA FEE DEFERRAL AGREEMENT (“**First Amendment**”) is made and entered into this ____ day of _____, 2012, by and between the **CITY OF LOVELAND**, a Colorado municipality (“**City**”), and [**CLEVELAND PROPERTIES, LLC**, a Colorado limited liability corporation *OR* **PARK PLACE PLAZA RE, LLC**, a Colorado limited liability corporation] (“**Developer**”), as successor-in-interest to Discovery Homes, LLC (“**Discovery Homes**”).

WHEREAS, in conjunction with its development of a mixed-use development in historic downtown Loveland known as “Park Place Plaza,” located at 102-110 East First Street (“**Development**”), Discovery Homes requested and received a deferral of the water system impact fee, wastewater system impact fee, and raw water development fee (collectively, the “**Fees**”) applicable to a two-inch residential water meter (“**Meter**”) necessary to serve one lot within the Development consisting of four (4) buildings with four (4) residential condominium units in each, for a total of sixteen (16) residential condominium units, legally described as Lot 2, Block 1, Amended Plat, Portions of Lots 2 & 3, Block 1, Jefferson Place Addition, City of Loveland, County of Larimer, State of Colorado (“**Property**”); and

WHEREAS, this deferral of Fees was set out in an agreement between Discovery Homes and the City known as the “Park Place Plaza Fee Deferral Agreement” dated July 7, 2008 and recorded with the Larimer County Clerk and Recorder’s Office at Reception No. 20080044689 on July 14, 2008 (“**Agreement**”); and

WHEREAS, the Agreement, which runs with the Property and is binding on future fee title owners of the Property, provides for the deferment of the Fees applicable to the Meter in the total amount of Sixty-five Thousand, Six Hundred Ninety-six Dollars (\$65,696) by collecting said amount through the capital recovery surcharge established in City Code Section 13.04.034, to be applied in perpetuity to the utility bills of those customers who are served by the Meter; and

WHEREAS, Discovery Homes was unable to complete the Development, and fee title ownership of the Property was transferred to the Developer; and

WHEREAS, no certificates of occupancy have been issued for any of the original sixteen (16) residential condominium units, and the Developer represents and has provided to the City a title commitment indicating that there are no fee title owners of the Property other than the Developer; and

WHEREAS, the Developer desires to complete the Development and has proposed to change the configuration of the Development from four (4) buildings with four (4) residential condominium units in each, for a total of sixteen (16) residential condominium units, to two (2) buildings with four (4) residential apartment units in each, and two (2) buildings with six (6) residential apartment units in each, for a total of twenty (20) residential apartment units; and

WHEREAS, in conjunction with the proposed reconfiguration, the Developer has requested that the City Council amend the Agreement to recalculate the Fees associated with the Meter to serve the (20) residential apartment units and, pursuant to City Code Section 16.38.071, to defer payment of the Fees applicable to the Meter in the total amount of One Hundred Seven Thousand, Six Hundred Sixty Dollars (\$107,660) by collecting said amount through the capital recovery surcharge established in City Code Section 13.04.034 that will be applied in perpetuity to the utility bills of those customers who are served by the Meter; and

WHEREAS, by the adoption of Resolution #R-69-2008 and Resolution #R-__-2012, the City Council has made a finding that the construction of Park Place Plaza in historic downtown Loveland will serve the public purposes of providing significant social, economic, and cultural benefits to the citizens of Loveland, primarily in the form of removing blight in historic downtown Loveland, creating new jobs, and increasing property and sales taxes and, therefore, the monetary incentives granted in the Agreement, as amended by this First Amendment, are in the best interests of the public and the City.

NOW, THEREFORE, in consideration of the mutual covenants and promises contained herein, and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the parties hereto agree as follows:

1. The Developer represents and has provided a title commitment to the City indicating that there are no fee title owners of the Property other than the Developer.

2. That the Fees due for the Meter shall be recalculated to reflect the reconfiguration of the Development from four (4) buildings with four (4) residential condominium units in each, for a total of sixteen (16) residential condominium units, to two (2) buildings with four (4) residential apartment units in each, and two (2) buildings with six (6) residential apartment units in each, for a total of twenty (20) residential apartment units.

3. That Section 1 of the Agreement, “Deferral of Fees,” shall be amended to read in full as follows:

The City agrees, as authorized under City Code Section 16.38.071, that the Developer may defer payment of One Hundred Seven Thousand, Six Hundred Sixty Dollars (\$107,660) of the Fees due upon application for the Meter, which deferral shall be on the terms and conditions as set forth in this Agreement.

4. That Section 3 of the Agreement, “Recordation; Grant of Lien, Remedies and Enforcement,” shall be amended to read in full as follows:

The Parties acknowledge that the Agreement was recorded with the Larimer County Clerk and Recorder’s Office on July 14, 2008 at Reception No. 20080044689. The Parties agree that the First Amendment and any future amendments shall also be recorded with the Larimer County Clerk and Recorder’s Office, and shall constitute a consensual grant by the Developer, and by its successors and assigns, to the City of a lien against the Property securing payment

of all amounts in default that are due and owing to the City under the Agreement, as amended. The Developer, for itself and its successors and assigns, also agrees that this lien shall be a lien against the Property as a matter of law as provided in City Code Sections 16.38.071, 13.04.290, and 13.08.110. This lien shall be a perpetual lien from the date all or any portion of any fee or charge is due under this Agreement, as amended, until paid, and such lien shall have priority over all other liens against the Property except those for real property taxes. In addition, without limiting the foregoing, the City may undertake any action legally available to enforce the provisions hereof in addition to any remedy provided for herein, including, without limitation, judicially foreclosing its lien against the Property. The City Clerk may also certify such amounts in default to the Treasurer of Larimer County, and such amounts may then be collected in the same manner as though they were real property taxes. In addition, the City may terminate water service to any customer who fails to pay the amount due on the utility bill for such service in accordance with City Code Sections 13.02.070. In the event the City is required to undertake any action to enforce the terms of this Agreement, as amended, the Developer, for itself and its successors and assigns, agrees that the City may recover from the then-owners of the Property its reasonable expenses, including attorneys' fees, incurred with respect to such action.

5. That Section 7 of the Agreement, "Notices," shall be amended to read in full as follows:

Any written notice given under this Agreement and all other correspondence between the parties shall be directed to the following and shall be deemed received when hand-delivered or three (3) days after being sent by certified mail, return receipt requested, to the following addresses:

If to the City:	City Manager City of Loveland 500 East Third Street, Suite 330 Loveland, CO 80537
-----------------	--

With Copy to:	City Attorney City of Loveland 500 East Third Street, Suite 330 Loveland, CO 80537
---------------	---

If to the Developer:

Any party hereto may at any time designate a different address or person receiving notice by so informing the other parties in writing.

6. Except as amended herein, all other terms and conditions of the Agreement shall remain in full force and effect according to the provisions thereof.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment as of the date and year first above written.

DEVELOPER:

By: _____

Title: _____

STATE OF COLORADO)
) ss.
COUNTY OF LARIMER)

The foregoing instrument was acknowledged before me this ____ day of _____, 2012 by _____ as _____ of _____.

Witness my hand and official seal. My commission expires: _____

Notary Public

CITY OF LOVELAND,
A Colorado municipality

By: _____
Cecil A. Gutierrez, Mayor

ATTEST:

APPROVED AS TO FORM:

City Clerk

Assistant City Attorney

STATE OF COLORADO)
) ss.
COUNTY OF LARIMER)

The foregoing instrument was acknowledged before me this ____ day of _____, 2012 by Cecil A. Gutierrez, as Mayor, and Teresa Andrews, as City Clerk, of the City of Loveland.

Witness my hand and official seal. My commission expires: _____.

(S E A L)

Notary Public



Park Place Plaza

**Quality, Location, Value
Downtown Loveland, CO**





2/23/2012

Re: Park Place Plaza Project

Dear City Council,

Our company is in the process of re-developing the property located at 102- 110 East 1st St. known as "Park Place Plaza". The original project was planned for 16 residential condominiums units that were going to be sold individually. Given the current economic conditions, this plan is no longer feasible. We are proposing the re-development of the property to be 20 apartment units. These units would house families, students and professionals looking to live within a close proximity of downtown to enjoy all of the amenities downtown has to offer.

On July 7, 2008 the City of Loveland and the original developer entered into the "Park Place Fee Deferral Agreement" where the city deferred the water system impact fee, wastewater system impact fee, and raw water development fee, applicable to a two inch water meter that would be servicing the residential units of the development. The fee would be collected through a capital recovery surcharge applied in perpetuity to the utility bills of the property. We have analyzed the complexity of the project in detail and have identified that the only way for the project to become feasible is by increasing the density of the residential units. With the proposed change to the development, an additional four units would be built that are not covered under the current deferral agreement.

We are requesting that the additional water fees associated with the four additional units also be deferred as previously agreed to for the original project. Without this modification to the original agreement, the upfront costs of the project fall well over the allocated budget. We are looking forward to proceeding with this project and offering quality housing to the public. We appreciate your consideration of our request and we look forward to a successful project.

Sincerely,

A handwritten signature in black ink, appearing to read 'Alex Schuman', with a long horizontal flourish extending to the right.

Alex Schuman

Water and Power

Memo

To: Mike Scholl, Economic Development
 From: Melissa Morin, Water & Power
 Date: March 28, 2012
 Re: Update - Park Place Plaza Subdivision Fee Deferral and Water and Wastewater Credits/Fee Summary

The purpose of this memorandum is to convey

- 1) How the original fee deferral was calculated
- 2) The correct calculation for the original fee deferral
- 3) Credits remaining on the property
- 4) The proposed fee deferral amount.

Step 1: The Park Place Plaza Fee Deferral Agreement, dated July 7, 2008, was approved to defer the water system impact fee, wastewater system impact fee, and raw water development fee applicable to a two-inch residential water meter to serve sixteen (16) residential condominiums in four buildings of four dwelling units each (110-140 E 1st Street). This deferral was in the total amount of **\$65,696**.

This is how the original deferral amount was calculated as shown below:

2008 Fee	Multi-Family	Fee	# of Dwelling units	Subtotal
Water SIF	9+ units	\$1,670	16	\$26,720
RWDF	1-24 units	\$626	16	\$10,016
Wastewater SIF	9+ units	\$1,810	16	\$28,960
TOTAL				\$65,696

Step 2: Staff has revisited the calculation of this number and has found it to be in error in two ways.

- 1) The fees used for the calculation were the 2008 multi-family rates; however these fees should have been for the 2007 rates. In accordance with 13.04.030 B. Water Connection Fees: "System Impact Fees shall be imposed and due at the time a building permit is required for the property being served..." The building permit application was first made in late 2007.
- 2) The method used to calculate these fees was incorrect. The method used for the agreement was to assess the fees for 16 dwelling units in one building. This is an incorrect assessment as there were 4 buildings of 4 dwelling units each.

The original fee deferral should have been calculated as shown below:

2007 Fee	Multi-Family	Fee	# of Dwelling units	Subtotal	# of Buildings	Total for Project
Water SIF	1-8 units	\$2,780	4	\$11,120	4	\$44,480
RWDF	1-24 units	\$626	4	\$2,504	4	\$10,016
Wastewater SIF	1-8 units	\$2,180	4	\$8,720	4	\$34,880
TOTAL						\$89,376

Step 3: There is some SIF and RWDF credits on the site that staff has been tracking. A portion of these credits were used to pay for the Commercial tap for the building permit pulled in 2007 and therefore they were "locked in" at that time.

The credit was calculated with 2007 rates as shown below:

Address	Use	Size	Water SIF	RWDF	WW SIF
102 E 1st	Single Family	3/4"	\$4,340	\$1,000	\$2,360
110-140 E 1st	Single Family	3/4"	\$4,340	\$1,000	\$2,360
110-140 E 1st	Single Family	3/4"	\$4,340	\$1,000	\$2,360
TOTAL credit			\$13,020	\$3,000	\$7,080

The credit was used to purchase the 3/4" commercial tap with 2007 rates as shown below:

Address	Use	Size	Water SIF	RWDF	WW SIF
102 E 1st St	Commercial	3/4"	\$4,740	\$1,000	\$4,020
credit used			\$ (4,740)	\$ (1,000)	\$ (4,020)
TOTAL credit remaining			\$8,280	\$2,000	\$3,060

The intent for the use for the remainder of this credit is for the developer to use it to purchase the 3/4" irrigation meter with it. The irrigation meter was installed; however it has not been activated yet. The irrigation meter can be activated whenever the developer submits payment for it. The fees charged for the irrigation meter are charged at current year.

The following is an estimate if the irrigation meter was to be activated this year (2012 rate example):

Address	Use	Size	Water SIF	RWDF	WW SIF
TBD	Irrigation	3/4"	\$11,790	\$1,000	\$0
credit used			\$ (8,280)	\$ (1,000)	\$0
Total Due			\$3,510	\$0	\$0
TOTAL credit remaining			\$0	\$1,000	\$3,060

Step 4: Staff has been in contact with Henderson Property Management who would like to purchase the site and complete the building construction. They have requested to increase the dwelling units of the site in two of the buildings to 6 dwelling units each. This would change the site to 2 buildings at 4 dwelling units and 2 buildings at 6 dwelling units. They have requested that the additional dwelling units be added to the total fee deferral. The total fee would be reduced by the total credit remaining from Step 3.

The revised fee deferral would be calculated as shown below:

2007 Fee	Multi-Family	Fee	# of Dwelling units	Sub-total	# of Buildings	# of Dwelling units	Sub-total	# of Buildings	Total for Project	Credit used	Grand Total
Water SIF	1-8 units	\$2,780	4	\$11,120	2	6	\$16,680	2	\$55,600	\$ 0	\$55,600
RWDF	1-24 units	\$626	4	\$2,504	2	6	\$3,756	2	\$12,520	\$ (1,000)	\$11,520
Wastewater SIF	1-8 units	\$2,180	4	\$8,720	2	6	\$13,080	2	\$43,600	\$ (3,060)	\$40,540
TOTAL											\$107,660

**CITY OF LOVELAND****ECONOMIC DEVELOPMENT OFFICE**

Civic Center • 500 East Third • Loveland, Colorado 80537
(970) 962-2304 • FAX (970) 962-2900 • TDD (970) 962-2620

AGENDA ITEM: 12
MEETING DATE: 5/15/2012
TO: City Council
FROM: Betsey Hale, Economic Development Department
PRESENTER: Mike Scholl, Economic Development Department

TITLE:

Motion approving a contract form for Downtown properties brokerage services and authorizing the City Manager, in consultation with the City Attorney, to make changes to the contract form, in form or substance, as deemed necessary to effectuate the purposes of this motion or to protect the interests of the City, and to execute contracts for brokerage services

RECOMMENDED CITY COUNCIL ACTION:

Adopt the motion

OPTIONS:

1. Adopt the action as recommended
 2. Deny the action
 3. Adopt a modified action (specify in the motion)
 4. Refer back to staff for further development and consideration
 5. Adopt a motion continuing the item to a future Council meeting
-

DESCRIPTION:

This is an administrative action to approve the contract form for brokerage services for Downtown properties. The contract template will allow the City to contract with brokers that are interested in assisting the City with property valuations and assemblages in Downtown for the purposes of redevelopment. The brokerage contract is non-exclusive and does not obligate the City to acquire any property or pay any commissions. Staff had previously submitted the contract template and staff memorandum to Council for review prior for formal consideration.

BUDGET IMPACT:

- ☐ Positive
☐ Negative
☒ Neutral or negligible
-

SUMMARY:

The contract will allow the City to work with brokers to engage Downtown property owners, and to begin to establish valuations for multi-parcel assemblages. This information will be used as part of the Request for Expressions of Interest (RFEI) process to further market development opportunities.

In addition, engaging brokers in direct outreach to Downtown property owners expands staff capacity to pursue property assemblages for development in Downtown under the RFEI. Having brokers under contract may also assist staff and Council with more accurate property valuations and alternatives, which should result in more informed real estate transactions for the City.

The contract is non-exclusive and **does not** bind the City to acquire any property. The purpose is to support Downtown development by conducting valuations for interested developers and sellers. As per the Downtown Strategic Plan, property assemblage is one of the biggest hurdles to achieving development in Downtown. Broker compensation is transaction-based and will be taken as a sales commission paid by a property owner and/or purchaser should a project move forward. The City will not be obligated for a commission unless it is a purchaser or seller and agrees in writing to pay a specified commission as part of a specific transaction.

REVIEWED BY CITY MANAGER:



LIST OF ATTACHMENTS:

- A. Brokerage Contract Form
- B. Staff Report

SERVICES CONTRACT

This Contract is entered into this ____ day of _____, 2012, by and between the **City of Loveland, Colorado** ("City") and _____ ("Contractor").

Whereas, the parties desire to contract with one another to complete the following project: **Real Estate Brokerage Services for Downtown Area of Interest.**

Now, therefore, in consideration of the mutual covenants and agreements contained herein, the parties agree as follows:

1. Services. The Contractor shall perform the services set forth in Exhibit A, attached hereto and incorporated herein by reference ("Services"). The Contractor represents that it has the authority, capacity, experience, and expertise to perform the Services in compliance with the provisions of this Contract and all applicable laws. The City reserves the right to remove any of the Services from Exhibit A upon written notice to Contractor. In the event of any conflict between this Contract and Exhibit A, the provisions of this Contract shall prevail.

2. Price. The City shall pay the Contractor a sum not to exceed the amount set forth in Exhibit A. The City shall make payment within thirty days of receipt and approval of monthly invoices, which shall identify the specific Services performed for which payment is requested.

3. Term. This Contract shall be effective from _____, 2012 through _____, 20____. This Contract may be extended or renewed by written agreement of the parties.

4. Appropriation. To the extent this Contract constitutes a multiple fiscal year debt or financial obligation of the City, it shall be subject to annual appropriation pursuant to the City of Loveland Municipal Charter Section 11-6 and Article X, Section 20 of the Colorado Constitution. The City shall have no obligation to continue this Contract in any fiscal year in which no such appropriation is made.

5. Independent Contractor. The parties agree that the Contractor is an independent contractor and is not an employee of the City. **The Contractor is not entitled to workers' compensation benefits from the City and is obligated to pay federal and state income tax on any money earned pursuant to this Contract.**

6. Insurance Requirements.

a. Policies. The Contractor and its subcontractors, if any, shall procure and keep in force during the duration of this Contract the following insurance policies and shall provide the City with a certificate of insurance evidencing upon execution of this Contract:

(i) Comprehensive general liability insurance insuring the Contractor and naming the City as an additional insured with minimum combined single limits of \$1,000,000 each occurrence and \$1,000,000 aggregate. The policy shall be applicable to all premises and operations. The policy shall include coverage for bodily injury, broad form property damage (including completed operations), personal injury (including coverage for contractual and employee acts), blanket contractual, independent contractors, products, and completed operations. The policy shall contain a severability of interests provision.

(ii) Comprehensive automobile liability insurance insuring the Contractor and naming the City as an additional insured against any liability for personal injury, bodily injury, or death arising out of the use of motor vehicles and covering operations on or off the site of all motor vehicles controlled by the Contractor which are used in connection with this Contract, whether the motor vehicles are owned, non-owned, or hired, with a combined single limit of at least \$1,000,000.

(iii) Professional liability insurance insuring the Contractor against any professional liability with a limit of at least \$1,000,000 per claim and annual aggregate. *(Note: this policy shall only be required if the Contractor is an architect, engineer, surveyor, appraiser, physician, attorney, accountant, or other licensed professional.)*

(iv) Workers' compensation insurance and all other insurance required by any applicable law. *(Note: if under Colorado law the Contractor is not required to carry workers' compensation insurance, the Contractor shall execute a Certificate of Exemption and Waiver, attached hereto as Exhibit B and incorporated herein by reference.)*

b. Requirements. Required insurance policies shall be with companies qualified to do business in Colorado with a general policyholder's financial rating acceptable to the City. Said policies shall not be cancelable or subject to reduction in coverage limits or other modification except after thirty days prior written notice to the City. The Contractor shall identify whether the type of coverage is "occurrence" or "claims made." If the type of coverage is "claims made," which at renewal the Contractor changes to "occurrence," the Contractor shall carry a six-month tail. Comprehensive general and automobile policies shall be for the mutual and joint benefit and protection of the Contractor and the City. Such policies shall provide that the City, although named as an additional insured, shall nevertheless be entitled to recover under said policies for any loss occasioned to it, its officers, employees, and agents by reason of negligence of the Contractor, its officers, employees, agents, subcontractors, or business invitees. Such policies shall be written as primary policies not contributing to and not in excess of coverage the City may carry.

7. Indemnification. The Contractor agrees to indemnify and hold harmless the City, its officers, employees, and agents from and against all liability, claims, and demands on account

of any injury, loss, or damage arising out of or connected with the Services, if such injury, loss, or damage, or any portion thereof, is caused by, or claimed to be caused by, the act, omission, or other fault of the Contractor or any subcontractor of the Contractor, or any officer, employee, or agent of the Contractor or any subcontractor, or any other person for whom the Contractor is responsible. The Contractor shall investigate, handle, respond to, and defend against any such liability, claims, and demands, and shall bear all other costs and expenses related thereto, including court costs and attorneys' fees. The Contractor's indemnification obligation shall not be construed to extend to any injury, loss, or damage to the extent caused by the act, omission, or other fault of the City. This paragraph shall survive the termination or expiration of this Contract.

8. Governmental Immunity Act. No term or condition of this Contract shall be construed or interpreted as a waiver, express or implied, of any of the notices, requirements, immunities, rights, benefits, protections, limitations of liability, and other provisions of the Colorado Governmental Immunity Act, C.R.S. § 24-10-101 *et seq.* and under any other applicable law.

9. Compliance with Applicable Laws.

a. Generally. The Contractor shall comply with all applicable federal, state, and local laws, including the ordinances, resolutions, rules, and regulations of the City. The Contractor shall solely be responsible for payment of all applicable taxes and for obtaining and keeping in force all applicable permits and approvals.

b. C.R.S. Article 17.5, Title 8. The Contractor hereby certifies that, as of the date of this Contract, it does not knowingly employ or contract with an illegal alien who will perform work under this Contract and that the Contractor will participate in the e-verify program or Colorado Department of Labor and Employment ("Department") program as defined in C.R.S. § 8-17.5-101 in order to confirm the employment eligibility of all employees who are newly hired for employment to perform work under this Contract. The Contractor shall not knowingly employ or contract with an illegal alien to perform work under this Contract or enter into a contract with a subcontractor that fails to certify to the Contractor that the subcontractor shall not knowingly employ or contract with an illegal alien to perform work under this Contract. The Contractor certifies that it has confirmed the employment eligibility of all employees who are newly hired for employment to perform work under this Contract through participation in either the e-verify program or the Department program. The Contractor is prohibited from using either the e-verify program or the Department program procedures to undertake pre-employment screening of job applicants while this Contract is being performed. If the Contractor obtains actual knowledge that a subcontractor performing work under this Contract knowingly employs or contracts with an illegal alien, the Contractor shall be required to: (i) notify the subcontractor and City within three days that Contractor has actual knowledge that the subcontractor is employing or contracting with an illegal alien; and (ii) terminate the subcontract with the subcontractor if within three days of receiving the notice required pursuant to this subparagraph the subcontractor does not stop employing or contracting with the illegal alien; except that Contractor shall not terminate the contract with the subcontractor if during such three days the subcontractor provides

information to establish that the subcontractor has not knowingly employed or contracted with an illegal alien. The Contractor shall comply with any reasonable request by the Department made in the course of an investigation that it is undertaking pursuant to the authority established in C.R.S. Article 17.5, Title 8. If the Contractor violates this paragraph, the City may terminate this Contract for default in accordance with "Termination," below. If this Contract is so terminated, the Contractor shall be liable for actual and consequential damages to the City. *(Note: this paragraph shall not apply to contracts: (i) for Services involving the delivery of a specific end product (other than reports that are merely incidental to the performance of said work); or (ii) for information technology services and/or products.)*

c. C.R.S. § 24-76.5-103. If the Contractor is a natural person (*i.e.*, not a corporation, partnership, or other legally-created entity), he/she must complete the affidavit attached hereto as Exhibit C and attach a photocopy of a valid form of identification. If the Contractor states that he/she is an alien lawfully present in the United States, the City will verify his/her lawful presence through the SAVE Program or successor program operated by the U.S. Department of Homeland Security. In the event the City determines that the Contractor is not lawfully present in the United States, the City shall terminate this Contract for default in accordance with "Termination," below.

10. Termination.

a. Without Cause. Either party may terminate this Contract without cause upon thirty days prior written notice to the other. The City shall be liable to pay the Contractor for Services performed as of the effective date of termination, but shall not be liable to the Contractor for anticipated profits.

b. For Default. Each and every term and condition hereof shall be deemed to be a material element of this Contract. In the event either party fails to perform according to the terms of this Contract, such party may be declared in default. If the defaulting party does not cure said breach within ten days of written notice thereof, the non-defaulting party may terminate this Contract immediately upon written notice of termination to the other. In the event of such termination by the City, the City shall be liable to pay the Contractor for Services performed as of the effective date of termination, but shall not be liable to Contractor for anticipated profits; provided, however, that the Contractor shall not be relieved of liability to the City for any damages sustained by the City by virtue of any default under this Contract, and the City may withhold payment to the Contractor for the purposes of setoff until such time as the exact amount of damages is determined.

11. Notices. Written notices shall be directed as follows and shall be deemed received when hand-delivered or emailed, or three days after being sent by certified mail, return receipt requested:

To the City:
Mike Scholl
City of Loveland

To the Contractor:

500 E. 3rd Street
 Loveland, CO 80537
 Email: scholm@ci.loveland.co.us Email:

12. Special Provisions. The Contractor represents and warrants that it is a licensed real estate brokerage company and has all licenses and permits required to provide the Services under this Contract.

13. Time of the Essence. Time is of the essence in performance of the Services and is a significant and material term of this Contract.

14. Miscellaneous. This Contract contains the entire agreement of the parties relating to the subject matter hereof and, except as provided herein, may not be modified or amended except by written agreement of the parties. In the event a court of competent jurisdiction holds any provision of this Contract invalid or unenforceable, such holding shall not invalidate or render unenforceable any other provision of this Contract. The Contractor shall not assign this Contract without the City's prior written consent. This Contract shall be governed by the laws of the State of Colorado, and venue shall be in the County of Larimer, State of Colorado.

15. Electronic Signature. This Contract may be executed by electronic signature in accordance with C.R.S 24-71.3-101 *et seq.*

Signed by the parties on the date written above.

City of Loveland, Colorado

By: _____

Title: _____

ATTEST:

 City Clerk

APPROVED AS TO FORM:

 Assistant City Attorney

Contractor:

By: _____

Title: _____

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____,
2012 by _____.
(Insert name of individual signing on behalf of the Contractor)

S E A L

Notary's official signature

Commission expiration date

EXHIBIT A – SERVICES

The Contractor shall provide real estate brokerage services to the City on a non-exclusive basis for properties located within the Area of Interest (see attached map) in support of the City's Downtown Strategic Plan. The City will, by written direction to the Contractor, identify specific properties within the Area of Interest ("Property" or "Properties") for which the Contractor shall provide services under this Contract. Specifically, the Contractor will:

- Identify and engage owners of the Properties to determine their interest in marketing their properties as development opportunities in partnership with the City.
- Identify and engage developers who may be interested in purchasing the Properties, whether such Properties are owned by the City or by third parties, for the purpose of development consistent with the City's Downtown Strategic Plan. The Contractor shall make every effort to identify developers interested in Property assemblages that could be included in a larger development project that may be eligible to receive public support.
- Connect willing sellers and buyers to facilitate development within the Area of Interest consistent with the City's Downtown Strategic Plan.

The City will not purchase real estate for speculative purposes.

The Contractor acknowledges that any purchase and sale agreement to which the City may be a party is subject to City Council approval and, if acquisition or financial contribution by the City is contemplated, appropriation. The Contractor also acknowledges that any economic incentive or financing mechanism to be provided by the City as part of a real estate transaction is subject to City Council approval (or Loveland Urban Renewal Authority approval, as appropriate) and appropriation. The City makes no representation or guarantee that any proposed real estate transaction, economic incentive request, or request for financial support will receive City Council consideration or approval.

The Contractor understands and agrees that compensation is not guaranteed. The City makes no promise to pay the Contractor commission or other compensation except as specifically set forth in a separate written agreement with respect to a specific real estate transaction. In real estate transactions between third parties, it shall be the Contractor's responsibility to negotiate compensation payable to the Contractor by said parties.

If requested by the Contractor, the City may agree in writing to extend the term of this Contract to permit the Contractor to complete any real estate transaction concerning Property in which it has been actively engaged.

EXHIBIT B
CERTIFICATE OF EXEMPTION FROM STATUTORY WORKERS’
COMPENSATION LAW AND ACKNOWLEDGEMENT OF
RISK/HOLD HARMLESS AGREEMENT

_____ (“Contractor”) certifies to the City of Loveland (“City”) that it is a _____ and therefore exempt from the provisions of the Colorado Workers’ Compensation Act.

If Contractor subsequently employs any person to perform the Services (other than subcontractors, which are not considered employees for the purposes of workers’ compensation), it agrees to provide City with a Certificate of Insurance as required by the Agreement indicating proof of statutory workers’ compensation coverage on such persons prior to their start of work for City.

Contractor acknowledges that it will be engaging in activities which exposes it to the risk of bodily injury, that it is physically capable of performing the activities, and that all necessary precautions to prevent injury to Contractor and others will be taken. Contractor shall not hold City liable for any injuries sustained, by it or others, which may arise out of or in the course of the work performed for or on behalf of City, and Contractor agrees to defend, indemnify, and hold harmless City from all such claims.

Contractor:

By: _____

Title: _____

STATE OF _____)
) ss.
 COUNTY OF _____)

The foregoing Certificate of Exemption From Statutory Workers’ Compensation Law and Acknowledgement of Risk/Hold Harmless Agreement was acknowledged before me this ____ day of _____, 20__ by _____.
 (Name of individual signing on behalf of Contractor)

Witness my hand and official seal.

My Commission Expires _____.

 Notary Public

EXHIBIT B – CERTIFICATE OF EXEMPTION AND WAIVER**DIRECTIONS:**

- ✓ If the Contractor is NOT required under Colorado law to carry workers' compensation insurance and DOES NOT carry it, this exhibit MUST be completed and attached to the Contract.
- ✓ If the Contractor IS required under Colorado law to carry workers' compensation insurance and DOES carry it, this exhibit IS NOT REQUIRED and may be discarded.

The Contractor certifies to the City that it is not required to carry workers' compensation insurance under the Colorado Workers' Compensation Act. The Contractor acknowledges that it will be engaging in activities that may expose it to risk of bodily injury. The Contractor affirms that it is physically capable of performing the activities and that all necessary precautions to prevent injury to the Contractor and others will be taken. The Contractor shall not hold the City liable for any injuries that may arise during or resulting from the work performed under the Contract, and the Contractor shall defend, indemnify, and hold harmless the City from all such claims.

Contractor:

By: _____

Title: _____

STATE OF _____)
) ss.
 COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____,
 20____ by _____.

(Insert name of individual signing on behalf of the Contractor)

S E A L

Notary's official signature_____
Commission expiration date

EXHIBIT C – AFFIDAVIT**DIRECTIONS:**

- ✓ If the Contractor is an individual, this exhibit **MUST** be completed and attached to the Contract. A copy of a valid form of identification **MUST** be attached.
- ✓ If the Contractor is a corporation, partnership, or other legally-created entity, this exhibit **IS NOT REQUIRED** and may be discarded.

I swear or affirm under penalty of perjury under the laws of the State of Colorado that (check **one**):

- _____ **I am a United States citizen.**
(Valid I.D. must be provided)
- or*
- _____ **I am a legal permanent resident of the United States.**
(Alien registration number and valid I.D. must be provided)
- or*
- _____ **I am lawfully present in the United States pursuant to federal law.**
(Alien registration number and valid I.D. must be provided)

I understand that this sworn statement is required by law because I have applied for a public benefit. I understand that state law requires me to provide proof that I am lawfully present in the United States prior to receipt of this public benefit. I further acknowledge that making a false, fictitious, or fraudulent statement or representation in this sworn affidavit is punishable under the criminal laws of Colorado as perjury in the second degree under C.R.S. § 18-8-503 and that it shall constitute a separate criminal offense each time a public benefit is fraudulently received.

Signature
C.R.S. 24-76.5-103

Date
Rev. 1-1-2010

Internal Use Only – Valid Forms of Identification

- Current Colorado driver's license, minor driver's license, probationary driver's license, commercial driver's license, restricted driver's license, or instruction permit.
- Current Colorado identification card.
- U.S. military card or dependent identification card.
- U.S. Coast Guard Merchant Mariner card.
- Native American tribal document.
- Original birth certificate from any state of the U.S.
- Certificate verifying naturalized status by U.S. with photo and raised seal.
- Certificate verifying U.S. citizenship by U.S. government (e.g., U.S. passport).
- Order of adoption by a U.S. court with seal of certification.
- Valid driver's license from any state of the U.S. or the District of Columbia excluding AK, HI, IL, MD, MI, NE, NM, NC, OR, TN, TX, UT, VT and WI.
- Valid immigration documents demonstrating lawful presence (e.g., current foreign passport with current I-551 stamp or visa, current foreign passport with I-94, I-94 with asylum status, unexpired

Resident Alien card, Permanent Resident card or Employment Authorization card).

<i>Note: If an individual has identification (excluding driver's licenses) not included on this list, contact the Department Director. Also, a waiver may be available where no identification exists or can be obtained due to a medical condition, homelessness, or insufficient documentation to receive a Colorado driver's license or identification card.</i>



CITY OF LOVELAND
ECONOMIC DEVELOPMENT OFFICE
Civic Center • 500 East Third • Loveland, Colorado 80537
(970) 962-2304 • FAX (970) 962-2900 • TDD (970) 962-2620

May 10, 2012

To: Loveland City Council
From: Mike Scholl, Department of Economic Development
Through: Bill Cahill, City Manager
RE: Staff Report - Broker Contract Template

The purpose of the contract template is to create a process to engage local real estate brokers to assist the City in identifying Downtown property owners who are interested in developing their property and working with developers to establish reasonable sale prices for property assemblages that may lead to large scale development projects in downtown. While the contract includes the possibility of the sale of City property in Downtown, any transaction is subject to Council approval and subsequent appropriation.

The intent is not to use the contract for speculative purposes rather to assist the City in negotiations with developers interested in specific land assemblages. Staff has been approached by developers interested in investing in Downtown that have requested assistance with land assemblage. The information and outreach would also be used to enhance the marketing efforts for the Request for Expressions of Interest.

With a broker under contract, staff could initiate discussions with properties owners for the purposes of completing a project budget to determine the feasibility of the project. If a project were to go forward, the City would be in a position to assist developers achieve site control for the purposes of encouraging investment. The contract is non-exclusive and provides no compensation other than when the City is a buyer or a seller.

Given that the City Council would need to approve any purchase along with an appropriation, the intent is to facilitate acquisition for private development, not to purchase and market for development. Land assemblage is a huge barrier to revitalization and this step will bring additional support to the City's effort and minimal cost.

Land assemblage was identified as a barrier in the Downtown Strategic plan and was identified as an area where the City can work to facilitate private investment.

As per the Downtown Strategic Plan (pp. 79-8):

Land Assemblage/Equity Investments

Land assemblage can be difficult and expensive for the public sector. However, it is of paramount importance for the revitalization process to occur. The current building fabric in Downtown has numerous small single story buildings that limit dense vertical development.

While acquisition by the City has included the Mr. Neats building, property for the parking deck etc., there are strategies to facilitate assemblage in Downtown that would not make the job the sole responsibility of the City. Third party intermediaries could purchase and hold property with the intent to develop. While the City has been reluctant to use condemnation to acquire property, there are some significant tax advantages to the property owner in a “friendly condemnation.” With an agreement in place, a “Transfer in Lieu of Condemnation” can reduce the cost of acquisition while reduce the seller’s tax liability and providing an incentive to sell the property.