

AGENDA

The City of Loveland is committed to providing an equal opportunity for citizens and does not discriminate on the basis of disability, race, age, color, national origin, religion, sexual orientation or gender. The City will make reasonable accommodations for citizens in accordance with the Americans with Disabilities Act. For more information, please contact the City's ADA Coordinator at bettie.greenberg@cityofloveland.org or 970-962-3319.

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

PRESENTATION:

Miss Loveland Valentine 2014 - Nicole Wilson

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. Members of the public 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 comments to no more than three minutes.

CONSENT AGENDA

1. **CITY CLERK** (presenter: Terry Andrews)
APPROVAL OF JANUARY 7, 2014 CITY COUNCIL MINUTES
A Motion to Approve the City Council Meeting Minutes for the January 2, 2014 Regular Meeting.
This is an administrative action to approve the City Council Meeting Minutes from the January 7, 2014 regular meeting.
2. **CITY MANAGER** (presenter: Bill Cahill)
BOARDS & COMMISSIONS APPOINTMENTS

1. A Motion to Reappoint Bradley Pierson to the Citizens' Finance Advisory Commission for a Term Effective until December 31, 2016.
2. A Motion to Appoint David Hallett and Ryan Lundquist to the Citizens' Finance Advisory Commission, Each for a Term Effective until December 31, 2016.
3. A Motion to appoint Elton Bingham as a City Commission Member on the Fire and Rescue Advisory Commission for a Term Effective until June 30, 2016.
4. A Motion to Reappoint Rick Brent to the Open Lands Advisory Commission for a Term Effective until December 31, 2017.
5. A Motion to Appoint Jim Roode to the Open Lands Advisory Commission for a Term Effective until December 31, 2017.
6. A Motion to Reappoint Roger Clark and Charlie Jackson to the Visual Arts Commission, Each for a Term Effective until December 31, 2016.
7. A Motion to Appoint Abbie Powers and Sara Turner as Alternate Members on the Visual Arts Commission, Each for a Term Effective until December 31, 2014.
8. A Motion to Appoint Jill Angelovic as an Alternate Member on the Affordable Housing Commission for a Term Effective until June 30, 2014.

These are administrative actions recommending the appointments and reappointments of members to the Citizens' Finance Advisory Commission, the Fire and Rescue Advisory Commission, the Open Land Advisory Commission and the Visual Arts Commission.

3. **PUBLIC WORKS** (presenter: Keith Reester)
IGA WITH THE STATE OF COLORADO REGARDING FLOOD REPAIR OF FEDERAL AID SYSTEM ROADWAYS

A Motion to Adopt Resolution #R-8-2014 Approving a Master Intergovernmental Agreement Between the City of Loveland, Colorado and the State of Colorado, Acting By and Through the Colorado Department of Transportation, for Repair of Federal Aid System Roadways Located within the City of Loveland that were Damaged by the September 2013 Flood.

This is an administrative action. The resolution approves an Intergovernmental Agreement (IGA) between the City of Loveland and the Colorado Department of Transportation (CDOT). This agreement is necessary to facilitate the distribution of Federal Highway Administration (FHWA) funds appropriated for the repair of Federal Aid System (FAS) Roadways damaged by the September 2013 Flood. The positive impact of this action is that it will facilitate the distribution of Federal Emergency Funds to cover a large portion (80 to 87.5%) of the costs for repair of our flood-damaged roadway infrastructure. On the negative side, the City will be responsible for the remaining 12.5 to 20% repair costs (dependent on the federal classification of the repair), which was unforeseen at the time of 2013 budgeting.

4. **ECONOMIC DEVELOPMENT** (presenter: Mike Scholl)
MICHAELS DEVELOPMENT COMPANY EXCLUSIVE RIGHT TO NEGOTIATE

A Motion to Authorize the City Manager to Sign an Exclusive Right to Negotiate With the Michaels Development Company, in the Form Attached to this Cover Sheet, Pertaining to the 3rd Street Redevelopment Project.

This is an administrative action. The motion authorizes the City Manager to sign an exclusive right to negotiate with the Michaels Development Company (MDC) on the 3rd Street Redevelopment Project. The exclusive right would allow six months to define a scope of work for the project and define the financials. The City and MDC may extend the period to negotiate a development agreement if preliminary work is successfully completed. The motion authorizes negotiations only.

5. **DEVELOPMENT SERVICES** (presenter: Karl Barton)

PUBLIC HEARING

AMENDING SECTION 4.7 FUTURE LAND USE PLAN MAP TO MODIFY THE GROWTH MANAGEMENT AREA

A Motion to Adopt Resolution #R-9-2014 Approving Amendment of the City of Loveland 2005 Comprehensive Plan, 2011 Implementation Plan by the Amendment of Section 4.7 Future Land Use Plan Map to Modify the City of Loveland Growth Management Area.

This is legislative action. The resolution amends the City of Loveland Future Land Use Plan by changing the boundaries of Loveland's Growth Management Area, removing certain properties located on the west and east sides of I-25, north of SH 402 and primarily south of the Big Thompson River. This is the final step in reaching the agreement with Johnstown that will allow Loveland to work with Larimer County to get the Loveland GMA Overlay Zoning District expanded.

END OF CONSENT AGENDA

CITY CLERK READS TITLES OF ORDINANCES ON THE CONSENT AGENDA

PUBLIC COMMENT *Anyone who wishes to speak to an item NOT on the Agenda may address the Council at this time.*

PROCEDURAL INFORMATION

Anyone in the audience will be given time to speak to any item on the Regular Agenda before the Council acts upon it. The Mayor will call for public comment following the staff report. 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

6. **CITY CLERK** (presenter: Terry Andrews)

APPROVAL OF JANUARY 14, 2014 STUDY SESSION MINUTES

A Motion to Approve the City Council Study Session Meeting Minutes for the January 14, 2014 Study Session.

This is an administrative action to approve the City Council Study Session Minutes from the January 14, 2014 Study Session. Councilors Clark and Trenary were absent.

7. **PUBLIC WORKS** (presenter: Ken Cooper)

PUBLIC HEARING

SUPPLEMENTAL APPROPRIATION FOR THE SERVICE CENTER EXPANSION PROJECT

A Motion to Approve and Order Published on First Reading an Ordinance Enacting a Supplemental Budget and Appropriation to the 2014 City of Loveland Budget for the Service Center Expansion Project.

This is an administrative action. The ordinance on first reading appropriates funds for construction contingency on the Service Center Expansion project in the amount of \$636,150. The ordinance appropriates undesignated fund balance reducing the flexibility to fund other projects. The fund balance is the result of actual revenues being higher

than projected in the 2013 Budget and from projected 2014 revenue that was not appropriated in the 2014 Budget.

8. **CITY ATTORNEY** (presenter: John Duval)
6TH AMENDMENT TO THE CENTERRA MFA & IGA AND DISBURSEMENT OF FUNDS FROM THE CENTERRA METROPOLITAN DISTRICT #1

1. **A Motion to Adopt Resolution #R-10-2014 of the Loveland City Council Approving the Sixth Amendment to the Centerra Master Financing and Intergovernmental Agreement.**

These two resolutions are both administrative actions. The first resolution approves a Sixth Amendment to the Centerra Master Financing and Intergovernmental Agreement to designate the proposed "Parcel 505 Parking Improvements" in the Centerra development as "Local Improvements" under the Centerra MFA and to also permit Centerra Metro District No. 1 ("District") to reimburse the City for its previous construction of the "Boyd Lake Waterline" on the basis that the Fifth Amendment to the MFA recently designated Boyd Lake Avenue as a "Regional Improvement" under the MFA.

2. **A Motion to Adopt Resolution #R-11-2014 of the Loveland City Council Consenting to the Disbursement of Funds from the Centerra Metropolitan District No. 1 2008 Regional Improvements Subaccount.**

The second resolution authorizes the District to use the approximately \$840,000 of funds remaining in the "2008 Regional Improvements Subaccount" to be used for the construction of a wastewater lift station to serve Parcel 505 and other adjacent properties. The Sixth Amendment does not change in any way the current or future amount of revenues collected and disbursed under the Centerra MFA. It only expands the type of public improvements for which these revenues can be spent. The same is true with respect to the Council consenting to the requested disbursement from the 2008 Regional Improvements Subaccount.

ADJOURN AS CITY COUNCIL AND CONVENE AS THE LOVELAND URBAN RENEWAL AUTHORITY (LURA)

9. **CITY ATTORNEY**
LURA 6TH AMENDMENT TO THE CENTERRA MFA & IGA
A Motion to Adopt Resolution #R-12-2014 of the Loveland Urban Renewal Authority Approving the Sixth Amendment to the Centerra Master Financing and Intergovernmental Agreement.

This is an administrative action. The Resolution approves a Sixth Amendment to the Centerra Master Financing and Intergovernmental Agreement to designate the proposed "Parcel 505 Parking Improvements" in the Centerra development as "Local Improvements" under the Centerra MFA and to also permit Centerra Metro District No. 1 ("District") to reimburse the City for its previous construction of the "Boyd Lake Waterline" on the basis that the Fifth Amendment to the MFA recently designated Boyd Lake Avenue as a "Regional Improvement" under the MFA. The Sixth Amendment does not change in any way the current or future amount of revenues collected and disbursed under the Centerra MFA. It only expands the type of public improvements for which these revenues can be spent.

ADJOURN AS THE LOVELAND URBAN RENEWAL AUTHORITY (LURA) AND RECONVENE AS CITY COUNCIL

10. **FINANCE** (presenter: John Hartman)
ABOLISHING THE REQUEST FOR DISMISSAL OF NPOI FEE AND AMENDING THE 2014 SCHEDULE OF FEES

A Motion to Approve Resolution #R-13-2014 Abolishing the “Request For Dismissal Of No Proof Of Insurance Fee” and Amending the 2014 Schedule of Rates, Charges, and Fees for Services Provided by the City of Loveland, Other than Services Provided by the Water and Power Department and the Stormwater Enterprise, and Superseding all Prior Resolutions Establishing Such Rates, Charges, and Fees.

This is an administrative action. The Resolution amends the Schedule of Rates, Charges and Fees for Services provided by the City of Loveland by eliminating the “Request for dismissal of no proof of insurance fee”. The fee generated revenue within the General Fund to fund the provision of City services. The 2013 actual collections from this fee totaled \$2,835. The 2014 Budget projected revenue from this fee of \$3,000 will not be realized if the Resolution is adopted.

BUSINESS FROM CITY 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.*

CITY MANAGER REPORT

CITY ATTORNEY REPORT

ADJOURN