



## AGENDA

**TUESDAY, MARCH 19, 2024**

**6:00 PM LOVELAND CITY COUNCIL MEETING  
CITY COUNCIL CHAMBERS  
500 EAST THIRD STREET  
LOVELAND, COLORADO**

**5:15 p.m. - Dinner will be provided to Council. General public are not invited to the Council mealtime. No public business will be discussed.**

### **Notice:**

Regular meetings of the City Council are held on the 1st and 3rd Tuesdays of each month in the City Council Chambers. Study Sessions are held on the 2nd and 4th Tuesdays of each month in the City Council Chambers. All meetings are conducted in a hybrid format with a Zoom meeting in addition to the in-person meeting.

City Council members may participate in this meeting via electronic means pursuant to their adopted policies and protocol.

### **How to View this Meeting:**



Meetings are open to the public and can be attended in-person by anyone.



Meetings are televised live on:

- Pulse TV Channel 16
- Comcast Channel 16/880



Meetings are available through Zoom by PC, laptop or phone:

- Webinar ID: 975 3779 6504
- Passcode: 829866
- 1 (719) 359-4580



Meetings are livestreamed on the City's website. You can find the link here: [lovgov.org/tv](https://lovgov.org/tv)

### **Public Comment:**

There are in-person and remote options for members of the public who would like to participate in Council meetings.

#### **1. In-Person:**

#### General Public Comment:

- Members of the public can speak to any item that is NOT an ordinance on the regular agenda. Members may also request that any item on the Consent Agenda labeled as quasi-judicial, be

placed on the Regular Agenda for discussion and public comment or testimony.

- Individuals who wish to speak are asked to fill out a card provided in Chambers and give this to the City Clerk. The Mayor will call people up to comment in the order the cards were received. Cards are only required for the general public comment portion of the meeting. Each person will have three minutes to speak. Public comment is limited to residents of Larimer County, and individuals who own property or have business interests in the City.
- Individuals who wish to speak in-person but did not fill out a card may have a chance to comment once all in-person and online speakers who have registered are called on, if there is any time remaining. General Public Comment is limited to 60-minutes.

#### Regular Agenda Items:

- No cards are required for individuals wanting to provide public comment on items included on the Regular Agenda.
- If an individual comments on a Resolution item shown on the Regular Agenda during General Public Comment, no additional comment can be given once the item comes up for discussion on the Regular Agenda.
- Once a motion is made on an item shown on the Regular Agenda, the Mayor will ask for public comment. The Mayor will invite speakers to comment at that time. In-person comment will occur first, followed by online public comment.

#### 2. Remote:

- Members of the public who wish to provide public comment remotely, can log in using the meeting ID provided above, or opening your [meeting app or accessing the web browser](#) and entering the Meeting ID shown above after 5:45 pm, at which time you will be muted and added to the meeting.
- Members of the public can also call 1 (719) 359-4580 and enter the meeting ID when prompted: 97537796504# followed by the meeting passcode: 829866#. If you would like to speak during public comment, please press \*9. The moderator will call on the users' last 4 digits of the phone number, and you will press \*6 when called on by the moderator.

#### General Public Comment:

- Members of the public can speak to any item that is NOT an ordinance on the regular agenda. Members may also request that any item on the Consent Agenda labeled as quasi-judicial, be placed on the Regular Agenda for discussion and public comment or testimony.
- Remote Individuals who wish to speak are asked to register online at [lovgov.org/CouncilPublicComment](http://lovgov.org/CouncilPublicComment) by 12:00 noon on the day of the meeting. The Mayor will call on people to comment in the order the registrations were received. This will follow in-person comment. Online registration is only required for the General Public Comment portion of the meeting.
- To speak to an agenda item when public comment is called for, please choose the raise your hand feature on the application. The moderator will then individually unmute the speaker and the speaker will need to follow the moderator's instructions before making comment. This will include turning on video. Each person will have three minutes to speak. The line will be muted

at the end of the three minutes. Public comment is limited to residents of Larimer County, and individuals who own property or have business interests in the City.

- Individuals who wish to speak remotely but did not register may have a chance to comment once all in-person and online speakers who have registered are called on, if there is any time remaining. General Public Comment is limited to 60-minutes.

#### Regular Agenda Items:

- No online registration is required for individuals wanting to provide public comment on items included on the Regular Agenda.
  - If an individual comments on a Resolution item shown on the Regular Agenda during General Public Comment, no additional comment can be given once the item comes up for discussion on the Regular Agenda.
  - Once a motion is made on an item shown on the Regular Agenda, the Mayor will ask for public comment. The Mayor will invite speakers to comment at that time. In-person comment will occur first, followed by online public comment.
3. Members of the public wishing to have their comments emailed to City Council and published in the agenda packet may use the form provided at the link below. Comments sent to City Council before 5 p.m. on the Friday prior to the regular or special meeting will be included in the agenda packet. Comments provided after such time or at the meeting will be posted in the agenda packet after the meeting. <https://www.lovgov.org/city-government/city-council/city-council-meetings/city-council-public-comment-form>

#### **Notice of Non-Discrimination**

It is the policy of the City of Loveland to provide equal services, programs and activities without regard to race, color, national origin, creed, religion, sex, sexual orientation, disability, or age and without regard to the exercise of rights guaranteed by state or federal law. It is the policy of the City of Loveland to provide language access services at no charge to populations of persons with limited English proficiency (LEP) and persons with a disability who are served by the City.

For more information on non-discrimination or for translation assistance, please contact the City's Title VI Coordinator at [TitleSix@cityofloveland.org](mailto:TitleSix@cityofloveland.org) or 970-962-2372. The City will make reasonable accommodations for citizens in accordance with the Americans with Disabilities Act (ADA). For more information on ADA or accommodations, please contact the City's ADA Coordinator at [ADACoordinator@cityofloveland.org](mailto:ADACoordinator@cityofloveland.org) or 970-962-3319.

#### **Notificación en contra de la discriminación**

La política de la Ciudad de Loveland es proveer servicios, programas y actividades iguales sin importar la raza, color, origen nacional, credo, religión, sexo, orientación sexual, discapacidad, o edad y sin importar el uso de los derechos garantizados por la ley estatal o federal. La política de la Ciudad de Loveland es proveer servicios gratis de acceso de lenguaje a la población de personas con dominio limitado del inglés (LEP, por sus iniciales en inglés) y a las personas con discapacidades quienes reciben servicios de la ciudad.

Si desea recibir más información en contra de la discriminación o si desea ayuda de traducción, por favor comuníquese con el Coordinador del Título VI de la Ciudad en [TitleSix@cityofloveland.org](mailto:TitleSix@cityofloveland.org) o al 970-962-2372. La Ciudad hará acomodaciones razonables para los ciudadanos de acuerdo con la Ley de Americanos con Discapacidades (ADA, por sus iniciales en inglés). Si desea más información acerca de la ADA o acerca de las acomodaciones, por favor comuníquese con el Coordinador de ADA de la Ciudad en [ADACoordinator@cityofloveland.org](mailto:ADACoordinator@cityofloveland.org) o al 970-962-3319.

Title VI and ADA Grievance Policy and Procedures can be located on the City of Loveland website at: [cityofloveland.org](http://cityofloveland.org)

*Password to the public wireless network (colguest) is accesswifi*

## **1. INTRODUCTION**

### **1.1. CALL TO ORDER**

### **1.2. PLEDGE OF ALLEGIANCE**

### **1.3. ATTENDANCE REPORT OUT**

### **1.4. PROCEDURAL INFORMATION**

This meeting is subject to and incorporates by reference this evening's City of Loveland Agenda including without limitation all policies, rules, and procedural and legal statements therein.

Council may act on behalf of the City, the General Improvement District #1, or the Special Improvement District #1. Items requiring a public hearing or other public participation that remain on the Consent Agenda are considered to have been opened and closed, in the name of the applicable legal entity that is required to take action to approve such items. The information furnished in connection with these items, including any related public comment, is 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 using the phone number or meeting ID and link at the front of the agenda must be a Larimer County resident or an individual who owns property or has a business interest in the City. The caller should choose the raise your hand feature or press \*9 to let the moderator know you wish to speak.

Anyone making an in-person comment during any portion of tonight's meeting should come forward to a microphone. Please do not interrupt other speakers. Side conversations should be moved outside the Council Chambers. Comments will be limited to no more than three minutes; the City Clerk will start the timer once an introduction is made and a buzzer will sound when the three minutes have expired.

Please identify yourself and your city of residence.

(6:00)

## **2. COUNCIL COMMENT**

This is an opportunity for Council Members to address the community on any subject, limited to one round with a maximum time of two (2) minutes per member.

(6:10)

### 3. PUBLIC COMMENT

Anyone who wishes to speak to an item NOT on the Regular Agenda section of the agenda, may address the Council at this time. Any member of the public may request that an item on the Consent Agenda, labeled as quasi-judicial, be placed on the Regular Agenda for discussion and public comment or testimony.

Public Comment is intended to provide citizens with an opportunity to address Council directly. We encourage speakers to give public comment in a manner that promotes civil discourse. Generally, Council will not respond to public comment other than to seek clarification of the matter raised and defer such matter to the City Manager for review and resolution.

(6:55)

### 4. COUNCIL REPORTS

This is an opportunity for Council Members to report on recent activities.

(7:05)

### 5. CONSENT AGENDA

At this time, any Council Member may request that an item on the Consent Agenda be moved to the Regular Agenda. These items will be heard at the end of the Regular Agenda. Members of the public, who have not previously provided public comment at this meeting on an item moved to the Regular Agenda, will be given an opportunity to speak to the item before the Council acts upon it.

#### 5.1. CITY CLERK'S OFFICE APPROVAL OF MINUTES

(presenter: Delynn Coldiron)

*A motion to approve the City Council minutes for the December 5, 2023 Regular Meeting*

Approval of the City Council minutes for the December 5, 2023 Regular Meeting.  
[12-05-23 Minutes](#)

#### 5.2. CITY CLERK'S OFFICE MEMBER APPOINTMENTS TO CITY BOARDS AND COMMISSIONS

(presenter: Delynn Coldiron)

*A motion to appoint Annie Reid to an alternate position on the Cultural Services Board with a term dated March 20, 2024 to December 31, 2027*

*A motion to appoint Brittany Rasmussen as the Loveland Housing Authority Representative on the Senior Advisory Board with a term dated March 20, 2024 to December 31, 2026*

This item is to fill vacancies on City Boards or Commissions.  
[AIR-102381](#)

#### 5.3. HUMAN RESOURCES MOTION TO APPROVE A SUPPLEMENTAL EMPLOYMENT AGREEMENT ENTITLED "SUPPLEMENTAL AGREEMENT TO EMPLOYMENT FOR VINCENT

(presenter: Julia Holland)

**ANTHONY JUNGLAS AS ACTING CITY ATTORNEY FOR THE CITY OF LOVELAND, COLORADO"**

***A motion to approve a supplemental employment agreement entitled "Supplemental Agreement to Employment for Vincent Anthony Junglas as Acting City Attorney for the City of Loveland, Colorado"***

The Deputy City Attorney is proposing to be "a bridge" for the City Council's desire for new changes in executive leadership, without a pay increase, and without any special separation provisions.

The Deputy City Attorney desires to keep the current legal team together, to the extent possible, and help the City and the City Council through this difficult time of transition, budgetary challenge, and general disconnect between staff and the Council. The Deputy City Attorney strongly believes in the values of teamwork, professionalism, integrity, and legal excellence, which the current team exemplifies.

[AIR-102375](#)

[Att 1 Acting City Attorney Supplemental Agreement to Employment](#)

**5.4. MUNICIPAL COURT (presenter: Geri Joneson)  
RESOLUTION REAPPOINTING COURTENAY PATTERSON AS A DEPUTY  
MUNICIPAL JUDGE**

***A motion to adopt Resolution #R-36-2024 reappointing Courtenay Patterson as Deputy Municipal Judge***

Section 9-2(b) of the Loveland City Charter grants City Council the authority to appoint Deputy Judges as it deems necessary. There are currently five Deputy Judges, all of whom are either in private practice and/or are Relief/Deputy Judges in other jurisdictions. At times, they cannot make themselves available to cover court due to prior commitments and obligations. Most municipalities have several "Relief Judges" or Deputy Judges to perform judicial duties as a safeguard. This is a normal and customary item to ensure the Loveland Municipal Court is able to conduct business and serve the public without interruption.

[AIR-102378](#)

[Resolution](#)

**5.5. PUBLIC WORKS (presenter: Candice Folkers)  
RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN  
THE CITY OF LOVELAND AND THE CITY OF FORT COLLINS FOR BUS SERVICE  
BETWEEN FORT COLLINS AND LONGMONT FOR THE CALENDAR YEAR 2024**

***A motion to adopt Resolution #R-37-2024 approving an Intergovernmental Agreement between the City of Loveland and the City of Fort Collins for bus service between Fort Collins and Boulder for the calendar year 2024***

This is an on-going, annual Intergovernmental Agreement (IGA) with Fort Collins to provide a regional bus service. The route includes stops in Fort Collins, Loveland, Berthoud and Longmont along the US287 corridor. This service is referred to as the

Fort Collins-Longmont Express or FLEX Service and requires an annual contribution from the City of Loveland. The funding was approved in the 2024 budget for the payment of \$277,416 to provide continued services in 2024. This is a normal and customary item, therefore there is not an impact on the General Fund Unassigned Fund Balance.

[AIR-102349  
Resolution](#)

**5.6. PUBLIC WORKS (presenter: Candice Folkers)**  
**RESOLUTION SUPPORTING THE GRANT APPLICATION FOR A FEDERAL TRANSIT ADMINISTRATION BUS AND BUS FACILITIES GRANT FOR CONSTRUCTION OF THE CITY OF LOVELAND TRANSIT CENTER BUILDING**

***A motion to adopt Resolution #R-38-2024 supporting the grant application for a Federal Transit Administration Bus and Bus Facilities Grant for construction of the City of Loveland Transit Center Building***

This resolution will allow City of Loveland Transit to proceed with the grant application for funding of Phase II of the Loveland Transit Center. In Phase II, the City will construct the building including customer service spaces, offices, ticketing, electronics, public restrooms, lobby and police substation. This phase will complete the facility and provide a transit center that will function well into the next 30 years.

COLT is applying for a \$2,848,481 grant. The total project cost for phase II is \$3,806,455. The local match requirement is \$761,291, this includes using the land purchase as a full or partial local match, pending appraisal.

[AIR-102350  
Resolution](#)

[Att 1 Completed Transit Center Layout](#)

[Att 2 2024 COLT Resolution of Support Presentation](#)

[Att 3 TAB Letter of Support](#)

**6. CITY CLERK READS TITLES OF ORDINANCES ON THE CONSENT AGENDA**

**7. MOTION TO ADOPT THE CONSENT AGENDA**

**A motion to adopt the Consent Agenda, Items 5.1 to 5.6, with the exception of Item(s) \_\_\_\_\_.**

(7:10)

**8. NEW BUSINESS FROM COUNCIL**

**This is an opportunity for Council Members to introduce new business to discuss at this time or on a future City Council agenda. Council Members will give a 5 minute presentation, allow for a 1 minute response per member, and a vote.**

**Councilor Krenning - Open Meeting Law Violations**

- I plan to discuss the Bill Jensen civil cases that have been filed against the City of Loveland alleging Colorado Open Meeting Law violations against four current and three former members of the Loveland City Council.



The pleadings filed by the City in the newest case suggest that in fact there were at least two violations of the COML. If this is correct, then it goes to reason that the Loveland City Charter was also violated.

I will ask the Council to consider appointing special counsel to investigate this issue and report back to the council with findings, and if violations are concluded, for follow up action.

My item will not dive into the specifics of the one open case, but rather simply review the public pleadings that have been filed and various sections of the charter.

[Councilor Krenning - Open Meeting Law Violations](#)

[Att 1 April 19, 2023](#)

[Att 2 April 27, 2023](#)

[Att 3 Motion to Dismiss](#)

### **Councilor Black - Litigation and Police Personnel Costs**

1. Request a Rule of Four to direct the Acting City Manager to provide the Council with the total cost of all litigation against the City of Loveland/Loveland Police Department and personnel, as well as all settlements paid by the City of Loveland for the last 3 years, including the Karen Garner case. Please include the costs incurred by the City to hire the Jensen Hughes consultant.

Please include the costs incurred to vet and hire new and/or promote police personnel to fill the positions of those officers that were involved in the Karen Garner case.

I also request information on costs related to the hiring of outside counsel for consultation and information on how or if this has affected the City's insurance ratings or the city's ability to acquire low interest rates when financing projects via municipal bonds.

[Councilor Black - Litigation and Police Personnel Costs](#)

## **9. REGULAR AGENDA**

### **PROCEDURAL INFORMATION**

***Council will give anyone in the audience time to speak to any item on the Regular Agenda before acting upon it. The Mayor will call for public comment as part of the consideration of each item according to State law, the Charter, its Rules of Procedure and other legal requirements. Loveland's Charter only requires that a majority of the quorum present vote in favor to adopt an ordinance on first reading. However, adopting an ordinance on second or final reading requires that at least five of the nine Council members vote in favor.***

(7:30) 9.1. **FINANCE** (presenter: Molly Elder and Chris Carlson)

**ORDINANCE RATIFYING THE ESTABLISHMENT OF THE CITY OF LOVELAND, COLORADO, STORMWATER ENTERPRISE AND AUTHORIZING THE ENTERPRISE TO HAVE AND EXERCISE CERTAIN POWERS IN FURTHERANCE OF ITS PURPOSES; AND A RESOLUTION INCREASING THE STORMWATER UTILITY FEE; AND AN ORDINANCE OF THE CITY OF LOVELAND, COLORADO,**



**STORMWATER ENTERPRISE AUTHORIZING THE ISSUANCE AND SALE OF ITS STORMWATER ENTERPRISE REVENUE BONDS, SERIES 2024, PROVIDING FOR THE SOURCES OF PAYMENT OF THE BONDS, AND PROVIDING OTHER DETAILS CONCERNING THE BONDS AND THE ENTERPRISE'S SYSTEM; AND AN ORDINANCE AUTHORIZING THE TERMS AND PROVISIONS RELATING TO THE STORMWATER ENTERPRISE REVENUE BONDS, SERIES 2024, TO BE ISSUED BY THE CITY OF LOVELAND, COLORADO, STORMWATER ENTERPRISE**

***A motion to adopt on first reading, Ordinance No. 6695 ratifying the establishment of the City of Loveland, Colorado, Stormwater Enterprise and authorizing the enterprise to have and exercise certain powers in furtherance of its purposes***

***A motion to adopt on first reading, Resolution #R-39-2024 increasing the Stormwater Utility Fee***

***A motion to adopt on first reading, Ordinance No. 6696 of the City of Loveland, Colorado, Stormwater Enterprise authorizing the issuance and sale of its Tax-Exempt Revenue Bonds per the terms and provisions relating to the Stormwater Enterprise Revenue Bonds, Series 2024, to be issued by the City of Loveland, Colorado, Stormwater Enterprise***

***A motion to adopt on first reading, Ordinance No. 6697 of the City of Loveland, Colorado, authorizing the terms and provisions relating to the Stormwater Enterprise Revenue Bonds, Series 2024, to be issued by the City of Loveland, Colorado, Stormwater Enterprise***

The purpose of these proposed actions by City Council is too:

1. Adoption of an ordinance ratifying the establishment of the Stormwater Enterprise.
2. Adoption of a resolution to increase the Stormwater Utility fees for each of the next fifteen years beginning on January 1, 2025, to cover the annual debt service payments and construction cost inflation.
3. Adoption of ordinances authorizing the terms and provisions relating to the issuance of Stormwater Enterprise Revenue Bonds. These bonds will support completion of three critical infrastructure projects including the Garfield & Harrison Outfall Phases 3 and 4, the "Heart Improvement Program" (HIP) Street Plan, and the Stormwater Division Building Addition. The proposed bond issue is for tax-exempt revenue bonds in an amount not to exceed \$19 million dollars. The net effective interest rate on the bonds shall not exceed 5.0% and shall mature on 2048 (25 year amortization). The ordinance provides for the sources of payment and other details concerning the bonds. The proposed rate increase and bond issuance will not have a financial impact on the General Fund (GF) unassigned fund balance. Stormwater Enterprise revenue will increase with the bond proceeds and expenses will increase a corresponding amount so that all bond proceeds are invested as indicated within three years of receipt per tax-exempt bond financing requirements.

[AIR-102382](#)

[Ordinance No. 6695](#)

[Resolution](#)

[Ordinance No. 6696](#)

[Ordinance No. 6697](#)

[Att 1 Stormwater Presentation](#)

[Att 2 Stormwater 101 Report](#)

[Att 3 Resolution #R-66-2013](#)

[Att 4 Proposed 10-Year Financial Plan for Stormwater Enterprise and Rate Schedule](#)

[Att 5 Bond Purchase Agreement](#)

[Att 6 Notice of Sale](#)

[Att 7 Continuing Disclosure Certificate](#)

[Att 8 Paying Agent Agreement](#)

(8:00)      9.2.      **HUMAN RESOURCES** (presenter: Julia Holland)  
**ORDINANCE ENACTING A SUPPLEMENTAL BUDGET AND APPROPRIATION TO  
THE 2024 CITY OF LOVELAND BUDGET FOR THE RECRUITMENT OF THE CITY  
ATTORNEY AND PRESIDING MUNICIPAL JUDGE**

***A motion to approve, on first reading, Ordinance No. 6698 enacting a  
Supplemental Budget and Appropriation to the 2024 City of Loveland budget for  
hiring an executive search firm for the recruitment of the City Attorney and  
Presiding Municipal Judge***

The City Council has expressed the desire to use an executive search firm to engage in a nation-wide search to fill the City Attorney position, which will be vacant on April 2, 2024. In addition, City Council will also need to consider the approach to filling the Presiding Municipal Judge, as that position will be vacant on April 30, 2024. In line with City Council's previous direction, related to the City Manager recruitment and selection of an executive search firm, staff is proposing City Council consider the same recruitment firm, GovHR, to assist with these additional recruitments.

The recommendation is to move forward with GovHR for the City Attorney selection process, since that is the firm that will be used for the City Manager and by leveraging the same firm the City will not only receive a slight discount, it will also offer a streamlined process for City Council requiring less coordination for feedback and recruitment meetings. The recommended City Attorney process would include GovHR to provide a full-service recruitment and selection process, coordinating with Human Resources to assist in the facilitation of each phase. The estimated discounted cost for the City Attorney recruitments is expected to be \$24,500.00.

The recommended Presiding Municipal Judge recruitment is to also use GovHR, but this would include an HR assisted process not a full-service process. This would include the position assessment and announcement, advertising and outreach, and initial screening and presentation to Council of Candidates. After the presentation of candidates, the remaining stages of the recruitment process, including interviews, would be facilitated by Human Resources. The estimated costs for the Presiding Municipal Judge recruitment process as proposed is \$12,000.00.

[AIR-102384](#)

[Ordinance](#)

[Att 1 GovHR City Attorney Proposal](#)

[Att 2 GovHR Presiding Municipal Judge Proposal](#)

[Att 3 City Manager and Presiding Municipal Judge Selection Process Presentation](#)

(8:15)      9.3.      **PARKS AND RECREATION**      (presenter: Bryan Harding)  
**RESOLUTION TO AWARD A CONTRACT TO ECI SITE CONSTRUCTION  
MANAGEMENT, INC. FOR THE WILLOW BEND PARK, UNIVERSAL ACCESS  
PLAYGROUND AND NATURAL AREA**

***A motion to adopt Resolution #R-40-2024 to award contract to ECI Site Construction Management, Inc. for the construction of Willow Bend Park, Universal Access Playground and Natural Area***

The Parks and Recreation Department is requesting City Council approve a Resolution to award a construction contract to ECI Site Construction in the amount of \$6,618,205.00 for the construction of Willow Bend Park, Universal Access Playground and Natural Area. Per City of Loveland Administrative Regulation AR-00001 - Procurement, all contracts exceeding \$500,000 require Loveland City Council approval.

Per the attached Vicinity Map the proposed new park will provide a critical outdoor recreation amenity to the underserved southeast Loveland area as identified in the 2014 Parks and Recreation Master Plan, and as prioritized by the City Council-approved 2023 Parks, Recreation, Open Lands and Trails Master Plan. As detailed in the City Council presentation, the park is proposed to include a universal access playground, a first of its kind in Loveland and one of only a handful of such facilities in the northern Front Range area specifically serving the disabled community. The new facility will also provide access, parking, trailhead and environmental education facilities for the new Willow Bend Natural Area, conserving 163 acres of critical habitat and providing a segment of the new regional trail connecting downtown Loveland to the I-25 corridor.

All of the needed funding for project construction has been appropriated between the Council-approved 2023 and 2024 budgets, primarily utilizing Capital Expansion Fees from growth that have been set aside specifically to fund park, recreation, and trail expansion throughout the city. Construction of the park will not utilize the General Fund (GF) in any way and leverages \$2,238,000 in grant funding to maximize project value to the city. Project funding is further detailed in the City Council presentation.

[AIR-102380](#)

[Resolution](#)

[Att 1 Willow Bend Vicinity Map](#)

[Att 2 Willow Bend CMAR Council Presentation](#)

(9:00)      9.4.      **FINANCE**      (presenter: Brian Waldes)  
**MONTHLY REVENUE REVIEW, FEBRUARY 2024**

***Information Only***

The Monthly Revenue Review is our monthly reporting mechanism for City staff to inform Council and Citizens about our short-term revenue trends. These monthly reports are meant to be indicators of trends and comparisons to the current budget. They are complemented by our Quarterly Financial Reports that are much more detailed and incorporate the information from the monthly reports into a

comprehensive analysis of year-to-date results and any changes to revenue/expenditure forecasts. This Revenue Report, along with our Quarterly Financial Report, is meant to better mirror the conversations and presentation format we have at our annual Budget Workshops. By having this conversation several times a year, the budget picture will become clearer and make for better informed decision making.

[AIR-102383](#)

[Att 1 Monthly Revenue Review \(February\)](#)

- (9:30)      9.5.      **CITY ATTORNEY'S OFFICE**      (presenter: Moses Garcia)  
**RESOLUTION APPROVING A SETTLEMENT AGREEMENT AND MUTUAL  
RELEASE RESOLVING THE LARIMER COUNTY LITIGATION**

***A motion to approve Resolution #R-41-2024 approving a Settlement Agreement and Mutual Release resolving the Larimer County Litigation***

The purpose of the proposed Settlement Agreement is to consummate settlement negotiations between the Parties, conducted through legal counsel, and to avoid the uncertainty, expense, and delay associated with protracted litigation.

[AIR-102385](#)

[Resolution](#)

[Att 1 Centerra South Litigation Term Sheet \(Offer\), signed by and received from McWhinney on 2/20/2024](#)

[Att 2 Centerra South Litigation Term Sheet \(Offer\), countersigned by City Manager and City Attorney on 2/21/2024 following direction from City Council](#)

- (10:00)      9.6.      **CITY ATTORNEY'S OFFICE**      (presenter: Moses Garcia)  
**CENTERRA SOUTH RELATED LITIGATION AND GAZLAY LITIGATION UPDATES  
WITH POSSIBLE EXECUTIVE SESSION**

***A motion to recess into Executive Session for the purpose of receiving a legal update and legal advice on litigation related to the Centerra South Urban Renewal Plan and the Master Finance Agreement (Centerra South) and the Gazlay v. City of Loveland court case***

The purpose of this item is for City legal staff and outside legal counsel will update City Council on the status of the litigation related to Centerra South and Gazlay and provide legal advice to and seek direction from City Council on any related negotiations.

[AIR-102057](#)

- 9.7.      **CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA**

## **10. REPORTS**

- 10.1.      **CITY MANAGER REPORT**

**10.2. CITY ATTORNEY REPORT**

**(10:30) 11. ADJOURN**