



AGENDA

TUESDAY, JULY 16, 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

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 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 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 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 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 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

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

(6:00) 1.4. PROCLAMATION - ARTS AND HEALTH DAY

Greg Hoff
Teri Johnson
[Arts & Health Day Proclamation](#)

1.5. 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.

(6:05) 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.

(6:15) 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.

Only residents of Larimer County, persons owning property in Loveland, or persons with a stated business interest in Loveland shall participate in Public Comment.

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.

(7:15) 4. 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.

4.1. CITY CLERK'S OFFICE (presenter: Angie Sprang)
CALL FOR SPECIAL MEETING ON JULY 30, 2024 TO HOLD THE OIL AND GAS DISCUSSION, THE QUARTERLY FINANCIAL REPORT (QUARTER 2), THE 2023 ANNUAL COMPREHENSIVE FINANCIAL REPORT, A CLARIFYING RESOLUTION CONCERNING THE LEE FARM METROPOLITAN DISTRICT SERVICE PLAN, AND A DISCUSSION REGARDING POTENTIAL SALES TAX AND TABOR BALLOT INITIATIVE LANGUAGE

A motion to call for a Special Meeting on July 30, 2024, at 6:00pm, in the City Council Chambers, to hold the Oil and Gas Discussion, the Quarterly Financial Report (Quarter 2), the 2023 Annual Comprehensive Financial Report, a Clarifying Resolution Concerning the Lee Farm Metropolitan District Service Plan, and a Discussion Regarding Potential Sales Tax and TABOR Ballot Initiative Language

This proposed motion will call for a Special Meeting on July 30, 2024, at 6:00pm, in the City Council Chambers, to hold the Oil and Gas Discussion, the Quarterly Financial Report (Quarter 2), the 2023 Annual Comprehensive Financial Report, and a Discussion Regarding Potential Sales Tax, a Clarifying Resolution Concerning the Lee Farm Metropolitan District Service Plan, and TABOR Ballot Initiative Language.

[AIR-102477](#)

4.2. CITY CLERK'S OFFICE (presenter: Angie Sprang)
MEMBER APPONTMENTS TO CITY BOARDS AND COMMISSIONS

A motion to appoint Gary Hausman to the Loveland Utilities Commission with a term dated July 17, 2024 to June 30, 2027

A motion to appoint Matt Elkins to the Loveland Utilities Commission with a term dated July 17, 2024 to June 30, 2027

A motion to appoint Dan Herlihey to the Loveland Utilities Commission with a term dated July 17, 2024 to June 30, 2027

A motion to appoint Craig Bialy to the Loveland Utilities Commission as an alternate with a term dated July 17, 2024 to June 30, 2027

A motion to appoint Nicole Foreyt to the Library Board with a term dated July 17, 2024 to December 31, 2026

A motion to appoint Bethany Boddie to the Library Board as an alternate with a term dated July 17, 2024 to December 31, 2026

A motion to appoint Erin Keifer to the Library Board as an alternate with a term dated July 17, 2024 to December 31, 2026

The purpose of this City Council action item is to formally fill vacancies on City Boards or Commissions as a result of Spring 2024 Recruitment.

[AIR-102476](#)

4.3. LOVELAND FIRE RESCUE AUTHORITY (presenter: Robert Carmosino)
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

A motion to adopt, on second reading, Ordinance No. 6713 adopting the City of Loveland Emergency Operations Plan and Amending Section 2.72.010 of the Loveland Municipal Code Concerning the Comprehensive Disaster Plan

The purpose of this proposed Ordinance is to adopt the updated Loveland Emergency Operations Plan (LEOP), which is required under the Colorado Disaster Emergency Act and the federal Stafford Act. Our Municipal Code (Chapter 2.72.010) has established that we would follow this plan and update it regularly. This document provides an overview of the jurisdiction's emergency response and policies, and cites legal authority for emergency operations. Failure to move forward with this ordinance would mean the City will be working off an outdated (2012) emergency plan and may not have adequate responses models and resources available during an emergency. Failure to update would also cause the LEOP to not follow the updated (2021) FEMA guidelines.

[AIR-102475](#)
[Ordinance](#)
[Att 1 LEOP Presentation](#)
[Att 2 Ordinance No. 5686](#)
[Att 3 Loveland Emergency Operations Plan](#)

4.4. COMMUNITY PARTNERSHIP OFFICE (presenter: Alison Hade)
ORDINANCE ENACTING A SUPPLEMENTAL BUDGET AND APPROPRIATION TO
THE 2024 CITY OF LOVELAND BUDGET FOR THE 2024-2025 COMMUNITY
DEVELOPMENT BLOCK GRANT (CDBG) APPROPRIATION

A motion to adopt, on second reading, Ordinance No. 6714 enacting a supplemental budget and appropriation to the 2024 City of Loveland budget for 2024-2025 Community Development Block Grant (CDBG) appropriation

The purpose of this proposed Ordinance is to allow the City of Loveland to appropriate the monies received via an annual entitlement grant from the U.S. Department of Housing and Urban Development (HUD) for the 2024-2025 grant year, that amount is \$361,246. This is a normal and customary annual action by City Council.

[AIR-102472](#)
[Ordinance](#)

4.5. DEVELOPMENT SERVICES (presenter: Noreen Smyth)
QUASI-JUDICIAL
ORDINANCE VACATING ONE THOUSAND THREE HUNDRED AND SEVENTEEN
SQUARE FEET OF THE KENDALL PARKWAY RIGHT OF WAY WITHIN THE
MILLENNIUM NORTHWEST TWENTY-FIRST SUBDIVISION, CITY OF LOVELAND,
COUNTY OF LARIMER, STATE OF COLORADO

A motion to adopt, on second reading, Ordinance No. 6715 vacating one thousand three hundred and seventeen square feet of the Kendall Parkway right-of-way within the Millennium Northwest Twenty-First Subdivision, City of Loveland, County of Larimer, State of Colorado

The purpose of this proposed Ordinance is to vacate an approximate 6-foot wide by 220-foot long portion of the south side of the Kendall Parkway right-of-way, located between Mirror Lake Drive and John Glenn Drive. This already-constructed east-west stretch of Kendall Parkway is generally situated north of Houts Reservoir, south of the Centerra Industrial development, east of N. Boyd Lake Avenue and west of Rocky Mountain Avenue. The total area to be vacated is 1,317 square feet. As is conventional with right-of-way vacations, the vacated sliver of land will become a part of the adjacent property (Outlot F, Millennium Northwest Twenty-First Subdivision).

[AIR-102478](#)
[Ordinance](#)
[Att 1 Vacation Exhibit](#)
[Att 2 Vicinity Map](#)
[Att 3 Millennium Northwest Twenty-First Subdivision](#)
[Att 4 Site Plan](#)
[Att 5 Justification Letter](#)

[Att 6 Presentation](#)

- 4.6. **COMMUNITY PARTNERSHIP OFFICE** (presenter: Alison Hade)
**RESOLUTION APPROVING THE 2024 GRANT FUNDING RECOMMENDATIONS
OF THE LOVELAND HUMAN SERVICES COMMISSION AND THE LOVELAND
AFFORDABLE HOUSING COMMISSION**

***A motion to adopt Resolution #R-68-2024 approving the 2024 Grant Funding
Recommendations of the Loveland Human Services Commission and the
Loveland Affordable Housing Commission***

The Affordable Housing Commission received two brick/mortar proposals and recommended funding both. One of the proposals is described in the attached resolution. The other will be paid for with remaining 2023 Community Development Block Grant funding that will be presented to council at a later date. The Human Services Commission received two public services (Homeless Solutions) proposals and recommended funding both. The attached staff report provides additional information for both processes, which are usual and customary.

Not all Community Development Block Grant brick/mortar funding has been allocated. The Affordable Housing Commission will open another grant process in 2024.

[AIR-102468](#)

[Resolution](#)

[Att 1 Staff Memo](#)

- 4.7. **MUNICIPAL COURT** (presenter: Julia Holland)
**RESOLUTION REAPPOINTING BRANDI NIETO AND CARRIE CLEIN AS DEPUTY
MUNICIPAL JUDGES**

***A motion to adopt Resolution #R-69-2024 reappointing of Brandi Nieto and
Carrie Clein as Deputy Municipal Judges***

The purpose of this proposed Resolution involves Section 9-2(b) of the Loveland City Charter which 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. Most municipalities have several "relief judges" or deputy judges. Having multiple judges available to perform judicial duties is a safeguard to insure Loveland Municipal Court is always able to conduct business and serve the public without interruption.

[AIR-102462](#)

[Resolution](#)

- 4.8. **PUBLIC WORKS** (presenter: Chris Carlson)
**RESOLUTION TO AMEND A CONTRACT WITH MULLER ENGINEERING, INC.
FOR PHASE 2 OF THE DESIGN OF THE HIGHWAY 287 FLOOD MITIGATION
PROJECT**

A motion to adopt Resolution #R-70-2024 to amend a contract with Muller

Engineering, Inc. for Phase 2 of the design of the Highway 287 Flood Mitigation Project

The purpose of this proposed Resolution is to award a services contract amendment to Muller Engineering, Inc. in the amount of \$1,194,105.00 for Phase 2, Field Inspection Review (FIR) and preliminary design, of the Highway 287 Flood Mitigation Project. Conceptual design of this capital project began in September 2023 and is being funded by a Hazard Mitigation Grant Program (HMGP) grant from the Federal Emergency Management Agency (FEMA) to the State of Colorado's Division of Homeland Security & Emergency Management. Muller Engineering was selected on July 7, 2023, through a competitive Request for Proposals process meeting both City and Federal procurement requirements. Additional contract amendments will occur in the future for final design scope of services as those services are further defined. The City's 10 percent local match to the HMGP grant will be funded through the City's Stormwater Enterprise River Fund.

[AIR-102469](#)

[Resolution](#)

[Att 1 Big T Conceptual Plan at Hwy 287 \(2017 Feasibility Study\)](#)

[Att 2 Competitive Proposal Review Summary and Rankings](#)

[Att 3 Resolution #R-98-2023](#)

[Att 4 Hwy 287 Flood Mitigation Project Conceptual Design Plan \(2024\)](#)

- 4.9. **PUBLIC WORKS** (presenter: Alex Donaldson)
RESOLUTION APPROVING TWO INTERGOVERNMENTAL AGREEMENTS BETWEEN THE CITY OF LOVELAND AND THE COLORADO DEPARTMENT OF TRANSPORTATION FOR THE WIDENING OF HIGHWAY US34 EASTBOUND AND THE CONSTRUCTION OF INTERSECTION PEDESTRIAN IMPROVEMENTS ALONG THE BOISE AVENUE CORRIDOR

A motion to adopt Resolution #R-71-2024 approving two Intergovernmental Agreements between the City of Loveland and the Colorado Department of Transportation for the widening of Highway US34 Eastbound and the construction of Intersection Pedestrian Improvements along the Boise Avenue Corridor

The purpose of this proposed Resolution is for City Council to authorize the execution of IGAs that authorize the use of the North Front Range Metropolitan Planning Organization (NFRMPO) grant funds that was awarded for two projects in previous funding rounds. The project grant funds became available in CDOT Fiscal Year 2024, and construction is anticipated in FY2025. Local matching funds must be used and have already been budgeted in previous budgeting efforts.

[AIR-102467](#)

[Resolution](#)

[Att 1 Grant Award Letter: Boise Ave Traffic Calming](#)

[Att 2 Grant Award Letter: US 34 EB Widening](#)

- 4.10. **PUBLIC WORKS** (presenter: Alex Donaldson)
RESOLUTION APPROVING THREE INTERGOVERNMENTAL AGREEMENTS BETWEEN THE CITY OF LOVELAND AND THE COLORADO DEPARTMENT OF TRANSPORTATION FOR IMPROVEMENTS TO THE WILSON AVENUE MULTI-

USE PATH, THE INTERSECTION OF HIGHWAYS US287 AND US34, AND THE GARFIELD BIKE ROUTE

A motion to adopt Resolution #R-72-2024 approving three Intergovernmental Agreements between the City of Loveland and the Colorado Department of Transportation for improvements to the Wilson Avenue Multi-Use Path, the intersection of Highways US287 and US34, and the Garfield Bike Route

The purpose of this Resolution is to continue moving forward with three projects that were awarded grant funds from the NFRMPO. The three projects are:

1. A project to construct a multi-use path along Wilson Avenue between 29th and 43rd Avenue with an additional portion along 43rd Avenue, "Wilson Ave Multiuse Path".
2. A project to make improvements to the intersection of US287 and US34. "US287/US34".
3. A project to construct a bicycle corridor on Garfield Avenue between Lake Drive and 1st Street ("Garfield Bike Route").

City Council approval is necessary to execute the IGAs and to authorize the use of the North Front Range Metropolitan Planning Organization (NFRMPO) grant funds that was awarded for three projects in 2023. The project grant funds will become available in CDOT Fiscal Years 2026 and 2027, and construction is anticipated in those years. Local matching funds must be used and will be included in future budgeting for capital projects City match funding will include both General Fund (GF) and Street Capital Expansion Fees (CEF).

[AIR-102423](#)

[Resolution](#)

[Att 1 Grant Award Letter: Wilson Multi-use Path](#)

[Att 2 Grant Award Letter: US34/US287 Intersection](#)

[Att 3 Grant Award Letter: Garfield Bike Route](#)

4.11. WATER & POWER

(presenter: Brieana Reed-Harmel)

RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH EPB CHATTANOOGA, TN FOR PULSE TECHNICAL SUPPORT

A motion to adopt Resolution #R-73-2024 approving an Intergovernmental Agreement With EPB Chattanooga, TN for Pulse Technical Support

The purpose of this resolution is to enhance Pulse's technical support service capabilities to residents and businesses as Pulse continues to grow the customer base and service offerings. This will be accomplished through a combination of bringing technical support staff in house and engaging with EPB Chattanooga for technical support services.

[AIR-102470](#)

[Resolution](#)

[Att 1 Technical Support IGA Presentation](#)

5. CITY CLERK READS TITLES OF ORDINANCES ON THE CONSENT AGENDA

6. MOTION TO ADOPT THE CONSENT AGENDA

A motion to adopt the Consent Agenda, Items 4.1 to 4.11, with the exception of Item(s) ____.

(7:20)

7. 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 Samson - PCAB Liaison Replacement, Council Decorum, Respect and Civility

- As you all know I have intended to broach the topic of civility and decorum in the past, and have shied away from it as I do not like to air our dirty laundry. I myself am by no means anywhere near perfect and don't see my role as one to slap hands.

However, I was shocked and horrified when Councilor Black whistled at our police Chief to get his attention during the council meeting last night. I also have been shocked and horrified by statements made and language used in public emails sent and things said by councilor Black to other council members.

The whistle and email exchanges were public actions, and as such I am bringing this item to discuss in the public. I will not be attempting to have a private discussion about this as the humiliation to our Chief and to others did not take place privately.

If requested I will provide any and all necessary evidence supporting my request for council to replace Councilor Black on the PCAB as liaison.

[Councilor Samson - PCAB Liaison Replacement, Council Decorum, Respect and Civility](#)

8. 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)

8.1. DEVELOPMENT SERVICES

(presenter: Kerri Burchett)

ORDINANCE AMENDING PORTIONS OF TITLE 18 OF THE LOVELAND MUNICIPAL CODE ALSO KNOWN AS THE UNIFIED DEVELOPMENT CODE TO ESTABLISH THE LAND USE CATEGORY OF A HOMELESS SHELTER

A motion to adopt, on second reading, Ordinance No. 6709 of the City of Loveland, Colorado, amending portions of Title 18 of the Loveland Municipal Code also known as the Unified Development Code to establish the land use category of a homeless shelter

The proposed Ordinance and the associated update of the Unified Development Code (UDC) focuses on land use and zoning for homeless shelter activities. Homeless shelter is not currently a defined land use in the UDC, and it is not listed as being allowed in any zone district. The Code amendment addresses this by defining a homeless shelter, identifying potential zone districts for a shelter to locate in, and establishing special use standards for the operation of a shelter. Staff is proposing that a homeless shelter be allowed in the B – Business zone district and the I – Industrial zone district as a conditional use. The conditional use process requires neighborhood outreach and Planning Commission approval. The Planning Commission's decision can be appealed to City Council.

This item was heard for first reading at the June 4, 2024 City Council Regular Meeting where it passed with a vote of 7-1. Based on City Council direction, a new standard has been included that requires coordination of the safety and security plan with the school district for any shelter proposed within 500 feet from a school site.

[AIR-102455](#)

[Ordinance](#)

[Att 1 Affordable Housing Commission Minutes dated May 9, 2024](#)

[Att 2 Planning Commission Minutes dated May 13, 2024](#)

[Att 3 Planning Commission Staff Report](#)

[Att 4 PowerPoint Presentation](#)

(8:30) 8.2. **DEVELOPMENT SERVICES** (presenter: Marian Duran)
QUASI-JUDICIAL
PUBLIC HEARING OF THE BALLARD 11TH SUBDIVISION ANNEXATION AND
ZONING DESIGNATION

A motion to adopt Resolution #R-74-2024 concerning the annexation to the City of Loveland, Colorado, of a certain area designated as "Ballard Place Eleventh Addition" more particularly described herein and setting forth findings of fact and conclusions based on thereon as required by the Colorado Constitution and by State Statute

A motion to approve, on first reading, Ordinance No. 6717 approving the annexation of certain territory to the City of Loveland, Colorado to be known and designated as "Ballard Place Eleventh Addition" to the City of Loveland.

A motion to approve, on first reading, Ordinance No. 6718 amending Section 18.02.02.03 of the Loveland Municipal Code, the same relating to the zoning regulations for "Ballard Place Eleventh Addition" in the City of Loveland

The purpose of this proposed Resolution and two Ordinances is to proceed with an application request to annex a 0.56 acre or 24,664 sq. ft. of occupied land in the southern portion of Loveland's Growth Management Area (GMA) south of 4th Street, east of South Saint Louis Ave, and north of the Farmers Ditch. Included is the Annexation Map. Additionally, the applicant is seeking to establish a zoning designation from Larimer County's RR2 – Rural Residential to Loveland's R2 – Developing Medium-Density Residential. The zoning map shows that a detached single-family residency and a variety of single-family attached housing, duplexes,

townhomes, and multiplex housing types would be allowed on the subject property. The maximum density proposed aligns with the MDR-Medium Density Residential designation in the Comprehensive Plan, allowing up to 10 dwelling units per acre or approximately six residential units in 0.56 acres in size.

[AIR-102444](#)

[Resolution](#)

[Ordinance No. 6717](#)

[Ordinance No. 6718](#)

[Att 1 Annexation Map](#)

[Att 2 Zoning Map](#)

[Att 3 Planning Commission Staff Report & Attachments dated June 10, 2024](#)

[Att 4 Planning Commission Minutes](#)

[Att 5 Ballard Place Presentation](#)

(9:00) 8.3. **WATER & POWER** (presenter: Brieana Reed-Harmel)

ORDINANCES AUTHORIZING THE TERMS AND PROVISIONS RELATING TO THE ELECTRIC AND COMMUNICATIONS ENTERPRISE REVENUE BONDS, SERIES 2024, TO BE ISSUED BY THE CITY OF LOVELAND, COLORADO, ELECTRIC AND COMMUNICATIONS ENTERPRISE

A motion to approve, on first reading, Ordinance No. 6719 authorizing the terms and provisions relating to the tax-exempt revenue bonds, series 2024a and taxable revenue bonds, series 2024b, to be issued by the City of Loveland, Colorado, electric and communications enterprise, to finance improvements to the city's electric and communications system, including, without limitation, covenants and agreements of the city in connection therewith

A motion to approve, on first reading, Ordinance No. 6720 of the City of Loveland, Colorado, electric and communications enterprise authorizing the issuance and sale of its tax-exempt revenue bonds, series 2024a and its taxable revenue bonds, series 2024b, providing for the sources of payment of the bonds, and providing other details concerning the bonds and the enterprise's system

The purpose of these proposed actions by City Council is for the Electric and Communications Enterprise to finance current and anticipated Broadband Utility projects through a Revenue Bond Issuance.

Bond issue is for tax-exempt and taxable revenue bonds in an amount not to exceed \$26 million dollars. The net effective interest rate on the bonds shall not exceed 5.25% for Tax-Exempt and 6.25% for Taxable and shall mature on 2054 (30 year amortization). The ordinance provides for the sources of payment and other details concerning the bonds. Electric and Communications Enterprise revenue will increase with the bond proceeds and expenses will increase a corresponding amount so that all tax-exempt bond proceeds are invested as indicated within three years of receipt per tax-exempt bond financing requirements. The proposed bond issuance will not have a financial impact on the General Fund (GF) unassigned fund balance.

[AIR-102450](#)

[Ordinance No. 6719](#)

[Ordinance No. 6720](#)

[Att 1 Pulse Revenue Bond Presentation](#)

[Att 2 Proposed 10-Year Financial Plan for Electric and Communications Enterprise - Pulse](#)

[Att 3 Bond Purchase Agreement](#)

[Att 4 Paying Agent Agreement](#)

[Att 5 Continuing Disclosure Certificate](#)

[Att 6 Preliminary Official Statement](#)

(9:15) 8.4. **CITY CLERK'S OFFICE** (presenter: Angie Sprang)

RESOLUTION OF THE LOVELAND CITY COUNCIL AUTHORIZING THE CITY CLERK TO NOTIFY THE LARIMER COUNTY CLERK AND RECORDER OF THE CITY OF LOVELAND'S INTENTION TO PARTICIPATE IN THE STATEWIDE ELECTION TO BE HELD ON NOVEMBER 5, 2024, AS A COORDINATED ELECTION WITH THE COUNTY AND ORDINANCE PROVIDING THAT THE CITY OF LOVELAND'S SPECIAL ELECTION, TO BE HELD NOVEMBER 5, 2024 BE CONDUCTED AS A COORDINATED ELECTION WITH THE LARIMER COUNTY CLERK AND RECORDER, BE GOVERNED BY THE COLORADO UNIFORM ELECTION CODE OF 1992 TO THE EXTENT NECESSARY TO CONDUCT THAT ELECTION AS A COORDINATED ELECTION

A motion to adopt Resolution #R-75-2024 of the Loveland City Council authorizing the City Clerk to notify the Larimer County Clerk and Recorder of the City of Loveland's intention to participate in the statewide election to be held on November 5, 2024, as a coordinated election with the County

A motion to approve, on first reading, Ordinance No. 6721 providing that the City of Loveland's Regular Election to be held November 5, 2024 be conducted as a coordinated election with the Larimer County Clerk and Recorder, shall be governed by the Colorado Uniform Election Code of 1992 to the extent necessary to conduct that election as a coordinated election

The proposed Resolution and Ordinance are needed to allow the City to conduct a regular election on November 5, 2024 as a coordinated election with the Larimer County Clerk and Recorder and to be governed by the Colorado Uniform Election Code. Election costs are based on County expenditures relative to the election and number of eligible electors per entity. The current estimate of between \$85K-125K is based on an estimate from Larimer County (the higher amount reflects Larimer County not having an item on the ballot). \$15K has already been approved in the 2024 budget. The election is currently unbudgeted for and if this request is approved the funds will be appropriated by year end from the General Fund (GF). This estimate includes adjustments for other municipalities that will share in election costs and some additional charges that will be applied to the City of Loveland for TABOR.

[AIR-102479](#)

[Resolution](#)

[Ordinance](#)

(9:30) 8.5. **CITY ATTORNEY'S OFFICE** (presenter: Vincent Junglas)

EXECUTIVE SESSION TO DISCUSS THE BALL LITIGATION AND GAZLAY LITIGATION

A motion to recess into Executive Session for the purpose of receiving a legal update and legal advice on litigation concerning the Ball v. City of Loveland and Gazlay v. City of Loveland court cases

City legal staff and outside legal counsel will update City Council on the status of the Ball and Gazlay litigation and provide legal advice to and seek direction from City Council on any related strategy.

[AIR-102057](#)

- (9:45) 8.6. **CITY ATTORNEY'S OFFICE** (presenter: Vincent Junglas)
EXECUTIVE SESSION TO DISCUSS THE LOVELAND FIRE RESCUE AUTHORITY DISTRICT FORMATION NEGOTIATION STRATEGY WITH THE RURAL FIRE PROTECTION DISTRICT AND TO DISCUSS ASSOICATED OPTIONS

A motion to recess into Executive Session for the purpose of receiving legal advice and to discuss negotiation strategy concerning the Loveland Fire Rescue Authority District Formation pursuant to the Colorado revised statutes and City of Loveland Charter

City staff will provide an update to City Council with information regarding the Loveland Fire Rescue Authority District Formation.

[AIR-102403](#)

- (10:00) 8.7. **CITY ATTORNEY'S OFFICE** (presenter: Vincent Junglas)
EXECUTIVE SESSION TO DISCUSS A POTENTIAL CONDEMNATION ACTION IN NORTHWEST LOVELAND

A motion to recess into Executive Session for the purpose of receiving legal advice and to discuss negotiation strategy concerning a potential condemnation matter in northwest Loveland

City staff will provide an update to City Council with information regarding the possible condemnation in northwest Loveland.

[AIR-071624](#)

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

(10:15) **9. REPORTS**

- 9.1. **REPORTS FROM CITY COUNCIL**
This is an opportunity for Council Members to report on recent activities.

- 9.2. **CITY MANAGER REPORT**

9.3. CITY ATTORNEY REPORT

(10:30) 10. ADJOURN