



450 S. Parish Avenue  
Johnstown, CO 80534  
970.587.4664  
JohnstownCO.gov

**TOWN COUNCIL REGULAR MEETING**  
**450 S. Parish, Johnstown, CO**  
**Monday, June 17, 2024 at 7:00 PM**

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*MISSION STATEMENT: Enhancing the quality of life of our residents, businesses, and visitors through community focused leadership.*

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**AGENDA**

**CALL TO ORDER**

**Pledge of Allegiance**

**ROLL CALL**

**AGENDA APPROVAL**

**PUBLIC COMMENT**

*Members of the audience are invited to speak at the Council meeting. Public Comment is reserved for citizen comments on items not contained on the Public Hearing portion of the agenda. Citizen comments are limited to five (5) minutes per speaker. When several people wish to speak on the same position on a given item, they are requested to select a spokesperson to state that position.*

**CONSENT AGENDA**

*The Consent Agenda is a group of routine matters to be acted on with a single motion and vote. Council or staff may request an item be removed from the Consent Agenda and placed on the Regular Agenda for discussion.*

1. June 3, 2024 Meeting Minutes
2. Ordinance No. 2024-252: Establishing Holding Agriculture (H-A) Zoning On The Property Known As The Larson Annexation on Second Reading
3. Water and Sewer Service Agreement - La-Z-Boy at 2534
4. May 2024 Financials
5. Cybersecurity Policy

**TOWN MANAGER REPORT**

**TOWN ATTORNEY REPORT**

**PUBLIC HEARING**

6. Resolution No. 2024-28: Approving the Final Subdivision Plat for The East Ledge Rock Center Filing 2 - Replat A
7. Ordinance 2024-253, Amending Section 10-212 of the Johnstown Municipal Code Concerning Curfews for Minors

**COUNCIL REPORTS AND COMMENTS**

The Community that Cares

**MAYOR'S COMMENTS**

**INFORMATIONAL ITEMS**

8. Informational Items

**ADJOURN**

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**AMERICANS WITH DISABILITIES ACT NOTICE**

**In accordance with the Americans with Disabilities Act and other applicable laws, persons who need accommodation in order to attend or participate in this meeting should contact Town Hall at 970-587-4664 no later than 48 hours before the meeting in order to request such assistance.**

**De conformidad con la Ley de Discapitados Estadounidenses y otras leyes vigentes, los individuos que necesitan adaptaciones funcionales para asistir o participar en esta reunión deberán comunicarse con la Municipalidad marcando el 970 587- 4664 a lo más tardar 48 horas antes de dicha reunión para solicitarla.**

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**TOWN COUNCIL REGULAR MEETING**  
**450 S. Parish, Johnstown, CO**  
**Monday, June 03, 2024 at 7:00 PM**

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**MINUTES**

**CALL TO ORDER**

Mayor Duncan called the meeting to order and led the Pledge of Allegiance.

**Pledge of Allegiance**

**ROLL CALL**

Present:

Councilmember Morris  
Councilmember Molinar  
Councilmember Menzies  
Councilmember Paranto  
Mayor Pro Tem Young  
Mayor Duncan

Absent:

Councilmember Berg

**AGENDA APPROVAL**

*Councilmember Molinar moved to approve the agenda.*

Mayor Pro Tem Young seconded and the motion passed.

**SPECIAL PRESENTATIONS**

1. Employee Introductions

Jeremy Gleim, Planning and Development Director, introduced James Shroul in the Planning & Development Department.

Jason Elkins, Public Works Director introduced Nick Mulhall and Jacob Greenwalt in the Public Works Department.

2. 8th Judicial District Attorney Annual Report

Gordon McLaughlin presented the 8th Judicial District Attorney Annual report to Council, reviewing the current programs, projects and initiatives.

Council inquired on what is being done to prevent theft in area big box stores. Mr. McLaughlin noted the a message can be sent that the DA's office takes organized crime seriously and look for harsh consequences for those citations.

## **PUBLIC COMMENT**

Kris Prather spoke to overlooking the field where the pool is being proposed. Mr. Prather spoke in objection to this location, due to issues with traffic, speed limits or widening of road and the noise concern. Questions about the increase in sales taxes, and the potential of loss of funding were also noted.

Carl Yost spoke to the aquatics feasibility study and questioned why the Town was driving the study and not a recreation organization.

Gary Meyer spoke to being on the pool committee and expressed support for this project. It was noted that a pool may help draw attention to the downtown community and cultural benefits.

Public Comment emailed in regarding the Aquatic Center Feasibility study were from the below:

Heather Weiland - expressed support for the proposed facility.

Wendy - expressed support for the facility but not the proposed pricing options.

Victoria Wheeler - expressed support for the facility with different pricing than the proposed.

Amanda Robbins - expressed support of the facility.

A comment from Shawn York was read into the record regarding traffic enforcement on CO-60 and CR-50 as well as weed growth and abatement on Purvis Farm.

Mr. LeCerf noted that a notice was sent to the developer on the item of Purvis Farm and the Town is working on securing a contractor for this issue.

Chief Oglesby noted that the speed issue spoken to has had no accidents in the area but 56 citations have been issued.

## **CONSENT AGENDA**

*Councilmember Paranto moved to approve the consent agenda.*

Councilmember Morris seconded and the motion passed.

3. May 6, 2024 Meeting Minutes
4. Water Service Agreement - Backbone Properties LLC., (208 Gateway Drive)
5. Water/Sewer Service Agreement - The Ridge Multi Family - Phase I
6. May 2024 List of Bills
7. April 2024 Financials and 1st Quarter 2024 Sales Tax Summary
8. Redstone Hills Water Purchase - Lot 54
9. Water Sewer Service Agreement - Thompson River Flex At 2534
10. Water Service Agreement - J-25 Land Holdings, LLC., (North Ridge - Right of Way Irrigation)
11. Second Amendment to the Subdivision Development and Improvement Agreement for Ledge Rock Center, Filing No. 3

## **TOWN MANAGER REPORT**

12. Town Manager's Report

Matt LeCerf, Town Manager, presented the report to Council and noted an email regarding the opportunity to purchase a half share of Home Supply Ditch Company water. Council provided direction to proceed.

## **TOWN ATTORNEY REPORT**

There was no Town Attorney report but Avi Rocklin, Town Attorney, offered a comment on clarification on Council procedures. It was noted Council could adopt a form of rules of procedure for Council to discuss.

## NEW BUSINESS

13. Resolution No. 2024-27: Awarding Construction Contract Agreement of the Police Department Expansion and Renovation Project to Mark young Construction, LLC; Awarding the Contract for Construction Observations Support Services to D2C Architects; Amending the 2024 Budget and Appropriating Funds for the Police Department Expansion and Renovation Project.

Interim Chief of Police, Ryan Oglesby, presented the agreement to Council referencing the change in Town's population and regulation necessities, being constructed in 2002/2003 with a population of 5,000 people. The same location serves roughly a population of 20,000 currently.

Chief Oglesby reviewed the project timeline and grant obligations.

Council asked for clarification on where the budget amendment of \$2 million dollars would come from. Mitzi McCoy, Deputy Town Manager, noted those funds would be pulled from the General Fund.

*Councilmember Menzies moved to Approve Resolution No. 2024-27 and Allow the Town Manager or Town Attorney to Make Minor Modifications to the Construction Contract as Needed*

Councilmember Morris seconded and the motion passed.

14. Contract Award for the 2024 Johnstown Asphalt Patching and Overlay Program

Mr. Elkins presented the contract award to Council reviewing the history and the process of the Invitation For Bid which resulted in seven bids. Mr. Elkins noted staff would not exceed the \$2.2 million dollars in the approved budget.

Council asked for information on how the areas were identified, which staff noted a road assessment in 2020 was completed ranking the different areas as well as staff inspections, resident complaints and other aging infrastructure concerns. Newer roads may not need complete overhauls, but general maintenance to prolong the life of the road with priorities being assessed during the project.

*Councilmember Morris moved to approve a contract with Western Plains Construction, LLC in the form presented in the amount of \$1,475,643.10, a change order with Lightfield Enterprises, Inc. in the amount of \$129,118.46, and utilization of the remaining balance of the Pavement Management Program Funds for contingency, not to exceed \$2.2 million as appropriated in the FY budget and authorize the Town Manager to sign the contracts.*

Councilmember Young seconded and the motion passed.

15. Aquatics Center Feasibility Study

Mitzi McCoy, Deputy Town Manager, presented the feasibility study noting that in 2023 a group of residents approached Council requesting a pool, at which time Council directed a feasibility study be conducted.

The consultant, OLC Architecture, Interiors & Aquatics presented the results of the study to Council.

Scott Caron reviewed the market analysis for the area and the operational analysis, noting the discussions with the YMCA and Thompson River Parks & Recreation potentially taking over the operational costs.

Kevin Post spoke to the public input efforts including meeting with the YMCA, a steering committee and an online survey being taken. Mr. Post noted the results of the survey.

David Sprague spoke to site plan and the matrix of the two site plan attributes of the Letford Elementary and the field site. The field site came out ahead of the Letford site, noting visibility and access was noted, along with the ability to expand.

Council asked about work in previous projects that could join in with a Senior or Youth Center, which the applicant noted it sounded like it would be more of a indoor community multi-purpose center.

Council asked for clarification on the review of the land, noting a bandstand or community center option. Council inquired about TRPR's involvement in the process, which Mr. Spague noted discussion and communication with TRPR>.

The issue of lifeguard shortages was referenced, and addressed as lifeguard pay was increased in Colorado to the end of 2023, and that reasonable rates were built into the presentation. Insurance costs and considerations were also included in the proposal.

Council asked for information on the length of time the facility would be open, which Mr. Spague noted typically hours are extended but can be limited due to other school and spot activities.

Council noted a sales tax increase would be an overflow cost, that could be allocated to other items such as dog parks and trails. Teen activities in Town and the need to have outlets for the community were spoken to.

Council asked for a Work Session for further discussion on July 8, 2024.

Council asked when the facility would break even or become profitable, which it was noted these types of centers typically do not become profitable.

#### 16. Capital Projects Fund – \$1.2 Million Re-Appropriation

Mr. LeCerf presented the Capital Project Fund following up from the previous Work Session Council discussion for alternative options for use of the funds.

Council asked for clarification on the listed park updates, which staff noted there are funds allocated but it is recommended to use some of the funding in this area for further improvements.

Council asked about price increases on the LED Sign and directional signage to downtown. Mr. LeCerf noted the Historic Wayfinding projects.

*Councilmember Morris moved to approve the appropriation of funds based on the projects listed above in the table in the amounts proposed*

Councilmember Young seconded and the motion passed.

Mayor Duncan called for a short recess.

### **PUBLIC HEARING**

Council reconvened.

#### 17. Public Hearing – New Hotel & Restaurant License Application for Sexy Sammies, LLC

Mayor Duncan opened the public hearing.

Hannah Hill, Town Clerk, presented the application to Council reviewing the process and offering staff's recommendation for approval. The applicant, Steve and Dave Ferguson representing Sexy Sammies spoke to Council regarding their restaurants and operations.

Council asked for how many seats would fit in the diagram, which was noted under 75.

Mayor Duncan opened the hearing for public comments opposed or in favor of this item, to which there were none.

Mayor Duncan closed the public comment.

Mayor Duncan closed the public hearing.

*Councilmember Morris moved to approve the Hotel & Restaurant Liquor License to Sexy Sammies.*

Councilmember Paranto seconded and the motion passed.

#### 18. Blue Sky Prairie Subdivision - Filing No. 1

A. Public Hearing - Resolution 2024-25: Consideration of Final Subdivision Plat & Development Plan for Blue Sky Prairie Filing No. 1

B. Water Sewer Service Agreement: Blue Sky Prairie Filing No.1

C. Development Agreement: Blue Sky Prairie Filing No. 1

Mayor Duncan opened the public hearing.

Jeremy Gleim, Planning & Development Director presented the item to Council, noting the location just east of I-25 and reviewed the history of the project noting the preliminary plat approved on December 4, 2023.

The applicant, COLA LLC spoke to Council noting the area was annexation into the Town in 2004. The applicant noted the amended Overall Development Plan in 2023 with roughly 720 plots. The approval criteria and proposed site plans were reviewed.

Council asked for information on price point on the smaller lots 1-53. It was noted \$495,000 and up was the average expected price. It was confirmed the site is a metro district, with elections happening every two years. The type of landscaping was inquired on, with native areas in public spaces.

Council asked about the traffic study, which was noted the projective community growth was taken into consideration.

Mayor Duncan opened the hearing for public comment for those in favor of or opposed to this item.

Polly Migloie - spoke to Planning Commission hearing and the conditions on that denial.

Debra Garcia spoke to OGCC regarding an abandoned oil well in the location of the proposed park. Ms. Garcia noted a report that spoke to allowable amounts of contamination.

Mr. LeCerf noted a state program that takes over "orphaned wells" and reports that the cleanup was complete after the state mitigated the site and the re-capping of the well is complete.

Jim Martin asked if the developer has a timeline for site work and excavation, including dust control.

Jeff Garcia spoke to concerns regarding the roadways right next to house and protection or control of speed of traffic.

A comment from Carla Winstead in opposition to this item due to concerns about dust, trash and traffic was read into the record.

Mayor Duncan closed public comment.

Mayor Duncan closed the public hearing.

The applicant noted the Planning Commission did deny and the slide was incorrect. It was noted the soil would need to be mitigated and would reach out to the State, with a 50-foot radius buffer around the abandoned well. Processes for dust permits with the State were noted referring to mitigating dust. It was noted Larkspur Road cannot be pushed over due to regulations and distance from High Plains.

Kevin Lovelace, an engineer representing the applicant, spoke to the drainage on the proposed site. The historic drainage would be more contained inside the neighborhood with various roads and drainage towards the retention pond.

*Councilmember Molinar Moved to Approve Resolution No. 2024-23, Approving Blue Sky Prairie Filing No. 1*

Councilmember Menzies seconded and the motion passed.

*Councilmember Menzies moved to approve the Water and Sewer Service Agreement for Blue Sky Prairie Subdivision Filing No. 1*

Councilmember Paranto seconded and the motion passed.

*Councilmember Paranto moved to the Subdivision Development and Improvement Agreement with COLA, LLC for the Blue Sky Prairie Subdivision Filing No. 1.*

Councilmember Molinar seconded and the motion passed.

19. The Ridge at Johnstown Filing No. 4

A. Public Hearing - Resolution 2024-26: Approving the Final Subdivision Plat for The Ridge at Johnstown Filing No. 4

B. Development and Improvement Agreement: The Ridge at Johnstown Filing No. 4

C. Water and Sewer Service Agreement: The Ridge at Johnstown Filing No. 4

Mayor Duncan opened the public hearing.

Mr. Gleim presented this item to Council, noting the developer J-25 Land Holdings LLC is requesting final approval for a subdivision in The Ridge at Johnstown, approximately 130 acres in size. This would result in five buildable commercial lots, six tracts for future development and dedicated road right-of-way.

The applicant noted the infrastructure plan, with the one fire station proposed.

Mayor Duncan opened the hearing for public comment for those in favor or opposed to this item to which there was none.

Mayor Duncan closed public comment.

Mayor Duncan closed the public hearing.

*Councilmember Young moved to Approve Resolution No. 2024-26, Approving The Ridge Filing No. 4*

Councilmember Paranto seconded and the motion passed.

*Councilmember Paranto moved to approve the Development and Improvement Agreement for The Ridge Filing No. 4*

Councilmember Morris seconded and the motion passed.

*Councilmember Molinar moved to Approve the Water and Sewer Service Agreement for The Ridge Filing No. 4*

Councilmember Young seconded and the motion passed.

20. Ordinance No. 2024-252, First Reading, Establishing Holding Agriculture (H-A) Zoning On The Property Known As The Larson Annexation

Mayor Duncan opened the public hearing.

Mr. Gleim presented the zoning to Council and reviewed the ordinance of the annexation speaking to State regulations that note zoning must be set within 90 days of an approved annexation. The most appropriate zone in the interim would be agricultural, per staff's recommendation. It was noted prior to any development on the site the area would need to be rezoned.

Council asked for clarification on which code any re-zone would have to follow. Mr. Gleim noted the annexation and zoning were applied for at the same time, and would be grandfathered in to the previous code. Weed control concerns were discussed, with the property owner being responsible for control of the weeds.

The applicant, Journey Homes, noted the land would continue to be farmed until an agreement for zoning and a final plat would be approved.

Mayor Duncan opened the hearing for public comment for those in favor of or opposed to the item.



Jed Freeman asked for clarification on an expected date for residential plan timeline and traffic concerns on Rolling Hills.

Mayor Duncan closed public comment.

Mayor Duncan closed the hearing.

*Councilmember Young moved to approve Ordinance No. 2024-252 Establishing H-A Zoning on the Property Known as the Larson Annexation*

Councilmember Paranto seconded and the motion passed.

### **COUNCIL REPORTS AND COMMENTS**

Councilmember Menzies asked for clarification on codification on puppies for sale in parking lots, and temperature for dogs left in cars.

Councilmember Young reported on the Library Board meeting with the School District and potential partnerships. Appreciation was expressed for all the work that went into BBQ Day.

Councilmember Morris noted BBQ Day was great from start to finish. A letter to the HOA was requested to trim the bushes in the front of Town.

Councilmember Paranto noted Northern Front Range Metro District has an upcoming meeting.

### **MAYOR'S COMMENTS**

Mayor Duncan expressed thanks to local police departments for their work, and all the work that went into BBQ Day.

### **INFORMATIONAL ITEMS**

Informational items were included in the packet.

21. Informational Items

### **ADJOURN**

Mayor Duncan adjourned the June 3, 2024 meeting at 10:44 pm.

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Michael P. Duncan, Mayor

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Hannah Hill, Town Clerk



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Item #2.

## TOWN COUNCIL CONSENT AGENDA COMMUNICATIONS

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**AGENDA DATE:** June 17, 2024

**SUBJECT:** Ordinance No. 2024-252 Establishing Holding Agriculture (H-A) Zoning On The Property Known As The Larson Annexation on Second Reading

**ATTACHMENTS:** 1. Ordinance No. 2024-252

**PRESENTED BY:** Jeremy Gleim, AICP, Planning & Development Director

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### AGENDA ITEM DESCRIPTION:

On February 21, 2024, the Town Council approved Ordinance 2024-241 approving the annexation of certain property known as Lot B, Recorded Exemption No. 1059-06-2 Re-2515, Lot B, Recorded Exemption No. 1059-06-2-Re-2616 and a Portion of adjoining Weld County Road 15 Right of Way located in the Northeast Quarter of Section 6 and the Northwest Quarter of Section 5, Township 4 North, Range 67 West of the 6th P.M., County of Weld, State of Colorado, consisting of approximately 96.04 acres, being known as the Larson Annexation. At the time of annexation, zoning was not considered. Pursuant to state law, upon annexation, the Town Council must zone the property within 90 days.

On June 3, 2024, the Town Council approved, on first reading, Ordinance 2024-252 to establish H-A (Holding Agriculture) zoning on the subject property. Any future considerations for re-zoning, which would be required prior to development of the property, would require additional public hearings before the Planning & Zoning Commission, as well as the Town Council.

### COMPREHENSIVE PLAN ALIGNMENT

The 2021 Comprehensive Plan (Comp Plan) identifies the subject property as a Low Density/Intensity land use area. Interim zoning of H-A is appropriate, as the property has historically been used for farming purposes and will continue to be used in that way until development occurs.

### STRATEGIC PLAN ALIGNMENT:

- Natural & Built Environment
  - *Guide growth in the community through appropriate annexation, zoning, planning, and land use development.*

The Community that Cares

**FINDINGS**

1. The proposed zoning designation (H-A) will satisfy the requirements of state law.
2. The proposed zoning designation (H-A) is appropriate as an interim zoning until future development is proposed.

**LEGAL ADVICE:**

The Town Attorney prepared the ordinance for this agenda item.

**FINANCIAL ADVICE:**

NA

**RECOMMENDED ACTION:** Approve Ordinance 2024-252 on Second Reading, to establish H-A (Holding Agriculture) zoning on the property known as the Larson Annexation.

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*Reviewed and Approved for Presentation,*



Town Manager

**TOWN OF JOHNSTOWN, COLORADO  
ORDINANCE NO. 2024-252**

**APPROVAL OF HOLDING AGRICULTURAL (H-A) ZONING OF THE PROPERTY KNOWN AS THE LARSON ANNEXATION, LOCATED IN THE NORTHEAST QUARTER OF SECTION 6 AND THE NORTHWEST QUARTER OF SECTION 5 TOWNSHIP 4 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, CONSISTING OF APPROXIMATELY 96.04 ACRES**

**WHEREAS**, the Town of Johnstown, Colorado (“Town”) is a Colorado home rule municipality, duly organized and existing under the laws of the State of Colorado and the Town’s Home Rule Charter; and

**WHEREAS**, the Town Council is vested with authority to administer the affairs of the Town; and

**WHEREAS**, by Ordinance No. 2024-241, the Town Council approved annexation of certain property known as Lot B, Recorded Exemption No. 1059-06-2 Re-2515, Lot B, Recorded Exemption No. 1059-06-2-Re-2616 and a Portion of adjoining Weld County Road 15 Right of Way located in the Northeast Quarter of Section 6 and the Northwest Quarter of Section 5, Township 4 North, Range 67 West of the 6th P.M., County of Weld, State of Colorado, consisting of approximately 96.04 acres, being more particularly described on Exhibit A, attached hereto and incorporated herein by this reference, known as the Larson Annexation (“Property”); and

**WHEREAS**, pursuant to state law, upon annexation, the Town Council must zone the Property within ninety (90) days; and

**WHEREAS**, because the land use is in a transitional stage, Town staff recommends that the Property be zoned Holding Agricultural (H-A); and

**WHEREAS**, on June 3, 2024, the Town Council held a public hearing to determine appropriate zoning for the Property and, based upon the evidence received at the hearing, finds that the requested zoning of the Property to Holding Agricultural (H-A) is satisfactory.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JOHNSTOWN, COLORADO, THAT:**

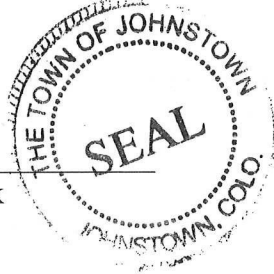
1. Zoning Approval. Zoning of the Property known as the Larson Annexation and more particularly described on the attached Exhibit A shall hereby be designated as Holding Agricultural (H-A).
2. Effective Date. This Ordinance, after its passage on final reading, shall be numbered, recorded, published and posted as required by the Home Rule Charter of the Town of Johnstown, Colorado (“Charter”) and the adoption, posting and publication shall be authenticated by the signature of the Mayor and the Town Clerk and by the Certificate

of Publication. This Ordinance shall become effective upon the later of the following: (i) final passage as provided by the Charter or (ii) the effective date of the annexation of the Property. At such time, the Town Clerk is directed to file this Ordinance with the real estate records of the Weld County Clerk and Recorder. Copies of the entire Ordinance are available at the office of the Town Clerk.

**INTRODUCED AND APPROVED** on first reading by the Town Council of the Town of Johnstown, Colorado, this 3 day of June, 2024.

**ATTEST:**

By: [Signature]  
Hannah Hill, Town Clerk



**TOWN OF JOHNSTOWN, COLORADO**

By: [Signature]  
Michael P. Duncan, Mayor

**PASSED UPON FINAL APPROVAL AND ADOPTED** on second reading by the Town Council of the Town of Johnstown, Colorado, this \_\_\_\_ day of \_\_\_\_\_, 2024.

**TOWN OF JOHNSTOWN, COLORADO**

**ATTEST:**

By: \_\_\_\_\_  
Hannah Hill, Town Clerk

By: \_\_\_\_\_  
Michael P. Duncan, Mayor

**EXHIBIT A**  
**PROPERTY**

A parcel of land being Lot B, Recorded Exemption No. 1059-06-2-RE-2515 recorded January 28, 2000 as Reception No. 2746724 of the Records of Weld County, Lot B, Recorded Exemption No. 1059-06-2-RE-2616 recorded January 28, 2000 as Reception No. 2746722 of the Records of Weld County, and the adjoining Weld County Road 15 Right of Way situate within the Northeast Quarter (NE1/4) of Section Six (6) and the Northwest Quarter of Section Five (5), Township Four North (T.4N.), Range Sixty-seven West (R.67W.) of the Sixth Principal Meridian (6<sup>th</sup> P.M.), County of Weld, State of Colorado being more particularly described as follows;

**BEGINNING** at the East Quarter Corner of said Section 6 and assuming the East line of the Northeast Quarter of Section 6 as bearing North 00° 44' 06" West a distance of 2532.98 feet, and being monumented on the South by a #6 Rebar with a 3.25" Aluminum Cap stamped LS 23520 and on the North by a 1" Pipe with a 2.5" Aluminum Cap stamped LS 38065 with all other bearings contained herein relative thereto:

THENCE North 86° 38' 55" West along the Northerly line of Rolling Hills Ranch Annexation recorded October 4, 1996 as Reception No. 2514298 of the Records of Weld County and along the South line of the Northeast Quarter of said Section 6 a distance of 1359.33 feet to the Center-East Sixteenth Corner of Section 6;

THENCE North 86° 38' 55" West continuing along said Northerly line of Rolling Hills Ranch Annexation and along said South line of the Northeast Quarter of Section 6 a distance of 1359.33 feet to the Center Quarter Corner of said Section 6;

THENCE North 02° 02' 39" West along the Westerly line of Lot B, Recorded Exemption No. 1059-06-2-RE-2616 a distance of 1519.18 feet to the Northwest Corner of said Lot B;

THENCE South 86° 38' 55" East along the Northerly line of Lot B a distance of 1377.18 feet to the Northeast Corner of said Lot B, RE-2616 and to the Northwest Corner of Lot B, Recorded Exemption No. 1059-06-2-RE-2515;

THENCE South 86° 38' 55" East along the North line of said Lot B, RE-2515 a distance of 1376.29 feet to the East line of the Northeast Quarter of said Section 6 and to the Northeast Corner of said Lot B, RE-2515;

THENCE North 89° 15' 54" East a distance of 30.00 feet to the Easterly Right of Way line of Weld County Road 15;

The following Four (4) courses are along the Easterly Right of Way line of Weld County Road 15.

THENCE South 00° 44' 06" East a distance of 733.83 feet to the Northerly line of Paul Nelson Dairy Farm Annexation recorded March 1, 2006 as Reception No. 3366628 of the Records of Weld County;

THENCE South 00° 44' 06" East a distance of 782.61 feet;

THENCE South 00° 13' 12" East a distance of 0.84 feet to the Southerly line of said Paul Nelson Dairy Farm Annexation;

THENCE South 00° 13' 12" East a distance of 1.17 feet to the Northeast corner of said Rolling Hills Ranch Annexation;

THENCE North 86° 38' 55" West along the Northerly line of said Rolling Hills Ranch Annexation a distance of 30.06 feet to the **POINT OF BEGINNING**.

The above described tract of land contains 4,183,676 square feet or 96.04 acres, more or less (±).



## TOWN COUNCIL CONSENT AGENDA COMMUNICATIONS

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**AGENDA DATE:** June 17, 2024

**SUBJECT:** Water and Sewer Service Agreement for La-Z-Boy at 2534

**ATTACHMENTS:** 1. Water and Sewer Service Agreement

**PRESENTED BY:** Lilly Cory, Planner I

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### AGENDA ITEM DESCRIPTION:

The Developer, LZB Retail Inc, has received administrative approval for the La-Z-Boy Site Development Plan consisting of 15,600 square feet of building space for a commercial building located in the 2534 development.

The Water and Sewer Service Agreement provides the estimated in-building water demand of 0.1 acre-feet (AF) for a 15,600 square-foot commercial retail building in the 2534 Planned Development. Irrigation demand for the landscaped area is 1.41 AF which will be excluded from the Agreement as the demand is from the 2534 non-potable system.

Development Component	Demand (AF/YR)	Consumption (AF/YR)
In-Building	0.1	0.01
Permanent Irrigation (2534 non-potable system)	1.41	1.20
<b>Total</b>	<b>1.51</b>	<b>1.21</b>

The total annual demand for the site is 0.1AF and is allocated from the Location, Location, Location, LLC (Exhibit B). The Town will not collect Water Court Transfer Fees as these have previously been paid.

### STRATEGIC PLAN ALIGNMENT:

- Quality Infrastructure & Facilities
  - *Establish and maintain levels of service*
  - *Ensure future viability of infrastructure and facilities*
  - *Repair and maintain existing infrastructure, facilities, and equipment*

**LEGAL ADVICE:**

The Town Water Attorney provided the Water and Sewer Service Agreement presented for consideration.

**FINANCIAL ADVICE:**

N/A

**RECOMMENDED ACTION:** Approve the Water & Sewer Service Agreement with LZB Retail Inc.

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*Reviewed and Approved for Presentation,*



\_\_\_\_\_  
Town Manager



**WATER AND SEWER SERVICE AGREEMENT  
(LA-Z-BOY AT 2534)**

THIS WATER AND SEWER SERVICE AGREEMENT is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2024, by and between **LZB RETAIL, INC.**, a Michigan corporation (“Developer”), and **THE TOWN OF JOHNSTOWN**, a Colorado municipal corporation, (“Town”), collectively sometimes referred to as the “Parties.”

WITNESSETH:

WHEREAS, the Developer owns an interest in land in Larimer County located in Lot 2 of the First Amendment to 2534 NW, Johnstown, Colorado, and more specifically described in the attached Exhibit A (“Subject Property”); and

WHEREAS, the Subject Property has been annexed to the Town and was the subject of an Annexation Agreement dated November 3, 2006; and

WHEREAS, the Subject Property is being developed to contain an approximately 15,600 square-foot furniture gallery with 0.23 acre of spray irrigated landscape and 0.33 acre of drip irrigated landscape, known as the La-Z-Boy Furniture Gallery (“Project”); and

WHEREAS, Location, Location, Location LLC, a Colorado limited liability company (“LLL”), has raw water credit with the Town and agrees to transfer a portion of its credit to satisfy the raw water needs associated with the Project; and

WHEREAS, the Developer and the Town desire to set forth their agreement concerning water rights dedication, preliminary projections of water and sewer demand and a current commitment by the Town for water and sewer service for the Project.

NOW, THEREFORE, in consideration of the mutual promises hereinafter contained and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereto agree as follows:

**1. Water and Sewer Demand Studies.** In compliance with the Town Water Rights Dedication Ordinance (“Ordinance”), Developer has submitted to the Town a preliminary water and sewer demand analysis for the Project dated February 7, 2024. Said analysis was received by the Town, is on file with the Town and, as modified by the Town’s Water Engineer by memorandum dated February 27, 2024, is hereby accepted by the Town. The analysis provides that the projected water and sewer demand for the Project is as follows:

Development Component	Demand (AF/YR)	Consumption (AF/YR)
In-Building	0.10	0.01
Landscape Irrigation (non-potable)	1.41	1.20
Total	1.51	1.21

**2. Water Rights Dedication.** The raw water credit to meet the potable and non-potable needs of the Project is hereby transferred from the account of LLL to the Developer. Evidence of LLL’s agreement to the transfer is set forth on Exhibit B, attached hereto and incorporated herein by reference.

**3. Commitment to serve.** Subject to Developer’s performance of all the covenants contained herein and payment of all required fees, the Town commits to provide to the Project up to 0.10 acre-feet per year of potable water supply together with the corresponding sewer service, and up to 1.41 acre-feet per year of non-potable water supply for landscape irrigation.

**4. Future review of water usage and dedication requirements.** In accordance with the Ordinance, the Town reserves the right to review actual water usage within the Project at a point in time after water usage has been established, to confirm the adequacy of the water demand projections made by the Developer and to require additional water rights dedication and/or cash-in-lieu payments based on actual water usage.

**5. Payment of Water Court Transfer fees.** The Water Court transfer fee for both the potable water supply and non-potable water supply was previously paid to the Town as part of the 2534 Master Association Water Bank. However, in accordance with the Ordinance, additional fees may be required in connection with future development of any portion of the Subject Property.

**6. Notices.** All notices, demands, or other documents required or desired to be given, made or sent to either Party under this Agreement shall be made in writing, shall be deemed effective upon receipt, and shall be personally delivered, mailed postage prepaid, certified mail, return receipt requested, or sent by electronic mail on the condition that the recipient acknowledges receipt thereof, as follows:

TO DEVELOPER:

LZB Retail, Inc.  
c/o Corporation Service Company  
1900 W. Littleton Blvd.  
Littleton, CO 80120  
Email: legal@la-z-boy.com

TO THE TOWN:

Town of Johnstown  
c/o Town Clerk  
450 S. Parish Ave.  
Johnstown, CO 80534  
[notices@johnstowngo.gov](mailto:notices@johnstowngo.gov)

WITH A COPY TO  
THE TOWN ATTORNEYS:

Avi Rocklin, Esq.  
Johnstown Town Attorney  
1437 N. Denver Avenue, #330  
Loveland, CO 80538  
[avi@rocklinlaw.com](mailto:avi@rocklinlaw.com)

Peter J. Ampe  
Hill & Robbins, P.C.

3401 Quebec Street, Suite 3400  
Denver, CO 80207  
[peterampe@hillandrobbins.com](mailto:peterampe@hillandrobbins.com)

The addresses for notices may be changed by written notice given to the other Party in the manner provided above.

**7. Default.** In the event of default by either Party hereunder, the non-defaulting Party shall notify the defaulting Party in writing of such default(s), specifying the nature and extent thereof. If such default is not cured within thirty (30) days and the non-defaulting Party desires to seek recourse, the Parties shall participate in mediation, the costs of which shall be shared equally by both Parties. If mediation is not successful after a ninety-day period, either Party may then commence a legal action, and shall be entitled to such remedies as are provided by law, including the Town's ordinances.

**8. Successors and assigns.** The benefits and burdens of this Agreement shall respectively inure to and be binding upon the successors and assigns of the Parties hereto. This Agreement shall not be assigned without the prior written consent of the other party, which shall not be unreasonably withheld.

**9. Amendment or modification.** No amendment or modification of this Agreement shall be of any force or effect unless in writing and executed by the Parties hereto with the same formality as this Agreement.

**10. Attorney's fees and costs.** If any judicial proceedings may hereafter be brought with respect to this Agreement, including an action for specific performance and/or damages, the Town, if the prevailing party, shall be entitled to recover the costs of such proceedings, including reasonable attorney's fees and reasonable expert witness fees.

**11. Waiver.** The waiver of any breach of any of the provisions of this Agreement by either Party shall not constitute a continuing waiver of any subsequent breach by said Party, concerning either the same or any other provision of this Agreement.

**12. Headings for convenience only.** Paragraph headings and titles contained herein are intended for convenience and reference only and are not intended to define, limit, or describe the scope or intent of any provision of this Agreement.

**13. Non severability.** Each paragraph of this Agreement is intertwined with the others and is not severable unless by mutual consent of the Parties hereto.

**14. Choice of laws.** This Agreement and the rights and obligations of the Parties hereto shall be governed by the laws of the State of Colorado. Venue for any claim, proceeding or action shall be in Larimer or Weld County, State of Colorado.

**15. Entire agreement and Authorization.** This Agreement constitutes the entire agreement between the Parties related to the subject matter hereof and any prior agreements pertaining thereto whether oral or written have been merged or integrated into this Agreement.

Each of the undersigned represents to the others that he/she is authorized by his/her respective entity to execute this Agreement on behalf of that entity.

**16. No Presumption.** Each Party acknowledges that it has carefully read and reviewed the terms of this Agreement. Each Party acknowledges that the entry into and execution of this Agreement is of its own free and voluntary act and deed, without compulsion. Each Party acknowledges that it has obtained, or has had the opportunity to obtain, the advice of legal counsel of its own choosing in connection with the negotiation and execution of this Agreement and with respect to all matters set forth herein. The Parties agree that this Agreement reflects the joint drafting efforts of all Parties and in the event of any dispute, disagreement or controversy arising from this agreement, the Parties shall be considered joint authors and no provision shall be interpreted against any Party because of authorship.

**18. Recordation.** This Agreement shall be recorded by the Town at Developer's expense in the office of the Clerk and Recorder of Larimer County, Colorado. This Agreement shall run with the Subject Property, shall be binding upon the Parties hereto and the permitted successors and assigns of the Developer and shall constitute notice of this Agreement to all persons or entities not parties hereto.

\*IN WITNESS WHEREOF, the Parties have executed this Agreement the day and year first above written.

*Signatures follow*



**EXHIBIT A**  
**LEGAL DESCRIPTION**

**LOT 2, FIRST AMENDMENT TO 2534 NW, A PORTION OF THE NORTHEAST QUARTER OF SECTION  
15, TOWNSHIP 5 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, TOWN OF  
JOHNSTOWN, COUNTY LARIMER, STATE OF COLORADO.**

**EXHIBIT B**  
**RAW WATER CREDIT ALLOCATION ACKNOWLEDGMENT**

This is to acknowledge and agree that the Town of Johnstown may allocate raw water credit from the Location, Location, Location, LLC raw water credit account held by the Town of Johnstown, known as the “2534 Water Bank,” to provide water service to the development known as 6200 East US Highway 34, Johnstown, CO (Lot 2, 2534 Northwest Subdivision, First Amendment), and any successor occupant of the premises at the same location, in conjunction with a new Water and Sewer Service Agreement between LZB Retail, Inc. and the Town of Johnstown dated \_\_\_\_\_, 20\_\_\_. The amount of such allocated raw water credit is calculated to be 0.1 acre-feet per year for In-Building Use (Potable Water) and 1.41 acre-feet per year for Irrigation Use (Non-potable Water), subject to adjustment pursuant to the terms of the Water Sewer Service Agreement. Upon completion of the allocation noted above, Location, Location, Location, LLC will still own 13.57 acre feet per year of In-Building Use (Potable Water) and 0.94 acre feet per year of Irrigation Use (Non-potable Water).

Location, Location, Location, LLC

*Robert P. Woodward*  
\_\_\_\_\_

Dated: 05/17/2024

Robert P. Woodward, Manager

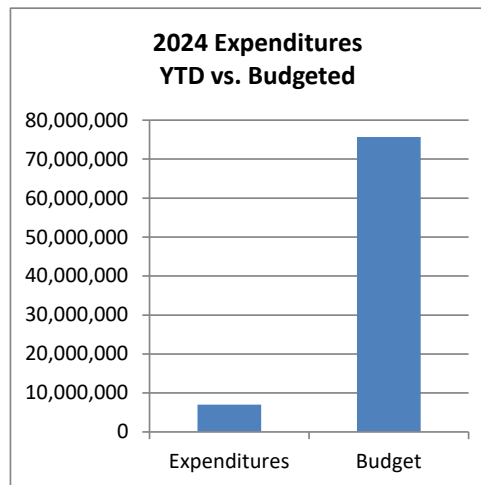
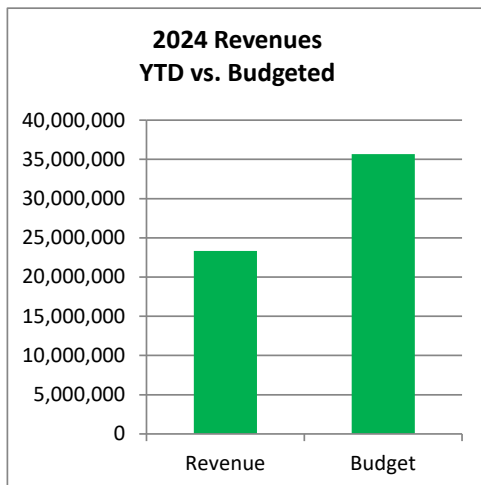
Town of Johnstown, Colorado  
Statement of Revenues, Expenditures, and Changes in  
Fund Balances - General Fund  
Period Ending May 31, 2024  
Unaudited

Item #4.

General Fund	2024 Actuals May	2024 Adopted Budget	% Complete
Beginning Fund Balance*	57,780,682	57,780,682	
<b>Revenues:</b>			
Taxes & Fees	20,104,901	32,347,410	62.2%
Licenses & Permits	1,307,772	2,193,300	59.6%
Fines & Forfeitures	131,976	215,000	61.4%
Intergovernmental	34,130	50,000	68.3%
Earnings on Investment	1,219,712	500,000	243.9%
Miscellaneous Revenue	535,832	380,000	141.0%
<i>Transfers In</i>	-	-	
<b>Total Operating Revenues</b>	<b>23,334,322</b>	<b>35,685,710</b>	<b>65.4%</b>
<b>Expenditures:</b>			
Legislative	817,389	1,925,100	42.5%
Town Manager	765,495	2,117,435	36.2%
Town Clerk	191,785	542,300	35.4%
Events	613	282,050	0.2%
Finance	329,069	708,120	46.5%
Planning	220,722	696,050	31.7%
Reimbursements	268,160	350,000	76.6%
Engineering	171,076	1,313,495	13.0%
Inspections	130,135	403,400	32.3%
Police	2,708,883	10,265,820	26.4%
Public Works	301,885	686,100	44.0%
Buildings	133,320	1,003,300	13.3%
<i>Transfers Out</i>	989,286	55,356,967	1.8%
<b>Total Expenditures</b>	<b>7,027,816</b>	<b>75,650,137</b>	<b>9.3%</b>
<b>Excess (Deficiency) of Revenues and Other Sources over Expenditures</b>	<b>16,306,505</b>	<b>(39,964,426)</b>	
Prior Period Adjustment			
<b>Ending Fund Balance*</b>	<b>74,087,187</b>	<b>17,816,256</b>	

\* - Unaudited

42% of the fiscal year has elapsed





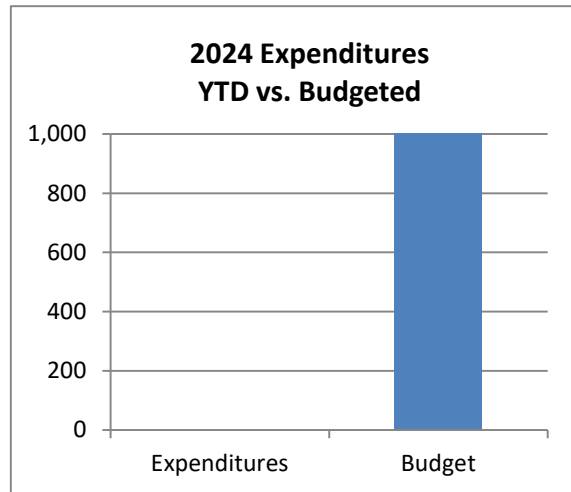
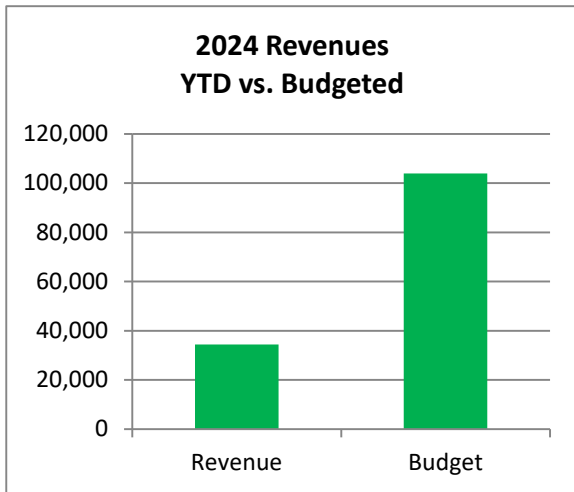
Town of Johnstown, Colorado  
Statement of Revenues, Expenditures, and Changes in  
Fund Balances - Conservation Trust Fund  
Period Ending May 31, 2024  
Unaudited

Item #4.

	2024 Actuals May	2024 Adopted Budget	%
<b>Conservation Trust Fund</b>			Complete
Beginning Fund Balance*	264,069	264,069	
<b>Revenues:</b>			
Intergovernmental	31,440	100,000	31.4%
Earnings on Investment	2,967	4,000	74.2%
<b>Total Operating Revenues</b>	<b>34,407</b>	<b>104,000</b>	<b>33.1%</b>
<b>Expenditures:</b>			
Operations	-	-	
Capital Outlay	-	350,000	0.0%
<b>Total Expenditures</b>	<b>-</b>	<b>350,000</b>	
<b>Excess (Deficiency) of Revenues and Other Sources over Expenditures</b>	<b>34,407</b>	<b>(246,000)</b>	
<b>Ending Fund Balance*</b>	<b>298,476</b>	<b>18,069</b>	

\* - Unaudited

42% of the fiscal year has elapsed



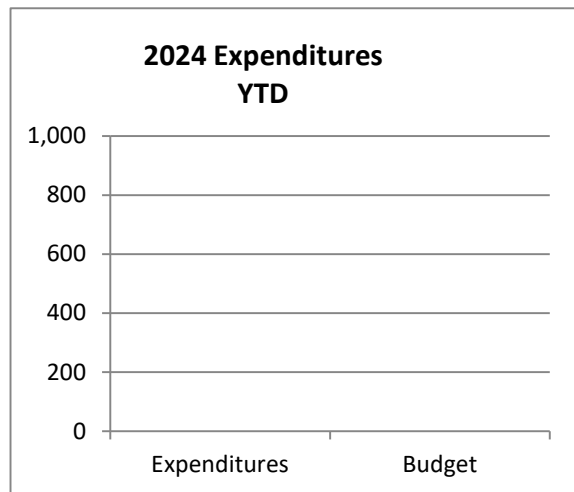
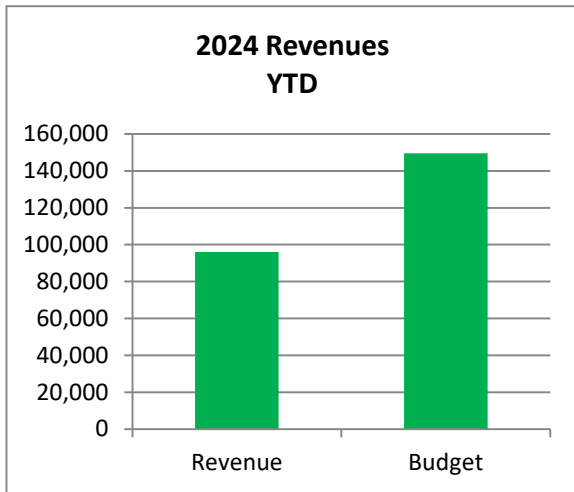
Town of Johnstown, Colorado  
Statement of Revenues, Expenditures, and Changes in  
Fund Balances - Arts and Culture Fund  
Period Ending May 31, 2024  
Unaudited

Item #4.

<b>Arts &amp; Culture Fund</b>	2024 Actuals May	2024 Adopted Budget	%
			Complete
Beginning Fund Balance	62,558	62,558	
<b>Revenues:</b>			
Intergovernmental	96,098	149,580	64.2%
Earnings on Investment	-	-	
<b>Total Operating Revenues</b>	<b>96,098</b>	<b>149,580</b>	
<b>Expenditures:</b>			
Operations	-	-	
Capital Outlay	-	-	
<b>Total Expenditures</b>	<b>-</b>	<b>-</b>	
<b>Excess (Deficiency) of Revenues and Other Sources over Expenditures</b>	<b>96,098</b>	<b>149,580</b>	
<b>Ending Fund Balance*</b>	<b>158,656</b>	<b>212,138</b>	

\* - Unaudited

42% of the fiscal year has elapsed



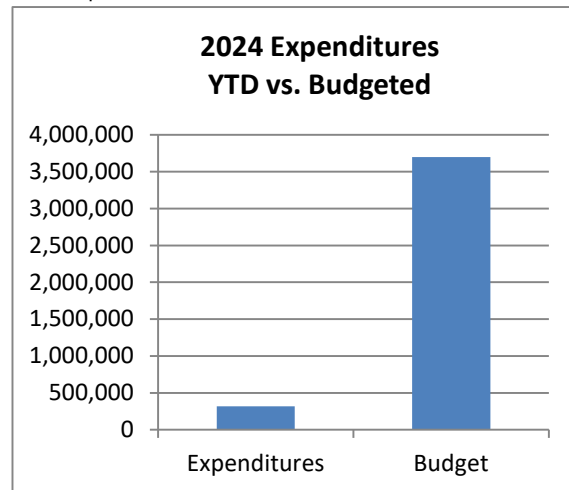
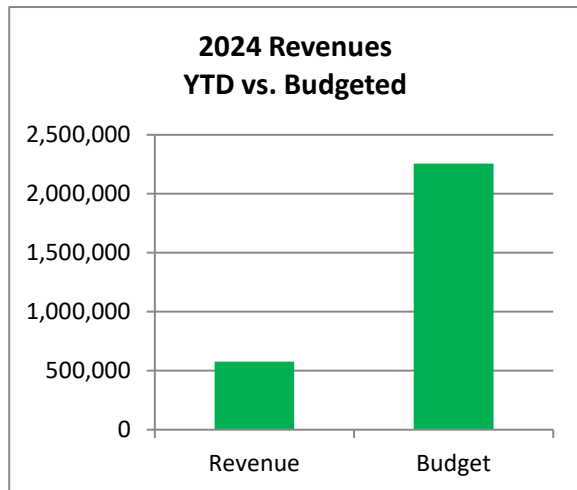
Town of Johnstown, Colorado  
Statement of Revenues, Expenditures, and Changes in  
Fund Balances - Parks and Open Space Fund  
Period Ending May 31, 2024  
Unaudited

Item #4.

Parks and Open Space Fund	2024 Actuals May	2024 Adopted Budget	% Complete
Beginning Fund Balance*	8,104,788	8,104,788	
<b>Revenues:</b>			
Taxes & Fees	445,968	1,024,950	43.5%
License & Permit	470	500	94.0%
Earnings on Investment	68,756	50,000	137.5%
Miscellaneous Revenue	62,372	41,000	152.1%
<i>Transfers In</i>	0	1,140,000	0.0%
Total Operating Revenues	577,566	2,256,450	25.6%
<b>Expenditures:</b>			
Operations	240,245	1,621,450	14.8%
Capital Outlay	77,887	2,076,000	3.8%
<i>Transfers Out</i>	-	-	
Total Expenditures	318,132	3,697,450	8.6%
<b>Excess (Deficiency) of Revenues and Other Sources over Expenditures</b>	<b>259,434</b>	<b>(1,441,000)</b>	
<b>Ending Fund Balance*</b>	<b>8,364,222</b>	<b>6,663,788</b>	

\* - Unaudited

42% of the fiscal year has elapsed



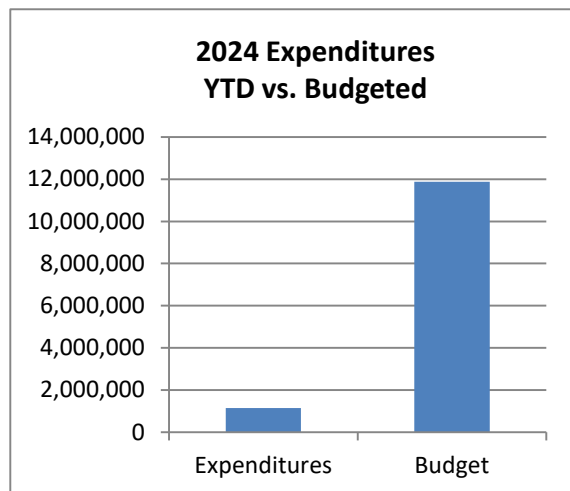
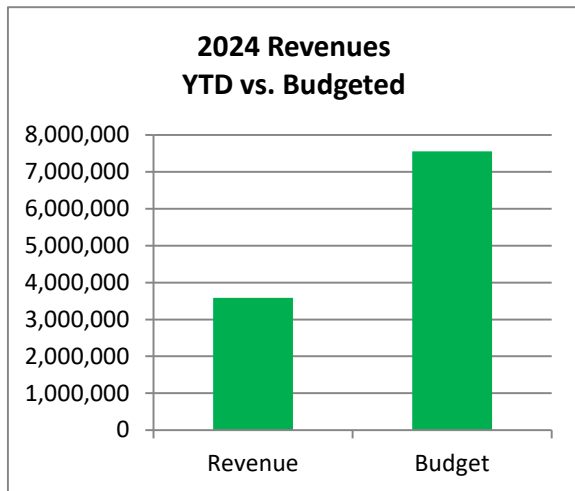
Town of Johnstown, Colorado  
Statement of Revenues, Expenditures, and Changes in  
Fund Balances - Street and Alley Fund  
Period Ending May 31, 2024  
Unaudited

Item #4.

<b>Street and Alley Fund</b>	2024 Actuals May	2024 Adopted Budget	% Complete
Beginning Fund Balance*	20,727,786	20,727,786	
<b>Revenues:</b>			
Taxes & Fees	2,329,148	5,080,000	45.8%
Intergovernmental	22,974	115,000	20.0%
Charges for Services	445,963	985,000	45.3%
Capital Investment Fees	616,784	1,276,375	48.3%
Earnings on Investment	169,214	100,000	169.2%
Miscellaneous Revenues	60	1,000	6.0%
Transfers In	-	-	
<b>Total Operating Revenues</b>	<b>3,584,143</b>	<b>7,557,375</b>	<b>47.4%</b>
<b>Expenditures:</b>			
Operations & Maintenance	919,201	5,501,250	16.7%
Capital	232,139	6,384,000	3.6%
<b>Total Expenditures</b>	<b>1,151,339</b>	<b>11,885,250</b>	<b>9.7%</b>
<b>Excess (Deficiency) of Revenues and Other Sources over Expenditures</b>	<b>2,432,804</b>	<b>(4,327,875)</b>	
<b>Ending Fund Balance*</b>	<b>23,160,590</b>	<b>16,399,911</b>	

\* - Unaudited

42% of the fiscal year has elapsed



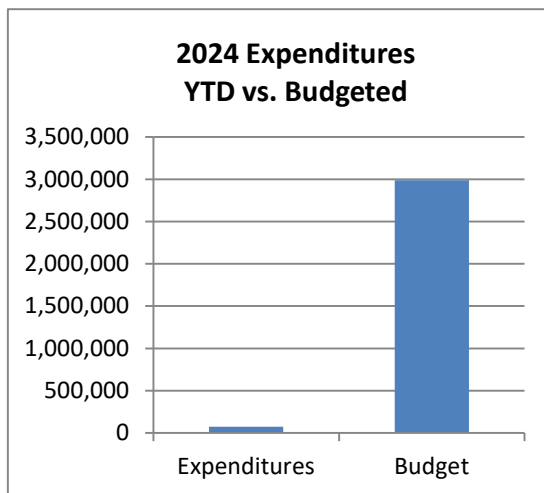
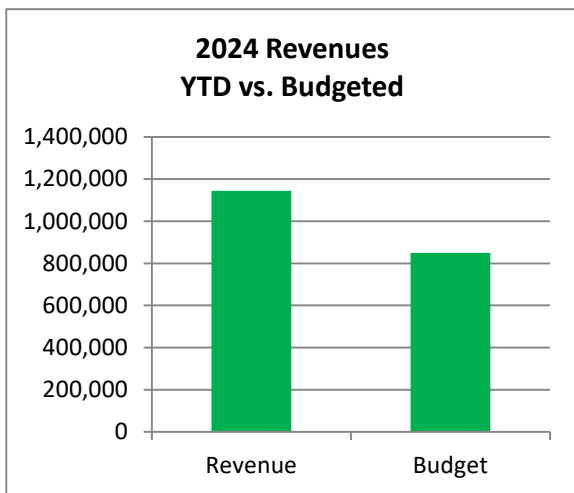
Town of Johnstown, Colorado  
Statement of Revenues, Expenditures, and Changes in  
Fund Balances - Capital Projects Fund  
Period Ending May 31, 2024  
Unaudited

Item #4.

	2024 Actuals May	2024 Adopted Budget	%
<b>Capital Projects Fund</b>			Complete
Beginning Fund Balance*	10,830,773	10,830,773	
<b>Revenues:</b>			
Taxes and Fees	889,309	800,000	111.2%
Miscellaneous Revenue	-	-	
Interest	254,684	100,000	254.7%
<i>Transfers In</i>	-	(50,000)	0.0%
Total Operating Revenues	1,143,993	850,000	134.6%
<b>Expenditures:</b>			
Capital Outlay	74,265	2,988,500	2.5%
<i>Transfers Out</i>	-	-	
Total Expenditures	74,265	2,988,500	2.5%
<b>Excess (Deficiency) of Revenues and Other Sources over Expenditures</b>	<b>1,069,728</b>	<b>(2,138,500)</b>	
<b>Ending Fund Balance*</b>	<b>11,900,501</b>	<b>8,692,273</b>	

\* - Unaudited

42% of the fiscal year has elapsed



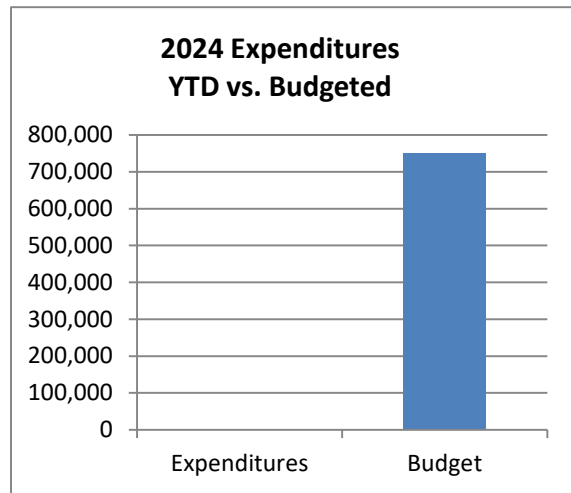
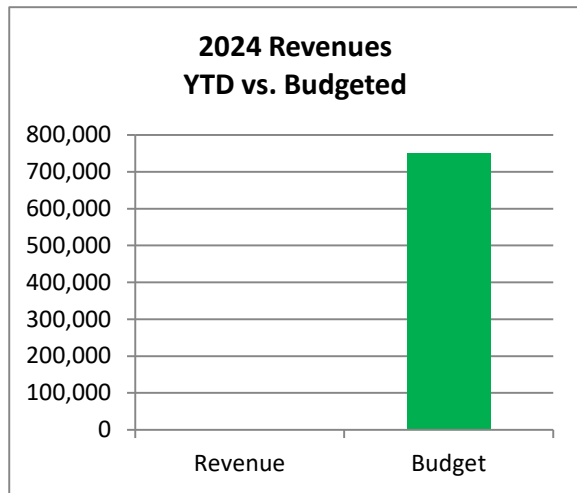
Town of Johnstown, Colorado  
Statement of Revenues, Expenditures, and Changes in  
Fund Balances - Tax Allocation Fund  
Period Ending May 31, 2024  
Unaudited

Item #4.

Tax Allocation Fund	2024 Actuals May	2024 Adopted Budget	% Complete
Beginning Fund Balance*	41,435	41,435	
<b>Revenues:</b>			
Taxes & Fees	-	750,000	0.0%
Earnings on Investment	-	-	
Total Operating Revenues	-	750,000	0.0%
<b>Expenditures:</b>			
Miscellaneous	-	750,000	0.0%
Total Expenditures	-	750,000	0.0%
<b>Excess (Deficiency) of Revenues and Other Sources over Expenditures</b>	<b>-</b>	<b>-</b>	
 <b>Ending Fund Balance*</b>	 <b>41,435</b>	 <b>41,435</b>	

\* - Unaudited

42% of the fiscal year has elapsed



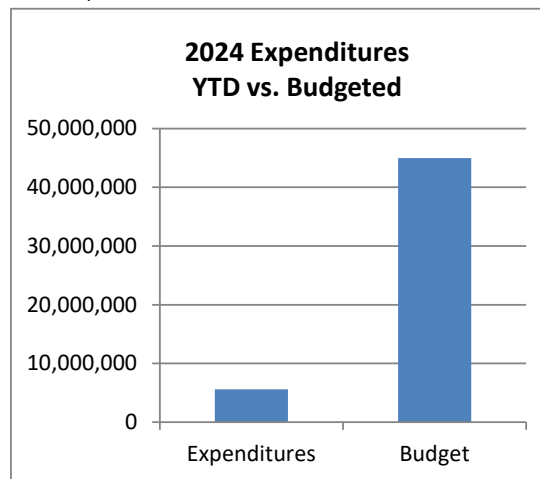
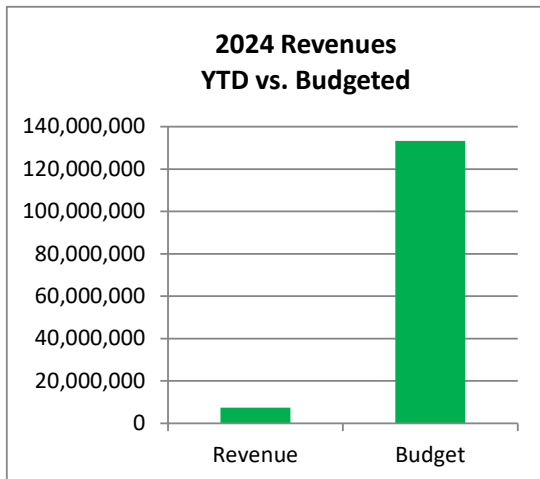
Town of Johnstown, Colorado  
Statement of Revenues, Expenditures, and Changes in  
Fund Balances - Water Fund  
Period Ending May 31, 2024  
Unaudited

Item #4.

<b>Water Fund</b>	2024 Actuals May	2024 Adopted Budget	% Complete
Beginning Cash Balance*	23,133,505	23,133,505	
<b>Revenues:</b>			
Charges for Services	2,173,607	5,935,000	36.6%
Total Operating Revenues	2,173,607	5,935,000	36.6%
<b>Expenses:</b>			
Administration	76,497	304,100	25.2%
Operations	1,827,964	6,185,450	29.6%
Capital Outlay	3,354,103	37,477,500	8.9%
Depreciation	346,032	994,200	34.8%
Transfers Out	-	-	
Total Operating Expenses	5,604,596	44,961,250	12.5%
Operating Income (Loss)	(3,430,990)	(39,026,250)	
<b>Non-Operating Revenues (Expenses)</b>			
Tap Fees	1,580,440	1,397,933	113.1%
Capital Investment Fees	1,359,512	1,100,925	123.5%
Misc. Revenues	1,991,722	52,536,000	3.8%
Interest	360,461	250,000	144.2%
Debt Proceeds	0	72,000,000	0.0%
Total Non-Operating Revenues (Expenses)	5,292,135	127,284,858	4.2%
<b>Excess (Deficiency) of Revenues and Other Sources over Expenses</b>	<b>1,861,146</b>	<b>88,258,608</b>	
<b>Ending Cash Balance*</b>	<b>24,994,651</b>	<b>\$ 111,392,113</b>	

\* - Unaudited

42% of the fiscal year has elapsed



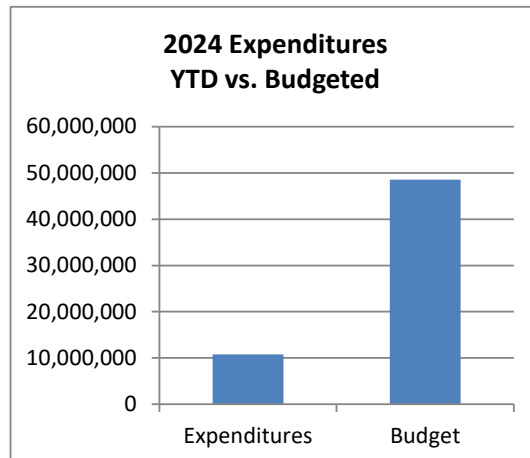
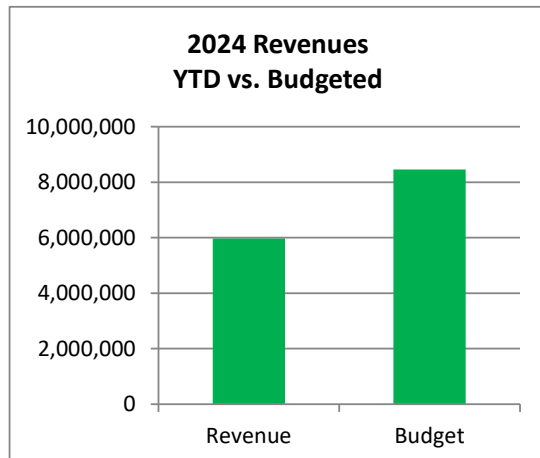
Town of Johnstown, Colorado  
Statement of Revenues, Expenditures, and Changes in  
Fund Balances - Sewer Fund  
Period Ending May 31, 2024  
Unaudited

Item #4.

Sewer Fund	2024 Actuals May	2024 Adopted Budget	% Complete
Beginning Cash Balance*	67,754,753	67,754,753	
<b>Revenues:</b>			
Charges for Services	1,680,984	3,795,000	44.3%
Total Operating Revenues	1,680,984	3,795,000	44.3%
<b>Expenses:</b>			
Administration	75,821	292,100	26.0%
Operations	843,592	2,626,440	32.1%
Capital Outlay	8,337,665	41,722,500	20.0%
Depreciation	548,728	1,125,300	48.8%
Debt Service	956,325	2,767,650	34.6%
	-	-	
Total Operating Expenses	10,762,130	48,533,990	22.2%
Operating Income (Loss)	(9,081,146)	(44,738,990)	
<b>Non-Operating Revenues (Expenses)</b>			
Capital Improvement Fees	2,854,396	4,138,775	69.0%
Misc. Revenues	-	25,000	0.0%
Interest	1,433,414	500,000	286.7%
Transfers In/(Out)	-	-	
Total Non-Operating Revenues (Expenses)	4,287,810	4,663,775	91.9%
<b>Excess (Deficiency) of Revenues and Other Sources over Expenses</b>	<b>(4,793,336)</b>	<b>(40,075,215)</b>	
<b>Ending Cash Balance*</b>	<b>62,961,417</b>	<b>27,679,538</b>	

\* - Unaudited

42% of the fiscal year has elapsed





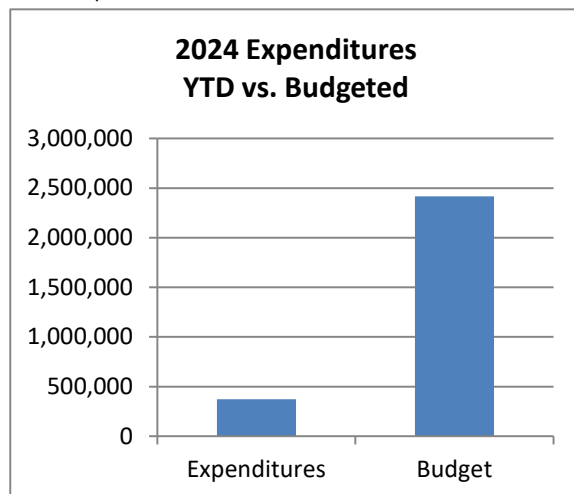
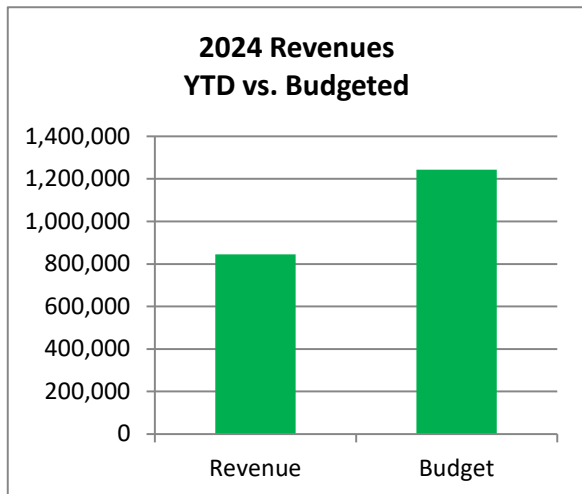
Town of Johnstown, Colorado  
Statement of Revenues, Expenditures, and Changes in  
Fund Balances - Drainage Fund  
Period Ending May 31, 2024  
Unaudited

Item #4.

	2024 Actuals May	2024 Adopted Budget	% Complete
<b>Drainage Fund</b>			
Beginning Cash Balance*	4,247,725	4,247,725	
<b>Revenues:</b>			
Charges for Services	235,970	525,000	44.9%
Total Operating Revenues	235,970	525,000	44.9%
<b>Expenses:</b>			
Administration	54,534	164,390	33.2%
Operations	93,283	1,213,100	7.7%
Capital Improvements	225,713	1,038,400	21.7%
Transfer Out	-	-	
Total Operating Expenses	373,529	2,415,890	15.5%
Operating Income (Loss)	(137,559)	(1,890,890)	
<b><u>Non-Operating Revenues (Expenses)</u></b>			
Capital Revenues	560,547	220,000	254.8%
Misc. Revenues	-	457,560	0.0%
Interest	48,431	40,000	121.1%
Total Non-Operating Revenues (Expenses)	608,977	717,560	84.9%
<b>Excess (Deficiency) of Revenues and Other Sources over Expenses</b>	<b>471,418</b>	<b>(1,173,330)</b>	
<b>Ending Cash Balance*</b>	<b>4,719,143</b>	<b>3,074,395</b>	

\* - Unaudited

42% of the fiscal year has elapsed



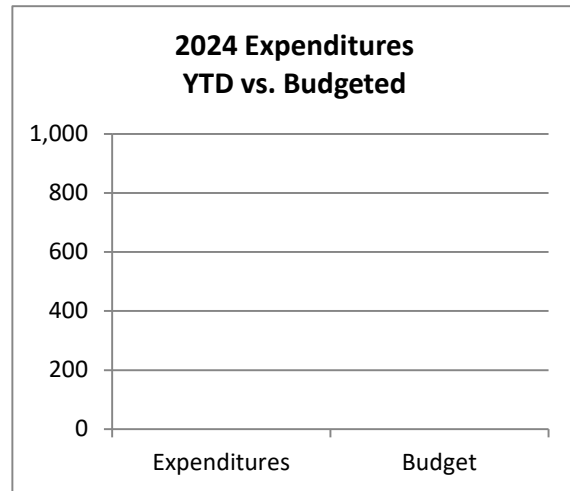
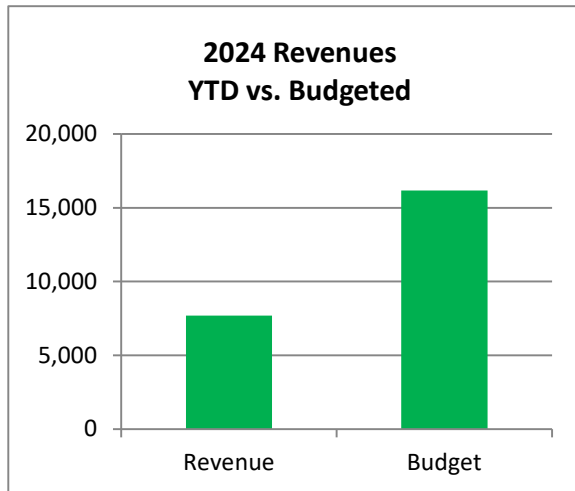
Town of Johnstown, Colorado  
Statement of Revenues, Expenditures, and Changes in  
Fund Balances - Cemetery Perpetual Fund  
Period Ending May 31, 2024  
Unaudited

Item #4.

	2024 Actuals May	2024 Adopted Budget	%
<b>Cemetery Perpetual Fund</b>			<b>Complete</b>
Beginning Fund Balance*	186,411	186,411	
<b>Revenues:</b>			
Miscellaneous Revenue	4,863	12,560	38.7%
Earnings on Investment	2,831	3,600	78.6%
Total Operating Revenues	7,693	16,160	47.6%
<b>Expenditures:</b>			
Operations & Maintenance	-	-	
Capital Outlay	-	-	
Transfers Out	-	-	
Total Expenditures	-	-	
<b>Excess (Deficiency) of Revenues and Other Sources over Expenditures</b>	<b>7,693</b>	<b>16,160</b>	
<b>Ending Fund Balance*</b>	<b>194,104</b>	<b>202,571</b>	

\* - Unaudited

42% of the fiscal year has elapsed



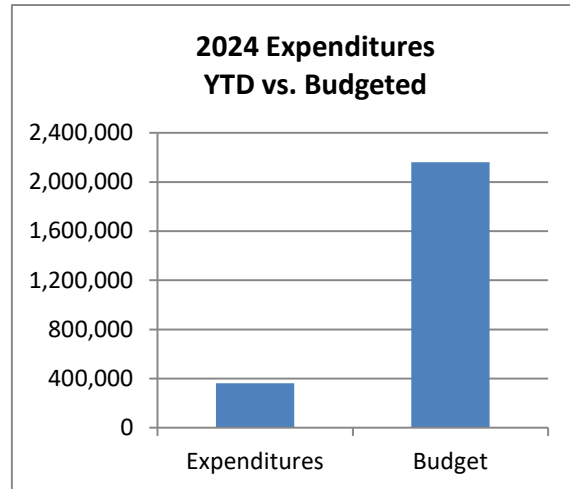
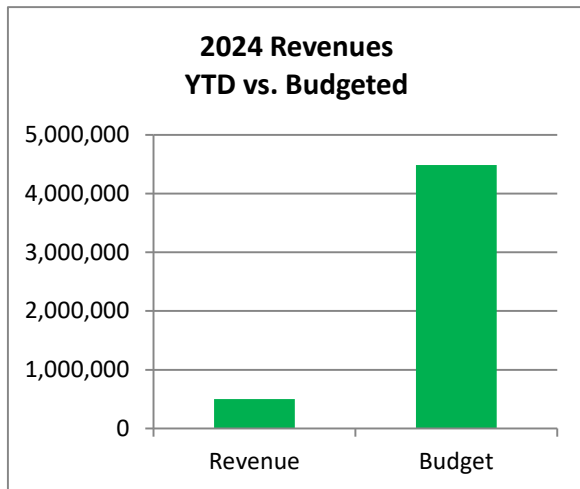
Town of Johnstown, Colorado  
Statement of Revenues, Expenditures, and Changes in  
Fund Balances - Library Fund  
Period Ending May 31, 2024  
Unaudited

Item #4.

Library Fund	2024 Actuals May	2024 Adopted Budget	% Complete
Beginning Fund Balance*	10,477,955	10,477,955	
<b>Revenues:</b>			
Intergovernmental	-	1,292,842	0.0%
Miscellaneous Revenue	98	13,500	0.7%
Capital Investment Fees	240,246	373,950	64.2%
Interest	50,068	500,000	10.0%
<i>Transfers In</i>	209,863	2,304,387	9.1%
Total Operating Revenues	500,274	4,484,679	11.2%
<b>Expenditures:</b>			
Operations	361,665	2,161,500	16.7%
Capital Outlay	-	-	
Total Expenditures	361,665	2,161,500	16.7%
<b>Excess (Deficiency) of Revenues and Other Sources over Expenditures</b>	<b>138,610</b>	<b>2,323,179</b>	
<b>Ending Fund Balance*</b>	<b>10,616,565</b>	<b>12,801,134</b>	

\* - Unaudited

42% of the fiscal year has elapsed



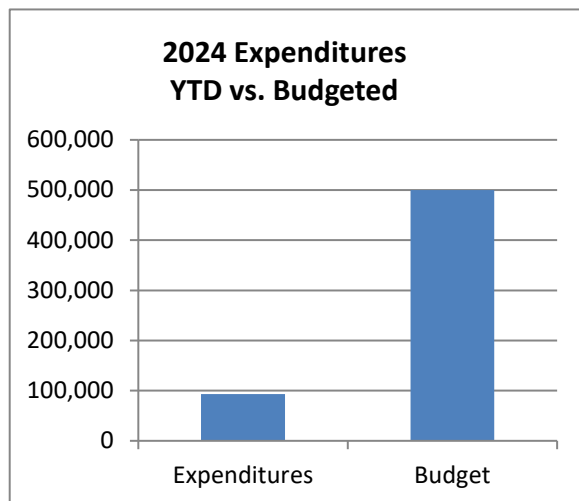
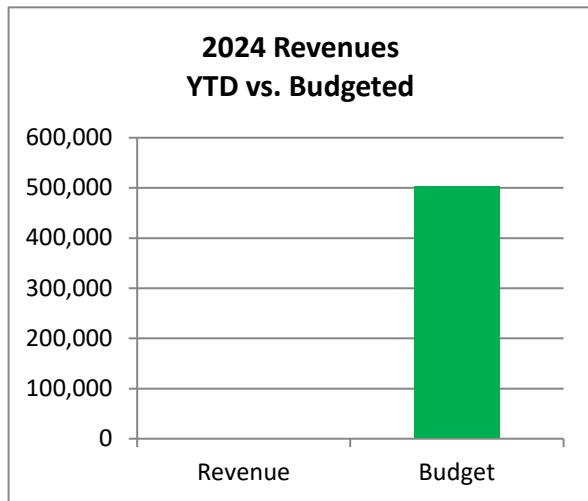
Town of Johnstown, Colorado  
Statement of Revenues, Expenditures, and Changes in  
Fund Balances - Recreation Center Fund  
Period Ending May 31, 2024  
Unaudited

Item #4.

Recreation Center Fund	2024 Actuals May	2024 Adopted Budget	% Complete
Beginning Fund Balance*	(210,959)	(210,959)	
<b><u>Revenues:</u></b>			
State Grants	-	0	
Transfers In	-	503,000	0.0%
Earnings on Investment	-	-	
	-	-	
Total Operating Revenues	-	503,000	
<b><u>Expenditures:</u></b>			
Operations & Maintenance	93,221	500,000	18.6%
Capital Outlay	-	-	
	-	-	
Total Expenditures	93,221	500,000	18.6%
<b>Excess (Deficiency) of Revenues and Other Sources over Expenditures</b>	<b>(93,221)</b>	<b>3,000</b>	
<b>Ending Fund Balance*</b>	<b>(304,180)</b>	<b>(207,959)</b>	

\* - Unaudited

42% of the fiscal year has elapsed





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Johnstown, CO 80534  
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Item #5.

## TOWN COUNCIL CONSENT AGENDA COMMUNICATIONS

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**AGENDA DATE:** June 17, 2024

**SUBJECT:** Cybersecurity Policy

**ATTACHMENTS:** 1. Cybersecurity Policy

**PRESENTED BY:** Mitzi McCoy, Deputy Town Manager

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### AGENDA ITEM DESCRIPTION:

The purpose of this policy is to establish guidelines for computer security and the protection of the Town of Johnstown networks and knowledge base, aiming to minimize the risk of internal and external cyber threats. To achieve this, the Town will identify, evaluate, and take steps to avoid or mitigate risks to our information assets, and prevent unauthorized access, damage, theft, compromise, or interference with our information systems and facilities. These measures include implementing and maintaining controls to manage security risks and ensuring that all users of information assets are aware of their responsibilities in protecting those assets while complying with all applicable federal, state, and other regulations.

### LEGAL ADVICE:

NA

### FINANCIAL ADVICE:

NA

**RECOMMENDED ACTION:** Approve the Town of Johnstown Cybersecurity Policy as presented.

---

*Reviewed and Approved for Presentation,*

Town Manager

The Community that Cares



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Johnstown, CO 80534  
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## Cybersecurity Policy and Procedures

### **1. Purpose**

The purpose of this policy is to establish the Town's guidelines for computer security and the protection of our organization's networks and content or knowledge base, and to minimize the risk of internal and external cyber threats.

### **2. Scope**

This policy applies to all Town elected officials, employees, contractors, consultants, and others specifically authorized to access information and associated assets owned, operated, controlled, or managed by the Town of Johnstown.

### **3. Policy**

The Town of Johnstown is committed to building a strong cybersecurity program to support, maintain, and secure critical infrastructure and data systems. To achieve this, the Town will identify, evaluate, and take steps to avoid or mitigate risk to the Town's information assets and prevent unauthorized digital or physical access, damage, theft, compromise, or interference to the Town's information systems and facilities. These steps include implementing and operating controls to manage the Town's information security risks and ensuring that all users of information assets are aware of their responsibilities in protecting those assets while complying with all applicable federal, state, or other regulations.

### **4. Responsibilities**

Roles and responsibilities must be separated so that a single individual, account, or function cannot intentionally or unintentionally subvert a critical process. Controls must also be put in place so that no single person can access, modify, or use assets without authorization or detection. Achieving and maintaining cybersecurity is a shared responsibility. The Town Manager or his/her designee will ensure that a written Cybersecurity Policy is implemented, reviewed and updated on a periodic basis; including providing training and updates to Town staff; confirm identification, acquisition, and implementation of information system software and hardware; identify locations where Personally Identifiable Information (PII) is stored and accessible; provide input for who should have access to PII and with what types of privileges or access rights, performing periodic classification assessments and ensuring regular reviews to update and manage changes to risk; assess system vulnerabilities and implement security tools and safeguards for protecting PII; ensure implementation, enforcement, and effectiveness of IT Security policies and procedures; plan, execute, and lead security audits across the Town; facilitate an understanding and awareness that security requires participation and support at all organizational levels;

and oversee daily activities and use of information systems to ensure employees, business partners, and contractors adhere to these policies and procedures.

Under the direction of the Town Manager or his/her designee, the IT staff will help implement and enforce the items outlined in this policy. They will manage logs and events of all systems, utilizing a SIEM (Security Information and Event Management) system, and conduct periodic reviews to ensure our cybersecurity.

All users, including employees, elected officials, contractors, must comply with all aspects of this policy. Users are responsible for the acceptable use and security of infrastructure and data.

**5. Standards**

5.1 Asset Management

An inventory of all approved hardware and software on the Town network and systems will be maintained that documents the following:

- The employee in possession of the hardware or software
- Date of purchase
- Serial number
- Type of device and description
- For licensed software: # of licenses, license renewal date(s), other restrictions, etc.

5.2 Personally Identifiable Information (PII)

An inventory of all current PII information by type and location will be maintained. The following table will be used to inventory PII.

Location	PII by Type	Essential	Location	Owner
Website				
Contractors				
File in staff office				
File in building				
Desktop				
HR system				
Financial system				
Laptop				
Flash drive				
Cell phones				
Tablets				
Other				

With the exception of the Police Department who have their own records retention policy, each manager will determine if PII being collected by their department is essential. If PII is not essential, it will either not be collected, or (if collected) will be destroyed per Colorado records retention schedule and as

approved by the Town Clerk per Town policy and procedures. The Town will not collect sensitive information, such as Social Security numbers or EIN numbers if there is no legitimate business need.

Exceptions include requirements by state or federal laws, including statute records (such as W2s, W4s, 1099s, etc.) that are required by law to be made available to the public for use for internal verification or administrative processes, or for enforcing a judgment or court order.

### 5.3 Identity Management, Authentication and Access Control

The Town Manager or his/her designee is responsible for ensuring that access to the Town's systems and data is appropriately controlled. All systems housing Town data (including laptops, desktops, tablets, and cell phones) are required to be protected with a password or other form of authentication. Except for the instances noted in this policy, users with access to the Town systems and data shall not share passwords with anyone.

The Town has established the following password configuration requirements for all systems and applications (where applicable):

- Minimum password length: 8 characters
- Password complexity: use a passphrase rather than a password
- Prohibited reuse for six (6) iterations
- Changed periodically (every 180 days)
- Invalid login attempts set to lock after three

Employees are encouraged to follow further safeguards such as:

- Not allowing PII on mobile storage media
- Utilizing locking file cabinets
- Not allowing PII left on desktops
- Encrypting sensitive files on computers
- Requiring password protection
- Enabling multi-factor authentication
- Following the record retention plan and destroying records no longer required

Where possible, multi-factor authentication will be used when users authenticate to the Town's systems.

- Users are granted access only to the system data and functionality necessary for their job responsibilities.
- Privileged and administrative access is limited to authorized users who require escalated access for their job responsibilities and where possible will have two accounts: one for administrator functions and a standard account for day-to-day activities.
- All user access requests must be approved by the Town Manager or his/her designee.
- The Town Manager or his/her designee shall make sure all system access is removed for all users who separate from the Town within 48 hours.



On an annual basis, a review of user access will be conducted by the departments under the direction of the Town Manager or his/her designee, to confirm compliance with the access control policies outlined above.

#### 5.4 Awareness and Training

Town staff are required to complete Town assigned security training:

1. Upon hire and within 30 days of receiving login credentials
2. Annually

On an annual basis, the Town Manager or his/her designee, will conduct email phishing exercises for its users. The purpose of these tests is to help educate users on common phishing scenarios. It will assess the level of awareness and comprehension of phishing, understanding, and compliance with policy around safe handling of emails containing links and/or attachments, and the ability to recognize a questionable or fraudulent message.

### **5.5 Data Security**

#### 5.5.1 Data Classification

Users must adhere to the Town's Records Policy regarding the storage and destruction of data. Data residing on Town's systems must be continually evaluated and classified into the following categories:

- Users' Personal Use: Includes individual user's personal data, emails, documents, etc. This policy does not apply to a user's personal information.
- Marketing or Informational Material: Includes already-released marketing material, commonly known information, data freely available to the public, etc. and this policy does not apply.
- Operational: Includes data for basic organizational operations, communications with vendors, employees, etc. (non-confidential). Most data will fall into this category.
- Confidential: Any information deemed confidential. The following list provides guidelines on what type of information is typically considered confidential. Confidential data may include:
  - Employee or customer Social Security numbers or personally identifiable information (PII)
  - Personnel files
  - Protected Health Information (PHI)
  - Network diagrams and security configurations
  - Privileged communications regarding legal matters
  - Passwords/passphrases
  - Bank account information and routing numbers
  - Payroll information
  - Credit card information
  - Any confidential data held for a third party (be sure to adhere to any confidential data agreement covering such information)

### 5.5.2 Data Storage

The following guidelines apply to storage of the different types of organizational data.

- **Operational:** Operational data should be stored on a server that gets the most frequent backups. Some type of system- or disk-level redundancy is encouraged.
- **Confidential:** Confidential information must be removed from desks, computer screens, and common areas unless it is currently in use. Confidential information should be stored under lock and key (or keycard/keypad), with the key, keycard or code secured.

### 5.5.3 Data Transmission

The following guidelines apply to the transmission of the different types of organizational data.

- **Confidential:** Confidential data shall not be
  - Transmitted outside the Town's network without the use of strong encryption
  - Left on voicemail systems, either inside or outside the organization's network.
  - Transmitted via email, outside of the organization's network.

Data while transmitted includes any data sent across the Town's network or any data sent to or from a Town-owned or Town-provided system. Types of transmitted data that shall be encrypted include:

- VPN tunnels
- Remote access sessions
- Web applications
- Email and email attachments
- Remote desktop access
- Communications with applications/databases

### 5.5.4 Data Destruction

Employees must follow the State's and Town's records retention policy and procedures before destroying any data.

- **Confidential:** Confidential data must be destroyed in a manner that makes recovery of the information impossible. The following guidelines apply to data located on Town owned or Town-provided systems, devices, media, etc.:
- **Storage media (CD's, DVD's):** Physical destruction is required, some shredders may be able to perform this function.
- **Hard drives/systems/mobile storage media:** At a minimum, DoD three (3) pass data wiping must be used. Simply reformatting a drive does not make the data unrecoverable. If wiping is used, the Town shall use the most secure commercially available methods for data wiping. Alternatively, the Town may physically destroy the storage media.

### 5.5.5 Data Encryption

Stored Data includes any data located on Town-owned or Town-provided systems, devices, media, etc. Examples of encryption options for stored data include:

- Whole disk encryption
- Encryption of partitions/files
- Encryption of disk drives
- Encryption of personal storage media/USB drives
- Encryption of backups
- Encryption of data generated by applications

## **6. Information Protection Processes and Procedures**

### 6.1 Secure Software Development

Where applicable, all software development activities performed by the Town or by vendors on behalf of the organization shall employ secure coding practices including those outlined below.

A minimum of 2 software environments for the development of software systems should be available – development/training and a production environment. Software developers or programmers are required to develop in the development/training environment and promote objects into the production environments. The development/training environment is used for assurance testing by the end-user and the developer. The production environment should be used solely by the end-user for production data and applications. Compiling objects and the source code is not allowed in the production environment.

### 6.2 Contingency Planning

The Town’s business contingency capability is based upon cloud and local backups of all critical business data. This critical data is defined as “the data that is critical to successful organization operation”. Full data backups will be performed daily. Confirmation that backups were performed successfully will be conducted daily. Testing of cloud backups and restoration capability will be performed monthly.

During a contingency event, all IT decisions and activities will be coordinated through and under the direction of the Town Manager. The following are some examples of possible business contingency scenario procedures:

- In the event that one or more of Town ’s systems or applications are deemed corrupted or inaccessible, the Town Manager or his/her designee will work with the respective vendor(s) to restore data from the most recent cloud and local backup and, if necessary, acquire replacement hardware.
- In the event that the location housing the Town systems are no longer accessible, the Town Manager or his/her designee will work with the respective vendor(s) to acquire any necessary replacement hardware and software, implement these at one of the Town’s other sites, and restore data from the most recent cloud, off-site, or local backup.

### 6.3 Network Infrastructure

The Town will protect its electronic communications network from the Internet by utilizing a firewall. For maximum protection, the network devices shall meet the following configuration standards:

- Vendor recommended, and industry standard configurations will be used.
- Changes to the firewall and router configuration will be approved by Town Manager or his/her designee.
- Both router and firewall passwords shall be secured and difficult to guess.
- The default policy for the firewall for handling inbound traffic shall be to block all packets and connections unless the traffic type and connections have been specifically permitted.
- Inbound traffic containing ICMP (Internet Control Message Protocol) traffic shall not be passed in from the Internet, or from any un-trusted external network.
- All web services running on routers shall be disabled.
- Simple Network Management Protocol (SNMP) Community Strings shall be made (changed from the default “public”) “private”.

### 6.4 Network Servers

Servers typically accept connections from several sources, both internal and external. Generally, the more sources that connect to a system, the more risk associated with that system, so it is particularly important to secure network servers.

- Unnecessary files, services, and ports shall be removed or blocked. If possible, a server hardening guide, which is available from the leading operating system manufacturers, shall be followed.
- Network servers, even those meant to accept public connections, shall be protected by a firewall or access control list.
- When possible, a standard installation process shall be developed for the Town's network servers. A standard process will provide consistency across servers no matter which employee or contractor handles the installation.
- Clocks on network servers shall be synchronized with the Town's other networking hardware using NTP or another means. Among other benefits, this will aid in problem resolution and security incident investigation.

### 6.5 Network Segmentation

Network segmentation is used to limit access to data within the Town network based upon data sensitivity. The Town maintains two wireless networks. The guest/public wireless network will grant the user internet access only. Access to the secure wireless network is limited to the Town staff and devices and provides the user access to the intranet. Under the direction of the Town Manager or his/her designee, a third-party network administrator manages the network user accounts, monitors firewall logs, and operating system event logs. The Town Manager or his/her designee authorizes vendor access to the system components as required for maintenance.

## **7. Protective Technology**

### 7.1 Email Filtering

The Town shall filter email, at a minimum, the Internet gateway and/or the mail server. This filtering will help reduce spam, viruses, or other messages that may be deemed either contrary to this policy or a potential risk to the Town's IT security. Additionally, email or anti-malware programs may be implemented to identify and quarantine emails that are deemed suspicious.

### 7.2 Internet Filtering

The IT Department shall block access to internet websites and protocols that are deemed inappropriate or pose a security risk. Some examples of blocked categories are adult/sexually explicit material, advertisements, hacking, violence and hate content.

### 7.3 Network Vulnerability Assessments

On a quarterly basis, the IT Department will perform both internal and external network vulnerability assessments. The purpose of these assessments is to establish a comprehensive view of the organization's network as it appears internally and externally. These evaluations will be conducted under the direction of Town Manager or his/her designee to identify weaknesses with the network configuration that could allow unauthorized and/or unsuspected access to the organization's data and systems. In addition, annual penetration testing will be run to identify weaknesses or vulnerabilities that will need to be addressed.

## **8. Anomalies and Events**

The following logging activities are conducted by IT System Administrator under the direction of Town Manager or his/her designee:

- Domain Controllers - Active Directory event logs will be configured to log the following security events: account creation, escalation of privileges, login failures, and excessive repeated login attempts.
- Application Servers - Logs from application servers (e.g., web, email, database servers) will be configured to log the following events: errors, faults, login failures, and excessive repeated login attempts.

- Network Devices - Logs from network devices (e.g., firewalls, network switches, routers) will be configured to log the following events: errors, faults, login failures, and excessive repeated login attempts.

Passwords should not be contained in logs.

Logs of the above events will be reviewed by the IT System Administrator, utilizing a SIEM (Security Information and Event Management), at least once per month. Event logs will be configured to maintain record of the above events for at least three months.

## **9. Security Continuous Monitoring**

### 9.1 Anti-Malware Tools

All Town servers and workstations shall utilize endpoint protection software to protect systems from malware and viruses. Real-time scanning will be enabled on all systems and weekly malware scans will be performed. A monthly review of the endpoint protection software dashboard will be conducted by the IT System Administrator to confirm the status of virus definition updates and scans.

### 9.2 Patch management

All software updates and patches will be distributed to all Town systems as follows:

- Workstations shall be configured to install software updates automatically.
- Server software updates shall be manually installed at least quarterly.
- Any exceptions shall be documented.

## **10. Response Planning**

The Town's annual security awareness training shall include direction and guidance for the types of security incidents users could encounter, what actions to take when an incident is suspected, and who is responsible for responding to an incident. A security incident, as it relates to the Town's information assets, can be defined as either an Electronic or Physical Incident. The Town Manager or his/her designee is responsible for coordinating all activities during a significant incident, including notification and communication activities and the chain of escalation and deciding if/when outside agencies need to be contacted.

### 10.1 Electronic Incidents

This type of incident can range from an attacker or user accessing the network for unauthorized/malicious purposes to a virus outbreak or a suspected Trojan or malware infection. When an electronic incident is suspected, the steps below should be taken in order.

1. Remove the compromised device from the network by unplugging or disabling network connection. Do not power down the machine.
2. Report the incident to the IT System Administrator or Information Technology Manager.
3. Contact the third-party service provider (and/or computer forensic specialist) as needed.

*The remaining steps should be conducted with the assistance of the third-party IT service provider and/or computer forensics specialist.*

4. Disable the compromised account(s) as appropriate.
5. Backup all data and logs on the machine, or copy/image the machine to another system.
6. Determine exactly what happened and the scope of the incident.
7. Determine how the attacker gained access and disable it.
8. Rebuild the system, including a complete operating system reinstall.
9. Restore any needed data from the last known good backup and put the system back online.
10. Take actions, as possible, to ensure that the vulnerability will not reappear.
11. Conduct a post-incident evaluation. What can be learned? What could be done differently?

### 10.2 Physical Incidents

A physical IT security incident involves the loss or theft of a laptop, mobile device, PDA/Smartphone, portable storage device, or other digital apparatus that may contain Town's information. All instances of a suspected physical security incident should be reported immediately to the IT System Administrator or Town Manager or his/her designee.

### 10.3 Notification

If an electronic or physical security incident is suspected of having resulted in the loss of, or unauthorized access to employee PPI or third-party/customer data, notify the Town Attorney for direction on procedures for notification of the public or affected entities as well as necessary government agencies.

## **11. Recovery & Restoration**

Recovery processes and procedures shall be executed and maintained to ensure timely restoration of systems and/or assets affected by cybersecurity events.

The Town Manager or his/her designee is responsible for managing and directing activities during an incident, including the recovery steps.

Recovery planning and processes are improved by incorporating lessons learned into future activities.

Restoration activities are coordinated with internal and external parties, such as coordinating centers, Internet service providers, owners of the affected systems, victims, and vendors.

External communications should only be handled by designated individuals at the direction of the Town Manager. Recovery activities are communicated to internal stakeholders, executives, and management teams.

## **12. Review of Policy and Procedures**

This policy will be reviewed annually or as state and federal regulations are revised and necessitate a change in the policy or procedures.





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Item #6.

## TOWN COUNCIL AGENDA COMMUNICATIONS

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**AGENDA DATE:** June 17, 2024

**SUBJECT:** East Ledge Rock Filing 2 – Replat A – Case No. SUB23-0020

**ACTION PROPOSED:** Public Hearing – Continue the Consideration of Replat A of the East Ledge Rock Filing 2 Subdivision to the Regular Meeting on July 15, 2024.

**ZONING:** PD- Ledge Rock Center

**PRESENTED BY:** Lilly Cory, Planner I  
Jeremy Gleim AICP, Planning & Development Director

---

**AGENDA ITEM DESCRIPTION:**

This project was publicly noticed for review and consideration at the June 17, 2024, Town Council meeting; however, additional analysis and review is necessary prior to the Town Council taking action on the project.

Staff is recommending that Council continue the item to the Council meeting on July 15, 2024. In order to properly continue this item, the Public Hearing must be opened and then subsequently a motion to continue the hearing must be made and approved by Council.

**PUBLIC NOTICE:**

Notice for the Town Council public hearing was published in the Johnstown Breeze, on Thursday, May 30, 2024. This notice provided the date, time, and location of the Town Council hearing, as well as a description of the project. Notices were mailed to all property owners within 800 feet of the subject property. This notice included a vicinity map and the proposed subdivision map.

**LEGAL ADVICE:**

In order to properly continue this item, the Public Hearing must be opened and then subsequently a motion to continue the hearing must be made and approved by Council.

**FINANCIAL ADVICE:**

NA

*The Community that Cares*

**RECOMMENDED ACTION: EAST LEDGE ROCK CENTER FILING 2 – REPLAT A**  
Staff recommends that Council move for a continuance to the regular meeting of July 15, 2024.

---

**SUGGESTED MOTIONS:**

OPEN THE PUBLIC HEARING

**For Approval:** I Move to Continue the Public Hearing for the East Ledge Rock Filing 2 – Replat A to the Town Council Meeting on July 15, 2024.

**For Denial:** I Move to Deny the Continuation of the Public Hearing for East Ledge Rock Filing 2 – Replat A.

*Reviewed and Approved for Presentation,*



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Town Manager



450 S. Parish Avenue  
Johnstown, CO 80534  
970.587.4664  
JohnstownCO.gov

Item #7.

## TOWN COUNCIL AGENDA COMMUNICATIONS

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**AGENDA DATE:** June 17, 2024

**SUBJECT:** Public Hearing: Ordinance 2024-253, Amending Section 10-212 of the Johnstown Municipal Code Concerning Curfews for Minors

**ACTION PROPOSED:** Consider Ordinance No. 2024-253

**ATTACHMENTS:** 1. Ordinance No. 2024-253

**PRESENTED BY:** Ryan Oglesby, Chief of Police

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### AGENDA ITEM DESCRIPTION:

Enclosed for review and consideration is Ordinance No. 2024-253 that would amend Article XI of Chapter 10 of the Johnstown Municipal Code.

Article XI of Chapter 10 of the Johnstown Municipal Code (“Code”) regulates offenses related to minors and Section 10-212 contained therein provides that its unlawful for a parent, guardian or person having the care, custody, or control of a child under the age of eighteen (18) years to cause or permit such child to be in any public street or alley or public place between the hours of 10:00 p.m. and 5:00 a.m. The regulation does not, however, expressly recognize an offense against a minor child who is out between the hours of 10:00 p.m. and 5:00 a.m. The Johnstown Police Department recommends that the Town Council amend Section 10-212 to include an offense against the minor child. The Police Department also recommends that the Town Council amend Section 10-211 to include updated exemptions and weekend times that are more in line with neighboring jurisdictions.

Original Ordinance:

#### **Sec. 10-212. Curfew.**

(a) It shall be unlawful for the parent, guardian or person having the care, custody or control of a child under the age of eighteen (18) years to cause or permit such child to be in any public street, alley or public place between the hours of 10:00 p.m. of one (1) day and 5:00 a.m. on the

*The Community that Cares*

following day at any time unless accompanied by his or her parent, guardian, adult member of his or her family, or adult person in whose charge such minor child was placed.

(b) If said minor child is employed or has attended a school, church or other function duly organized and supervised by adults or persons over the age of twenty-one (21) years, which activity or employment terminates after 9:30 p.m. or commences before 5:30 a.m., then time requires specified in Subsection (a) above shall be expanded to the extent of one-half (1/2) hour after the termination of such activity or employment or one-half (1/2) hour before the commencement of said activity or employment if such minor is en route between his or her home and said activity or employment.

(Ord. 466 § 1, 1991)

• **STRATEGIC PLAN ALIGNMENT:**

Safe & Welcoming community

- *Provide and maintain public safety services and awareness in our community.*

**LEGAL ADVICE:**

The Town Attorney drafted the Ordinance.

**FINANCIAL ADVICE:**

N/A

**RECOMMENDED ACTION:** Approve Ordinance No. 2024-253 on first reading.

**SUGGESTED MOTIONS:**

**For Approval:** I Move to Approve Ordinance No. 2024-253, an Ordinance Amending Section 10-212 of the Johnstown Municipal Code Concerning Curfews for Minors

**For Denial:** I Move to Deny Approval of Ordinance No. 2024-253

*Reviewed and Approved for Presentation,*



Town Manager

**TOWN OF JOHNSTOWN, COLORADO**  
**ORDINANCE NO. 2024-253**

**AN ORDINANCE AMENDING SECTION 10-212 OF THE JOHNSTOWN MUNICIPAL CODE CONCERNING CURFEWS FOR MINORS**

**WHEREAS**, the Town of Johnstown, Colorado (“Town”) is a Colorado home rule municipality, duly organized and existing under the laws of the State of Colorado and the Town’s Home Rule Charter; and

**WHEREAS**, the Town Council is vested with authority to administer the affairs of the Town; and

**WHEREAS**, Article XI of Chapter 10 of the Johnstown Municipal Code (“Code”) regulates offenses related to minors and Section 10-212 contained therein provides that it is unlawful for a parent, guardian or person having the care, custody or control of a child under the age of eighteen (18) years to cause or permit such child to be in any public street or alley or public place between the hours of 10:00 p.m. and 5:00 a.m.; and

**WHEREAS**, the Johnstown Police Department recommends that the Town Council amend Section 10-212 to include, in addition to offenses against parents, guardians and persons having the care, custody or control of a child, an offense against the minor child; and

**WHEREAS**, the Town Council desires to adopt the Johnstown Police Department’s recommendation; and

**WHEREAS**, the Town Council finds, determines and declares that this Ordinance is promulgated under the general police power of the Town and is in the best interests of the Town of Johnstown.

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JOHNSTOWN, COLORADO, AS FOLLOWS:**

**Section 1.** Section 10-212 of the Johnstown Municipal Code shall be repealed and readopted in full to read as follows:

**Sec. 10-212. Curfew.**

(a) It is unlawful for any person under the age of eighteen (18) years to be or remain upon any public street, alley or other public place between the hours of 10:00 p.m. to 5:00 a.m.; provided, however, that, on Friday and Saturday, a person under the age of eighteen (18) years may be or remain upon any public street, alley or other public place between the hours 10:00 p.m. to 12:00 a.m. This section shall not apply to persons who meet any of the following criteria:

- (1) Any person engaged in lawful employment;
- (2) Any person accompanied by a parent or guardian or by a person over twenty-one (21) years of age having legal care, custody or control of such person;

- (3) Any person engaged upon an emergency errand;
  - (4) Any person traveling directly to or from an activity approved by such person’s parent or guardian or by a person over twenty-one (21) years of age having legal care, custody or control to: (i) such person’s residence or (ii) the private residence of another, if authorized by the parent, guardian or person over twenty-one (21) years of age having legal care, custody or control to go to such other private residence;
  - (5) Any person on the sidewalk abutting a residence where the person is lawfully entitled to be; or
  - (6) Any person attending or traveling to or from a supervised activity sponsored by a school, civic, religious or other recognized public organization.
- (b) It is unlawful for any parent, guardian or other person having legal care, custody or control of any person under the age of eighteen (18) years to allow or permit such person to violate any of the terms or provisions of subsection (a) above.

**Section 2. Severability.** If any part or provision of this Ordinance, or its application to any person or circumstance, is adjudged to be invalid or unenforceable, the invalidity or unenforceability of such part, provision, or application shall not affect any of the remaining parts, provisions or applications of this Ordinance that can be given effect without the invalid provision, part or application, and, to this end, the provisions and parts of this Ordinance are declared to be severable.

**Section 3. Publication; Effective Date.** This Ordinance, after its passage on final reading, shall be numbered, recorded, published and posted as required by the Home Rule Charter of the Town of Johnstown, Colorado (“Charter”) and the adoption, posting and publication shall be authenticated by the signature of the Mayor and the Town Clerk. This Ordinance shall become effective upon final passage as provided by the Charter. Copies of the entire Ordinance are available at the office of the Town Clerk.

**INTRODUCED, AND APPROVED** on first reading by the Town Council of the Town of Johnstown, Colorado, this \_\_\_\_ day of \_\_\_\_\_, 2024.

**TOWN OF JOHNSTOWN, COLORADO**

**ATTEST:**

By: \_\_\_\_\_  
Hannah Hill, Town Clerk

By: \_\_\_\_\_  
Michael P. Duncan, Mayor

**PASSED UPON FINAL APPROVAL AND ADOPTED** on second reading by the Town Council of the Town of Johnstown, Colorado, this \_\_\_\_ day of \_\_\_\_\_, 2024.

**TOWN OF JOHNSTOWN, COLORADO**

**ATTEST:**

By: \_\_\_\_\_  
Hannah Hill, Town Clerk

By: \_\_\_\_\_  
Michael P. Duncan, Mayor

Statement of Activities - Actual to Budget  
 YMCA of Northern Colorado  
 0869:All NoCo Johnstown Location

Account Group Name	April 2024		Actual to Budget		YTD 2024		Actual to Budget		Annual Budget
	Actual	Budget	\$ Difference	% Difference	Actual	Budget	Difference	Difference %	2024
<b>Revenue</b>									
Government Grants (Contributions)	1,000.00	0.00	1,000.00	0.00%	1,000.00	0.00	1,000.00	0.00%	0.00
Contributions	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%	0.00
Noncash Contributions	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%	0.00
Program Revenue	31,603.34	23,223.17	8,380.17	36.09%	41,550.48	59,988.52	(18,438.04)	(30.74%)	191,682.96
Membership Revenue	143,638.49	138,799.36	4,839.13	3.49%	497,834.16	525,965.78	(28,131.62)	(5.35%)	1,659,089.23
Investment Income	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%	0.00
Rental Income	4,187.50	7,694.69	(3,507.19)	(45.58%)	22,416.50	19,329.83	3,086.67	15.97%	66,554.42
Sales of Inventory	5.00	113.49	(108.49)	(95.59%)	45.00	275.74	(230.74)	(83.68%)	956.59
Other Revenue	20.00	0.00	20.00	0.00%	20.66	0.00	20.66	0.00%	0.00
Revenue Allocations	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%	0.00
<b>Total Revenue</b>	<b>180,454.33</b>	<b>169,830.71</b>	<b>10,623.62</b>	<b>6.26%</b>	<b>562,866.80</b>	<b>605,559.87</b>	<b>(42,693.07)</b>	<b>(7.05%)</b>	<b>1,918,283.20</b>
<b>Expenses</b>									
Salaries and Wages	83,289.77	74,725.18	8,564.59	11.46%	304,519.72	308,669.37	(4,149.65)	(1.34%)	1,041,132.56
Benefits	4,466.25	4,862.08	(395.83)	(8.14%)	14,353.01	19,990.95	(5,637.94)	(28.20%)	66,327.05
Payroll Taxes	7,988.25	7,493.62	494.63	6.60%	29,398.63	31,777.12	(2,378.49)	(7.48%)	99,868.75
Contracted Services	0.00	3,166.67	(3,166.67)	(100.00%)	4,881.00	12,666.68	(7,785.68)	(61.47%)	38,000.04
Program Supplies & Expenses	9,866.56	2,077.63	7,788.93	374.89%	17,559.45	8,730.31	8,829.14	101.13%	32,337.64
Occupancy	55,454.95	59,514.32	(4,059.37)	(6.82%)	192,084.88	229,065.41	(36,980.53)	(16.14%)	702,552.46
Fundraising Expenses	0.00	45.84	(45.84)	(100.00%)	0.00	183.36	(183.36)	(100.00%)	550.08
Office Expenses	96.43	1,750.36	(1,653.93)	(94.49%)	4,425.75	7,001.44	(2,575.69)	(36.79%)	21,214.31
Technology	99.95	0.00	99.95	0.00%	298.90	0.00	298.90	0.00%	0.00
Travel & Related Expenses	0.00	138.64	(138.64)	(100.00%)	97.61	480.76	(383.15)	(79.70%)	2,156.84
Conferences & Training	38.23	265.26	(227.03)	(85.59%)	206.74	911.04	(704.30)	(77.31%)	7,151.38
Interest Expense	19.63	0.00	19.63	0.00%	40.14	0.00	40.14	0.00%	0.00
Organizational Dues	3,057.02	3,057.02	0.00	0.00%	10,257.90	10,207.90	50.00	0.49%	26,855.96
Insurance	1,800.96	1,800.96	0.00	0.00%	7,433.02	7,433.02	0.00	0.00%	25,108.48
Miscellaneous Expense	52.01	340.04	(288.03)	(84.70%)	37.01	1,657.34	(1,620.33)	(97.77%)	4,713.24
Depreciation	733.70	500.00	233.70	46.74%	2,885.44	2,000.00	885.44	44.27%	6,000.00
Intra Y Allocation	43,273.13	43,273.13	0.00	0.00%	144,233.09	144,233.09	0.00	0.00%	378,874.65
<b>Total Expenses</b>	<b>210,236.84</b>	<b>203,010.75</b>	<b>7,286.66</b>	<b>3.59%</b>	<b>732,712.29</b>	<b>785,007.79</b>	<b>(52,234.93)</b>	<b>(6.65%)</b>	<b>2,452,843.44</b>
<b>Change in Net Assets</b>	<b>(29,782.51)</b>	<b>(33,180.04)</b>	<b>3,336.96</b>	<b>10.06%</b>	<b>(169,845.49)</b>	<b>(179,447.92)</b>	<b>9,541.86</b>	<b>5.32%</b>	<b>(534,560.24)</b>

# Johnstown Downtown Development Association

Item #8.

## Statement of Financial Position

As of December 31, 2023

	TOTAL
<b>ASSETS</b>	
Current Assets	
Bank Accounts	
BBQ Days acct 8128	47,707.24
General Fund	21,770.54
Petty Cash	1,536.80
<b>Total Bank Accounts</b>	<b>\$71,014.58</b>
Accounts Receivable	
Accounts Receivable (A/R)	0.00
<b>Total Accounts Receivable</b>	<b>\$0.00</b>
Other Current Assets	
Undeposited Funds	0.00
<b>Total Other Current Assets</b>	<b>\$0.00</b>
<b>Total Current Assets</b>	<b>\$71,014.58</b>
<b>TOTAL ASSETS</b>	<b>\$71,014.58</b>
<b>LIABILITIES AND EQUITY</b>	
Liabilities	
Current Liabilities	
Other Current Liabilities	
BBQ Days holding account	25,487.40
<b>Total Other Current Liabilities</b>	<b>\$25,487.40</b>
<b>Total Current Liabilities</b>	<b>\$25,487.40</b>
<b>Total Liabilities</b>	<b>\$25,487.40</b>
Equity	
Retained Earnings	44,564.48
Net Revenue	962.70
<b>Total Equity</b>	<b>\$45,527.18</b>
<b>TOTAL LIABILITIES AND EQUITY</b>	<b>\$71,014.58</b>



# Johnstown Downtown Development Association

Item #8.

## Statement of Activity January - December 2023 Cinco de Mayo Event

	TOTAL
Revenue	
Beer Garden Sales	1,231.61
Event Income	7,325.00
Unapplied Cash Payment Revenue	-120.44
<b>Total Revenue</b>	<b>\$8,436.17</b>
GROSS PROFIT	<b>\$8,436.17</b>
Expenditures	
Bank Charges	3.93
Event Expenses	8,041.70
Office Supplies	9.48
Square Fees	138.30
<b>Total Expenditures</b>	<b>\$8,193.41</b>
NET OPERATING REVENUE	<b>\$242.76</b>
NET REVENUE	<b>\$242.76</b>

# Johnstown Downtown Development Association

Item #8.

## Statement of Activity January - December 2023 Fall Fest Event

	TOTAL
Revenue	
Beer Garden Sales	1,172.03
Event Income	5,625.00
<b>Total Revenue</b>	<b>\$6,797.03</b>
GROSS PROFIT	<b>\$6,797.03</b>
Expenditures	
Bank Charges	163.45
Event Expenses	6,227.10
Licenses, Fees and Filing Fees	16.00
Square Fees	27.47
<b>Total Expenditures</b>	<b>\$6,434.02</b>
NET OPERATING REVENUE	<b>\$363.01</b>
NET REVENUE	<b>\$363.01</b>

# Johnstown Downtown Development Association

Item #8.

## Statement of Activity January - December 2023 Trick or Treat Street Event

	TOTAL
Revenue	
Event Income	4,750.00
<b>Total Revenue</b>	<b>\$4,750.00</b>
GROSS PROFIT	<b>\$4,750.00</b>
Expenditures	
Bank Charges	126.22
Event Expenses	3,424.29
Office Supplies	329.33
<b>Total Expenditures</b>	<b>\$3,879.84</b>
NET OPERATING REVENUE	<b>\$870.16</b>
NET REVENUE	<b>\$870.16</b>

# Johnstown Downtown Development Association

Item #8.

## Statement of Activity

January - December 2023

Johnstown Jingle Event

	TOTAL
Revenue	
Designated Contributions	200.00
Event Income	2,460.00
Services	-480.00
Unapplied Cash Payment Revenue	-150.00
<b>Total Revenue</b>	<b>\$2,030.00</b>
<b>GROSS PROFIT</b>	<b>\$2,030.00</b>
Expenditures	
Advertising	252.00
Bank Charges	77.24
Event Expenses	7,885.33
<b>Total Expenditures</b>	<b>\$8,214.57</b>
<b>NET OPERATING REVENUE</b>	<b>\$ -6,184.57</b>
<b>NET REVENUE</b>	<b>\$ -6,184.57</b>

## 2023 End of Year Report for the Town of Johnstown From the Johnstown Downtown Development Association

### JDDA Financials

#### 2023 Q4 Financials – Attachments Included

Starting Balance:	\$ 27,921.62
Cash In:	\$ 14,106.33 (1) Monthly Quarterly Treasurer's Report
Expenditures:	\$ 18,720.61 (2) Monthly Quarterly Treasurer's Report
Ending Balance:	\$ 23,307.34

Strategic plan to revitalize the Town's historic downtown.

### Events

1. Previous Events including the Results/Outcome of the Event: These events continue to keep people engaged and emotionally invested in our town rather than traveling outside for the same services.
  - a. Trick or treat Street was great this year and we liked having the streets closed for safety!
  - b. Johnstown Jingle was amazing and a lot of fun! It was a huge success again!

### Upcoming Events for 2024:

1. We have locked in the same 4 events as previous years.
  - a. Cinco de Mayo
  - b. Fall Fest
  - c. Trick or Treat Street
  - d. Johnstown Jingle
2. We are also putting together workshops and after hours events.
  - a. Happy Hour at High Country Beverage, Thursday, February 22, 2024 from 4-6 pm

Other than events, things we are doing to position downtown as the focal point of Johnstown:

1. Welcome Bags – This program is still very successful, and we are now delivering more than 60 welcome bags to new residents monthly. The RHS Interact Club works with us to help pack the bags and deliver them to the new residents.

2. We are continuing to gain membership and we are putting more efforts and energies towards networking events as well as workshops. Both are things that our members are wanting and asking for!

## Community Give Back/Involvement

### Social Media/Website

1. We have started working with Mountain Wave Marketing for our social media and our website. Tiffany has been amazing to work with and is doing a great job for us.

### Downtown Businesses Update –

New businesses/relocated businesses in Downtown Johnstown:

- 1.

Businesses that have closed/moved out of Downtown Johnstown:

1. Johnstown Clothing and Embroidery

Employment opportunities available:

## JDDA Members

JDDA Members:

1. We currently have 71 members for 2023

Member Pricing:

1. \$125 Downtown Members – Brick and Mortar Businesses located in our JDDA Boundaries
2. \$250 Community Partners – Businesses outside the JDDA Boundaries with a vested interest in Downtown Johnstown
3. \$65 Non-Profit Members – Must submit a 501-C3

Member Benefits:

1. Business listing on our website [VisitDowntownJohnstown.com](http://VisitDowntownJohnstown.com)
2. Opportunity to include information in the Community Welcome Bags
3. Social Media Networking and Marketing each month
4. Event Discounts for the JDDA Hosted Downtown Events and
5. Workshop Benefits
6. Group Marketing Opportunities
7. Sponsorship opportunities

JDDA Board Position:

1. Voting for Board Positions will take place in October 2023 for a term starting in January of 2024 for 2 years

## What the Members want from the JDDA

These are things that the business owners shared with us that they would like to see!

1. Community/common goals/events
2. Networking events?
3. Learning platform/classes (info on social media)/business topics
4. Entertainment District
5. JDDA Home show (10 businesses?)

**Johnstown Downtown Development Association  
Transaction Report  
January - December 2023**

Date	Transaction Type	Num	Adj	Name	Memo/Description	Amount
12/09/2023	Pledge	1597	No	Ace Hardware of Johnstown	Annual Membership Dues - Downtown Business	125.00
08/10/2023	Pledge	1505	No	All Things Good NFP	Membership - Non Profit	65.00
05/24/2023	Pledge	1477	No	Anchor Roofing, LLC	Annual Membership Dues - Partnered Member	250.00
07/28/2023	Pledge	1487	No	Austin Foss	Annual Membership Dues - Downtown Business	125.00
07/25/2023	Pledge	1485	No	Bank of Colorado	Annual Membership Dues - Partnered Member	250.00
10/11/2023	Pledge	1559	No	Black Sheep Eatery	Annual Membership Dues - Downtown Business	125.00
04/20/2023	Pledge	1462	No	Caroll's Critters	Annual Membership Dues - Downtown Business	125.00
04/03/2023	Pledge	1445	No	Cassidy's	Annual Membership Dues - Downtown Business	125.00
03/14/2023	Pledge	1436	No	Civica	Membership - Non Profit	65.00
05/29/2023	Pledge	1479	No	Community Plumbing Heating and Air	Annual Membership Dues - Downtown Business	125.00
08/02/2023	Pledge	1486	No	Connections Christian Church	Membership - Non Profit	65.00
10/25/2023	Pledge	1561	No	Crime Scene Detective	Annual Membership Dues - Partnered Member	250.00
01/03/2023	Pledge	1383	No	Cruise Planners	Annual Membership Dues - Downtown Business	125.00
12/29/2023	Pledge	1605	No	Dashing Hair and Beauty	Annual Membership Dues - Downtown Business	125.00
07/17/2023	Pledge	1484	No	Dominics	Annual Membership Dues - Downtown Business	125.00
02/25/2023	Pledge	1429	No	Drip Bar	Annual Membership Dues - Partnered Member	250.00
08/28/2023	Pledge	1522	No	Duck Donuts	Discount Happy Hour Annual Membership Dues - Partnered Member	187.50
07/28/2023	Pledge	1490	No	Eleve Dance Academy	Annual Membership Dues - Downtown Business	125.00
04/11/2023	Pledge	1463	No	Erb Element	Annual Membership Dues - Partnered Member	250.00
01/30/2023	Pledge	1389	No	Exodus Moving	Annual Membership Dues - Partnered Member	250.00
11/30/2023	Pledge	1592	No	Faith Lutheran	Membership - Non Profit	65.00
03/30/2023	Pledge	1438	No	Full Circle Vet Care	Annual Membership Dues - Downtown Business	125.00
02/14/2023	Pledge	1427	No	Golden Goodness Food Truck	Annual Membership Dues - Downtown Business	125.00
10/25/2023	Pledge	1560	No	Good Day Pharmacy	Annual Membership Dues - Downtown Business	125.00
12/23/2023	Pledge	1604	No	Hays Market	Annual Membership Dues - Downtown Business	125.00
11/23/2023	Pledge	1583	No	Healthy Harvest Productions	Annual Membership Dues - Partnered Member	250.00
12/22/2023	Pledge	1603	No	Imprint Family Chiropractic Dr Melissa	Annual Membership Dues - Downtown Business	125.00
04/17/2023	Pledge	1467	No	J Town Nutrition	Annual Membership Dues - Downtown Business	125.00
01/12/2023	Pledge	1387	No	Johnstown Barbershop	Annual Membership Dues - Downtown Business	125.00
03/03/2023	Pledge	1433	No	Johnstown Breeze.	Annual Membership Dues - Downtown Business	125.00
11/27/2023	Pledge	1584	No	Johnstown Lunchbox	Annual Membership Dues - Downtown Business	125.00
06/12/2023	Pledge	1481	No	Lind Branding by Bre	Annual Membership Dues - Partnered Member	250.00
03/13/2023	Pledge	1435	No	LYS Salon	Annual Membership Dues - Downtown Business	125.00
01/03/2023	Pledge	1382	No	Mary's Mountain Cookies	Annual Membership Dues - Downtown Business	125.00
11/06/2023	Pledge	1564	No	Nicole Curtis Hartford Homes	Annual Membership Dues - Partnered Member	250.00
12/09/2023	Pledge	1598	No	Northern Colorado Radon	Annual Membership Dues - Partnered Member	250.00
03/07/2023	Pledge	1434	No	Northstar Liquor	Annual Membership Dues - Partnered Member	250.00
08/23/2023	Pledge	1504	No	NuWave Garages LLC	Annual Membership Dues - Downtown Business	125.00
04/20/2023	Pledge	1453	No	Precision Family Eyecare	Annual Membership Dues - Downtown Business	125.00
03/31/2023	Pledge	1432	No	Quality Counts House Painting	Annual Membership Dues - Partnered Member	250.00
01/04/2023	Pledge	1384	No	Rider Chiropractic	Annual Membership Dues - Downtown Business	125.00
08/31/2023	Pledge	1523	No	Ripple Effect Martial Arts	Annual Membership Dues - Partnered Member	250.00
01/24/2023	Pledge	1422	No	Rocky Mountain Accounting	Annual Membership Dues - Downtown Business	125.00
12/12/2023	Pledge	1600	No	Santiago's Mexican Restaurant	Annual Membership Dues - Downtown Business	125.00
01/31/2023	Pledge	1391	No	Shannon Berg	Annual Membership Dues - Downtown Business	125.00
01/01/2023	Pledge	1377	No	Shine Bright	Annual Membership Dues - Downtown Business	125.00
01/18/2023	Pledge	1385	No	Spirits Music Hall	2023 Annual Membership Dues - Downtown Business	125.00
05/30/2023	Pledge	1480	No	Spoken For Photography	Annual Membership Dues - Downtown Business	125.00
12/10/2023	Pledge	1599	No	Starling Mortgage	Annual Membership Dues - Partnered Member	250.00
01/10/2023	Pledge	1386	No	State Farm - Veronica Schlagel	Annual Membership Dues - Downtown Business	125.00
01/27/2023	Pledge	1423	No	Stitches LLC	Annual Membership Dues - Downtown Business	125.00
03/22/2023	Pledge	1437	No	TBK Bank	Annual Membership Dues - Downtown Business	125.00
04/12/2023	Pledge	1466	No	TDS	Annual Membership Dues - Partnered Member	250.00
08/28/2023	Pledge	1521	No	The Junk Crew	Happy Hour Discount Annual Membership Dues - Partnered Member	187.50
11/21/2023	Pledge	1582	No	The Lowery Group	Annual Membership Dues - Partnered Member	250.00
12/09/2023	Pledge	1596	No	TopCo Realty	Annual Membership Dues - Downtown Business	125.00
02/28/2023	Pledge	1430	No	TRPR	Annual Membership Dues - Downtown Business	125.00
04/15/2023	Pledge	1452	No	We Knead Donut	Annual Membership Dues - Downtown Business	125.00
01/31/2023	Pledge	1390	No	Weld RE-5j School District Kasey Ross	Annual Membership Dues - Partnered Member	250.00
01/31/2023	Pledge	1426	No	Wellspring Therapeutics	Annual Membership Dues - Downtown Business	125.00
03/03/2023	Pledge	1446	No	Willco XII Development, LLLP	Annual Membership Dues - Partnered Member	250.00
12/30/2023	Pledge	1606	No	Wing Shack Enterprises - Johnstown	Annual Membership Dues - Downtown Business	125.00
<b>Total for Dues income</b>						<b>\$ 10,260.00</b>
<b>TOTAL</b>						<b>\$ 10,260.00</b>

Friday, Feb 09, 2024 10:37:17 AM GMT-8 - Cash Basis



**Johnstown Downtown Development Association**  
**Transaction Report**  
 January - December 2023

	Date	Transaction Type	Num	Adj	Name	Memo/Description	Amount
Event Expenses	01/01/2023	Check	379	No	Sgt Rodney Brown	CHECK IMAGE CHECK 192 192 Jtown Jingle	200.00
	01/04/2023	Deposit		No	Republic Services	BUSINESS MOBILE DEPOSIT - Refund for trashes	-145.00
	01/17/2023	Check	23017001	No	Amazon	1246 Amazon.com*8Z1S38A53Amzn.co	6.59
	04/03/2023	Check	333	No	Sonya Cantu	Mail N Copy for qty 70 cinco event posters	67.32
	04/12/2023	Check	23102001	No	Primary Event Rental	1542 ZSK*TG PRIMARY EVNT 970-646	772.50
	05/01/2023	Check	dr	No	Primary Event Rental	qty 8 10x10 pop up tent	735.96
	05/04/2023	Check	339	No	Juan Carlos Mariachi Band	Juan Carlos Mariachi - want CASH	2,400.00
	05/04/2023	Check	340	No	Justin Crispin	DJ for Cinco 2023	500.00
	05/04/2023	Check	338	No	Corissa Cygan	On duty officer Cinco	200.00
	05/04/2023	Check	337	No	Sgt Rodney Brown	Police Officer	200.00
	05/04/2023	Check	dr	No	Weld County Department of Health	Weld Health License for food trucks in0032342	67.50
	05/04/2023	Check	dr	No	Walmart	Cinco supplies - bat, tape and rope	29.75
	05/04/2023	Check	336	No	Dion Wild	Police Officer	200.00
	05/04/2023	Check	335	No	Chris Soricelli	Police officer	200.00
	05/23/2023	Check	185	No	Johnstown Breeze	Advertising for Cinco	157.50
	06/06/2023	Check	341	No	Sonya Cantu	Cinco banners and supplies reimburse SOnya	790.59
	06/07/2023	Check	342	No	Sonya Cantu	Cinco banners and supplies reimburse SOnya	223.58
	06/08/2023	Deposit		No		Tips paid out	140.00
	06/21/2023	Check	343	No	Republic Services	Republic trashes and Pottys	1,353.00
	07/07/2023	Check	344	No	Johnstown Breeze	Advertising - what is this one for?	217.50
	08/30/2023	Check	23242001	No	Primary Event Rental	1542 ZSK*TG PRIMARY EVNT 970-646	360.50
	09/01/2023	Check	dr	No	Mountain Shadow Carriages	down pmt carriages	100.00
	09/08/2023	Check	dr	No	Sounds of the Rockies Entertainment Grp, LLC	Train down pmt	590.00
	09/08/2023	Check	dr	No	Sounds of the Rockies Entertainment Grp, LLC	Train down pmt	480.00
	09/08/2023	Check	dr	No	Sounds of the Rockies Entertainment Grp, LLC	Train down pmt	480.00
	09/12/2023	Check	23255001	No	Primary Event Rental	1542 ZSK*TG PRIMARY EVNT 970-646	923.91
	09/14/2023	Check	348	No	Sonya Cantu	Mail N Copy signs	44.88
	09/14/2023	Check	349	No	Kale Mayfield	Officer for Fall Fest	200.00
	09/14/2023	Journal Entry	10	No		petty cash was short from cinco	4.00
	09/14/2023	Check	306	No	Sounds of the Rockies Entertainment Grp, LLC	Train final pmt	590.00
09/14/2023	Check	348	No	Sonya Cantu	banners and supplies from build a sign reimburse Sonya	188.04	
09/14/2023	Check	307	No	Daniel Pouze	musician sound sorcerer for Fall fest	400.00	
09/14/2023	Check	301	No	Corissa Cygan	On duty officer Fall Fest	200.00	
09/14/2023	Check	348	No	Sonya Cantu	sponsorship banner from build a sign reimburse sonya	40.56	

09/14/2023	Check	348	No	Sonya Cantu	Photo Booth decor from amazon reimburse sonya	51.32
09/14/2023	Check	303	No	Justin Crispin	DJ for fall fest 2023	500.00
09/14/2023	Check	302	No	Dion Wild	Police Officer	200.00
09/25/2023	Check	23268001	No	Weld County Department of Health	1542 WELD CTY HEALTH ENV 970-356	90.00
09/29/2023	Expenditure	23272002	No	BuildASign	1246 BUILDASIGN.COM 800-330	130.04
09/29/2023	Check	23272001	No	Magical Moments	1246 PAYPAL *MAGICMOMENT 402-935	900.00
10/12/2023	Expenditure	23285001	No	Amazon	1542 AMZN Mktg US*TE1AD4RAmzn.co	27.91
10/13/2023	Check	304	No	Republic Services	Republic trashes and Pottys	1,508.00
10/16/2023	Expenditure	23289001	No	Amazon	1246 AMZN Mktg US*TE3Y38SAmzn.co	13.55
10/17/2023	Expenditure	23290001	No	BuildASign	1246 BUILDASIGN.COM 800-330	81.40
10/17/2023	Check	387	No	TopCo Realty.	Reimburse Ace (bin) and ad CHECK IMAGE CHECK 387 387	24.89
10/18/2023	Expenditure	23291001	No	BuildASign	1246 BUILDASIGN.COM 800-330	22.02
10/30/2023	Check	389	No	Parallel Custom	DJ for trick or treat street CHECK IMAGE CHECK 389 389	400.00
10/30/2023	Check	23303001	No	Hays Market	need receipt!! 1246 HAYS MARKET, INC JOHNSTO	69.37
10/31/2023	Check	395	No	Kale Mayfield	Police Officer ToT street CHECK IMAGE CHECK 395 395	200.00
11/01/2023	Check	392	No	Rodz & Bodz Museum	Trick or Treat Street cars CHECK IMAGE CHECK 392 392	1,500.00
11/01/2023	Check	391	No		POMS Donation CHECK IMAGE CHECK 391 391	300.00
11/01/2023	Check	396	No	Dion Wild	Police Officer ToT Street CHECK IMAGE CHECK 396 396	200.00
11/07/2023	Check	350.00	No	RHS Interact	Interact Donation for all of their help	500.00
11/07/2023	Check	23311001	No	BuildASign	Jingle Banners 1246 BUILDASIGN 180-032	78.88
11/09/2023	Check	23313002	No	Staples	Flyers for JTown Jingle 1246 Staples Inc staples	64.57
11/09/2023	Check	23313001	No	Whiskey Still	gift cert for Jennifer Borreson 1246 TST* THE STILL WHISK970-294	150.00
11/13/2023	Check	308	No	Johnstown Breeze	Advertising - 4-Color Display Fall Festival	315.00
11/14/2023	Check	23318001	No	Magical Moments	1246 PAYPAL *MAGICMOMENT 402-935	50.00
11/24/2023	Check	23328001	No	Mountain Shadow Carriages	1542 SQ *MOUNTAIN SHADOW gosq.co	2,667.50
11/29/2023	Check	23333001	No	Magical Moments	1246 PAYPAL *MAGICMOMENT 402-935	650.00
11/30/2023	Check	311	No	Airbound	1542 AIRBOUND 970-613	480.00
11/30/2023	Check	312	No	Theresa Calderon	Photo Booth	350.00
11/30/2023	Check	23334001	No	Walmart	1246 Walmart.com Bentonv	46.32
11/30/2023	Check	310	No	Erin Merkly	Banners bought from FED EX	206.47
11/30/2023	Check	317	No	Allstar Entertainment	Carolers	1,200.00
11/30/2023	Check	315	No	Corissa Cygan	On duty officer	200.00
11/30/2023	Check	316	No	Drew Perry	Event Police officer	200.00
12/13/2023	Check	23347001	No	Northstar Liquor.	Happy Hour 1246 LS NORTHSTAR LIQUOR 197-066	300.77
12/18/2023	Check	23352001	No	7-Eleven	happy hour 1246 7-ELEVEN 34238 JOHNSTO	19.64
						<b>\$ 26,616.33</b>
<b>Event</b>						
<b>TOTAL</b>						<b>\$ 26,616.33</b>

# Johnstown Downtown Development Association

Item #8.

## Statement of Activity

January - December 2023

	TOTAL
Revenue	
Beer Garden Sales	2,403.64
Designated Contributions	15,200.00
Dues income	10,260.00
Event Income	20,160.00
Services	2,645.00
Unapplied Cash Payment Revenue	-127.50
Workshops	60.00
<b>Total Revenue</b>	<b>\$50,601.14</b>
<b>GROSS PROFIT</b>	<b>\$50,601.14</b>
Expenditures	
Advertising	1,451.90
Marketing	9,708.85
Website	936.00
<b>Total Advertising</b>	<b>12,096.75</b>
Bad Debt Expense	125.00
Bank Charges	803.47
Event Expenses	26,616.33
Insurance	155.00
Property/Liability Insurance	4,669.00
<b>Total Insurance</b>	<b>4,824.00</b>
Legal, Accounting and Professional	2,700.00
Licenses, Fees and Filing Fees	26.00
Meals	668.26
Office Supplies	414.63
QuickBooks Payments Fees	11.99
Rent	660.00
Square Fees	192.01
Uncategorized Expense	0.00
Workshop Expenses	500.00
<b>Total Expenditures</b>	<b>\$49,638.44</b>
<b>NET OPERATING REVENUE</b>	<b>\$962.70</b>
<b>NET REVENUE</b>	<b>\$962.70</b>