



Town of Johnstown

TOWN COUNCIL REGULAR MEETING

450 S. Parish, Johnstown, CO
Monday, April 04, 2022 at 7:00 PM

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

AGENDA

CALL TO ORDER

Pledge of Allegiance

ROLL CALL

AGENDA APPROVAL

SPECIAL PRESENTATIONS

1. Business of the Month - Presented by Sarah Crosthwaite, Economic Development Manager

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 printed agenda. Citizen comments are limited to three (3) 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.

- [2.](#) March 21, 2022 Minutes
- [3.](#) Appointment of New Planning & Zoning Commissioners
- [4.](#) Resolution 2022-10 Approving Correction of Street Name on Subdivision Plat for Revere at Johnstown, Filing No. 1
- [5.](#) Resolution 2022-11 Findings of Fact and Conclusions for South Ridge Annexation
- [6.](#) Termination of Escrow Agreement Between the Town of Johnstown and Johnstown Plaza, LLC

TOWN MANAGER REPORT

- [7.](#) Town Manager's Report

TOWN ATTORNEY REPORT

PUBLIC HEARING

- [8.](#) Ordinance 2022-228 Annexing Certain Unincorporated Lands Located in the North Half of the Southwest Quarter of Section 26, Township 5 North, Range 68 West of the 6th P.M., County of Larimer, State of Colorado, Consisting of Approximately 80.66 acres and known as the South Ridge Annexation

- [9.](#) Ordinance 2022-229 Approval of PUD-R Zoning of the Property Known as the South Ridge Annexation, Located in the North Half of the Southwest Quarter of Section 26, Township 5 North, Range 68 West of the 6th P.M., County of Larimer, State of Colorado, Consisting of Approximately 80.66 Acres
- [10.](#) Ordinance 2022-230 Approving P.U.D. Outline Development Plan for South Ridge, Located in the North Half of the Southwest Quarter of Section 26, Township 5 North, Range 68 West of the 6th P.M., County of Larimer, State of Colorado, Consisting of Approximately 80.66 Acres

NEW BUSINESS

- [11.](#) Annexation Agreement South Ridge Annexation, with Southridge Holdco, LLC
- [12.](#) Resolution 2022-12 Town of Johnstown Comprehensive Financial Management Policies

COUNCIL REPORTS AND COMMENTS

MAYOR'S COMMENTS

EXECUTIVE SESSION

13. An Executive Session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e) Economic Incentive

INFORMATION ITEMS

- [14.](#) Informational Items

ADJOURN

AMERICANS WITH DISABILITIES ACT NOTICE

In accordance with the Americans with Disabilities Act, persons who need accommodation in order to attend or participate in this meeting should contact Town Hall at (970) 587-4664 within 48 hours prior to the meeting in order to request such assistance.

The Community That Cares

www.TownofJohnstown.com

P: 970.587.4664 | 450 S. Parish Ave, Johnstown CO | F: 970.587.0141



Town of Johnstown

TOWN COUNCIL REGULAR MEETING

450 S. Parish, Johnstown, CO
Monday, March 21, 2022 at 7:00 PM

MINUTES

CALL TO ORDER

Mayor Lebsack called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

ROLL CALL

PRESENT

Mayor Gary Lebsack
Councilmember Troy Mellon
Councilmember Jesse Molinar
Councilmember Chad Young

ABSENT

Councilmembers Damien Berg, Bill Stevens and Amy Tallent

Staff present: Matt LeCerf, Town Manager, Avi Rocklin, Town Attorney, Kim Meyer, Planning Director, Mitzi McCoy, Finance Director, Troy White, Public Works Director and Chief Brian Phillips.

AGENDA APPROVAL

Motion made by Councilmember Mellon, seconded by Councilmember Molinar to approve the agenda. Motion carried with a unanimous vote.

SPECIAL PRESENTATIONS

1. Presentation: Commissioner Shadduck-McNally - Commission Shadduc-McNally is the recently elected Larimer County Commissioner who represents the Johnstown area, including Loveland, Berthoud and Estes Park. Commissioner Shadduck-McNally was present to introduce herself to Council.

CONSENT AGENDA

Motion made by Councilmember Mellon, seconded by Councilmember Molinar to approve the consent agenda. Motion carried with a unanimous vote.

- Minutes - March 7, 2021
- List of Bills - March 2022
- February 2022 Financial Statements
- Second Reading Ordinance No. 2022-227 Approving P.U.D. Outline Development Plan for Thompson Ridge Estates, located in the SE 1/4 of Section 14 and the NE 1/4 of Section 23, Township 5 North, Range 68 West of the 6th Principal Meridian, Town of Johnstown, County of Larimer, State of Colorado, consisting of approximately 20.01 acres.
- Resolution 2022-08 Amending the 2021 Adopted Budget

PUBLIC HEARING

1. Resolution 2022-09 Approving the Final Subdivision Plat and Final Development Plans for the Granary Filing 1 – Mayor Lebsack opened the public hearing at 7:20 p.m. and heard from staff. The applicant Hartford

Page 2
March 21, 2022

Acquisitions, LLC, is requesting approval of the Granary Filing 1 Final Plat and Development Plan for approximately 155 acres to create 145 single family detached lots. Filing No. 1 development is subject to the Granary Outline Development Plan which applies to the full 310 acres that is intended for development. Representatives from the developer were present to answer questions. Jerry and Chris Jennison, own the property that is directly west of this development and asked when the paving and widening of Weld County Road 46 will be done and possible safety issues of cars traveling on this road. Having no further public comments, the hearing closed at 7:54 p.m. Based upon findings and analysis presented at this hearing motion made by Councilmember Mellon, seconded by Councilmember Molinar Jr. to approve Resolution 2022-09 Approving the Final Plat and Final Development Plan for The Granary, Filing 1 on first reading. Motion carried with unanimous vote.

NEW BUSINESS

1. Subdivision Improvement and Development Agreement for The Granary Filing 1 – The developer is requesting final approval of a subdivision plat and development plans for The Granary Filing 1 Subdivision, as part of The Granary PUD. The agreement requires construction of all improvements in accordance with Town approved development plans and construction plans. Motion made by Councilmember Young, seconded by Councilmember Molinar Jr. to approve the Subdivision Development and Improvement Agreement for The Granary Filing 1. Motion carried with a unanimous vote.

2. Water and Sewer Service Agreement for The Granary Filing 1 – The developer will dedicate 13 shares of Home Supply Water and Water Court Transfer Fees in the amount of \$60,600.00 prior to recording of the plat. Motion made by Councilmember Mellon, seconded by Councilmember Young to approve the Water & Sewer Service agreement for the Granary, Filing 1. Motion carried with a unanimous vote.

EXECUTIVE SESSION

For discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f) to Discuss Town Manager Evaluation

An Executive Session to discuss matters subject to negotiations and to instruct negotiators pursuant to C.R.S. Section 24-6-402(4)(e) regarding easement and right of way acquisition.

Motion made by Councilmember Young, seconded by Councilmember Mellon to convene into Executive Session at 8:29 p.m. for the purpose of discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f) to Discuss Town Manager Evaluation and an Executive Session to discuss matters subject to negotiations and to instruct negotiators pursuant to C.R.S. Section 24-6-402(4)(e) regarding easement and right of way acquisition. Motion carried with a unanimous vote.

The mayor reconvened the regular meeting at 9:11p.m. and stated the only items discussed was what was stated in the motion.

ADJOURN

The meeting adjourned at 9:11 p.m.

Mayor

Town Clerk



Town of Johnstown

TOWN COUNCIL CONSENT AGENDA COMMUNICATION

AGENDA DATE: April 4, 2022

SUBJECT: Appointment of Michelle Campbell and Cameron Singh to the Johnstown Planning & Zoning Commission

ATTACHMENTS: 1. Town Boards & Commissions Application for each Candidate

PRESENTED BY: Kim Meyer, Director of Planning & Development

ITEM DESCRIPTION:

Per Section 2-182 of the Johnstown Municipal Code, the Planning & Zoning Commission (PZC) shall consist of seven residents, appointed by the Town Council.

Upon recent resignations of two commissioners, the Town has sought additional candidates for the Commission. Several applicants applied in 2021-22 for appointment to the Commission, and PZC had the opportunity to interview them in March 2022. The Planning & Zoning Commission unanimously recommended Michelle Campbell and Cameron Singh to the Council for appointment to this Commission. Upon Council appointment, they will be sworn into these positions by the Town Clerk and resume duties at the next regular meeting of the commission, April 13, 2022.

LEGAL ADVICE:

N/A

FINANCIAL ADVICE:

N/A

Reviewed and Approved for Presentation,

Town Manager

The Community That Cares

johnstown.colorado.gov

P: 970.587.4664 | 450 S. Parish Ave, Johnstown CO 80534 | F: 970.587.0141



Town of Johnstown

ADVISORY COMMITTEE, BOARD OR COMMISSION APPLICATION

I REQUEST APPOINTMENT TO (Circle one)

Cemetery Committee

Housing Authority

Planning and Zoning Commission

FIRST AND LAST NAME:

Michelle Campbell

EMAIL ADDRESS:

RESIDENCE ADDRESS (Street, City, State, Zip)

Johnstown, Co. 80534

MAILING ADDRESS - if different than above (Street, City, State, Zip)

HOW LONG HAVE YOU LIVED IN JOHNSTOWN?

3 months

OCCUPATION & EMPLOYER:

Hays Market-

52 years in
Colorado.

VOLUNTEER AND/OR WORK EXPERIENCE:

University of Colorado B.S. Political Science

Public Service option. 1991

Coors Brewing Co 1979-2011

Flations Community Church - Childrens Ministry.
Lafayette Colorado

Continue to next page for questionnaire.

1. Are you presently serving on Town Council or on an appointed committee, board or commission? If so, which one(s)?

NO.

2. Why do you wish to be appointed?

When moving to Johnstown, we chose this community because of its values & history. Want to be a part of preserving & protecting Johnstown.

3. List any abilities, skills, or interests which are applicable to the position for which you are applying:

32 years Coors Brewing Co- project management experience as a stakeholder in major projects.

4. Are you committed to attending meetings?

yes -

5. Are you committed to serving an entire term?

yes -

6. Please specify any activities which might create a serious conflict of interest if you should be appointed to a particular board, commission or committee.

None -

7. Although you are not required to have extensive knowledge or experience related to the board, commission or committee, please list any licenses, certificates or other specialized training applicable to the board, commission or committee for which you are applying.

NA

8. Additional information or references you believe may be helpful in considering your application.

9. If you are not appointed at this time, are you interested in serving in the future?

(Circle one)

YES NO

10. May we contact you in the future if a vacancy opens?

(Circle one)

YES NO

10. What interests you most / least about the position?

Looking forward to being a part of a team that has a common goal. I enjoy planning & problem solving.

11. What do you like most / least about the Town of Johnstown?

Johnstown has a community base & feel that so many towns along the front range has lost.
- I am concerned, but ^{also} eager to provide insight about new growth in Johnstown.

12. What would you like to see the Town accomplish in the next two (2) years?

- Stabilize old downtown business district,
- ~~new~~ - support for seniors in a transport service. Either funded by the town or staffed by volunteers.

- Successful transition to the new Roosevelt H.S. and planning for the old school grounds.

13. What is your philosophy on growth?

Planning needs to be more thorough than what I have seen over the last 10 years or so here in Colorado. Infrastructure & quality of life impacts need to be well thought out. And if the

14. What changes would you like to see occur in the Town of Johnstown?

Timing of a development is not right, we need to turn away developers.

14. Very pleased with our community - Very concerned about what traffic will do to our town.

15. Why should you be appointed?

Life long Colorado Resident, have seen many significant changes over the last 50 years. My insight has real value.

Signature Nickie A. Campbell Date 11/11/2021

*Please complete this form in its entirety using the space provided and return to the Town Clerk by emailing a scanned copy to dseele@townofjohnstown.com or by dropping it off at Town Hall (450 S. Parish Ave, Johnstown, CO 80534). With questions, please call 970-587-4664.



Town of Johnstown

ADVISORY COMMITTEE, BOARD OR COMMISSION APPLICATION

I REQUEST APPOINTMENT TO (Circle one)

Cemetery Committee

Housing Authority

Planning and Zoning Commission

FIRST AND LAST NAME: Cameron Singh

EMAIL ADDRESS: _____

RESIDENCE ADDRESS (Street, City, State, Zip)

, Johnstown, CO, 80534

MAILING ADDRESS - if different than above (Street, City, State, Zip)

HOW LONG HAVE YOU LIVED IN JOHNSTOWN?

1 month

OCCUPATION & EMPLOYER:

DIRECTOR OF CONSULTING SERVICES, BUSINESS AVIATION GROUP LLC

VOLUNTEER AND/OR WORK EXPERIENCE:

Various leadership roles with Signature Flight Support (2012-2021)

Extensive community involvement in all areas that I have lived in

Continue to next page for questionnaire.

1. Are you presently serving on Town Council or on an appointed committee, board or commission? If so, which one(s)?

None

2. Why do you wish to be appointed?

I would like to be involved within the community and a part of bringing in business and development into Johnstown.

3. List any abilities, skills, or interests which are applicable to the position for which you are applying:

I have experience working with big companies in bringing business at an airport.

I like to see the city that I live in thrive and grow.

4. Are you committed to attending meetings? Yes

5. Are you committed to serving an entire term? Yes

6. Please specify any activities which might create a serious conflict of interest if you should be appointed to a particular board, commission or committee.

No conflict of interest

7. Although you are not required to have extensive knowledge or experience related to the board, commission or committee, please list any licenses, certificates or other specialized training applicable to the board, commission or committee for which you are applying.

Experience working with real estate development and leases

8. Additional information or references you believe may be helpful in considering your application.

9. If you are not appointed at this time, are you interested in serving in the future?

(Circle one)

☒ YES ☐ NO

10. May we contact you in the future if a vacancy opens?

(Circle one)

☒ YES ☐ NO

10. What interests you most / least about the position?

Being a part of community growth. The Northern Colorado region is a booming economy. Loveland and Fort Collins seem

to be gaining economic growth. Johnstown needs to be at the forefront and attract development in the town.

11. What do you like most / least about the Town of Johnstown?

The town needs growth and needs to bring development and big businesses to help stimulate economic growth.

12. What would you like to see the Town accomplish in the next two (2) years?

Bringing in notable brands and businesses that will help the Town stand out within the region.

13. What is your philosophy on growth?

Never stop growing; there is always room for growth

14. What changes would you like to see occur in the Town of Johnstown?

Economic transformation

15. Why should you be appointed?

I am dedicated in everything that I do and I truly care about the community that I live in.

Signature Cameron Singh Date 11/11/2021

**Please complete this form in its entirety using the space provided and return to the Town Clerk by emailing a scanned copy to dseele@townofjohnstown.com or by dropping it off at Town Hall (450 S. Parish Ave, Johnstown, CO 80534). With questions, please call 970-587-4664.*



Town of Johnstown

TOWN COUNCIL CONSENT AGENDA COMMUNICATION

AGENDA DATE: April 4, 2022

SUBJECT: Resolution 2022-10 Approving Correction of Street Name on Subdivision Plat for Revere at Johnstown, Filing No. 1

ACTION PROPOSED: Approve Resolution 2022-10 Approving Correction of Street Name on Subdivision Plat for Revere at Johnstown, Filing No. 1

ATTACHMENTS: 1. Affidavit of Plat Correction

PRESENTED BY: Kim Meyer, Director of Planning & Development

ITEM DESCRIPTION:

The Applicant, Forestar (USA) Real Estate Group, has requested a correction to their subdivision plat that would rename the public streets and private drives within the subdivision.

No additional changes to the plat are proposed, merely street name changes. Town Staff has no concerns with these changes and has verified and approved for use the new street names, internally as well as with Front Range Fire and Rescue's Fire Marshal.

LEGAL ADVICE:

Town Attorney prepared the Resolution

FINANCIAL ADVICE:

N/A

Reviewed and Approved for Presentation,

Town Manager

The Community That Cares

johnstown.colorado.gov

P: 970.587.4664 | 450 S. Parish Ave, Johnstown CO 80534 | F: 970.587.0141

TOWN OF JOHNSTOWN, COLORADO
RESOLUTION NO. 2022 - 10

**APPROVING CORRECTION OF STREET NAMES ON SUBDIVISION PLAT
FOR REVERE AT JOHNSTOWN, FILING NO. 1, LOCATED IN THE NORTH
HALF OF SECTION 2, TOWNSHIP 4 NORTH, RANGE 68 WEST OF THE 6TH
PRINCIPAL MERIDIAN, TOWN OF JOHNSTOWN, COUNTY OF WELD,
STATE OF COLORADO.**

WHEREAS, the Town of Johnstown, Colorado (the “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, Forestar (USA) Real Estate Group, Inc., a Delaware corporation (“Forestar”), submitted an application to the Town for approval of a Preliminary and Final Subdivision Plat (“Plat”) for Revere at Johnstown, Filing No. 1, located in the North Half of Section 2, Township 4 North, Range 68 West of the 6th Principal Meridian, Town of Johnstown, County of Weld, State of Colorado (“Property”); and

WHEREAS, on April 19, 2021, by Resolution No. 2021-11, the Town Council approved the Plat for the Property; and

WHEREAS, Forestar has indicated to the Town that the Plat contains street name errors and that it desires to correct those errors; and

WHEREAS, in furtherance thereof, Forestar submitted a surveyor’s Affidavit of Correction of Plat, which is attached hereto and incorporated herein by reference as Exhibit A; and

WHEREAS, the Town Council desires to approve the correction of the street names on the Plat and authorize the recordation of the Affidavit of Correction of Plat.

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

Section 1. The Town Council hereby approves the correction of the street names on the Plat, as set forth and depicted on the Affidavit of Correction of Plat attached hereto as Exhibit A.

Section 2. The Town Clerk is hereby directed to record the Affidavit of Correction of Plat in the Office of the Weld County Clerk and Recorder.

PASSED, SIGNED, APPROVED, AND ADOPTED THIS ____ day of April, 2022.

ATTEST:

TOWN OF JOHNSTOWN, COLORADO

By: _____
Diana Seele, Town Clerk

By: _____
Gary Lebsack, Mayor

AFFIDAVIT OF CORRECTION OF PLAT

SURVEYOR'S AFFIDAVIT OF CORRECTION

ON THIS 17th DAY OF FEBRUARY 2022, I JAMES E. LYNCH HAVING NO OWNERSHIP INTEREST IN THE AFTER DESCRIBED LANDS, UPON OATH AND UNDER PENALTY OF PERJURY, DEPOSE AND SAY, AS PROVIDED IN C.R.S. 38-51-111 AS FOLLOWS:

THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO AND PREPARED THE PLAT OF REVERE AT JOHNSTOWN FILING NO. 1, RECORDED AT RECEPTION NO. 4738028 IN THE RECORDS OF THE WELD COUNTY CLERK AND RECORDER'S OFFICE, LOCATED IN THE NORTH HALF (N 1/2) SECTION 2, TOWNSHIP 4 NORTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO.

AFFIANT FURTHER STATES: THERE ARE STREET NAME ERRORS SHOWN ON THE FACE OF SAID PLAT. SAID ERRORS ARE HERBY CORRECTED AS SHOWN ON THE ATTACHED EXHIBIT A. THIS CORRECTION MEETS THE REQUIREMENTS OF C.R.S. 38-51-111 (2) (C) STREET NAMES SHOWN ON EXHIBIT A SHALL APPLY TO ALL SHEETS OF THE PLAT

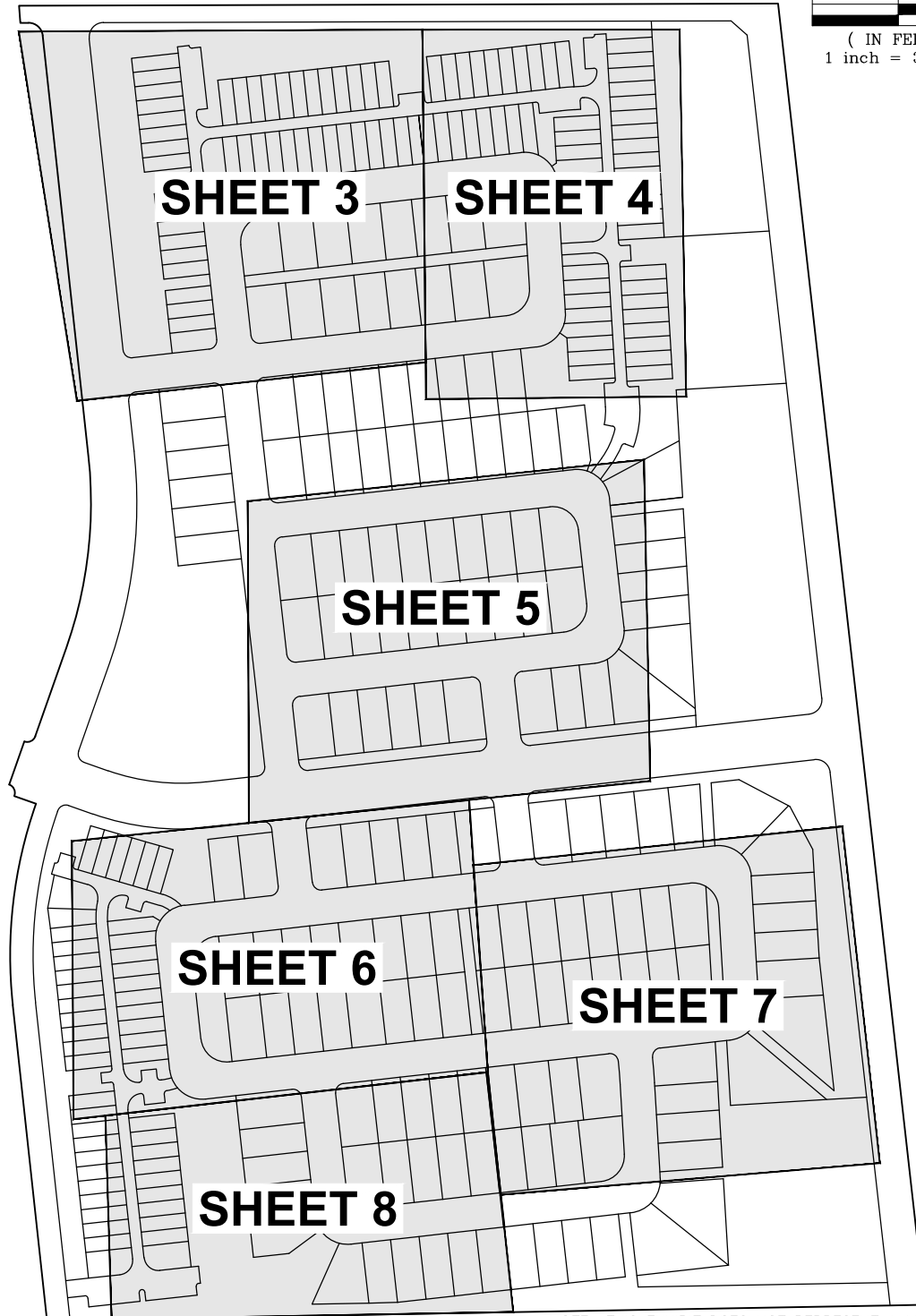
AFFIANT FURTHER STATES THAT THE AFOREMENTIONED PLAT OF REVERE AT JOHNSTOWN FILING NO. 1 IS HEREBY CORRECTED TO CONFORM TO THE ABOVE DESCRIBED STREET NAMES IN THE SAME MANNER AS IF SAID NAMES HAD BEEN RE-RECORDED WITH THE PROPER NOTATION CONTAINED HEREON.



JAMES E. LYNCH, P.L.S. 37933
FOR AND ON BEHALF OF AZTEC CONSULTING INC.
300 EAST MINERAL AVENUE., SUITE 1
LITTLETON, CO 80122
(303) 713-1898

EXHIBIT A

GRAPHIC SCALE
0 150 300
(IN FEET)
1 inch = 300 ft.

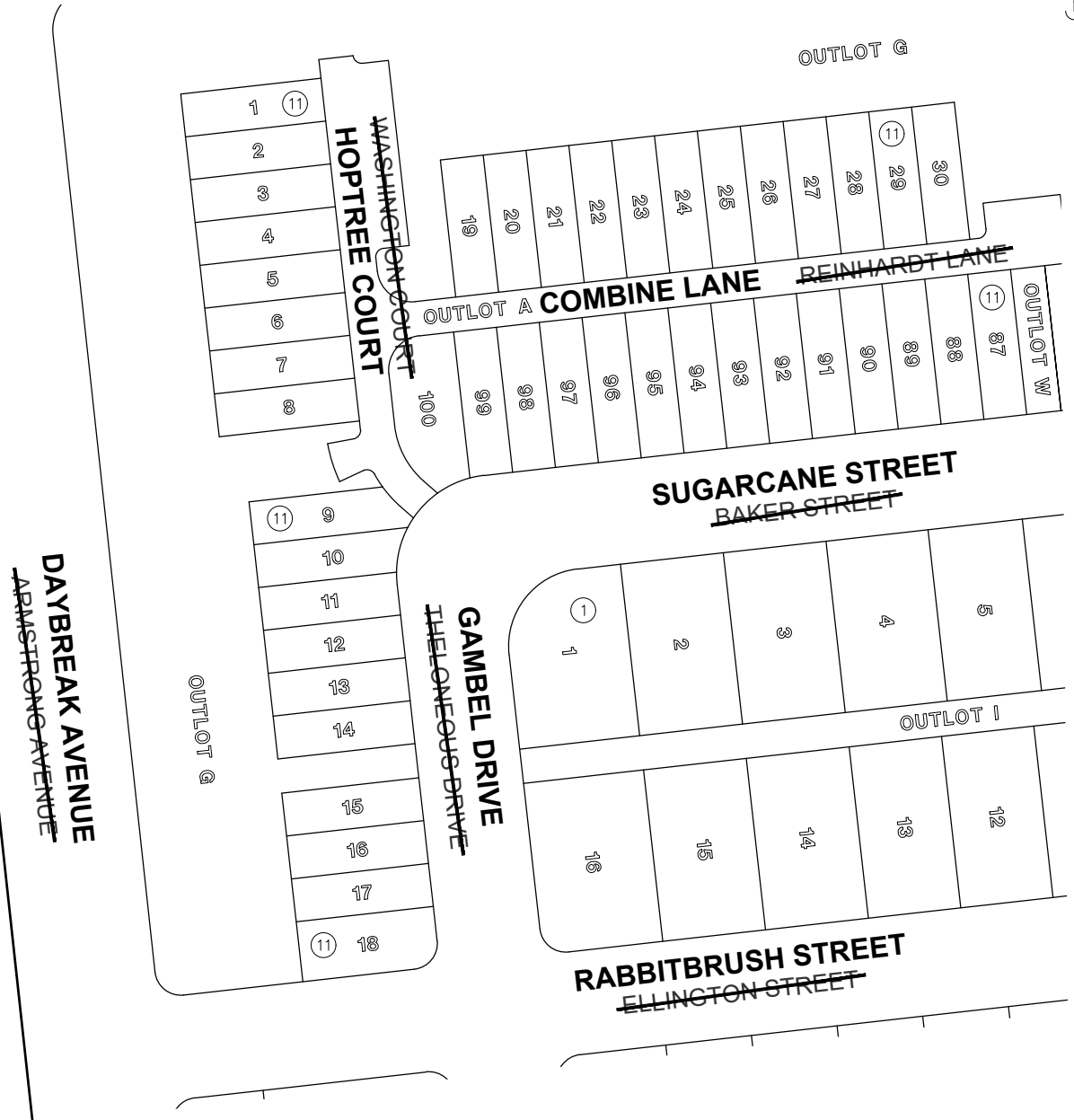


NOTE: THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY.

EXHIBIT A	
REVERE AT JOHNSTOWN FILING NO. 1	
TOWN OF JOHNSTOWN, WELD COUNTY, COLORADO	
PROJ. MGR.: DSB	SHEET 2 OF 8
DRAWN BY: JLM	
DATE: 03/02/22	
SCALE: 1" = 300'	

EXHIBIT A

GRAPHIC SCALE
0 50 100
(IN FEET)
1 inch = 100 ft.



NOTE: THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY.

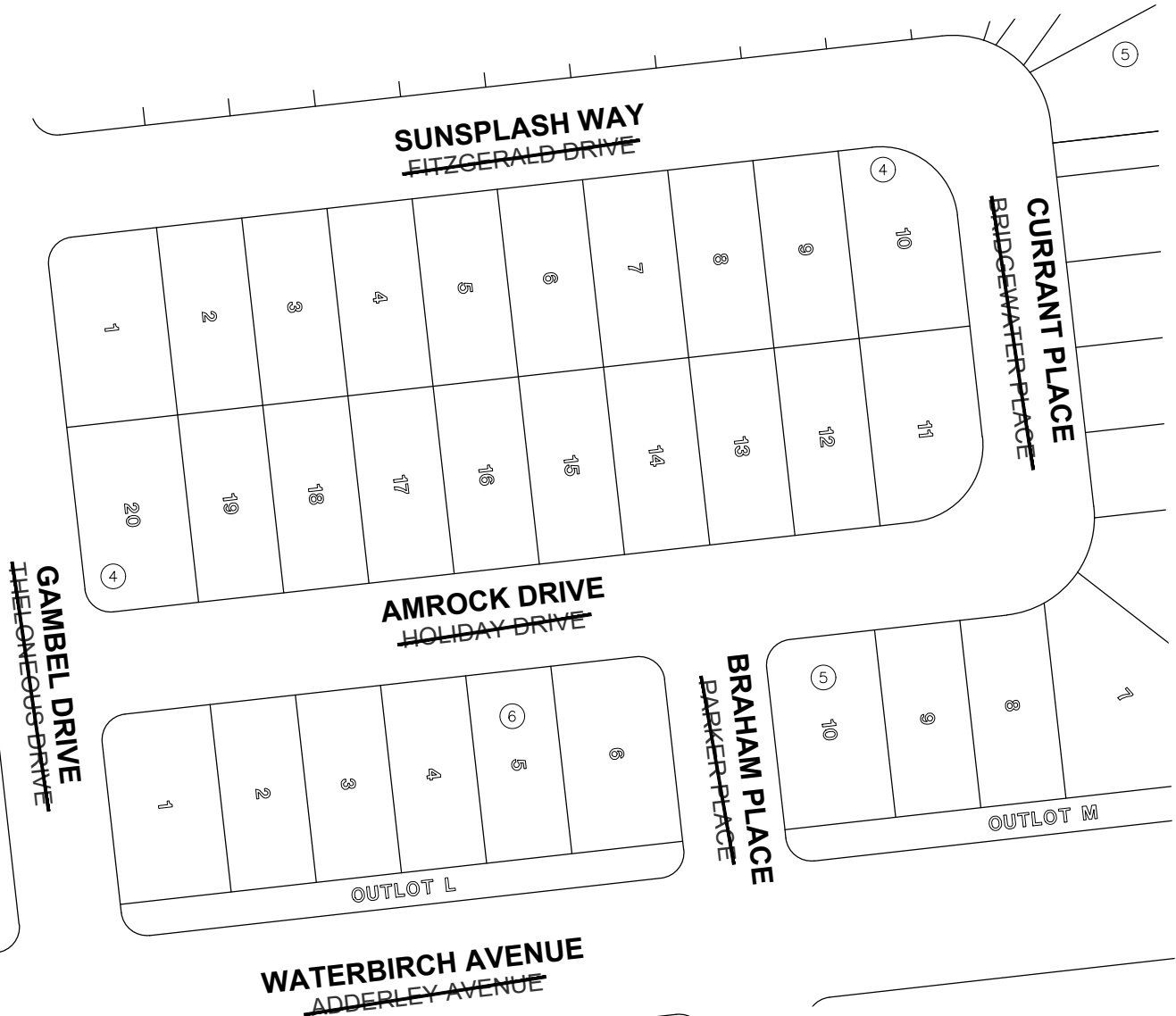
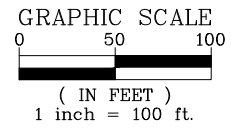
EXHIBIT A	
REVERE AT JOHNSTOWN FILING NO. 1	
TOWN OF JOHNSTOWN, WELD COUNTY, COLORADO	
PROJ. MGR.: DSB	SHEET 3 OF 8
DRAWN BY: JLM	
DATE: 03/02/22	
SCALE: 1" = 100'	

EXHIBIT A

GRAPHIC SCALE
0 50 100
(IN FEET)
1 inch = 100 ft.



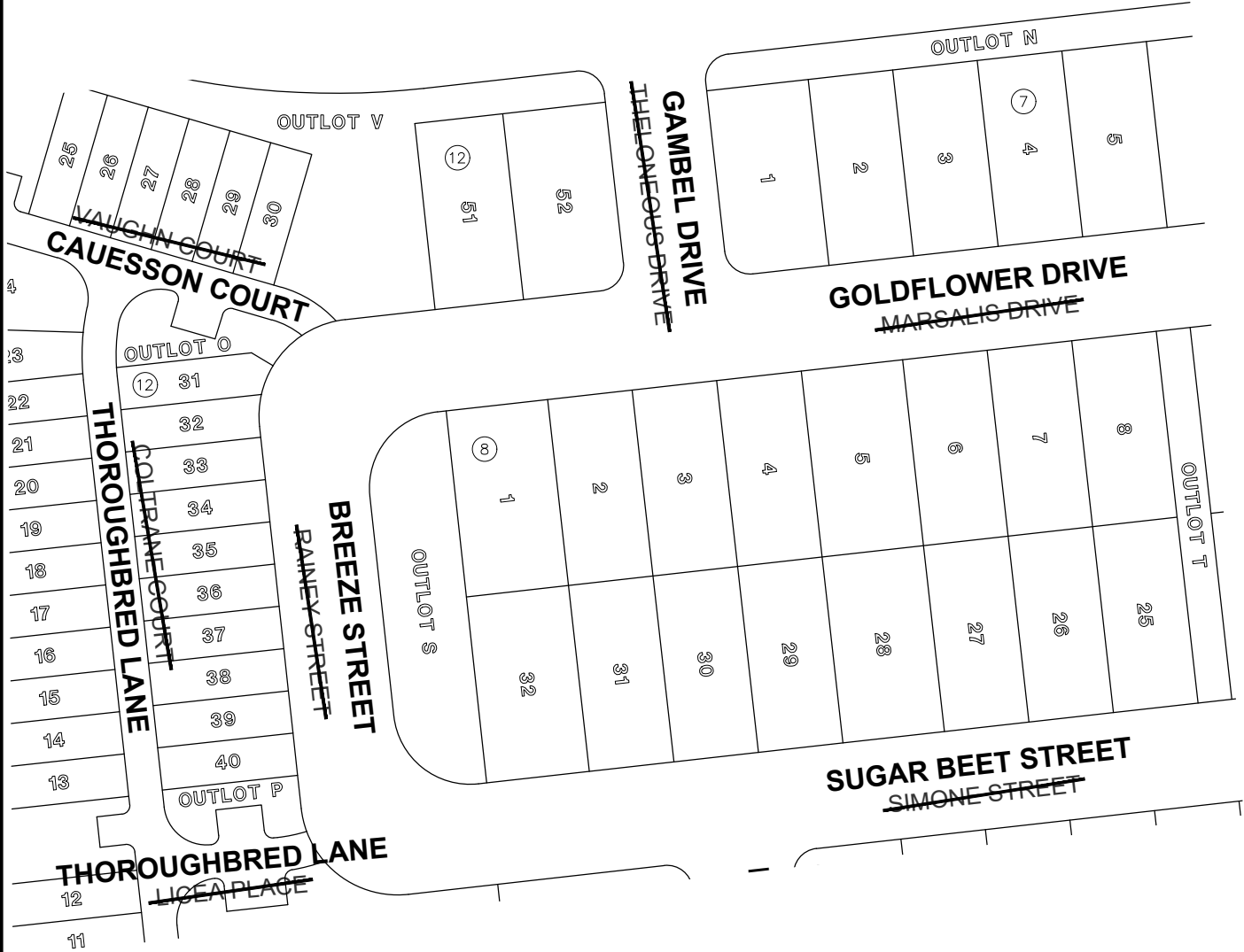
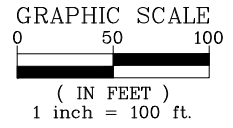
EXHIBIT A



NOTE: THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY.

EXHIBIT A	
REVERE AT JOHNSTOWN FILING NO. 1	
TOWN OF JOHNSTOWN, WELD COUNTY, COLORADO	
PROJ. MGR.: DSB	SHEET 5 OF 8
DRAWN BY: JLM	
DATE: 03/02/22	
SCALE: 1" = 100'	

EXHIBIT A



NOTE: THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY.

EXHIBIT A	
REVERE AT JOHNSTOWN FILING NO. 1	
TOWN OF JOHNSTOWN, WELD COUNTY, COLORADO	
PROJ. MGR.: DSB	SHEET
DRAWN BY: JLM	6 OF 8
DATE: 03/02/22	
SCALE: 1" = 100'	

EXHIBIT A

GRAPHIC SCALE
0 50 100
(IN FEET)
1 inch = 100 ft.



NOTE: THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY.

EXHIBIT A	
REVERE AT JOHNSTOWN FILING NO. 1	
TOWN OF JOHNSTOWN, WELD COUNTY, COLORADO	
PROJ. MGR.: DSB	SHEET 7 OF 8
DRAWN BY: JLM	
DATE: 03/02/22	
SCALE: 1" = 100'	

EXHIBIT A

GRAPHIC SCALE
0 50 100
(IN FEET)
1 inch = 100 ft.



NOTE: THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY.

EXHIBIT A	
REVERE AT JOHNSTOWN FILING NO. 1	
TOWN OF JOHNSTOWN, WELD COUNTY, COLORADO	
PROJ. MGR.: DSB	SHEET 8 OF 8
DRAWN BY: JLM	
DATE: 03/02/22	
SCALE: 1" = 100'	



Town of Johnstown

TOWN COUNCIL CONSENT AGENDA COMMUNICATION

AGENDA DATE: April 4, 2022

SUBJECT: Resolution 2022-11 Findings of Fact and Conclusions with respect to the South Ridge Annexation

ACTION PROPOSED: Approve Resolution 2022-11 Findings of Fact and Conclusions with respect to the South Ridge Annexation

ATTACHMENTS: 1. Resolution 2022-11

PRESENTED BY: Kim Meyer, Director of Planning & Development

ITEM DESCRIPTION:

An annexation petition and application materials were received by the Town in July 2021 to annex approximately 80 acres, located north of Larimer County Rd 16, west of Larimer County Road 3E, abutting The Ridge Filng 2 Subdivision. These materials have been reviewed and found by Town Staff and the Town Attorney to be in compliance with C.R.S. §31-12-107(1). This resolution sets forth the findings of fact and conclusions that the area is eligible for annexation and may be annexed by ordinance.

LEGAL ADVICE:

Town Attorney prepared the Resolution

FINANCIAL ADVICE:

N/A

Reviewed and Approved for Presentation,

Town Manager

The Community That Cares

johnstown.colorado.gov

P: 970.587.4664 | 450 S. Parish Ave, Johnstown CO 80534 | F: 970.587.0141

**TOWN OF JOHNSTOWN, COLORADO
RESOLUTION NO. 2022-11**

**FINDINGS OF FACT AND CONCLUSIONS BASED THEREON
WITH RESPECT TO THE SOUTH RIDGE ANNEXATION**

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, Southridge HoldCo, LLC, a Colorado limited liability company, submitted a Petition for Annexation for an annexation of real property situated in the North Half of the Southwest Quarter of Section 26, Township 5 North, Range 68 West of the 6th P.M., County of Larimer, State of Colorado, consisting of approximately 80.66 acres, being more particularly described on Exhibit A, and known as the “South Ridge Annexation;” and

WHEREAS, on February 23, 2022, by Resolution No. 2022-05, the Town Council found the Petition for Annexation to be in substantial compliance with C.R.S. § 31-12-107(1); and

WHEREAS, on April 4, 2022, after due notice, the Town Council conducted a public hearing and, based on the evidence contained in the official file, the official records of the Town and the evidence produced at the hearing, desires to enter the following findings of fact and conclusions with the respect to the South Ridge Annexation.

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

The Town Council hereby sets forth its findings of fact and conclusions with respect to the South Ridge Annexation.

FINDINGS OF FACT

1. The requirements of the applicable parts of C.R.S. § 31-12-104 and C.R.S. § 31-12-105 have been met including the following:
 - A. Not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the Town as shown on the annexation map.
 - B. A community of interest exists between the area proposed to be annexed and the Town due to the proximity of the area to the Town, the desires of the owners to annex and the fact that it is within the planning area contemplated in the Johnstown Area Comprehensive Plan.
 - C. The area will be urbanized in the near future and the area is capable of being fully integrated with the Town.
 - D. Although less than fifty (50%) percent of the adult residents of the area proposed to be annexed make use of Town facilities, the landowners of the area proposed for annexation, while presently agricultural, plan to convert the land to planned unit development (“PUD”) residential

development in less than five (5) years, and urban services, which are currently being provided to other citizens of the Town, can be provided to citizens of the proposed annexed area on the same terms and conditions as the services are made available to other citizens. The Town can provide water service and the Town's sewer system can be extended to the property annexed with the same standards as the current sewer system serving other citizens. Police and other municipal services can be provided as well.

E. No land held in identical ownership has been divided into separate parts. No land with a valuation of over \$200,000 has been included without written consent. No annexation proceedings concerning this area have been commenced by any other municipality.

F. This annexation will not result in any detachment of area from any school district.

G. No part of the area to be annexed extends any more than three (3) miles from the existing Town boundaries. The Town has in place a plan for that area as required by C.R.S. § 31-1-105.

H. The entire widths of any streets to be annexed are included within the annexation.

2. No petition for annexation election has been submitted and an election is not required pursuant to C.R.S. § 31-12-107(2). An annexation agreement has been submitted.
3. The Town Council has determined that additional terms and conditions will not be imposed.
4. The Petition was signed by the owners of 100% of the property to be annexed exclusive of streets and alleys.
5. Notice of this hearing has been given as required by C.R.S. § 31-12-108.
6. An Annexation Impact Report was submitted to the Larimer County Board of County Commissioners and County Attorney pursuant to C.R.S. § 31-12-108.5.

CONCLUSIONS

1. The area proposed for annexation is eligible for annexation pursuant to applicable parts of C.R.S. § 31-12-104.
2. None of the limitations of C.R.S. § 31-12-105 apply to restrict annexation.
3. Said South Ridge Annexation may be annexed by Ordinance pursuant to C.R.S. § 31-12-111, without an election under C.R.S. § 31-12-107(2).

PASSED, SIGNED, APPROVED, AND ADOPTED THIS ____ day of _____, 2022.

ATTEST:

TOWN OF JOHNSTOWN, COLORADO

By: _____
Diana Seele, Town Clerk

By: _____
Gary Lebsack, Mayor



Town of Johnstown

TOWN COUNCIL CONSENT AGENDA COMMUNICATIONS

AGENDA DATE: April 4, 2022

SUBJECT: Termination of Escrow Agreement between the Town of Johnstown and Johnstown Plaza, LLC

ACTION PROPOSED: Consider Termination of the Escrow Agreement

ATTACHMENTS: 1. Termination of Escrow Agreement

PRESENTED BY: Matt LeCerf, Town Manager

AGENDA ITEM DESCRIPTION:

Enclosed for your review and consideration is an agreement to Terminate the Escrow Agreement between the Town of Johnstown and Johnstown Plaza, LLC. The escrow account was established for the purposes of the disbursement of funds from both the 2016A and 2016B Special Revenue Bond Funds. Currently in this account is \$34,183.15. These funds will be deposited with the Town and be held until all warranty periods for the public improvements have expired and the infrastructure accepted by the Town. Upon acceptance the funds will be returned to Johnstown Plaza, LLC.

Termination of this escrow agreement is one of the many steps being taken in preparation of the refinancing of the Johnstown Plaza Bonds.

LEGAL ADVICE:

The Town Attorney has reviewed the document presented.

FINANCIAL ADVICE:

NA

RECOMMENDED ACTION: Approve the Termination of Escrow Agreement as presented.

Reviewed and Approved for Presentation,



Town Manager

The Community That Cares

www.TownofJohnstown.com

P: 970.587.4664 | 450 S. Parish Ave, Johnstown CO | F: 970.587.0141

TERMINATION OF ESCROW AGREEMENT

This **TERMINATION OF ESCROW AGREEMENT** (“Termination”) is made and entered into as of the 31st day of March, 2022, by and among the TOWN OF JOHNSTOWN, COLORADO, a home-rule municipality of the Counties of Larimer and Weld, State of Colorado (“**Town**”), JOHNSTOWN PLAZA, LLC, a Kansas Limited Liability Company (“**Developer**”), JOHNSTOWN PLAZA METROPOLITAN DISTRICT, a quasi-municipal corporation and political subdivision of the state of Colorado (“**District**”) and UMB BANK, N.A., a national banking association as escrow agent (“**Escrow Agent**”). Town, Developer, District and Escrow Agent are sometimes individually referred to as a “Party” and collectively as the “Parties.”

Capitalized terms used herein shall have the meaning set forth in the Escrow Agreement.

RECITALS

WHEREAS, on or about July 6, 2016, the Parties entered into an Escrow Agreement related to, among other matters, the disbursement of funds from the District’s Special Revenue Bonds Series 2016A and the District’s Taxable Special Revenue Bonds Series 2016B (collectively, “Johnstown 2016 Bond Proceeds Accounts”), for payment of the Verified Eligible Costs associated with construction of the Public Improvements; and

WHEREAS, the Escrow Agreement has been amended by the First Amendment, Second Amendment and Third Amendment (collectively, referred to as the “Escrow Agreement”) which provide for certain obligations and requirements regarding the disbursement of funds from the Johnstown 2016 Bond Proceeds Accounts; and

WHEREAS, for the purpose of refunding the Series 2016A Bonds and the Series 2016B Bonds and financing or reimbursing costs of acquiring, constructing and installing a portion of certain Public Improvements in Phase I and/or Phase II of the Development (the “Project”), the Board of Directors of the District has determined that it is in the best interests of the District, and the residents and taxpayers thereof, that the District issue its Limited Tax General Obligation Refunding and Improvement Bonds, Series 2022, in the aggregate principal amount of up to \$115,000,000 (the “2022 Bonds”); and

WHEREAS, pursuant to the Second Amendment to the Comprehensive Development Agreement, Funding Plan and Intergovernmental Agreement for Johnstown Plaza, Johnstown, Colorado, dated and effective as of December 13, 2021, the Town authorized the issuance of the 2022 Bonds, the refunding of the Series 2016A Bonds and the Series 2016B Bonds, and the financing or reimbursing costs of acquiring, constructing and installing a portion of certain Public Improvements in the Development; and

WHEREAS, as part of the issuance of the 2022 Bonds, the 2016 Escrow Agreement, as amended is no longer necessary and certain proceeds held under the 2016 Escrow Agreement constituting proceeds of the 2016 issuance are to be transferred to the Town pursuant to that certain Letter Agreement between the District and Town of Johnstown dated September 13, 2017 for the

purposes of providing security for a maintenance guaranty for public improvements transferred to the Town; and

WHEREAS, any use of proceeds from the 2022 Bonds shall be governed by the documents, agreements and provisions of the 2022 Bonds and the 2016 Escrow Agreement can be terminated and any and all proceeds released as a final allocation of proceeds and confirmation from the Escrow Agent shall be provided to the satisfaction of the Town, Developer, District and Escrow Agent and the 2016 Escrow Agreement may be terminated upon closing of the 2022 Bonds; and

WHEREAS, the District and Developer have confirmed that all public improvements have been completed, all Verified Eligible Costs have been certified to the District and are pending confirmation of the Town and closing of the 2022 Bonds to complete the final repayment and reimbursement of Verified Eligible Costs, and final allocation of proceeds. Any obligations under the 2016 Escrow Agreement have been or will be completed upon closing of the 2022 Bonds. The District and Developer respectfully request that the funds remaining in the Johnstown 2016 Bond Proceeds Accounts and the Developer Funds Account be released and such 2016 Escrow Account closed; such proceeds, if any, shall be released to the Town as a maintenance guaranty; and

WHEREAS, each of the Parties to the Escrow Agreement agrees that any portion of the funds remaining in the Johnstown 2016 Bond Proceeds Accounts may be disbursed as provided herein and governed by the 2022 Bonds documents and agreements conditioned upon the closing of the 2022 Bonds; and

WHEREAS, to effectuate the foregoing, the Parties hereto desire to enter into this Termination of Escrow Agreement.

NOW THEREFORE, in consideration of the mutual covenants and promises expressed herein, the parties hereby agree as follows:

COVENANTS AND AGREEMENTS


1. Recitals. The recitals are incorporated as if fully set forth herein.
2. Closing of Developer Funds Account and Public Improvements Escrow Account. Notwithstanding anything to the contrary contained in the Escrow Agreement, the Parties to the Escrow Agreement hereby agree that the Escrow Agent shall release on or before the date of issuance of the 2022 Bonds any amounts remaining and held under the Escrow Agreement, estimated to be approximately Thirty-Four Thousand One Hundred Eighty Three and 15/100 Dollars (\$34,183.15), which funds shall be distributed to the Town to hold for the purposes of securing the obligation to provide a maintenance guarantee as contemplated by that certain Letter Agreement between the District and Town of Johnstown dated September 13, 2017.
3. Validity of Escrow Agreement. Except as expressly modified herein, the Escrow Agreement, including all amendments executed prior to the date hereof, shall remain in full force and effect. Upon closing of the 2022 Bonds, and any necessary actions needed to disburse all

remaining funds in accordance with the 2022 Bond Documents, the Escrow Agent may close the accounts held under the Escrow Agreement and provide any final confirmation of allocation of proceeds required by the 2016 Bond Documents.


IN WITNESS WHEREOF, the parties have caused this Termination of Escrow Agreement to be executed as of the date first written above.

JOHNSTOWN PLAZA METROPOLITAN
DISTRICT, a quasi-municipal corporation and
political subdivision of the state of Colorado

Date: 3/28/2022

By: 
Its President

ATTEST:

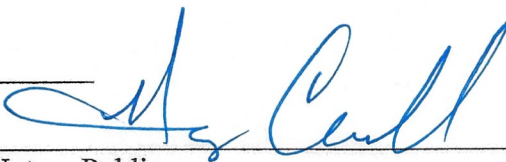

Secretary

STATE OF KANSAS)
) ss.
COUNTY OF JOHNSON)

The foregoing Termination of Escrow Agreement for Johnstown Plaza, Johnstown, Colorado was acknowledged before me this 28 day of March 2022, by Allen Schlup as President and John Schlup as Secretary of JOHNSTOWN PLAZA METROPOLITAN DISTRICT, a quasi-municipal corporation of the state of Colorado.

Witness my hand and official seal.





Notary Public

JOHNSTOWN PLAZA, LLC
a Kansas limited liability company

By: Michel S. Schluif
Its Manager

STATE OF KANSAS)
) ss.
COUNTY OF JOHNSON)

Witness my hand and official seal.



AMY CARROLL
Notary Public, State of Kansas
My Appointment Expires 5-16-25

TOWN:

THE TOWN OF JOHNSTOWN
a home-rule municipality of the State of Colorado

Date: _____

By: _____
Gary Lebsack, Mayor

ATTEST:

Diana Seele, Town Clerk

ESCROW AGENT:

UMB BANK, N.A., a national banking association,
having an office and corporate trust offices in
Denver, Colorado

Name: _____

Title: _____

STATE OF COLORADO)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____,
2022, by _____, as the _____
of UMB Bank, n.a., Escrow Agent.

WITNESS my hand and official seal.

My commission expires: _____

(S E A L)

Notary Public



Town of Johnstown

MEMORANDUM

TO: Honorable Mayor and Town Council Members

FROM: Matt LeCerf, Town Manager

DATE: April 4, 2022

CC: Town Staff
Local Media

SUBJECT: Town Manager's Report

Upcoming Town Council Meetings & Work Sessions – If there are topics that the Council would like staff to schedule for discussion, please let me know. The following topics are recommended for Council discussion (all meetings will be held in the Town Council Chambers unless otherwise indicated):

- 04/18/2022 – Regular Town Council Meeting
- 05/02/2022 – Regular Town Council Meeting
- 05/09/2022 – Work Session – (6 p.m.)
- 05/16/2022 – Regular Town Council Meeting

Administration, Finance, Planning, & Human Resources

- *Budgeting Software* – Mapping of the new software has been completed and approved. Training for department heads is expected to begin in May.
- *2021 Audit* – Preparation for the upcoming 2021 audit is well underway. Fieldwork is scheduled to begin April 25, 2022.
- *Flex Schedules* – Some staff members have switched to flex schedules. Options included working a 9/80 schedule with every other Friday off, 4/10's with either a Friday or Monday off, or staying with the current 8-5 Monday – Friday. Our focus is to help promote better work-life balance. In either instance, the primary focus is that service levels for our residents do not drop off.

The Community That Cares

johnstown.colorado.gov

P: 970.587.4664 | 450 S. Parish Ave, Johnstown CO 80534 | F: 970.587.0141

- *Broadband Update* – The four (4) Towns submitted a Master License Agreement and Supplemental Site License Agreement to Allo to begin discussions on the broadband deployment. Final details are being completed on a non-exclusive franchise agreement. The focus of the franchise agreement is to make the terms uniform across all Towns.
- *60 + Ride Organization* – Jamie and Matt met with the 60+Ride organization. This entity provides free rides to residents in northern Colorado to all over the state as necessary to meet their needs. They are seeking support from the various municipalities they serve. We plan to have them at a future work session to discuss the service they provide.
- *Hiring* – Three Public Works Maintenance workers were given offers this past week, we also have two Police Officers in process and an Administrative Assistant will be starting soon for the Police Department. We are currently looking for a Civil Engineer, Mechanic, Communications Specialist, Water/Sewer Utility Crew Lead, and a Water Plant Operator.
- *Water Shut-off Courtesy Calls* – Staff has been placing courtesy calls to customers who are on the shut off list in an effort to minimize the number of customers who are disconnected each month. To date, the calls have been incredibly effective in reducing the number of shut-offs. The calls are typically placed one to two days before shut-off day and have been done manually, however, we are currently working to automate them to increase efficiency.

	January	February	March
Number of shut-off notices mailed	389	230	276
Number of courtesy calls place	170	87	72
Number of customers shut-off	21	10	22

Police Department

Training:

- *Firearms Training* – The entire department received retraining and participated in State firearms qualifications testing.
- *K9 Recertification* – K9 officer Vasco passed his State of Colorado narcotics certification last week.
- *Crisis Intervention Training* – Officer Olds became certified in CIT training this week.

Public Works and Utilities

Public Works

- *Work Orders* – Staff completed over 1,000 work orders for 2021.
- *North Front Range Metropolitan Planning Organization* – Staff attended the NFRMPO technical meeting in March. The meeting discussed the availability of funding for carbon reduction grants and Roads of Regional Significance.

The Community That Cares

johnstown.colorado.gov

P: 970.587.4664 | 450 S. Parish Ave, Johnstown CO | F: 970.587.0141

- *Pavement Maintenance Plan* – Staff is currently working on finalizing this year’s Pavement Maintenance Plan and hopes to bring forward more information to the Council in April.
- *Rolling Hills Playground* –The existing playground was removed to make way for the new playground and pour in place flooring. The new playground is currently estimated to be completed by the end of April.

Water Plant & System

- *Water Plant*
 - Completed pilot testing on the pretreatment for the WTP Design.
 - We’ve been experiencing challenges bringing the plant back online due to changes in chemical dosing.
 - Scheduling GAC startup for end of April to prepare for geosmin and MIB in the water.
- *Distribution System*
 - Adjustments at the CR3E PRV automation to control the feed to the north side of Town and the North Tank are being completed.
 - Tied in Home Supply Ditch flow meter.
 - Made modification in Lone Tree pump vault for safety.

Wastewater Plants & System

- *Central*
 - Evaluating process improvements for lagoon aeration, effluent pumps, DAF influent valve and headworks bar screen as part of the planned design at Central.
 - Polymer pump parts arrived and will be replaced.
 - Weed treatment around buildings was performed.
- *Low Point*
 - Generator was tested and functioned well for planned construction power outage.
 - The fan press is running more efficiently to process solids with recent alkalinity addition.
- *Collection*
 - Lift Station maintenance and communication upgrades are being completed.

Project Updates

- *Charlotte Street* – Council was provided an update at the last council meeting. Town staff and the consultant are currently working on the bid packet. The bid will not be issued until notification of the grant application.
- *Old Town Drainage* – The project is moving out of the alley and will now place the storm drain system along Greeley. When weather permits, the alley will be cement paved. Once Greeley storm system is installed crews will work on concrete work, followed by final paving. Xcel gas crews will also be on site this month to replace the gas line in Estes, Greeley, and Fremont.
- *2nd Street Bridge* – The bridge project is on schedule and is crews are currently pouring the box wing walls. Back fill should take place shortly after, with roadwork beginning soon.

- *Johnstown Reservoir Dam Repair* – Dredging operations are complete. Construction crews were unable to process about 500CY due to turn in weather. Contractor is rebuilding the dam and setting the bridge for the outlet tower structure on the east end by the end of the week. Town is coordinating filling the reservoir with the Home Supply during the month of April, hopefully prior to major calls for water and is in communication with the CDW to restocking the lake.
- *South Water Tank* – Contractor is continuing the striping and forming of each level of the tower shaft as well as pouring all of the dome pieces for the roof. We will try to offer a tour of the construction in April when the weather improves.
- *South Water Tank Distribution Pipeline* – Project work is focused on Hillsborough Ditch and a Farmers Ditch bore crossings before irrigation season. Contractor is installing waterline through DCP mitigation area on WCR13. April will start the work from the SH60 property heading south.
- *Water Treatment Plant Expansion* – The plant has been offline for 2 weeks in order to perform a pilot program to test pre-treatment options. Promising pilot results supporting keeping the existing pretreatment however more analysis is needed to determine max flows that can be treated and what chemical to use in pretreatment.
- *Central Interceptor Phase 1* – Lift Station building is wrapping up and electrical components on hold due to supply chain delays have come in. An additional month of work to complete the electrical with the new Lift Station is estimated and start-up is scheduled for May. The old lift station decommissioning is scheduled for June.
- *Central Interceptor Phase 2* – Contractor is installing the manhole and main from the lift station heading south and is performing the bore work at the Hillsborough Ditch crossing. Work will start to commence along CR46.
- *North Interceptor* – Town has received CDPHE approval and the Design Engineer is finalizing plans for the pricing by the end of March. Construction is anticipated to be presented to Council for an award in May.
- *Low Point Sewer Expansion* – Earthwork construction continuing and crew is continuing to work on new structure construction for MBR/SBR and EQ basins adjacent to headworks building. We can coordinate a tour of the improvements in April if Council would like to visit the site.
- *Central Plant Design* – The Design Engineer submitted 30% plan for review. Town Operations staff will be reviewing and providing comment at the beginning of April.

Active Development

- *Active Developments:* The Ridge A & B, TRR LCR3, TRR 12, Johnstown Village (Mallard Ridge) Filing 1 Phase 3, Revere, Mountain View Townhomes, 2534 Site Plans, Crowne Apartments, Johnstown Village Tracts M&N, Johnstown Farms Filing 3 WCR 46.5.
- *Acceptance:* Johnstown Village Filing 1 Phase 3A, Johnstown Heights.
- *Early Building Permit Requests:* TRR 12, Mountain View Townhomes, Johnstown Village Filing 1 Phase 2 and Phase 3A.

The Community That Cares

johnstown.colorado.gov

P: 970.587.4664 | 450 S. Parish Ave, Johnstown CO | F: 970.587.0141



Town of Johnstown

TOWN COUNCIL AGENDA COMMUNICATIONS

AGENDA DATE: April 04, 2022

SUBJECT: Ordinance 2022-228 regarding the South Ridge Annexation

ACTION PROPOSED: Hold Public Hearing and Consider Ordinance 2022-228 on First Reading, Annexing certain unincorporated lands located in Larimer County, known as the South Ridge Annexation, containing approximately 80.66 acres

ATTACHMENTS:

1. Ordinance 2022-228
2. Petition
3. Vicinity Map
4. Annexation Map
5. PZC Agenda Memorandum for Annexation & Zoning

PRESENTED BY: Justin Currie, Planner II

AGENDA ITEM DESCRIPTION:

The Town has received a petition for annexation from Southridge HoldCo, LLC, for the South Ridge Annexation (Attachment 2), in Larimer County. This proposed area of annexation meets the eligibility and contiguity requirements of CRS 31-104 and 105, and is bordered by Johnstown along the northern boundary. (See Attachment 4). A Resolution to this effect was approved by Council on February 23, 2022. The property encompasses approximately 80 acres, located west of Larimer County Road 3E, and south of the existing Ridge Filing 1 and Filing 2 residential subdivisions currently under construction. (See Attachment 3).

The Planning & Zoning Commission (PZC) held a public hearing on March 23, 2022, to consider the South Ridge Annexation (Case ANX21-0004). Public comment was given by one neighbor in the area, with concerns related to traffic and safety along County Road 18 and 16, crime, and other growth-related issues. Staff indicated that the development-level details are noted and will be further addressed at subdivision and development planning. The Applicant spoke of the intent to improve the section of County Road 18 that intersects County Road 3E that currently has a blind spot caused by a hill creating a hazardous situation.

The Community That Cares

johnstown.colorado.gov

P: 970.587.4664 | 450 S. Parish Ave, Johnstown CO 80534 | F: 970.587.0141

The Planning & Zoning Commission Agenda Memorandum attached (See Attachment 5) provides background and historical use of the property. The property has been undeveloped agricultural land within unincorporated Larimer County.

The Johnstown Review Committee reviewed this project and provided redlines and comments, which have been addressed by the Applicant. Full referral packets, required per C.R.S., were sent via registered mail to the Larimer County Board of County Commissioners, the County Attorney, and all Special Districts.

Based upon the materials submitted, analysis, and findings, the PZC approved a motion (4-0) to recommend to Town Council approval of this annexation request.

This petition and application for annexation is accompanied by companion requests, on this Council agenda, for Establishment of Zoning to PUD-R (Planned Unit Development – Residential), an Annexation Agreement, and a PUD Outline Development Plan (ODP) that encompasses this annexation area.

LEGAL ADVICE:

Ordinance was prepared by the Town Attorney.

FINANCIAL ADVICE:

NA

RECOMMENDED ACTION: Approve Ordinance 2022-228 Annexing the 80.66-acre South Ridge Annexation on First Reading.

SUGGESTED MOTIONS:


For Approval

I move that the Town Council approve Ordinance 2022-228 Annexing 80.66-acres known as the South Ridge Annexation on First Reading.

For Denial

I move that the Town Council deny Ordinance 2022-228.

Reviewed and Approved for Presentation,



Town Manager

TOWN OF JOHNSTOWN, COLORADO
ORDINANCE NO. 2022-228

**ANNEXING CERTAIN UNINCORPORATED LANDS LOCATED IN THE
 NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 26,
 TOWNSHIP 5 NORTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF
 LARIMER, STATE OF COLORADO, CONSISTING OF
 APPROXIMATELY 80.66 ACRES AND KNOWN AS THE SOUTH RIDGE
 ANNEXATION**

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 Resolution No. 2022-05, the Town Council found a petition for annexation of certain property situated in North Half of the Southwest Quarter of Section 26, Township 5 North, Range 68 West of the 6th P.M., County of Larimer, State of Colorado, consisting of approximately 80.66 acres, being more particularly described on Exhibit A, attached hereto and incorporated herein by this reference, known as the “South Ridge Annexation,” to be in substantial compliance with C.R.S. § 31-12-107(1); and

WHEREAS, after notice pursuant to C.R.S. § 31-12-108, on April 4, 2022, the Town Council has held a public hearing on the proposed annexation to determine if the annexation complies with C.R.S. §§ 31-12-104 and 105; and

WHEREAS, the Town Council has determined that the requirements of C.R.S. §§ 31-12-104 and 105 have been met, that an election is not required and that no additional terms or conditions are to be imposed on the annexed area.

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

Section 1. The annexation of certain unincorporated property situated in North Half of the Southwest Quarter of Section 26, Township 5 North, Range 68 West of the 6th P.M., County of Larimer, State of Colorado, consisting of approximately 80.66 acres, being more particularly described on Exhibit A, be and the same is hereby approved and said unincorporated area is hereby incorporated and made a part of the Town of Johnstown, Colorado.

Section 2. That the annexation of such unincorporated area to the Town of Johnstown, Colorado shall be complete and effective on the effective date of this Ordinance, except for the purpose of general property taxes, and shall be effective as to general property taxes on and after the first day of January, 2023.

Section 3. That, within thirty (30) days of the effective date of this Ordinance, the Town Clerk be and is hereby authorized and directed to:

- A. File one copy of the annexation map with the original of the annexation ordinance in the office of the Town Clerk; and
- B. File two certified copies of the annexation ordinance and map of the area annexed containing a legal description of such area with the Larimer County Clerk and Recorder.

Section 4. This Ordinance shall take effect as provided by State law.

INTRODUCED AND APPROVED on first reading by the Town Council of the Town of Johnstown, Colorado, this ___ day of _____, 2022.

TOWN OF JOHNSTOWN, COLORADO

ATTEST:

By: _____
Diana Seele, Town Clerk

By: _____
Gary Lebsack, Mayor

PASSED UPON FINAL APPROVAL AND ADOPTED on second reading by the Town Council of the Town of Johnstown, Colorado, this _____ day of _____, 2022.

TOWN OF JOHNSTOWN, COLORADO

ATTEST:

By: _____
Diana Seele, Town Clerk

By: _____
Gary Lebsack, Mayor

AMENDED PETITION FOR ANNEXATION
To the Town of Johnstown
(Larimer County)

The undersigned, in accordance with Article 12, Chapter 31, CRS, as amended, hereby petition the Town Council of the Town of Johnstown, Colorado, for annexation to the Town of Johnstown the unincorporated territory more particularly described below, currently known as South Ridge, and in support of said Amended Petition, your petitioners allege that:

- (1) The Amended Petition is being submitted to amend the name of the Petitioner and the landowner for the Petition for Annexation originally submitted to the Town of Johnstown on July 21, 2021.

- (2) It is desirable and necessary that the following described territory be annexed to the Town of Johnstown, Colorado:

See Exhibit A attached hereto and made a part hereof.

- (3) Not less than one-sixth (1/6) of the perimeter of that area proposed to be annexed is contiguous with the Town of Johnstown, Colorado.
- (4) A community of interest exists between the territory proposed to be annexed and the Town of Johnstown, Colorado.
- (5) The territory proposed to be annexed is urban or will be urbanized in the near future;
- (6) The territory proposed to be annexed is integrated or is capable of being integrated with the Town of Johnstown, Colorado;
- (7) The signatures of the Amended Petition comprise one hundred percent (100%) of the landowners of the territory to be included in the area proposed to be annexed and said landowners attesting to the facts and agreeing to the conditions herein contained will negate the necessity of any annexation election;
- (8) No land held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate:
 - (a) Is divided into separate parts or parcels without the written consent of the landowner or landowners thereof, unless such tracts or parcels are separated by a dedicated street, road or other public way;
 - (b) Comprising twenty (20) acres or more and which, together with the building and improvements situated thereon has an assessed value in excess of Two Hundred Thousand Dollars (\$200,000.00) for ad valorem tax purposes to be annexed without the written consent of the landowner or landowners.
- (9) No part of the area proposed to be annexed is more than three miles from a point on the municipal boundary, as such was established more than one year before this annexation will take place;

- (10) The area proposed to be annexed comprises more than ten acres and an impact report as provided in Section 31-12-105.5, CRS, as amended, is required.
- (11) The area proposed to be annexed is located within Larimer County, Thompson School District, Northern Colorado Water Conservancy District, Little Thompson Water District, Loveland Rural Fire Protection District, Aims Junior College District, and no others;
- (12) The mailing address of each signer, the legal description of the land owned by each signer and the date of signing of each signature are all shown on this Petition;
- (13) Accompanying this Petition are five (5) prints of the area proposed to be following information:
 - (a) A written legal description of the boundaries of the area proposed to be annexed;
 - (b) A map showing the boundary of the area proposed to be annexed, such map prepared and containing the seal of a registered engineer or land surveyor;
 - (c) Within the annexation boundary map there is shown the location of each ownership tract in unplatted land, and if part or all of the area is to be platted at the time of the effectiveness of the annexation (as opposed to after such effectiveness), then the boundaries and the plat number of plots or of lots and blocks are shown;
 - (d) Next to the boundary of the area proposed to be annexed is drawn the contiguous boundary of the Town of Johnstown, and the contiguous boundary of any other municipality abutting the area proposed to be annexed;
 - (e) The dimensions of the contiguous boundaries are shown on the map.
 - (f) A proposed drainage plan and a proposed utilities plan.
- (14) The territory to be annexed is not presently a part of any incorporated city, city and county, or town;
- (15) The undersigned agree to the following conditions, which shall be covenants running with the land, and which shall, at the option of the Town, appear on the annexation map:
 - (a) Water rights shall be provided as mutually agreed to by the Town and the undersigned; The undersigned specifically agree that they have not sold or transferred any water rights appurtenant to their property within the past year nor will they do so during the pendency of this annexation petition and once annexed to the Town of Johnstown, they will not sell or transfer any water rights appurtenant to the subject property without the prior written approval of the Johnstown Town Council.

- (b) The owners shall participate in providing drainage plan and improvements and payment of a unit drainage fee as may be required by the Town the area;
- (c) The undersigned hereby waive any and all "vested rights" previously created pursuant to Section 24-68-103, CRS, as amended.
- (d) The undersigned and the Town may enter into an Annexation Agreement prior to the effective date of this annexation, which agreement shall be additional conditions as effectively as if set forth in this Petition.

(16) Petitioner represents that: (Check one)

 x No part of the property to be annexed is included within any site specific development plan approved by Larimer County, Colorado.

 A site specific development plan has been approved by Larimer County, Colorado, which has created a vested right.

APPLICANT:**Southridge HoldCo, LLC, a Colorado limited liability company**

By: Southridge ManageCo, LLC
a Colorado limited liability company

Its: Manager

By: Caliber Services, LLC
an Arizona limited liability company

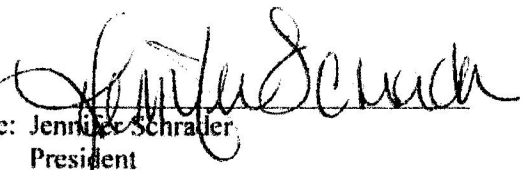
Its: Manager

By: Caliber Companies, LLC
an Arizona limited liability company

Its: Managing Member

By: CaliberCos Inc.
a Delaware corporation

Its: Manager

By: 
Name: Jennifer Schrader
Its: President

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

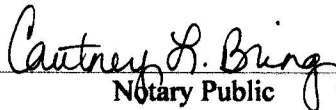
The foregoing instrument was acknowledged before me this 14 day of October, 2021,
by Jennifer Schrader, authorized signer, Southridge HoldCo, LLC.

Witness my hand and official seal.

My commission expires: 9-21-2024



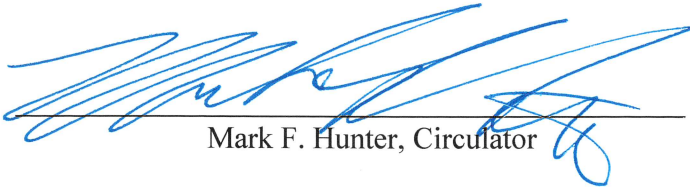
COURTNEY L. BRING
Notary Public - State of Arizona
MARICOPA COUNTY
Commission # 591049
Expires September 21, 2024


Notary Public

AFFIDAVIT OF CIRCULATOR

The undersigned, being of lawful age, who being first duly sworn upon oath, deposes and says:

That (he or she) was the circulator of the foregoing Amended Petition for Annexation of lands to the Town of Johnstown, Colorado, consisting of five (5) pages, including this page and that each signature thereon was witnessed by your affiant and is the true signature of the person whose name it purports to be.

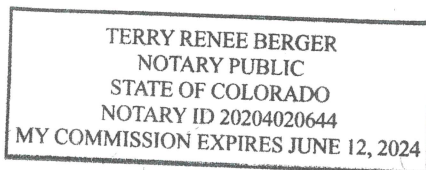

 Mark F. Hunter, Circulator

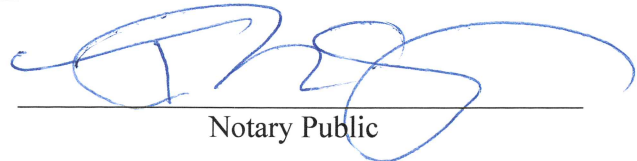
STATE OF COLORADO)
) ss
 COUNTY OF BOULDER)

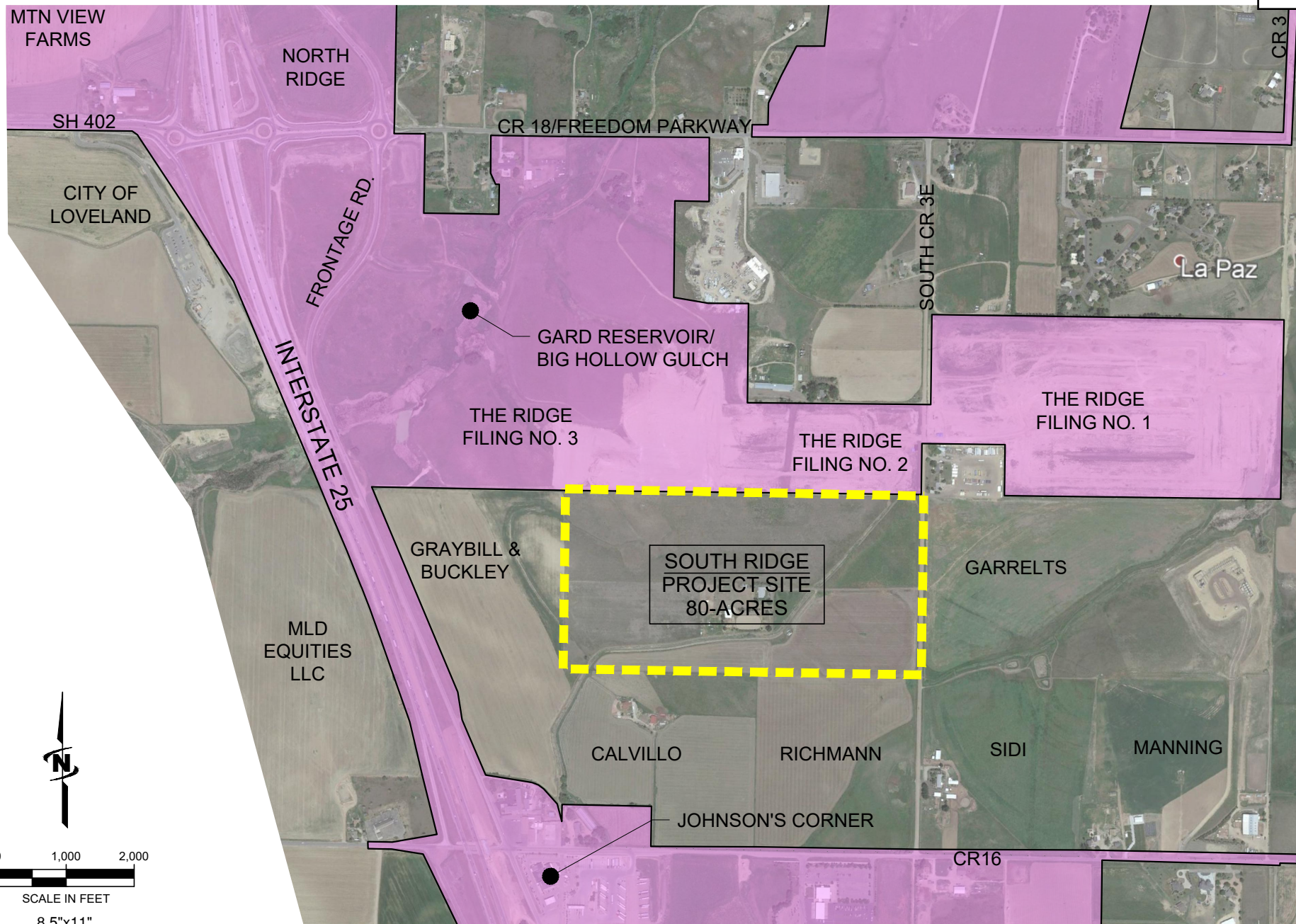
The foregoing Affidavit of Circulator was subscribed and sworn to before me this 29th day of October 2021 by Mark F. Hunter.

Witness my hand and official seal.

My commission expires: 6/12/24




 Notary Public



South Ridge Development
Johnstown, Colorado

Vicinity Map
October 10, 2021



J-U-B ENGINEERS, INC.

LAST UPDATE: 2/11/2022
PLOT DATE: 2/11/2022
FILE: 87-21-026 VICINITYMAP

SOUTH RIDGE ANNEXATION

LOCATED IN THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 5 NORTH, RANGE 68
WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF LARIMER, STATE OF COLORADO

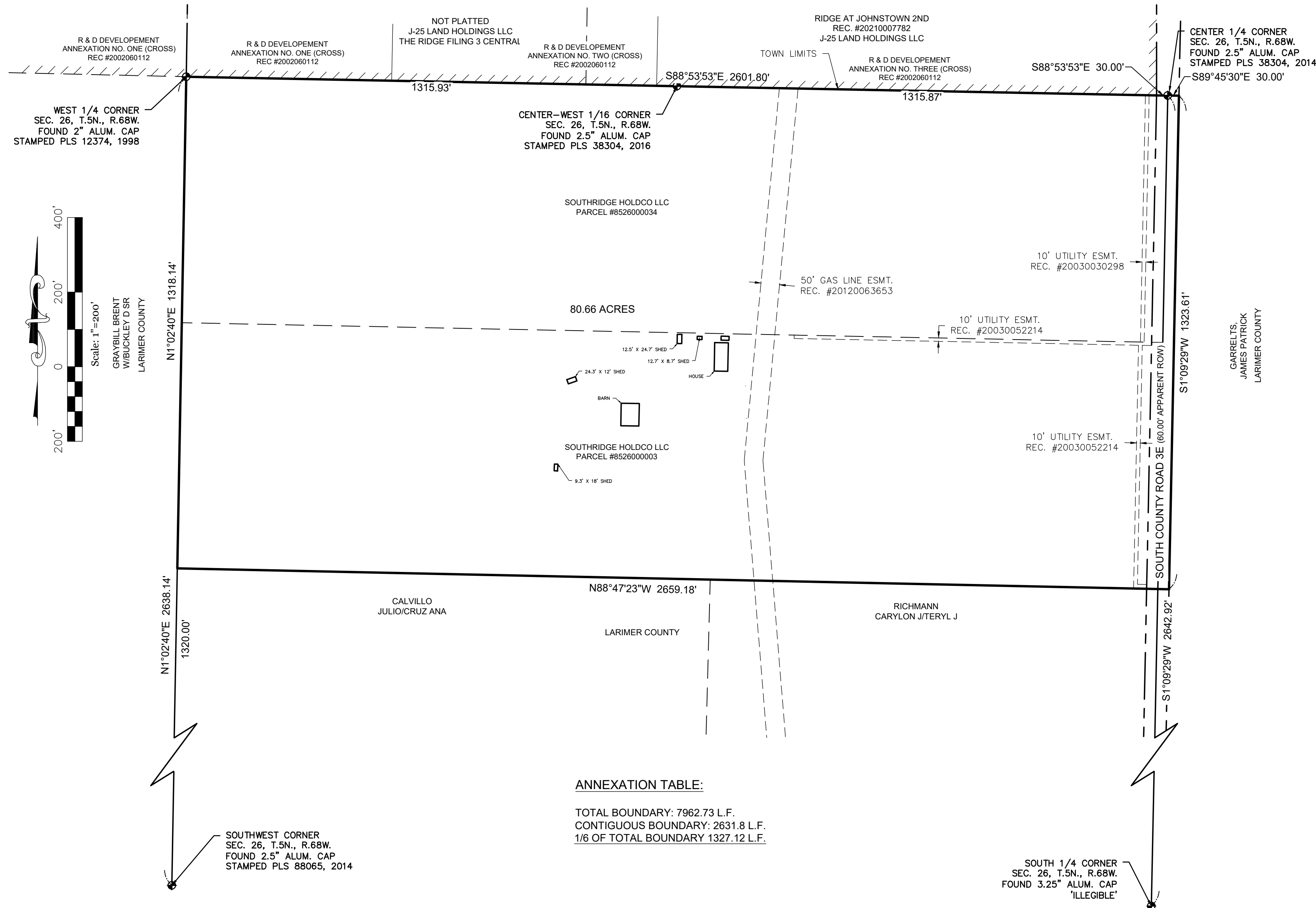
ANNEXATION DESCRIPTION:

THAT PORTION OF THE SOUTH HALF OF SECTION 26, TOWNSHIP 5 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, LARIMER COUNTY, COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEARINGS ARE BASED ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 26 AND ARE ASSUMED TO BEAR NORTH 01°02'40" EAST.

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 26;
THENCE ON THE WEST LINE OF SAID SOUTHWEST QUARTER, NORTH 01°02'40" EAST, A DISTANCE OF 1320.00 FEET, TO THE POINT OF BEGINNING;
THENCE CONTINUING ON SAID WEST LINE, NORTH 01°02'40" EAST, A DISTANCE OF 1,318.14 FEET, TO THE WEST QUARTER CORNER OF SAID SECTION 26, AND A POINT ON THE SOUTH LINE OF R & D DEVELOPMENT ANNEXATION NO. ONE;
THENCE ON THE NORTH LINE SAID SOUTHWEST QUARTER, AND THE SOUTH LINES OF R & D ANNEXATION NO. ONE, TWO AND THREE SOUTH 88°53'53" EAST, A DISTANCE OF 2601.80 FEET, TO A POINT ON THE WEST RIGHT OF WAY LINE OF LARIMER COUNTY ROAD 3E;
THENCE LEAVING THE SOUTH LINE OF R & D ANNEXATION NO. THREE AND CONTINUING ON THE NORTH LINE OF SAID SOUTHWEST QUARTER, SOUTH 88°53'53" EAST, A DISTANCE OF 30.00 FEET, TO THE CENTER QUARTER CORNER OF SAID SECTION 26;
THENCE ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 26, SOUTH 89°45'30" EAST, A DISTANCE OF 30.00 FEET, TO A POINT THE EAST RIGHT OF WAY LINE OF LARIMER COUNTY ROAD 3E;
THENCE ON SAID EAST RIGHT OF WAY LINE, SOUTH 01°09'29" WEST 1,323.61 FEET;
THENCE N 88°47'23" W, A DISTANCE OF 2,659.18 FEET TO THE POINT OF BEGINNING.

CONTAINING 80.66 ACRES.



LEGEND

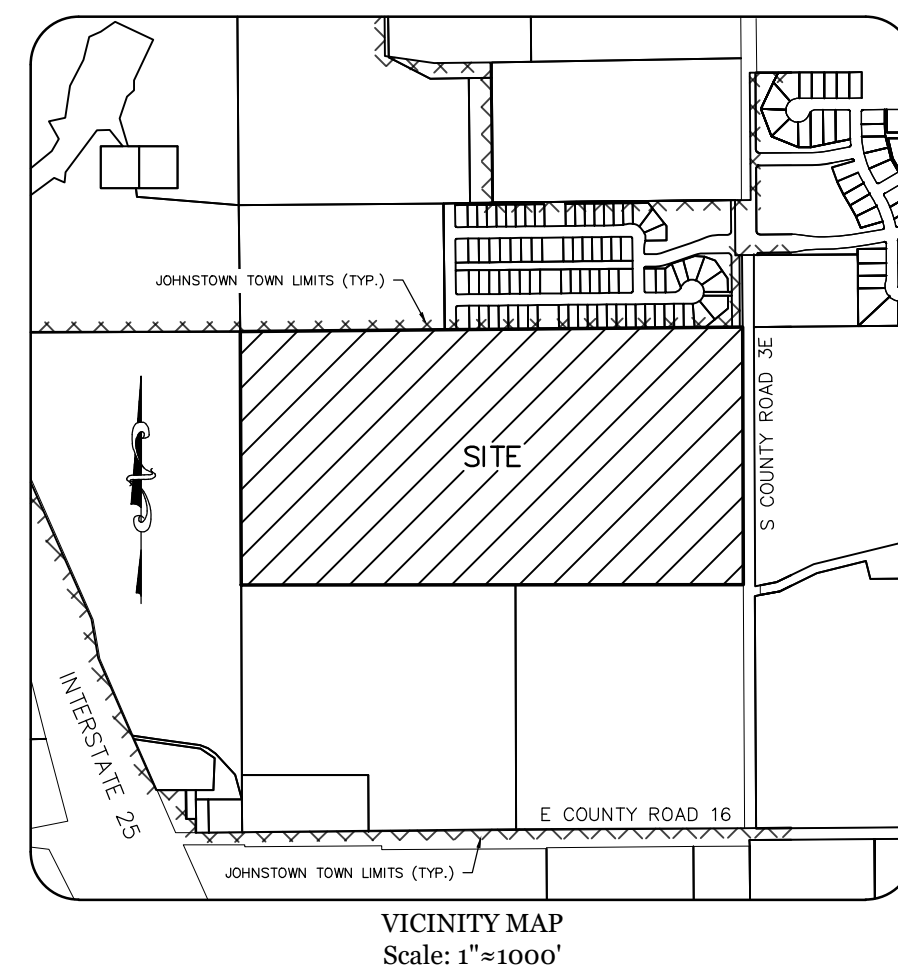
◆ FOUND MONUMENT AS NOTED

LINE-TYPES AND HATCHING

- EASEMENT
- RIGHT-OF-WAY
- RIGHT-OF-WAY CENTERLINE
- LOT LINE
- PARCEL LINE

ANNEXATION TABLE:

TOTAL BOUNDARY: 7962.73 L.F.
CONTIGUOUS BOUNDARY: 2631.8 L.F.
1/6 OF TOTAL BOUNDARY 1327.12 L.F.



OWNER:

BY: _____ AS: _____

WITNESS MY HAND AND SEAL THIS ____ DAY OF _____, 2021.

LIENHOLDERS:

BY: _____ AS: _____

WITNESS MY HAND AND SEAL THIS ____ DAY OF _____, 2021.

TOWN COUNCIL APPROVAL:

THIS MAP TO BE KNOWN AS SOUTH RIDGE ANNEXATION IS APPROVED AND ACCEPTED TO THE TOWN OF JOHNSTOWN, COLORADO BY ORDINANCE NUMBER _____, PASSED AND ADOPTED ON FINAL READING AT A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF JOHNSTOWN, COLORADO HELD ON THE ____ DAY OF _____, 2021.

MAYOR _____ ATTEST: _____
TOWN CLERK

TITLE COMMITMENT NOTES:

FOR ALL INFORMATION REGARDING EASEMENTS, RIGHT-OF-WAY OR TITLE OF RECORD, WASHBURN LAND SURVEYING, LLC RELIED UPON TITLE COMMITMENT ORDER NUMBER 459-H0639005-820-GRO, BY HERITAGE TITLE COMPANY, WITH AN EFFECTIVE DATE OF MARCH 17, 2021 AT 5:30 P.M. AND TITLE COMMITMENT ORDER NUMBER 459-H0639006-820-GRO, BY HERITAGE TITLE COMPANY, WITH AN EFFECTIVE DATE OF MARCH 11, 2021 AT 5:30 P.M.

BASIS OF BEARINGS:

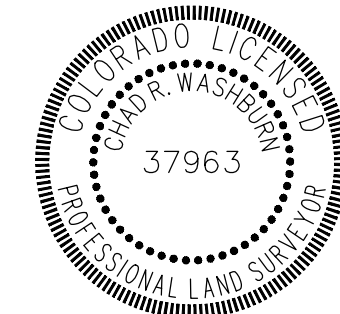
BEARINGS ARE BASED ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 5 NORTH RANGE 68 WEST OF THE 6TH P.M., SAID LINE IS ASSUMED TO BEAR NORTH 1°02'40" EAST AND IS MONUMENTED AS SHOWN HEREON.

NOTICE

ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS AFTER THE DATE OF CERTIFICATION.

SURVEYOR'S STATEMENT

I, CHAD R. WASHBURN, A COLORADO LICENSED PROFESSIONAL LAND SURVEYOR, DO HEREBY STATE THAT THIS ANNEXATION MAP IS AN ACCURATE REPRESENTATION OF THE PROPERTY TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF. I FURTHER STAT THAT THIS CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PARTIES OR THE SUCCESSORS AND/OR ASSIGNS.



CHAD R. WASHBURN
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR 37963
FOR AND ON BEHALF OF WASHBURN LAND SURVEYING, LLC.
970.232.9645



www.WashburnSurveying.com
4025 Automation Way, Suite C4
Fort Collins, CO 80525
970-232-9645

Sheet 1 of 1 Project #: 2021-005 Date: March 14, 2022 Scale: 1"=200' Drawn: CDB



Town of Johnstown

PLANNING & ZONING COMMISSION AGENDA MEMORANDUM

DESCRIPTION:	South Ridge Annexation, Establishment of Zoning, and Outline Development Plan
PROJECT NOS:	ANX21-0004 & ZON21-0006
LOCATION:	West side of Larimer Co Rd 3E, north of CR 16; Portion of Southeast 1/4, Section 4, Township 4 North, Range 67 West, approx. 80.66 acres
APPLICANT:	Southridge HoldCo, LLC
STAFF:	Justin Currie, Planner II
HEARING DATE:	March 23, 2022

ATTACHMENTS

- 1-Vicinity Map
- 2-Application & Petition
- 3-Annexation Map
- 4-Zoning Map
- 5-Outline Development Plan

BACKGROUND & SUMMARY

The applicant, Southridge HoldCo, LLC, requests Annexation, PUD-R Zoning, and an Outline Development Plan for approximately 80 acres of land in Larimer County. The property is located in the South ½ of Section 26, Township 5 North, Range 68 West. More specifically, it is located west of Larimer County Road 3E, south of the existing Ridge Filing 1 and 2 residential subdivisions currently under construction.

The subject property is presently zoned Rural Residential (RR2) in unincorporated Larimer County and the property is currently being used as farm land. It is partially bordered by incorporated areas of Johnstown to the north, adjacent to The Ridge properties, with the remainder of the perimeter adjacent to unincorporated Larimer County. The surrounding zoning is Larimer County Rural Residential and Town of Johnstown PUD-MU.

The Community That Cares

johnstown.colorado.gov

P: 970.587.4664 | 450 S. Parish Ave, Johnstown CO 80534 | F: 970.587.0141

The proposed annexation is to allow for residential development, as a continuation of The Ridge development to the north, with proposed PUD-R (Residential) zoning. The accompanying Outline Development Plan (ODP) shows the intent to develop mixed-density residential - single family detached and attached homes - with an overall density range of 3.5 to 5.0 dwelling units per acre. Residential development is anticipated to include no more than 400 dwelling units consisting of at least two housing types, which may include large lot homes, traditional single family detached and/or single family attached.

SURROUNDING ZONING & LAND USE

North: PUD- MU – The Ridge PUD – single family residential under development
 South: RR2 – Rural Residential Larimer County – existing residences and ag lands
 East: RR2 – Rural Residential Larimer County– existing residences and ag lands
 West: RR2 – Rural Residential Larimer County – ag land proposed for annexation

LAND USE HISTORY

Historically, this property has been used for farming and continues as that use today.

PUBLIC NOTICE & AGENCY REFERRALS

Notice for the Planning & Zoning Commission hearing was published in the local paper of widest circulation, the Johnstown Breeze, on Thursday, March 3, 2022. This notice provided the date, time, and location of the Planning and Zoning Commission hearing, as well as a description of the project. Notices were mailed to all property owners within 500 feet of the property in question. This notice included a map of the proposed annexation and zoning. Full state-required annexation packets have been mailed to the county and all taxing districts prior to Council hearings.

NEIGHBORHOOD MEETING

No neighborhood meeting was held for this annexation. Due to the rural nature of the surrounding area only a handful of neighbors would have been notified and the Town will notify them further as this project submits plans to develop the property.

PROJECT DESCRIPTION & ANALYSIS

Annexation: This annexation is being considered by the Town for the following reasons:

1. At least 1/6 of the area to be annexed for each individual annexation is contiguous to the Town of Johnstown boundary.
2. The property is located within the Town of Johnstown Growth Management Area.
3. The Town is capable of providing water, sewer, and police service to the property.
4. The Town is authorized to annex the area without an election under Section 30(b) of Article II of the Colorado Constitution.

A resolution finding Substantial Conformance with C.R.S. requirements was passed by Town Council on February 23rd, 2022.

The annexation map includes this parcel as well as the adjacent right-of-way for Larimer County Road 3E.

Zoning & Development Standards

The current zoning for the property is RR2-Rural Residential in Unincorporated Larimer County. There are no known conditional uses or uses by special review for the property.

The applicant requests PUD-R – Residential zoning upon annexation, which permits the applicant to develop a residential subdivision in accordance with the submitted Outline Development Plan (ODP). This proposed zoning is in alignment with the Johnstown Area Comprehensive Plan goals and the Future Land Use Map, showing this area for Low to Medium Density/Intensity development.

The South Ridge ODP provides some modified standards from the current municipal code, which the PUD process permits to accommodate a better response to market conditions, a more integrated neighborhood with a wider range of housing options, and additional open space areas incorporated into the development.

- The ODP provides for minimum lot sizes for single family detached of 5,300 SF.
- Front and corner side setbacks would be permitted at 15-feet, instead of the code of 20-feet, but with garage doors setback to that 20-foot minimum to permit a full-depth driveway and some variation in the street scape.
- The ODP “bubble diagram” notes the intent to create an open space/ pedestrian corridor along some existing easements within future development.
- Additional South Ridge PUD Design Guidelines have been submitted to the Town, to accompany this ODP, but are still in review and are anticipated to be brought forth in the future, prior to any building construction on-site.

Staff has advised the Applicant of current Town and community concerns over smaller than 6,000 SF lot sizes for traditional single-family lots. Johnstown Municipal Code (JMC), §16-302, permits a variety of residential housing types – and some neighborhood commercial uses – and does not require any specific minimum lot size. The intent indicates “providing incentives encouraging the use of innovative design techniques in order to achieve high-quality residential development.” This has typically resulted in a wider variety of lot sizes, many that tend to be smaller than 6,000 SF, to provide more ability for the developer to integrate the 30% PUD-required open space into the neighborhoods and incorporate more curvilinear streets and other design considerations. Subject to approve by the Planning Commission and Town Council, JMC §17-133 allows for modification to minimum lots area, width, and setbacks/offsets. Therefore, Staff finds that this proposed ODP does provide the ability to develop the site in conformance with current code requirements.

Future development processes and projects will be required to create a subdivision plat and development plans, to be reviewed and approved by the Town through public hearing processes.

The Community That Cares

www.Johnstown.Colorado.gov

P: 970.587.4664 | 450 S. Parish Ave, Johnstown CO | F: 970.587.0141

Detailed engineering and construction plans are part of that future technical review. At the Zoning and ODP level, the Town is looking at overall feasibility and system capacities.

Infrastructure

There is an existing water line located to the east of the property in the County Road 3E right-of-way. The entire Site is located within the service area boundaries for the Low Point Wastewater Treatment Plant.

Transportation infrastructure exists for this property. County Road 3E currently borders the project site to the east and is projected to be a minor arterial at full build out, leading to CR 18 and CR 16 to the north and south, respectively. The Ridge, Filing 1 and 2 were recently approved, to the north, which will allow for connectivity to existing infrastructure.

Staff has no outstanding concerns related to this Annexation, the establishment of PUD-R zoning, or the proposed ODP.

RECOMMENDED PLANNING AND ZONING COMMISSION FINDINGS AND MOTIONS

South Ridge Annexation, Zoning, and Outline Development Plan (ODP)

It is recommended that Planning and Zoning Commission send a recommendation for Approval to Town Council for the Annexation, Establishment of PUD-R Zoning, and the Outline Development Plan, based upon the following findings:

1. The area is contiguous to the Town of Johnstown along at least 1/6 of its boundaries.
2. The property is located within the Town of Johnstown Growth Management Area.
3. The Town can adequately and efficiently provide utility and police services.
4. The property is eligible for annexation without election pursuant to the Colorado Constitution Article II, Section 30(b).
5. The annexation of this property and the proposed PUD-R zoning are in alignment with the Johnstown Area Comprehensive Plan.
6. The Outline Development Plan for the South Ridge PUD is in substantial conformance with comprehensive plan, current municipal codes, regulations and guidelines, and proposes a neighborhood that will be compatible with and integrate with the approved development to the north.

Recommended Motion: Motion to Approve, as presented

Based on the application materials received and analysis and presentations at this hearing, the Planning & Zoning Commission finds that the request for the South Ridge Annexation, Establishment of PUD-R Zoning, and Outline Development Plan furthers the *Johnstown Area Comprehensive Plan* goals, and is compatible with all other applicable Town standards and regulations, and therefore moves to recommend to the Town Council Approval of the South Ridge Annexation, Establishment of PUD-R Zoning, and Outline Development Plan based upon the findings as stated above.

Alternate Motions:**Motion to Recommend Approval with Conditions**

Based on the application materials received and analysis and presentations at this hearing, the Planning & Zoning Commission finds that the request for the South Ridge Annexation, Establishment of PUD-R Zoning, and Outline Development Plan furthers the *Johnstown Area Comprehensive Plan* goals, and is compatible with all other applicable Town standards and regulations, and therefore moves to recommend to the Town Council Approval of the South Ridge Annexation, Establishment of PUD-R Zoning, and Outline Development Plan based upon the findings as stated above, and with the following conditions:

- 1.

Motion to Recommend Denial

I move that the Commission recommend to the Town Council denial of the South Ridge Annexation, Establishment of PUD-R Zoning, and Outline Development Plan based upon the following findings...

- 1.

Planner:



Justin Currie, Planner II



Town of Johnstown

TOWN COUNCIL AGENDA COMMUNICATIONS

AGENDA DATE: April 04, 2022

SUBJECT: Ordinance 2022-229 Approving PUD-R Zoning for the property known as South Ridge Annexation

ACTION PROPOSED: Hold Public Hearing and Consider Ordinance 2022-229 on First Reading Approving PUD-R Zoning for property known as South Ridge Annexation

ATTACHMENTS:

1. Ordinance 2022-229
2. Vicinity Map
3. Zoning Map
4. PZC Agenda Memorandum for Annexation & Zoning

PRESENTED BY: Justin Currie, Planner II

AGENDA ITEM DESCRIPTION:

In conjunction with a Petition for Annexation for the South Ridge Annexation, the Town has received a request to establish zoning on this 80.66 acres, of PUD-R (Planned Unit Development – Residential). A separate Outline Development Plan is being proposed to further define the PUD zoning this 80.66-acre property.

The property is located west of Larimer County Road 3E, immediately south of the existing Ridge Filing 1 and 2 single-family residential subdivisions currently under construction. (See Attachment 2). This property is intended to be a continuation of The Ridge master-planned areas, which are zoned PUD-MU (Mixed Use) and will contain a mix of employment, commercial and residential uses.

The Planning & Zoning Commission (PZC) held a public hearing on March 23, 2022, to consider the South Ridge Zoning (Case ZON21-0006). Public comment was given by one neighbor in the area, with concerns for how traffic along County Road 18 and 16, crime, and other growth-related issues. Staff indicated that the development-level details are noted and will be further addressed at subdivision and development planning. The Applicant spoke of the intent to improve the section of County Road 18 that intersects County Road 3E that currently has a blind spot caused by a hill

The Community That Cares

johnstown.colorado.gov

P: 970.587.4664 | 450 S. Parish Ave, Johnstown CO 80534 | F: 970.587.0141

creating a hazardous situation. Staff indicated that the development-level details are noted and will be further addressed at subdivision and development planning.

The Planning & Zoning Commission Agenda Memorandum attached (See Attachment 4) provides background and historical use of the property. The memo also provides additional project details.

Based upon the materials submitted, analysis, and findings, the PZC approved a motion (4-0) to recommend to Town Council approval of this zoning request.

LEGAL ADVICE:

Ordinance was prepared by the Town Attorney.

FINANCIAL ADVICE:

NA

RECOMMENDED ACTION: Approve Ordinance 2022-229 Approving PUD-R Zoning for the property known as South Ridge Annexation, on First Reading.

SUGGESTED MOTIONS:

For Approval

I move to approve Ordinance 2022-229 Approving PUD-R Zoning for the property known as South Ridge Annexation on First Reading.

For Denial

I move that the Town Council deny Ordinance 2022-229.

Reviewed and Approved for Presentation,



Town Manager

TOWN OF JOHNSTOWN, COLORADO
ORDINANCE NO. 2022-229

**APPROVAL OF PUD-R ZONING OF THE PROPERTY KNOWN AS THE
 SOUTH RIDGE ANNEXATION, LOCATED IN THE NORTH HALF OF
 THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 5 NORTH,
 RANGE 68 WEST OF THE 6TH P.M., COUNTY OF LARIMER, STATE OF
 COLORADO, CONSISTING OF APPROXIMATELY 80.66 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, the Town Council approved annexation of certain property situated in the situated in North Half of the Southwest Quarter of Section 26, Township 5 North, Range 68 West of the 6th P.M., County of Larimer, State of Colorado, consisting of approximately 80.66 acres, being more particularly described on Exhibit A, attached hereto and incorporated herein by this reference, known as the South Ridge Annexation (“Property”); and

WHEREAS, the property owners applied for Planned Unit Development – Residential (“PUD-R”) zoning of the Property in conjunction with annexation; and

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

WHEREAS, the Town’s Planning and Zoning Commission held a hearing and recommended approval of PUD-R zoning for the Property; and

WHEREAS, on April 4, 2022, 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 PUD-R conforms to the Town’s Comprehensive Plan.

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 South Ridge Annexation and more particularly described on the attached Exhibit A shall hereby be designated as PUD-R.
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 Larimer 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 ___ day of _____, 2022.

TOWN OF JOHNSTOWN, COLORADO

ATTEST:

By: _____
Diana Seele, Town Clerk

By: _____
Gary Lebsack, Mayor

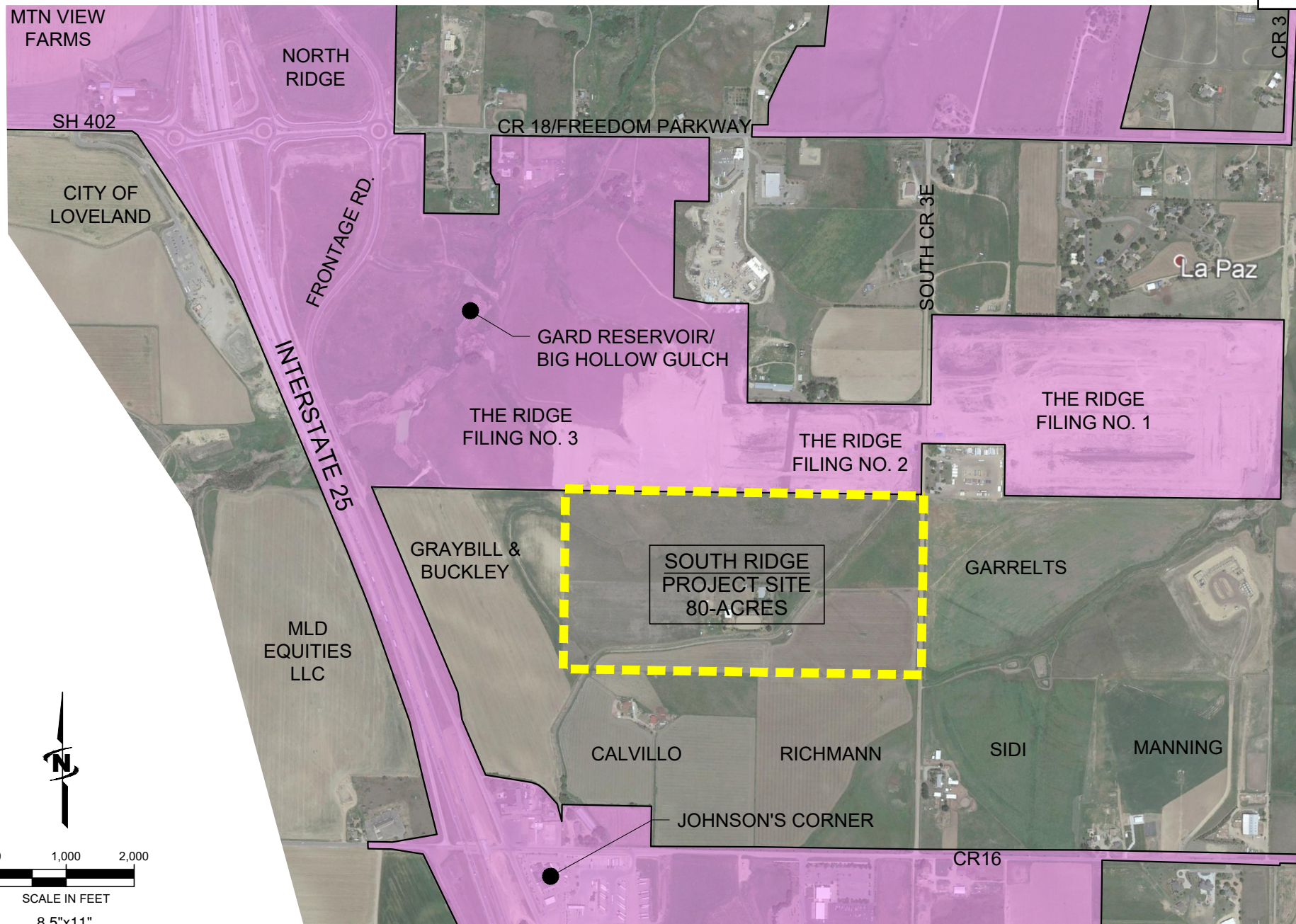
PASSED UPON FINAL APPROVAL AND ADOPTED on second reading by the Town Council of the Town of Johnstown, Colorado, this _____ day of _____, 2022.

TOWN OF JOHNSTOWN, COLORADO

ATTEST:

By: _____
Diana Seele, Town Clerk

By: _____
Gary Lebsack, Mayor



South Ridge Development
Johnstown, Colorado

Vicinity Map
October 10, 2021



J-U-B ENGINEERS, INC.

LAST UPDATE: 2/11/2022
PLOT DATE: 2/11/2022
FILE: 87-21-026 VICINITYMAP

SOUTH RIDGE ANNEXATION ESTABLISHMENT OF ZONING MAP

LOCATED IN THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 5 NORTH, RANGE 68
WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF LARIMER, STATE OF COLORADO

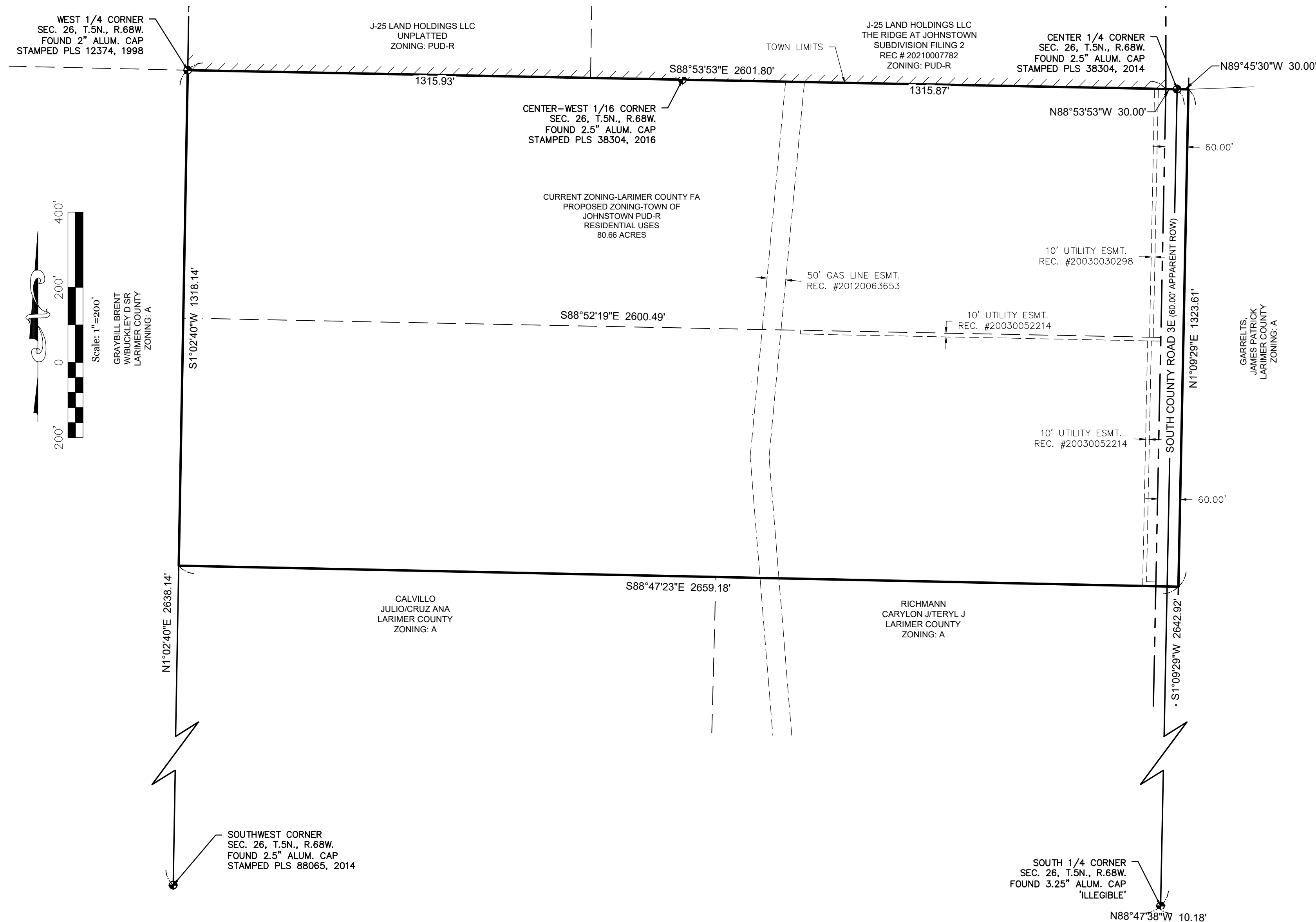
ANNEXATION DESCRIPTION:

THAT PORTION OF THE SOUTH HALF OF SECTION 26, TOWNSHIP 5 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, LARIMER COUNTY, COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEARINGS ARE BASED ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 26 AND ARE ASSUMED TO BEAR NORTH 01°02'40" EAST.

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 26;
THENCE ON THE WEST LINE OF SAID SOUTHWEST QUARTER, NORTH 01°02'40" EAST, A DISTANCE OF 1320.00 FEET, TO THE POINT OF BEGINNING;
THENCE CONTINUING ON SAID WEST LINE, NORTH 01°02'40" EAST, A DISTANCE OF 1,318.14 FEET, TO THE WEST QUARTER CORNER OF SAID SECTION 26, AND A POINT ON THE SOUTH LINE OF R & D DEVELOPMENT ANNEXATION NO. ONE;
THENCE ON THE NORTH LINE SAID SOUTHWEST QUARTER, AND THE SOUTH LINES OF R & D ANNEXATION NO. ONE, TWO AND THREE SOUTH 88°53'53" EAST, A DISTANCE OF 2601.80 FEET, TO A POINT ON THE WEST RIGHT OF WAY LINE OF LARIMER COUNTY ROAD 3E;
THENCE LEAVING THE SOUTH LINE OF R & D ANNEXATION NO. THREE AND CONTINUING ON THE NORTH LINE OF SAID SOUTHWEST QUARTER, SOUTH 88°53'53" EAST, A DISTANCE OF 30.00 FEET, TO THE CENTER QUARTER CORNER OF SAID SECTION 26;
THENCE ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 26, SOUTH 89°45'30" EAST, A DISTANCE OF 30.00 FEET, TO A POINT THE EAST RIGHT OF WAY LINE OF LARIMER COUNTY ROAD 3E;
THENCE ON SAID EAST RIGHT OF WAY LINE, SOUTH 01°09'29" WEST 1,323.61 FEET;
THENCE N 88°47'23" W, A DISTANCE OF 2,659.18 FEET TO THE POINT OF BEGINNING.

CONTAINING 80.66 ACRES.



LEGEND

◆ FOUND MONUMENT AS NOTED

LINE—TYPES AND HATCHING

- | | |
|-------|-------------------------|
| ----- | EASEMENT |
| ----- | RIGHT-OF-WAY |
| ----- | RIGHT-OF-WAY CENTERLINE |
| ----- | LOT LINE |
| ----- | PARCEL LINE |

TITLE COMMITMENT NOTES:

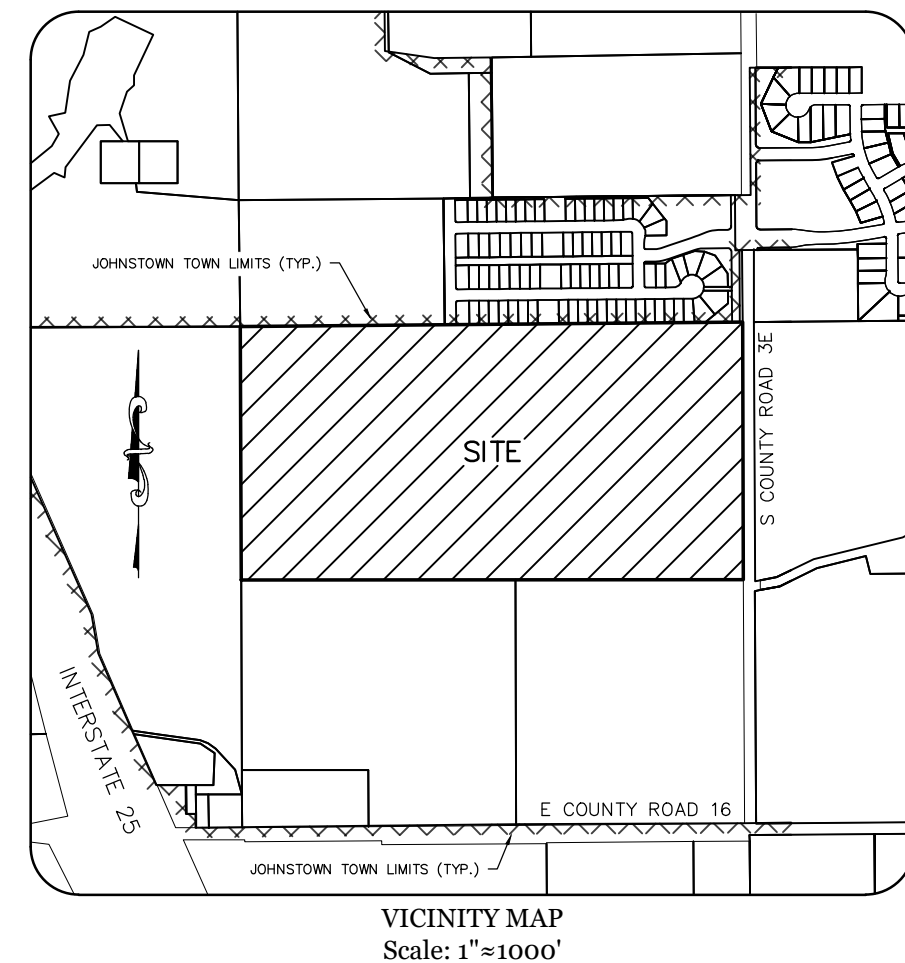
FOR ALL INFORMATION REGARDING EASEMENTS, RIGHT-OF-WAY OR TITLE OF RECORD, WASHBURN LAND SURVEYING, LLC RELIED UPON TITLE COMMITMENT ORDER NUMBER 459-H0639005-820-GRO, BY HERITAGE TITLE COMPANY, WITH AN EFFECTIVE DATE OF MARCH 17, 2021 AT 5:30 P.M. AND TITLE COMMITMENT ORDER NUMBER 459-H0639006-820-GRO, BY HERITAGE TITLE COMPANY, WITH AN EFFECTIVE DATE OF MARCH 11, 2021 AT 5:30 P.M.

BASIS OF BEARINGS:

BEARINGS ARE BASED ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 5 NORTH RANGE 68 WEST OF THE 6TH P.M., SAID LINE IS ASSUMED TO BEAR NORTH 1°02'40" EAST AND IS MONUMENTED AS SHOWN HEREON.

NOTICE

ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS AFTER THE DATE OF CERTIFICATION.



OWNER:

BY: _____ AS: _____

WITNESS MY HAND AND SEAL THIS ____ DAY OF _____, 2021.

LIENHOLDERS:

BY: _____ AS: _____

WITNESS MY HAND AND SEAL THIS ____ DAY OF _____, 2021.

NOTARIAL CERTIFICATE:

STATE OF COLORADO)
COUNTY OF LARIMER) SS
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME
BY _____ AS _____ THIS ____ DAY OF _____, 2021.

WITNESS MY HAND AND SEAL.

MY COMMISSION EXPIRES: _____

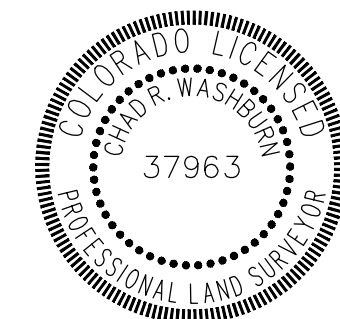
TOWN COUNCIL APPROVAL:

THIS MAP TO BE KNOWN AS SOUTH RIDGE ANNEXATION ESTABLISHMENT OF ZONING MAP IS APPROVED AND ACCEPTED TO THE TOWN OF JOHNSTOWN, COLORADO BY ORDINANCE NUMBER _____ PASSED AND ADOPTED ON FINAL READING AT A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF JOHNSTOWN, COLORADO HELD ON THE ____ DAY OF _____, 2021.

MAYOR _____ ATTEST: _____
TOWN CLERK

SURVEYOR'S STATEMENT

I, CHAD R. WASHBURN, A COLORADO LICENSED PROFESSIONAL LAND SURVEYOR, DO HEREBY STATE THAT THIS ZONING MAP IS AN ACCURATE REPRESENTATION OF THE PROPERTY TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF. I FURTHER STAT THAT THIS CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PARTIES OR THE SUCCESSORS AND/OR ASSIGNS.



CHAD R. WASHBURN
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR 37963
FOR AND ON BEHALF OF WASHBURN LAND SURVEYING, LLC.
970.232.9645



www.WashburnSurveying.com
4025 Automation Way, Suite C4
Fort Collins, CO 80525
970-232-9645

Sheet 1 of 1 Project #: 2021-005 Date: March 14, 2022 Scale: 1"=200' Drawn: CDB



Town of Johnstown

PLANNING & ZONING COMMISSION AGENDA MEMORANDUM

DESCRIPTION:	South Ridge Annexation, Establishment of Zoning, and Outline Development Plan
PROJECT NOS:	ANX21-0004 & ZON21-0006
LOCATION:	West side of Larimer Co Rd 3E, north of CR 16; Portion of Southeast 1/4, Section 4, Township 4 North, Range 67 West, approx. 80.66 acres
APPLICANT:	Southridge HoldCo, LLC
STAFF:	Justin Currie, Planner II
HEARING DATE:	March 23, 2022

ATTACHMENTS

- 1-Vicinity Map
- 2-Application & Petition
- 3-Annexation Map
- 4-Zoning Map
- 5-Outline Development Plan

BACKGROUND & SUMMARY

The applicant, Southridge HoldCo, LLC, requests Annexation, PUD-R Zoning, and an Outline Development Plan for approximately 80 acres of land in Larimer County. The property is located in the South ½ of Section 26, Township 5 North, Range 68 West. More specifically, it is located west of Larimer County Road 3E, south of the existing Ridge Filing 1 and 2 residential subdivisions currently under construction.

The subject property is presently zoned Rural Residential (RR2) in unincorporated Larimer County and the property is currently being used as farm land. It is partially bordered by incorporated areas of Johnstown to the north, adjacent to The Ridge properties, with the remainder of the perimeter adjacent to unincorporated Larimer County. The surrounding zoning is Larimer County Rural Residential and Town of Johnstown PUD-MU.

The Community That Cares

johnstown.colorado.gov

P: 970.587.4664 | 450 S. Parish Ave, Johnstown CO 80534 | F: 970.587.0141

The proposed annexation is to allow for residential development, as a continuation of The Ridge development to the north, with proposed PUD-R (Residential) zoning. The accompanying Outline Development Plan (ODP) shows the intent to develop mixed-density residential - single family detached and attached homes - with an overall density range of 3.5 to 5.0 dwelling units per acre. Residential development is anticipated to include no more than 400 dwelling units consisting of at least two housing types, which may include large lot homes, traditional single family detached and/or single family attached.

SURROUNDING ZONING & LAND USE

North: PUD- MU – The Ridge PUD – single family residential under development
 South: RR2 – Rural Residential Larimer County – existing residences and ag lands
 East: RR2 – Rural Residential Larimer County– existing residences and ag lands
 West: RR2 – Rural Residential Larimer County – ag land proposed for annexation

LAND USE HISTORY

Historically, this property has been used for farming and continues as that use today.

PUBLIC NOTICE & AGENCY REFERRALS

Notice for the Planning & Zoning Commission hearing was published in the local paper of widest circulation, the Johnstown Breeze, on Thursday, March 3, 2022. This notice provided the date, time, and location of the Planning and Zoning Commission hearing, as well as a description of the project. Notices were mailed to all property owners within 500 feet of the property in question. This notice included a map of the proposed annexation and zoning. Full state-required annexation packets have been mailed to the county and all taxing districts prior to Council hearings.

NEIGHBORHOOD MEETING

No neighborhood meeting was held for this annexation. Due to the rural nature of the surrounding area only a handful of neighbors would have been notified and the Town will notify them further as this project submits plans to develop the property.

PROJECT DESCRIPTION & ANALYSIS

Annexation: This annexation is being considered by the Town for the following reasons:

1. At least 1/6 of the area to be annexed for each individual annexation is contiguous to the Town of Johnstown boundary.
2. The property is located within the Town of Johnstown Growth Management Area.
3. The Town is capable of providing water, sewer, and police service to the property.
4. The Town is authorized to annex the area without an election under Section 30(b) of Article II of the Colorado Constitution.

A resolution finding Substantial Conformance with C.R.S. requirements was passed by Town Council on February 23rd, 2022.

The Community That Cares

www.Johnstown.Colorado.gov

P: 970.587.4664 | 450 S. Parish Ave, Johnstown CO | F: 970.587.0141

The annexation map includes this parcel as well as the adjacent right-of-way for Larimer County Road 3E.

Zoning & Development Standards

The current zoning for the property is RR2-Rural Residential in Unincorporated Larimer County. There are no known conditional uses or uses by special review for the property.

The applicant requests PUD-R – Residential zoning upon annexation, which permits the applicant to develop a residential subdivision in accordance with the submitted Outline Development Plan (ODP). This proposed zoning is in alignment with the Johnstown Area Comprehensive Plan goals and the Future Land Use Map, showing this area for Low to Medium Density/Intensity development.

The South Ridge ODP provides some modified standards from the current municipal code, which the PUD process permits to accommodate a better response to market conditions, a more integrated neighborhood with a wider range of housing options, and additional open space areas incorporated into the development.

- The ODP provides for minimum lot sizes for single family detached of 5,300 SF.
- Front and corner side setbacks would be permitted at 15-feet, instead of the code of 20-feet, but with garage doors setback to that 20-foot minimum to permit a full-depth driveway and some variation in the street scape.
- The ODP “bubble diagram” notes the intent to create an open space/ pedestrian corridor along some existing easements within future development.
- Additional South Ridge PUD Design Guidelines have been submitted to the Town, to accompany this ODP, but are still in review and are anticipated to be brought forth in the future, prior to any building construction on-site.

Staff has advised the Applicant of current Town and community concerns over smaller than 6,000 SF lot sizes for traditional single-family lots. Johnstown Municipal Code (JMC), §16-302, permits a variety of residential housing types – and some neighborhood commercial uses – and does not require any specific minimum lot size. The intent indicates “providing incentives encouraging the use of innovative design techniques in order to achieve high-quality residential development.” This has typically resulted in a wider variety of lot sizes, many that tend to be smaller than 6,000 SF, to provide more ability for the developer to integrate the 30% PUD-required open space into the neighborhoods and incorporate more curvilinear streets and other design considerations. Subject to approve by the Planning Commission and Town Council, JMC §17-133 allows for modification to minimum lots area, width, and setbacks/offsets. Therefore, Staff finds that this proposed ODP does provide the ability to develop the site in conformance with current code requirements.

Future development processes and projects will be required to create a subdivision plat and development plans, to be reviewed and approved by the Town through public hearing processes.

The Community That Cares

www.Johnstown.Colorado.gov

P: 970.587.4664 | 450 S. Parish Ave, Johnstown CO | F: 970.587.0141

Detailed engineering and construction plans are part of that future technical review. At the Zoning and ODP level, the Town is looking at overall feasibility and system capacities.

Infrastructure

There is an existing water line located to the east of the property in the County Road 3E right-of-way. The entire Site is located within the service area boundaries for the Low Point Wastewater Treatment Plant.

Transportation infrastructure exists for this property. County Road 3E currently borders the project site to the east and is projected to be a minor arterial at full build out, leading to CR 18 and CR 16 to the north and south, respectively. The Ridge, Filing 1 and 2 were recently approved, to the north, which will allow for connectivity to existing infrastructure.

Staff has no outstanding concerns related to this Annexation, the establishment of PUD-R zoning, or the proposed ODP.

RECOMMENDED PLANNING AND ZONING COMMISSION FINDINGS AND MOTIONS

South Ridge Annexation, Zoning, and Outline Development Plan (ODP)

It is recommended that Planning and Zoning Commission send a recommendation for Approval to Town Council for the Annexation, Establishment of PUD-R Zoning, and the Outline Development Plan, based upon the following findings:

1. The area is contiguous to the Town of Johnstown along at least 1/6 of its boundaries.
2. The property is located within the Town of Johnstown Growth Management Area.
3. The Town can adequately and efficiently provide utility and police services.
4. The property is eligible for annexation without election pursuant to the Colorado Constitution Article II, Section 30(b).
5. The annexation of this property and the proposed PUD-R zoning are in alignment with the Johnstown Area Comprehensive Plan.
6. The Outline Development Plan for the South Ridge PUD is in substantial conformance with comprehensive plan, current municipal codes, regulations and guidelines, and proposes a neighborhood that will be compatible with and integrate with the approved development to the north.

Recommended Motion: Motion to Approve, as presented

Based on the application materials received and analysis and presentations at this hearing, the Planning & Zoning Commission finds that the request for the South Ridge Annexation, Establishment of PUD-R Zoning, and Outline Development Plan furthers the *Johnstown Area Comprehensive Plan* goals, and is compatible with all other applicable Town standards and regulations, and therefore moves to recommend to the Town Council Approval of the South Ridge Annexation, Establishment of PUD-R Zoning, and Outline Development Plan based upon the findings as stated above.

Alternate Motions:**Motion to Recommend Approval with Conditions**

Based on the application materials received and analysis and presentations at this hearing, the Planning & Zoning Commission finds that the request for the South Ridge Annexation, Establishment of PUD-R Zoning, and Outline Development Plan furthers the *Johnstown Area Comprehensive Plan* goals, and is compatible with all other applicable Town standards and regulations, and therefore moves to recommend to the Town Council Approval of the South Ridge Annexation, Establishment of PUD-R Zoning, and Outline Development Plan based upon the findings as stated above, and with the following conditions:

- 1.

Motion to Recommend Denial

I move that the Commission recommend to the Town Council denial of the South Ridge Annexation, Establishment of PUD-R Zoning, and Outline Development Plan based upon the following findings...

- 1.

Planner:



Justin Currie, Planner II



Town of Johnstown

TOWN COUNCIL AGENDA COMMUNICATIONS

AGENDA DATE: April 04, 2022

SUBJECT: Ordinance 2022-230 Approving the South Ridge P.U.D. Outline Development Plan

ACTION PROPOSED: Hold Public Hearing and Consider Ordinance 2022-230 on First Reading, Approving the South Ridge P.U.D. Outline Development Plan

ATTACHMENTS:

1. Ordinance 2022-230
2. Vicinity Map
3. South Ridge Outline Development Plan
4. PZC Agenda Memo – Outline Development Plan

PRESENTED BY: Justin Currie, Planner II

AGENDA ITEM DESCRIPTION:

In conjunction with a Petition for Annexation for the South Ridge Annexation, the Town has received a request to establish zoning on this 80.66 acres of PUD-R (Planned Unit Development – Residential). A separate Outline Development Plan is being proposed to further define the PUD zoning this 80.66-acre property.

The applicant requests PUD-R – Residential zoning, upon annexation, which permits the applicant to develop a residential subdivision in accordance with the submitted Outline Development Plan (ODP). The proposed zoning and land use is in alignment with the Johnstown Area Comprehensive Plan goals and the Future Land Use Map, showing this area for Low to Medium Density/Intensity development. The proposed development would allow for residential development, as a continuation of The Ridge development to the north. The Outline Development Plan (ODP) shows the intent to develop mixed-density residential - single family detached and attached homes - with an overall density range of 3.5 to 5.0 dwelling units per acre. Residential development is anticipated to include no more than 400 dwelling units consisting of at least two housing types, which may include large lot homes, traditional single family detached and/or single family attached

The Community That Cares

johnstown.colorado.gov

P: 970.587.4664 | 450 S. Parish Ave, Johnstown CO 80534 | F: 970.587.0141

The South Ridge ODP provides some modified standards from the current municipal code, which the PUD process permits to accommodate a better response to market conditions, a more integrated neighborhood with a wider range of housing options, and additional open space areas incorporated into the development.

- The ODP provides for minimum lot sizes for single family detached of 5,300 SF, with an average lot size of 5,600 SF.
- Front and corner side setbacks would be permitted at 15-feet, instead of the code requirement of 20-feet, with garage doors setback to that 20-foot minimum to permit a full-depth driveway and some variation in the streetscape.
- The ODP “bubble diagram” notes the intent to create an open space/ pedestrian corridor along some existing easements within future development.
- Additional South Ridge PUD Design Guidelines have been submitted to the Town, to accompany this ODP, but are still in review and are anticipated to be brought forth in the future, prior to any building or construction on-site.

Staff has advised the Applicant of current Town and community concerns that have been voiced over smaller than 6,000 SF lot sizes for traditional single-family lots. Johnstown Municipal Code (JMC), §16-302, for the PUD-R zone permits a variety of residential housing types – and some neighborhood commercial uses – and does not require any specific minimum lot size. The intent indicates “providing incentives encouraging the use of innovative design techniques in order to achieve high-quality residential development.” This has typically resulted in a wider variety of lot sizes, many that tend to be smaller than 6,000 SF, to provide more ability for the developer to integrate the 30% PUD-required open space into the neighborhoods and incorporate more curvilinear streets and other design considerations. Subject to approve by the Planning Commission and Town Council, JMC §17-133 allows for modification to minimum lots area, width, and setbacks/offsets. Therefore, Staff finds that this proposed ODP does provide the ability to develop the site in conformance with current municipal code requirements.

Future development processes and projects will be required to create a subdivision plat and development plans, to be reviewed and approved by the Town through public hearing processes.

LEGAL ADVICE:

Ordinance was prepared by the Town Attorney.

FINANCIAL ADVICE:

NA

RECOMMENDED ACTION: Approve Ordinance 2022-230 Approving the South Ridge P.U.D. Outline Development Plan on First Reading.

SUGGESTED MOTIONS:

For Approval

I move that the Town Council approve Ordinance 2022-230 Approving the South Ridge P.U.D. Outline Development Plan on First Reading.

For Approval with Conditions:

I move that the Town Council approve Ordinance 2022-230 Approving the South Ridge P.U.D. Outline Development Plan on First Reading, with the following conditions:

1.

For Denial

I move that the Town Council deny Ordinance 2022-230.

Reviewed and Approved for Presentation,



Town Manager

**TOWN OF JOHNSTOWN, COLORADO
ORDINANCE NO. 2022-230**

**APPROVING P.U.D. OUTLINE DEVELOPMENT PLAN FOR
SOUTH RIDGE, LOCATED IN THE NORTH HALF OF THE
SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 5 NORTH,
RANGE 68 WEST OF THE 6TH P.M., COUNTY OF LARIMER,
STATE OF COLORADO, CONSISTING OF APPROXIMATELY
80.66 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, Southridge HoldCo, LLC, a Colorado limited liability company, submitted an application to the Town for approval of a P.U.D. Outline Development Plan for a development known as South Ridge, located in the North Half of the Southwest Quarter of Section 26, Township 5 North, Range 68 West of the 6th P.M., County of Larimer, State of Colorado, consisting of approximately 80.66 acres; and

WHEREAS, on March 23, 2022, the Planning and Zoning Commission held a public hearing and recommended approval of the P.U.D. Outline Development Plan for South Ridge; and

WHEREAS, on April 4, 2022, the Town Council held a public hearing concerning approval of the P.U.D. Outline Development Plan for South Ridge; and

WHEREAS, after considering the Planning and Zoning Commission’s recommendation for approval, reviewing the file and conducting such public hearing, Town Council finds that the P.U.D. Outline Development Plan for South Ridge is consistent with and furthers the goals of the *Johnstown Area Comprehensive*; and

WHEREAS, based on the foregoing, Town Council desires to approve the P.U.D. Outline Development Plan for South Ridge.

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

Section 1. P.U.D. Outline Development Plan Approval. The P.U.D. Outline Development Plan for South Ridge, located in the North Half of the Southwest Quarter of Section 26, Township 5 North, Range 68 West of the 6th P.M., County of Larimer, State of Colorado, consisting of approximately 80.66 acres, attached hereto and incorporated herein by reference as Exhibit A (“Property”), is hereby approved.

Section 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. 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 _____, 2022.

TOWN OF JOHNSTOWN, COLORADO

ATTEST:

By: _____
Diana Seele, Town Clerk

By: _____
Gary Lebsack, Mayor

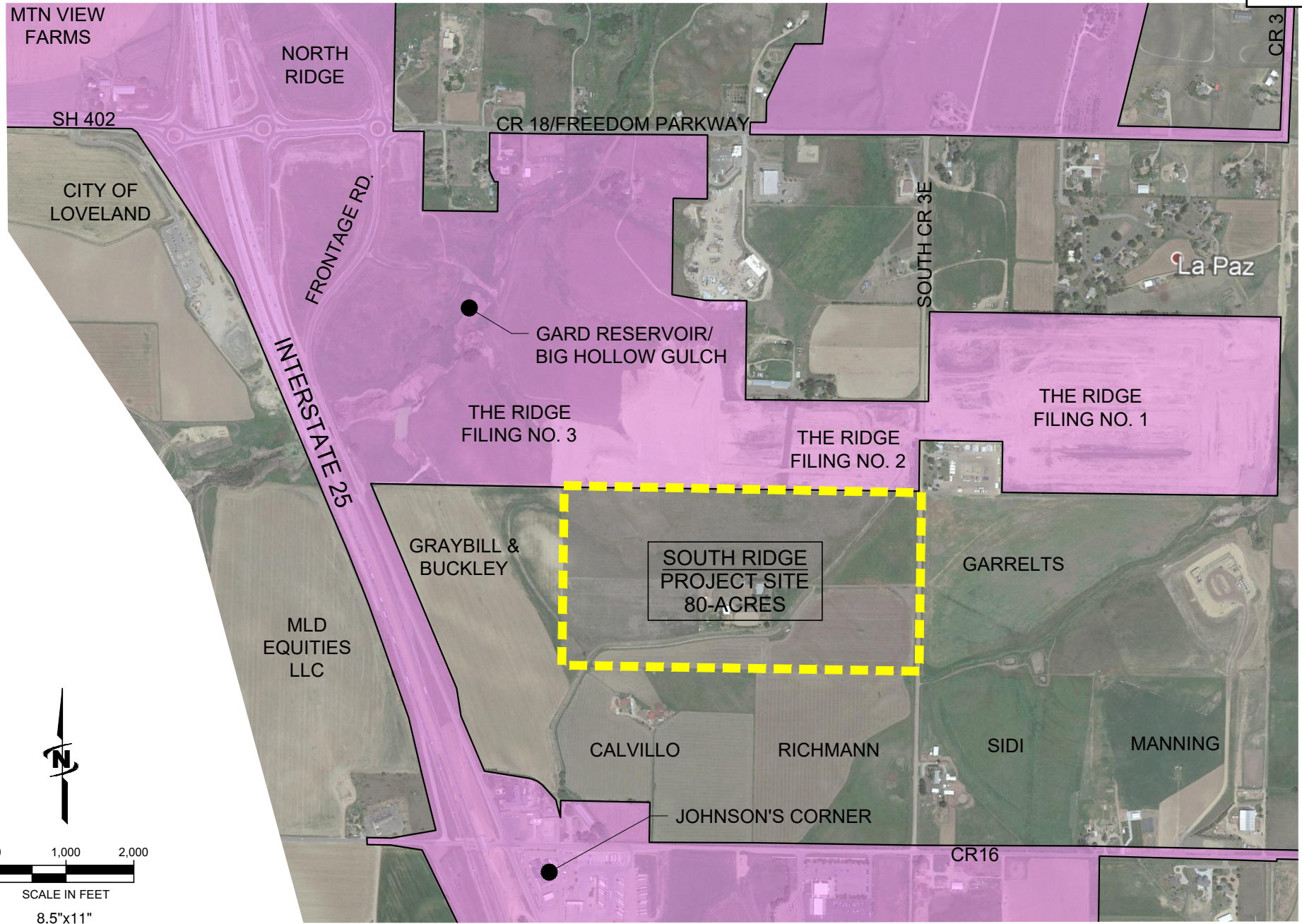
PASSED UPON FINAL APPROVAL AND ADOPTED on second reading by the Town Council of the Town of Johnstown, Colorado, this _____ day of _____, 2022.

TOWN OF JOHNSTOWN, COLORADO

ATTEST:

By: _____
Diana Seele, Town Clerk

By: _____
Gary Lebsack, Mayor



South Ridge Development
Johnstown, Colorado

Vicinity Map
October 10, 2021

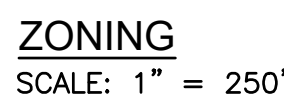


J-U-B ENGINEERS, INC.

LAST UPDATE: 2/11/2022
PLOT DATE: 2/11/2022
FILE: 87-21-026 VICINITYMAP

Plot Date: 2/11/2022 10:28 AM Plotted By: Donivan Wood
Date Created: 2/11/2022 \\JUB\COM\CENTRAL\CLIENTS\CO\CALIBER\DEVELOPMENT\PROJECTS\87-21-026 SOUTH RIDGE\DESIGN\CAD\EXHIBITS\SITE\87-21-026 VICINITYMAP.DWG

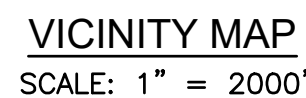
LOCATED ON THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 5 NORTH, RANGE 68 WEST
OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF LARIMER, AND STATE OF COLORADO



1. ACCESS POINTS SHOWN ON THIS OPD ARE APPROXIMATE. EXACT LOCATIONS TO BE DETERMINED DURING THE PRELIMINARY AND FINAL PLATTING PROCESS BASED ON THE FINAL TRAFFIC IMPACT STUDY.
2. LOCAL AND COLLECTOR STREETS MAY CHANGE LOCATION, SIZE AND CONFIGURATION AT THE TIME OF FINAL PLATTING. LOCAL AND COLLECTOR STREETS WILL CONFORM TO THE TOWN OF JOHNSTOWN STREET STANDARDS.
3. ALL DENSITIES AND UNIT COUNTS ARE PROJECTIONS, FINAL DENSITIES TO BE DETERMINED AT TIME OF PLATTING. ACTUAL NUMBER OF UNITS WILL BE DETERMINED AT TIME OF RESIDENTIAL PARCEL PLATTING.
4. AREA OF DEVELOPMENT PARCELS SHOWN ARE APPROXIMATE AND MAY VARY. EXACT LOT SIZES WILL BE DETERMINED WITH EACH PRELIMINARY AND FINAL SUBDIVISION SUBMITTAL.
5. FINAL CONFIGURATION OF PARCELS, OPEN SPACE, AND STREETS MAY VARY FROM THAT SHOWN ON THIS OPD.
6. ALL DRAINAGE ELEMENTS ARE CONCEPTUAL IN NATURE. FINAL DETERMINATIONS OF THE DRAINAGE SYSTEM, TO INCLUDE THE PLACEMENT OF DETENTION/RETENTION PONDS, CHANNELS, AND STORM SEWER, WILL BE MADE DURING THE PRELIMINARY AND FINAL DRAINAGE REPORTS AND DURING THE PRELIMINARY DEVELOPMENT PLAN PROCESS AS PART OF THE FINAL SUBDIVISION PLATTING.
7. LANDSCAPING, SIGNING, ARCHITECTURE, NON-RESIDENTIAL PARKING, FENCING, AND LIGHTING FOR DEVELOPMENT WITH THIS PUD WILL EITHER FOLLOW THOSE APPLICABLE STANDARDS IN THE TOWN OF JOHNSTOWN MUNICIPAL CODE OR THE DESIGN GUIDELINES SPECIFIC FOR SOUTH RIDGE.

PHASING WILL OCCUR IN A LOGICAL AND COST EFFECTIVE MANNER BASED ON INFRASTRUCTURE EXTENSION, AVAILABILITY OF UTILITY SERVICE, AND MARKET CONDITIONS. THE PROJECT MAY BE BUILT IN MULTIPLE PHASES, AS CONDITIONS DICTATE.

GEOTECH:
GROUND ENGINEERING
CONSULTANTS, INC.
2468 EAST 9TH STREET
LOVELAND, CO 80537
PROJECT # 20205022



THE ANNEXATION OF THE PARCEL 85260000003 AND PARCEL 8526000034 FOR SOUTH RIDGE WILL COMPLEMENT THE RIDGE AT JOHNSTOWN DEVELOPMENT TO THE NORTH BRIDGING THE TWO PROJECTS TOGETHER THROUGH INTEGRATED CONCEPT DESIGN AND UNIFORM DEVELOPMENT STANDARDS. THESE PARCELS ARE CONTIGUOUS TO AN EXISTING ANNEXED PARCEL IN THE TOWN ALLOWING INFRASTRUCTURE TO BE BROUGHT TO SOUTH RIDGE FROM EITHER OR BOTH THE NORTH AND THE EAST IN COORDINATION WITH DEVELOPED PROJECTS. THE COMMUNITY WILL HAVE ADDITIONAL RESIDENTIAL UNITS NEEDED FOR A GROWING JOHNSTOWN.

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 26 AND CONSIDERING THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 26 AS BEARING NORTH 01°02'40" EAST AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE ALONG SAID WEST LINE NORTH 01°02'40" EAST 1320.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WEST LINE NORTH 01°02'40" EAST 658.65 FEET; THENCE DEPARTING SAID WEST LINE SOUTH 88°50'34" EAST 2630.03 FEET TO A POINT ON THE NORTH-SOUTH CENTERLINE OF SAID SECTION 26; THENCE ALONG SAID CENTERLINE SOUTH 01°09'59" WEST 661.08 FEET; THENCE DEPARTING SAID CENTERLINE NORTH 88°47'23" WEST 2628.63 FEET TO THE TRUE POINT OF BEGINNING,
COUNTY OF LARIMER, STATE OF COLORADO.

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 26 AND CONSIDERING THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 26 AS BEARING NORTH 01°02'40" EAST AND WITH ALL BEARINGS CONTAINED HEREIN THERETO; THENCE ALONG SAID WEST LINE NORTH 01°02'40" EAST 1978.65 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WEST LINE NORTH 01°02'40" EAST 658.66 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 26; THENCE ALONG THE EAST-WEST CENTERLINE OF SAID SECTION 26 SOUTH 88°53'44" EAST 2631.42 FEET TO THE CENTER QUARTER CORNER OF SAID SECTION 26; THENCE ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 26 SOUTH 01°09'59" WEST 661.08 FEET; THENCE DEPARTING SAID CENTERLINE NORTH 88°50'34" WEST 2630.03 FEET TO THE TRUE POINT OF BEGINNING, COUNTY OF LARIMER, STATE OF COLORADO.

THIS OUTLINE DEVELOPMENT PLAN, TO BE KNOWN AS SOUTH RIDGE P.U.D. OUTLINE DEVELOPMENT PLAN, IS APPROVED AND ACCEPTED BY THE TOWN OF JOHNSTOWN, BY ORDINANCE NUMBER _____-_____, PASSED AND ADOPTED ON FINAL READING AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF JOHNSTOWN, HELD ON THE _____ DAY OF _____, _____.

ATTEST: _____
DIANA SEELE, TOWN CLERK

ODP-01	COVER
ODP-02	LAND USE
ODP-03	GRADING & DRAINAGE
ODP-04	UTILITY

OUTLINE DEVELOPMENT PLAN COVER

[illegible]

FINAL EXHIBIT
FOR REVIEW

REUSE OF DRAWINGS

SHEET NUMBER:

ODP-01

LOCATED ON THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 5 NORTH, RANGE 68 WEST
OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF LARIMER, AND STATE OF COLORADO

PARCEL A: THE DESIGN INTENT FOR PLANNING AREA A IS TO ALLOW FOR RESIDENTIAL DEVELOPMENT WITH A DENSITY OF 3.5 TO 5.0 DWELLING UNITS PER ACRE. RESIDENTIAL DEVELOPMENT IS ANTICIPATED TO INCLUDE NO MORE THAN 400 DWELLING UNITS CONSISTING OF AT LEAST TWO HOUSING TYPES WHICH MAY INCLUDE LARGE LOT HOMES, TRADITIONAL SINGLE FAMILY DETACHED AND/OR SINGLE FAMILY ATTACHED. LAYOUT SHOWN IS CONCEPTUAL, FINAL LOCATIONS OF ROADWAYS, PARK, OPEN SPACE, AND DETENTION PONDS TO BE DETERMINED WITH PRELIMINARY AND FINAL DEVELOPMENT PLAN PROCESS.

PLANNING AREA (PA)	APPROX. ACREAGE	ANTICIPATED USES	LOT COVERAGE
PA-A	±80.7	RESIDENTIAL	—

ANTICIPATED RESIDENTIAL DENSITIES ARE SPECIFIED WITHIN EACH PARCEL. THE FINAL DENSITY SHALL BE DETERMINED AT THE TIME OF PLATTING. NO MINIMUM DENSITIES ARE REQUIRED FOR RESIDENTIAL PLANNING AREAS.

LAND USE	ACRES	PERCENTAGE (NEAREST 1%)
RESIDENTIAL	56.5	70
OPEN SPACE	24.2	30
TOTAL	80.7	100

	SINGLE FAMILY DETACHED	SINGLE FAMILY ATTACHED
MINIMUM LOT SIZE	5,300 SF	2,000 SF
MAXIMUM HEIGHT	35'	35'
FRONT SETBACK TO BUILDING	15' MIN.	15' MIN.
FRONT SETBACK TO GARAGE	20' MIN.	20' MIN.
FRONT SETBACK TO SIDE LOADED GARAGE	10' MIN.	10' MIN.
SIDE YARD SETBACK	5' MIN.	0' MIN.
REAR YARD SETBACK (FRONT LOADED)	10' MIN.	10' MIN.
REAR YARD SETBACK (ALLEY LOADED)	5' MIN.	5' MIN.
SIDE (CORNER) SETBACK	15' MIN.	15' MIN.
BUILDING SEPARATION	PER FIRE CODE	PER FIRE CODE

1. LANDSCAPING, SIGNING, ARCHITECTURE, NON-RESIDENTIAL PARKING, FENCING, AND LIGHTING FOR DEVELOPMENT WITH THIS PUD WILL EITHER FOLLOW THOSE APPLICABLE STANDARDS IN THE TOWN OF JOHNSTOWN MUNICIPAL CODE OR THE SOUTH RIDGE DESIGN GUIDELINES, WHERE APPLICABLE.
2. THE PROVISIONS OF THIS PUD SHALL PREVAIL AND GOVERN DEVELOPMENT TO THE EXTENT PERMITTED BY THE TOWN OF JOHNSTOWN MUNICIPAL CODE. WHERE STANDARDS, DETAILS, AND GUIDELINES OF THE PUD-OUTLINE, PRELIMINARY, OR FINAL DEVELOPMENT PLANS DO NOT CLEARLY ADDRESS A SPECIFIC SUBJECT OR ARE SILENT, THE JOHNSTOWN MUNICIPAL AND TOWN OF JOHNSTOWN DESIGN GUIDELINES SHALL APPLY TO ALL PROPOSED DEVELOPMENT IS SUBJECT TO TOWN OF JOHNSTOWN REVIEW PROCEDURES.

1. 30% OF ACREAGE IS REQUIRED TO BE OPEN SPACE.
2. PARK SPACE WILL BE COUNTED TOWARDS OPEN SPACE REQUIREMENTS.
3. OPEN SPACE REQUIREMENTS WILL BE CALCULATED ON A NET BASIS EXCLUDING PUBLIC RIGHT OF WAY.
4. LANDSCAPE BUFFERS AND DETENTION PONDS CAN COUNT TOWARDS OPEN SPACE REQUIREMENTS. NO MORE THAN 5% OF OPEN SPACE AREA REQUIREMENT CAN BE MET BY LANDSCAPE BUFFERS.
5. OPEN SPACE SHALL FOLLOW THE APPLICABLE STANDARDS IN THE SOUTH RIDGE DESIGN GUIDELINES.

1. DEVELOPMENT SHALL INCORPORATE CONNECTIVITY FROM PARKS, TRAILS, RECREATION, AND OPEN SPACE MASTER PLAN FOR JOHNSTOWN/MILKILLEN.
2. 10% OF GROSS ACREAGE IS REQUIRED TO BE DESIGNATED AS LAND USE FOR PARKS AND RECREATION.
3. PARKS MAY BE PRIVATELY OR PUBLICLY OWNED, TO BE DETERMINED AT THE TIME OF FINAL PLAT.
4. ALL PARKS, NO MATTER IF OWNERSHIP IS PUBLIC OR PRIVATELY HELD, WILL BE ACCESSIBLE TO THE GENERAL PUBLIC, REGARDLESS OF RESIDENCY STATUS.

REUSE OF DRAWINGS
J-U-B SHALL RETAIN ALL COMMON LAW, STATUTORY, COPYRIGHT AND

[illegible]

**SOUTH RIDGE DEVELOPMENT
JOHNSTOWN**

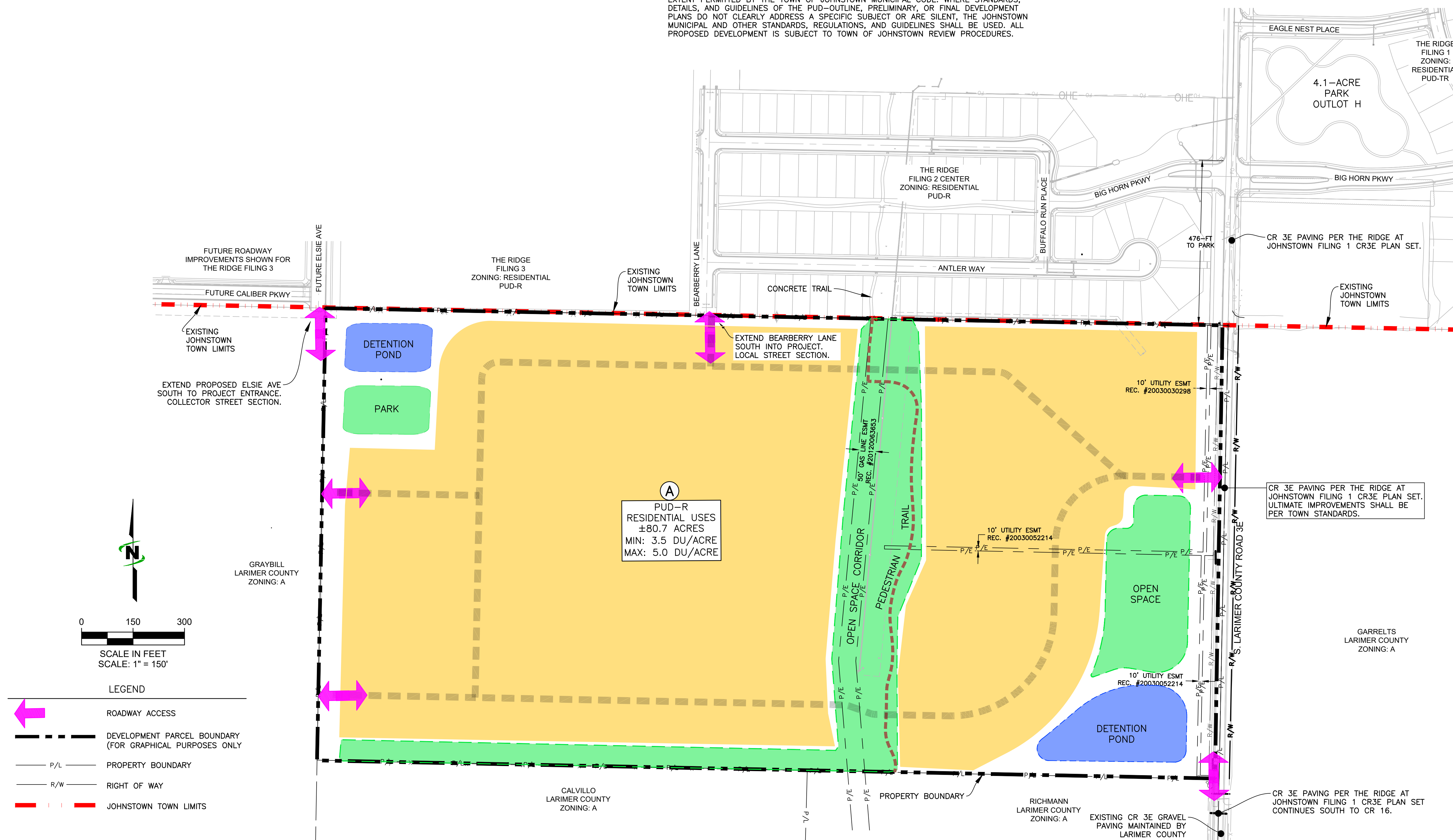
OUTLINE DEVELOPMENT PLAN LAND USE

SHEET NUMBER

LODD

ODP-

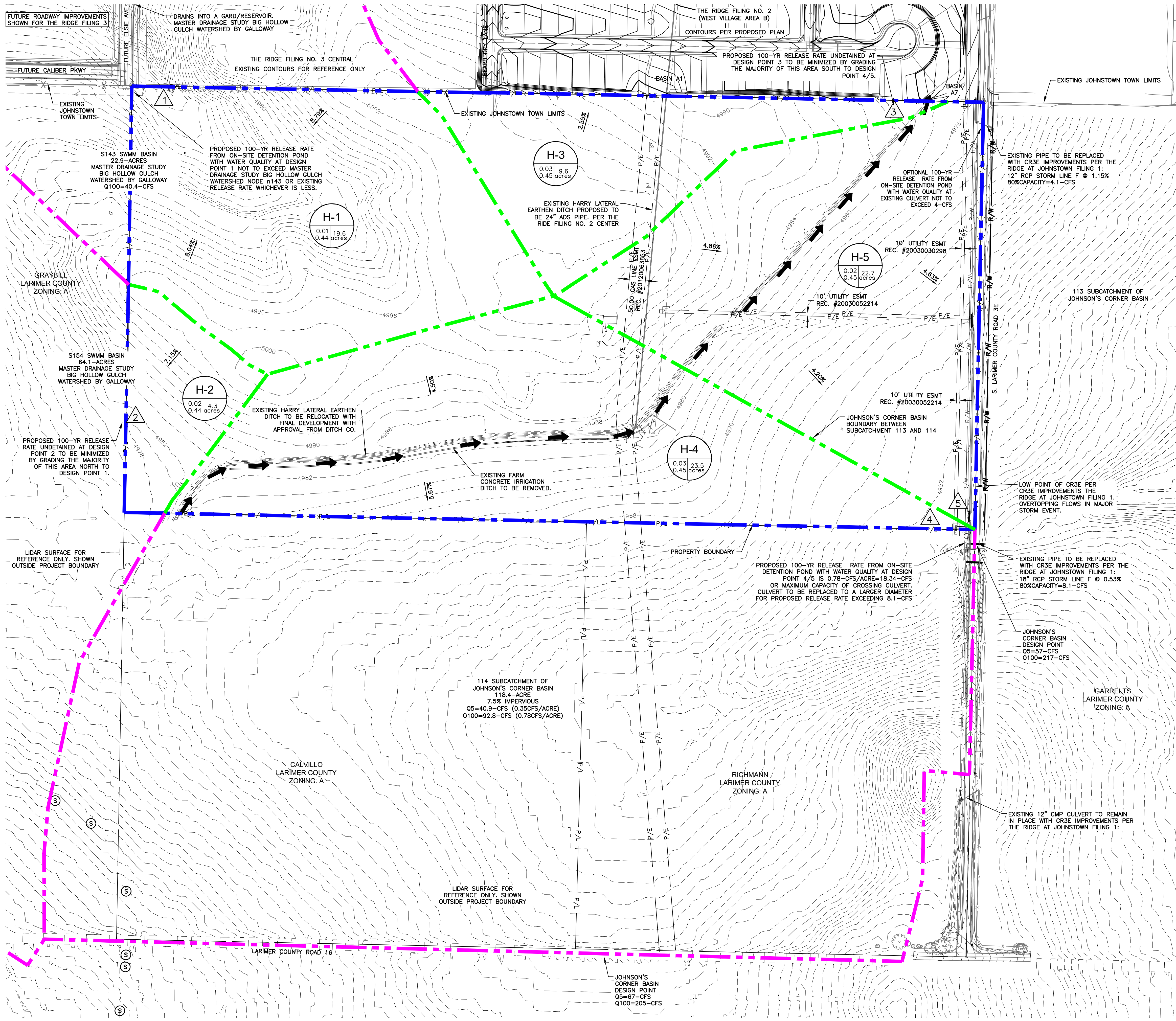
—

[illegible]

Plot Date: 3/12/2022 6:00 PM Plotted By: Amber Morse
Data Created: 2/17/2022 \\JUB.COM\CENTRAL\CLIENTS\CO\CALIBER\DEVELOPMENT\PROJECTS\87-21-026 SOUTH RIDGE\DESIGN\CAD\EXHIBITS\ODP\87-21-026 MASTER GRADING.LANDWG

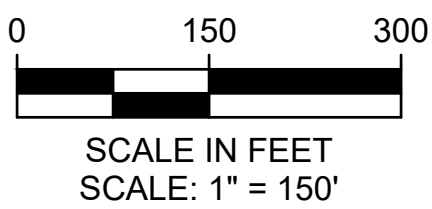
OUTLINE DEVELOPMENT PLAN SOUTH RIDGE

LOCATED ON THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 5 NORTH, RANGE 68 WEST
OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF LARIMER, AND STATE OF COLORADO



LEGEND:

- 4900 --- EXISTING MAJOR CONTOUR
- 4902 --- EXISTING MINOR CONTOUR
- SD --- EXISTING STORM PIPE
- BASIN BOUNDARY: ONSITE
- BASIN BOUNDARY: OFFSITE
- BASIN BOUNDARY: PROPERTY LINE
- BASIN ID
- C-MINOR AREA
- C-MAJOR
- △ DESIGN POINT
- DIRECT FLOW ARROW
- OVERLAND FLOW ARROW
- CDOT ACCESS CONTROL LINE



EXISTING BASIN DESIGN DATA:

BASIN ID	AREA (acres)	IMPERVIOUS (%)	Q5 (cfs)	Q100 (cfs)
H-1	19.58	2%	0.47	39.01
H-2	4.25	3%	0.19	9.04
H-3	9.64	4%	0.62	19.03
H-4	23.52	5%	1.46	40.10
H-5	22.67	3%	1.16	45.91
Combined Basins to Design Point (DP)				
H-4/H-5	46.19	4%	2.68	86.25

ULTIMATE CONCEPTUAL BASIN DESIGN DATA:

DESIGN POINT	AREA (acres)	IMPERVIOUS (%)	Q5 (cfs)	Q100 (cfs)
1	21.6	60%	32.6	83.4
2	0.9	20%	0.8	4.3
3	1.6	20%	1.3	7.5
4/5	55.6	60%	75.9	194.3

NOTES:
FOR 100-YEAR STORM ANALYSIS; ASSUME IRRIGATION DITCHES ARE FULL.
ASSUME STORM WATER WILL OVERTOP EXISTING IRRIGATION EARTHEN DITCHES.

THE RIDGE AT JOHNSTOWN FILING NO. 2 (CENTER VILLAGE) FOR RESIDENTIAL SUBDIVISION DIRECTLY NORTH OF THIS PROJECT DID NOT ACCOUNT FOR EXISTING OFFSITE DRAINAGE INTO THE SITE. OPTION TO REVIEW AS-BUILT DRAINAGE OF FILING NO. 2 FOR ADDITIONAL CAPACITY AND PROPOSE DETAINED RELEASE AT THE AVAILABLE CAPACITY NOT TO EXCEED HISTORIC RELEASE RATE. IF AS-BUILT CONDITION OF FILING NO. 2 DOES NOT HAVE CAPACITY FOR OFFSITE FLOWS TO BE PASSED THROUGH, PROPOSED AREA OF BASIN H-3 MAY ROUTE SOUTH TO DESIGN POINT 4/5.

ULTIMATE CONCEPTUAL BASINS LISTED ABOVE ASSUME IMPERVIOUS AND AREA OF ULTIMATE SITE LAYOUT. ULTIMATE BASINS TO BE DEFINED WITH PRELIMINARY AND FINAL PLAT.

TYPE B SOIL TYPE.

JUB
J-U-B ENGINEERS, INC.
4745 Boardwalk Drive
Building D, Suite 200
Fort Collins, CO 80525
Phone: 970.377.3602
www.jub.com

FINAL EXHIBIT FOR REVIEW

REUSE OF DRAWINGS		REVISION		BY		DATE	
JUB SHALL RETAIN ALL COMMON LAW, STATUTORY, COPYRIGHT AND OTHER RIGHTS IN THIS DOCUMENT. NO PART OF THIS DOCUMENT SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT WRITTEN CONSENT BY JUB. ANY REUSE WITHOUT WRITTEN CONSENT BY JUB WILL BE AT CLIENT'S SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO JUB.							

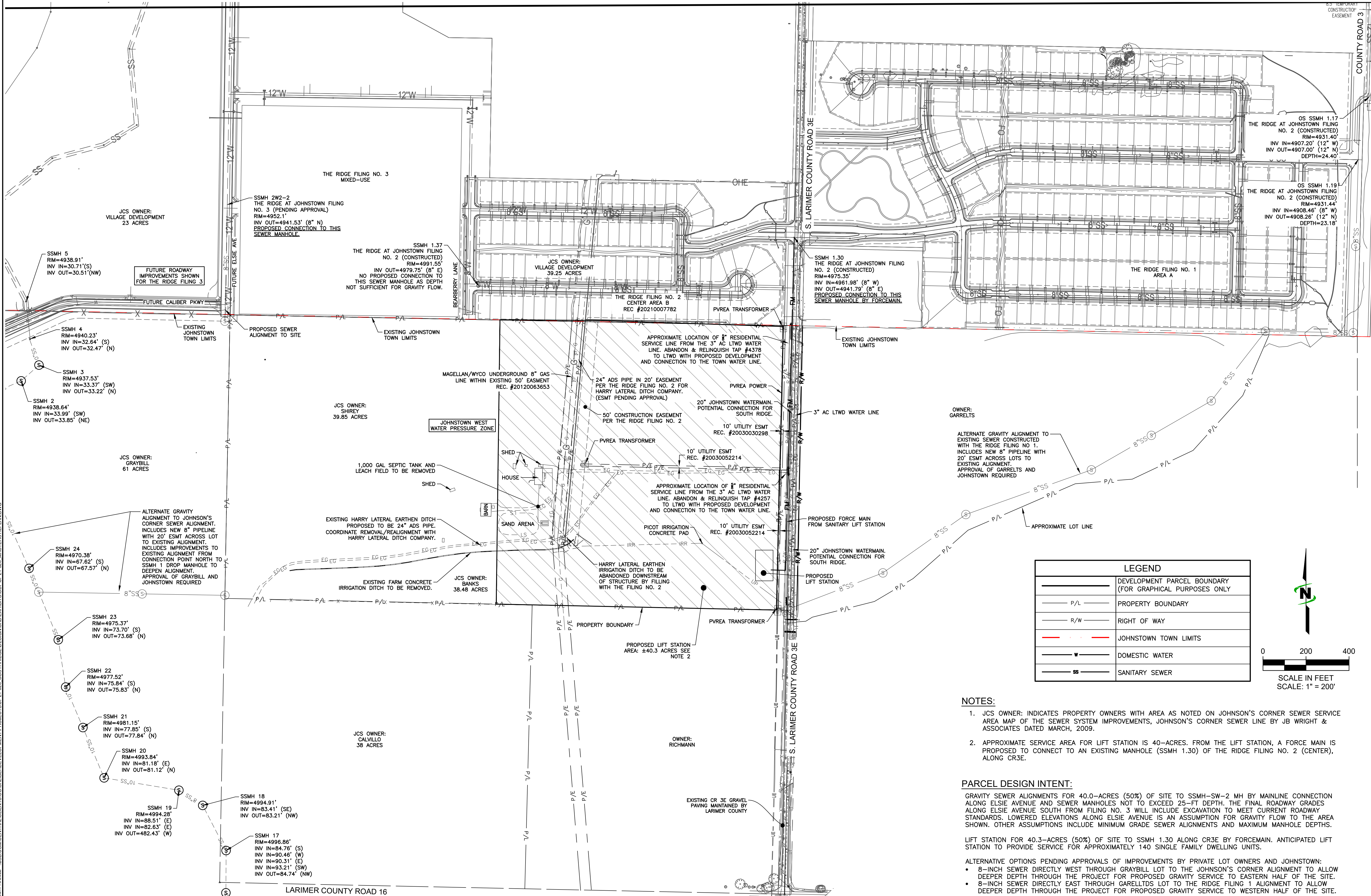
SOUTH RIDGE DEVELOPMENT JOHNSTOWN OUTLINE DEVELOPMENT PLAN GRADING

FILE : 87-21-026 MASTER GRADING PLAN
JUB PROJ. # : 87-21-026
DRAWN BY: DJW
DESIGN BY: ALM
CHECKED BY: ONE INCH
AT FULL SIZE, IF NOT ONE INCH, SCALE ACCORDINGLY
LAST UPDATED: 2/17/2022
SHEET NUMBER:
ODP-03

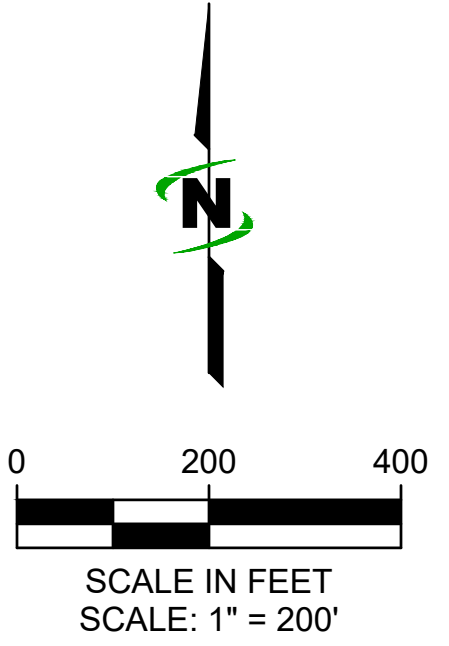
Plot Date: 3/13/2022 12:56 PM Plotted By: Amber Morse
Data Created: 1/16/2022 \\JUB.COM\CENTRAL\CLIENTS\COCALIBER\DEVELOPMENT\PROJECTS\87-21-026 SOUTH RIDGE DESIGN\CAD\EXHIBITS\ODP\87-21-026 MASTERUTIL.PLAN.DWG

OUTLINE DEVELOPMENT PLAN SOUTH RIDGE

LOCATED ON THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 5 NORTH, RANGE 68 WEST
OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF LARIMER, AND STATE OF COLORADO



LEGEND	
	DEVELOPMENT PARCEL BOUNDARY (FOR GRAPHICAL PURPOSES ONLY)
	PROPERTY BOUNDARY
	RIGHT OF WAY
	JOHNSTOWN TOWN LIMITS
	DOMESTIC WATER
	SANITARY SEWER



- NOTES:**
- JCS OWNER: INDICATES PROPERTY OWNERS WITH AREA AS NOTED ON JOHNSON'S CORNER SEWER SERVICE AREA MAP OF THE SEWER SYSTEM IMPROVEMENTS, JOHNSON'S CORNER SEWER LINE BY JB WRIGHT & ASSOCIATES DATED MARCH, 2009.
 - APPROXIMATE SERVICE AREA FOR LIFT STATION IS 40-ACRES. FROM THE LIFT STATION, A FORCE MAIN IS PROPOSED TO CONNECT TO AN EXISTING MANHOLE (SSMH 1.30) OF THE RIDGE FILING NO. 2 (CENTER), ALONG CR3E.

PARCEL DESIGN INTENT:

GRAVITY SEWER ALIGNMENTS FOR 40.0-ACRES (50%) OF SITE TO SSMH-SW-2 MH BY MAINLINE CONNECTION ALONG ELSEIE AVENUE AND SEWER MANHOLES NOT TO EXCEED 25-FT DEPTH. THE FINAL ROADWAY GRADES ALONG ELSEIE AVENUE SOUTH FROM FILING NO. 3 WILL INCLUDE EXCAVATION TO MEET CURRENT ROADWAY STANDARDS. LOWERED ELEVATIONS ALONG ELSEIE AVENUE IS AN ASSUMPTION FOR GRAVITY FLOW TO THE AREA SHOWN. OTHER ASSUMPTIONS INCLUDE MINIMUM GRADE SEWER ALIGNMENTS AND MAXIMUM MANHOLE DEPTHS.

LIFT STATION FOR 40.3-ACRES (50%) OF SITE TO SSMH 1.30 ALONG CR3E BY FORCEMAIN. ANTICIPATED LIFT STATION TO PROVIDE SERVICE FOR APPROXIMATELY 140 SINGLE FAMILY DWELLING UNITS.

ALTERNATIVE OPTIONS PENDING APPROVALS OF IMPROVEMENTS BY PRIVATE LOT OWNERS AND JOHNSTOWN:

- 8-INCH SEWER DIRECTLY WEST THROUGH GRAYBILL LOT TO THE JOHNSON'S CORNER ALIGNMENT TO ALLOW DEEPER DEPTH THROUGH THE PROJECT FOR PROPOSED GRAVITY SERVICE TO EASTERN HALF OF THE SITE.
- 8-INCH SEWER DIRECTLY EAST THROUGH GARELLTDS LOT TO THE RIDGE FILING 1 ALIGNMENT TO ALLOW DEEPER DEPTH THROUGH THE PROJECT FOR PROPOSED GRAVITY SERVICE TO WESTERN HALF OF THE SITE.

J-U-B ENGINEERS, INC.
4745 Boardwalk Drive
Building D, Suite 200
Fort Collins, CO 80525
Phone: 970.377.3602
www.jub.com

**FINAL EXHIBIT
FOR REVIEW**

REVISION		NO.	DESCRIPTION	BY	DATE

**SOUTH RIDGE DEVELOPMENT
JOHNSTOWN**

**OUTLINE DEVELOPMENT PLAN
UTILITY**

FILE: 87-21-026 MASTERUTIL.PLAN
JUB PROJ. #: 87-21-026
DRAWN BY: DJW
DESIGN BY: ALM
CHECKED BY:

1" = 1" ONE INCH
AT FULL SIZE, IF NOT ONE
INCH SCALE ACCORDINGLY
LAST UPDATED: 3/12/2022

SHEET NUMBER:
ODP-04



Town of Johnstown

PLANNING & ZONING COMMISSION AGENDA MEMORANDUM

DESCRIPTION:	South Ridge Annexation, Establishment of Zoning, and Outline Development Plan
PROJECT NOS:	ANX21-0004 & ZON21-0006
LOCATION:	West side of Larimer Co Rd 3E, north of CR 16; Portion of Southeast 1/4, Section 4, Township 4 North, Range 67 West, approx. 80.66 acres
APPLICANT:	Southridge HoldCo, LLC
STAFF:	Justin Currie, Planner II
HEARING DATE:	March 23, 2022

ATTACHMENTS

- 1-Vicinity Map
- 2-Application & Petition
- 3-Annexation Map
- 4-Zoning Map
- 5-Outline Development Plan

BACKGROUND & SUMMARY

The applicant, Southridge HoldCo, LLC, requests Annexation, PUD-R Zoning, and an Outline Development Plan for approximately 80 acres of land in Larimer County. The property is located in the South ½ of Section 26, Township 5 North, Range 68 West. More specifically, it is located west of Larimer County Road 3E, south of the existing Ridge Filing 1 and 2 residential subdivisions currently under construction.

The subject property is presently zoned Rural Residential (RR2) in unincorporated Larimer County and the property is currently being used as farm land. It is partially bordered by incorporated areas of Johnstown to the north, adjacent to The Ridge properties, with the remainder of the perimeter adjacent to unincorporated Larimer County. The surrounding zoning is Larimer County Rural Residential and Town of Johnstown PUD-MU.

The Community That Cares

johnstown.colorado.gov

P: 970.587.4664 | 450 S. Parish Ave, Johnstown CO 80534 | F: 970.587.0141

The proposed annexation is to allow for residential development, as a continuation of The Ridge development to the north, with proposed PUD-R (Residential) zoning. The accompanying Outline Development Plan (ODP) shows the intent to develop mixed-density residential - single family detached and attached homes - with an overall density range of 3.5 to 5.0 dwelling units per acre. Residential development is anticipated to include no more than 400 dwelling units consisting of at least two housing types, which may include large lot homes, traditional single family detached and/or single family attached.

SURROUNDING ZONING & LAND USE

North: PUD- MU – The Ridge PUD – single family residential under development
 South: RR2 – Rural Residential Larimer County – existing residences and ag lands
 East: RR2 – Rural Residential Larimer County– existing residences and ag lands
 West: RR2 – Rural Residential Larimer County – ag land proposed for annexation

LAND USE HISTORY

Historically, this property has been used for farming and continues as that use today.

PUBLIC NOTICE & AGENCY REFERRALS

Notice for the Planning & Zoning Commission hearing was published in the local paper of widest circulation, the Johnstown Breeze, on Thursday, March 3, 2022. This notice provided the date, time, and location of the Planning and Zoning Commission hearing, as well as a description of the project. Notices were mailed to all property owners within 500 feet of the property in question. This notice included a map of the proposed annexation and zoning. Full state-required annexation packets have been mailed to the county and all taxing districts prior to Council hearings.

NEIGHBORHOOD MEETING

No neighborhood meeting was held for this annexation. Due to the rural nature of the surrounding area only a handful of neighbors would have been notified and the Town will notify them further as this project submits plans to develop the property.

PROJECT DESCRIPTION & ANALYSIS

Annexation: This annexation is being considered by the Town for the following reasons:

1. At least 1/6 of the area to be annexed for each individual annexation is contiguous to the Town of Johnstown boundary.
2. The property is located within the Town of Johnstown Growth Management Area.
3. The Town is capable of providing water, sewer, and police service to the property.
4. The Town is authorized to annex the area without an election under Section 30(b) of Article II of the Colorado Constitution.

A resolution finding Substantial Conformance with C.R.S. requirements was passed by Town Council on February 23rd, 2022.

The Community That Cares

www.Johnstown.Colorado.gov

P: 970.587.4664 | 450 S. Parish Ave, Johnstown CO | F: 970.587.0141

The annexation map includes this parcel as well as the adjacent right-of-way for Larimer County Road 3E.

Zoning & Development Standards

The current zoning for the property is RR2-Rural Residential in Unincorporated Larimer County. There are no known conditional uses or uses by special review for the property.

The applicant requests PUD-R – Residential zoning upon annexation, which permits the applicant to develop a residential subdivision in accordance with the submitted Outline Development Plan (ODP). This proposed zoning is in alignment with the Johnstown Area Comprehensive Plan goals and the Future Land Use Map, showing this area for Low to Medium Density/Intensity development.

The South Ridge ODP provides some modified standards from the current municipal code, which the PUD process permits to accommodate a better response to market conditions, a more integrated neighborhood with a wider range of housing options, and additional open space areas incorporated into the development.

- The ODP provides for minimum lot sizes for single family detached of 5,300 SF.
- Front and corner side setbacks would be permitted at 15-feet, instead of the code of 20-feet, but with garage doors setback to that 20-foot minimum to permit a full-depth driveway and some variation in the street scape.
- The ODP “bubble diagram” notes the intent to create an open space/ pedestrian corridor along some existing easements within future development.
- Additional South Ridge PUD Design Guidelines have been submitted to the Town, to accompany this ODP, but are still in review and are anticipated to be brought forth in the future, prior to any building construction on-site.

Staff has advised the Applicant of current Town and community concerns over smaller than 6,000 SF lot sizes for traditional single-family lots. Johnstown Municipal Code (JMC), §16-302, permits a variety of residential housing types – and some neighborhood commercial uses – and does not require any specific minimum lot size. The intent indicates “providing incentives encouraging the use of innovative design techniques in order to achieve high-quality residential development.” This has typically resulted in a wider variety of lot sizes, many that tend to be smaller than 6,000 SF, to provide more ability for the developer to integrate the 30% PUD-required open space into the neighborhoods and incorporate more curvilinear streets and other design considerations. Subject to approve by the Planning Commission and Town Council, JMC §17-133 allows for modification to minimum lots area, width, and setbacks/offsets. Therefore, Staff finds that this proposed ODP does provide the ability to develop the site in conformance with current code requirements.

Future development processes and projects will be required to create a subdivision plat and development plans, to be reviewed and approved by the Town through public hearing processes.

The Community That Cares

www.Johnstown.Colorado.gov

P: 970.587.4664 | 450 S. Parish Ave, Johnstown CO | F: 970.587.0141

Detailed engineering and construction plans are part of that future technical review. At the Zoning and ODP level, the Town is looking at overall feasibility and system capacities.

Infrastructure

There is an existing water line located to the east of the property in the County Road 3E right-of-way. The entire Site is located within the service area boundaries for the Low Point Wastewater Treatment Plant.

Transportation infrastructure exists for this property. County Road 3E currently borders the project site to the east and is projected to be a minor arterial at full build out, leading to CR 18 and CR 16 to the north and south, respectively. The Ridge, Filing 1 and 2 were recently approved, to the north, which will allow for connectivity to existing infrastructure.

Staff has no outstanding concerns related to this Annexation, the establishment of PUD-R zoning, or the proposed ODP.

RECOMMENDED PLANNING AND ZONING COMMISSION FINDINGS AND MOTIONS

South Ridge Annexation, Zoning, and Outline Development Plan (ODP)

It is recommended that Planning and Zoning Commission send a recommendation for Approval to Town Council for the Annexation, Establishment of PUD-R Zoning, and the Outline Development Plan, based upon the following findings:

1. The area is contiguous to the Town of Johnstown along at least 1/6 of its boundaries.
2. The property is located within the Town of Johnstown Growth Management Area.
3. The Town can adequately and efficiently provide utility and police services.
4. The property is eligible for annexation without election pursuant to the Colorado Constitution Article II, Section 30(b).
5. The annexation of this property and the proposed PUD-R zoning are in alignment with the Johnstown Area Comprehensive Plan.
6. The Outline Development Plan for the South Ridge PUD is in substantial conformance with comprehensive plan, current municipal codes, regulations and guidelines, and proposes a neighborhood that will be compatible with and integrate with the approved development to the north.

Recommended Motion: Motion to Approve, as presented

Based on the application materials received and analysis and presentations at this hearing, the Planning & Zoning Commission finds that the request for the South Ridge Annexation, Establishment of PUD-R Zoning, and Outline Development Plan furthers the *Johnstown Area Comprehensive Plan* goals, and is compatible with all other applicable Town standards and regulations, and therefore moves to recommend to the Town Council Approval of the South Ridge Annexation, Establishment of PUD-R Zoning, and Outline Development Plan based upon the findings as stated above.

Alternate Motions:**Motion to Recommend Approval with Conditions**

Based on the application materials received and analysis and presentations at this hearing, the Planning & Zoning Commission finds that the request for the South Ridge Annexation, Establishment of PUD-R Zoning, and Outline Development Plan furthers the *Johnstown Area Comprehensive Plan* goals, and is compatible with all other applicable Town standards and regulations, and therefore moves to recommend to the Town Council Approval of the South Ridge Annexation, Establishment of PUD-R Zoning, and Outline Development Plan based upon the findings as stated above, and with the following conditions:

- 1.

Motion to Recommend Denial

I move that the Commission recommend to the Town Council denial of the South Ridge Annexation, Establishment of PUD-R Zoning, and Outline Development Plan based upon the following findings...

- 1.

Planner:



Justin Currie, Planner II



Town of Johnstown

TOWN COUNCIL AGENDA COMMUNICATIONS

AGENDA DATE: April 04, 2022

SUBJECT: South Ridge Annexation Agreement

ACTION PROPOSED: Consider the South Ridge Annexation Agreement

ATTACHMENTS: 1. South Ridge Annexation Agreement

PRESENTED BY: Justin Currie, Planner II
Avi Rocklin, Town Attorney

AGENDA ITEM DESCRIPTION:

A petition for the South Ridge Annexation, requesting annexation and PUD-P zoning, and an Outline Development Plan (ODP) were submitted to the Town in July 2021. This property comprises approximately 80.66 acres of land, located west of Larimer County Road 3E, south of the existing Ridge Filing 1 and 2 residential subdivisions currently under construction.

In conjunction with the proposed annexation, Town Council is asked to consider the attached Annexation Agreement. (Attachment 1.)

Exhibit B provides evidence of water rights for this property.

LEGAL ADVICE:

Agreement was prepared by the Town Attorney.

FINANCIAL ADVICE:

NA

RECOMMENDED ACTION:

Approve the Annexation Agreement for the South Ridge Annexation.

The Community That Cares

johnstown.colorado.gov

P: 970.587.4664 | 450 S. Parish Ave, Johnstown CO 80534 | F: 970.587.0141

SUGGESTED MOTIONS:**For Approval**

I move that the Town Council approve the Annexation Agreement for the South Ridge Annexation.

For Denial

I move that the Town Council deny the Annexation Agreement for the South Ridge Annexation.

Reviewed and Approved for Presentation,



Town Manager

**TOWN OF JOHNSTOWN
ANNEXATION AGREEMENT
SOUTH RIDGE ANNEXATION**

THIS ANNEXATION AGREEMENT (“Agreement”) is made and entered into this _____ day of _____, 2022, by and between SOUTHRIDGE HOLDCO, LLC, a Colorado limited liability company (“Owner”), and the TOWN OF JOHNSTOWN, a home-rule municipal corporation of the State of Colorado (“Town”).

WITNESSETH:

WHEREAS, Owner desires to annex real property into the Town, situated in North Half of the Southwest Quarter of Section 26, Township 5 North, Range 68 West of the 6th P.M., County of Larimer, State of Colorado, consisting of approximately 80.66 acres more or less, being more particularly described on Exhibit A, attached hereto and incorporated herein by this reference (“Property”); and

WHEREAS, Owner executed a Petition for Annexation, dated October 14, 2021, a copy of which petition is on file with the Town Clerk; and

WHEREAS, Owner intends to develop the Property as part of a subdivision to be known as South Ridge and has prepared an Outline Development Plan identifying and illustrating requested zoning, proposed land uses and intended development; and

WHEREAS, it is to the mutual benefit of the parties hereto to enter into this Agreement regarding annexation of the Property to the Town and other related matters as set forth herein; and

WHEREAS, Owner acknowledges that, upon annexation, the Property will be subject to all ordinances, resolutions and other regulations of the Town, as amended from time to time; and

WHEREAS, Owner acknowledges that, when development proceeds, the need for conveyances and dedication of certain property to the Town, including, but not limited to, property for rights-of-ways and easements, shall be directly related to and generated by the development within the Property.

NOW, THEREFORE, IN CONSIDERATION OF THE ABOVE PREMISES AND THE COVENANTS AS HEREINAFTER SET FORTH, IT IS AGREED BY AND BETWEEN THE PARTIES AS FOLLOWS:

1. ***Incorporation of Recitals.*** The parties confirm and incorporate the foregoing recitals into this Agreement.

2. ***Purpose.*** The purpose of this Agreement is to set forth the terms and conditions of the annexation of the Property to the Town. Except as expressly provided for herein to the

contrary, all terms and conditions herein are in addition to all requirements concerning annexation contained in the Johnstown Municipal Code, the Town's development regulations and Comprehensive Plan, and the Municipal Annexation Act of 1965, as amended, C.R.S. §§31-12-101, *et seq.*

3. **Owner.** As used in this Agreement, the term "Owner" shall include any of the heirs, transferees, successors or assigns of Owner. In addition to the foregoing and to the extent excluded therefrom, this Agreement shall be binding upon all developers of the Property or any part thereof. All such parties shall be subject to the terms of this Agreement as if they were the original parties thereto.

4. **Further Acts.** Owner agrees to execute promptly upon request of the Town any and all surveys and other documents necessary to effect the annexation of the Property and the other provisions of this Agreement. Owner agrees not to sign any other petition for annexation of the Property or any petition for annexation election relating to the Property, except upon request of the Town.

5. **Annexation Documents.** Owner agrees to provide legal documents, surveys, engineering work, newspaper publications, maps, and reports determined by the Town to be necessary to accomplish the annexation.

6. **Zoning.** The parties recognize that it is the intent and desire of Owner to zone the Property PUD-R (Planned Unit Development – Residential) and, utilizing design review guidelines approved by the Town for residential use, develop the Property in conformity with such zoning.

7. **Non-Conforming Use.** The Town agrees to allow existing non-conforming agricultural use, if any, to continue until such time as the Property is platted, but not at a greater level than at its current level of activity and use.

8. **Water Rights Dedication.** Owner owns the water rights and lateral ditch company rights appurtenant to the Property that are more particularly described and defined on **Exhibit B** attached hereto and incorporated herein by reference, and collectively referred to as "Water Rights" including:

- a. The Home Supply Shares; and
- b. The Harry Lateral Shares; and
- c. The LTWD Water.

Owner shall dedicate all such Water Rights represented on **Exhibit B** to the Town within one hundred twenty (120) days following the mutual execution of this Agreement, unless the Town, at its discretion, consents to an extension of time to dedicate such water rights and lateral ditch rights, which consent shall not be unreasonably withheld if based on good faith grounds. The Harry Lateral Shares shall be dedicated to the Town for municipal use. The Home Supply Shares and

LTWD Water shall be dedicated to the Town and retained in a water bank established, at Owner's discretion, for the benefit of Owner or a related entity of Owner for future municipal use. Owner shall not, absent the Town's written consent, transfer, sell, dedicate or otherwise allow the use of such Water Rights outside the boundaries of the Town. Owner specifically agrees that it has not sold or transferred any Water Rights appurtenant to the Property within the past year nor will it do so during the pendency of this annexation petition and, once annexed to the Town, will not sell or transfer any Water Rights described in **Exhibit B** to the Property without the prior written approval of the Town.

9. ***Municipal Services.*** The Town agrees to make available to the Property all of the usual municipal services provided by the Town in accordance with the ordinances and policies of the Town. Except as otherwise agreed by the Town, Owner shall bear the cost of the delivery of such services.

10. ***Public Improvements.*** Owner agrees to design and construct all required public improvements to Town standards at Owner's expense. Owner shall provide financial guarantees for construction of all required improvements as set forth in each phase or filing of the development and dedicate to the Town any or all of the improvements required by Town ordinances or as otherwise agreed. The public improvements and financial guarantees shall be set forth in a development agreement for each filing between the Town and Owner. All overhead utility lines shall be undergrounded.

11. ***Land Dedication.*** The dedication of parks and open space, flood plains, public easements for utilities, rights-of-way for streets and other public ways and dedications for other public purposes shall be by general warranty deed (to include, except for public easements, mineral interest owned by Owner, if any, at the time of annexation) or another appropriate instrument of conveyance acceptable to the Town. Such dedications shall occur when required by the Town; except that, contemporaneously with the annexation of the Property, fifty-five (55) feet of right-of-way (minor arterial standard, half right-of-way) for Larimer County Road 3E, to the existing centerline of the road, shall be dedicated by Deed of Dedication, in the form attached hereto and incorporated herein by reference as **Exhibit C**. The Town and Owner agree that such dedications are directly related to and generated by the development intended to occur within the Property and that no taking thereby will occur requiring any compensation.

12. ***Water and Waste Water Utilities.*** Owner agrees to construct all on-site and required off-site water and waste water mains and appurtenances to Town standards at Owner's expense. The Town and Owner hereby agree to cooperate in good faith with respect to 1) determining reasonable oversizing requirements; 2) locating and securing approvals for installation of utility mains and appurtenances within public rights-of-way; and 3) facilitating installation of off-site infrastructure if Owner and Town determine that such installation is necessary in connection with orderly development of the Property.

13. ***Drainage.*** A drainage study of the entire annexation territory shall be provided by Owner to the Town no later than the date of Owner's filing of a preliminary plat with the Town. Improvements shall be made as required by the Town. Historical irrigation and drainage patterns

shall be maintained on the property to the extent feasible including no change in the quality, quantity or point of discharge, except to the extent approved by the Town.

14. ***Limitation on Fee Impositions by the Town.*** The parties recognize and agree that the Property shall be subject to typical development fees similar to those that are imposed on other comparable developments in the Town pursuant to the Town's regulations and ordinances. Owner acknowledges that the Town has adopted impact fees and a special fee, known as the 402 Interchange Fee, that will apply to this development and will be required to be paid prior to the issuance of building permits for the Property.

15. ***Conformity with Laws.*** Owner agrees that the design, improvement, construction, development, and use of the Property shall be in conformance with all applicable laws and ordinances and that Owner shall comply with all Town ordinances, resolutions and regulations including, without limitation, ordinances, resolutions, and regulations pertaining to annexation, subdivision, zoning, storm drainage, utilities, access to Town streets, and flood control.

16. ***Disconnection.*** No right or remedy of disconnection of the Property from the Town shall accrue from this Agreement other than that provided by applicable state laws. In the event the Property or any portion thereof is disconnected at Owner's request, the Town shall have no obligation to serve the disconnected Property or portion thereof and this Agreement shall be void and of no further force and effect as to such Property or portion thereof.

17. ***Special Districts.*** Within thirty (30) days after written request by the Town, Owner shall apply for inclusion of the Property within one or more special districts serving the Town and the Town may request Owner to petition to exclude the Property from another special district. All costs, expenses, attorney fees and judgments for exclusion of the property from any special district shall be borne by Owner. Within thirty (30) days after written request by the Town, Owner shall be required to pay sums due owing to the Little Thompson Water District, if any, pursuant to an Intergovernmental Agreement between the Town of Johnstown and the Little Thompson Water District dated January 21, 2009.

- a. Owner may include the Property into one of the Villages at Johnstown Metropolitan District Nos. 1-8 following the Town's annexation of the Property, on the condition that the annexation is not subject to a legal challenge. The Town hereby consents to such inclusion, subject to the Consolidated Service Plan for the Villages at Johnstown Metropolitan District Nos. 1-8, approved on March 19, 2018, as amended, the Intergovernmental Agreement between the Town and Villages at Johnstown Metropolitan District Nos. 1-8, dated March 19, 2018, and any other applicable intergovernmental agreements executed by and between the Town and the Villages at Johnstown Metropolitan District Nos. 1-8.

18. ***Future Cooperation.*** The parties agree that they will cooperate with one another in accomplishing the terms, conditions, and provisions of the Agreement and will execute such additional documents as necessary to effectuate the same.

19. ***No Joint Venture or Partnership/No Assumption of Liability.*** Nothing contained in this Agreement is intended to create a partnership or joint venture between the Town and Owner or between the Town and any one or more of the individual owners that may exist and any implication to the contrary is hereby expressly disavowed. It is understood and agreed that this Agreement does not provide for the joint exercise by the parties of any activity, function or service, nor does it create a joint enterprise or an agency relationship. Except as specifically otherwise provided in this Agreement, no party shall in any way assume any of the liability of any other party for any act or obligations of the other party.

20. ***Failure to Annex.*** This Agreement shall be null and void if the Town fails to approve the annexation of the Property.

21. ***No Warranties by the Town.*** The Town is entering into this Agreement in good faith and with the present intention, on the part of the present Town Council, to comply with this Agreement. Because certain of the provisions of this Agreement may involve areas of legal uncertainty or be subject to subsequent revisions to the law, the Town does not intend to provide any warranty.

22. ***Breach.*** In the event of a default or breach by Owner of any term, condition, covenant, or obligation under this Agreement, the Town may take such action as it deems necessary to protect the public health, safety and welfare; to protect lot buyers and builders; and to protect the citizens of the Town from hardship. The Town's remedies include:

- (I) The refusal to issue any development permit, building permit or certificate of occupancy. This remedy shall not affect sales to bona fide purchasers nor be applied to bona fide purchasers;
- (II) A requirement that the security given for the completion of the public improvements;
- (III) The refusal to consider further development plans within the Property; and/or
- (IV) Any other remedy available at law.

Unless necessary to protect the immediate public health, safety and welfare, the Town shall provide Owner ten (10) days' written notice of its intent to take any action under this Paragraph during which ten-day period Owner may cure the breach described in said notice and prevent further action by the Town.

23. ***Attorney's Fees.*** If Owner breaches this Agreement, Owner shall pay the Town's reasonable costs and attorney's fees incurred in the enforcement of the terms and conditions of this Agreement. Should litigation occur by suit of a third party, Owner shall reimburse the Town for the Town's attorney's fees, court costs, and witness fees. Rather than require the Town to defend an action brought by a third party alleging that the Property is not subject to annexation or that the technical requirements of the Municipal Annexation Act of 1965, § 31-12-101, *et seq.*, C.R.S. (the "Act"), were not met, Owner may withdraw the Petition for Annexation. In addition thereto, in the event that any person, corporation, special district, municipal or county government or any other entity asserts a claim against the Town, its officials, or employees pursuant to the provisions

of the Act, Owner agrees to reimburse the Town all reasonable costs and attorney's fees incurred by the Town in defense of such claims whether or not such defense is successful; provided, however, that nothing herein shall be interpreted as permitting Owner to act or participate in any manner whatsoever in the defense of such claims, including, but not limited to, selection of legal counsel or settlement of claims. Owner acknowledges and understands that the Town may, in its sole discretion, voluntarily elect not to defend against such an action and may consent to and permit the entry by the court of an order voiding the annexation or reach another means of settlement of claims. In such an event, Owner shall also reimburse to the Town any costs or attorney's fees assessed against the Town by the court, if any.

24. **Assignments.** Within ten days of an assignment, Owner shall provide written notice to the Town of the name, address and telephone number of the assignee.

25. **Town Police Powers.** Nothing contained in the Agreement shall constitute or be interpreted as a repeal of existing codes, ordinances or as a waiver of the Town's legislative, governmental, or police powers to promote and protect the health, safety, and general welfare of the Town or its inhabitants; nor shall this Agreement prohibit the enactment by the Town of any fee which is of uniform or general application.

26. **Design Review Guidelines.** The Town and Owner shall jointly develop and agree to adopt design review guidelines addressing design considerations, including architectural, site planning, landscaping, streetscape, and sign elements for land uses within the Property. The design review guidelines shall be applied to all development projects within the Property. The design review guidelines shall not supersede any uniform code of the Town such as the Uniform Building Code, Uniform Fire Code, or any other like code which is applicable to all properties located within the Town. Owner has submitted design review guidelines for the Property, to be reviewed and approved by the Town.

27. **Notice.** All notices required under this Agreement shall be in writing and shall be: 1) hand-delivered or; 2) sent by registered or certified mail, return receipt requested, postage prepaid, to the addresses of the parties herein set forth; or 3) sent by electronic mail return receipt requested and received. All notices by hand-delivery shall be effective upon receipt. All notices by mail shall be considered effective seventy-two (72) hours after deposit in the United States mail with the proper address as set forth below. Either party, by notice to be given, may change the address to which future notices shall be sent.

Notice to Town:

Town of Johnstown
ATTN: Town Manager
450 S. Parish Avenue
P. O. Box 609
Johnstown, CO 80534
Email: mlecerf@townofjohnstown.com

With copy to:

Law Office of Avi S. Rocklin, LLC
Town Attorney
1437 N. Denver Avenue #330
Loveland, CO 80538
Email: avi@rocklinlaw.com

Notice to Owner:

SOUTHRIDGE HOLDCO, LLC
Attention: Roy Bade
Copy: Courtney Crump
8901 E. Mountain View Rd, Ste 150
Scottsdale, AZ 85258
Email: Roy.Bade@caliberco.com
Email: Courtney.Bring@caliberco.com

With copy to:

Hunter & Goodhue, PLLC
Attention: Mark F. Hunter
4845 Pearl East Circle, Suite 101
Boulder, CO 80301
Email: mark@huntgoodlaw.com

28. ***Voluntary Annexation; Election.*** Owner agrees that it is voluntarily entering into this Agreement. Owner represents and submits that, to the extent an election would be required pursuant to § 31-12-112, C.R.S., to approve the annexation or to impose terms and conditions upon the Property to be annexed, Owner owns one hundred percent (100%) of the Property, excluding public streets and alleys, and would vote to approve the annexation and all terms and conditions as set forth herein.

29. ***Cost Reimbursement to Town.*** Owner and/or a developer shall reimburse Town for professional consultants such as engineers, testing companies, planners, and attorneys necessitated by processing and completion of this development.

30. ***No Third Party Rights.*** This Agreement is made solely for the benefit of the parties hereto and is not intended to nor shall it be deemed to confer rights to any persons or entities not named as parties hereto.

31. ***Governing Law.*** The laws of the State of Colorado shall govern the validity, performance, and enforcement of this Agreement. Should either party institute legal suit or action for enforcement of any obligation contained herein, it is agreed that the venue of such suit or action shall be in Larimer or Weld County, Colorado.

32. ***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 at a location that is not more than sixty miles from the Property, the costs of which shall be shared equally by the parties. If mediation is not successful after ninety (90) days, either party may then commence a legal action.

33. **Headings.** The paragraph headings in this Agreement shall not be used in the construction or interpretation hereof as they have no substantive effect and are for convenience only.

34. **Amendments to Law.** As used in this Agreement, unless otherwise specifically provided herein, any reference to any provision of any Town ordinances, resolution, regulations, or policy is intended to refer to any subsequent amendments or revisions to such ordinance, resolution, regulations, or policy, and the parties agree such amendments or revision shall be binding upon Owner.

35. **No Vested Rights.** No vested rights shall accrue to Owner by virtue of annexation of the Property or this Annexation Agreement.

36. **Binding Effect.** This Agreement shall be binding upon and inure to the benefit of all heirs, transferees, successors and assigns hereof, and shall constitute covenants running with the land. In addition to the foregoing and to the extent excluded therefrom, this Agreement shall be binding upon all developers of the Property or any part thereof. This Agreement shall be recorded with the County Clerk and Recorder of Larimer County, Colorado, at Owner's expense. Subject to the conditions precedent herein, this Agreement may be enforced in any court of competent jurisdiction.

37. **Entire Agreement.** This Agreement embodies the entire agreement of the parties. There are no promises, terms, conditions or obligations other than those contained herein; and this Agreement supersedes all previous communications, representations or agreements, either verbal or written, between the parties related to the subject matter herein.

38. **Amendment.** This Agreement may be amended only by mutual agreement of the Town and Owner. Such amendments shall be in writing, shall be recorded with the County Clerk and Recorder of Larimer County, Colorado, shall be covenants running with the land and shall be binding upon all persons or entities having an interest in the Property and/or an interest in water rights referenced in this Agreement.

39. **Severability.** The parties agree that if any part, term, portion, or provision of this Agreement is held by a court of competent jurisdiction to be illegal or in conflict with any law of the State of Colorado or any federal law, the validity of the remaining parts, terms, portions, or provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term, portion, or provision held to be invalid.

[Remainder of page intentionally left blank.]

ATTEST:

**TOWN OF JOHNSTOWN, COLORADO,
A MUNICIPAL CORPORATION**

By: _____
Diana Seele, Town Clerk

By: _____
Gary Lebsack, Mayor

SOUTHRIDGE HOLDCO, LLC

By: Southridge ManageCo, LLC
 a Colorado limited liability company
 Its: Manager

By: Caliber Services, LLC
 an Arizona limited liability company
 Its: Manager

By: Caliber Companies, LLC
 an Arizona limited liability company
 Its: Managing Member

By: CaliberCos Inc.
 a Delaware corporation
 Its: Manager

By: _____
 Name: Jennifer Schrader
 Its: President

STATE OF ARIZONA)
) ss.
 County of Maricopa)

The foregoing instrument was acknowledged before me this ____ day of _____ 2022, by Southridge HoldCo, LLC, a Colorado limited liability company, by Jennifer Schrader, Director.

Witness my hand and official seal.

My commission expires: _____

 Notary Public

My commission expires: _____

EXHIBIT A**PROPERTY LEGAL DESCRIPTION**

THAT PORTION OF THE SOUTH HALF OF SECTION 26, TOWNSHIP 5 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, LARIMER COUNTY, COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEARINGS ARE BASED ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 26 AND ARE ASSUMED TO BEAR NORTH 01°02'40" EAST.

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 26;

THENCE ON THE WEST LINE OF SAID SOUTHWEST QUARTER, NORTH 01°02'40" EAST, A DISTANCE OF 1320.00 FEET, TO THE **POINT OF BEGINNING**;

THENCE CONTINUING ON SAID WEST LINE, NORTH 01°02'40" EAST, A DISTANCE OF 1,318.14 FEET, TO THE WEST QUARTER CORNER OF SAID SECTION 26, AND A POINT ON THE SOUTH LINE OF R & D DEVELOPMENT ANNEXATION NO. ONE;

THENCE ON THE NORTH LINE SAID SOUTHWEST QUARTER, AND THE SOUTH LINES OF R & D ANNEXATION NO. ONE, TWO AND THREE SOUTH 88°53'53" EAST, A DISTANCE OF 2601.80 FEET, TO A POINT ON THE WEST RIGHT OF WAY LINE OF LARIMER COUNTY ROAD 3E;

THENCE LEAVING THE SOUTH LINE OF R & D ANNEXATION NO. THREE AND CONTINUING ON THE NORTH LINE OF SAID SOUTHWEST QUARTER, SOUTH 88°53'53" EAST, A DISTANCE OF 30.00 FEET, TO THE CENTER QUARTER CORNER OF SAID SECTION 26;

THENCE ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 26, SOUTH 89°45'30" EAST, A DISTANCE OF 30.00 FEET, TO A POINT THE EAST RIGHT OF WAY LINE OF LARIMER COUNTY ROAD 3E;

THENCE ON SAID EAST RIGHT OF WAY LINE, SOUTH 01°09'29" WEST 1,323.61 FEET;

THENCE N 88°47'23" W, A DISTANCE OF 2,659.18 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 80.66 ACRES.

EXHIBIT B**WATER RIGHTS**

1. Two and ½ Shares of Capital Stock in The Consolidated Home Supply Ditch and Reservoir Company, Share Certificate No. 7103, and one (1) Share of Capital Stock in The Consolidated Home Supply Ditch and Reservoir Company, Share Certificate No. 7104 (collectively the “Home Supply Shares”).
2. Two Shares of Capital Stock in the Harry Lateral Ditch Company, Share Certificate No. 446, and two Shares of Capital Stock in the Harry Lateral Ditch Company, Share Certificate No. 447 (collectively the “Harry Lateral Shares”).
3. All water and water rights represented by the Little Thompson Water District, water tap, Tap Nos. 4257 and 4378 (the “LTWD Water”).

EXHIBIT C

FORM OF DEED OF DEDICATION
Larimer County Road 3E Right of Way

DEED OF DEDICATION FOR RIGHT OF WAY
 (_____)

KNOW ALL BY THESE PRESENTS, that Southridge HoldCo, LLC, a Colorado limited liability company (“Grantor”), for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby dedicate, grant, transfer and convey to the Town of Johnstown, Colorado, a Colorado home rule municipal corporation (“Grantee”), and Grantee does hereby accept on behalf of the public, for use as a public right-of-way for street, road and utility purposes, on, over, across, under, along, and within, the real property located in Larimer County, State of Colorado, as described on Exhibit A attached hereto and incorporated herein by this reference, containing a legal description and a depiction of the real property, with all appurtenances (the “Property”).

TO HAVE AND TO HOLD the above described, dedicated, granted, transferred and conveyed Property unto said Grantee, its successors and assigns forever.

Grantor warrants and covenants to Grantee that Grantor is the lawful owner of the Property, has good sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has the right and authority to dedicate, grant and convey said Property as set forth herein, and that the Property is free from all encumbrances and restrictions of any kind, except general taxes for the current or subsequent years. Grantor, its successors and assigns, shall warrant and forever defend the Property in the quiet and peaceable possession of the Grantee, its successors and assigns, against all and every person or persons lawfully claiming the whole or any part thereof.

Acceptance of this conveyance by the Grantee shall not impose upon the Grantee any obligation for the opening, widening, installation, improvement or maintenance of the Property.

IN WITNESS WHEREOF, the parties have executed this document this _____ day of _____, 20____.

SOUTHRIDGE HOLDCO, LLC

By: Southridge ManageCo, LLC
 a Colorado limited liability company
 Its: Manager

By: Caliber Services, LLC
 an Arizona limited liability company
 Its: Manager

By: Caliber Companies, LLC
 an Arizona limited liability company
 Its: Managing Member

By: CaliberCos Inc.
 a Delaware corporation
 Its: Manager

By: _____
 Name: Jennifer Schrader
 Its: President

STATE OF ARIZONA)
) ss.
 County of Maricopa)

The foregoing instrument was acknowledged before me this ____ day of _____ 2022, by Southridge HoldCo, LLC, a Colorado limited liability company, by Jennifer Schrader, Director.

Witness my hand and official seal.

My commission expires: _____

 Notary Public

My commission expires: _____

ACCEPTANCE

The Town of Johnstown, Colorado, hereby accepts the above Deed of Dedication for Right of Way for municipal purposes as defined herein.

Dated this _____ day of _____, 20__.

TOWN OF JOHNSTOWN, COLORADO
A Municipal Corporation

By: _____
Matthew LeCerf, Town Manager

ATTEST:

By: _____
Diana Seele, Town Clerk

EXHIBIT A

Legal Description



DESCRIPTION

Larimer County Road 3E Right of Way

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 5 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF LARIMER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: BEARINGS ARE BASED ON THE EAST LINE OF SAID SOUTHWEST QUARTER, WHICH IS ASSUMED TO BEAR S 01°09'29" W.

BEGINNING AT THE CENTER OF SAID SECTION 26;

THENCE S 01°09'29" W, ON THE EAST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 1,323.11 FEET, TO THE SOUTH LINE OF THAT PARCEL OF LAND AS DESCRIBED AT RECEPTION NUMBER 20210086498 OF THE LARIMER COUNTY CLERK AND RECORDER'S OFFICE;

THENCE N 88°47'23" W, ON SAID SOUTH LINE, A DISTANCE OF 55.00 FEET, TO A POINT ON A LINE 55.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID SOUTHWEST QUARTER;

THENCE N 01°09'29" E, ON SAID PARALLEL LINE, A DISTANCE OF 1,323.00 FEET, TO THE NORTH LINE OF THAT PARCEL OF LAND AS DESCRIBED IN RECEPTION NUMBER 20210086503;

THENCE S 88°53'53" E, ON SAID NORTH LINE, A DISTANCE OF 55.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 72,768 SQUARE FEET OR 1.6705 ACRES.

I, CHAD R. WASHBURN, A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ABOVE PROPERTY DESCRIPTION AND ATTACHED EXHIBIT WERE PREPARED UNDER MY RESPONSIBLE CHARGE, AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF, ARE CORRECT.

CHAD R. WASHBURN, PROFESSIONAL LAND SURVEYOR

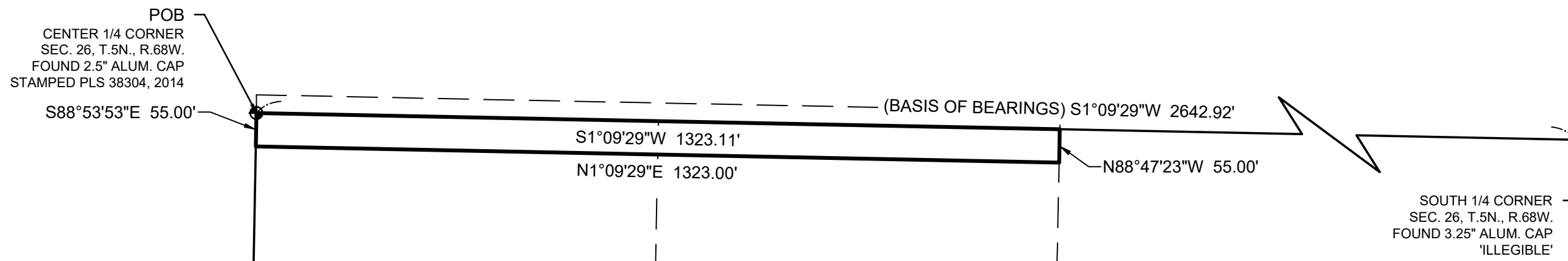
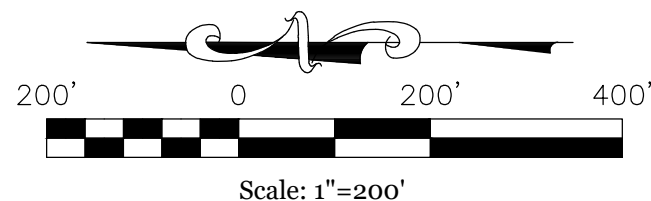
COLORADO NO. 37963

FOR AND ON BEHALF OF WASHBURN LAND SURVEYING, LLC



LARIMER COUNTY ROAD 3E RIGHT OF WAY

LOCATED IN THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 5 NORTH,
RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF LARIMER, STATE OF COLORADO

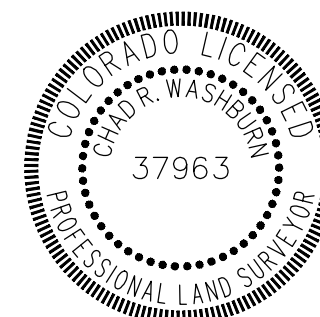


LEGEND

FOUND MONUMENT AS NOTED

LINE-TYPES AND HATCHING

— — — — —	EASEMENT
=====	RIGHT-OF-WAY
=====	RIGHT-OF-WAY CENTERLINE
— — — — —	LOT LINE
=====	PARCEL LINE



CHAD R. WASHBURN
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR 37963
FOR AND ON BEHALF OF WASHBURN LAND SURVEYING, LLC.
970.232.9645



www.WashburnSurveying.com
4025 Automation Way, Suite C4
Fort Collins, CO 80525
970-232-9645



Town of Johnstown

TOWN COUNCIL AGENDA COMMUNICATIONS

AGENDA DATE: April 4, 2022

SUBJECT: Town of Johnstown Comprehensive Financial Management Policies

ACTION PROPOSED: Approve Resolution No. 2022-12

ATTACHMENTS:

1. Resolution No. 2022-12
2. Town of Johnstown Comprehensive Financial Management Policies

PRESENTED BY: Devon McCarty, Asst. Finance Director

AGENDA ITEM DESCRIPTION:

The goal of formally adopting financial management policies is to provide sound guidelines to ensure long-term financial stability and contribute to the overall financial strength of the Town of Johnstown. Financial policies provide written guidance for officials and staff, more specifically, they provide clarity, consistency, stability and continuity in financial operations while also serving as a framework to educate stakeholders. The ability to rely on well-defined financial policies is helpful in both avoiding and resolving conflicts, and having defined boundaries allow staff to innovate in order to realize the strategic intent. The policies were last formally adopted in 2019. It is prudent to review financial policies regularly to ensure relevance and compliance.

In the policies presented this evening, there are a number of changes including substantial revisions to the Purchasing and Grant Policies. Other changes to the document include basic grammatical and typographical corrections throughout.

Purchasing Policy changes include:

1. The Purchase Order requirement was eliminated. At the beginning of the COVID pandemic staff designed an electronic accounts payable process in an effort to shorten processing time and decrease potential cash flow problems for our vendors. The result has been a much more organized, and efficient single-step process that eliminates the need for purchase orders.
2. Section 5. Purchasing Thresholds/Authority. A table was added, replacing the data previously shown in paragraph form. The table is intended to make it easier for readers to get a clear understanding of the expectations for all purchases. The data in the table has also been updated. Purchasing thresholds and contract thresholds have been increased based on changes in federal requirements (i.e. The lowest purchase amount category has increased from \$2,500 to \$5,000 in response to the Federal government increasing the micro grant amount from \$3,000 to \$10,000.) Additional changes to the table include: the addition of Finance approval for purchases more than

The Community That Cares

www.TownofJohnstown.com

P: 970.587.4664 | 450 S. Parish Ave, Johnstown CO | F: 970.587.0141

\$10,000, the addition of detailed expectations for informal processes, contract authority was added for the Assistant Town Manager, and the addition of requirements for change orders/amendments.

3. Section 7. Bid Guidelines. This section has been reduced, with several of the processes being moved to other sections of the document. Correspondence with Vendors has been moved to the Formal Procurement Process section. The Formal Bid Notice section, Public Opening section and Technology and Advertising sections were moved to the Formal Procurement Process section and the Performance Bond section was moved to the Bonding Requirements section where all of the bond requirements are detailed.
4. Section 8. Formal Procurement Process. The Formal Procurement Process section has been added to provide detailed guidelines for readers. The different types of formal procurement processes have been identified and explained and additional categories detailing items such as Nonresponsive Bids, Solicitation Irregularities, Rejection of Bids, and Protested Solicitation have been added to provide additional clarity to the document.
5. Section 9. Bonding Requirements. This section on Bonding Requirements has been added. This section of the document includes the various types of bonds that may be required and provides the guidelines for those bonds.
6. Section 11, Emergency Purchases. There was a sentence added that details the federal microgrant limits.
7. Section 12, Exemptions from Public Bidding. CMaR projects were added to the Design Builds paragraph. A segment for Alternative Delivery Methods was also added. This section expands on the Design Build option, and adds segments for CMaR options and Public Private Partnerships. These additions allow the Town the flexibility to utilize the most beneficial method for the Town.
8. Section 13, Contract Authority. The Amount not to Exceed was increased from \$100,000 to \$250,000. With the number of capital projects that the Town is completing, this increase simply allows for more efficient processes for contracts that have already been approved and appropriated by Council in the budget.

Grant Policy changes include:

1. There was a title change to the segment for grants, from Grants to Grants General. This is to provide a separation between the grants received from the state or other organizations and those that are federal.
2. The addition of a section for Federal Grants. This section has been added to ensure that the Town is in compliance with the Federal Regulations as the Town will be subject to a Single Audit as a result of funding that has been received as part of the Coronavirus State and Local Fiscal Recovery Funds (SLFRF). The addition of the Federal Grant section is not limited to the SLFRF funds, but will also cover the requirements that accompany other Federal grant applications and awards.

The policies that are being presented for consideration have been reviewed and updated to reflect best practice and industry standard as recommended by the Government Finance Officers Association.

LEGAL ADVICE:

The Town Attorney drafted the Resolution.

FINANCIAL ADVICE:

The Community That Cares

www.TownofJohnstown.com

P: 970.5127.4664 | 450 S. Parish Ave, Johnstown CO | F: 970.5127.0141

Resolution 2022-12 will serve as guidance to all of the Town's financial activities.

RECOMMENDED ACTION: Approve Resolution 2022-12 adopting the revised Town of Johnstown Comprehensive Financial Management Policies.

SUGGESTED MOTIONS:

For Approval: I move to approve Resolution 2022-12 adopting the Town of Johnstown Comprehensive Financial Management Policies.

For Denial: I move to deny Resolution 2022-12 as presented.

Reviewed and Approved for Presentation,



Town Manager

**TOWN OF JOHNSTOWN, COLORADO
RESOLUTION NO. 2022-12**

**RESOLUTION ADOPTING TOWN OF JOHNSTOWN
COMPREHENSIVE FINANCIAL MANAGEMENT POLICIES**

WHEREAS, the Town of Johnstown, Colorado (the “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, Town Council is vested with authority to administer the affairs of the Town; and

WHEREAS, on April 4, 2022, the Town’s Finance Director presented a proposed revised financial management policy to Town Council and recommended that Town Council adopt the revised policy; and

WHEREAS, among numerous other provisions regarding financial management, the proposed policy contains provisions regarding the Town Manager’s authority to execute contracts, Town staff’s purchasing authority and the Town’s investment policies; and

WHEREAS, after review and discussion and based on the recommendation of the Town’s Finance Director, the Town Council desires to adopt the proposed financial management policy; and

WHEREAS, the Town Council finds that this Resolution is in the best interest of the Town.

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

Section 1: The Town of Johnstown Comprehensive Financial Management Policies, attached as Exhibit A, is hereby approved and adopted for the Town of Johnstown.

Section 2: The Town of Johnstown Comprehensive Financial Management Policies adopted herein shall supersede and replace previously adopted versions of such policy.

Section 3: All other Resolutions, or parts thereof, in conflict with this Resolution are hereby repealed, except that such repealer shall not repeal the repealer clauses of such Resolutions nor revive any Resolution thereby.

Section 4: This Resolution shall be effective as of the date of its adoption.

PASSED, SIGNED, APPROVED, AND ADOPTED this ____ day of _____, 2022.

TOWN OF JOHNSTOWN, COLORADO

ATTEST:

By: _____
Diana Seele, Town Clerk

By: _____
Gary Lebsack, Mayor

Town of Johnstown Comprehensive Financial Management Policies

April 2022

Table of Contents

Section

Introduction	1
Objectives	1
Budget Policies	2
Introduction	2
General Budget Policies	2
Budget Development Process.....	3
Contents of Proposed Budget	5
Budget Adjustment & Amendment Process	5
State of Colorado – Amendment 1	6
Revenue Policies	6
Specific Use of Services	6
Diversify Revenue	7
Taxes	7
Recapture Investment	7
Additional Resources	7
Enterprise Funds	7
Legal Requirements	7
Grant Revenues	7
Operating Policies.....	8
Current Revenues to Pay for Current Expenditures	8
Do Not Restrict Revenues	8
Reserves	8
Continual Improvement of Service Delivery	8
Cash Management	8
Fund Balances	8
Fixed Asset Inventories	8
Allocation of Overhead Costs	9
Internal Loans	9
Publication of Financial Information	9
Bank Accounts.....	9
Petty Cash	9
Surplus Property Disposal	9
Accounting, Auditing, & Financial Reporting Policies	9
Generally Accepted Accounting Principles	9
Basis of Accounting	9
Reporting Focus – Budget vs. GAAP	10
Simplified Fund Structure	10
Classification of Fund Balance	10
Accounting Internal Controls	11
Internal Audit	11
Monthly Financial Reporting	11
Excellence in Financial Reporting	11
Purchasing Policies	12

Governing Laws and Policies	12
Conflict of Interest	12
Personal Purchases.....	12
Payment Authorization	12
Purchasing Thresholds	12
Local Purchasing Preference	13
Bid Guidelines	13
Formal Procurement Process ..	14
Bonding Requirements	19
Exclusive Service	19
Emergency Purchases	19
Exemptions from Public Bidding	20
Contract Authority	22
Town Issued Purchasing Cards	22
Capital Improvement Planning Policies.....	23
Capital Expenditures.....	23
Relationship of Long-Range Plans to the CIP Plan	23
Ten-year Capital Plan	23
Current Capital Budget	23
Include Future Maintenance	24
Types of Projects Included in the CIP Plan.....	24
Preserve Existing Capital Infrastructure	24
Capital Priority	24
Balance CIP Plan	24
Use of Debt in CIP	25
Finance Director Authority to Borrow	25
CIP Plan Update and Amendment	25
Formalization of Monetary Agreements	25
Applicable Project Charges	25
Investment Policy	25
Scope	26
Restriction of Authority	26
Objectives	26
Prudent Person Standard	26
Reporting Requirements	26
Internal Controls	26
Eligible Investments	27
Prohibited Investments	28
Collateral Requirements	28
Selection of Financial Institutions and Dealers	28
Portfolio Maturities and Volatility	29
Diversification	29
Risk Tolerance	29
Safekeeping and Custody	29
Defense of Staff and Payment of Judgements or Settlements Against Staff	29
Debt Policy	30
Use for Capital	30
Life of Debt	30
Debt Restrictions	30
Legal Debt Limits	30
Form of Debt	30

Annual Review	30
Bond Rating	30
Debt Refinancing	31
Grant Policy - General	31
Conflict of Interest	31
Roles and Responsibilities	31
Grant Planning	32
Grant Award and Resolution	32
Grant Implementation	32
File Management	32
File Structure	33
File Retention	33
Budget Modifications	33
Receipt of Funds	33
Procurement	33
Program Income.....	33
Reporting	33
Grant Oversight	33
Grant Policy – Federal	34
Scope	34
Policy	34
Ethics	34
General	35
Competition	35
Methods of Procurement	35
Contracting with small and minority businesses.....	35
Domestic preference for procurement	35
Procurement of recovered materials	35
Contract Cost and Price	35
Federal Awarding Agency or Pass-Through Entity Review.....	35
Bonding Requirements.....	36
Contract Provisions.....	36

Introduction

The Comprehensive Financial Management Policy for the Town of Johnstown assembles all of the Town's financial policies in one document. Financial policies are central to a strategic approach to financial management and are intended to serve as guidelines to achieve and maintain the Town's goals and objectives, both immediate and long-term. The individual policies contained herein are meant to serve as guidelines for both the financial planning and internal financial management of the Town.

The Town of Johnstown is accountable to its citizens for the use of public dollars. Municipal resources must be wisely used to ensure adequate funding for the services, public facilities, and infrastructure necessary to meet the community's present and future needs. These policies are intended to provide not only an overview, but also guidance and structure for the various financial functions of the Town. These policies have been based on best practice and industry standard as recommended by the Government Finance Officers Association (GFOA).

The Town's Financial Policies shall be adopted by resolution of the Town Council. The policies shall be reviewed annually by management and any modifications made thereto must also be approved by resolution of the Town Council.

Objectives

In order to achieve its purpose, the Comprehensive Financial Management Policy has the following objectives for the Town's fiscal performance:

1. To guide Town Council and management policy decisions that have significant fiscal impact.
2. To set forth operating principles that minimize the cost of government and financial risk.
3. To employ balanced and fair revenue policies that provide adequate funding for desired programs.
4. To maintain appropriate financial capacity for present and future needs.
5. To promote sound financial management by providing accurate and timely information on the Town's financial condition.
6. To protect the Town's credit rating and provide for adequate resources to meet the provisions of the Town's debt obligations on all municipal debt.
7. To ensure the legal use of financial resources through an effective system of internal controls.
8. To promote cooperation and coordination with other governments and the private sector in the financing and delivery of services.

Budget Policies

Introduction

The formulation of the annual operating budget, including the publication of the budget document is one of the most important financial activities that the Town of Johnstown undertakes each year. The budget process provides a comprehensive plan to deliver efficient services to residents and stakeholders of the Town and translates into financial terms the programs and priorities of the Town. The guidelines in this policy adhere to the Colorado Constitution and State Statutes, the Town of Johnstown Home Rule Charter and reflect the recommended practices of the Government Finance Officers Association.

A. General Budget Policies

1. Fiscal Year. The fiscal year for the Town of Johnstown is the calendar year, January 1st through December 31st. The Town will adopt a budget annually in accordance with the provisions of the Local Government Budget Law of the State of Colorado.
2. Balanced Budget. The Town will adopt a structurally balanced budget, where recurring revenues equal or exceed recurring expenditures. The Town will avoid budgetary procedures that balance current expenditures at the expense of meeting future years' expenses, such as postponing maintenance and other expenditures, accruing future years' revenues, or rolling over to short term debt. The exceptions to this policy would be planned equipment purchases, operating maintenance and capital projects based on accumulated funding over the years.
3. Increase Efficiency. The Town staff will identify programs to increase efficiency in order to provide for long-term cost savings to the Town. This may include the use of technology, revised organizational structures, or other tools which may be identified. Eliminating outdated practices is encouraged.
4. Investment in the Town's future. The Town staff, whenever possible, will take a long-term view of the investments (people and resources) and emphasize quality operations which encourage productivity for today and the future.
5. Resource Sharing. The Town staff will explore ways to share staff, training resources and equipment/supplies in order to more effectively utilize resources.
6. Identify Funding for New Services or Service Levels. Proposals to add new services or increase existing services will be presented with revenue alternatives to fund or subsidize the new service levels. This includes initial costs and ongoing operations.
7. Asset Management Plan. The budget will provide for adequate maintenance and replacement for capital assets.

8. Employee Programs. The Town recognizes that employees are the most valuable asset of the organization and commits to fund this resource to the extent possible appropriately; including adequate funding for retirement systems, benefit packages, and training.

9. Overhead Allocations. The budget will include transfers or overhead allocations for expenditures/services that are provided by one fund that benefit another fund. The formula for calculating this transfer or allocation may include revenues, staff, supplies and services. The formula will be reviewed annually.

10. Fund Reserves. The Town will maintain adequate cash reserves in order to reduce the potential need for borrowing or service reductions during periods of economic downturn, natural catastrophe, or for other, one-time extraordinary expenditures. The GFOA recommends at a minimum, that general purpose governments maintain unrestricted fund balances in their general fund of no less than two months of regular operating revenues or expenditures. Annually, the Town will hold a minimum target of 41% (150 days) of General Fund revenues as a General Fund ending balance, commonly known as a reserve. The Town Council can increase the target reserve amount at any time.

11. Fund Level. The annual budget is adopted and appropriated by the Town Council on a fund level.

12. Budget Monitoring. The Finance Department will maintain a system for monitoring the Town's budget performance. This system will provide the Council with monthly reports that include resource collections, and expenditures on a fund level.

12. Community Grants. The Town of Johnstown may budget for and provide grants to qualified non-profit or community organizations that provide services within the Town and per Town policy. Grants rarely exceed \$500 per calendar year, per organization. Community grants will be allocated and approved by Council on a case-by-case basis.

13. Distinguished Budget Presentation. The Town will seek to obtain the Government Finance Officers Association Distinguished Budget Presentation Award for each annual budget. The budget will be presented in a way that clearly communicates the budget to the members of the public.

B. Budget Development Process

1. Council Goals as Direction. The Town budget will support the goals and policies of the Town Council, Town Council adopted long-range plans, and the service needs of the community. Staff is responsible to prepare an annual budget to implement and accomplish the goals identified.

2. Budget Schedule. The following are key procedural steps in the Town's budget development process.

- Each year in the spring, the Town Council has a goal setting meeting to identify Council initiatives.
- Beginning in June, departments are provided with their budget worksheets for the upcoming year. Departments are expected to update their current year existing budgets, including expenditure and revenue estimates, performance data and financial and program delivery outcomes as well as put

together their requests for the upcoming year based on the Council initiatives and organizational needs.

- c. Departmental budget requests are collected and reviewed by the Town Manager and the Finance Director during the month of July with individual meetings with the Departments following during the month of August.
- d. No later than October 15th of each year, the proposed annual budget for the ensuing fiscal year shall be submitted to the Town Council as required by Local Government Budget Law of the State of Colorado.
- e. Between late October and early December, the Council will meet in a series of budget sessions as requested by Council to review and discuss the preliminary budget.
- f. At least one public hearing is scheduled between the months of October and December. Citizens are able to comment on recommended programs and/or ideas for new programs at the public hearing(s).
- g. In early December the Town Council will adopt the budget by resolution and establish the budget appropriation for the upcoming year.
- h. The final budget is published and distributed before the end of the first quarter of the following year. Copies are made available to the public for a fee and are available on the Town's website.

3. Forecasting. Revenues, operating and capital expenditures, and debt service will be projected each year. Based on assumed circumstances, including various economic, service, and inflationary factors, the forecast will attempt to portray whether programs can be supported over the designated period. Generally, revenue estimates should be prepared on a conservative basis to minimize the possibility that economic fluctuations could imperil ongoing service programs during the budget year. Operating expenditure estimates should anticipate contingencies that are foreseeable.

4. Town Manager Review. The Town Manager will review the details of each proposed budget for efficiency and compliance with Council direction.

5. Budget Presentation. The annual budget document will be prepared based on guidelines identified by the Government Finance Officers Association (GFOA).

6. Public Hearings. Open public hearings are noticed and held during the fourth quarter of each year to provide residents with additional opportunities for input regarding the proposed budget.

7. Council Amendments. The Council can amend the proposed budget by adding and increasing programs or amounts and may delete or decrease programs or amounts except those expenditures required by law, for debt service or for estimated cash deficits. If Council amends the budget after the public hearing and prior to formal adoption of the annual budget, and the amendments increase the total expenditures, then an additional public hearing will be noticed and held prior to the adoption of the budget.

8. Legal Requirements. The Town will adopt the budget and levy property taxes in accordance with State and Municipal requirements. Adoption of the budget by Council shall constitute appropriations of the amounts specified therein for expenditure from the funds indicated.

9. General Priorities. Generally, the priority order of the budget are personnel, operations and maintenance, debt service, and capital outlays.

10. Public Record. Copies of the budget and capital program as adopted shall be public records and shall be available to the public.

C. Contents of Proposed Budget

1. Proposed Budget and Message. The Town Manager shall prepare a proposed budget and accompanying message. The proposed budget shall contain a general summary of its contents and, shall include comparative figures for revenues and expenditures for the current and prior fiscal year or years.

2. Revenues. An estimate of anticipated revenues classified by source.

3. Cash Available. An estimate of cash available, as of December 31 of the current fiscal year.

4. Expenditures. Proposed expenditures for the operation of the Town, by fund, by department, office and agency and the method of financing such expenditures.

5. Reserves and Contingencies. – Provisions for both.

6. Capital Expenditures. Proposed capital expenditures by fund, department, office and agency and the proposed method of financing such expenditures.

7. Net Income – Anticipated net surplus or deficit for each municipal utility system, municipal enterprise and the proposed method of its disposition.

8. Ad Valorem Tax. Estimate of the amount to be raised from an ad valorem tax levy.

9. Debt. A statement of the outstanding securities and other debt and payment obligations of the Town, showing the debt redemption and interest requirements, the debt authorized and outstanding and the condition of sinking funds, if any.

10. Other. Such other information as the Council may require.

D. Budget Adjustment & Amendment Processes

Under the provisions of the Town of Johnstown Home Rule Charter, the operating budget may be amended in the following ways:

1. Supplemental Appropriations – When excess revenues are recognized, the Town Council may by resolution make supplemental appropriations for the year not to exceed the amount of such excess, provided that such additional spending is not in conflict with the Colorado Constitution.

2. Emergency Appropriations – To meet a public emergency affecting life, health, property or the public good or peace, the Council may make emergency appropriations. To the extent that there are no available unappropriated revenues to meet such appropriations, the Council may authorize the issuance of emergency notes.

3. Reduction of Appropriations - If during the fiscal year it appears probable to the Town Manager that the revenues available will be insufficient to meet the amount appropriated, it shall be reported to the Council without delay, indicating the estimated amount of deficit, any remedial action taken and recommendations as to any other steps to be taken. The Council shall take such further action it deems necessary to prevent any deficit. For that purpose, it may, by resolution, reduce one or more appropriations. No appropriation for debt service may be reduced.

4. Transfer of Appropriations - The Town Council may, by resolution, authorize a maximum amount which the Town Manager may transfer from any unused balance of any general fund appropriation or portion thereof from one (1) department or other spending unit to another. Except as otherwise provided in this Charter, the transfer of monies from one (1) fund to another shall only be made by a resolution amending the budget as adopted. No appropriation for debt service may be transferred.

E. State of Colorado – Amendment 1

On November 3, 1992, the Citizens of the State of Colorado approved Amendment 1, also known as the Taxpayers Bill of Rights (TABOR). Amendment 1 specifically and significantly addresses the following issues: spending limitations, operating reserves and debt service.

On November 7, 2000, voters within the Town of Johnstown approved the collection, retention and expenditure of the full amount of town taxes, grants and all other revenue collected from all sources including property taxes, received in 1999 and each subsequent year, without regard to any revenue or expenditure limitations including those contained in Article X, Section 20 of the Colorado constitution or any other law.

The Town will be in compliance with the remaining requirements of Amendment 1, including election, debt, and reserve requirements.

Revenue Policies

The Town must be sensitive to the balance between the need for services and the Town's ability to raise fees, charges and taxes to support those services. As much as is possible and feasible, Town services that benefit specific users should be paid for by fees and charges to provide maximum flexibility in use of general taxes to meet the cost of broader public services.

1. Specific Use of Services. Charges for services that benefit specific users should recover full costs, including all direct costs, indirect costs, depreciation on capital and General Fund overhead. Departments

that impose fees or service charges should prepare and periodically update cost of service studies for each such service.

2. Diversify Revenue. The Town should strive to maintain a diversified mix of revenues in order to provide ongoing stability and predictability, even in times of economic downturn. The Town will review revenue raising proposals in light of its total revenue mix in order to encourage growth and keep the Town economically competitive.

3. Taxes. Taxes should be selected for balance, applicability and economic impact. The Council shall have the authority to adopt and levy, by ordinance, all taxes which are not prohibited for home rule municipalities by the Colorado Constitution, subject to any applicable limitations in that Constitution. Council shall comply with applicable voter approval requirements in the Colorado Constitution. The following factors will be considered when the Town's taxes are increased, decreased, extended or changed in any way:

- a. Stability of the tax source over its expected life.
- b. Suitability for a pledge against future debt if that is part of the Council's long-term intent for the revenue source.
- c. Apply the tax impact information for both residential and business taxpayers against a future vision of what the tax policy is intended to foster.

4. Recapture Investment. The overall revenue structure should be designed to recapture for the Town some of the financial benefits resulting from Town sponsored programs and community investments.

5. Additional Resources. The Town will observe the following priorities in obtaining additional resources:

- a. Use existing resources efficiently. The Town will use as efficiently as possible all existing resources.
- b. Collect existing revenues. The Town will collect as efficiently as possible the resources to which it is already entitled. The Town will follow an aggressive policy of collecting and minimizing receivables.
- c. Revenues are consistent with Town goals. The Town will seek new resources, consistent with the policies in this document and other Town goals.

5. Enterprise Funds. The Town will set fees, user charges and other revenues for each enterprise fund (Water, Sewer, Drainage) at a level that supports the total direct and indirect cost of the activity including operating costs, system expansion and maintenance. Indirect costs include the cost of annual replacement needs due to depreciation of capital assets.

6. Legal Requirements. The Town will maintain compliance with legal revenue restrictions as identified by voters, for special revenue funds, compliance with State Law, and other restricted revenues.

7. Grant Revenues. The Town will refrain from using grants to meet ongoing service delivery needs. In the Town's financial planning, grants will be treated in the same manner as all other temporary and uncertain resources and will not be used to fund ongoing, basic service needs. When pursuing or applying

for grants, the Town will consider and plan for the long-term implications including increased maintenance, operational costs and replacement costs that may be necessary.

Operating Policies

When the other Financial Policies fail to address a specific issue, general operating policies will be reviewed for direction. In some cases, these policies repeat what has already been stated in other areas, but that is only to emphasize the importance and value of that policy.

1. Current Revenues to Pay for Current Expenditures. Current operating revenues will meet or exceed current operating expenditures. Each Town fund budget must identify ongoing resources that at least match ongoing annual requirements. One-time cash transfers and ending balances in excess of reserves may be applied to reserves or to fund one-time expenditures. They will not be used to fund ongoing programs.
2. Do Not Restrict Revenues. The Town will not normally earmark discretionary revenues for specific purposes. This will preserve the ability of the Town Council to determine the best use of available revenues to meet changing service requirements to meet the needs of the community.
3. Reserves. The Town will maintain adequate cash reserves for emergencies, unforeseen needs of a non-recurring nature, operating maintenance, equipment replacement and capital projects. Annually, the Town will hold a minimum target of 41% of General Fund revenues as a General Fund ending balance, commonly known as a reserve.
4. Continual Improvement of Service Delivery. The Town will seek to optimize the efficiency and effectiveness of its services to reduce costs and improve service quality. This will include a review of all existing administrative procedures and software to eliminate exception-based procedures, special interest projects or programs that benefit less than the majority.
5. Cash Management. The Finance Department will develop, maintain, and constantly seek to improve cash management systems which ensure the accurate and timely accounting, investment, and security of all cash assets. During regular business days, all cash received by Town departments will be deposited with Finance within 24 hours of receipt.
6. Fund Balances. Accruals and non-cash enhancements to revenues will not be made as a means to influence fund balances at year-end or during budget discussions.
7. Fixed Asset Inventories. Accurate inventories of all physical assets (including infrastructure), their condition, life spans and cost will be maintained to ensure proper stewardship of public property. The Finance Director will establish policies and appropriate procedures to manage fixed assets, including establishing the threshold dollar amount for which fixed asset records are maintained and how often physical inventories will be taken.

8. Allocation of Overhead Costs. Overhead costs will be allocated to determine the full cost of providing services. Overhead costs will be allocated according to consistent methodology developed in consultation between the Finance Department and other operating departments.
9. Internal Loans. Interfund loans must be approved by Council and may be charged interest.
10. Publication of Financial Information. The Town will publish the list of bills on the Town's website within twenty (20) days of the adjournment of each regular or special meeting.
11. Bank Accounts. Bank accounts may only be opened or closed by the Finance Director, or the Town Manager. No other employee or department of the Town shall open a bank account in the Town's name.
12. Petty Cash. Petty cash can be obtained upon authorization of the Finance Department. A receipt must be submitted to the Finance Department immediately. Petty cash disbursements should not exceed \$50.00.
13. Surplus Property Disposal. As items are purchased with public funds, the Town Manager must declare items to be surplus prior to disposal and said disposal must follow the provisions herein.
 - a. De Minimis Valued Items. Non-capital material and supply items that are normally used up during the normal course of business and have individual value less than \$250 are exempted from the formal surplus disposal process. These items can be thrown away, destroyed, donated or sold with approval from the Town Manager or Finance Director.
 - b. Unusable Equipment. The disposal of capital equipment with a salvage value less than \$2,500 is exempted from the formal surplus disposal process. These items can be sold for salvage value without a declaration of surplus property, upon approval from the Town Manager or Finance Director.
 - c. Auction or Sale of Property (Formal). When the current value is deemed to exceed \$2,500, it can be offered at public auction or written bid. The bid must be advertised at least 10 days prior to sale. If no bids are received or if a determination is made that the market value of the property exceeds the offer of the highest bidder, all bids may be rejected and the appropriate Department Head and Finance Department may negotiate a sale.

Accounting, Auditing & Financial Reporting Policies

The Town shall maintain a system of financial monitoring, control and reporting for all operations and funds in order to provide an effective means of ensuring that overall Town goals and objectives are met.

1. Generally Accepted Accounting Principles (GAAP). The Town will maintain its accounting records and report on its financial condition and results of operations in accordance with State and Federal law and regulations, including GAAP.
2. Basis of Accounting. The term "basis of accounting" refers to when revenues, expenses, expenditures and the related assets and liabilities are recognized in the accounts and reported in the financial statements.

Specifically, it relates to the timing of the measurements made. The following are the basis of accounting available for use by the Town:

- a. Cash Basis – transactions are recognized only when cash is received or disbursed.
- b. Accrual Basis – transactions are recognized when the economic event occurs, regardless of whether cash is paid or received. Proprietary funds, which include the enterprise funds, use the accrual basis of accounting.
- c. Modified Accrual Basis – expenditure transactions are recognized when incurred. Revenues are recognized when both measurable and available. Governmental funds, including the general, special revenue, debt service and capital projects use the modified accrual basis of accounting. “Available” in this case, means collectible in the current period or soon enough thereafter to be used to pay liabilities of the current period. For purposes of consistency, that time-frame shall be not more than sixty (60) days.

3. Reporting Focus – Budget vs. GAAP. This concept is used at the Town of Johnstown to refer to the way transactions are recorded and reported for compliance with Colorado Budget Law included in the Colorado Revised Statutes as opposed to financial statement presentation in conformance with Generally Accepted Accounting Principles. The Town’s monthly statement of revenues and expenditures are reported during the fiscal year on what is informally called a “budget basis.” The Town’s transactions are recorded throughout the year in accordance with the financial statement requirements as set forth within the Colorado Revised Statutes. By recording the transactions in general compliance with this law, the revenues and expenditures can be more easily monitored on a monthly basis to ensure compliance with the legal requirements as set forth within the Colorado Revised Statutes.

At the end of the fiscal year, adjustments are made to present the financial information in a format that is comparable to that used by other local government units around the country. The standards for this reporting are referred to as “Generally Accepted Accounting Principles” (or GAAP basis). The adjustments to convert the Town’s financial records from “budget basis” to “GAAP basis” are made to ensure that the Town’s financial statements are fairly and consistently presented in conformance with GAAP.

4. Simplified Fund Structure. The Town will minimize the number of funds, departments, programs and account codes. The funds will be categorized in accordance with generally accepted accounting principles (GAAP) for reporting purposes. The development of new funds will be approved by the Town Council. The development of new departments, programs and accounts will be approved by the Town Manager.

5. Classification of Fund Balance. The Town will classify governmental fund balances as follows:

- a. Non-spendable - Amounts that cannot be spent either because they are in non-spendable form (assets) or because they are legally or contractually required to be maintained intact.
- b. Restricted - Amounts that can be spent only for specific purposes because of constitutional provisions, enabling legislation, Town code or because of constraints that are externally imposed by creditors, grantors, contributors, or the laws and regulations of other governments.
- c. Committed - Amounts that can be used only for specific purposes determined by a formal action of the Town Council. The Town Council is the highest level of decision-making authority for the Town. Commitments may be established, modified, or rescinded only through ordinances or resolutions approved by the Town Council.

- d. Assigned - Amounts that do not meet the criteria to be classified as restricted or committed but that are intended to be used for specific purposes.
- e. Unassigned - All other spendable amounts.

6. Accounting Internal Controls. The Town will maintain an internal control structure that consists of three elements.

- a. Control Environment - Consisting of an “overall attitude and awareness of actions” as they influence the Town. The management and staff shall consider the financial implications of decisions, both current and long term.
- b. Accounting System - An effective accounting system will result in:
 - 1. Identification and recording of all valid transactions.
 - 2. Describe the transaction in sufficient detail to permit proper classification of the transaction for reporting purposes.
 - 3. Record the transaction in the correct time period.
 - 4. Proper presentation of all transactions and related disclosures in the financial statements.
- c. Control procedures - Consist of:
 - 1. Proper authorization of transactions and activities.
 - 2. Adequate segregation of duties.
 - 3. Adequate documents and records.
 - 4. Adequate safeguards regarding access and use of assets and records.
 - 5. Independent checks on performance.

7. Independent Audit. An independent firm of certified public accountants will annually perform a financial and compliance audit of the Town’s financial statements as required by state statute. Their opinions may be contained in the Town’s Comprehensive Annual Financial Report (CAFR) and the Report on Compliance with the Single Audit Act of 1984 (if required based on federal funding levels.) The audit shall be completed within six (6) months after the close of the fiscal year.

8. Monthly Financial Reporting. The Finance Department will prepare reports at the end of each month identifying the difference between actual and budget for revenues and expenditures by fund. These reports will be presented to the Town Manager and may be included in Council updates.

9. Excellence in Financial Reporting. As an additional independent confirmation of the quality of the Town’s financial reporting, the Town will annually seek to obtain the Government Finance Officers Association Certificate of Achievement for Excellence in Financial Reporting. The CAFR will be presented in a way designed to communicate with citizens about the financial affairs of the Town.

Purchasing Policies

The purpose of this section is to establish purchasing guidelines. These policies are applicable to all purchasing for the Town of Johnstown and are established to ensure that needed goods and services are obtained in a timely manner, at the lowest prices possible, consistent with acceptable quality standards.

Consistent with these objectives, a part of the Town's procurement activity is decentralized. In recognition of the cost of staff time and to reduce the cost of making small purchases, purchasing cards are issued to selected personnel as approved by the Finance Director. The purchasing card will be defined later in this manual.

Procedures which apply to purchases made directly by Town staff as well as the steps followed by the Finance Department are described below, along with the public purchasing law and ethical standards that shape the Town's purchasing activities.

1. Governing Laws and Policies. Procurements by the Town of Johnstown are governed by state law and these Purchasing Policies further establish requirements for the Town's purchasing activities.
2. Conflict of Interest. No employee or official of the Town shall participate in a transaction, contract, activity, or service of the Town which has a direct or predictable effect on their financial interests or the financial interests of an immediate family member.
3. Personal Purchases. It is prohibited for an employee or official to make purchases for personal purposes or to receive special pricing from a vendor using the Town's name, account or reputation.
4. Payment Authorization. All requests for payment must be approved by the Department Director, and in some instances the Finance Director, and Town Manager. Employees cannot authorize payments to themselves.
5. Purchasing Thresholds/Authority. Generally, the purchasing thresholds detailed below will be applicable (if there are grant funds involved, the thresholds may differ. Please refer to any grant requirements and proceed using the most restrictive standards.):

<u>Purchase Amount</u>	<u>Procurement Requirement</u>	<u>Approval Level</u>	<u>Contract Authority</u>
Under \$5,000	Annual review to ensure lowest cost to Town	Department Director	N/A
\$5,000 to \$9,999	<u>Competitive Informal Process I:</u> At least 3 bids must be secured by telephone, email, or in writing. A formal bid process can also be utilized but is not required.	Department Director	Department Director
\$10,000 to \$49,999	<u>Competitive Informal Process II:</u> At least 3 bids must be secured in writing. A formal bid process is encouraged but is not required.	Department Director, Finance Director	Asst. Town Manager, Town Manager
\$50,000 to \$100,000	Formal Procurement Process	Department Director, Finance Director, Asst. Town Manager	Asst. Town Manager, Town Manager
\$100,000 and over	Formal Procurement Process	Department Director, Finance Director, Asst. Town Manager	Town Manager
Amendments & Change Orders	Increases greater than 5% or \$5,000 (excluding contingency) require additional approval		
Additional Considerations: - All bids/quotes and/or purchasing co-op pricing must be obtained PRIOR to purchase. - Any unappropriated item exceeding \$25,000 must be reviewed and approved by the Town Council.			

6. Local Purchasing Preference.

- a. If a local bidder is within five (5%) percent of the lowest bid from an out of town bidder on a construction or other formally bid project from \$0.00 - \$4,999.99, two (2%) percent on such project(s) from \$5,000.00 up to \$999,999.99, and within one (1%) percent on such project(s) from \$1,000,000.00 up to \$5,000,000.00, then the local bidder will be awarded the bid unless otherwise provided in this section.
- b. The local purchasing preference policy shall not apply in the following instances:
 1. When purchases and/or contracts are funded in whole or in part by federal funds;
 2. When purchases are more than \$5,000,000.00;
 3. When purchases are not required to be formally bid, such as sole source procurements, emergency procurements and any other such procurements as defined in the Town procurement policy or the Town emergency management policy;

4. When professional services are procured through the issuance of requests for qualifications and/or requests for proposals, including design-build contracts; or construction manager at risk (CMaR); or,
5. When such preference is in conflict with any applicable state or federal laws, rules or regulations.
6. The local purchasing preference policy shall not apply to private construction projects financed with public assistance, including, but not limited to, tax increment financing, redevelopment projects and enterprise zone redevelopment.
- c. “Local” is defined as a business operating within the corporate limits of the Town of Johnstown, with the majority of its primary business operations, including, but not necessarily limited to, production, operation, purchasing, billing, marketing, management, administration and ownership, occurring within the town limits. “Local” shall not include the following:
 1. Those businesses with only a local Johnstown post office box;
 2. Those businesses with a sales presence in the Town, but no physical business location within the Town limits.
 3. Home based businesses that merely take orders for products shipped from out of town to their customers. Exceptions will be considered on a case-by-case basis when a written request is submitted to the Town Manager.
- d. Notwithstanding the foregoing, the local bidder must otherwise meet all qualifications and procurement policy requirements of the Town, including, but not limited to, the “best bid” requirements, in order to be awarded a bid under this section.

7. Bid Guidelines.

- a. Competitive Buying. Town policy requires quotes or bids to be obtained from as many providers as reasonably possible to ensure a competitive marketing atmosphere and advantageous pricing. Bids will be solicited when required by policy and also when it is found to be advantageous to do so. Any qualified provider may respond to a Town request for quote or bid.
- b. Awards. The Town of Johnstown reserves the right to reject any and all bids and waive any informality. The Town of Johnstown also reserves the right to select the lowest and/or best bidder as determined by the Town in its sole discretion. Bidders may be disqualified for past failure to follow proper change order processes or failure to complete projects in a timely and/or professional work-like manner.

8. Formal Procurement Process.

- a. Public Notice Required. Purchases of commodities and/or services estimated to cost \$50,000 or more shall be publicly noticed by such methods as advertising on the internet, on a bid site, by published notice in a newspaper, or such other public method to the extent possible to encourage full and open competition. When advertising for proposals with federal funds, guidance provided in CFR 200.319 will be followed to ensure proper competition of project awards. This also entails, for example, taking necessary affirmative steps to assure that minority businesses, women’s business enterprises, and labor surplus area firms are used when possible.
 1. Public notice of solicitations shall state the place, date and time of the bid or proposal opening.
 2. The notice will be posted at least 10 days prior to the bid deadline.

3. The request shall include an adequate description of the scope of work to be completed, any specifics which may be required of the vendor, including any kind of bid bond, all contractual terms, and conditions of application to the public project.
 4. Notices and solicitations of bids shall include information that these are sealed bids and they should so be identified on the envelope.
- b. Processes for Formal Procurement. One of the following procedures may be utilized to fulfill Formal Procurement requirements at the direction of the Department Director in consultation with the Finance Director:
1. Invitation for Bid (IFB). Unless otherwise provided in a specific IFB, the following shall control:
 - a. Generally. The IFB is a method of source selection in which the award is made to the responsive and responsible bidder submitting the lowest cost bid that complies with the detailed specifications and/or scope of work contained in the IFB. An IFB shall include specifications and all contractual terms and conditions applicable to the procurement, as well as the bid opening place, time and date. Bids are sealed and opened in public at the time and place as set forth in the IFB, unless all bidders have been notified by the Town of a change in the time or place by written addendum to the IFB. A tabulation of all received and opened bids shall be formulated and made available for public inspection.
 - b. Bid Submission and Bid Evaluation. Bids shall be unconditional and submitted without alteration or correction except as authorized in this subsection. Bids shall be evaluated based on the requirement set forth in the IFB, which may include criteria to determine acceptability, such as inspection, testing, quality, workmanship, delivery and suitability for a particular purpose. Those criteria that shall affect the price and be considered in evaluation for award shall be objectively measurable, such as discounts, allowances, transportation costs and total or life cycle costs.
 - c. Specifications. Specifications shall be made available to all interested parties as stated in the IFB. If for any reason whatsoever it is necessary to change the specifications or any other formal data and there is adequate time as determined by the Finance Director prior to the date of bid opening, an addendum shall be issued setting forth the changes. It shall be the obligation of the bidders to ensure that they have received all addenda.
 - d. Bid Submission. Bids must be received prior to the specified time as established in the IFB. Bids may be received earlier and shall be kept sealed and confidential until the bid opening. Bids received after the specified deadline may be immediately returned to the nonresponsive submitter unopened.
 - e. Bid Opening. The opening of sealed bids shall be conducted in a manner to protect confidentiality and to ensure fairness.
 - f. Correction or Withdrawal of Bids. Correction or withdrawal of inadvertently erroneous bids before and after a bid opening may be permitted in accordance with the IFB.

- g. Award. Generally, an award shall be made by written notice to the lowest responsible and responsive bidder whose bid meets the requirements and criteria set forth in the IFB including, without limitation, consideration of performance on similar projects or contracts, letters of reference and prior performance with the Town. The Town retains the right to reject or modify any bids, awards always being subject to negotiation and execution of a mutually acceptable agreement. The Town reserves the right to review and award bids at its discretion to responsive and responsible companies which may or may not be the low bidder.

2. Request for Proposal (RFP). Unless otherwise provided in a specific RFP, the following shall control:

- a. Competitive Sealed Proposal/Competitive Negotiation Process. Proposals shall be solicited through an RFP process when for example: (1) the Department Director or Finance Director determines that the complex nature or technical details of a particular procurement make the use of competitive sealed bidding either not practical or not advantageous to the Town; (2) specifications cannot fairly or objectively be prepared as to permit sufficient competition; (3) high technology and electronic equipment is available from a limited number of sources; or (4) specifications cannot practically be prepared except by reference to specifications of the equipment of single source of supply.
- b. Receipt of Proposals. Sealed proposals shall be submitted at the time and place set forth in the RFP. Only the names of the proposer will be read in public at the time the proposals are due. No proposals shall be opened until the time designated in the proposal document or addenda.
- c. Evaluation of Factors. Proposal evaluation criteria shall be as set forth in the RFP. Final consideration for awarding of contract shall not be based solely on price. A combination of qualifications, experience, demonstrated successes, references, fees and costs, capacity to fulfill all requirements of the contract and other qualifying considerations may be considered for evaluation purposes.
- d. Discussion with Responsible Proposers and Revisions to Proposals. As provided in the RFP, discussions may be conducted with responsible proposers who submit proposals determined to have a reasonable likelihood of being selected for award.
- e. Award. Award shall be made to the responsible proposer whose proposal is determined to be the most advantageous for the Town, taking into consideration price and evaluation factors. This process may include discussions and negotiation between the Town and proposer. The Town retains the right to reject or modify any proposals, awards always being subject to negotiation and execution of a mutually acceptable agreement.

3. Request for Qualifications (RFQ).

- a. Pre-Qualifying Submitters or Multi-Step Sealed Bidding. When it is considered impractical to initially prepare a purchase description to support an award based

on price, prior to the issuance of the Soliciting Document, the Town may determine to issue a Request for Qualification, RFQ, requesting the submission of unpriced offers to be followed by a Soliciting Document limited to those bidders whose offers have been determined to be technically acceptable under the criteria set forth in the first solicitation. Only the providers of products or services that meet the specifications or experience will be permitted to submit bids or cost proposals. In addition, the RFQ process is used when the desired services are not as well defined and depend on the submitter's ability to appropriately identify and address the problem or issue. This process is most often used for the selection of professional services. The submitters submit statements of qualifications, and the Town then issues a Soliciting Document limited to those submitters whose response to the RFQ have indicated the ability and satisfied the other criteria such that the Town desires to seek a proposal from such Submitter.

- b. In determining whether to issue an initial Soliciting Document only to Pre-Qualified Submitters, the Finance Director shall consider the best interests of the Town and may consider whether a project or contract:
 1. Requires complex or unusual expertise or techniques;
 2. Involves a particularly tight time frame;
 3. Involves experience in a very specific field; or
 4. Has a projected budget of \$500,000 or higher
- c. The method of submitting pre-qualification information and the information required in order to be pre-qualified shall be determined by the Finance Director or Town Manager.
- c. Correspondence with Vendors. All correspondence with vendors/submitters should be communicated through the department head responsible for overseeing the specific bid unless the bid specifications make it advisable to delegate authority to others.
- d. Nonresponsive Bids/Proposals.
 1. Defined. A responsive bid/proposal is one that is in substantial conformance with the requirements of the Soliciting Document.
 2. Determination of Nonresponsiveness. The following are examples of nonresponsive Submitters:
 - a. A Submitter who fails to deliver a bid/proposal prior to the specified place, time and date as shown on the Soliciting Document is considered late and the bid/proposal shall not be opened.
 - b. A Submitter who fails in the bid/proposal to conform to required delivery schedules as set forth in the Soliciting Documents or in the permissible alternatives.
 - c. A Submitter who qualifies prices in such a manner that the firm's bid/proposal price cannot be determined (such as "price in effect at the time of delivery").
 - d. A Submitter who fails to offer goods and services that comply with the specifications of the Soliciting Document.

- e. A Submitter who makes the Town the responsible party for determining that the bidder's alternative products or services conform to the specifications.
 - f. A Submitter who fails to furnish bid surety when required.
 - g. A Submitter who limits the rights of the Town under any contract clause unless information on such limitations is invited.
- e. Solicitation Irregularities. The Finance Director has the authority to waive irregularities if: (a) the item being waived is only a matter of form or is an immaterial variation from the exact requirements set forth in the Soliciting Document; (b) the item being waived has trivial or no effect on price, quality, quantity delivery or performance; and (c) such a waiver would not affect the relative standing of bidders or proposers or be otherwise prejudicial to them. Examples of minor irregularities that may be waived are:
 - 1. Failure to furnish with the bid, certain required information regarding the vendor's qualifications to perform the contract.
 - 2. Failure to submit required descriptive information on the products offered.
 - 3. Failure to return the proper number of executed bids or attachments, including certifications and affidavits.
 - 4. Failure to return a bid addendum or amendment if on the face of such bid the bidder acknowledges receipt of addendum or amendment or if the addendum or amendment does not have a material effect on the bidder's liability under the terms of the contract.
 - 5. Failure to sign a bid, when evidence is submitted with the bid that clearly shows that the bid was the one intended by the bidder and that failure to sign was strictly an oversight.

When such minor irregularities are discovered, the Submitter is requested to remedy the problem within a reasonable timeframe by later submitting omitted data or by providing a written statement of intent.
- f. Rejection of Bids. Unless otherwise specified in the Soliciting Document, bids/proposals may be rejected when one or more of the following occur:
 - 1. Bids/proposals exceed the budgeted amount;
 - 2. There are no responsible Submitters;
 - 3. There are no responsive Submitters;
 - 4. The project is abandoned;
 - 5. The specifications, scope and/or terms and conditions are revised; or
 - 6. Irregularities exist in the procurement process as determined by the Finance Director and/or Town Manager.
- g. Protested Solicitation or Awards.
 - 1. Protest. Any actual or prospective bidder, contractor or vendor who is aggrieved in connection with the solicitation or award of a contract and purchase order may protest to the Town Manager as set out in this section. The protest shall be submitted in writing to the Town Manager or their designated representative within seven working days after the aggrieved person knows or should have known of the facts giving rise thereto.
 - 2. Authority. The Town Manager as set out in this section, shall have the authority to settle and resolve a protest of an aggrieved bidder, contractor or vendor, actual or prospective,

concerning a solicitation or award of contract. A written decision regarding the protest shall be rendered within 30 working days after the protest is filed. The Town reserves the right to make determinations that are deemed in the best interest of the Town. If 30 days have passed without a decision, the written protest shall be forwarded to the Town Attorney's office for resolution.

- h. Confidentiality. To the extent permitted by the Colorado Open Records Act, after solicitations are opened, they become confidential documents until the contract is awarded or the solicitation project is cancelled. Staff, contractors, and Town officials shall not discuss solicitations with competing vendors. Vendor questions must be referred to the Department Director managing the project.

9. Bonding Requirements. Bonds shall be executed on forms prescribed or approved by the Town Manager based on review by the Town Attorney, as to form, and State of Colorado law. The Town may declare the purchasing of any standard items of commerce and services from standard trades and professions, which are not altered or customized to unique Town specifications, to be exempt from bonding requirements.

- a. Bid Bonds. The bid bond requirement may be satisfied by receipt of a certified bank check or a bid bond. The bid security is submitted as guarantee that the bid will be maintained in full force and effect for a period of thirty (30) calendar days after the opening of bids or as specified in the solicitation documents. If the supplier/contractor fails to provide the bid security with the bid, the bid shall be deemed non-responsive. The bid bond shall be at least 10% of the vendor's bid price if the bid is over \$150,000 and at least 5% of the vendor's bid if under \$150,000.
- b. Performance Bonds. A performance bond, satisfactory to the Town, executed by a surety company that is authorized to do business in this state or otherwise secured in a manner satisfactory to the Town may be required for any contract and will be used for all contracts for public buildings, works or improvements awarded in excess of \$50,000 per state law. The bond shall be in an amount equal to 100% of the price specified in the contract.
- c. Payment Bonds. A payment bond, satisfactory of the Town, executed by a surety company that is authorized to do business in this state or otherwise secured in a manner satisfactory to the Town, for the protection of all persons supplying labor and material to the contractor or its subcontractors may be required for all contracts awarded in excess of \$50,000. The payment of the bond shall be in an amount equal to 100% of the price specified in the contract, or any other higher amount determined by the Town to be in the best interest of the Town.
- d. Other Security. Nothing in this section shall be construed to limit the authority of the Town to require a bond or other security in addition to the bonding requirements stated above. The Town Manager, at their discretion, may waive or lessen the bonding requirements for contracts up to \$100,000 should bonding not be cost effective.

10. Exclusive Service. Sole source purchases may be made if it has been determined that there is only one good or service that can reasonably meet the need and there is only one vendor who can provide the good or service. Written justification for the sole source purchase must be retained with support for the purchase.

11. Emergency Purchases. In the event of natural disasters, accidents or other emergencies where health, safety or welfare of the community is at risk, the Town shall comply with the procurement requirements to

the extent practicable, but this may be waived by the Town Manager. The Town Manager will notify the Town Council of any emergency immediately identifying the nature of the emergency and any purchase which may be required. Forms required herein for the purpose of authorizing and acquiring goods or services necessary for the immediate preservation of life, health, safety, welfare or property during a local disaster or emergency conditions shall not require compliance with bidding requirements set forth in this Policy and may be awarded on a sole-source basis. Documentation of procurement decisions in an emergency period is required to be retained, to support the urgency of the purchase and as justification for deviation of any Town policy. Once the Town is no longer operating in an emergency period, adherence to the approved procurement requirements is required. Careful consideration shall be given to procurement decisions made in an emergency period and when grant funds may be received. Federal procurement guidance currently available (at CFR200.320) indicates that purchases above the dollar threshold of a micro purchase, currently \$10,000, must also have written quotes to support the cost reasonableness of the purchase. If, at any time, a purchase may have a grant implication, purchaser should follow guidance from the grantor.

12. Exemptions From Public Bidding. The Town recognizes the need to use outside sources for providing Professional Services, constructing Capital Projects (vendors and contractors) and for providing services for day-to-day operations and maintenance. The Town requires staff to solicit bids for any purchase of goods over \$50,000, per engagement or annually. This requirement may be waived by the Town Manager for ongoing service contracts where the past experience related directly to the Town is a compelling reason to continue a service contract from year to year. Selection of vendors, contractors or consultants may be based on past experience with the Town, knowledge of the Town and region, philosophy of the nature of the job, availability of time, quality of product, quality of service and material, maintenance, warranties, price and other such criteria as deemed appropriate for a particular public project. The Town recognizes the following exemptions for the Public Bid Process:

- a. Professional Services. This purchasing policy shall not apply to professional services and the requirements shall not be mandatory in the employment of professional services. Professional services include, but are not limited to the following: Attorneys, Bond Counsel, Certified Public Accountants/Auditors, Consultants, Engineers, Financial Advisors, Physicians and Real Estate Brokers. The Council may award these services as desired and at their discretion. The staff shall use the following criteria when applicable and necessary, based on specific project that includes:
 1. Past experience in performing the services requested;
 2. Responsiveness to the needs of the Town, with respect to time to complete the project, the approach to the project, and anticipated design concepts offered;
 3. Responsibility and experience in dealing with municipal governments and projects of similar size, scope and nature;
 4. The professional's engagement team, including the experience and resumes of key personnel assigned; and
 5. Results of reference checks and past performance for other clients.
- b. Design Build Services or Construction Manager at Risk (CMaR). This policy shall not apply to design-build and CMaR specialty services so long as the project does not exceed \$100,000. If less than \$100,000, the following evaluation criteria shall apply:
 1. A guaranteed maximum price must be agreed upon and any savings shall revert back to the Town if the final project cost is less than the guaranteed maximum price.

2. The Town shall have the option at any time to validate proposed costs and fees of the professional who must disclose all information used to arrive at the proposed costs and fees.
- c. Alternative Delivery Methods. The Town may, at its discretion, permit alternative delivery methods beyond design-bid-build as deemed to be beneficial to the Town in any instance and for any project. The permitted alternative delivery methods that the Town may choose from are described below. Any of the methods described below may or may not have a Guaranteed Maximum Price (GMP) and/or a share back on cost savings in any methodology desired and deemed appropriate by the Town. In any method the Town has the right, if desired, to hire an Owner's Representative to oversee any or all elements of a project. In these methods of delivery, the Town at its discretion may issue a Request for Proposal (RFP) or may issue an invitation to submit a proposal to preferred entities that have specific experience and success as it relates to the project.
1. Design-Build (DB). With a DB delivery method, the Town contracts with a private entity to design and build the project. The operation of the resulting facility is transferred to the Town after it is completed. Under the DB delivery method, the Town executes a single, fixed-fee contract for both engineering services and construction. The DB entity may be a single firm, consortium, joint venture, or other organization assembled for the project. Based on the project type and complexity, the design or construction portion of the team leads the DB team.
 2. Construction Manager at Risk (CMaR). With the CMaR delivery method, the Town contracts with design and construction firms independently, creating an integrated project team. This provides a system of checks and balances between design, construction, and operating and life-cycle costs. The designer then prepares preliminary plans that allow a builder/constructor to provide the owner with a maximum price to build/construct the project. Alternatively, the Town may hire only the designer and engage with a constructor after a portion of the design is complete to begin value engineering the project. The owner can accept the project at that price, ask for a portion of it to be redesigned to lower the cost, or take the preliminary plans and hire the designer to finish them to bid the project in a manner similar to design-bid-build.
 3. Public Private Partnership (P3). A P3 typically involves a government agency contracting with a private partner to renovate, construct, operate, maintain, and/or manage a facility or system, in whole or in part, that provides a public service. Under these arrangements, the agency may retain ownership of the public facility or system, but the private party generally invests its own capital to design and develop the properties/project. Typically, each partner shares in income resulting from the partnership. Such a venture, although a contractual arrangement, differs from typical service contracting in that the private-sector partner usually makes a substantial cash, at-risk, equity investment in the project, and the public sector gains access to new revenue or service delivery capacity without having to pay the private-sector partner.
- d. Use of State Bids or Existing Contracts. This purchasing policy shall not apply if the purchasing department is able to piggy-back on a State Bid Award, GSA bid award, or other bid award where a public bid process has taken place on the conditions that appropriate verification of the bid is provided, the cost does not exceed \$100,000, and the funds are available in the budget.

- e. Waiver of Bidding Process. Notwithstanding the provisions of this Policy, the Town may forego the bidding process altogether in certain specific instances that would be in the best interests of the Town provided that there is sufficient information and documentation to demonstrate that a waiver of the procedure would benefit the Town. Any deviations from the bidding process must have Town Manager approval, who shall then generate a report to the Town Council for the next Town Council meeting explaining the reasons for the waiver. It is intended that this process should be used infrequently and only when there is supporting information to demonstrate that the waiver would be in the best interests of the Town and not in any fashion compromise the integrity of the overall bidding policy of the Town.

13. Contract Authority. The Town Manager or department head shall have the power and duty to approve and execute, by signature, all contracts or agreements of, or on behalf of, the Town or its enterprises, subject to the following limitations.

- a. Amount not to Exceed \$250,000. Contracts or agreements that exceed \$250,000 must be approved by the Council unless part of an annual contract and appropriated in the budget.
- b. Conveyances. No contract or agreement shall involve conveyances of interest in land, bonds, indentures, evidence of indebtedness, or proclamations, unless the authority to approve and execute such documents shall be granted by the Council.
- c. Charter and Municipal Code. Contracts or agreements that are required by the Town's Home Rule Charter or the Johnstown Municipal Code to be approved and executed by the Town Council.
- d. Intergovernmental Agreements. Such contract or agreement does not constitute an "intergovernmental agreement" under Colorado law.
- e. Delegation. The Town Manager may delegate the signatory authority for the approval and execution of contracts and agreements to department heads when the contractual matters fall within their area of responsibility.
- f. Appropriation. No contract shall be approved or executed unless funds for the payment of obligations under the contract or agreement are in the budget and have been approved by the Town Council. This section shall not prohibit the approval and execution of multi-year contracts or agreement where such agreements are legally permissible.
- g. Legal Review. Unless of a routine nature as determined by the Town Manager or the Town's standard form of contractor/professional services agreement cannot be used, all contracts or agreements are subject to legal review.

14. Town Issued Purchasing Cards. This policy applies to all items procured by the use of a Town-issued Purchasing Card.

- a. Issuance. Town purchasing cards may only be issued to department heads or other personnel as authorized by the Town Manager and Finance Director.
- b. Legitimate Business Expenses. A purchasing card shall be used for purchases on behalf, or costs associated with, approved travel. No cardholder may procure goods or services for personal purposes. Personal use of a purchasing card consists of an item that is not a legitimate business expense and must be reimbursed to the Town. Misuse of the card could subject an employee to discipline pursuant to the personnel policies of the Town. Department Heads may make available purchasing cards for purchases where time is of the essence to save the Town money; where credit card is the only or easiest form of payment accepted for a product or service; or when required for

travel purposes. It is the responsibility of the Department Head to notify the Finance Department if an employee is no longer authorized to use the Town's purchasing card.

- c. Purchasing Procedures. Purchases made with the purchasing card should follow all guidelines as stated in this Financial Policy document.
- d. Travel Related Expenses. If a spouse or family member is accompanying the employee on a business trip, only employee's travel expenses may be charged to the card. Airline tickets or other travel expenses related to the family member must be paid by the individual at the time of purchase. It is not acceptable to reimburse the Town for those expenses. Personal expenses may not be charged to the hotel room and must be paid for separately. Hotel, car rental, parking, taxi, etc. receipts must be submitted to the Finance Department within a week of return from the business trip. Travel expenses for the employee will be reimbursed up to the maximum allowed for that location by U.S. General Service Administration (www.gsa.gov). Mileage will be reimbursed at the published Internal Revenue Service (IRS) standard mileage rate. Mileage will only be reimbursed if no Town vehicle is available for use.
- e. Monthly Statements. It will be the responsibility of the card holder to reconcile the monthly credit card statements and receipts. Original receipts must be submitted to the Finance Department within one week of purchase. Failure to do so will result in loss of purchasing card privileges.

Capital Improvement Planning Policy

A number of important policy considerations are the basis for the Capital Improvement Plan (CIP). The following policies are designed to guarantee that current and future projects are maintained at a quality level and that capital projects do not restrict the Town's ability to provide basic services. The Town must preserve its current physical assets and plan in an orderly manner for future capital investments, including the operating costs associated with these projects. In addition to amenity improvements the Town must also make capital investments needed to support and enhance the delivery of basic services.

1. Capital Expenditures. Capital expenditures for purposes of financial reporting include buildings, land, major equipment, infrastructure investment, and other items that have a value of \$5,000 or greater and have a life expectancy greater than one year.
2. Relationship of Long-Range Plans to the CIP Plan. Virtually all of the projects included in the CIP are based upon formal long-range plans that have been adopted by the Town Council.
3. Ten-year Capital Plan. Each department with capital expenditures will develop and maintain ten-year capital plans. This will include sources of funding and maintenance.
4. Current Capital Budget. The Town will prepare an annual Capital Budget which will include current year capital expenditures and sources of funds based on the current year of the CIP. This document will be presented to the Council concurrently with the date of submission of the proposed budget and should include the following:
 - a. A general summary of its contents.

- b. A list of all capital improvements which are recommended to be undertaken, continued or completed.
- c. Cost estimates and methods of financing the improvements.
- d. The estimated annual cost of operating and maintaining the improvements.
- e. Such other information that the Council might require.

5. Include Future Maintenance. As part of the annual Capital Budget, the Town will identify and include full costs of future maintenance needs and operating costs of new capital facilities and equipment prior to funding as part of the annual Capital Budget. It is essential to recognize that many smaller projects can have a significant impact on the existing staff and maintenance levels when considering the total impact. All capital projects will identify the maintenance requirements in terms of staffing, supplies and services.

6. Types of Projects Included in the CIP Plan. The CIP Plan will display, to the maximum extent possible, all major capital projects in which the Town is involved. While the following criteria may be used as a general guide to distinguish which projects should be included or excluded from the CIP Plan, there are always exceptions which require management's judgment. For purposes of the CIP Plan, a CIP project is generally defined to be any project that possesses all of the following characteristics:

- a. Exceeds an estimated cost of \$25,000
- b. Involves totally new physical construction, reconstruction designed to gradually and systematically replace an existing system on a piecemeal basis, replacement of a major component of an existing facility or computer system, expansion of an existing system, introduction of a new system, or acquisition of land or structures.
- c. Involves Town funding in whole or in part, or involves no Town funds but is the Town's responsibility for implementing, such as a 100% grant-funded project.

7. Preserve Existing Capital Infrastructure Before Building New Facilities. It is the Town's policy to ensure that adequate resources are allocated to preserve the Town's existing infrastructure before targeting resources to build new facilities that also have operating and maintenance obligations. This policy addresses the need to protect the Town's historical investment in capital facilities and to avoid embarking on a facility enhancement program, which when coupled with the existing facilities requirements, the Town cannot afford to adequately maintain.

8. Capital Priority. In general, the following guidelines will be used to identify capital priorities: safety, complete existing projects, maintenance of existing capital facilities, extension or expansion of existing systems and new projects. Maintenance should be given priority over new facilities unless a cost/benefit analysis indicates otherwise. State, Federal and local mandates or new service demands may require acquisition of new facilities or new construction even when maintenance needs are not fully met. Unique opportunities may arise which should be considered as a priority particularly if there is community support for acquisition. Maintenance of facilities should take priority over operating programs if deferring maintenance will result in greater costs to restore or replace neglected facilities.

9. Balanced CIP Plan: The CIP Plan is a balanced ten-year plan. This means that for the entire ten-year period, revenues will be equal to project expenditures in the Plan. It is anticipated that the plan will have more expenditures than revenues in single years of the Plan, but this imbalance will be corrected through

the use of interim financing as needed. However, over the life of the ten-year plan, all planned interim debt will be repaid and all Plan expenditures, including interest costs on interim debt will be provided for with identified revenues. Any project funding plan, in which debt is not retired within the current ten-year Plan, must have specific Town Council approval.

10. Use of Debt in the CIP. The CIP is viewed as a long-term program that will continually address capital requirements far into the future. As such, the use of long-term debt has been minimized, allowing the Town to put money into actual projects that benefit Johnstown residents and businesses rather than into interest payments to financial institutions. It is expected that debt incurred will be paid back before the end of the current CIP. If the Town uses bonds for financing, then the life of debt is not to exceed 75% of the life of the project or acquisition. Finance staff monitor CIP cash flow regularly and utilize fund balances to minimize the amount of borrowing required. There are exceptions to this policy for extraordinary circumstances, where the voters have approved long-term debt issuances to achieve major Town goals that otherwise could not have been achieved, or would have been delayed an unacceptable amount of time.

11. Finance Director's Authority to Borrow. The Finance Director is authorized to initiate interim and long-term borrowing measures, as they become necessary, as identified in the current CIP Plan, with approval from the Council.

12. CIP Plan Update and Amendment. The CIP Plan will be updated at least annually as a part of the Town's budget process. The Town Council may amend the CIP Plan at any time if a decision must be made and action must be taken before the next CIP review period.

13. Formalization of Monetary Agreements. All agreements between the Town and outside jurisdictions shall be in writing specifying the financial terms of the agreement, the length of the agreement, and the timing of any required payments. Formalization of these agreements will protect the Town's interests. Program areas shall make every effort to promptly request any reimbursements that are due the Town. Where revenues from outside jurisdictions are ongoing, these requests shall be made at least quarterly, unless alternative arrangements are approved by the Town Manager or Town Council.

14. Applicable Project Charges. CIP projects should reflect all costs that can be clearly shown to be necessary and applicable. Staff charges to CIP projects will be limited to time spent actually working on those projects and shall include an overhead factor to cover the applicable portion of that person's operating cost.

Investment Policy

The purpose of this policy is to establish the Town's investment scope, objectives, delegation of authority, standards of prudence, reporting requirements, internal controls, eligible investments, selection of financial institutions, portfolio maturities, volatility, diversification, risk, safekeeping, and custody requirements. The investment program for the Town of Johnstown shall operate in conformance with federal, state, and other legal requirements.

1. Scope. This investment policy applies to all investment *transactions/activities* of the Town of Johnstown, Colorado, involving the investable funds of said Town with the exception of its uniformed and non-uniformed employee pension plans. Investment activities shall be performed in conformance with this policy and the Town's financial policies. The Town, its financial institutions, its investment managers and broker/dealers shall be an equal opportunity employer.

2. Restriction of Authority. The ultimate responsibility and authority for investment transactions resides with the Finance Director, who is fully authorized to buy, sell, and trade investments in accordance with the goals and objectives of this investment policy. No person may engage in an investment transaction except as authorized under the terms of this policy.

3. Objectives. The Town shall seek to optimize its return on investments within the constraints of safety and liquidity. The primary objective of this investment policy shall be to manage the portfolio in such a manner as to preserve capital and protect investment principal while attaining a market rate of return equal to or greater than average rate of return. To attain this objective, diversification shall be required to ensure that potential losses on any security or securities do not exceed the income generated from the overall portfolio.

The portfolio shall be structured to allow maximizing the return consistent with risk limitations and prudent investment decisions as set forth by the Finance Director.

The portfolio shall remain sufficiently liquid to meet anticipated disbursement requirements.

Nothing shall prohibit the Town's Finance Director from investing all excess funds in the most efficient and beneficial manner possible in order to achieve market rates of return consistent with constraints imposed for safety, cash flow, and applicable investment laws.

4. Prudent Person Standard. Investments made pursuant to CRS 24-75-601.1 must be made in accordance with the "prudent man (person)" standard of CRS 15-1-304, (CRS 24-75-601.1(2)). This requirement states that fiduciaries, such as official custodians who make investments or deposits for local governments, are obligated to exercise ... the judgment and care, under the circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of the property of another, not in regard to speculation but in regard to the permanent disposition of funds, considering the probable income as well as the probable safety of capital. (CRS 15-1-304)

5. Reporting Requirements. Monthly, the Finance Director shall submit to the Town Manager and Town Council a report listing the investments held by the Town with the current market value of the investments.

6. Internal Controls. The Finance Department shall establish a system of internal controls to ensure the integrity of the investment process. Investment transactions shall be supported by written evidence, such as a confirmation ticket issued by the broker/dealer. In addition, the Town's independent auditor shall perform a review of the controls on an annual basis. The controls shall be designed to prevent loss of public funds because of fraud, error, and misrepresentation by another party or imprudent actions by an employee or employees of the Town.

7. Eligible Investments. Eligible investments shall be defined as those instruments allowed in this policy as follows:

- a. U.S. Treasury Obligations: Treasury Bills, Treasury Notes, Treasury Bonds and Treasury Strips with maturities not exceeding five years from the date of purchase.
- b. Federal Instrumentality Securities: Debentures, discount notes, callable securities, step-up securities, and stripped principal or coupons with maturities not exceeding five years from the date of trade settlement. If a Federal Instrumentality Security carries a rating lower than the highest category by any NRSRO, the security is eligible for purchase subject to the following limitations: the final maturity (from the date of trade settlement) may not exceed the statutory limit stated in C.R.S. 24-75-601 and the security must be rated at least AA- or the equivalent by at least two NRSROs (Nationally Recognized Statistical Rating Organization), and not less by any. Subordinated debt shall not be purchased. For securities authorized in this paragraph, the Town shall limit the combined total of investments to no more than 90 percent of the total portfolio and 30 percent per issuer.
- c. Commercial Paper issued by domestic corporations with maturities not exceeding 270 days from the date of purchase, which at the time of purchase is rated at least A-1, or the equivalent by at least two NRSROs, and rated not less by all NRSROs that rate the commercial paper. If the commercial paper issuer has senior debt outstanding, it must be rated at least AA, or the equivalent at the time of purchase by at least two NRSROs, and rated not less by all NRSROs that rate the issuer. The aggregate investment in commercial paper, banker's acceptances, and corporate debt shall not exceed 50% of the Town's investment portfolio, and no more than 5% of the Town's investment portfolio may be invested in the obligations of any one issuer.
- d. Corporate Debt with a maturity not exceeding three years from the date of trade settlement, issued by any corporation or bank organized and operating within the United States. The debt must be rated at least AA- or the equivalent by at least two NRSROs, and rated not less by any NRSRO that rates it. The aggregate investment in corporate debt, commercial paper, and banker's acceptances shall not exceed 50% of the Town's investment portfolio, and no more than 5% of the Town's investment portfolio may be invested in the obligations of any one issuer.
- e. Local Government Investment Pools. Pursuant to CRS 24-75-702 that 1) are "no-load" (no commission or fee shall be charged on purchases or sales of shares); 2) have a constant net asset value of \$1.00 per share; 3) limit assets of the pool to those authorized by state statute; 4) have a maximum stated maturity and weighted average maturity in accordance with Rule 2a-7 of the Investment Company Act of 1940; and 5) have a rating of AAA or the equivalent by one or more NRSROs.
- f. Repurchase Agreements with a termination date of 180 days or less collateralized by U.S. Treasury obligations or Federal Instrumentality securities listed in a. and b. above with a final maturity not exceeding ten years. The purchased securities shall have a minimum market value including accrued interest of 102% of the dollar value of the transaction. Collateral shall be held by the Town's third-party custodian bank, and the market value of the collateral securities shall be marked-to-the market daily. Repurchase Agreements shall be entered into only with broker/dealers recognized as Primary Dealers by the Federal Reserve Bank of New York, or with firms that have a Primary Dealer within their holding company structure. Approved Repurchase Agreement

counterparties if rated, shall have a short-term credit rating of at least A-1 or the equivalent and a long-term credit rating of at least A or the equivalent by each NRSRO that rates them.

- g. Non-Negotiable Certificates of Deposit with a maturity not exceeding five years in any FDIC insured state or national bank located in Colorado that is an eligible public depository as defined in CRS 11-10.5-103. Certificates of deposit that exceed FDIC insurance limits shall be collateralized as required by the Public Deposit Protection Act. In addition, at the time of purchase, issuing banks shall meet the credit criteria set forth in the section of this investment policy, "Selection of Banks".
- h. Eligible Banker's Acceptances with maturities not exceeding 180 days, issued by FDIC insured state or national banks. Banker's Acceptances shall be rated at least A-1, or the equivalent at the time of purchase by at least two NRSROs and rated not less by all NRSROs that rate the instrument. If the issuing bank has senior debt outstanding, it must be rate at least AA or the equivalent oat the time of purchase by at least two NRSROs and rated not less by all NRSROs that rate the bank. The aggregate investment in banker's acceptances, commercial paper, and corporate debt shall not exceed 50% of the Town's investment portfolio, and no more than 5% of the Town's investment portfolio may be invested in the obligations of any one issuer.
- i. Money Market Mutual Funds registered under the Investment Company Act of 1940 that: 1) are "no-load" (no commission or fee shall be charged on purchases or sales of shares); 2) have a constant net asset value of \$1.00 per share; 3) limit assets of the fund to those authorized by state statute; 4) have a maximum stated maturity and weighted average maturity in accordance with Rule 2a-7 of the Investment Company Act of 1940; and 5) have a rating of AAA or the equivalent by one or more NRSROs.

The foregoing list of authorized securities and transactions should be strictly interpreted. Any deviation from this list must be pre-approved by the Council of Trustees.

8. Prohibited Investments. It shall be the policy of the Town to refrain from investment in SBA's, banks or savings and loan associations who secure more than 5% of their deposits through brokers, or whose equity to asset ratio is less than 3%, or to invest in GNMA's or Eurodollar TD's, Eurodollar CD's, Equity Mutual Funds, Unit trusts, and government backed funds not allowed by C.R.S. 24-75-601 as amended.

9. Collateral Requirements. To qualify as a depository, financial institutions and savings and loan associations must collateralize the Town's deposits in accordance with: Sections 11-10.5-101 through 11-10.5-121, C.R.S. as amended entitled "Public Deposit Protection Act"; Sections 11-47-101 through 11-47-120 C.R.S. as amended entitled "Savings and Loan Association Public Deposit Protection Act."

The Town considers repurchase agreements as simultaneous sales and purchases of securities rather than as collateralized loans. However, securities underlying repurchase agreements are referred to as "collateral" for the purpose of this policy. It is the Town's policy to require all issuers of repurchase agreements to execute a copy of the Town's master repurchase agreement. A copy must be on file *prior to entering* into any repurchase agreements. In addition, the maximum length of a repurchase agreement shall be 90 days.

10. Selection of Financial Institutions and Dealers. The Town's depository shall be selected through competitive bidding in accordance with the Town's financial policies. When selecting the depository, the

creditworthiness of the institution shall be considered. It shall be the policy of the Town to purchase securities only from those financial institutions providing services as set forth in State Statutes guidelines.

All financial institutions shall agree to undertake reasonable efforts to preclude imprudent transactions involving the Town's funds. The supervising officer of the institution shall agree to exercise due diligence in monitoring activities of the officers and subordinate staff members engaged in transactions with the Town. Employees of any firm or financial institution that offers securities or investments to the Town shall be trained in the precautions appropriate to public sector investments and are required to be familiar with the Town's investment objectives and constraints.

11. Portfolio Maturities and Volatility. It is the Town's intent to manage all of its investments, with the exception of the uniformed and non-uniformed employee pension plans, in such a way that any market price losses resulting from interest rate volatility would be offset by coupon income and current income received from the balance of the portfolio during a 12-month period. In addition, no maturity extension (swap) should be taken if it would result in negative income on the overall funds portfolio. The maximum maturity date for all securities is no more than 5 years from the date of purchase unless otherwise authorized by the Town Council.

12. Diversification. It is the policy of the Town to diversify investments within the portfolio. Securities shall be diversified to eliminate the risk of loss resulting from over-concentration of investment in a specific maturity, a specific issue or a specific class of securities. Diversification strategies shall be determined and revised periodically by the Finance Department.

When establishing specific diversification strategies, the following general policies and constraints shall apply: maturities shall be staggered in such a way that avoids undue concentration of assets in a specific maturity sector. Short-term maturities shall be selected which coincide with specified disbursement dates thereby avoiding the need to sell securities prior to maturity. Longer-term maturities shall be selected which provide for stability of income and reasonable liquidity.

13. Risk Tolerance. The Town realizes that investment risk can result from issuer defaults, market price changes or certain technical complications, which lead to temporary illiquidity. Therefore, portfolio diversification is used as a means to control risk. The Finance Director is expected to display prudence when selecting investment securities and use safety, liquidity and yield in that order of priority as a way to minimize the risk of default. In addition, no one individual investment transaction shall be made which would jeopardize the total capital position of the overall portfolio.

14. Safekeeping and Custody. Investments of the Town shall be held by a third-party custodian (bank or broker/dealer) or any branch of the Federal Reserve. Investment officials shall be bonded to protect the public against possible embezzlement and fraud.

15. Defense of Staff and Payment of Judgments or Settlements against Staff. Staff, as public employees of the Town, shall be subject to the defense of public employees and payment of judgments or settlements against public employees from liability for losses that may occur in the administration of this investment policy to the extent provided for under the Colorado Governmental Immunity Act, CRS 24-10-101 et. seq.

Debt Policy

Long term debt is a liability that places a future contractual or other obligation against future revenues of the Town. This policy will set guidelines for the amount and type of debt to be issued by the Town.

1. Use for Capital. The Town will confine long-term borrowing to capital improvements or projects that cannot be financed from current revenues.
2. Life of Debt. The life of debt is not to exceed 75% of the life of the project or acquisition – when the Town finances capital projects by issuing bonds; it will pay back the bonds within a period not to exceed 75% of the expected useful life of the project.
3. Debt restrictions. The Town will not use long-term debt for current or annual operations. Debt that obligates future Town Councils shall be approved consistent with applicable state statutes.
4. Legal Debt Limits. The Town will review its legal debt limitation at least annually. Debt limits will be included in the statistical section of the Comprehensive Annual Financial Report (CAFR).
5. Form of Debt. The Town may borrow money and issue bonds, securities, documents and instruments of indebtedness or enter into other obligations to evidence such borrowing and may otherwise incur payment obligations. The ultimate form of debt shall be recommended by the Town Manager for consideration and approval by the Town Council.
 - a. General Obligation. General obligation debt is subject to voter approval. No general obligation debt can be created unless it has been approved by a majority of the registered electors of the Town, in an election, for that purpose. General obligation debt shall be structured on a level debt service basis with a maximum maturity of 30 years, but terms may vary as conditions warrant. Debt service on general obligation debt can be payable from a separate mill levy, taxation, fees or revenue from projects.
 - b. Revenue Bonds. Revenue bonds are generally used to finance assets that generate revenue which may repay the obligation. Revenue bonds may be issued without approval of the registered electors of the Town and are not payable from a dedicated mill levy, or sales and use taxes.
 - c. Lease Financings. Lease financings are generally used for long-lived assets that would not be affordable if funded on a lump sum or cash basis during a single year. Lease financing is subject to approval by the Town Council. This type of financing is not considered debt or a multiple-fiscal year financial obligation under the Colorado Constitution.
6. Annual Review. The Town of Johnstown will conduct an annual review of its debt taking into consideration current market rates and current cash flows.
7. Bond Rating. The Town will maintain a strong bond rating that is consistent with other Town goals. The Town will maintain good communications with bond rating agencies about its financial condition. The Town will follow a policy of full disclosure on every financial report and bond prospectus.

8. Debt Refinancing. When advantageous to the Town, the Town Manager and/or Finance Director shall present options to the Council.

Grant Policy - General

The purpose of this section is to develop, implement, and maintain meaningful grant oversight and coordination for the Town thereby increasing grant related revenue, limiting the Town's exposure for grant related legal liability, and improving the efficiency and impact of programs and services funded through grants.

Grant funds received by the Town support important programs and services that the Town provides to the community including: public safety, recreation, homeland security, infrastructure improvements, among others.

1. Conflict of Interest. No employee or official of the Town shall have any interest, financial or otherwise, direct or indirect, or have any arrangement concerning prospective employment that will, or may be reasonably expected to, bias the design, conduct, or reporting of a grant-funded project on which he or she is working unless disclosed and such official shall disclose the conflict and if an elected official, abstain from voting for or against the item.

It shall be the responsibility of the Grant Project Manager for each particular grant-funded project to ensure that in the use of project funds, officials or employees of the Town and nongovernmental recipients or sub-recipients shall avoid any action that might result in, or create the appearance of:

- a. Using his or her official position for private gain.
- b. Giving preferential treatment to any person or organization.
- c. Losing complete independence or impartiality.
- d. Making an official decision outside official channels.
- e. Affecting adversely public confidence in the grant funded program in particular and the Town in general.

2. Roles and Responsibilities. Department Heads and staff that occupy positions of responsibility with respect to grant activity have specific roles and responsibilities that they shall perform and uphold both ethically and in the best interests of the Town.

- a. Town Council. The Town Council has the sole responsibility for approving grant awards by resolution.
- b. Town Manager. The Town Manager has the sole responsibility for approving all grant applications not requiring legislative body approval and executing all grant contracts and agreements for grant awards approved by the Town Council.
- c. Finance Department. All grant activity must be routed through the Finance Department including receipt and deposit of grant related funds and requests for expenditure of funds. Grant applications and/or grant status reports often require the signature of the "Finance Officer" or similar title representing the Town's senior financial authority. In these cases, the name and requested

information for the Finance Director shall be provided. The Finance Department is responsible for setting up project accounts to track revenues and expenditures. Separate revenue and expense accounts or sub accounts shall be created for all federal grants.

- d. **Town Attorney.** A legal review of grant agreements should be done to ensure that all of the terms of the agreement are legally enforceable. The Town Attorney shall review the terms and conditions of the award as the initial step in the Resolution process, as requested by the Town Manager, Finance Department or Department Director.
- e. **Town Departments.** Town Departments are responsible for all aspects of the grant process including planning for grant acquisition, preparation and submitting grant proposals, preparing Resolution requests to accept funds, developing grant implementation plans, managing grant programs, preparing and submitting reports to grantors, and properly closing out grant projects, as detailed throughout this manual and in compliance with requirements of the grantor. The department receiving the grant shall also be responsible for making an internal request to the Finance Department to establish a project account number for the grant program. Department staff and Finance Department staff will maintain a close working relationship, with respect to grant activity, to ensure a clear understanding of the project status.

3. **Grant Planning.** Each Town Department that seeks grant funding shall undergo an annual planning process for grant acquisition coordinated through the appropriate department head to compile a comprehensive list of Department needs that can potentially be met through grant funding. Budgets and narrative statements should then be developed for each of the needs, as should goals and objectives that, once achieved, will address the identified need. Federal grants often require more extensive reporting requirements than state and local grants. The anticipated cost of administering and implementing the grant should be compared to the dollar benefit of the grant. The Department Head shall take the cost/ benefit analysis into consideration when determining which grants to submit application requests. If grant becomes available after budget planning, appropriations should be handled as needed.

4. **Grant Award and Resolution.** The Department receiving the grant award must prepare the Resolution and the agenda commentary and submit it to the Town Clerk for inclusion in the Town Council packet. A grant award letter and grant agreement must accompany the Resolution. The Resolution may include language for a supplemental appropriation by the Town Council for inclusion in the year-end supplemental appropriation.

5. **Grant Implementation.** All departments that receive grant funding shall develop a Grant Implementation Plan that identifies the goals and objectives to be achieved, the project timeline, milestone events, an anticipated expenditure schedule, roles and responsibilities, and takes into account grantor terms and conditions.

Upon notification of a grant award, the recipient department shall convene an implementation planning process that includes the Finance Director, Finance staff, key project staff, and any other key individuals. Exceptions to this requirement must be approved by the Town Manager.

6. **File Management.** All Town Departments shall maintain a file format for grant related documents to include separate sections for documents associated with submittal, research, award, and reports, with clear

separation between fiscal years, unless otherwise directed by the grantor. The grantor's preferred file structure shall always take precedence.

7. File Structure. All department and master files associated with a grant award must include the following five sections with clear separations between different fiscal years, unless otherwise directed by the grantor.

- a. Submittal – application guidance and copy of application.
- b. Research – statistical and other information used in preparation and support of the grant.
- c. Award – award letter, objectives and requirements, grant agreement and anything else related to the award.
- d. Financial Services – account set up, copies of all invoices and payment requests.
- e. Reports – reports submitted to granting entity and evaluation components.

8. File Retention. The Town maintains grant records for a minimum of three years following the closure of their most recent audit report. If any litigation, claim, negotiation, audit or other action involving records has been started before the expiration of the three-year period, the records must be maintained until the completion of the action and resolution of all issues that arise from it, or until the end of the regular three-year period, whichever is later. Grantors may require retention periods in excess of three years. Grantor requirements will take precedence.

9. Budget Modifications. Modifications to the budget associated with a grant funded project in such a way that will alter the grant amount or move funds from one budget to another, shall require prior approval from the grantor or as per the grantor's terms and conditions. Approval in writing from the grantor is required.

10. Receipt of funds. If the grant funds have not already been appropriated then no funds shall be dispersed until a Resolution has been approved by the Town Council and the Finance Department has establishing the accounting specifics.

11. Procurement. All procurement activity associated with grant-funded projects shall follow the procedures outlined in the Purchasing Policy, as well as the grant requirements, whichever is more restrictive.

12. Program Income. All program income resulting from a grant-funded project or program shall be managed and maintained as established in the award letter, grant agreement, contract, special conditions, or other document generated by the granting entity.

13. Reporting. Recipient department shall prepare accurate and timely reports as required by the grantor. All financial reports and reimbursement requests must be reviewed by the Finance Director prior to submission to the grantor.

14. Grant Oversight. During the grant period of any grant received by the Town, the appropriate Department Head may review files associated with the grant and that project or program it funds.

Grants – Federal

1. Scope. This Policy for Federal grants applies to all expenditures of funds received through federal grants, whether those funds come directly from a Federal agency or through an intermediary, known as a “pass-through entity”.
2. Policy Statement. The federal government imposes a set of standards for the acquisition of supplies, equipment and real property purchased with federal funds. Federal grant funds received by the Town must conform to the procurement standards identified in CFR§200.317 through §200.327. Individual federal grants may contain further requirements that are unique to those grants and are in addition to this Policy. It is therefore important for the applicant to work closely with the Finance Office to ensure compliance of each grant.
3. Ethics and Conflicts of Interest. The Town, as a government entity, is required to comply with the regulations under Federal Uniform Grant Guidance (UGG) (2 CFR §200.318(c)(1)), which requires written standards of conduct covering conflicts of interest and governing the performance of its employees engaged in the selection, award and administration of contracts.
 - a. Conflict of Interest – Employee/Officer/Agent No employee, officer, or agent may participate in the selection, award or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible benefit from a firm considered for a contract. Officers, employees and agents of the Town of Johnstown may neither solicit nor accept gratuities, favors or anything of monetary value from contractors or parties to subcontracts. All business-related gratuities are specifically prohibited except nominally valued, widely distributed items (calendars, pencils, etc.)
 - b. Organizational Conflict of Interest Organizational conflict of interest means that because of relationships with a parent company, affiliate, or subsidiary organization, the Town of Johnstown is unable or appears to be unable to be impartial in conducting procurement action involving a related organization.
 - c. Disclosing Potential Conflicts of Interest Employees, officers and agents are expected to comply with any applicable requirements pertaining to Conflicts of Interest with regards to grant awards.
 1. Employees, officers and agents must file a Conflict of Interest Disclosure Statement with the Finance Office before a grant application is filed. If the grant is awarded without an application process, then the disclosure must be completed as soon as possible after notification of the award is received.
 2. In the event that a conflict of interest arises after the award has been received, employees, officers and agents must disclose the potential conflicts of interest in writing to the Finance Office as soon as they become aware of them. The written disclosure will include the name of the person, firm or organization with whom the conflict exists, the nature of the conflict of interest and the date that the conflict status began.

3. Any potential conflicts of interest affecting the awarded funds will be disclosed by the Finance Office to the U.S. Treasury or pass-through entity in accordance with 2 C.F.R. § 200.112.
4. General Requirements. The following requirements are applicable to all procurement transactions regardless of size.
 - a. Procurement transactions shall be conducted in a lawful and ethical manner.
 - b. Unnecessary/duplicative purchases are not permitted (and are not reimbursable expenses.)
 - c. Where appropriate, consider leasing versus purchasing.
 - d. Enter into agreements to share common goods or services with other governmental entities when possible.
 - e. Use federal excess or surplus property in lieu of new purchases.
 - f. Use value engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions.
 - g. Award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of the procurement.
 - h. Maintain sufficient records to detail the history of procurement, including rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for contract price.
 - i. Purchases must remain in aggregate and cannot be separated into multiple increments in order to bypass procurement threshold requirements.
5. Competition.
 - a. See the Code of Federal Regulations, 2 CFR 200.319 for the most up to date requirements.
6. Methods of procurement.
 - a. See the Code of Federal Regulations, 2 CFR 200.320
7. Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms.
 - a. See the Code of Federal Regulations, 2 CFR 200.321
8. Domestic preferences for procurement.
 - a. See the Code of Federal Regulations, 2 CFR 200.322
9. Procurement of recovered materials.
 - a. See the Code of Federal Regulations, 2 CFR 200.323
10. Contract cost and price.
 - a. See the Code of Federal Regulations, 2 CFR 200.324
11. Federal awarding agency or pass-through entity review.
 - a. See the Code of Federal Regulations, 2 CFR 200.325

12. Bonding requirements.
 - a. See the Code of Federal Regulations, 2 CFR 200.326
13. Contract provisions.
 - a. See the Code of Federal Regulations, 2 CFR 200.327



Town of Johnstown

TOWN COUNCIL INFORMATIONAL COMMUNICATION

AGENDA DATE: April 4, 2022

SUBJECT: Proposed Amendment to Johnstown Farms, Filing No. 3 – updated utility and retaining easements

ATTACHMENTS: 1. Proposed Amended Plat

PRESENTED BY: Kim Meyer, Director of Planning & Development

ITEM DESCRIPTION:

The current owners of the lots of Johnstown Farms – the developers, metro district, and home builders – have requested several minor amendments to their subdivision plat, instigated by Xcel Energy and newer requirements for larger (10') utility easements at the front of residential lots.

Additionally, retaining wall easements have been updated to reflect the final constructed alignment of the retaining walls on the east side of the development.

No additional or substantive changes have been proposed. Staff is seeking any Council feedback or concerns, and otherwise would seek to process this administratively as a minor resubdivision.

JOHNSTOWN FARMS FILING NO. 3, AMENDMENT NO. 1
A PORTION OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 4 NORTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
TOWN OF JOHNSTOWN, COUNTY OF WELD, STATE OF COLORADO.
90.563 ACRES – 241 LOTS – 7 TRACTS

CERTIFICATE OF DEDICATION

KNOW ALL PERSONS BY THESE PRESENTS THAT TF JOHNSTOWN FARMS, L.P. A DELAWARE LIMITED PARTNERSHIP, CENTURY LAND HOLDINGS, LLC, A COLORADO LIMITED LIABILITY COMPANY, LENNAR COLORADO, LLC, A COLORADO LIMITED LIABILITY COMPANY, AND THE TOWN OF JOHNSTOWN, BEING THE OWNERS OF THE FOLLOWING DESCRIBED PROPERTY:

BEING ALL OF JOHNSTOWN FARMS FILING NO. 3, RECORDED UNDER RECEPTION NO. 4568150, IN THE RECORDS OF THE WELD COUNTY, COLORADO CLERK AND RECORDER'S OFFICE, SITUATED IN THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 4 NORTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF JOHNSTOWN, COUNTY OF WELD, STATE OF COLORADO,

CONTAINING AN AREA OF 90.564 ACRES, (3,944,961 SQUARE FEET), MORE OR LESS, TOGETHER WITH AND SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY EXISTING AND/OR OF PUBLIC RECORD, SUBJECT TO APPROVAL BY THE BOARD OF TRUSTEES OF THE TOWN OF JOHNSTOWN, COUNTY OF WELD, STATE OF COLORADO.

DO HEREBY SUBDIVIDE THE SAME INTO THE LOTS, BLOCKS, TRACTS, RIGHTS-OF WAY AND EASEMENTS AS SHOWN ON THIS MAP AND DO HEREBY DESIGNATE AND DEDICATE ALL RIGHTS-OF-WAYS AND EASEMENTS AND TRACT A TO THE TOWN OF JOHNSTOWN, UNLESS OTHERWISE NOTED.

OWNER SIGNATURE

OWNER: TF JOHNSTOWN FARMS, L.P., A DELAWARE LIMITED PARTNERSHIP
BY: TF HOLDINGS GP, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY, ITS GENERAL PARTNER

BY: _____
CRAIG CAMPBELL, AUTHORIZED SIGNATORY

STATE OF COLORADO }
COUNTY OF WELD } SS.

THE FOREGOING CERTIFICATE OF OWNERSHIP WAS ACKNOWLEDGED BEFORE ME BY CRAIG CAMPBELL, AS AUTHORIZED SIGNATORY OF TF HOLDINGS GP, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY, AS GENERAL PARTNER OF TF JOHNSTOWN FARMS, L.P., A DELAWARE LIMITED PARTNERSHIP.

THIS ____ DAY OF _____, 20____,

WITNESS MY HAND AND SEAL:

MY COMMISSION EXPIRES _____

NOTARY PUBLIC _____

OWNER SIGNATURE

OWNER: CENTURY LAND HOLDINGS, LLC, A COLORADO LIMITED LIABILITY COMPANY

BY: _____
BRIAN MULQUEEN, AUTHORIZED SIGNATORY

STATE OF COLORADO }
COUNTY OF WELD } SS.

THE FOREGOING CERTIFICATE OF OWNERSHIP WAS ACKNOWLEDGED BEFORE ME BY _____, AS AUTHORIZED SIGNATORY OF CENTURY LAND HOLDINGS, L.L.C., A COLORADO LIMITED LIABILITY COMPANY.

THIS ____ DAY OF _____, 20____,

WITNESS MY HAND AND SEAL:

MY COMMISSION EXPIRES _____

NOTARY PUBLIC _____

OWNER SIGNATURE

OWNER: LENNAR COLORADO, LLC, A COLORADO LIMITED LIABILITY COMPANY

BY: _____
AUTHORIZED SIGNATORY

STATE OF COLORADO }
COUNTY OF WELD } SS.

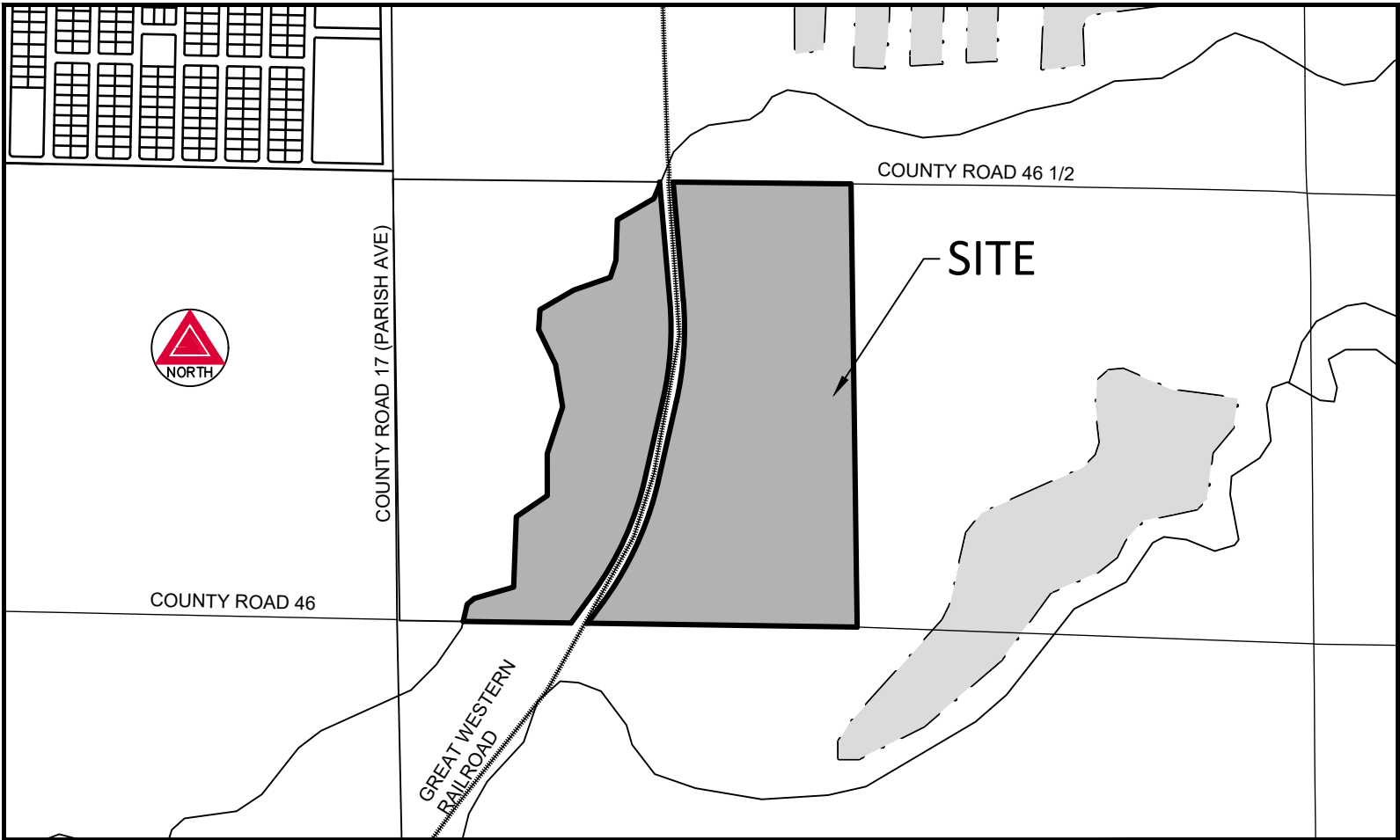
THE FOREGOING CERTIFICATE OF OWNERSHIP WAS ACKNOWLEDGED BEFORE ME BY _____ AS AUTHORIZED SIGNATORY OF LENNAR COLORADO, L.L.C., A COLORADO LIMITED LIABILITY COMPANY.

THIS ____ DAY OF _____, 20____,

WITNESS MY HAND AND SEAL:

MY COMMISSION EXPIRES _____

NOTARY PUBLIC _____



VICINITY MAP

SCALE 1" = 1000'

SHEET INDEX

SHEET 1 = COVER SHEET
SHEET 2 = OVERALL SHEET
SHEET 3-6 = LOT DETAIL SHEETS

TRACT OWNERSHIP AND USAGE

1. TRACT A IS FOR OPEN SPACE PURPOSES AND WILL BE OWNED AND MAINTAINED BY THE TOWN OF JOHNSTOWN; PROVIDED HOWEVER, JOHNSTOWN FARMS METROPOLITAN DISTRICT WILL BE RESPONSIBLE FOR MOWING AND WEED CONTROL THEREON AND IS HEREBY GRANTED AN EASEMENT OVER TRACT A FOR SUCH PURPOSES.

2. TRACTS B, C, D, E, F, AND G, ARE FOR OPEN SPACE PURPOSES AND WILL BE OWNED AND MAINTAINED BY THE HOMEOWNERS' ASSOCIATION (HOA*).

* TRACTS INDICATED FOR OWNERSHIP AND MAINTENANCE BY HOA SHALL MEAN AN OWNERS ASSOCIATION FORMED FOR THE PROPERTY SUBJECT TO THIS PLAT; HOWEVER, SUCH TRACTS MAY ALTERNATIVELY BE CONVEYED TO JOHNSTOWN FARMS METROPOLITAN DISTRICT, ITS SUCCESSORS AND ASSIGNS, FOR OWNERSHIP AND MAINTENANCE.

OWNER SIGNATURE

OWNER: TOWN OF JOHNSTOWN

BY: _____
MAYOR GARY LEBSACK

STATE OF COLORADO }
COUNTY OF WELD } SS.

THE FOREGOING CERTIFICATE OF OWNERSHIP WAS ACKNOWLEDGED BEFORE ME BY _____ AS AUTHORIZED SIGNATORY OF TOWN OF JOHNSTOWN.

THIS ____ DAY OF _____, 20____,

WITNESS MY HAND AND SEAL:

MY COMMISSION EXPIRES _____

NOTARY PUBLIC _____

DISTRICT ACCEPTANCE

THE UNDERSIGNED JOHNSTOWN FARMS EAST METROPOLITAN DISTRICT HEREBY ACKNOWLEDGES AND ACCEPTS THE GRANT OF EASEMENTS TO THE UNDERSIGNED AS DESIGNATED AND SHOWN HEREON FOR MAINTENANCE RESPONSIBILITY AS SPECIFIED HEREON.

JOHNSTOWN FARMS EAST METROPOLITAN DISTRICT, A QUASI-MUNICIPAL CORPORATION AND POLITICAL SUBDIVISION OF THE STATE OF COLORADO

BY: _____

NAME: _____

TITLE: _____

THE FOREGOING WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 20____ BY _____ AS _____ OF JOHNSTOWN FARMS EAST METROPOLITAN DISTRICT, A QUASI-MUNICIPAL CORPORATION AND POLITICAL SUBDIVISION OF THE STATE OF COLORADO.

WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC _____

MY COMMISSION EXPIRES: _____

LAND SUMMARY CHART			
TYPE	AREA (SF)	AREA (AC)	% OF TOTAL AREA
RESIDENTIAL LOTS (241)	1,779,769	40.859	45.11
TRACTS (7)	1,490,356	34.212	37.78
ROW	674,836	15.492	17.11
TOTALS	3,944,961	90.563	100.00

TITLE CERTIFICATION

THIS IS TO CERTIFY THAT ON THE ____ DAY OF _____, 20____ A.D., I EXAMINED THE TITLE TO THE PROPERTY AS DESCRIBED HEREON AND ESTABLISHED THAT THE OWNERS AND PROPRIETORS OF RECORD OF THE SAID PROPERTY AS CONSTRUED IN C.R.S. 1973, 31-23-111, ARE THE SAME AS SHOWN HEREON AS OF SAID DATE.

BY: _____ OF FIRST AMERICAN TITLE INSURANCE COMPANY

GENERAL NOTES

- PER C.R.S. 38-51-106, "ALL LINEAL UNITS DEPICTED ON THIS LAND SURVEY PLAT ARE U.S. SURVEY FEET. ONE METER EQUALS 39.37/12 U.S. SURVEY FEET, EXACTLY ACCORDING TO THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY".
- ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-508, OF THE COLORADO REVISED STATUTES.
- THE PROPERTY DESCRIBED HEREON IS THE SAME AS THE PROPERTY DESCRIBED IN FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT NO. NCS-925448-CO, WITH AN EFFECTIVE DATE OF FEBRUARY 9, 2022 AT 5:00 P.M. AND THAT ALL EASEMENTS, COVENANTS AND RESTRICTIONS REFERENCED IN SAID TITLE COMMITMENT OR APPARENT FROM A PHYSICAL INSPECTION OF THE SITE OR OTHERWISE KNOWN TO ME HAVE BEEN PLOTTED HEREON OR OTHERWISE NOTED AS TO THEIR EFFECT ON THE SUBJECT PROPERTY.
- BASIS OF BEARING: THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 4 NORTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, BEING MONUMENTED AT THE SOUTHWEST CORNER BY A NO.6 REBAR WITH A 2-1/2" ALUMINUM CAP STAMPED "P.L.S. 23513" IN MONUMENT BOX AND AT THE SOUTH QUARTER CORNER BY A NO. 6 REBAR WITH A 3-1/4" ALUMINUM CAP STAMPED "P.L.S. 7242", BEARING SOUTH 89°11'03" EAST, A DISTANCE OF 2708.10 FEET.

PROJECT COORDINATES ARE MODIFIED COLORADO STATE PLANE NORTH ZONE 83(2011) COORDINATES. PROJECT COORDINATES ARE DERIVED FROM STATE PLANE COORDINATES USING THE FOLLOWING FORMULAS:

PROJECT NORTHING = (STATE PLANE NORTHING * 1.0002693278) - 366.77'

PROJECT EASTING = (STATE PLANE EASTING * 1.0002693278) - 853.16'

- FLOOD ZONE: BASED ON A GRAPHICAL REPRESENTATION OF FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAPS (FIRM) NO. 08069C1410G WITH AN EFFECTIVE DATE OF JANUARY 15, 2021, A PORTION OF THE SUBJECT PROPERTY LIES WITHIN OTHER AREAS OF FLOOD HAZARD ZONE "X". "ZONE X" IS DEFINED AS "0.2% ANNUAL CHANCE FLOOD HAZARD, AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTH LESS THAN ONE FOOT OR WITH DRAINAGE AREAS OF LESS THAN ONE SQUARE MILE". A PORTION OF THE SUBJECT PROPERTY ALSO LIES WITHIN SPECIAL HAZARD AREAS ZONE "AE". "ZONE AE" IS DEFINED AS "WITH BFE OR DEPTH; WITH BASE FLOOD ELEVATIONS."
- PRIOR TO A SALES CONTRACT FOR ANY LOT, TRACT OR PARCEL WITHIN THIS SUBDIVISION IS EXECUTED, ALL BOUNDARIES OF SAID LOT, TRACT OR PARCEL MUST BE MONUMENTED IN ACCORDANCE WITH STATE STATUTES 12-25-2 AND 38-51-105 OF THE COLORADO REVISED STATUTES.

GENERAL NOTES CONTINUED

- THE PARCEL IMMEDIATELY EAST OF THIS PLAT IS DEVELOPED IN ACCORDANCE WITH USR-1142. AS A RECREATIONAL FACILITY FOR BIKING AND SKIING. USES INCLUDE A MOTORCYCLE COURSE. FUTURE HOME BUYERS SHOULD BE AWARE OF THE POTENTIAL FOR NOISE AND DUST CAUSED BY THIS USE.
- ADJACENT PROPERTIES TO THIS PLAT ARE USED FOR AGRICULTURAL PURPOSES, PLEASE SEE THE WELD COUNTY RIGHT TO FARM STATEMENT ON SHEET 2 OF THIS PLAT.
- MAINTENANCE DEFINITION: MAINTENANCE IS THE PROCESS OF PRESERVING CAPITAL IMPROVEMENTS, STRUCTURES, DEVELOPMENT, OR SYSTEMS TO MEET ITS FUNCTION OR ORIGINAL INTENT OF THE FACILITY. THIS IS THE PRESERVATION, CONSERVATION, KEEPING IN GOOD CONDITIONS, OPERATING SAFELY, OPERATING EFFICIENTLY, TESTING, INSPECTION, SERVICING, REPAIRING, GRADING, CLEANING, PICKING UP TRASH AND DEBRIS, PEST CONTROL, PAINTING, MOWING, PRUNING, AND PROLONGING OF THESE FACILITIES. MAINTENANCE ALSO INCLUDES THE PROVISION OF FINANCIAL SUPPORT TO MAINTAIN THE FACILITIES. FACILITIES INCLUDE BUT ARE NOT LIMITED TO: LANDSCAPING, OPEN AREAS, GRASS, SHRUBS, TREES, PLAYGROUNDS, SITE FURNITURE AND FIXTURES, RETAINING WALLS, SIGNS, SIDEWALKS, DRAINAGE STRUCTURES SUCH AS PONDS, SWALES, DRAIN PANS, INLETS, AND OUTLET STRUCTURES.
- UTILITY EASEMENTS SHALL ALSO BE GRANTED WITHIN ANY ACCESS EASEMENTS AND PRIVATE STREETS IN THE SUBDIVISION. PERMANENT STRUCTURES, IMPROVEMENTS, OBJECTS, BUILDINGS, WELLS, WATER METERS AND OTHER OBJECTS THAT MAY INTERFERE WITH THE UTILITY FACILITIES OR USE THEREOF (INTERFERING OBJECTS) SHALL NOT BE PERMITTED WITHIN SAID UTILITY EASEMENTS AND THE UTILITY PROVIDERS, AS GRANTEEES, MAY REMOVE ANY INTERFERING OBJECTS AT NO COST TO SUCH GRANTEEES, INCLUDING, WITHOUT LIMITATION, VEGETATION.
- LOTS AND TRACTS AS PLATTED HEREIN MAY BE REQUIRED TO CONVEY SURFACE DRAINAGE FROM OTHER LOTS AND TRACTS IN THIS FILING. IN ACCORDANCE WITH THE APPROVED GRADING AND DRAINAGE PLAN FOR THIS FILING. NO ALTERATIONS TO THE GRADING OF THE LOTS AND TRACTS MAY BE MADE THAT WOULD DISRUPT THE APPROVED DRAINAGE PLAN WITHOUT PRIOR APPROVAL FROM THE TOWN OF JOHNSTOWN. ALL NATURAL AND IMPROVED DRAINAGE WAYS OR DRAINAGE SYSTEMS IN SAID LOTS AND TRACTS SHALL BE MAINTAINED BY THE LOT OR TRACT OWNER IN ACCORDANCE WITH TOWN CRITERIA. SHOULD THE OWNER FAIL TO ADEQUATELY MAINTAIN SAID FACILITIES, THE TOWN OF JOHNSTOWN SHALL HAVE THE RIGHT TO ENTER SAID LAND FOR THE PURPOSES OF OPERATIONS AND MAINTENANCE OF THE DRAINAGE WAYS OR DRAINAGE SYSTEMS. ALL SUCH OPERATION AND/OR MAINTENANCE COSTS WILL BE ASSESSED TO THE PROPERTY OWNER(S).
- A RETAINING WALL EASEMENT, AS SHOWN HEREON, IS HEREBY GRANTED TO JOHNSTOWN FARMS METROPOLITAN DISTRICT, ITS SUCCESSORS AND ASSIGNS, FOR THE PURPOSES OF ACCESS, CONSTRUCTION, INSTALLATION, MAINTENANCE, REPAIR AND REPLACEMENT OF RETAINING WALLS.
- BASEMENT RESTRICTION. LOT 1, BLOCK 2 MAY BE RESTRICTED IN THE ABILITY TO SERVER A BASEMENT/LOWER LEVEL WITH GRAVITY FED SANITARY SEWER SERVICE. ADDITIONAL ENGINEERING, AND/OR PRIVATELY-OWNED AND MAINTAINED MECHANICAL LIFT PUMPS, MAY BE REQUIRED TO PERMIT ANY SANITARY SEWER SERVICE TO A LOWER LEVEL ON THIS LOT.
- THE PURPOSE OF THIS PLAT AMENDMENT WAS TO REALIGN RETAINING WALL EASEMENTS AND UTILITY EASEMENTS OVER THE ENTIRETY OF THE PLAT OF JOHNSTOWN FARMS FILING NO. 3 AS RECORDED UNDER RECEPTION NO. 4568150 IN THE RECORDS OF THE CLERK AND RECORDER'S OFFICE OF WELD COUNTY, COLORADO; NO BOUNDARY, RIGHT-OF-WAY, STREET CENTERLINES, LOT OR TRACT LINES HAVE BEEN CHANGED.

TOWN COUNCIL

THIS PLAT, TO BE KNOWN AS JOHNSTOWN FARMS FILING NO. 3, AMENDMENT NO. 1, IS APPROVED AND ACCEPTED BY THE TOWN OF JOHNSTOWN, BY RESOLUTION NUMBER _____, PASSED AND ADOPTED ON FINAL READING AT A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF JOHNSTOWN, COLORADO

HELD ON THE ____ DAY OF _____, 20____,

BY: _____
MAYOR

ATTEST: _____
TOWN CLERK

SURVEYOR'S STATEMENT

I, SHAUN D. LEE, A DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS PLAT TRULY AND CORRECTLY REPRESENTS THE RESULTS OF A FIELD SURVEY MADE ON FEBRUARY 1, 2022, BY ME OR UNDER MY DIRECT SUPERVISION AND THAT ALL MONUMENTS EXIST AS SHOWN HEREON; THAT MATHEMATICAL CLOSURE ERRORS ARE LESS THAN 1:50,000 (SECOND ORDER); AND THAT SAID PLAT HAS BEEN PREPARED IN FULL COMPLIANCE WITH ALL APPLICABLE LAWS OF THE STATE OF COLORADO DEALING WITH MONUMENTS, SUBDIVISIONS OR SURVEYING OF LAND AND ALL APPLICABLE PROVISIONS OF THE TOWN OF JOHNSTOWN. I ATTEST THE ABOVE ON THIS ____ DAY OF _____, 20____.

SHAUN D. LEE, PLS NO 38158
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 EAST MINERAL AVENUE, SUITE 1, LITTLETON, CO 80122

NOTICE: ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

NOTICE: PER THE STATE OF COLORADO BOARD OF LICENSURE FOR ARCHITECTS, PROFESSIONAL ENGINEERS, AND PROFESSIONAL LAND SURVEYORS RULE 1.6.B.2 THE WORD "CERTIFY" AS USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED. THE SURVEY REPRESENTED HEREON HAS BEEN PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE AND IS BASED UPON MY KNOWLEDGE, INFORMATION AND BELIEF.

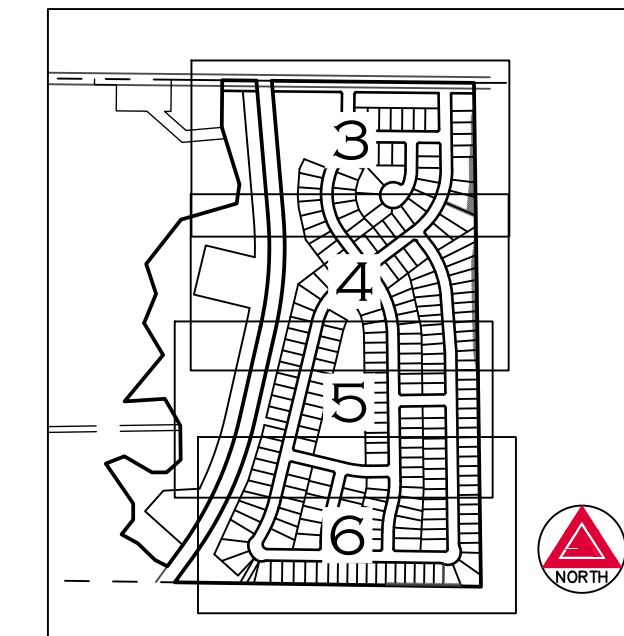
AzTec Proj. No.: 54822-02	 300 East Mineral Ave., Suite 1 Littleton, Colorado 80122 Phone: (303) 713-1898 Fax: (303) 713-1897 www.aztecconsultants.com	CLIENT REDLAND	DATE OF PREPARATION:	01-31-2022
			SCALE:	N/A
			SHEET 1 OF 6	

1500 WEST CANAL COURT
LITTLETON, COLORADO 80120

Drawn By: GLW

JOHNSTOWN FARMS FILING NO. 3, AMENDMENT NO. 1

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 4 NORTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
TOWN OF JOHNSTOWN, COUNTY OF WELD, STATE OF COLORADO.
90.563 ACRES - 241 LOTS - 7 TRACTS



KEY MAP
SCALE: 1" = 1000'

WELD COUNTY'S RIGHT TO FARM STATEMENT

WELD COUNTY IS ONE OF THE MOST PRODUCTIVE AGRICULTURAL COUNTIES IN THE UNITED STATES, RANKING FIFTH IN TOTAL MARKET VALUE OF AGRICULTURAL PRODUCTS SOLD. THE RURAL AREAS OF WELD COUNTY MAY BE OPEN AND SPACIOUS, BUT THEY ARE INTENSIVELY USED FOR AGRICULTURE. PERSONS MOVING INTO A RURAL AREA MUST RECOGNIZE AND ACCEPT THERE ARE DRAWBACKS, INCLUDING CONFLICTS WITH LONGSTANDING AGRICULTURAL PRACTICES AND A LOWER LEVEL OF SERVICES THAN IN TOWN. ALONG WITH THE DRAWBACKS COME THE INCENTIVES WHICH ATTRACT URBAN DWELLERS TO RURAL AREAS: OPEN VIEWS, SPACIOUSNESS, WILDLIFE, LACK OF CITY NOISE AND CONGESTION, AND THE RURAL ATMOSPHERE AND WAY OF LIFE. WITHOUT NEIGHBORING FARMS, THOSE FEATURES WHICH ATTRACT URBAN DWELLERS TO RURAL WELD COUNTY WOULD QUICKLY BE GONE FOREVER.

AGRICULTURAL USERS OF THE LAND SHOULD NOT BE EXPECTED TO CHANGE THEIR LONG-ESTABLISHED AGRICULTURAL PRACTICES TO ACCOMMODATE THE INTRUSIONS OF URBAN USERS INTO A RURAL AREA. WELL RUN AGRICULTURAL ACTIVITIES WILL GENERATE OFF-SITE IMPACTS, INCLUDING NOISE FROM TRACTORS AND EQUIPMENT; SLOW-MOVING FARM VEHICLES ON RURAL ROADS; DUST FROM ANIMAL PENS, FIELD WORK, HARVEST AND GRAVEL ROADS; ODOR FROM ANIMAL CONFINEMENT, SILAGE AND MANURE; SMOKE FROM DITCH BURNING, FLIES AND MOSQUITOES; HUNTING AND TRAPPING ACTIVITIES; SHOOTING SPORTS, LEGAL HAZING OF NUISANCE WILDLIFE, AND THE USE OF PESTICIDES AND FERTILIZERS IN THE FIELDS, INCLUDING THE USE OF AERIAL SPRAYING. IT IS COMMON PRACTICE FOR AGRICULTURAL PRODUCERS TO UTILIZE AN ACCUMULATION OF AGRICULTURAL MACHINERY AND SUPPLIES TO ASSIST IN THEIR AGRICULTURAL OPERATIONS. A CONCENTRATION OF MISCELLANEOUS AGRICULTURAL MATERIALS OFTEN PRODUCES A VISUAL DISPARITY BETWEEN RURAL AND URBAN AREAS OF THE COUNTY. SECTION 35-3.5-102, C.R.S., PROVIDES THAT AN AGRICULTURAL OPERATION SHALL NOT BE FOUND TO BE A PUBLIC OR PRIVATE NUISANCE IF THE AGRICULTURAL OPERATION ALLEGED TO BE A NUISANCE EMPLOYS METHODS OR PRACTICES THAT ARE COMMONLY OR REASONABLY ASSOCIATED WITH AGRICULTURAL PRODUCTION.

WATER HAS BEEN AND CONTINUES TO BE THE LIFELINE FOR THE AGRICULTURAL COMMUNITY. IT IS UNREALISTIC TO ASSUME THAT DITCHES AND RESERVOIRS MAY SIMPLY BE MOVED "OUT OF THE WAY" OF RESIDENTIAL DEVELOPMENT. WHEN MOVING TO THE COUNTY, PROPERTY OWNERS AND RESIDENTS MUST REALIZE THEY CANNOT TAKE WATER FROM IRRIGATION DITCHES, LAKES OR OTHER STRUCTURES UNLESS THEY HAVE AN ADJUDICATED RIGHT TO THE WATER.

WELD COUNTY COVERS A LAND AREA OF APPROXIMATELY FOUR THOUSAND (4,000) SQUARE MILES IN SIZE (TWICE THE SIZE OF THE STATE OF DELAWARE) WITH MORE THAN THREE THOUSAND SEVEN HUNDRED (3,700) MILES OF STATE AND COUNTY ROADS OUTSIDE OF MUNICIPALITIES. THE SHEER MAGNITUDE OF THE AREA TO BE SERVED STRETCHES AVAILABLE RESOURCES. LAW ENFORCEMENT IS BASED ON RESPONSES TO COMPLAINTS MORE THAN ON PATROLS OF THE COUNTY, AND THE DISTANCES WHICH MUST BE TRAVELED MAY DELAY ALL EMERGENCY RESPONSES, INCLUDING LAW ENFORCEMENT, AMBULANCE AND FIRE. FIRE PROTECTION IS USUALLY PROVIDED BY VOLUNTEERS WHO MUST LEAVE THEIR JOBS AND FAMILIES TO RESPOND TO EMERGENCIES. COUNTY GRAVEL ROADS, NO MATTER HOW OFTEN THEY ARE BLADED, WILL NOT PROVIDE THE SAME KIND OF SURFACE EXPECTED FROM A PAVED ROAD. SNOW REMOVAL PRIORITIES MEAN THAT ROADS FROM SUBDIVISIONS TO ARTERIALS MAY NOT BE CLEARED FOR A MAJOR SNOWSTORM. SNOW REMOVAL FOR ROADS WITHIN SUBDIVISIONS ARE OF THE LOWEST PRIORITY FOR PUBLIC WORKS OR MAY BE THE PRIVATE RESPONSIBILITY OF THE HOMEOWNERS. SERVICES IN RURAL AREAS, IN MANY CASES, WILL NOT BE EQUIVALENT TO MUNICIPAL SERVICES. RURAL DWELLERS MUST, BY NECESSITY, BE MORE SELF-SUFFICIENT THAN URBAN DWELLERS.

PEOPLE ARE EXPOSED TO DIFFERENT HAZARDS IN THE COUNTY THAN IN AN URBAN OR SUBURBAN SETTING. FARM EQUIPMENT AND OIL FIELD EQUIPMENT, PONDS AND IRRIGATION DITCHES, ELECTRICAL POWER FOR PUMPS AND CENTER PIVOT OPERATIONS, HIGH SPEED TRAFFIC, SAND BURS, PUNCTURE VINES, TERRITORIAL FARM DOGS AND LIVESTOCK AND OPEN BURNING PRESENT REAL THREATS. CONTROLLING CHILDREN'S ACTIVITIES IS IMPORTANT, NOT ONLY FOR THEIR SAFETY, BUT ALSO FOR THE PROTECTION OF THE FARMER'S LIVELIHOOD. PARENTS ARE RESPONSIBLE FOR THEIR CHILDREN. (WELD COUNTY CODE ORDINANCE 2006-2)

LEGEND

- ◆ RECOVERED P.L.S.S. CORNER STAMPED AS NOTED
- FOUND NO. 5 REBAR WITH 1-1/4" PINK PLASTIC CAP STAMPED "AZTEC LS 38158"
- SET NO. 5 REBAR WITH 1-1/4" PINK PLASTIC CAP STAMPED "AZTEC LS 38158"
- ⊕ BLOCK NUMBER (R) = RADIAL
- ⊙ OIL AND GAS WELL (NR) = NON-RADIAL
- U.E. = UTILITY EASEMENT
- FP — = FEMA FLOOD BOUNDARY - A ZONE A FIRM 08069C1410F
- FP — = PRELIMINARY REGULATORY FLOODWAY ZONE AE 08069C1410G



FOR AND ON BEHALF OF
AZTEC CONSULTANTS, INC

0' 75' 150' 300'
SCALE: 1" = 150'

SEE SHEET
6 FOR LINE
AND CURVE
TABLES

POINT OF COMMENCEMENT
PARCEL A & B, SOUTHWEST CORNER SW 1/4 SECTION 9, T4N, R67W, RECOVERED NO. 6 REBAR WITH 2-1/2" ALUMINUM CAP STAMPED "TAN R67W 1/4 SEC 9 P.L.S. 23513 2001" IN A MONUMENT BOX 0.3' DOWN

NW 1/4 SEC. 16,
T.4N., R.67W.,
6TH P.M.

SE 1/4 SEC. 9,
T.4N., R.67W.,
6TH P.M.

(UNPLATTED)
REC. NO. 2421066



300 East Mineral Ave., Suite 1
Littleton, Colorado 80122
Phone: (303) 713-1898
Fax: (303) 713-1897
www.aztecconsultants.com

CLIENT
REDLAND

1500 WEST CANAL COURT
LITTLETON, COLORADO 80120

DATE OF PREPARATION: 01-31-2022

SCALE: 1" = 150'

SHEET 2 OF 6

AzTec Proj. No.: 54822-02

Drawn By: GLW

JOHNSTOWN FARMS FILING NO. 3, AMENDMENT NO. 1

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 4 NORTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
TOWN OF JOHNSTOWN, COUNTY OF WELD, STATE OF COLORADO.
90.563 ACRES - 241 LOTS - 7 TRACTS



SEE SHEET
6 FOR LINE
AND CURVE
TABLES

LEGEND

- ## BLOCK NUMBER
- OIL AND GAS WELL
- U.E. = UTILITY EASEMENT
- FP = FLOODPLAIN
- PP = PRELIM FLOODPLAIN
- RETAINING WALL EASEMENT DEDICATED BY THIS PLAT
- UTILITY EASEMENT DEDICATED BY THIS PLAT
- (NR) = NON-RADIAL
- (R) = RADIAL

SEE SHEET 2 FOR
MONUMENT LEGEND

SEE SHEET 4

SEE SHEET 4

AzTEC
CONSULTANTS, INC.

300 East Mineral Ave., Suite 1
Littleton, Colorado 80122
Phone: (303) 713-1898
Fax: (303) 713-1897
www.aztecconsultants.com

CLIENT
REDLAND

1500 WEST CANAL COURT
LITTLETON, COLORADO 80120

DATE OF
PREPARATION:

01-31-2022

SCALE:

1" = 50'

SHEET 3 OF 6

JOHNSTOWN FARMS FILING NO. 3, AMENDMENT NO. 1

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 4 NORTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
TOWN OF JOHNSTOWN, COUNTY OF WELD, STATE OF COLORADO.
90.563 ACRES - 241 LOTS - 7 TRACTS

SEE SHEET 3

SEE SHEET 3

LEGEND

BLOCK NUMBER

⊙ OIL AND GAS WELL

U.E. = UTILITY EASEMENT

FP = FLOODPLAIN

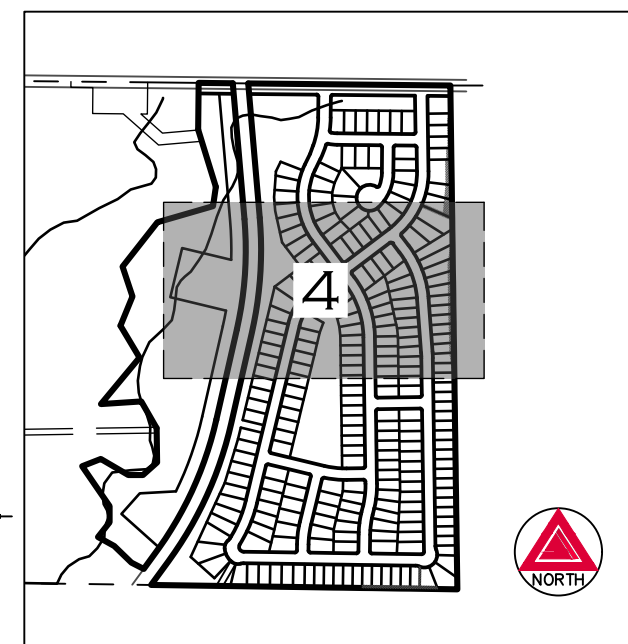
FP = PRELIM FLOODPLAIN

RETAINING WALL EASEMENT DEDICATED BY THIS PLAT

UTILITY EASEMENT DEDICATED BY THIS PLAT

(NR) = NON-RADIAL

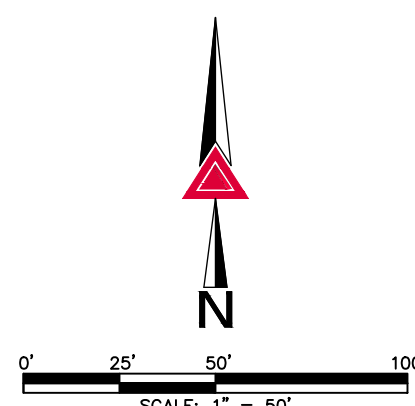
(R) = RADIAL



KEY MAP
SCALE: 1" = 1000'

(UNPLATTED)
REC. NO. 2421066

SE 1/4 SEC. 9,
T.4N., R.67W.,
6TH P.M.



SEE SHEET
6 FOR LINE
AND CURVE
TABLES

SEE SHEET 5

SEE SHEET 2 FOR
MONUMENT LEGEND

SEE SHEET 5

FOR AND ON BEHALF OF
AZTEC CONSULTANTS, INC.

AZTEC
CONSULTANTS, INC.

300 East Mineral Ave., Suite 1
Littleton, Colorado 80122
Phone: (303) 713-1898
Fax: (303) 713-1897
www.aztecconsultants.com

CLIENT
REDLAND

1500 WEST CANAL COURT
LITTLETON, COLORADO 80120

DATE OF
PREPARATION:

01-31-2022

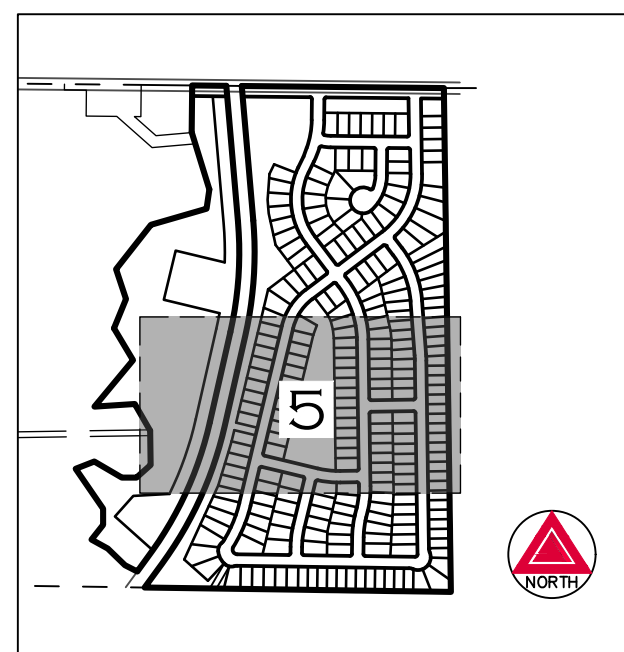
SCALE:

1" = 50'

SHEET 4 OF 6

JOHNSTOWN FARMS FILING NO. 3, AMENDMENT NO. 1

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 4 NORTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
TOWN OF JOHNSTOWN, COUNTY OF WELD, STATE OF COLORADO.
SEE SHEET 4 90.563 ACRES - 241 LOTS - 7 TRACTS



KEY MAP
SCALE: 1" = 1000'

LEGEND

- ## BLOCK NUMBER
- ⊙ OIL AND GAS WELL
- U.E. = UTILITY EASEMENT
- FP = FLOODPLAIN
- FP = PRELIM FLOODPLAIN
- RETAINING WALL EASEMENT DEDICATED BY THIS PLAT
- UTILITY EASEMENT DEDICATED BY THIS PLAT
- (NR) = NON-RADIAL
- (R) = RADIAL

TRACT A
653,935 SF
15.012 AC

SW 1/4 SEC. 9,
T.4N., R.67W.,
6TH P.M.

TRACT A
653,935 SF
15.012 AC

TRACT G
293,180 SF
6.730 AC

TRACT B
331,379 SF
7.607 AC

TRACT F
150,608 SF
3.457 AC

TRACT F
150,608 SF
3.457 AC

(UNPLATTED)
REC. NO. 2421066

SE 1/4 SEC. 9,
T.4N., R.67W.,
6TH P.M.

SEE SHEET 6

SEE SHEET 2 FOR
MONUMENT LEGEND

SEE SHEET 6

SEE SHEET 4

AZTEC
CONSULTANTS, INC.

300 East Mineral Ave., Suite 1
Littleton, Colorado 80122
Phone: (303) 713-1898
Fax: (303) 713-1897
www.aztecconsultants.com

CLIENT
REDLAND

1500 WEST CANAL COURT
LITTLETON, COLORADO 80120

DATE OF
PREPARATION:

01-31-2022

SCALE:

1" = 50'

SHEET 5 OF 6

AzTec Proj. No.: 54822-02

Drawn By: GLW

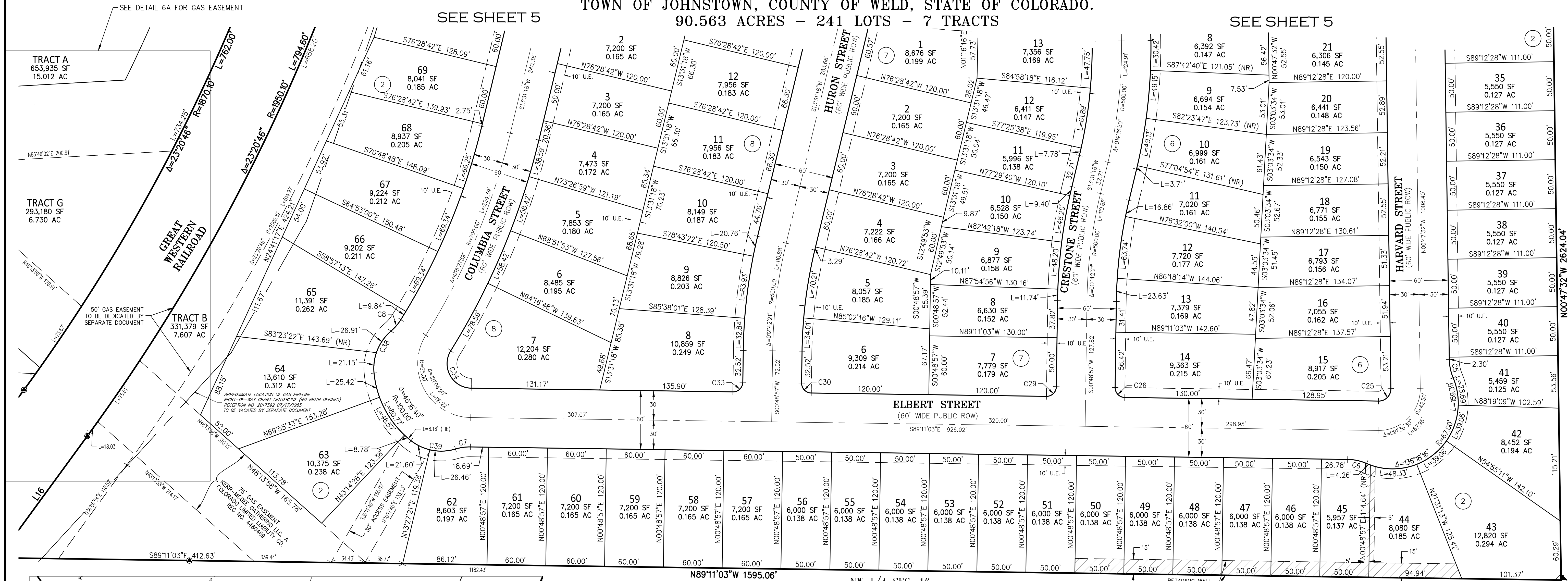
JOHNSTOWN FARMS FILING NO. 3, AMENDMENT NO. 1

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 4 NORTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
TOWN OF JOHNSTOWN, COUNTY OF WELD, STATE OF COLORADO.

90.563 ACRES - 241 LOTS - 7 TRACTS

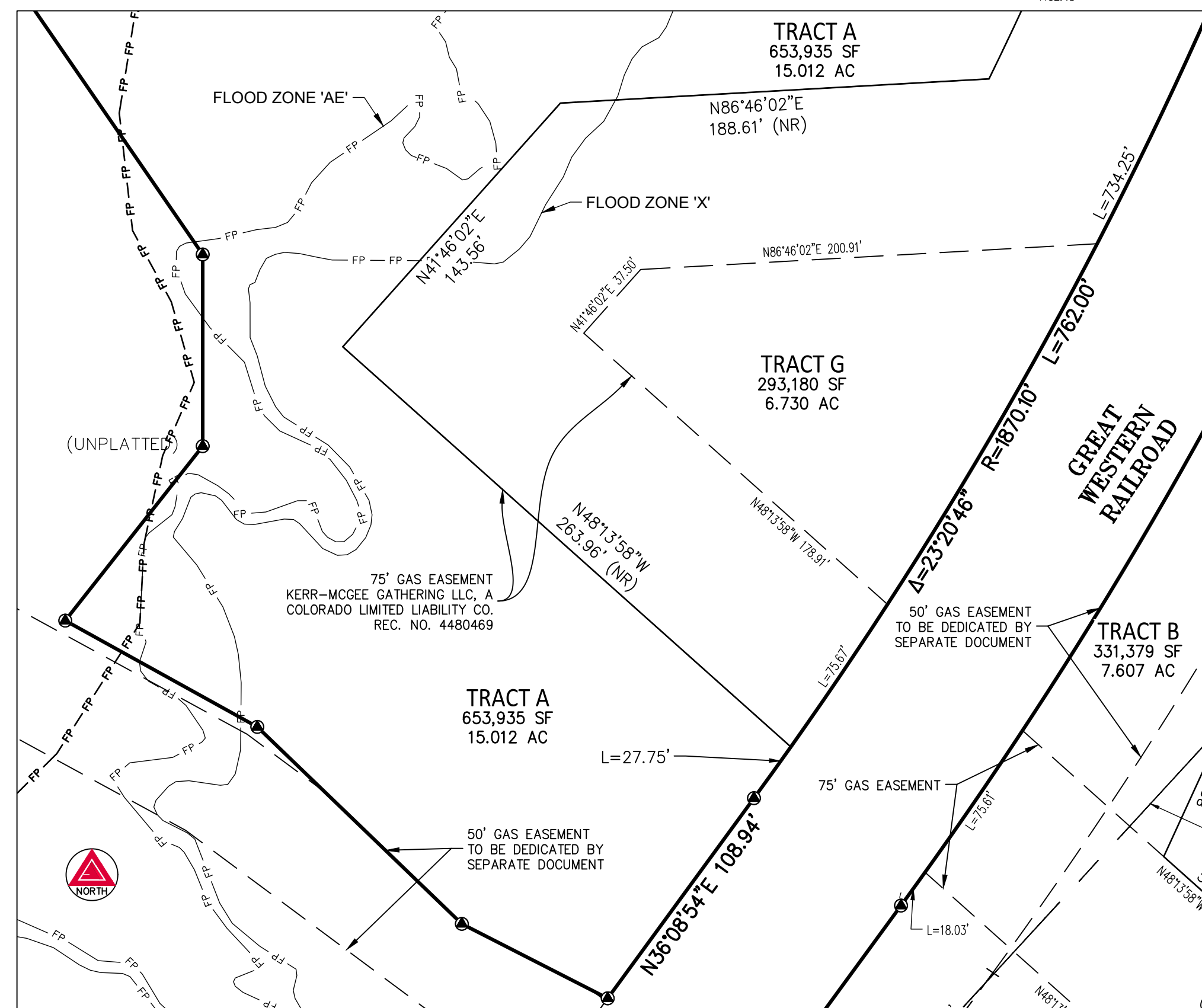
SEE SHEET 5

SEE SHEET 5

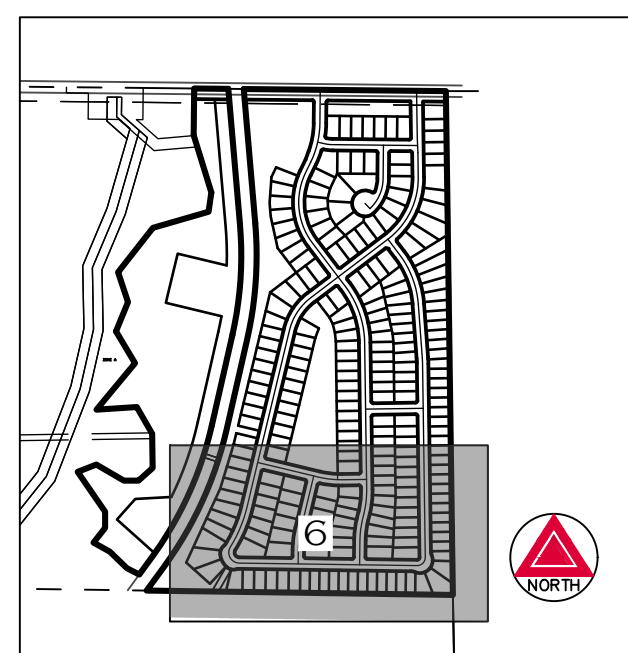


SE 1/4 SEC. 9,
T.4N., R.67W.,
6TH P.M.

(UNPLATTED)
REC. NO. 2421066



LEGEND	
##	BLOCK NUMBER
⊙	OIL AND GAS WELL
U.E.	= UTILITY EASEMENT
FP	= FLOODPLAIN
PP	= PRELIM FLOODPLAIN
	RETAINING WALL EASEMENT DEDICATED BY THIS PLAT
	UTILITY EASEMENT DEDICATED BY THIS PLAT
(NR)	= NON-RADIAL
(R)	= RADIAL



FOR AND ON BEHALF OF
AZTEC CONSULTANTS, INC.

LINE TABLE				CURVE TABLE				CURVE TABLE				CURVE TABLE				CURVE TABLE			
LINE	BEARING	LENGTH		CURVE	DELTA	RADIUS	LENGTH	CURVE	DELTA	RADIUS	LENGTH	CURVE	DELTA	RADIUS	LENGTH	CURVE	DELTA	RADIUS	LENGTH
L1	N62°56'25"W	71.96'		L11	N29°49'13"W	160.73'		C1	86°59'32"	10.00'	15.18'	C11	90°00'00"	10.00'	15.71'	C21	90°00'00"	10.00'	15.71'
L2	N46°04'50"W	124.78'		L12	N22°16'35"E	164.82'		C2	91°23'03"	10.00'	15.95'	C12	90°00'00"	10.00'	15.71'	C22	90°00'00"	10.00'	15.71'
L3	N61°02'08"W	96.44'		L13	N18°23'04"W	163.95'		C3	90°00'00"	10.00'	15.71'	C13	88°36'57"	10.00'	15.47'	C23	90°00'00"	10.00'	15.71'
L4	N38°13'50"E	97.60'		L14	N08°16'54"E	101.30'		C4	84°47'03"	10.00'	14.80'	C14	90°00'00"	10.00'	15.71'	C24	90°00'00"	10.00'	15.71'
L5	N00°00'00"E	84.23'		L15	S36°08'54"W	108.94'		C5	22°03'33"	50.00'	19.25'	C15	100°31'58"	10.00'	17.55'	C25	91°36'30"	12.50'	19.99'
L6	N68°44'13"E	104.57'		L16	N36°08'54"E	153.97'		C6	22°38'13"	50.00'	19.75'	C16	90°00'00"	10.00'	15.71'	C26	90°00'00"	10.00'	15.71'
L7	S59°40'57"E	166.01'		L17	N32°59'24"W	52.98'		C7	17°40'41"	50.00'	15.43'	C17	90°00'00"	10.00'	15.71'	C27	88°26'21"	10.00'	15.44'
L8	N90°00'00"E	75.86'		L18	N16°29'12"W	52.17'		C8	17°40'41"	50.00'	15.43'	C18	90°00'00"	10.00'	15.71'	C28	90°00'00"	10.00'	15.71'
L9	N48°25'30"E	98.93'		L19	N19°08'53"W	41.17'		C9	90°00'00"	10.00'	15.71'	C19	90°00'00"	10.00'	15.71'	C29	90°00'00"	10.00'	15.71'
L10	N00°51'35"W	178.22'		L20	N04°39'56"E	27.11'		C10	85°11'23"	10.00'	14.87'	C20	90°00'00"	10.00'	15.71'	C30	90°00'00"	10.00'	15.71'

SEE SHEET 2 FOR
MONUMENT LEGEND



Aztec
CONSULTANTS, INC.

300 East Mineral Ave., Suite 1
Littleton, Colorado 80122
Phone: (303) 713-1898
Fax: (303) 713-1897
www.aztecconsultants.com

Aztec Proj. No.: 54822-02

Drawn By: GLW

CLIENT
REDLAND

1500 WEST CANAL COURT
LITTLETON, COLORADO 80120

DATE OF
PREPARATION:

01-31-2022

SCALE:

1" = 50'

SHEET 6 OF 6



FRONT RANGE FIRE RESCUE 2021 ANNUAL REPORT

COURAGE COMPASSION PROFESSIONALISM

Mission, Vision and Values

Mission

Front Range Fire Rescue is an all-hazards emergency response and prevention agency. We are committed to providing outstanding service to our community through fire prevention, public education, fire suppression, Emergency Medical Services, and disaster management.

Vision

Members of Front Range Fire Rescue are committed to providing the highest quality service to the citizens and guests of the District. The vision that drives all members to continually strive to embrace the concept of continuous improvement and deliver the best citizen service possible is this:

To further evolve a culture and a structure that outlasts us and that meets and exceeds the District's anticipated growth. To be recognized by our citizens and external stakeholders as an outstanding public service agency. To be an "employer of choice" for our current and future members.

Values

Courage, Compassion, Professionalism

Courage

Our members are courageous servants who have sworn to protect the lives and property of the citizens we serve.

We courageously hold each other accountable for maintaining the public's trust.

Compassion

We treat the public and our fellow members empathetically and compassionately.

We care for people and do our very best to relieve their suffering. We know that for many interactions, the little things often make the most significant difference.

We honor and respect all people.

Professionalism

We are trained professionals who hold ourselves to exceptionally high standards.

Our members continually strive to be better, to innovate, to improve, and to grow as individuals and as public servants.

We do what we say we will do and follow through on our commitments.

Good Day!

On behalf of all of our members, I am honored to present the annual report to our community. 2021 was another challenging year for all of us, yet we were able to accomplish so much.

Our members continue to be the backbone of the service we provide. Whether it is emergency response, logistics, or fire prevention and public education, we strive to serve with Courage, Compassion, and Professionalism.

Highlights

- FRFR responded to over 2500 calls for service. This is an increase of over 12%, from the previous year, and we anticipate this increase to continue into 2022.
- With growth comes change, and in 2021 we hired one additional firefighter and promoted several individuals within the department. We also had one member retire.
- Significant work has begun on remodeling our Station 1 in Johnstown. Drawings have been developed with our architects, and we anticipate construction work to start in 2022.
- We placed a new Battalion Chief vehicle in service at Station 1. This vehicle meets updated standards in cancer prevention by isolating personal protective equipment from the cab. Firefighters are significantly more prone to job-related cancer due to our gear being contaminated with carcinogens from fire calls.
- We purchased and placed in service new Self-Contained Breathing Apparatus (SCBA). Through a collective effort with the Loveland Fire Rescue Authority, we saved a great deal of money for our taxpayers.
- Speaking of our taxpayers, we are proud to let you know that we anticipate paying off our previous bond in 2022. This is two years early and results in significant savings in interest payments.

There is a lot of information on the following pages. I hope you find it helpful and informative. If I can ever be of service in answering your questions, please feel free to let me know.

Sincerely,
Michael West
Fire Chief
mwest@frfr.co





**2021
Accomplishments**

NEW SCBA EQUIPMENT

Item #14.

Thanks to a cooperative agreement with Loveland Fire Rescue Authority, we were able to use our combined purchasing power to save a substantial amount of money on our purchase of brand new Self-Contained Breathing Apparatus (SCBA).

SCBAs are worn on the backs of our members at fires and other emergencies. This vital tool enables them to breathe and operate safely at scenes where smoke and toxic gases are present. Each pack consists of a facemask, backpack, straps, and a tank. The air packs made by MSA have replaced our previous air packs that have been in the fire department's inventory for well over 15 years.

Now FRFR firefighters can breathe easier knowing that they're equipped with all-new air packs.

WILDLAND 2021

FRFR's 2021 Wildland season didn't begin until late summer due to an unusually wet weather in the first half of the year. Besides sending members out of state and deploying an engine to the Marshall Fire in Boulder County, we responded to several large grass fires in the district.



Public Education/Community Outreach

Front Range Fire Rescue partners with the Hunger Heroes Backpack Program along with the Johnstown and Milliken Police Departments to deliver the bags to our local schools each week! Johnstown Community YMCA, in collaboration with the United Methodist Church of Johnstown and the Roosevelt High School Interact Club, launched the program last school year. The initiative supports our food-insecure youth in the Weld RE-5J School District. Each week, volunteers work with the Weld County Food Bank to secure enough food to provide over 100 students with the necessary nutrition for the weekend.

Volunteers organize and assemble bags of food that are delivered by your first responders to the children in our community via the schools. If you would like to learn more about this program, <https://www.weldre5j.k12.co.us/district/page/hunger-heroes>

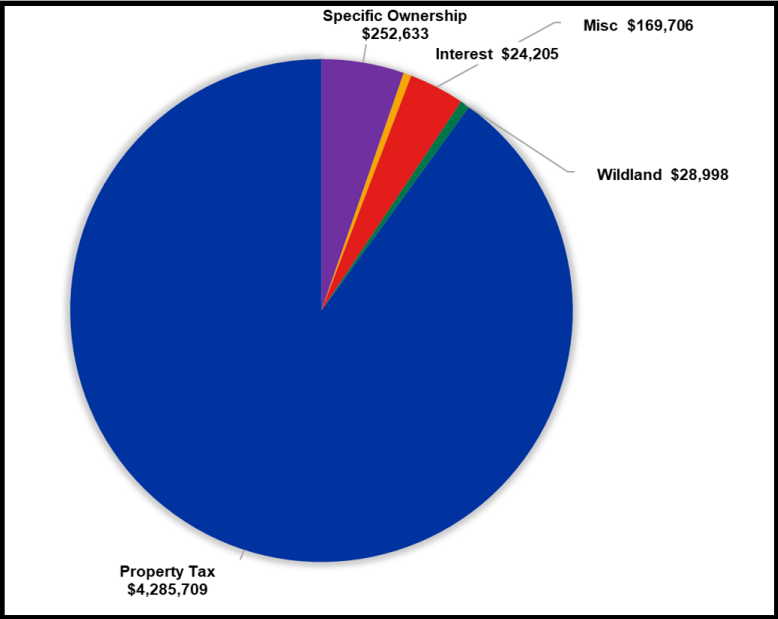
TWO RIVERS
TRAINING FACILITY

Item #14.

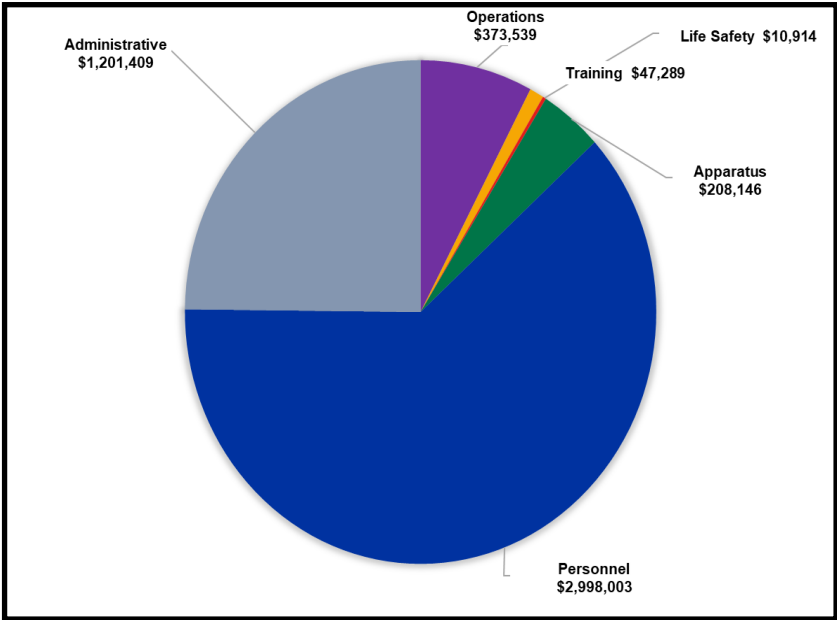


2021 REVENUE \$ 4,761,251

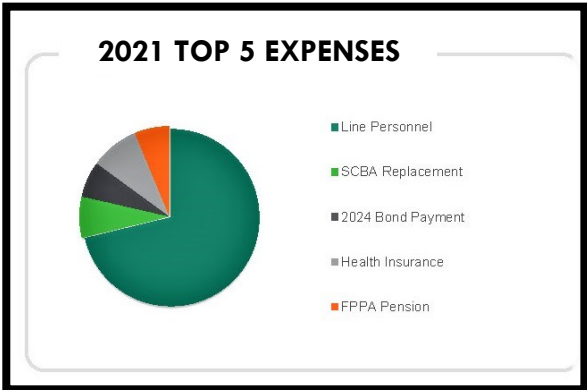
Item #14.



2021 EXPENSES \$4,839,300



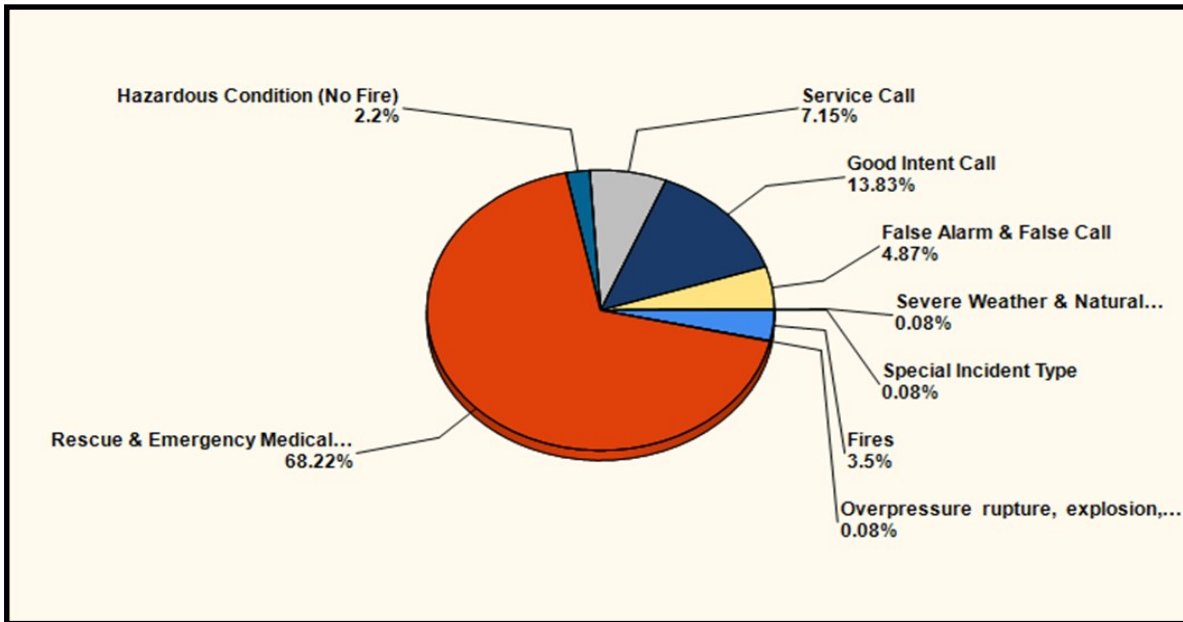
Front Range Fire Rescue Assessed Valuation Change from previous year					
	2019	2020	2021	2022	
Gas/Oil	26%	3%	-26%	4%	
Res.	3%	19%	2%	10%	
Comm.	0%	28%	1.5%	7%	
Total Change	13%	8%	-9%	7%	
*Weld County only					



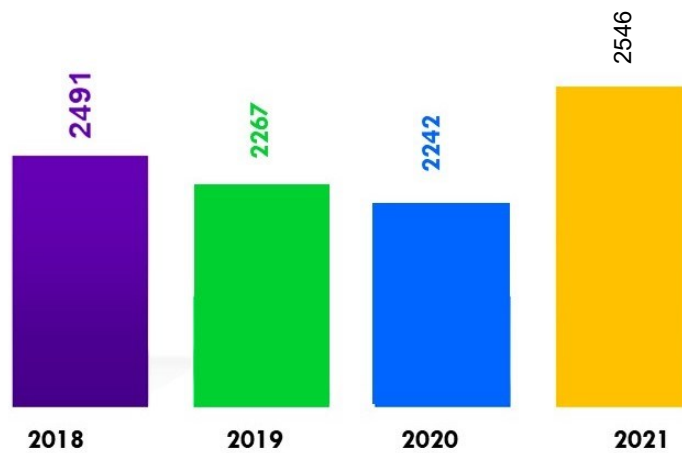


2021 INCIDENTS BY NFIRS CATEGORY

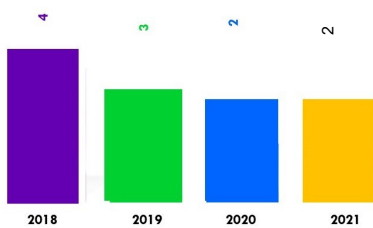
Item #14.



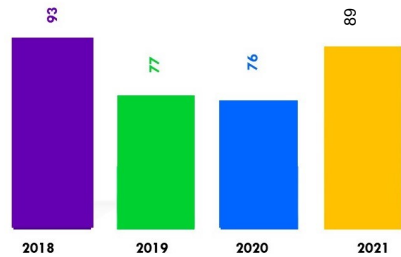
2021 TOTAL CALLS



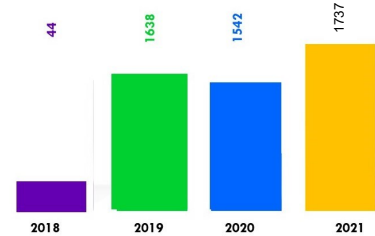
SPECIAL INCIDENT



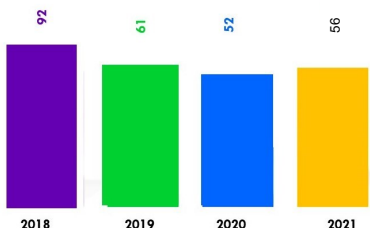
FIRES



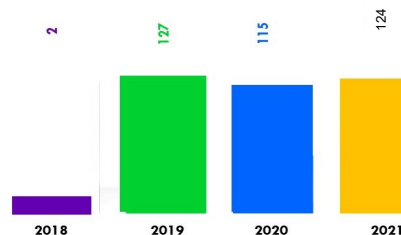
RESCUE & EMERGENCY MEDICAL SERVICE



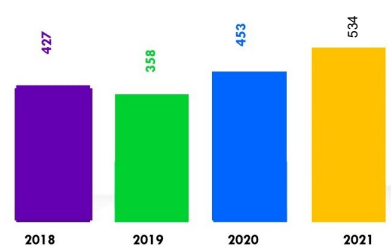
HAZARDOUS



FALSE ALARMS



SERVICE CALLS & GOOD INTENTIONS



2021 UCHealth Ambulance Calls by Hour of the Day

Item #14.

52%

TRANSPORTS
Percentage of Patient Encounters

20%

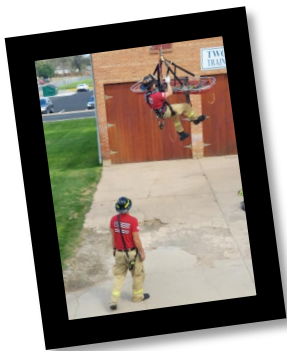
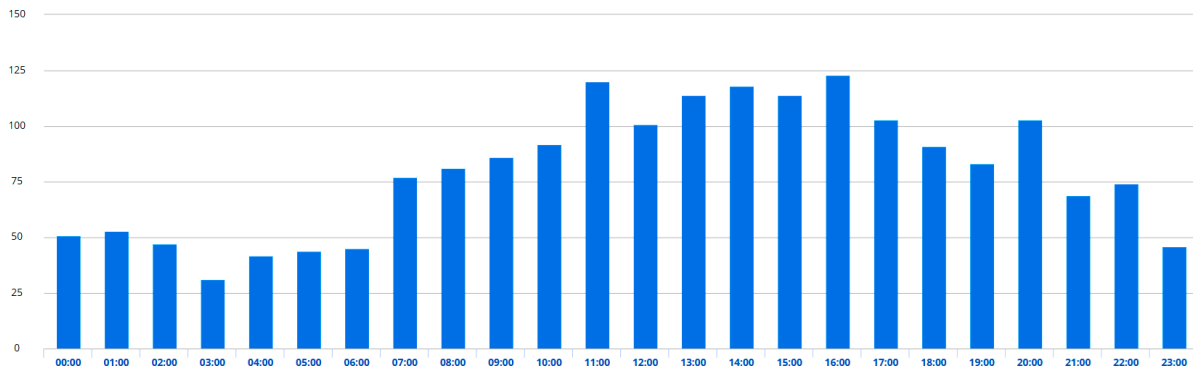
NON TRANSPORTS
Percentage of Patient Encounters

28%

OTHER DISPOSITIONS
Percentage of Patient Encounters

1,908

RECORDS
In Selected Time Slice

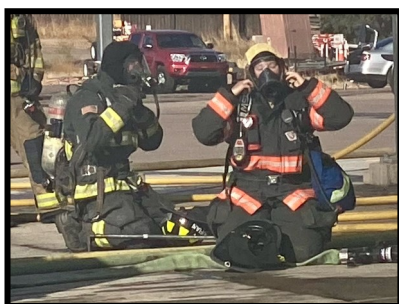


TRAINING

2021 was a busy year for our members in the way of training. Nearly 8,000 hours were logged, or about 250 per member. Besides the recruit academy and our probationary training manual for our new hires, the following topics were covered;

- Ice Rescue Training
- Officer development work and fireground command simulations
- Firefighter safety and survival
- Wellness training that included nutrition and peer support classes
- Live fire training with our automatic aid partners
- New SCBA orientation
- Driver operator training
- Hazmat training as part of our regional Hazmat Team
- Continuing education for our EMS certifications

The fire service is ever-evolving, and our members are constantly striving to hone their skills and knowledge to take care of our citizens' next emergency.



LIFE SAFETY & FIRE PREVENTION

Item #14.

WE DO FAR MORE THAN PUT OUT FIRES

	2020 Total	2021 TOTAL
Car Seat Service	26	20
Blood Pressure Checks	3	10
Station Tour/Apparatus Demo (and drive-by parades)	31	18
Education Sessions	8	14
Other Outreach Efforts	20	13
MONTHLY COUNT	88	75
MONTHLY HOURS	118	88
INDIVIDUAL CONTACTS	1910	2077



		2020 YTD			2021 YTD		
INSPECTIONS	EXISTING CONSTRUCTION	#	Square Feet	Hours	#	Square Feet	Hours
	General Inspection	108	1,817,883	188.5	130	2,227,424	242
	HazMat Inspection	29	379,108	58	13	52,349	23
	Re-inspection	14	647,136	23	3	35,030	3
	Complaint & Service Call	10	145,239	26	20	372,119	34
	Pre-Plans	17	250,903	43	40	442,194	71
	NEW CONSTRUCTION	#	Square Feet	Hours	#	Square Feet	Hours
	Building Construction	16	210,534	22	14	96,435	22
	Fire Alarm System	9	139,818	11	9	69,086	17
	Fire Sprinkler System	12	245,531	18	21	143,211	43
	Kitchen Hood System	3	72,232	4	2	6,200	2
	HazMat Storage/Use	6	1,380,204	6	10	335,647	13
PLAN REVIEWS	PLAN REVIEWS	#	Square Feet	Hours	#	Square Feet	Hours
	New Developments	30	153,320,650	82	34	228,096,188	85
	Site Plans	37	54,554,330	85	68	83,012,729	167
	Building Permits	27	140,860	78	29	1,434,884	119
	Fire Alarm Systems	5	58,610	9	12	457,507	29.5
	Fire Sprinkler Systems	5	30,971	9	25	1,001,536	63
	Kitchen Hood Systems	3	6,820	12	3	8,200	9
	HazMat Storage/Use	14	2,166,165	56	16	2,187,797	51
	Special Events or Hazards	15	9,189,171	30	18	1,619,100	45



STAFFING UPDATE

Item #14.

Retirements

Lieutenant Kate Jennings

New Hires

Firefighter Lyndsey Glotfelty

Promotions

Engineer Connor Covillo

Engineer Steve Lester

Lieutenant Kurt Nakata

Lieutenant Tim Beam

Lieutenant Neil Ferrell

Congratulations to these members who have served

15 YEARS



Lieutenant Bernie Covillo

10 YEARS



Lieutenant Nate Aldersea



Lieutenant Neil Ferrell

5 YEARS



Firefighter Dustin Easley



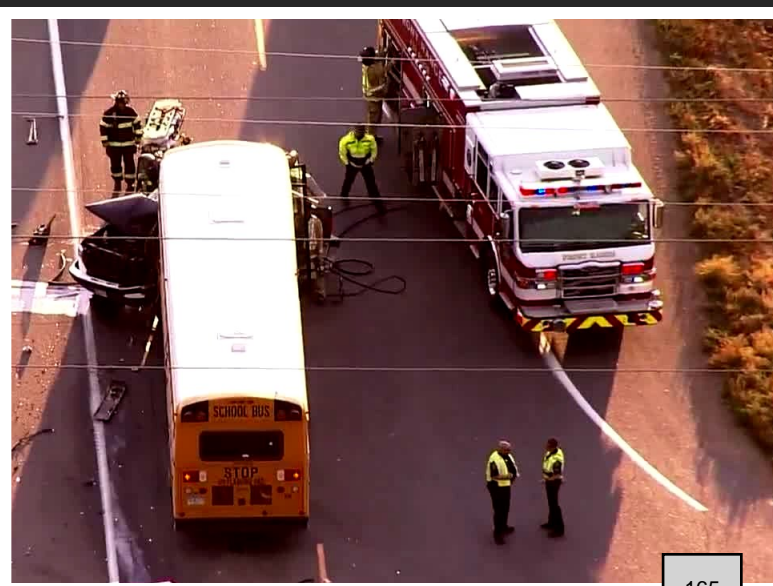
Firefighter Adam Nieto



Firefighter Zach Rodriguez



- ⇒ **Purchasing new Thermal Imaging Cameras**
- ⇒ **Evaluating more joint purchase options with our surrounding agencies**
- ⇒ **Hiring several new firefighters. We will be recruiting both lateral and entry level firefighters to begin in the spring of 2022.**
- ⇒ **Reinstating the Deputy Chief of Operations position**
- ⇒ **Beginning the remodel of Station 1 in Johnstown**
- ⇒ **Looking for property for a Training Center and Station 5 near Highway 60 and I-25**
- ⇒ **Holding our Pancake Breakfasts after the pandemic caused us to postpone them. In 2022, we plan to have our Pancake breakfasts in June and August, coordinating with BBQ Day in Johnstown and Beef n' Bean Day in Milliken.**
- ⇒ **Updating our District's Emergency Plan with the collaboration of Johnstown and Milliken.**





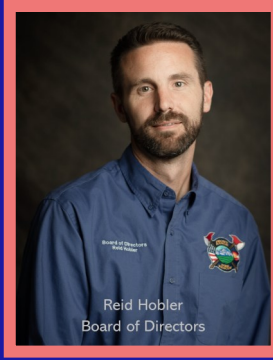
Darrin Rutt
Board of Directors

PRESIDENT



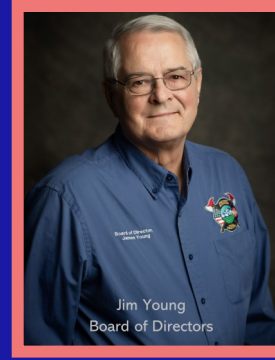
Blair Howe
Board of Directors

VICE PRESIDENT



Reid Hobler
Board of Directors

TREASURER



Jim Young
Board of Directors

SECRETARY



Greg Freehling
Board of Directors

DIRECTOR AT LARGE

THE PUBLIC IS WELCOME TO ATTEND ALL REGULARLY SCHEDULED BOARD MEETINGS, HELD ON THE SECOND TUESDAY EVENING OF THE MONTH AT 6:00 PM. FOR MORE INFORMATION PLEASE GO TO OUR WEBSITE WWW.FRFR.CO

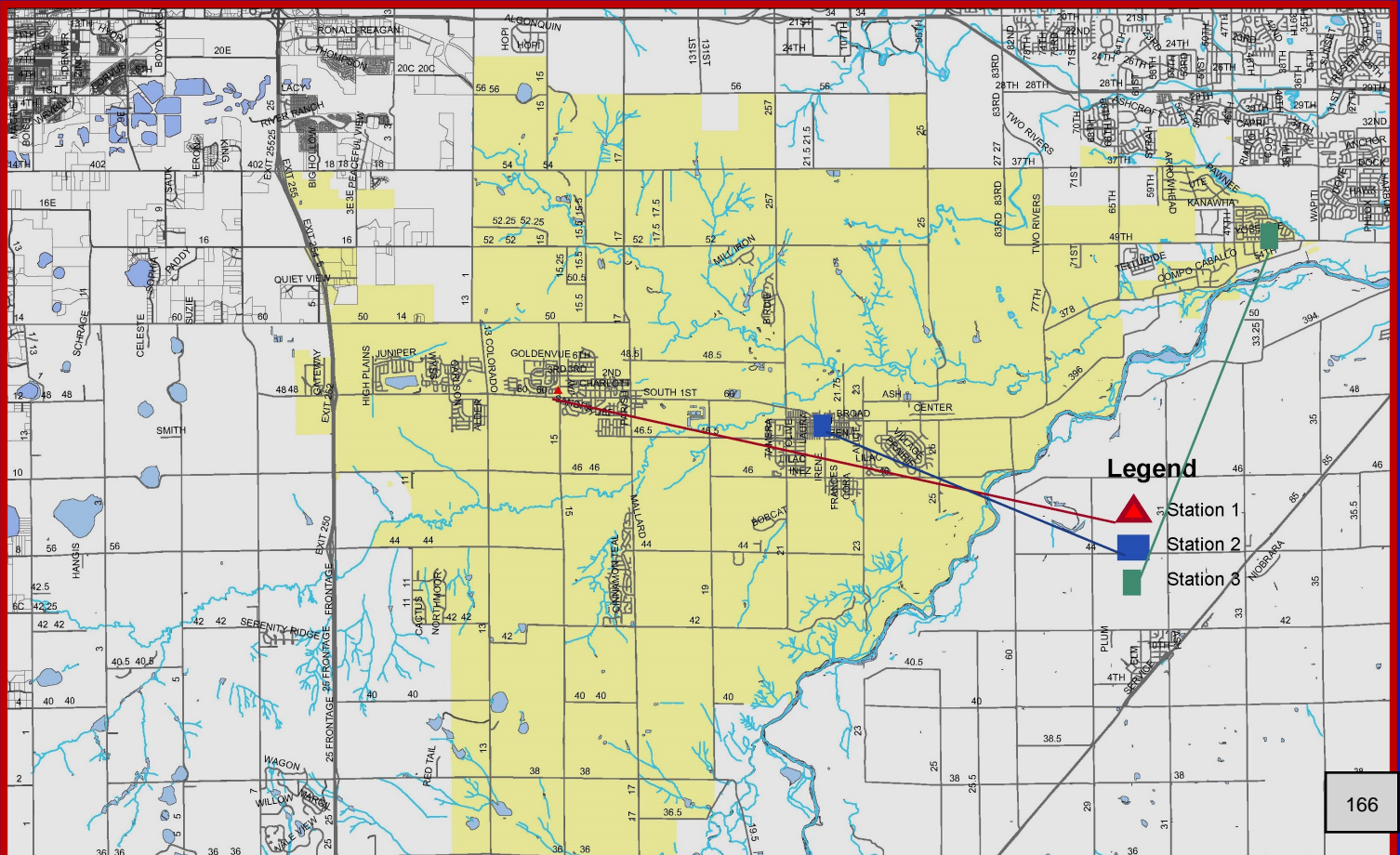
CONTACT INFORMATION

970.587.4464
INFO@FRFR.CO

FOLLOW US ON



FRONT RANGE FIRE RESCUE



**YMCA of Northern Colorado
Johnstown Community YMCA
Summary Operating Statement
Month Ending December 31, 2021**

Revenue	Preschool		Operations		Consolidated	
	Month	YTD	Month	YTD	Month	YTD
Financial Assistance	(7,123)	(53,528)	(971)	(9,361)	(8,094)	(62,889)
Contracts & Grants	3,266	26,128	825	4,008	4,091	30,136
Preschool Fees	58,961	533,865	-	-	58,961	533,865
Membership	-	-	97,053	994,136	97,053	994,136
Health & Wellness	-	-	25	142,904	25	142,904
Childwatch Fees	-	-	-	24	-	24
Merchandise Sales	-	-	-	814	-	814
Other Income	-	-	3,454	25,389	3,454	25,389
Total Revenue	55,104	506,465	100,386	1,157,914	155,490	1,664,379
Expense						
Salaries & Wages	31,473	316,931	76,463	864,750	107,936	1,181,681
Employee Benefits	1,359	22,257	3,533	44,730	4,892	66,987
Payroll Taxes	2,744	27,034	5,418	63,807	8,162	90,841
Contract Services	-	-	552	13,115	552	13,115
Supplies	-	-	6,719	47,337	6,719	47,337
Telephone	400	1,040	1,692	19,734	2,092	20,774
Occupancy & Insurance	-	-	47,986	460,671	47,986	460,671
Equipment	-	-	680	13,792	680	13,792
Employee/Volunteer Costs	989	4,870	2,278	10,693	3,267	15,563
Program Costs	3,811	26,801	2,733	28,031	6,544	54,832
Administrative Costs	-	-	-	212	-	212
Merchandise Costs	-	-	5	11	5	11
Total Expense	40,776	398,933	148,059	1,566,883	188,835	1,965,816
Net Outcome	14,328	107,532	(47,673)	(408,969)	(33,345)	(301,437)
15.3% YMCA Administrative Fee					(28,892)	(300,770)
YMCA Investment					(62,237)	(602,207)
YMCA Cost Recovery					41,667	500,004
Cost Recovery Variance					(20,570)	(102,203)

YMCA of Boulder Valley
Operating Statement by Acct w/ Proj
 Johnstown Branch (including Prek)

Item #14.

37 - Preschool Johnstown

	Mtd Actual 12/1/2021- 12/31/2021	Ytd Actual 1/1/2021- 12/31/2021
Financial Assistance		
Financial Assistance		
0241 - YMCA Pre	(\$7,123.35)	(\$53,526.98)
Total Financial Assistance	\$7,123.35	\$53,526.98
	\$7,123.35	\$53,526.98
Contracts & Grants		
Foundation Grants		
0241 - YMCA Pre	\$3,266.25	\$26,130.00
Total Foundation Grants	\$3,266.25	\$26,130.00
	\$3,266.25	\$26,130.00
School Age		
School Age Third Party		
0241 - YMCA Pre	\$3,149.59	\$53,634.89
Total School Age Third Party	\$3,149.59	\$53,634.89
Preschool Fees		
0241 - YMCA Pre	\$55,811.68	\$480,229.97
Total Preschool Fees	\$55,811.68	\$480,229.97
Total School Age	\$58,961.27	\$533,864.86
Total Revenue	\$55,104.17	\$506,467.88
Salaries & Wages		
Exempt Salaries		
0090 - Dept Leadersh	\$6,140.56	\$95,731.44
Total Exempt Salaries	\$6,140.56	\$95,731.44
Non-Exempt Salaries		
0090 - Dept Leadersh	\$0.00	\$1,226.92
0241 - YMCA Pre	\$25,332.53	\$219,972.40
Total Non-Exempt Salaries	\$25,332.53	\$221,199.32
	\$31,473.09	\$316,930.76
Employee Benefits		
Employee Insurance		
0090 - Dept Leadersh	\$155.50	\$7,578.70

YMCA of Boulder Valley
Operating Statement by Acct w/ Proj
 Johnstown Branch (including Prek)

Item #14.

	Mtd Actual 12/1/2021- 12/31/2021	Ytd Actual 1/1/2021- 12/31/2021
0241 - YMCA Pre	\$657.40	\$6,760.90
Total Employee Insurance	\$812.90	\$14,339.60
Retirement Plan Premiums		
0090 - Dept Leadersh	\$546.08	\$7,095.28
0241 - YMCA Pre	\$0.00	\$822.70
Total Retirement Plan Premiums	\$546.08	\$7,917.98
	\$1,358.98	\$22,257.58
Payroll Taxes		
FICA		
0090 - Dept Leadersh	\$609.97	\$9,695.68
0241 - YMCA Pre	\$2,016.98	\$15,598.21
Total FICA	\$2,626.95	\$25,293.89
Unemployment Insurance		
0090 - Dept Leadersh	\$0.00	\$383.17
0241 - YMCA Pre	\$117.52	\$1,357.01
Total Unemployment Insurance	\$117.52	\$1,740.18
	\$2,744.47	\$27,034.07
Telephone		
Cell Phones		
0090 - Dept Leadersh	\$400.00	\$1,040.00
Total Cell Phones	\$400.00	\$1,040.00
	\$400.00	\$1,040.00
Employee/Volunteer Costs		
Training Fees		
0241 - YMCA Pre	\$106.22	\$3,117.99
Total Training Fees	\$106.22	\$3,117.99
Staff Meal Costs		
0241 - YMCA Pre	\$339.13	\$825.47
Total Staff Meal Costs	\$339.13	\$825.47
Meeting Costs		
0241 - YMCA Pre	\$0.00	\$83.39
Total Meeting Costs	\$0.00	\$83.39
Employee/Volunteer Recognition		
0241 - YMCA Pre	\$543.89	\$842.57

YMCA of Boulder Valley
Operating Statement by Acct w/ Proj
 Johnstown Branch (including Prek)

Item #14.

	Mtd Actual 12/1/2021- 12/31/2021	Ytd Actual 1/1/2021- 12/31/2021
Total Employee/Volunteer Recognition	\$543.89	\$842.57
	\$989.24	\$4,869.42
Program Costs		
Program Materials & Supplies		
0241 - YMCA Pre	\$3,106.38	\$17,966.26
Total Program Materials & Supplies	\$3,106.38	\$17,966.26
Program Food Costs		
0241 - YMCA Pre	\$555.11	\$7,291.30
0480 - Resident C	\$0.00	\$854.13
Total Program Food Costs	\$555.11	\$8,145.43
License Fees & Background Checks		
0241 - YMCA Pre	\$150.00	\$690.00
Total License Fees & Background Checks	\$150.00	\$690.00
	\$3,811.49	\$26,801.69
Total Expense	\$40,777.27	\$398,933.52
Net Outcome-Operating	\$14,326.90	\$107,534.36
Net Outcome	\$14,326.90	\$107,534.36

YMCA of Boulder Valley
Operating Statement by Acct w/ Proj
 Johnstown Branch (including Prek)

Item #14.

58 - Johnstown Operations

	Mtd Actual 12/1/2021- 12/31/2021	Ytd Actual 1/1/2021- 12/31/2021
Contributions		
General Contributions		
0090 - Dept Leadersh	\$825.00	\$2,315.00
Total	\$825.00	\$2,315.00
	\$825.00	\$2,315.00
Financial Assistance		
Financial Assistance		
0700 - Membershi	(\$94.05)	(\$1,296.10)
0707 - Mem-Residen	(\$691.97)	(\$6,363.18)
0708 - Mem-Neighbor	(\$202.80)	(\$1,225.32)
0757 - Swim lesson	\$17.50	(\$450.65)
0803 - Group Exerc	\$0.00	(\$26.25)
Total Financial Assistance	\$971.32	\$9,361.50
	\$971.32	\$9,361.50
Contracts & Grants		
Foundation Grants		
0795 - YUSA Aquat	\$0.00	\$1,693.00
Total Foundation Grants	\$0.00	\$1,693.00
	\$0.00	\$1,693.00
Membership		
Youth		
0707 - Mem-Residen	\$1,275.00	\$14,802.47
0708 - Mem-Neighbor	\$403.00	\$3,623.00
Total	\$1,678.00	\$18,425.47
Student		
0700 - Membershi	\$0.00	\$174.00
Total Student	\$0.00	\$174.00
Adult		
0700 - Membershi	\$210.00	\$2,016.67
0707 - Mem-Residen	\$8,600.31	\$88,316.13
0708 - Mem-Neighbor	\$2,976.74	\$25,782.05
Total Adult	\$11,787.05	\$116,114.85
Adult Couple		

YMCA of Boulder Valley
Operating Statement by Acct w/ Proj
 Johnstown Branch (including Prek)

Item #14.

	Mtd Actual 12/1/2021- 12/31/2021	Ytd Actual 1/1/2021- 12/31/2021
0700 - Membershi	\$122.00	\$1,912.00
0707 - Mem-Residen	\$13,604.13	\$141,006.44
0708 - Mem-Neighbor	\$4,639.33	\$42,377.11
Total Adult Couple	\$18,365.46	\$185,295.55
Family		
0700 - Membershi	\$891.00	\$8,279.19
0707 - Mem-Residen	\$43,451.20	\$457,246.31
0708 - Mem-Neighbor	\$7,269.16	\$73,630.90
Total Family	\$51,611.36	\$539,156.40
Senior		
0700 - Membershi	\$60.00	\$1,068.00
0707 - Mem-Residen	\$3,225.01	\$35,841.74
0708 - Mem-Neighbor	\$974.00	\$9,589.23
Total Senior	\$4,259.01	\$46,498.97
Staff Adult		
0700 - Membershi	\$30.00	\$60.00
Total Staff Adult	\$30.00	\$60.00
Staff Family		
0700 - Membershi	\$124.50	\$1,189.00
0707 - Mem-Residen	\$257.00	\$4,176.00
0708 - Mem-Neighbor	\$68.00	\$714.00
Total Staff Family	\$449.50	\$6,079.00
Guest Fees		
0700 - Membershi	\$5,548.50	\$45,221.50
Total Guest Fees	\$5,548.50	\$45,221.50
Silver Sneakers		
0700 - Membershi	\$2,388.00	\$26,202.00
Total Silver Sneakers	\$2,388.00	\$26,202.00
Renew Active (Optum)		
0700 - Membershi	\$936.00	\$10,908.00
Total Renew Active (Optum)	\$936.00	\$10,908.00
	\$97,052.88	\$994,135.74
Health & Wellness		
Health & Fitness		
0800 - Personal Tr	\$0.00	\$38,118.00
0803 - Group Exerc	\$75.00	\$2,652.76

YMCA of Boulder Valley
Operating Statement by Acct w/ Proj
 Johnstown Branch (including Prek)

Item #14.

	Mtd Actual 12/1/2021- 12/31/2021	Ytd Actual 1/1/2021- 12/31/2021
Total Health & Fitness	\$75.00	\$40,770.76
Aquatics		
0754 - Youth Triat	\$0.00	\$7,240.85
0757 - Swim lesson	(\$774.00)	\$45,726.90
0758 - Private & S	\$610.00	\$11,663.00
0759 - Swim Tea	\$225.00	\$18,278.00
0760 - Aquatics C	(\$111.00)	\$19,224.00
Total Aquatics	(\$50.00)	\$102,132.75
Total Health & Wellness	\$25.00	\$142,903.51
School Age		
Childwatch Fees		
0710 - Arapahoe C	\$0.00	\$24.00
Total Childwatch Fees	\$0.00	\$24.00
Total School Age	\$0.00	\$24.00
Merchandise Sales		
Merchandise Sales		
0700 - Membershi	\$0.00	\$115.00
Total Merchandise Sales	\$0.00	\$115.00
Vending Revenue		
0700 - Membershi	\$0.00	\$699.58
Total Vending Revenue	\$0.00	\$699.58
	\$0.00	\$814.58
Other Income		
Facility Fees		
0700 - Membershi	(\$677,216.64)	\$19,248.75
0750 - Lifeguard	\$1,380.00	\$2,865.00
0798 - Aqua Directo	\$325.00	\$3,275.00
Total Facility Fees	(\$675,511.64)	\$25,388.75
Total Other Income	(\$675,511.64)	\$25,388.75
Total Revenue	(\$578,580.08)	\$1,157,913.08
Salaries & Wages		
Exempt Salaries		
0057 - JTY Properti	\$0.00	\$6,181.33
0090 - Dept Leadersh	\$24,732.49	\$146,552.14

YMCA of Boulder Valley
Operating Statement by Acct w/ Proj
 Johnstown Branch (including Prek)

Item #14.

	Mtd Actual 12/1/2021- 12/31/2021	Ytd Actual 1/1/2021- 12/31/2021
0701 - Membershi	\$3,491.75	\$42,944.51
0798 - Aqua Directo	\$3,832.42	\$47,428.66
0803 - Group Exerc	\$33.42	\$33.42
0898 - H&F Directo	\$3,333.14	\$36,544.43
Total Exempt Salaries	<u>\$35,423.22</u>	<u>\$279,684.49</u>

Non-Exempt Salaries

0007 - Assoc Traini	\$273.31	\$2,920.58
0013 - Business O	\$3,210.86	\$39,895.54
0057 - JTY Properti	\$4,031.17	\$38,038.31
0090 - Dept Leadersh	\$857.13	\$7,589.67
0700 - Membershi	\$5,784.93	\$79,766.95
0701 - Membershi	\$2,474.89	\$31,676.25
0717 - CW-JTY	\$4,584.34	\$53,033.28
0750 - Lifeguard	\$13,022.78	\$157,155.28
0754 - Youth Triat	\$0.00	(\$4,629.80)
0757 - Swim lesson	\$870.86	\$15,546.60
0758 - Private & S	\$184.27	\$1,910.98
0759 - Swim Tea	\$36.03	\$740.45
0798 - Aqua Directo	(\$213.64)	\$8,013.31
0800 - Personal Tr	\$182.90	\$18,148.46
0803 - Group Exerc	\$4,767.68	\$80,355.52
0805 - Rev Gen W	(\$26.35)	\$5,851.83
0810 - Coaches-Welln	\$3,888.76	\$44,062.80
0898 - H&F Directo	(\$2,889.66)	\$4,988.62
Total Non-Exempt Salaries	<u>\$41,040.26</u>	<u>\$585,064.63</u>
	<u>\$76,463.48</u>	<u>\$864,749.12</u>

Employee Benefits

Employee Insurance

0013 - Business O	\$312.00	\$3,856.14
0057 - JTY Properti	\$512.00	\$3,585.56
0090 - Dept Leadersh	\$767.84	\$7,160.19
0701 - Membershi	\$312.00	\$4,132.63
0750 - Lifeguard	\$0.00	\$94.08
0798 - Aqua Directo	\$593.00	\$7,416.66
0898 - H&F Directo	\$0.00	\$208.17
Total Employee Insurance	<u>\$2,496.84</u>	<u>\$26,453.43</u>

Retirement Plan Premiums

0057 - JTY Properti	\$368.36	\$733.61
0090 - Dept Leadersh	\$303.69	\$10,191.53
0798 - Aqua Directo	\$350.16	\$4,778.58

YMCA of Boulder Valley
Operating Statement by Acct w/ Proj
 Johnstown Branch (including Prek)

Item #14.

	Mtd Actual 12/1/2021- 12/31/2021	Ytd Actual 1/1/2021- 12/31/2021
0898 - H&F Directo	\$13.98	\$2,573.51
Total Retirement Plan Premiums	\$1,036.19	\$18,277.23
	<u>\$3,533.03</u>	<u>\$44,730.66</u>

Payroll Taxes

FICA

0013 - Business O	\$171.86	\$2,249.95
0057 - JTY Properti	\$199.34	\$2,470.92
0090 - Dept Leadersh	\$1,938.93	\$15,279.70
0700 - Membershi	\$478.87	\$6,812.16
0701 - Membershi	\$415.27	\$5,249.93
0717 - CW-JTY	\$341.68	\$3,733.93
0750 - Lifeguard	\$1,044.83	\$11,344.20
0754 - Youth Triat	\$0.00	(\$4,629.80)
0757 - Swim lesson	\$62.90	\$1,836.54
0798 - Aqua Directo	\$107.53	\$2,695.29
0803 - Group Exerc	\$132.79	\$1,475.44
0805 - Rev Gen W	(\$2.01)	\$133.40
0810 - Coaches-Welln	\$374.11	\$7,667.87
0898 - H&F Directo	(\$77.98)	\$3,146.02
Total FICA	<u>\$5,188.12</u>	<u>\$59,465.55</u>

Unemployment Insurance

0013 - Business O	\$0.00	\$116.96
0057 - JTY Properti	\$0.00	\$79.94
0090 - Dept Leadersh	\$19.67	\$171.66
0700 - Membershi	\$33.44	\$739.57
0701 - Membershi	\$0.00	\$233.92
0717 - CW-JTY	\$33.86	\$410.11
0750 - Lifeguard	\$63.58	\$1,077.15
0757 - Swim lesson	\$7.41	\$204.91
0798 - Aqua Directo	\$0.00	\$166.24
0803 - Group Exerc	\$11.35	\$157.96
0805 - Rev Gen W	\$0.00	\$15.01
0810 - Coaches-Welln	\$35.77	\$759.41
0898 - H&F Directo	\$24.44	\$208.71
Total Unemployment Insurance	<u>\$229.52</u>	<u>\$4,341.55</u>
	<u>\$5,417.64</u>	<u>\$63,807.10</u>

Contract Services

Contract Services

0013 - Business O	\$136.97	\$606.68
-------------------	----------	----------

YMCA of Boulder Valley
Operating Statement by Acct w/ Proj
 Johnstown Branch (including Prek)

Item #14.

	Mtd Actual 12/1/2021- 12/31/2021	Ytd Actual 1/1/2021- 12/31/2021
0057 - JTY Properti	\$0.00	\$916.98
0759 - Swim Tea	\$80.00	\$11,226.40
Total Contract Services	\$216.97	\$12,750.06
Work Study		
0700 - Membershi	\$334.68	\$364.68
Total Work Study	\$334.68	\$364.68
Total Contract Services	\$551.65	\$13,114.74
Supplies		
Office Supplies		
0700 - Membershi	\$0.00	\$379.99
Total Office Supplies	\$0.00	\$379.99
Maintenance Supplies		
0013 - Business O	\$441.42	\$4,568.42
0057 - JTY Properti	\$1,965.39	\$3,713.39
0701 - Membershi	\$0.00	\$342.48
Total Maintenance Supplies	\$2,406.81	\$8,624.29
Janitorial Supplies		
0057 - JTY Properti	\$4,312.31	\$37,112.94
0700 - Membershi	\$0.00	\$976.46
Total Janitorial Supplies	\$4,312.31	\$38,089.40
Medical Supplies		
0750 - Lifeguard	\$0.00	\$243.00
Total Medical Supplies	\$0.00	\$243.00
	\$6,719.12	\$47,336.68
Telephone		
Telephone		
0057 - JTY Properti	\$1,441.37	\$16,990.59
Total Telephone	\$1,441.37	\$16,990.59
Cell Phones		
0057 - JTY Properti	\$40.00	\$554.99
0090 - Dept Leadersh	\$90.53	\$793.08
0244 - Namaqua	\$0.00	\$34.96
0701 - Membershi	\$40.00	\$480.00
0798 - Aqua Directo	\$40.00	\$480.00
0898 - H&F Directo	\$40.00	\$400.00
Total Cell Phones	\$250.53	\$2,743.03

YMCA of Boulder Valley
Operating Statement by Acct w/ Proj
 Johnstown Branch (including Prek)

Item #14.

	Mtd Actual 12/1/2021- 12/31/2021	Ytd Actual 1/1/2021- 12/31/2021
	<u>\$1,691.90</u>	<u>\$19,733.62</u>
Occupancy & Insurance		
Licenses & Permits		
0090 - Dept Leadersh	\$50.00	\$1,172.50
0803 - Group Exerc	\$297.00	\$5,909.66
Total Licenses & Permits	<u>\$347.00</u>	<u>\$7,082.16</u>
Electricity		
0057 - JTY Properti	\$10,030.00	\$126,552.39
Total Electricity	<u>\$10,030.00</u>	<u>\$126,552.39</u>
Gas		
0057 - JTY Properti	\$5,932.93	\$61,022.49
Total Gas	<u>\$5,932.93</u>	<u>\$61,022.49</u>
Water & Sewer		
0057 - JTY Properti	\$5,244.03	\$25,509.09
Total Water & Sewer	<u>\$5,244.03</u>	<u>\$25,509.09</u>
Maintenance & Repair		
0057 - JTY Properti	\$2,497.02	\$29,475.49
Total Maintenance & Repair	<u>\$2,497.02</u>	<u>\$29,475.49</u>
Fitness Repairs		
0057 - JTY Properti	\$199.21	\$199.21
Total Fitness Repairs	<u>\$199.21</u>	<u>\$199.21</u>
Pool Chemicals		
0057 - JTY Properti	\$2,961.08	\$25,386.27
Total Pool Chemicals	<u>\$2,961.08</u>	<u>\$25,386.27</u>
HVAC Repairs & P/M		
0057 - JTY Properti	\$3,022.88	\$27,576.81
Total HVAC Repairs & P/M	<u>\$3,022.88</u>	<u>\$27,576.81</u>
Trash Removal		
0057 - JTY Properti	\$0.00	\$5,408.75
Total Trash Removal	<u>\$0.00</u>	<u>\$5,408.75</u>
Snow Removal		
0057 - JTY Properti	\$0.00	\$1,500.00
Total Snow Removal	<u>\$0.00</u>	<u>\$1,500.00</u>

YMCA of Boulder Valley
Operating Statement by Acct w/ Proj
 Johnstown Branch (including Prek)

Item #14.

	Mtd Actual 12/1/2021- 12/31/2021	Ytd Actual 1/1/2021- 12/31/2021
Landscaping		
0057 - JTY Properti	\$0.00	\$6,424.59
Total Landscaping	\$0.00	\$6,424.59
Fire & Security		
<No Project>	(\$705.00)	\$0.00
0057 - JTY Properti	\$787.85	\$4,688.90
Total Fire & Security	\$82.85	\$4,688.90
Janitorial Contract		
0057 - JTY Properti	\$17,669.00	\$139,845.20
Total Janitorial Contract	\$17,669.00	\$139,845.20
	\$47,986.00	\$460,671.35
Equipment		
Equipment Rental/Lease		
0013 - Business O	\$566.36	\$6,808.28
0057 - JTY Properti	\$114.08	\$3,845.40
Total Equipment Rental/Lease	\$680.44	\$10,653.68
Equipment Maintenance		
0057 - JTY Properti	\$0.00	\$2,893.96
0750 - Lifeguard	\$0.00	\$243.00
Total Equipment Maintenance	\$0.00	\$3,136.96
	\$680.44	\$13,790.64
Employee/Volunteer Costs		
Training Fees		
0057 - JTY Properti	\$0.00	\$1,293.37
0803 - Group Exerc	\$0.00	\$100.00
Total Training Fees	\$0.00	\$1,393.37
Membership Dues Expense		
0090 - Dept Leadersh	\$0.00	\$480.00
0798 - Aqua Directo	\$0.00	\$180.00
Total Membership Dues Expense	\$0.00	\$660.00
Staff Meal Costs		
0057 - JTY Properti	\$0.00	\$211.72
Total Staff Meal Costs	\$0.00	\$211.72
Employee/Volunteer Recognition		
0057 - JTY Properti	\$0.00	\$79.61

YMCA of Boulder Valley
Operating Statement by Acct w/ Proj
 Johnstown Branch (including Prek)

Item #14.

	Mtd Actual 12/1/2021- 12/31/2021	Ytd Actual 1/1/2021- 12/31/2021
0090 - Dept Leadersh	\$2,278.28	\$8,350.45
Total Employee/Volunteer Recognition	\$2,278.28	\$8,430.06
	\$2,278.28	\$10,695.15

Program Costs

Program Materials & Supplies

0057 - JTY Properti	\$0.00	\$303.98
0090 - Dept Leadersh	(\$23.60)	\$591.35
0298 - Circles	\$0.00	\$1,603.80
0700 - Membershi	\$1,441.28	\$6,558.04
0701 - Membershi	\$377.74	\$6,083.27
0717 - CW-JTY	\$0.00	\$1,674.29
0768 - TPC (Anthe	\$0.00	\$91.00
0798 - Aqua Directo	\$0.00	\$6,234.71
0799 - Aquatics D	\$0.00	\$150.00
0803 - Group Exerc	\$0.00	\$973.05
0898 - H&F Directo	\$937.51	\$3,767.90
Total Program Materials & Supplies	\$2,732.93	\$28,031.39
	\$2,732.93	\$28,031.39

Administrative Costs

Bank Service Fees

0057 - JTY Properti	\$0.00	\$235.77
Total Bank Service Fees	\$0.00	\$235.77

Cash Over/Short

0700 - Membershi	\$0.25	(\$23.26)
Total Cash Over/Short	\$0.25	(\$23.26)
	\$0.25	\$212.51

Merchandise Costs

Sales Tax

0700 - Membershi	\$5.05	\$10.50
Total Sales Tax	\$5.05	\$10.50
	\$5.05	\$10.50

Total Expense	\$148,059.77	\$1,566,883.46
---------------	--------------	----------------

Net Outcome-Operating	(\$726,639.85)	(\$408,970.38)
-----------------------	----------------	----------------

Net Outcome	(\$726,639.85)	(\$408,970.38)
-------------	----------------	----------------

YMCA of Boulder Valley
Operating Statement by Acct w/ Proj
Johnstown Branch (including Prek)



Town of Johnstown

Building Permit Statistics

February 2022

Single Family Residential

Issued ytd 51

Commercial

*New Building Issued ytd 10

**Other Residential
(basements/alterations/additions)**

Issued ytd 6

**Other Commercial
* (tenant finish/alterations/additions)**

Issued ytd 5

Fees collected at permit issuance	Residential YTD	Commercial YTD
Construction Valuation	(\$14,535,905)	(\$101,307,002)
Building permit fees	\$125,035	\$526,363
F&F or <u>F&F Credit</u>	\$0	\$0
Paving	\$0	\$0
Water Upgrade	\$0	\$0
Water & Sewer Reimbursement	\$0	\$0
Raw Water Development Fee	\$264,211	\$293,322
Water Meter	\$25,245	\$10,456
Water Tap	\$299,091	\$324,916
Sewer Tap	\$264,048	\$836,370
Regional Sewer Development fees	\$218,500	\$275,500
Sewer Inspection Fee	\$5,100	\$500
Park	\$25,500	\$1,500
Use Tax	\$254,219	\$793,804
Larimer Use Tax	\$23,499	\$179,882
Open Space Impact Fee	\$60,174	\$289,560
Library Impact Fee	\$50,614	\$278,455
Public Facilities Impact Fee	\$79,933	\$385,320
Police Facilities Impact Fee	\$36,709	\$177,840
Transportation Facilities Impact Fee	\$139,561	\$673,455
Traffic Signal	\$0	\$0
School District Fee	(\$30,492)	N/A
TOTAL FEES (YTD)	\$1,871,439	\$5,059,151

The Community That Cares

www.TownofJohnstown.com

P: 970.587.4664 | 450 S. Parish Ave, Johnstown CO | F: 970.587.0141

Building permits issued for individual dwelling units - 1991 to (date)

Single family, duplex, 4-plex					
Year	Issued	Month avg		Year	Issued Month avg
*1961 - 90	165	0.0		2016	132 11.00
1991	2	0.17		2017	140 11.67
1992	5	0.42		2018	126 10.50
1993	7	0.75		2019	87 7.25
1994	47	3.92		2020	108 9.75
1995	106	8.83		2021	184 15.33
1996	145	12.00		2022	51 25.50
1997	143	11.92			
1998	175	14..58			
1999	145	12.08		TOTAL	5341
2000	134	11.92			
2001	152	12.67			
2002	262	21.92			
2003	284	24.17			
2004	331	27.67			
2005	375	31.33			
2006	180	15.75			
2007	160	133.42			
2008	97	8.00			
2009	89	7.42			
2010	124	10.33			
2011	184	15.34			
2012	310	25.84			
2013	378	31.50			
2014	272	22.67			
2015	162	13.50			

The Community That Cares

www.TownofJohnstown.com

P: 970.587.4664 | 450 S. Parish Ave, Johnstown CO | F: 970.587.0141