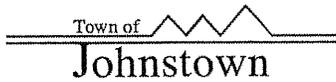


TOWN COUNCIL
MEETING
PACKET

December 18, 2017



Town Council

Agenda
Monday, December 18, 2017
Town Hall, Council Chambers
450 So. Parish Avenue
7:00 PM



MISSION STATEMENT-*"The mission of the government of the Town of Johnstown is to provide leadership based upon trust and integrity, commitment directed toward responsive service delivery, and vision for enhancing the quality of life in our community."*

Members of the audience are invited to speak at the Council meeting. Public Comment (item No. 5) 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. If you wish to speak at the Town Council meeting, please fill out a sign-up sheet and present it to the Town Clerk.

- 1) **CALL TO ORDER**
 - A) Pledge of Allegiance
- 2) **ROLL CALL**
- 3) **AGENDA APPROVAL**
- 4) **RECOGNITIONS AND PROCLAMATION**
- 5) **PUBLIC COMMENT (three-minute limit per speaker)**

*The "Consent Agenda" is a group of routine matters to be acted on with a single motion and vote. The Mayor will ask if any Council member wishes to have an item discussed or if there is public comment on those ordinances marked with an *asterisk. The Council member may then move to have the subject item removed from the Consent Agenda for discussion separately.*

- 6) **CONSENT AGENDA**
 - A) Town Council Meeting Minutes –December 4, 2017
 - B) Payment of Bills
 - C) November Financial Statements
 - D) *2nd Reading – Ordinance No. 2017-150, An Ordinance Amending Section 2-4, 2-4.1, and 2-9 of the Johnstown Municipal Code to Correlate Certain Election Procedures with Those Set Forth in the Colorado Municipal Code of 1965
- 7) **STAFF REPORTS**
- 8) **OLD BUSINESS**
- 9) **NEW BUSINESS**
 - A) *Public Hearing – Mountain View West Design Guidelines
 - B) Consider Agreement to Provide Building Department Services – ProCode, Inc.
- 10) **EXECUTIVE SESSION**
 - A) Conference with the Town Attorney Pursuant to C.R.S. Section 24-6-402(4)(b) to Discuss Water Dedicated to the Town per the Water and Sewer Service Agreement between the Town and WR Investment, LLC dated January 4, 2006
- 11) **COUNCIL REPORTS AND COMMENTS**
- 12) **MAYOR'S COMMENTS**
- 13) **ADJOURN**

WORK SESSION

- 1) Presentation- North I-25 Express Lanes: Johnstown to Fort Collins- CDOT Representatives



NOTICE OF ACCOMODATION

If you need special assistance to participate in the meeting, please contact the Town Clerk at (970) 587-4664. Notification at least 72 hours prior to the meeting will enable the Town to make reasonable arrangements to ensure accessibility to the meeting.

AGENDA ITEMS 6A-D

CONSENT

AGENDA

- **Council Minutes – December 4, 2017**
 - **Payment of Bills**
 - **November Financial Statements**
 - **Amending Municipal Code
(Election Procedures)
(*Ordinance No. 2017-150)
(*2nd Reading)**

TOWN COUNCIL AGENDA COMMUNICATION

AGENDA DATE: December 18, 2017

ITEM NUMBER: 6A-D

SUBJECT: Consent Agenda

ACTION PROPOSED: Approve Consent Agenda

PRESENTED BY: Town Clerk

AGENDA ITEM DESCRIPTION: The following items are included on the Consent Agenda, which may be approved by a single motion approving the Consent Agenda:

- A) Council Meeting Minutes – December 4, 2017
- B) Payment of Bills
- C) November Financial Statements
- D) ***2nd Reading** – Ordinance No. 2017-150, An Ordinance Amending Sections 2-4, 2-4.1 and 2-9 of the Johnstown Municipal Code to Correlate Certain Election Procedures with those set forth in the Colorado Municipal Code of 1965

LEGAL ADVICE: The entire Consent Agenda may be approved by a motion of the Town Council approving the Consent Agenda, which automatically approves each and every item listed on the Consent Agenda. If a Council member wishes to have a specific discussion on an individual item included with the Consent Agenda, they may move to remove the item from the Consent Agenda for discussion.

FINANCIAL ADVICE: N/A

RECOMMENDED ACTION: Approve Consent Agenda

SUGGESTED MOTION:

For Approval: I move to approve the Consent Agenda.

For Denial:

Reviewed:


Town Manager

**COUNCIL
MINUTES**

The Town Council of the Town of Johnstown met on Monday, December 4, 2017 at 7:00 p.m. in the Council Chambers at 450 S. Parish Avenue, Johnstown.

Mayor James led the Pledge of Allegiance.

Roll Call

Those present were: Councilmembers Davis, Lebsack, Mellon, Molinar Jr., Tallent and Young

Also present: Avi Rocklin, Town Attorney, Roy Lauricello, Town Manager, John Franklin, Town Planner, Brian Phillips, Chief of Police and Diana Seele, Town Clerk/Treasurer

Agenda Approval

Councilmember Lebsack made a motion seconded by Councilmember Young to amend the agenda to include Item 9.H. Executive Session to obtain legal advice from the Town Attorney. Motion carried with a unanimous vote.

Consent Agenda

Councilmember Mellon made a motion seconded by Councilmember Davis to approve the Consent Agenda with the following items included:

- November 20, 2017 Council Meeting Minutes
- Resolution No. 2017-11 Committing Funds for the Construction of Improvements to the Interchanges at Interstate 25 and U.S. 34 and State Highway 402.

Motion carried with a unanimous vote.

New Business

A. Resolution No. 2017-12, A Resolution Summarizing Expenditures and Revenues for Each Fund and Adopting a Budget for the Town of Johnstown, Colorado for the Calendar Year Beginning on the First Day of January, 2018 and Ending on the Last Day of December, 2018. Councilmember Mellon made a motion seconded by Councilmember Lebsack to approve Resolution 2017-12. Motion carried with a unanimous vote.

B. Resolution 2017-13, A Resolution Appropriating Sums of Money to the Various Funds and Spending Agencies in the Amounts and for the Purposes as Set Forth, for the Town of Johnstown, Colorado for the 2018 Budget Year – Councilmember Lebsack made a motion seconded by Councilmember Young to approve Resolution 2017-13. Motion carried with a unanimous vote.

C. Resolution No. 2017-14, A Resolution Levying General Property Taxes for the Year 2018, to Help Defray the Costs of Government for the Town of Johnstown, Colorado for the 2018 Budget Year – Councilmember Mellon made a motion seconded by Councilmember Davis to approve Resolution No. 2017-14. Motion carried with a unanimous vote.

D. Public Hearing – (First Reading) Ordinance No. 2017-150 – The town elections are governed by state statutes, including the Colorado Municipal Election Code of 1965, C.R.S. Section 31-10-101 (Municipal Election Code). The Colorado General Assembly recently amended the Municipal Election Code to include mail ballot provisions at C.R.S. 31-10-907 thru 31-10-913, and made corresponding revisions that correlate the timing of certain election related matters with the timing of the mail ballot procedures. This ordinance updates certain provisions to be consistent with the provisions of the Municipal Election Code.

Mayor James opened the Public Hearing at 7:13 p.m. and having no public comments closed the hearing at 7:15 p.m.

Councilmember Mellon made a motion seconded by Councilmember Tallent to approve Ordinance Number 2017-150, an Ordinance Amending Sections 2-4, 2-4.1 and 2-9 of the Johnstown Municipal Code to Correlate Certain Election Procedures with those set forth in the Colorado Municipal Code of 1965. Motion carried with a unanimous vote.

E. Water and Sewer Service Agreement – Mountain View West – the Developer submitted a Water and Sewer Demand Analysis, based upon the analysis with the proposed construction of acres of retail commercial and acres of residential with landscape irrigation, the average water demand is calculated to be 59.44 acres-feet per year for this filing. Sufficient shares of Home Supply and CBT to meet the demand will be dedicated. As part of the 2008 Settlement Agreement between the Town and Colorado Sweet Gold, LLC, the town granted the owner 20 acre-feet of water credit which has been considered in the dedication. Councilmember Lebsack made a motion seconded by Councilmember Mellon to approve the Water and Sewer Service Agreement for Mountain View West. Motion carried with a unanimous vote.

F. Public Hearing – Mountain View West Final Plat – The applicant Parish, LLC, submitted a request for approval of a final subdivision plat. The property is the development portion of the Parish LLC Annexation and zoned PUD-B. The plat encompasses approximately 62 acres.

Mayor James opened the Public Hearing at 7:26 p.m. and having no public comment closed the hearing at 7:33 p.m.

Councilmember Mellon made a motion seconded by Councilmember Lebsack to approve the Mountain View West Final Plat subject to the following Planning and Zoning conditions: 1. The Owner will need to work with the residents adjoining Molinar Street to ensure access during development, 2. The Owner will need to receive Front Range Fire Authority and Town Engineer approval of civil drawings prior to development, 3. The Town will prepare a Water and Sewer Service Agreement and the owner will dedicate water rights for in-building and irrigation for Council consideration with the final plat, 4. The Town will prepare a Public Improvements Development Agreement for Council consideration with the final plat. Motion carried with a unanimous vote.

G. Consider Subdivision Development and Improvement Agreement – Mountain View West – The Agreement requires the Developer to develop the property in accordance with the subdivision plat that was approved by Council. Councilmember Young made a motion seconded by Councilmember Mellon to approve the public improvements development agreement for Mountain View West. Motion carried with a unanimous vote.

H. Executive Session – 7:42 p.m. Councilmember Mellon made a motion seconded by Councilmember Lebsack to recess into Executive Session to obtain legal advice regarding Phyllis Davis v Town of Johnstown, Weld County District Court Case No. 2016CV31094. Mayor James reopened the meeting at 7:55 p.m. and stated no decisions were made.

There being no further business to come before the Council the meeting adjourned at 8:01 p.m.

Mayor

Town Clerk/Treasurer

**PAYMENT
OF
BILLS**

BILLS SUBMITTED FOR PAYMENT- DECEMBER 2017		
ACE HARDWARE		\$ 843.99
ACE OF BLADES		\$ 117.50
A CONCRETE INC.		\$ 11,090.00
ADAMSON POLICE PRODUCTS		\$ 117.50
BOBCAT OF THE ROCKIES		\$ 247.04
BRANDON COPELAND		\$ 786.52
BUCKEYE WELDING SUPPLY		\$ 148.05
CASELLE		\$ 686.00
CENTRAL WELD COUNTY WATER DISTRICT		\$ 586.00
CENTURY LINK		\$ 330.59
CH DIAGNOSTICS & CONSULTING SERVICES INC.		\$ 420.00
CINTAS		\$ 455.46
COLORADO ANALYTICAL		\$ 30.00
CONTRACTORS EQUIPMENT CENTER		\$ 1,386.59
COREN PRINTING		\$ 389.00
CRACKERJACK MUDJACKING INC.		\$ 425.00
DANA KEPNER COMPANY, INC.		\$ 2,034.00
DENT MASTERS		\$ 4,295.00
DENVER INDUSTRIAL SALES & SERVICE CO		\$ 4,680.00
DBC IRRIGATION SUPPLY		\$ 135.78
DPC INDUSTRIES INC.		\$ 22,588.91
ENTENMANN-ROVIN CO		\$ 224.50
ERGOMED WORK SYSTEMS		\$ 400.00
FELSBURG HOLT & ULLEVIG		\$ 450.48
FIRST CLASS SECURITY SYSTEMS		\$ 78.90
FIRST NATIONAL BANK		\$ 1,629.96
FRONTIER FERTILIZER & CHEMICAL CO.		\$ 44.98
G&K SERVICES		\$ 220.25
GALLS, LLC		\$ 2,254.98
GRAINGER		\$ 330.28
GREELEY ELECTRIC REPAIR SERVICE		\$ 1,445.53
GREYSTONE TECHNOLOGY		\$ 1,200.00
HACH COMPANY		\$ 1,142.39
HAYS MARKET		\$ 181.08
HELTON & WILLIAMSEN, P.C.		\$ 5,751.50
IMEG CORP		\$ 70.00
INERTIA AUTOMATION, INC.		\$ 1,399.26
J & S CONTRACTORS SUPPLY CO		\$ 654.00
JOHN DEERE FINANCIAL		\$ 192.04
JOHNSTOWN BREEZE		\$ 257.04
JONES EXCAVATING & PLUMBING LTD		\$ 25,310.00
KELLY SUPPLY COMPANY		\$ 119.41
KENYON P. JORDAN, PHD		\$ 225.00
KINSCO		\$ 82.98
KORF CONTINENTAL		\$ 55,076.00
LAW OFFICE OF AVI ROCKLIN		\$ 3,473.00
LAZAR, MICHAEL A.		\$ 1,200.00
LEGACY MECHANICAL, INC.		\$ 2,093.00
LOVELAND BARRICADE LLC		\$ 637.50
LOVELAND READY MIX CONCRETE		\$ 328.00
MAC EQUIPMENT		\$ 127.89
MANENTI LAWN & SPRINKLER INC.		\$ 850.00
MARIPOSA PLANTS		\$ 85.00
MCDONALD FARMS ENTERPRISES INC.		\$ 4,680.00
MILLIKEN JOHNSTOWN ELECTRIC		\$ 195.00

MOUNTAIN STATE PIPE AND SUPPLY	\$	10,959.21
NAPA AUTO PARTS	\$	319.01
NEWCO INCORPORATED	\$	421.83
NOCO ENGINEERING COMPANY	\$	2,514.60
OFFICE DEPOT	\$	129.19
O.J. WATSON EQUIPMENT COMPANY INC.	\$	27.35
PIONEER SAND & GRAVEL	\$	61.99
POUDRE VALLEY REA	\$	11,013.21
QUILL	\$	178.24
REEDESIGN CONCEPTS	\$	95.00
RHINEHART OIL	\$	6,297.71
SOUTHWEST DIRECT, INC.	\$	2,737.94
STEELOCK GENERAL FENCE CONTRACTOR	\$	850.00
SUPPLY WORKS	\$	388.24
TDS	\$	610.91
THE TREE GUYS LLC	\$	250.00
T.M. SHARPE LLC	\$	250.00
UNITED POWER	\$	749.10
UNIVERSITY OF COLORADO / MEDICAL CENTER OF THE ROCKIES	\$	141.70
U.S. POSTAL SERVICE	\$	92.00
UTILITY NOTIFICATION CENTER	\$	511.85
VERIZON WIRELESS	\$	1,838.84
WASTE MANAGEMENT	\$	53,444.32
WINDSTREAM	\$	1,714.24
WINTERS, HELLERICH & HUGHES	\$	3,280.00
WIRELESS ADVANCED COMMUNICATIONS	\$	115.30
XCEL ENERGY	\$	40,862.60
YOST CLEANING	\$	1,972.00
	\$	306,029.26

**NOVEMBER
FINANCIAL
STATEMENTS**

EXECUTIVE SUMMARY NOVEMBER 2017

92.00%

	Actual	Budget	Variance	%
GENERAL				
<u>Revenues</u>	10,553,528.00	8,115,200.00	(2,438,328.00)	130%
<u>Expenditures</u>				
Legislative	23,000.00	37,800.00	14,800.00	61%
Judicial	46,186.00	42,800.00	(3,386.00)	108%
Elections	-	10,700.00	10,700.00	0%
Administration	311,433.00	409,400.00	97,967.00	76%
Planning & Zoning	160,931.00	188,600.00	27,669.00	85%
Police	1,682,623.00	2,170,500.00	487,877.00	78%
Protective Inspections	144,450.00	197,800.00	53,350.00	73%
Streets	1,110,472.00	1,432,700.00	322,228.00	78%
Cemetery	33,636.00	44,500.00	10,864.00	76%
Animal Control	77,660.00	96,600.00	18,940.00	80%
Senior Coordinator	61,504.00	71,100.00	9,596.00	87%
Parks	44,232.00	66,900.00	22,668.00	66%
Community	136,331.00	780,400.00	644,069.00	17%
Transfers	1,356,745.00	2,057,700.00	700,955.00	66%
<u>Total Expenditures</u>	5,189,203.00	7,607,500.00	2,418,297.00	68%
Excess Revenues over Expenditures	5,364,325.00			

EXECUTIVE SUMMARY NOVEMBER 2017

92%

	<u>Actual</u>	<u>Budget</u>	<u>Variance</u>	<u>%</u>
WATER				
<u>Revenues</u>	4,548,215.00	2,442,700.00	(2,105,515.00)	186%
<u>Expenditures</u>				
Administration	135,967.00	260,100.00	124,133.00	52%
Operations	1,062,555.00	1,735,000.00	672,445.00	61%
	1,198,522.00	1,995,100.00	796,578.00	60%
Excess Revenues over Expenditures	3,349,693.00			

EXECUTIVE SUMMARY NOVEMBER 2017

92.00%

	<u>Actual</u>	<u>Budget</u>	<u>Variance</u>	<u>%</u>
WASTEWATER				
<u>Revenues</u>	1,911,256.00	1,775,000.00	(136,256.00)	108%
<u>Expenditures</u>				
Administration	166,456.00	284,100.00	117,644.00	59%
Operation	758,903.00	1,386,600.00	627,697.00	55%
	925,359.00	1,670,700.00	745,341.00	55%
Excess Revenues over Expenditures	985,897.00			

TOWN OF JOHNSTOWN
REVENUES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2017

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET		UNEARNED	PCNT
<u>TAXES</u>						
01-01-4010-00	6,812.69	4,179,379.10	3,508,400.00	(	670,979.10)	119.1
01-01-4020-00	37,230.54	321,026.99	210,000.00	(	111,026.99)	152.9
01-01-4030-00	33,300.73	394,480.23	390,000.00	(	4,480.23)	101.2
01-01-4040-00	400.72	2,353.41	4,000.00		1,646.59	58.8
01-01-4070-00	280,716.22	2,907,816.36	2,350,000.00	(	557,816.36)	123.7
01-01-4075-00	10,982.40	109,355.06	17,000.00	(	92,355.06)	643.3
01-01-4080-00	.00	220,104.76	60,000.00	(	160,104.76)	366.8
TOTAL TAXES	369,443.30	8,134,515.91	6,539,400.00	(	1,595,115.91)	124.4
<u>LICENSES & PERMITS</u>						
01-02-4110-00	229.75	3,909.29	700.00	(	3,209.29)	558.5
01-02-4120-00	1,015.00	23,729.80	11,500.00	(	12,229.80)	206.4
01-02-4130-00	37,848.96	748,166.78	280,000.00	(	468,166.78)	267.2
01-02-4140-00	122.00	2,595.00	2,300.00	(	295.00)	112.8
01-02-4150-00	25.00	814.84	200.00	(	614.84)	407.4
TOTAL LICENSES & PERMITS	39,240.71	779,215.71	294,700.00	(	484,515.71)	264.4
<u>INTERGOVERNMENTAL</u>						
01-03-4210-00	1,733.98	15,571.09	14,000.00	(	1,571.09)	111.2
01-03-4220-00	40,160.09	405,256.59	350,000.00	(	55,256.59)	115.8
01-03-4230-00	6,063.00	45,756.00	42,000.00	(	3,756.00)	108.9
01-03-4240-00	.00	116,350.66	75,000.00	(	41,350.66)	155.1
TOTAL INTERGOVERNMENTAL	47,957.07	582,934.34	481,000.00	(	101,934.34)	121.2
<u>CHARGES FOR SERVICES</u>						
01-04-4310-00	.00	29,924.85	22,000.00	(	7,924.85)	136.0
01-04-4320-00	52,926.32	560,837.26	585,000.00		24,162.74	95.9
01-04-4330-00	316.36	10,102.83	1,500.00	(	8,602.83)	673.5
01-04-4340-00	.00	1,034.00	600.00	(	434.00)	172.3
TOTAL CHARGES FOR SERVICES	53,242.68	601,898.94	609,100.00		7,201.06	98.8
<u>FINES</u>						
01-05-4315-00	10.00	(92.00)	.00		92.00	.0
01-05-4410-00	15,040.00	185,284.48	80,000.00	(	105,284.48)	231.6
01-05-4420-00	2,100.00	32,229.71	12,000.00	(	20,229.71)	268.6
TOTAL FINES	17,150.00	217,422.19	92,000.00	(	125,422.19)	236.3

TOWN OF JOHNSTOWN
REVENUES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2017

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>MISCELLANEOUS</u>					
01-06-4510-00	COMM. CENTER RENTAL FEES	535.00	17,830.22	10,000.00 (7,830.22)	178.3
01-06-4530-00	REFUND OF EXPENDITURES	.00	17,272.23	5,000.00 (12,272.23)	345.4
01-06-4570-00	SCHOOL DISTRICT	.00	24,819.85	29,000.00 4,180.15	85.6
	TOTAL MISCELLANEOUS	535.00	59,922.30	44,000.00 (15,922.30)	136.2
<u>EARNINGS ON INVESTMENTS</u>					
01-07-4610-00	EARNINGS ON INVESTMENTS	4,914.78	165,162.77	50,000.00 (115,162.77)	330.3
	TOTAL EARNINGS ON INVESTMENTS	4,914.78	165,162.77	50,000.00 (115,162.77)	330.3
<u>SOURCE 08</u>					
01-08-4530-00	DEVELOPERS COST PAYMENT	2,853.06	12,456.21	5,000.00 (7,456.21)	249.1
	TOTAL SOURCE 08	2,853.06	12,456.21	5,000.00 (7,456.21)	249.1
	TOTAL FUND REVENUE	535,336.60	10,553,528.37	8,115,200.00 (2,438,328.37)	130.1

TOWN OF JOHNSTOWN
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2017

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>LEGISLATIVE</u>					
01-10-5010-00 BOARD MEMBERS COMPENSATION	1,650.00	17,700.00	22,800.00	5,100.00	77.6
01-10-5050-00 PAYROLL TAXES	126.24	1,354.13	1,800.00	445.87	75.2
01-10-5070-00 WORKMEN'S COMPENSATION	.00	590.99	1,200.00	609.01	49.3
01-10-6511-00 TRAINING	.00	.00	3,000.00	3,000.00	.0
01-10-6522-00 INSURANCE	.00	1,000.00	1,000.00	.00	100.0
01-10-6544-03 EQUIPMENT/SOFTWARE - IPADS	89.71	955.60	2,500.00	1,544.40	38.2
01-10-8016-00 PROFESSIONAL SERVICES	.00	508.61	4,000.00	3,491.39	12.7
01-10-9028-00 COUNCIL OUTREACH	.00	891.07	1,500.00	608.93	59.4
TOTAL LEGISLATIVE	1,865.95	23,000.40	37,800.00	14,799.60	60.9
<u>JUDICIAL</u>					
01-15-5011-00 SAL-JUDGE	1,308.00	16,428.00	13,000.00	(3,428.00)	126.4
01-15-5012-00 SAL-PROS. ATT.	1,480.00	29,240.00	28,700.00	(540.00)	101.9
01-15-6505-00 OFFICE EXPENSES	.00	517.97	1,000.00	482.03	51.8
01-15-8016-00 PROFESSIONAL SERVICES	.00	.00	100.00	100.00	.0
TOTAL JUDICIAL	2,788.00	46,185.97	42,800.00	(3,385.97)	107.9
<u>ELECTIONS</u>					
01-20-6413-00 PUBLISHING	.00	.00	700.00	700.00	.0
01-20-8018-00 COORDINATED ELECTION/COUNTY	.00	.00	10,000.00	10,000.00	.0
TOTAL ELECTIONS	.00	.00	10,700.00	10,700.00	.0

TOWN OF JOHNSTOWN
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2017

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>ADMINISTRATION</u>					
01-25-5010-00 SALARIES	5,405.29	65,915.83	90,000.00	24,084.17	73.2
01-25-5010-03 OVERTIME	.00	106.85	600.00	493.15	17.8
01-25-5011-00 PART TIME OFFICE	322.56	4,620.73	13,000.00	8,379.27	35.5
01-25-5012-00 HOURLY COMMUNICATIONS STAFF	936.39	11,767.33	17,200.00	5,432.67	68.4
01-25-5015-00 CLEANING SALARIES	216.67	2,366.64	3,500.00	1,133.36	67.6
01-25-5025-00 MANAGER	4,234.64	50,704.75	55,100.00	4,395.25	92.0
01-25-5050-00 PAYROLL TAXES	561.24	9,524.49	13,500.00	3,975.51	70.6
01-25-5060-00 RETIREMENT FUND	760.38	8,857.90	12,100.00	3,242.10	73.2
01-25-5065-00 HEALTH INSURANCE	1,390.00	16,117.47	26,500.00	10,382.53	60.8
01-25-5070-00 WORKMAN'S COMPENSATION	.00	578.90	1,000.00	421.10	57.9
01-25-6010-00 UTILITIES	291.92	4,172.06	6,000.00	1,827.94	69.5
01-25-6505-00 OFFICE EXPENSE	505.63	4,016.12	7,000.00	2,983.88	57.4
01-25-6506-00 UTILITY BILL MAILING	689.91	6,791.36	8,000.00	1,208.64	84.9
01-25-6510-00 TELEPHONE	151.42	1,505.65	2,300.00	794.35	65.5
01-25-6511-00 TRAINING	.00	.00	1,100.00	1,100.00	.0
01-25-6513-00 PUBLISHING	.00	2,027.78	5,500.00	3,472.22	36.9
01-25-6515-00 DUES AND SUBSCRIPTIONS	.00	2,583.56	2,900.00	316.44	89.1
01-25-6518-00 CLEANING SUPPLIES	177.24	1,158.27	1,700.00	541.73	68.1
01-25-6520-00 MILEAGE & EXPENSES	.00	118.22	2,500.00	2,381.78	4.7
01-25-6522-00 INSURANCE & BONDS	480.75	9,780.75	15,700.00	5,919.25	62.3
01-25-6544-05 SOFTWARE	.00	158.11	2,000.00	1,841.89	7.9
01-25-6544-07 MISC. OFFICE EQPT.	.00	218.56	1,100.00	881.44	19.9
01-25-7020-00 MAINTENANCE & REPAIRS	98.16	1,470.84	3,800.00	2,329.16	38.7
01-25-8010-00 AUDIT	250.00	2,500.00	3,000.00	500.00	83.3
01-25-8012-00 COMPUTER PROFESSIONAL SERV	379.80	6,104.55	10,500.00	4,395.45	58.1
01-25-8014-00 LEGAL	2,000.00	35,150.26	38,000.00	2,849.74	92.5
01-25-8015-00 TAPING MEETINGS	270.16	5,359.36	7,000.00	1,640.64	76.6
01-25-8016-00 SALARY STUDY FEES	.00	.00	800.00	800.00	.0
01-25-8017-00 PROFESSIONAL SERVICES	38.50	238.50	2,000.00	1,761.50	11.9
01-25-8019-00 TREASURER'S FEES	73.16	57,518.64	55,000.00	(2,518.64)	104.6
01-25-9028-00 COMMUNICATIONS	.00	.00	1,000.00	1,000.00	.0
TOTAL ADMINISTRATION	19,233.82	311,433.48	409,400.00	97,966.52	76.1

TOWN OF JOHNSTOWN
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2017

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>PLANNING & ZONING</u>					
01-30-5010-00 SALARIES	9,021.16	108,080.42	117,400.00	9,319.58	92.1
01-30-5050-00 PAYROLL TAXES	677.30	8,127.14	9,000.00	872.86	90.3
01-30-5060-00 RETIREMENT FUND	833.14	9,981.66	10,900.00	918.34	91.6
01-30-5065-00 HEALTH INSURANCE	1,337.37	14,975.09	18,500.00	3,524.91	81.0
01-30-5070-00 WORKMENS COMPENSATION	.00	578.90	1,700.00	1,121.10	34.1
01-30-6010-00 UTILITIES	157.19	2,030.32	3,400.00	1,369.68	59.7
01-30-6505-00 OFFICE SUPPLIES	38.95	1,022.93	2,500.00	1,477.07	40.9
01-30-6510-00 TELEPHONE	134.17	1,334.78	1,400.00	65.22	95.3
01-30-6511-00 TRAINING	.00	.00	500.00	500.00	.0
01-30-6513-00 PUBLISH/RECORD	.00	146.34	200.00	53.66	73.2
01-30-6515-00 DUES/SUBSCRIPTIONS	.00	461.00	800.00	339.00	57.6
01-30-6520-00 MILEAGE & EXPENSES	.00	27.56	100.00	72.44	27.6
01-30-6522-00 INSURANCE AND BONDS	.00	2,500.00	2,500.00	.00	100.0
01-30-6544-04 MACHINERY AND EQPT.	.00	.00	500.00	500.00	.0
01-30-8012-00 COMPUTER PROFESSIONAL SERVICES	208.30	1,837.58	2,000.00	162.42	91.9
01-30-8014-00 LEGAL	.00	31.00	500.00	469.00	6.2
01-30-8016-00 PROFESSIONAL SERVICES	98.16	3,043.39	10,000.00	6,956.61	30.4
01-30-8017-00 NORTH FRONT RANGE MPO	.00	6,753.00	6,700.00	(53.00)	100.8
TOTAL PLANNING & ZONING	12,505.74	160,931.11	188,600.00	27,668.89	85.3

TOWN OF JOHNSTOWN
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2017

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>POLICE</u>					
01-35-5010-00 SALARIES	83,957.18	1,007,360.42	1,234,400.00	227,039.58	81.6
01-35-5010-03 OVERTIME PAY	(1,358.22)	5,730.33	15,000.00	9,269.67	38.2
01-35-5013-00 CLERICAL SALARIES	2,752.00	31,648.00	35,300.00	3,652.00	89.7
01-35-5015-00 PART-TIME SALARIES	4,142.90	43,265.09	54,000.00	10,734.91	80.1
01-35-5050-00 PAYROLL TAXES	7,139.54	81,634.81	102,500.00	20,865.19	79.6
01-35-5060-00 RETIREMENT	4,778.03	58,614.03	72,000.00	13,385.97	81.4
01-35-5065-00 HEALTH INSURANCE	18,538.27	218,775.95	330,000.00	111,224.05	66.3
01-35-5070-00 WORKMEN'S COMPENSATION	.00	27,185.57	53,600.00	26,414.43	50.7
01-35-6010-00 UTILITIES	985.63	10,400.65	16,400.00	5,999.35	63.4
01-35-6505-00 OFFICE EXPENSE	927.77	6,599.32	8,000.00	1,400.68	82.5
01-35-6510-00 TELEPHONE	573.00	6,175.70	7,500.00	1,324.30	82.3
01-35-6511-00 TRAINING	1,133.51	6,786.71	11,000.00	4,213.29	61.7
01-35-6513-00 PUBLISHING	405.75	649.25	1,500.00	850.75	43.3
01-35-6515-00 DUES AND SUBSCRIPTIONS	.00	489.25	1,200.00	710.75	40.8
01-35-6518-00 CLEANING SERVICES	963.04	8,051.49	8,100.00	48.51	99.4
01-35-6522-00 INSURANCE AND BONDS	839.75	43,737.75	50,500.00	6,762.25	86.6
01-35-6524-00 GAS AND OIL	2,224.05	20,581.29	38,000.00	17,418.71	54.2
01-35-6526-00 OPERATING SUPPLIES	.00	5,553.52	7,000.00	1,446.48	79.3
01-35-6527-00 UNIFORMS AND CLEANING	.00	4,202.39	5,000.00	797.61	84.1
01-35-6528-00 WELD COUNTY MAINT. AGREEME	.00	19,083.83	20,000.00	916.17	95.4
01-35-6544-02 COMPUTER SYSTEMS	.00	480.00	2,500.00	2,020.00	19.2
01-35-6544-04 RADAR GUNS	.00	5,017.31	5,000.00	(17.31)	100.4
01-35-6544-05 CELLULAR PHONES	.00	.00	100.00	100.00	.0
01-35-6544-06 VESTS	.00	(2,530.00)	2,500.00	5,030.00	(101.2)
01-35-6544-07 CAMERA & INVESTIGATION EQPT.	59.42	2,830.65	2,600.00	(230.65)	108.9
01-35-6544-09 SHOOTING RANGE SUPPLIES	51.12	2,563.59	3,600.00	1,036.41	71.2
01-35-6544-10 OFFICE IMPROVEMENTS	.00	755.28	4,000.00	3,244.72	18.9
01-35-6544-11 POLICE EQUIPMENT	767.14	13,924.24	12,500.00	(1,424.24)	111.4
01-35-7010-00 BLDG. REPAIR & MAINT.	.00	6,049.54	8,000.00	1,950.46	75.6
01-35-7020-00 REPAIRS AND MAINTENANCE	663.59	11,784.56	11,000.00	(784.56)	107.1
01-35-8012-00 COMP. PROFESSIONAL SERVICE	3,409.16	7,986.39	10,000.00	2,013.61	79.9
01-35-8014-00 LEGAL	.00	356.50	3,000.00	2,643.50	11.9
01-35-8016-00 PROFESSIONAL SERVICES	2,157.52	5,392.52	5,000.00	(392.52)	107.9
01-35-8017-00 JUVENILE ASSESSMENT CENTER	.00	5,340.00	5,400.00	60.00	98.9
01-35-8021-00 COMP. LINK TO RECORDS	894.41	7,803.26	10,500.00	2,696.74	74.3
01-35-9022-00 JAIL FEES	.00	241.38	1,500.00	1,258.62	16.1
01-35-9028-00 COMMUNITY SERVICES	65.64	1,416.46	2,000.00	583.54	70.8
01-35-9028-01 TASK FORCE	2,000.00	2,000.00	2,000.00	.00	100.0
01-35-9028-02 SRO (SCHOOL RESOURCE OFFICER)	.00	.00	300.00	300.00	.0
01-35-9028-03 RECORDS CONTRACT	.00	4,686.18	8,000.00	3,313.82	58.6
TOTAL POLICE	138,070.20	1,682,623.21	2,170,500.00	487,876.79	77.5

TOWN OF JOHNSTOWN
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2017

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>PROTECTIVE INSPECTIONS</u>					
01-40-5010-00 SALARIES	2,464.13	25,081.57	32,300.00	7,218.43	77.7
01-40-5010-03 OVERTIME	.00	57.76	.00	(57.76)	.0
01-40-5050-00 PAYROLL TAXES	183.86	1,880.16	2,500.00	619.84	75.2
01-40-5060-00 RETIREMENT	104.36	1,064.69	1,400.00	335.31	76.1
01-40-5065-00 HEALTH INSURANCE	472.79	4,373.24	5,200.00	826.76	84.1
01-40-5070-00 WORKMEN'S COMPENSATION	.00	588.89	1,400.00	811.11	42.1
01-40-6010-00 UTILITIES	190.85	2,381.41	3,900.00	1,518.59	61.1
01-40-6505-00 OFFICE EXPENSE	218.29	1,511.27	3,800.00	2,288.73	39.8
01-40-6510-00 TELEPHONE	134.17	1,334.77	1,600.00	265.23	83.4
01-40-6511-00 TRAINING	.00	.00	500.00	500.00	.0
01-40-6513-00 PUBLISHING	.00	.00	500.00	500.00	.0
01-40-6515-00 DUES & SUBSCRIPTIONS	.00	160.00	200.00	40.00	80.0
01-40-6518-00 CLEANING & SUPPLIES	137.11	856.22	1,000.00	143.78	85.6
01-40-6522-00 INSURANCE AND BONDS	480.75	7,379.75	8,500.00	1,120.25	86.8
01-40-6526-00 OPERATING SUPPLIES	419.00	618.99	2,000.00	1,381.01	31.0
01-40-7020-00 REPAIR & MAINTENANCE	98.16	874.98	2,000.00	1,125.02	43.8
01-40-8012-00 COMP. PROF. SERVICES	198.05	2,286.05	3,500.00	1,213.95	65.3
01-40-8014-00 LEGAL	.00	.00	500.00	500.00	.0
01-40-8016-00 PROFESSIONAL SERVICES	9,400.00	94,000.00	127,000.00	33,000.00	74.0
TOTAL PROTECTIVE INSPECTIONS	14,501.52	144,449.75	197,800.00	53,350.25	73.0

TOWN OF JOHNSTOWN
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2017

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>STREETS</u>					
01-45-5010-00 SALARIES	20,969.98	227,508.30	280,000.00	52,491.70	81.3
01-45-5010-03 OVERTIME	249.26	758.36	7,000.00	6,241.64	10.8
01-45-5015-00 PART-TIME SALARIES	.00	6,425.56	15,000.00	8,574.44	42.8
01-45-5050-00 PAYROLL TAXES	1,560.14	17,335.51	23,200.00	5,864.49	74.7
01-45-5060-00 RETIREMENT FUND	1,115.42	13,250.27	17,400.00	4,149.73	76.2
01-45-5065-00 HEALTH INSURANCE	6,046.49	59,157.03	82,000.00	22,842.97	72.1
01-45-5070-00 WORKMEN'S COMPENSATION	.00	11,819.81	19,100.00	7,280.19	61.9
01-45-6010-00 UTILITIES	352.16	5,368.74	10,000.00	4,631.26	53.7
01-45-6015-00 UTILITIES - STREET LIGHTIN	15,489.55	157,344.69	243,000.00	85,655.31	64.8
01-45-6505-00 OFFICE EXPENSE	.00	.00	600.00	600.00	.0
01-45-6510-00 TELEPHONE	393.84	3,694.82	3,300.00	(394.82)	112.0
01-45-6511-00 TRAINING	.00	718.87	1,500.00	781.13	47.9
01-45-6515-00 DUES & SUBSCRIPTIONS	.00	.00	2,000.00	2,000.00	.0
01-45-6518-00 CLEANING SUPPLIES	87.77	1,133.44	1,600.00	466.56	70.8
01-45-6522-00 INSURANCE AND BONDS	.00	28,000.00	28,000.00	.00	100.0
01-45-6524-00 GAS & OIL	360.47	12,208.35	15,500.00	3,291.65	78.8
01-45-6526-00 OPERATING SUPPLIES	385.64	3,597.68	4,500.00	902.32	80.0
01-45-6530-00 SNOW AND ICE REMOVAL	4,149.49	13,181.30	30,000.00	16,818.70	43.9
01-45-6532-00 TRASH SERVICE	52,800.68	512,214.68	592,000.00	79,785.32	86.5
01-45-6534-00 WEED CONTROL	.00	804.64	2,500.00	1,695.36	32.2
01-45-6536-00 STREET SIGNS	2,438.00	4,297.23	4,000.00	(297.23)	107.4
01-45-6544-03 EQUIPMENT	.00	.00	4,000.00	4,000.00	.0
01-45-6544-06 HOLIDAY DECORATIONS	.00	492.20	7,500.00	7,007.80	6.6
01-45-6544-07 TOOLS	393.57	1,315.04	2,500.00	1,184.96	52.6
01-45-6544-09 SAFETY EQUIPMENT	156.58	1,038.69	4,200.00	3,161.31	24.7
01-45-7020-00 REP & MAINT - EQUIP & BLDG	2,354.93	23,572.20	25,000.00	1,427.80	94.3
01-45-7030-00 REPAIR & MAINT. BLDGS.	47.40	1,783.53	3,000.00	1,216.47	59.5
01-45-8012-00 COMPUTER PROFESSIONAL SERVICES	.00	999.50	1,200.00	200.50	83.3
01-45-8016-00 PROFESSIONAL SERVICES	341.75	2,451.48	3,100.00	648.52	79.1
TOTAL STREETS	109,693.12	1,110,471.92	1,432,700.00	322,228.08	77.5

TOWN OF JOHNSTOWN
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2017

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>CEMETERY</u>					
01-50-5015-00 SALARIES	85.95	6,864.09	12,000.00	5,135.91	57.2
01-50-5050-00 PAYROLL TAXES	6.58	525.16	1,000.00	474.84	52.5
01-50-5070-00 WORKMEN'S COMPENSATION	.00	590.99	1,500.00	909.01	39.4
01-50-6513-00 PUBLISHING	.00	.00	300.00	300.00	.0
01-50-6522-00 INSURANCE	.00	2,000.00	2,100.00	100.00	95.2
01-50-6524-00 GAS & OIL	.00	1,142.79	1,800.00	657.21	63.5
01-50-6526-00 SUPPLIES	62.57	1,371.28	2,200.00	828.72	62.3
01-50-6533-00 TREE TRIMMING	.00	3,200.00	3,500.00	300.00	91.4
01-50-6534-00 FERTILIZER & WEED CONTROL	1,050.00	3,696.31	4,700.00	1,003.69	78.6
01-50-6544-03 SPINTRIMMER	.00	.00	800.00	800.00	.0
01-50-6544-05 TOOLS	.00	.00	400.00	400.00	.0
01-50-6544-06 TREES	.00	4,200.00	2,000.00	(2,200.00)	210.0
01-50-7020-00 REPAIRS AND MAINTENANCE	.00	7,682.14	8,200.00	517.86	93.7
01-50-7025-00 SPRINKLER REPAIR	.00	2,363.20	3,500.00	1,136.80	67.5
01-50-8016-00 PROFESSIONAL SERVICES	.00	.00	500.00	500.00	.0
TOTAL CEMETERY	1,205.10	33,635.96	44,500.00	10,864.04	75.6
<u>ANIMAL CONTROL</u>					
01-55-5010-00 SALARIES	3,680.00	43,759.58	47,900.00	4,140.42	91.4
01-55-5010-03 OVERTIME	.00	241.50	200.00	(41.50)	120.8
01-55-5050-00 PAYROLL TAXES	274.54	3,224.93	3,700.00	475.07	87.2
01-55-5060-00 RET BEN	155.86	1,853.37	2,100.00	246.63	88.3
01-55-5065-00 HEALTH BEN	708.81	13,553.38	19,800.00	6,246.62	68.5
01-55-5070-00 WORKMENS COMPENSATION	.00	527.83	1,800.00	1,272.17	29.3
01-55-6522-00 INSURANCE	.00	3,900.00	3,900.00	.00	100.0
01-55-6524-00 GAS AND OIL	127.65	1,472.38	2,000.00	527.62	73.6
01-55-6526-00 SUPPLIES	.00	187.23	1,200.00	1,012.77	15.6
01-55-7020-00 REPAIR & MAINTENANCE	.00	104.60	1,000.00	895.40	10.5
01-55-7030-00 WEED/NUISANCE CONTROL	.00	5,615.62	8,000.00	2,384.38	70.2
01-55-8016-00 PROFESSIONAL SERVICES	.00	3,220.00	5,000.00	1,780.00	64.4
TOTAL ANIMAL CONTROL	4,946.86	77,660.42	96,600.00	18,939.58	80.4
<u>SENIOR COORDINATOR PROGRAM</u>					
01-60-5015-00 PART-TIME SALARIES	3,076.46	36,853.06	40,200.00	3,346.94	91.7
01-60-5050-00 PAYROLL TAXES	228.36	2,742.38	3,100.00	357.62	88.5
01-60-5065-00 HEALTH INSURANCE	649.33	7,142.63	8,400.00	1,257.37	85.0
01-60-5070-00 WORKMEN'S COMPENSATION	.00	590.99	1,700.00	1,109.01	34.8
01-60-6010-00 UTILITIES	245.32	3,453.04	4,400.00	946.96	78.5
01-60-6510-00 TELEPHONE	119.10	1,180.42	1,400.00	219.58	84.3
01-60-6520-00 MILEAGE	189.88	1,521.39	3,200.00	1,678.61	47.5
01-60-6522-00 INSURANCE	.00	3,000.00	3,000.00	.00	100.0
01-60-7020-00 REPAIR & MAINTENANCE	379.73	5,020.68	5,700.00	679.32	88.1
TOTAL SENIOR COORDINATOR PROGRAM	4,888.18	61,504.59	71,100.00	9,595.41	86.5

TOWN OF JOHNSTOWN
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2017

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>PARKS</u>					
01-65-5015-00	.00	15,181.53	22,000.00	6,818.47	69.0
01-65-5050-00	.00	1,161.28	1,800.00	638.72	64.5
01-65-5070-00	.00	590.99	2,000.00	1,409.01	29.6
01-65-6010-00	229.39	2,372.05	9,200.00	6,827.95	25.8
01-65-6511-00	.00	.00	400.00	400.00	.0
01-65-6522-00	.00	2,200.00	2,200.00	.00	100.0
01-65-6524-00	89.87	1,709.61	1,800.00	90.39	95.0
01-65-6526-00	.00	2,031.08	2,000.00	(31.08)	101.6
01-65-6534-00	3,013.00	11,575.98	11,500.00	(75.98)	100.7
01-65-6542-00	.00	1,261.34	2,200.00	938.66	57.3
01-65-6544-01	.00	.00	1,000.00	1,000.00	.0
01-65-6544-02	.00	575.98	800.00	224.02	72.0
01-65-7020-00	475.75	2,588.57	5,000.00	2,411.43	51.8
01-65-7025-00	41.40	2,983.30	5,000.00	2,016.70	59.7
TOTAL PARKS	3,849.41	44,231.71	66,900.00	22,668.29	66.1
<u>LIBRARY</u>					
01-70-7000-00	34,041.00	374,451.00	408,500.00	34,049.00	91.7
TOTAL LIBRARY	34,041.00	374,451.00	408,500.00	34,049.00	91.7
<u>DEPARTMENT 75</u>					
01-75-6526-00	2,288.74	4,426.51	6,500.00	2,073.49	68.1
01-75-7020-00	332.88	5,195.14	10,000.00	4,804.86	52.0
01-75-7025-00	245.32	3,453.05	7,500.00	4,046.95	46.0
01-75-7031-00	.00	9,381.43	27,000.00	17,618.57	34.8
01-75-7040-00	2,500.00	35,003.14	250,000.00	214,996.86	14.0
01-75-7041-00	.00	.00	5,000.00	5,000.00	.0
01-75-7054-00	444.30	1,808.83	10,000.00	8,191.17	18.1
01-75-7055-00	.00	6,000.00	7,000.00	1,000.00	85.7
01-75-7066-00	.00	3,616.18	3,700.00	83.82	97.7
01-75-7070-00	.00	29,989.96	30,000.00	10.04	100.0
01-75-7080-00	.00	17,860.00	18,500.00	640.00	96.5
01-75-7090-00	.00	7,222.93	17,000.00	9,777.07	42.5
01-75-7100-00	.00	.00	343,700.00	343,700.00	.0
01-75-7125-00	765.00	7,695.00	15,000.00	7,305.00	51.3
01-75-7129-00	.00	1,708.22	10,000.00	8,291.78	17.1
01-75-7130-00	358.51	2,970.70	5,000.00	2,029.30	59.4
01-75-7131-00	.00	.00	2,500.00	2,500.00	.0
01-75-7132-00	.00	.00	5,000.00	5,000.00	.0
01-75-7133-00	.00	.00	7,000.00	7,000.00	.0
TOTAL DEPARTMENT 75	6,934.75	136,331.09	780,400.00	644,068.91	17.5

TOWN OF JOHNSTOWN
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2017

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>TRANSFERS OUT</u>					
01-80-7040-00 TRANSFER WATER FUND	9,497.07	92,741.20	187,700.00	94,958.80	49.4
01-80-7050-00 TRANSFER - CONTINGENT FUND	100,000.00	100,000.00	225,000.00	125,000.00	44.4
01-80-7080-00 TRANSFER TO DEVELOPERS COST	.00	.00	25,000.00	25,000.00	.0
01-80-7081-00 FUNDING I-25 IMPROVEMENTS	.00	15,307.68	11,500.00	(3,807.68)	133.1
01-80-7110-00 SALES TAX REFUND	76,025.41	274,244.93	200,000.00	(74,244.93)	137.1
01-80-7115-00 TRANSFER TO EQPT. REPLACEMENT	500,000.00	500,000.00	1,000,000.00	500,000.00	50.0
TOTAL TRANSFERS OUT	685,522.48	982,293.81	1,649,200.00	666,906.19	59.6
TOTAL FUND EXPENDITURES	1,040,046.13	5,189,204.42	7,607,500.00	2,418,295.58	68.2
NET REVENUE OVER EXPENDITURES	(504,709.53)	5,364,323.95	507,700.00	(4,856,623.95)	1056.6

TOWN OF JOHNSTOWN
REVENUES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2017

WATER FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET		UNEARNED	PCNT
02-00-4310-00 WATER CHARGES	126,380.64	2,624,809.85	2,100,000.00	(	524,809.85)	125.0
02-00-4320-00 WATER TAP FEES	33,100.08	608,584.68	.00	(	608,584.68)	.0
02-00-4322-00 RAW WATER DEV. FEE	27,993.60	832,896.48	.00	(	832,896.48)	.0
02-00-4325-00 WATER REFUNDS	(1,167.79)	(17,300.32)	.00		17,300.32	.0
02-00-4330-00 MISCELLANEOUS	21,325.36	326,549.09	110,000.00	(	216,549.09)	296.9
02-00-4610-00 EARNINGS ON INVESTMENTS	2,762.57	89,431.21	45,000.00	(	44,431.21)	198.7
02-00-4830-00 TRANSFER FROM GENERAL FUND	.00	83,244.13	187,700.00		104,455.87	44.4
TOTAL SOURCE 00	210,394.46	4,548,215.12	2,442,700.00	(	2,105,515.12)	186.2
TOTAL FUND REVENUE	210,394.46	4,548,215.12	2,442,700.00	(	2,105,515.12)	186.2

TOWN OF JOHNSTOWN
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2017

WATER FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>ADMINISTRATION</u>					
02-25-5010-00 SALARIES	3,120.78	33,845.85	56,500.00	22,654.15	59.9
02-25-5010-03 OVERTIME	.00	.00	300.00	300.00	.0
02-25-5015-00 PART-TIME SALARIES	322.56	4,620.73	13,000.00	8,379.27	35.5
02-25-5020-00 JANITORIAL SALARIES	216.67	2,366.70	2,700.00	333.30	87.7
02-25-5025-00 MANAGER	2,181.48	26,120.61	28,500.00	2,379.39	91.7
02-25-5050-00 PAYROLL TAXES	289.74	4,603.76	7,600.00	2,996.24	60.6
02-25-5060-00 RETIREMENT FUND	421.38	4,683.99	7,600.00	2,916.01	61.6
02-25-5065-00 HEALTH INSURANCE	737.97	8,117.69	13,200.00	5,082.31	61.5
02-25-5070-00 WORKMEN'S COMPENSATION	.00	578.90	900.00	321.10	64.3
02-25-6010-00 UTILITIES	179.65	2,404.11	3,800.00	1,395.89	63.3
02-25-6505-00 OFFICE EXPENSE	101.01	1,256.23	5,000.00	3,743.77	25.1
02-25-6506-00 UTILITY BILL MAILING	689.91	6,791.33	8,000.00	1,208.67	84.9
02-25-6507-00 BILL PRESENTMENT	.00	.00	10,000.00	10,000.00	.0
02-25-6510-00 TELEPHONE	134.17	1,334.77	1,800.00	465.23	74.2
02-25-6511-00 TRAINING & MEETINGS	.00	60.00	1,500.00	1,440.00	4.0
02-25-6513-00 PUBLISHING	.00	.00	1,000.00	1,000.00	.0
02-25-6515-00 DUES AND SUBSCRIPTIONS	.00	2,229.00	3,000.00	771.00	74.3
02-25-6518-00 CLEANING SUPPLIES	113.25	950.41	1,000.00	49.59	95.0
02-25-6520-00 MILEAGE & EXPENSES	.00	.00	500.00	500.00	.0
02-25-6522-00 INSURANCE & BONDS	.00	5,600.00	6,800.00	1,200.00	82.4
02-25-6544-02 CAPITAL OUTLAY - COMP. SOFT	.00	.00	2,500.00	2,500.00	.0
02-25-6544-07 MISCELLANEOUS OFFICE	.00	.00	300.00	300.00	.0
02-25-7020-00 REPAIR & MAINT.	98.16	418.50	1,000.00	581.50	41.9
02-25-8010-00 AUDIT	500.00	2,500.00	4,000.00	1,500.00	62.5
02-25-8011-00 PROF. SERV.-WATER ADJUDICATION	.00	5,837.50	31,500.00	25,662.50	18.5
02-25-8012-00 COMP. PROFESSIONAL SERVICES	379.80	6,539.71	6,400.00	(139.71)	102.2
02-25-8014-00 LEGAL	480.50	2,643.00	6,000.00	3,357.00	44.1
02-25-8016-00 SALARY STUDY FEES	.00	.00	700.00	700.00	.0
02-25-8017-00 PROFESSIONAL SERVICES	863.00	12,464.70	31,500.00	19,035.30	39.6
02-25-9028-00 COMMUNICATIONS	.00	.00	3,500.00	3,500.00	.0
TOTAL ADMINISTRATION	10,830.03	135,967.49	260,100.00	124,132.51	52.3

TOWN OF JOHNSTOWN
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2017

WATER FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>OPERATIONS - WATER FUND</u>					
02-70-5010-00 SALARIES	12,727.12	177,177.52	230,000.00	52,822.48	77.0
02-70-5010-03 OVERTIME	501.36	5,340.63	10,000.00	4,659.37	53.4
02-70-5015-00 PART TIME SALARIES	85.95	1,902.82	2,600.00	697.18	73.2
02-70-5050-00 PAYROLL TAXES	981.70	13,636.92	18,600.00	4,963.08	73.3
02-70-5060-00 RETIREMENT FUND	628.13	8,631.58	13,500.00	4,868.42	63.9
02-70-5065-00 HEALTH INSURANCE	4,009.62	46,976.68	64,000.00	17,023.32	73.4
02-70-5070-00 WORKMEN'S COMPENSATION	.00	5,909.90	8,700.00	2,790.10	67.9
02-70-6010-00 UTILITIES	22,785.06	200,620.79	195,000.00	(5,620.79)	102.9
02-70-6510-00 TELEPHONE	609.14	5,980.46	8,000.00	2,019.54	74.8
02-70-6511-00 TRAINING	.00	1,255.00	3,100.00	1,845.00	40.5
02-70-6518-00 CLEANING SUPPLIES	87.77	1,007.12	1,600.00	592.88	63.0
02-70-6522-00 INSURANCE	480.75	25,665.25	26,000.00	334.75	98.7
02-70-6524-00 GAS AND OIL	633.15	7,602.30	8,500.00	897.70	89.4
02-70-6526-00 CHEMICALS	17,358.79	107,869.41	155,000.00	47,130.59	69.6
02-70-6527-00 SUPPLIES-SAFETY EQPT.	.00	581.95	3,400.00	2,818.05	17.1
02-70-6528-00 OPERATING SUPPLIES	32.57	8,945.51	10,000.00	1,054.49	89.5
02-70-6544-01 METER UPGRADE	.00	45,851.61	95,000.00	49,148.39	48.3
02-70-6544-02 TOOLS	2,493.59	2,831.76	10,000.00	7,168.24	28.3
02-70-6544-07 TESTING EQUIPMENT	.00	.00	4,200.00	4,200.00	.0
02-70-6544-08 VEHICLE-PURCHASE	.00	95.00	33,000.00	32,905.00	.3
02-70-6544-13 WATER PLANT IMPROVEMENTS	.00	6,574.22	85,000.00	78,425.78	7.7
02-70-6544-19 DAF SATURATOR SYSTEM	.00	.00	65,000.00	65,000.00	.0
02-70-6544-22 WATERLINE REPLACEMENT	158.37	648.00	31,500.00	30,852.00	2.1
02-70-6544-29 INSTRUMENTATION UPGRADES	.00	39,026.04	65,000.00	25,973.96	60.0
02-70-6544-35 N. 2ND STREET WATERLINE PROJEC	14,138.05	156,199.00	245,000.00	88,801.00	63.8
02-70-6544-36 FIRE HYDRANT REPAIRS	525.87	967.01	42,000.00	41,032.99	2.3
02-70-7015-00 R&M WATERLINES	3,156.30	17,026.98	25,000.00	7,973.02	68.1
02-70-7020-00 REPAIRS & MAINTENANCE	1,223.39	26,747.81	83,000.00	56,252.19	32.2
02-70-7022-00 VEHICLE REPAIRS	.00	1,733.76	3,500.00	1,766.24	49.5
02-70-7030-00 PURCHASED WATER	.00	4,206.18	12,700.00	8,493.82	33.1
02-70-7031-00 CWCWD EMERGENCY CONNECTION	613.72	2,371.72	7,100.00	4,728.28	33.4
02-70-7035-00 WATER ASSESSMENT	.00	105,475.25	115,000.00	9,524.75	91.7
02-70-7090-00 INSURANCE DEDUCTIBLES	.00	.00	10,000.00	10,000.00	.0
02-70-8012-00 PROFESSIONAL SERVICES	2,594.80	33,696.65	63,100.00	29,403.35	53.4
TOTAL OPERATIONS - WATER FUND	85,825.20	1,062,554.83	1,753,100.00	690,545.17	60.6
TOTAL FUND EXPENDITURES	96,655.23	1,198,522.32	2,013,200.00	814,677.68	59.5
NET REVENUE OVER EXPENDITURES	113,739.23	3,349,692.80	429,500.00	(2,920,192.80)	779.9

TOWN OF JOHNSTOWN
 REVENUES WITH COMPARISON TO BUDGET
 FOR THE 11 MONTHS ENDING NOVEMBER 30, 2017

SEWER FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
03-00-4310-00 SEWER CHARGES	156,426.66	1,675,956.39	1,730,000.00	54,043.61	96.9
03-00-4320-00 SEWER TAP FEES	8,400.00	167,300.00	.00	(167,300.00)	.0
03-00-4330-00 MISCELLANEOUS	1,000.00	23,937.61	10,000.00	(13,937.61)	239.4
03-00-4610-00 EARNINGS ON INVESTMENTS	2,354.97	44,061.59	35,000.00	(9,061.59)	125.9
TOTAL SOURCE 00	168,181.63	1,911,255.59	1,775,000.00	(136,255.59)	107.7
TOTAL FUND REVENUE	168,181.63	1,911,255.59	1,775,000.00	(136,255.59)	107.7

TOWN OF JOHNSTOWN
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2017

SEWER FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>PERSONNEL</u>					
03-25-5010-00 SALARIES	3,822.54	42,253.47	73,500.00	31,246.53	57.5
03-25-5010-03 OVERTIME	.00	.00	500.00	500.00	.0
03-25-5015-00 PART-TIME SALARIES	322.56	4,620.73	13,000.00	8,379.27	35.5
03-25-5020-00 JANITORIAL SALARIES	216.66	2,366.66	2,600.00	233.34	91.0
03-25-5025-00 MANAGER SALARIES	4,234.64	50,704.75	55,100.00	4,395.25	92.0
03-25-5050-00 PAYROLL TAXES	371.48	6,846.38	10,900.00	4,053.62	62.8
03-25-5060-00 RETIREMENT FUND	675.80	7,640.97	11,200.00	3,559.03	68.2
03-25-5065-00 HEALTH INSURANCE	1,087.13	11,958.43	28,100.00	16,141.57	42.6
03-25-5070-00 WORKMEN'S COMPENSATION	.00	578.90	800.00	221.10	72.4
03-25-6010-00 UTILITIES - TOWN HALL	213.33	2,755.46	4,400.00	1,644.54	62.6
03-25-6505-00 OFFICE EXPENSES	112.62	397.75	4,000.00	3,602.25	9.9
03-25-6506-00 UTILITY BILL MAILING	689.91	6,791.32	7,400.00	608.68	91.8
03-25-6507-00 ON LINE BILL PRESENTMENT	.00	.00	8,000.00	8,000.00	.0
03-25-6510-00 TELEPHONE	134.16	1,334.75	1,800.00	465.25	74.2
03-25-6511-00 TRAINING & MEETINGS	.00	.00	700.00	700.00	.0
03-25-6515-00 DUES & SUBSCRIPTIONS	.00	.00	500.00	500.00	.0
03-25-6518-00 CLEANING SUPPLIES	137.09	893.59	1,000.00	106.41	89.4
03-25-6520-00 MILEAGE & EXPENSES	30.66	30.66	800.00	769.34	3.8
03-25-6522-00 INSURANCE & BONDS	.00	6,000.00	7,200.00	1,200.00	83.3
03-25-6544-02 COMPUTER SOFTWARE	.00	.00	2,500.00	2,500.00	.0
03-25-6544-04 CAPITAL OUTLAY - COMPUTER	.00	.00	1,500.00	1,500.00	.0
03-25-6544-07 MISCELLANEOUS OFFICE	.00	.00	400.00	400.00	.0
03-25-7020-00 REPAIR & MAINTENANCE	98.16	219.36	1,100.00	880.64	19.9
03-25-8010-00 AUDIT	500.00	2,500.00	5,000.00	2,500.00	50.0
03-25-8012-00 PROFESSIONAL SERVICES	379.80	5,985.82	6,300.00	314.18	95.0
03-25-8014-00 LEGAL	508.50	5,973.50	20,000.00	14,026.50	29.9
03-25-8016-00 SALARY STUDY	.00	.00	800.00	800.00	.0
03-25-8017-00 PROFESSIONAL SERVICES - ENG.	1,670.80	6,603.30	15,000.00	8,396.70	44.0
TOTAL PERSONNEL	15,205.84	166,455.80	284,100.00	117,644.20	58.6

TOWN OF JOHNSTOWN
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2017

SEWER FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>OPERATIONS - SEWER FUND</u>					
03-70-5010-00 SALARIES	15,555.33	216,549.97	273,000.00	56,450.03	79.3
03-70-5010-03 OVERTIME PAY	612.74	6,527.25	10,000.00	3,472.75	65.3
03-70-5050-00 PAYROLL TAXES	1,191.85	16,489.32	21,700.00	5,210.68	76.0
03-70-5060-00 RETIREMENT FUND	767.72	10,549.52	16,000.00	5,450.48	65.9
03-70-5065-00 HEALTH INSURANCE	4,900.67	57,416.27	81,000.00	23,583.73	70.9
03-70-5070-00 WORKMEN'S COMPENSATION	.00	5,318.91	9,000.00	3,681.09	59.1
03-70-6010-00 UTILITIES	18,500.98	167,024.23	230,000.00	62,975.77	72.6
03-70-6510-00 TELEPHONE	612.95	5,938.58	6,000.00	61.42	99.0
03-70-6511-00 TRAINING	.00	.00	3,300.00	3,300.00	.0
03-70-6518-00 CLEANING SUPPLIES	87.78	968.65	1,500.00	531.35	64.6
03-70-6522-00 INSURANCE	.00	27,684.50	28,500.00	815.50	97.1
03-70-6524-00 GAS AND OIL	633.15	7,602.29	9,100.00	1,497.71	83.5
03-70-6525-00 GIS MAPPING	.00	.00	25,000.00	25,000.00	.0
03-70-6526-00 CHEMICALS	12,435.30	105,222.23	113,500.00	8,277.77	92.7
03-70-6527-00 SUPPLIES-SAFETY EQPT.	349.03	548.94	3,500.00	2,951.06	15.7
03-70-6528-00 OPERATING SUPPLIES	437.35	6,660.97	10,000.00	3,339.03	66.6
03-70-6544-02 TOOLS	.00	4.41	3,500.00	3,495.59	.1
03-70-6544-03 VEHICLE	.00	.00	33,000.00	33,000.00	.0
03-70-6544-04 MANHOLE INSTALLATION	.00	3,582.25	20,000.00	16,417.75	17.9
03-70-6544-10 SEWERLINE REPLACEMENT	2,160.00	12,960.00	20,000.00	7,040.00	64.8
03-70-6544-16 INSTRUMENTATION UPGRADES	.00	248.00	115,000.00	114,752.00	.2
03-70-6544-23 CENTRAL PLANT GENERATOR	.00	.00	145,000.00	145,000.00	.0
03-70-7015-00 REPAIRS & MAINT - MAINS	.00	12,253.87	20,000.00	7,746.13	61.3
03-70-7020-00 REPAIRS & MAINTENANCE	6,384.97	59,095.98	90,000.00	30,904.02	65.7
03-70-7022-00 VEHICLE REPAIRS	.00	989.29	3,500.00	2,510.71	28.3
03-70-7023-00 WEED CONTROL/GROUND MAINT.	.00	2,035.00	3,000.00	965.00	67.8
03-70-7025-00 SEWERLINE CLEANING	.00	.00	35,000.00	35,000.00	.0
03-70-7090-00 INSURANCE DEDUCTIBLES	1,000.00	2,000.00	7,500.00	5,500.00	26.7
03-70-8012-00 PROFESSIONAL SERVICES	1,375.70	31,232.30	50,000.00	18,767.70	62.5
TOTAL OPERATIONS - SEWER FUND	67,005.52	758,902.73	1,386,600.00	627,697.27	54.7
TOTAL FUND EXPENDITURES	82,211.36	925,358.53	1,670,700.00	745,341.47	55.4
NET REVENUE OVER EXPENDITURES	85,970.27	985,897.06	104,300.00	(881,597.06)	945.3

TOWN OF JOHNSTOWN
REVENUES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2017

CONSERVATION TRUST

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
05-00-4070-00 COLORADO LOTTERY	.00	52,984.71	55,000.00	2,015.29	96.3
05-00-4110-00 PARK FEES	3,000.00	65,005.00	62,500.00	(2,505.00)	104.0
05-00-4130-00 LARIMER COUNTY USE TAX	10,086.21	101,750.84	80,000.00	(21,750.84)	127.2
05-00-4330-00 OTHER	298.50	5,564.37	1,200.00	(4,364.37)	463.7
05-00-4610-00 CT-EARNINGS ON INVEST.	373.20	10,869.03	3,500.00	(7,369.03)	310.5
TOTAL SOURCE 00	13,757.91	236,173.95	202,200.00	(33,973.95)	116.8
TOTAL FUND REVENUE	13,757.91	236,173.95	202,200.00	(33,973.95)	116.8

TOWN OF JOHNSTOWN
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2017

CONSERVATION TRUST

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
05-70-6533-00 TREE TRIMMING	.00	4,000.00	6,000.00	2,000.00	66.7
05-70-6544-01 CAPITAL - TREES	.00	3,353.39	7,000.00	3,646.61	47.9
05-70-6544-04 LAWN MOWER	.00	15,726.75	17,200.00	1,473.25	91.4
05-70-6545-00 EDDIE ARAGON PARK	.00	113.60	5,000.00	4,886.40	2.3
05-70-6546-00 SUNRISE PARK	.00	973.37	3,600.00	2,626.63	27.0
05-70-6547-00 PARISH PARK	.00	973.37	3,600.00	2,626.63	27.0
05-70-6548-00 HAYS PARK	.00	973.37	3,600.00	2,626.63	27.0
05-70-6549-00 PIONEER RIDGE PARK	.00	.00	3,600.00	3,600.00	.0
05-70-6550-00 ROLLING HILLS RANCH PARK	.00	75.00	3,600.00	3,525.00	2.1
05-70-6551-00 JOHNSTOWN LAKE PARK	3,667.98	14,155.77	18,500.00	4,344.23	76.5
05-70-6553-00 CLEARVIEW PARK	.00	1,774.00	3,600.00	1,826.00	49.3
05-70-7020-00 REPAIR & MAINT.	.00	4,026.86	6,000.00	1,973.14	67.1
TOTAL DEPARTMENT 70	3,667.98	46,145.48	81,300.00	35,154.52	56.8
TOTAL FUND EXPENDITURES	3,667.98	46,145.48	81,300.00	35,154.52	56.8
NET REVENUE OVER EXPENDITURES	10,089.93	190,028.47	120,900.00	(69,128.47)	157.2

TOWN OF JOHNSTOWN
 REVENUES WITH COMPARISON TO BUDGET
 FOR THE 11 MONTHS ENDING NOVEMBER 30, 2017

CONTINGENT FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
06-00-4110-00 TRANSFER FROM GENERAL FUND	100,000.00	100,000.00	225,000.00	125,000.00	44.4
06-00-4610-00 CF-EARNINGS ON INVESTMENTS	1,344.26	11,660.86	500.00	(11,160.86)	2332.2
TOTAL SOURCE 00	101,344.26	111,660.86	225,500.00	113,839.14	49.5
TOTAL FUND REVENUE	101,344.26	111,660.86	225,500.00	113,839.14	49.5

TOWN OF JOHNSTOWN
 EXPENDITURES WITH COMPARISON TO BUDGET
 FOR THE 11 MONTHS ENDING NOVEMBER 30, 2017

CONTINGENT FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
06-70-6544-00 TRANSFER TO BANK FUND	.00	.00	1,683,000.00	1,683,000.00	.0
TOTAL DEPARTMENT 70	.00	.00	1,683,000.00	1,683,000.00	.0
TOTAL FUND EXPENDITURES	.00	.00	1,683,000.00	1,683,000.00	.0
NET REVENUE OVER EXPENDITURES	101,344.26	111,660.86	(1,457,500.00)	(1,569,160.86)	7.7

TOWN OF JOHNSTOWN
REVENUES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2017

CEMETERY FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
07-00-4310-00 CEMETERY LOTS AND CARE	.00	2,943.15	2,800.00	(143.15)	105.1
07-00-4610-00 CP-EARNINGS ON INVESTMENTS	111.17	1,147.46	100.00	(1,047.46)	1147.5
TOTAL SOURCE 00	111.17	4,090.61	2,900.00	(1,190.61)	141.1
TOTAL FUND REVENUE	111.17	4,090.61	2,900.00	(1,190.61)	141.1
NET REVENUE OVER EXPENDITURES	111.17	4,090.61	2,900.00	(1,190.61)	141.1

TOWN OF JOHNSTOWN
 REVENUES WITH COMPARISON TO BUDGET
 FOR THE 11 MONTHS ENDING NOVEMBER 30, 2017

EQUIPMENT REPLACEMENT FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
09-00-4110-00 TRANSFER FROM GENERAL FUND	500,000.00	500,000.00	1,000,000.00	500,000.00	50.0
09-00-4330-00 MISCELLANEOUS REVENUE	.00	92,853.63	.00	(92,853.63)	.0
09-00-4610-00 EARNINGS ON INVESTMENTS	1,333.93	10,821.19	5,000.00	(5,821.19)	216.4
TOTAL SOURCE 00	501,333.93	603,674.82	1,005,000.00	401,325.18	60.1
TOTAL FUND REVENUE	501,333.93	603,674.82	1,005,000.00	401,325.18	60.1

TOWN OF JOHNSTOWN
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2017

EQUIPMENT REPLACEMENT FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
09-70-6544-02 EQUIPMENT PURCHASE	.00	.00	223,700.00	223,700.00	.0
09-70-6544-04 POLICE VEHICLE	.00	144,962.49	154,200.00	9,237.51	94.0
09-70-6544-06 MOWER FOR CEMETERY	.00	.00	17,400.00	17,400.00	.0
09-70-6544-07 PUBLIC WORKS EQUIPMENT	.00	34,086.00	39,000.00	4,914.00	87.4
09-70-6544-10 COMPUTERS	.00	.00	4,200.00	4,200.00	.0
TOTAL DEPARTMENT 70	.00	179,048.49	438,500.00	259,451.51	40.8
TOTAL FUND EXPENDITURES	.00	179,048.49	438,500.00	259,451.51	40.8
NET REVENUE OVER EXPENDITURES	501,333.93	424,626.33	566,500.00	141,873.67	75.0

TOWN OF JOHNSTOWN
 REVENUES WITH COMPARISON TO BUDGET
 FOR THE 11 MONTHS ENDING NOVEMBER 30, 2017

DRAINAGE FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
11-00-4110-00 DRAINAGE FEES	35,146.00	376,396.22	390,000.00	13,603.78	96.5
11-00-4610-00 EARNINGS ON INVESTMENTS	2,316.68	25,885.03	6,200.00	(19,685.03)	417.5
TOTAL SOURCE 00	37,462.68	402,281.25	396,200.00	(6,081.25)	101.5
TOTAL FUND REVENUE	37,462.68	402,281.25	396,200.00	(6,081.25)	101.5

TOWN OF JOHNSTOWN
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2017

DRAINAGE FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>ADMINISTRATION</u>					
11-25-5010-00 CLERICAL SALARIES	1,366.40	12,826.85	37,500.00	24,673.15	34.2
11-25-5010-03 OVERTIME	.00	.00	100.00	100.00	.0
11-25-5011-00 PART TIME OFFICE	322.56	4,620.72	12,600.00	7,979.28	36.7
11-25-5025-00 MANAGER	2,181.48	26,120.61	27,900.00	1,779.39	93.6
11-25-5050-00 PAYROLL TAXES	158.58	3,029.19	6,000.00	2,970.81	50.5
11-25-5060-00 RETIREMENT FUND	259.34	2,742.82	5,700.00	2,957.18	48.1
11-25-5065-00 HEALTH INSURANCE	405.47	4,460.21	10,200.00	5,739.79	43.7
11-25-5070-00 WORKMAN'S COMPENSATION	.00	434.71	700.00	265.29	62.1
11-25-6010-00 UTILITIES	89.83	1,160.19	1,700.00	539.81	68.3
11-25-6505-00 OFFICE SUPPLIES	.00	279.84	1,200.00	920.16	23.3
11-25-6506-00 UTILITY BILL MAILING	689.90	6,791.31	7,600.00	808.69	89.4
11-25-6507-00 ON LINE BILL PRESENTMENT	.00	.00	2,000.00	2,000.00	.0
11-25-6510-00 TELEPHONE	.00	.00	800.00	800.00	.0
11-25-6522-00 INSURANCE AND BONDS	.00	2,700.00	2,700.00	.00	100.0
11-25-6544-04 COMPUTER SOFTWARE	.00	.00	2,500.00	2,500.00	.0
11-25-7020-00 MAINTENANCE AND REPAIRS	98.12	317.39	500.00	182.61	63.5
11-25-8010-00 AUDIT	250.00	1,750.00	2,500.00	750.00	70.0
11-25-8012-00 COMPUTER PROF. SERVICES	227.75	3,609.01	3,500.00	(109.01)	103.1
11-25-8014-00 LEGAL	1,000.00	2,000.00	2,000.00	.00	100.0
11-25-8017-00 PROFESSIONAL SERVICES	.00	.00	1,500.00	1,500.00	.0
TOTAL ADMINISTRATION	7,049.43	72,842.85	129,200.00	56,357.15	56.4
<u>OPERATIONS</u>					
11-70-5010-00 SALARIES	1,376.00	16,371.50	61,000.00	44,628.50	26.8
11-70-5010-03 OVERTIME	.00	.00	600.00	600.00	.0
11-70-5050-00 PAYROLL TAXES	96.80	1,165.41	4,800.00	3,634.59	24.3
11-70-5060-00 RETIREMENT FUND	58.28	693.40	4,200.00	3,506.60	16.5
11-70-5065-00 HEALTH INSURANCE	769.04	8,080.22	23,000.00	14,919.78	35.1
11-70-5070-00 WORKMEN'S COMPENSATION	.00	1,773.00	1,800.00	27.00	98.5
11-70-6510-00 TELEPHONE	17.25	171.93	900.00	728.07	19.1
11-70-6511-00 TRAINING	.00	.00	600.00	600.00	.0
11-70-6522-00 INSURANCE	.00	4,800.00	4,800.00	.00	100.0
11-70-6524-00 GAS & OIL	137.96	2,163.66	2,200.00	36.34	98.4
11-70-6526-00 OPERATING SUPPLIES	29.77	330.62	1,100.00	769.38	30.1
11-70-6544-06 INFRASTRUCTURE REPAIR	.00	13,138.80	20,000.00	6,861.20	65.7
11-70-6544-12 NORTH 2ND STREET PROJECT	27,132.35	287,579.71	364,000.00	76,420.29	79.0
11-70-7020-00 REPAIR & MAINTENANCE	.00	147.78	2,000.00	1,852.22	7.4
11-70-7022-00 VEHICLE REPAIRS	.00	.00	800.00	800.00	.0
11-70-7024-00 INLET REPLACEMENT	.00	.00	20,000.00	20,000.00	.0
11-70-7026-00 CURB/GUTTER REPLACEMENT	.00	38,304.00	35,000.00	(3,304.00)	109.4
TOTAL OPERATIONS	29,617.45	374,720.03	546,800.00	172,079.97	68.5
TOTAL FUND EXPENDITURES	36,666.88	447,562.88	676,000.00	228,437.12	66.2

TOWN OF JOHNSTOWN
 EXPENDITURES WITH COMPARISON TO BUDGET
 FOR THE 11 MONTHS ENDING NOVEMBER 30, 2017

DRAINAGE FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
NET REVENUE OVER EXPENDITURES	795.80	(45,281.63)	(279,800.00)	(234,518.37)	(16.2)

TOWN OF JOHNSTOWN
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2017

LIBRARY

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
14-00-5010-00 LIBRARY- SALARIES	20,305.14	237,936.49	.00	(237,936.49)	.0
14-00-5050-00 LIBRARY-PAYROLL TAXES	1,525.29	17,892.93	.00	(17,892.93)	.0
14-00-5065-00 HEALTH INS.	367.30	4,044.30	.00	(4,044.30)	.0
14-00-5070-00 WORKMENS COMPENSATION	.00	860.89	.00	(860.89)	.0
14-00-6522-00 INSURANCE AND BONDS	.00	3,700.00	.00	(3,700.00)	.0
14-00-7020-00 MAINTENANCE AND REPAIRS	.00	(48,503.00)	.00	48,503.00	.0
TOTAL DEPARTMENT 00	22,197.73	215,931.61	.00	(215,931.61)	.0
TOTAL FUND EXPENDITURES	22,197.73	215,931.61	.00	(215,931.61)	.0
NET REVENUE OVER EXPENDITURES	(22,197.73)	(215,931.61)	.00	215,931.61	.0

TOWN OF JOHNSTOWN
 REVENUES WITH COMPARISON TO BUDGET
 FOR THE 11 MONTHS ENDING NOVEMBER 30, 2017

CAPITAL PROJECTS FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
15-00-4060-00 USE TAX	196,211.34	2,709,936.03	850,000.00	(1,859,936.03)	318.8
15-00-4610-00 EARNINGS ON INVESTMENTS	8,116.69	118,398.05	40,000.00	(78,398.05)	296.0
TOTAL SOURCE 00	204,328.03	2,828,334.08	890,000.00	(1,938,334.08)	317.8
TOTAL FUND REVENUE	204,328.03	2,828,334.08	890,000.00	(1,938,334.08)	317.8

TOWN OF JOHNSTOWN
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2017

CAPITAL PROJECTS FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
15-70-7015-00 ANNUAL OVERLAY	.00	.00	250,000.00	250,000.00	.0
15-70-7020-00 STREET REPAIR & MAINT.	4,652.86	109,588.00	150,000.00	40,412.00	73.1
15-70-7022-00 ALLEY IMPROVEMENTS	.00	1,296.00	2,000.00	704.00	64.8
15-70-7030-00 CEMETERY IMPROVEMENTS	.00	9,367.96	18,000.00	8,632.04	52.0
15-70-7035-00 COMMUNITY CENTER IMPROVEMENTS	.00	.00	5,000.00	5,000.00	.0
15-70-7045-00 STREETLIGHTS	.00	.00	5,000.00	5,000.00	.0
15-70-7047-00 SIGNS	753.00	3,546.72	5,000.00	1,453.28	70.9
15-70-7055-00 ENGINEERING/ARCHITECTURAL	.00	78,360.74	851,500.00	773,139.26	9.2
15-70-7061-00 NORTH 2ND STREET IMPROVEMENTS	94,526.46	936,590.50	1,328,000.00	391,409.50	70.5
15-70-7065-00 SIDEWALK/CURB REPL.	.00	3,030.00	15,000.00	11,970.00	20.2
15-70-7085-00 SHOP IMPROVEMENTS	.00	382.06	5,500.00	5,117.94	7.0
TOTAL DEPARTMENT 70	99,932.32	1,142,161.98	2,635,000.00	1,492,838.02	43.4
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15-80-7060-00 REBATE	.00	122,193.57	170,000.00	47,806.43	71.9
15-80-7090-00 I-25 GRANT CONTRIBUTION	.00	250,000.00	250,000.00	.00	100.0
TOTAL DEPARTMENT 80	.00	372,193.57	420,000.00	47,806.43	88.6
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TOTAL FUND EXPENDITURES	99,932.32	1,514,355.55	3,055,000.00	1,540,644.45	49.6
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NET REVENUE OVER EXPENDITURES	104,395.71	1,313,978.53	(2,165,000.00)	(3,478,978.53)	60.7

TOWN OF JOHNSTOWN
 REVENUES WITH COMPARISON TO BUDGET
 FOR THE 11 MONTHS ENDING NOVEMBER 30, 2017

JOHNSON'S CORNER IMP. FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
16-00-4070-00 FROM SALES TAX	9,506.67	109,934.37	98,000.00	(11,934.37)	112.2
16-00-4610-00 EARNINGS ON INVESTMENTS	.00	14.55	40.00	25.45	36.4
TOTAL SOURCE 00	9,506.67	109,948.92	98,040.00	(11,908.92)	112.2
TOTAL FUND REVENUE	9,506.67	109,948.92	98,040.00	(11,908.92)	112.2

TOWN OF JOHNSTOWN
 EXPENDITURES WITH COMPARISON TO BUDGET
 FOR THE 11 MONTHS ENDING NOVEMBER 30, 2017

JOHNSON'S CORNER IMP. FUND

	<u>PERIOD ACTUAL</u>	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>UNEXPENDED</u>	<u>PCNT</u>
16-70-7010-00 CONSTRUCTION	.00	88,800.00	111,640.00	22,840.00	79.5
TOTAL DEPARTMENT 70	.00	88,800.00	111,640.00	22,840.00	79.5
TOTAL FUND EXPENDITURES	.00	88,800.00	111,640.00	22,840.00	79.5
NET REVENUE OVER EXPENDITURES	9,506.67	21,148.92	(13,600.00)	(34,748.92)	155.5

TOWN OF JOHNSTOWN
REVENUES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2017

IMPACT FEES

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
17-00-4610-00 EARNINGS ON INVESTMENTS	7,052.47	82,206.81	35,000.00	(47,206.81)	234.9
TOTAL SOURCE 00	7,052.47	82,206.81	35,000.00	(47,206.81)	234.9
<u>SOURCE 01</u>					
17-01-4110-01 TRANSPORATION FAC. DEV. FEE	14,562.00	1,787,167.85	250,000.00	(1,537,167.85)	714.9
17-01-4110-02 POLICE FACILTIES DEV. FEE	3,714.00	325,925.27	72,000.00	(253,925.27)	452.7
17-01-4110-03 PUBLIC FACILITIES DEV. FEE	8,526.00	630,063.97	170,000.00	(460,063.97)	370.6
17-01-4110-04 PARKS & OPEN SPACE DEV. FEE	6,978.00	361,816.00	144,000.00	(217,816.00)	251.3
17-01-4110-05 LIBRARY FACILITIES FEE	4,800.00	247,360.00	85,000.00	(162,360.00)	291.0
17-01-4110-06 TRAFFIC SIGNAL	557.72	8,923.52	5,000.00	(3,923.52)	178.5
17-01-4530-00 DEVELOPER REIMBURSEMENT	.00	29,760.00	30,000.00	240.00	99.2
TOTAL SOURCE 01	39,137.72	3,391,016.61	756,000.00	(2,635,016.61)	448.6
TOTAL FUND REVENUE	46,190.19	3,473,223.42	791,000.00	(2,682,223.42)	439.1

TOWN OF JOHNSTOWN
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2017

IMPACT FEES

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
17-70-6544-01 POLICE VEHICLE	.00	94,173.09	105,000.00	10,826.91	89.7
17-70-6544-15 POLICE EQUIPMENT	792.00	11,612.69	38,000.00	26,387.31	30.6
17-70-6544-17 POLICE SUBSTATION OFFICE EQUIP	.00	27,743.24	22,000.00	(5,743.24)	126.1
17-70-6544-18 POLICE SUBSTATION CONST. COSTS	.00	161,032.24	154,000.00	(7,032.24)	104.6
17-70-6544-19 ANNUAL LEASE/UTILITIES	1,785.59	19,859.28	26,500.00	6,640.72	74.9
17-70-7010-00 CONSTRUCTION	.00	(152,847.00)	.00	152,847.00	.0
17-70-8017-00 PARKS & OPEN - PROFESSIONAL	.00	.00	15,000.00	15,000.00	.0
17-70-8018-00 TRANSPORTATION EXPENDITURES	.00	6,304.89	1,965,000.00	1,958,695.11	.3
17-70-8018-02 HWY 34/LARIMER PKWY SIGNAL	333,102.89	583,639.47	500,000.00	(83,639.47)	116.7
TOTAL DEPARTMENT 70	335,680.48	751,517.90	2,825,500.00	2,073,982.10	26.6
TOTAL FUND EXPENDITURES	335,680.48	751,517.90	2,825,500.00	2,073,982.10	26.6
NET REVENUE OVER EXPENDITURES	(289,490.29)	2,721,705.52	(2,034,500.00)	(4,756,205.52)	133.8

TOWN OF JOHNSTOWN
 REVENUES WITH COMPARISON TO BUDGET
 FOR THE 11 MONTHS ENDING NOVEMBER 30, 2017

FUND 20

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
20-00-4110-00 STREET MAINTENANCE FEES	27,231.50	289,398.98	250,000.00	(39,398.98)	115.8
20-00-4610-00 EARNINGS ON INVESTMENTS	.00	68.50	200.00	131.50	34.3
TOTAL SOURCE 00	27,231.50	289,467.48	250,200.00	(39,267.48)	115.7
TOTAL FUND REVENUE	27,231.50	289,467.48	250,200.00	(39,267.48)	115.7

TOWN OF JOHNSTOWN
 EXPENDITURES WITH COMPARISON TO BUDGET
 FOR THE 11 MONTHS ENDING NOVEMBER 30, 2017

FUND 20

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
20-70-7020-00 STREET MAINTENANCE	.00	78,062.00	150,000.00	71,938.00	52.0
TOTAL DEPARTMENT 70	.00	78,062.00	150,000.00	71,938.00	52.0
TOTAL FUND EXPENDITURES	.00	78,062.00	150,000.00	71,938.00	52.0
NET REVENUE OVER EXPENDITURES	27,231.50	211,405.48	100,200.00	(111,205.48)	211.0

ORDINANCE

No. 2017-150

**TOWN OF JOHNSTOWN, COLORADO
ORDINANCE NO. 2017-150**

**AN ORDINANCE AMENDING SECTIONS 2-4, 2-4.1 AND 2-9 OF
THE JOHNSTOWN MUNICIPAL CODE TO CORRELATE CERTAIN
ELECTION PROCEDURES WITH THOSE SET FORTH IN THE
COLORADO MUNICIPAL ELECTION CODE OF 1965**

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, except as otherwise provided in the Home Rule Charter or by ordinance, Town elections are governed by state statutes, including the Colorado Municipal Election Code of 1965, C.R.S. §§ 31-10-101, *et seq.* (“Municipal Election Code”); and

WHEREAS, the Colorado General Assembly recently amended the Municipal Election Code to include mail ballot provisions at C.R.S. §§ 31-10-907 thru 31-10-913, and made corresponding revisions that correlate the timing of certain election related matters with the timing of the mail ballot procedure, including the date by which to nominate candidates for a mail ballot election, C.R.S. § 31-10-909, submit write-in candidate affidavits, C.R.S. §31-10-306, and cancel elections, C.R.S. § 31-10-507; and

WHEREAS, the Town Council desires to update the Johnstown Municipal Code to designate time frames for election procedures that are consistent with those set forth in Municipal Election Code; and

WHEREAS, the Town Council deems it to be in the best interests of the Town of Johnstown to amend the Johnstown Municipal Code as set forth herein.

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

Section 1. Section 2-4 of the Johnstown Municipal Code shall be amended in full to read as follows:

Sec. 2-4. Write-in candidate’s affidavit.

No write-in vote for a Town office shall be counted unless an affidavit of intent has been filed with the Town Clerk, by the person who desires the office and is qualified to assume the duties of that office if elected. The affidavit of intent shall be filed with the Town Clerk no later than sixty-four (64) days before the day of the election.

Section 2. Subsection (a) of Section 2-4.1 of the Johnstown Municipal Code shall be amended to read as follows:

Sec. 2-4.1. Election may be cancelled; when.

- (a) If the only matter before the voters is the election of persons to office and if, at the close of business on the sixty-fourth (64th) day before the election, there are not more candidates than offices to be filled at such election, including candidates filing affidavits of intent as set forth in Section 2-4, the Town Clerk shall certify such fact to the Town Council. Town Council shall thereafter hold a meeting and, by resolution, instruct the Town Clerk to cancel the election and declare the candidates elected.

Section 3. Section 2-9 of the Johnstown Municipal Code shall be amended in full to read as follows:

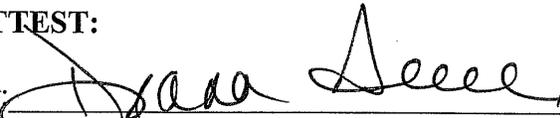
Sec. 2-9. Councilmember elections; terms of office; nomination of candidates in mail ballot elections.

- (a) Councilmember election and terms of office. At each regular municipal election, three (3) members of the Town Council shall be elected to serve four (4) year terms.
- (b) Candidate nomination procedures for mail ballot elections. Any person who desires to be a candidate in a mail ballot election conducted during a regular municipal election shall comply with the nominating procedures set forth in the Colorado Municipal Election Code of 1965, except that:
- (1) Candidate nomination petitions may be circulated and signed beginning on the ninety-first (91st) day prior to the day of election and ending on the seventy-first (71st) day prior to the day of the election.
 - (2) Each candidate nomination petition shall be filed with the Town Clerk no later than the seventy-first (71st) day prior to the day of the election.
 - (3) Any candidate nomination petition may be amended to correct or replace those signatures which the Town Clerk finds are not in apparent conformity with the requirements of the Colorado Municipal Election Code by filing such changes no later than the close of business on the sixty-sixth (66th) day before the election.
 - (4) Any person who has been nominated and who has accepted a nomination may cause his or her name to be withdrawn from such nomination by a filing a written and signed affidavit withdrawing from such nomination with the Town Clerk at any time prior to sixty-three (63) days before the election. If the only matter before the voters is the election of persons to office and if the withdrawal results in there not being more candidates than offices to be filled at such election, then the election may be cancelled as set forth in Section 2-4.1.

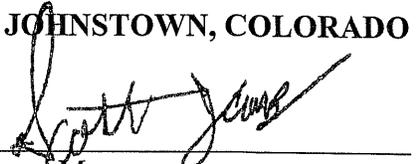
Section 4. Publication and Effective Date. This Ordinance, after its passage on final reading, shall be numbered, recorded, published and posted as required by the Town Charter and the adoption, posting and publication shall be authenticated by the signature of the Mayor and the Town Clerk and by the Certificate of Publication. This Ordinance shall become effective upon final passage as provided by the Home Rule Charter of the Town of Johnstown, Colorado. 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 21st day of December, 2017.

ATTEST:

By: 
Diana Seele, Town Clerk

TOWN OF JOHNSTOWN, COLORADO

By: 
Scott James, Mayor

PASSED UPON FINAL APPROVAL AND ADOPTED on second reading by the Town Council of the Town of Johnstown, Colorado, this _____ day of _____, 2017.

ATTEST:

By: _____
Diana Seele, Town Clerk

TOWN OF JOHNSTOWN, COLORADO

By: _____
Scott James, Mayor

AGENDA ITEM 9A

**DESIGN
GUIDELINES
(Mountain View West)
(*Public Hearing)**

*** PUBLIC HEARING PROCEDURE –Design Guidelines –Mountain View West**

- 1. Open public hearing**
- 2. Receive information from staff**
- 3. Ask to hear from anyone who supports the Design Guidelines**
- 4. Ask to hear from anyone who opposes the Design Guidelines**
- 5. Close the public hearing**
- 6. Ask for discussion**
- 7. Make decision and/or motion from Council.**
 - a. Need motion to approve or deny the Design Guidelines**

(SUGGESTED MOTIONS):

For Approval:

I move to approve the Mountain View West Design Guidelines (subject to the following conditions...)

For Denial:

I move to deny approval of the Mountain View West Design Guidelines

TOWN COUNCIL AGENDA COMMUNICATION

AGENDA DATE: December 18, 2017

ITEM NUMBER: 9A

SUBJECT: *Public Hearing- Mountain View West – Design Guidelines

ACTION PROPOSED: Consider Approval of Design Guidelines

PRESENTED BY: Mr. John Franklin, Town Planner

AGENDA ITEM DESCRIPTION: The applicant, Parish LLC, has submitted a request for approval of Design Guidelines for a parcel of land located east of south Parish Avenue and north of Centennial Drive (CR 46-1/2). The property is the development portion of the Parish LLC Annexation and PUD-B zoning which was approved in 2014. The final plat was approved on December 4, 2017.

The property encompasses approximately 60 acres. The Annexation Agreement provides for Performance Standards and administrative review of Site Development Plans for commercial and residential developments, similar to 2534. The Design Guidelines envision commercial development similar to the Historic Downtown, and quality residential architecture.

The Planning and Zoning Commission held a public hearing on August 23, 2017 and voted to recommend approval of the Final Plat and Design Guidelines subject to conditions:

1. The Owner will need to work with the residents adjoining Molinar Street to ensure access during development.
2. The Owner will need to receive Front Range Fire Authority and Town Engineer approval of civil drawings prior to development.
3. The Town will prepare a Water and Sewer Service Agreement and the owner will dedicate water rights for in-building and irrigation for Council consideration with the final plat.
4. The Town will prepare a Public Improvements Development Agreement for Council consideration with the final plat.

A Water and Sewer Service Agreement and Development Agreement were approved at the December 4, 2017 Council meeting.

LEGAL ADVICE: N/A

FINANCIAL ADVICE: N/A

RECOMMENDED ACTION: The Planning and Zoning Commission has recommended approval subject to conditions.

SUGGESTED MOTIONS:

For Approval: I move to approve the Mountain View West Design Guidelines (subject to the following condition(s)...).

For Denial: I move to deny approval of the Mountain View West Design Guidelines.

Reviewed:


Town Manager

**PLANNING AND ZONING
COMMISSION**

SUMMARY MINUTES

**SUMMARY MINUTES
PLANNING & ZONING COMMISSION
WEDNESDAY, AUGUST 23, 2017
COUNCIL CHAMBERS
450 S. PARISH AVE.**

- 1. CALL TO ORDER:** *Chair Dowling called the meeting to order at 7:05pm*
- 2. ROLL CALL:** *Present were Commissioners Geisendorfer, Storms, Kingsolver, Dowling, Montez, Eady and Tepper.*
- 3. PUBLIC COMMENTS REGARDING ITEMS NOT ON THE AGENDA:** *None*

4. PUBLIC HEARINGS:

A. Preliminary/Final Plat and Design Guidelines for Mountain View West: *Chair Dowling opened the hearing at 7:08pm. Town Planner franklin introduced the item and presented the staff report. Chris Maurer, representing the owner, presented the request and answered questions.*

Commissioner questions:

Commercial versus residential delineated on map? (Yes)

South Street is Molinar? (Yes)

Are the plat and Guideline truly consistent? (Yes)

Public Comment:

Ken Zeti, 2550 Black Duck, spoke in favor of the application as the construction will employ many people.

Charles Raudonis, 476 Grange, asked if the road to CR 46-1/2 would line up with Johnstown Farms 2. (Yes)

Chair Dowling closed the hearing at 7:45pm and asked for discussion and a motion. After discussion, motion by Commissioner Storms, seconded by Commissioner Montez to recommend approval of the Preliminary/Final Plat and Design Guidelines for Mountain View West with the following condition(s):

- 1. The Owner will need to work with the residents adjoining Molinar Street (South Street) to ensure access during development.*
- 2. The Owner will need to receive Front Range Fire Authority and Town Engineer approval of civil drawings and revised final plat prior to development.*
- 3. The Town will prepare, and owner will execute a Water and Sewer Service Agreement and the owner will dedicate water rights for in-building and irrigation for Council consideration with the final plat.*
- 4. The Town will prepare, and owner will execute a Public Improvements Development Agreement for Council consideration with the final plat.*

Unanimous.

5. NEW BUSINESS:

A. Approval of Minutes of August 9, 2017: *Motion by Commissioner Storms, seconded by Commissioner Kingsolver to approve the minutes as corrected. (Approval of May 24, 2017 Minutes)*

B. County Referrals: *The Larimer County Stroh Gravel Pit is now an active application again.*

6. STAFF REPORT: *Town Planner Franklin discussed the following items:*

A. Recent Town Council Actions (Attachment)

B. Applications in Review (Attachment)

C. Project and Program Updates:

7. COMMISSIONERS' ITEMS: *The Commissioners discussed the conduct of hearings.*

8. ADJOURN: *Chair Dowling adjourned the meeting at 8:15.*

Respectfully submitted by John Franklin, Secretary to the Planning and Zoning Commission

**STAFF REPORT
TO
PLANNING AND ZONING
COMMISSION**

AGENDA MEMORANDUM

TO: Johnstown Planning and Zoning Commission
FROM: John Franklin, AICP, Town Planner 
DATE: For August 23, 2017
SUBJECT: Public Hearing Regarding a Preliminary/Final Plat and Design Guidelines for Mountain View West

Property Information

Applicant: Parish, LLC

Owner: Same

Location: North of CR 46-1/2 and east of South Parish Ave.

Property Size: 62.47±acres

Comprehensive Plan Designation: Downtown

Current Zoning: PUD-B Planned Unit Development - Business

Current Use(s) of Property: Agricultural

Surrounding Land Uses/Zoning:

- North: Single family residential, Paradise Village Mobile Home Park, Weld County Maintenance Yard/ SF-1, MH
- South: CR 46-1/2, Agriculture/ PUD-R residential
- East: Great Western Railroad tracks, Colorado Sweet Gold industrial/ Weld County Industrial- 3
- West: South Parish Avenue, Town Library, Police and Town Hall/ PUD-R

Summary of Application: The owner of the property has requested Town approval of a Preliminary/Final Plat and Design Guidelines for a commercial and residential development.

Prior Actions: In 2008 the Town and Colorado Sweet Gold/A.L. Gilbert Company signed an agreement which resolved a long-standing dispute regarding water use. The agreement provided that the Town would annex the Parish LLC property, 'sticker stadium' would be deeded to the parks district, and the Little Thompson River Corridor south of Sweet Gold dedicated to the Town. The Town agreed to provide 20 acre-feet of raw water to the property for commercial taps and for project landscaping. The property was annexed and zoned in 2014.

Technical Analysis

Relationship to Town Vision and Strategic Plan: The proposed development was envisioned in the Comprehensive Plan and Downtown Master Plan as a major contributor to the expansion of the historic downtown by providing commercial and residential opportunities.

Public Health and Safety Impacts: Residential areas along the railroad track will need to be separated for safety. While existing properties do not front on the roadway, the extension of Molinar Street will need to minimize adverse effects on existing residents due to added traffic.

Access and Traffic: Primary commercial access to the site is from South Parish Avenue (Arterial), with secondary access from CR 46-1/2. The Owner proposed to extend Molinar St. (South St.) east as a local street to serve the residential area. South Parish Ave. will need 30' additional right of way dedicated and be improved on the east side along the development with curb, gutter sidewalk, landscaping. Molinar Street would be extended to the east and require additional right of way dedicated on the south side local street improvements. CR 46-1/2 (minor arterial) requires additional right of way and improved as an interim arterial with two paved lanes plus curb, gutter, sidewalk, landscaping.

Utilities: The property is within the Town's service area. By prior agreement, the Town granted 20 acre-feet of water rights for commercial use and overall landscaping. Wastewater will gravity flow and be collected at the Johnstown Farms regional lift station and treated at the Central Wastewater Treatment Plant. Stormwater is to be collected, detained in the on-site private detention facility and then directed towards the Little Thompson River. A stormwater development fee of \$1100 per acre is due at time of plat.

Mineral Interests and Operations: A well was recently closed. There are no oil/gas wells or production facilities approved for the site.

Parks and Open Space: The owner dedicated 'sticker stadium' to the Thompson Rivers Parks and Recreation District, and the portion of Little Thompson River Corridor between CR 46-1/2 and CR 19 to the Town. This has satisfied the public land dedication requirements. On-site private common area and street landscaping will be provided on South Parish and CR 46-1/2 (Centennial Drive) and privately maintained.

Architectural Design: The property will be developed in accordance with the proposed Design Guidelines, which generally follow the Downtown Design Guidelines for non-residential, and Prairie Craftsman style for the residential. Individual projects. Future site development plans will be subject to Town staff approval.

Landscaping: The Parish Ave. landscaping will include wide walks and tree planters. Landscaping shall comply with Johnstown Landscape Standards and Specifications, and the Design Guidelines.

Fencing and Screening: Subject to Final Site Development Plan. Perimeter fencing is likely along the border with the Colony and other residential and non-residential uses to the north, and the railroad to the east. Commercial uses, parking and loading areas may need to be screened from the Colony residential.

Lighting and Street Furniture: Subject to Final Site Development Plan. The Town will look for decorative lighting along the South Parish commercial frontage.

Signage: Signage shall conform the Town Sign Code and Guidelines.

Phasing: The property is to be developed in phases, depending upon market.

Attachments: Final Plat, Design Guidelines, referral comments.

Crucial Referral Responses: None

Staff Report

Technical Findings:

- The plat layout is generally consistent with the original outline development plan.
- The proposed Guidelines are generally consistent with the Downtown Design Guidelines and follows a similar format to other developments such as 2534.
- The Owner will need to work with the Colony residents adjoining Molinar to minimize adverse impacts during street improvements.
- The Owner will need to address comments from the Front Range Fire Authority prior to development.

- The Owner will need to address Town Engineer comments prior to development.

Staff Recommendation:

Staff recommends approval with conditions, as follows.

1. The Owner will need to work with the residents adjoining Molinar Street to ensure access during development.
2. The Owner will need to receive Front Range Fire Authority and Town Engineer approval of civil drawings prior to development.
3. The Town will prepare a Water and Sewer Service Agreement and the owner will dedicate water rights for in-building and irrigation for Council consideration with the final plat.
4. The Town will prepare a Public Improvements Development Agreement for Council consideration with the final plat.

Planning Commission Action

1. Recommendation:

“I move that the Commission recommend approval of the Preliminary/Final Plat and Design Guidelines for Mountain View West.”

Or,

2. Recommendation with Conditions:

“I move that the Commission recommend approval of the Preliminary/Final Plat and Design Guidelines for Mountain View West with the following condition(s):

- a) _____;
- b) Etc.”

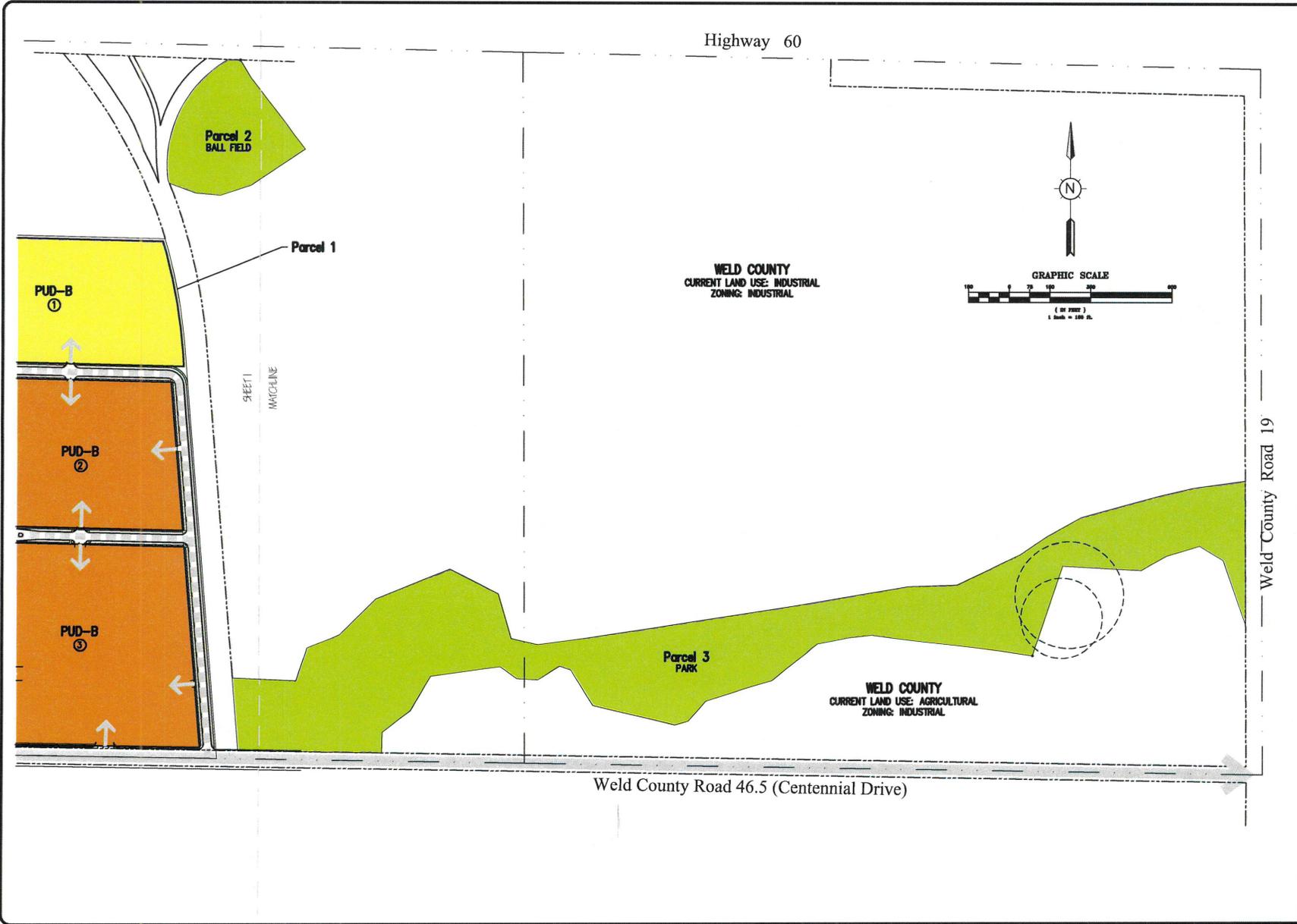
Or,

3. Recommend denial:

“I move that the Commission recommend denial of the Preliminary/Final Plat and Design Guidelines for Mountain View West for the following reasons:

- a) _____;
- b) _____;
- c) Etc.”

Parish LLC Annexation and Zoning – Outline Development Plan



Frederick Land Surveying, Inc.
 8853 North Franklin Avenue
 Loveland, Colorado 80538
 PHONE: 970-688-2100 FAX: 970-688-3726

Loonan and Associates, Inc.
 CIVIL ENGINEERS
 P.O. Box 23485
 Fort Collins, CO 80527
 (970)632-5000 FAX (970)632-5933

REV	DESCRIPTION	DATE	BY

DESIGN DEVELOPMENT
 CONSULTANTS
 400 EAST HORSETOOTH, SUITE 500
 FORT COLLINS, CO 80508
 PHONE: 970-226-6600 FAX: 970-226-7123

Outline Development
 Plan
 Parish, LLC

Project No. 090551
 Sheet No. 2 of 2
 June 21, 2010

This document is the property of Frederick Land Surveying, Inc. and Loonan and Associates, Inc. and shall remain the property of the owner and shall not be used for any other purpose without the written consent of the engineer.

APPLICATION

Town of

Johnstown

450 S. Parish Ave. Johnstown, CO 80534
Ph: 970-587-4664 Fax: 970-587-0141

COMMUNITY DEVELOPMENT APPLICATION

Date: November 23, 2016

Project Name: MOUNTAIN VIEW WEST SUBDIVISION PHASE 1

Application is for: Annexation Zoning Subdivision USR Cond. Use Other SITE DEVELOPMENT PLANS

Landowner: PARISH, LLC ATTN: DAVID GILBERT

Address: 8714 STATE HWY 60
JOHNSTOWN, CO 80534

Telephone: 970-692-6628

Authorized Representative: MICHAEL MAURER, OLSSON ASSOCIATES

Address: 1880 FALL RIVER DRIVE, SUITE 200, LOVELAND, CO 80538

Telephone: 970-461-7733; Fax Number: _____; E-Mail: mmaurer@olssonassociates.com

Landowner Authorization:

The undersigned affirms ownership of the property pertaining to this application, and hereby applies to the Town of Johnstown, Colorado for the above indicated development review process, and authorizes the individual or company stated as "authorized representative" to represent me/us in all aspects of said process.

[Signature]
Signature of Landowner Manager

Signature of Landowner

STATE OF CALIFORNIA)
)ss
COUNTY OF)

The foregoing application was subscribed and sworn to before me this _____ day of _____, A.D.,
by _____

Witness my hand and official seal.

My commission expires: _____

Notary Public

REFER TO ACKNOWLEDGEMENT ATTACHED
JMP

DESIGN GUIDELINES

MOUNTAIN VIEW WEST P.U.D.

Design Guidelines

**Parish LLC
8714 State Highway 60
Johnstown, CO 80534
Developer**

November 2017

TABLE OF CONTENTS

	NOTICE TO APPLICANTS, DEVELOPERS, BUILDERS, ETC.
1.0	Introduction
2.0	Statement of Purpose and Intent
2.1	The Vision for Mountain View West Subdivision
2.2	Mountain View West Site Description
3.0	Proposed Land Uses
3.1	General Procedures for Submittal and Approval
3.1.1	Design Review Committee
3.1.2	Design Review Committee Approval Process
3.1.3	Johnstown Review Committee
3.1.4	Johnstown Review Committee Approval Process
3.1.5	Additional Criteria and Updates
3.1.6	Variances
3.1.7	Final Plan Amendments
3.1.8	Covenants, Conditions & Restrictions (“CC&Rs”)
3.1.9	JRC Acknowledgment By Council
4.0	Architectural Design Guidelines In General
5.0	Architectural Design Guidelines Residential
5.1	Architectural Design Guidelines Single Family
5.2	Architectural Design Guidelines Multifamily
5.3	Architectural Design Guidelines Commercial Office and Flex Space
5.4	Architectural Design Guidelines Retail Commercial and Special Commercial
5.5	Architectural Design Guidelines Light Industrial
5.6	Architectural Design Guidelines Additional Criteria
5.7	Architectural Design Guidelines Landscaping
6.0	Open Space and Trails
7.0	Signs
8.0	Streetscapes, Furniture & Lighting
8.1	Streetscapes
8.2	Street Furniture & Street Lighting
8.3	Fencing & Walls
9.0	Storm Water
10.0	Utilities, Easement and Rights of Way
11.0	Grading
12.0	Screening Walls and Use of Berms
13.0	Emergency Access
14.0	Parking Lots, Transportation and Transit Stops
15.0	Irrigation
16.0	Irrigation Maintenance
17.0	Bicycles
18.0	Definitions

EXHIBITS To Design Guidelines

EXH A	Architectural Design Guidelines Standards Residential Uses
EXH B	MVW Commercial/Office & Flex Space Design Guidelines
EXH C	Landscape Criteria – Xeriscape and Plant List

***NOTICE TO APPLICANTS, DEVELOPERS, BUILDERS, BUYERS, TENANTS AND OTHER OCCUPANTS OF MOUNTAIN VIEW WEST SUBDIVISION...THESE MOUNTAIN VIEW WEST GUIDELINES SHOULD BE USED IN CONNECTION WITH OTHER TOWN OF JOHNSTOWN ADOPTED PLANS, REGULATIONS AND STANDARDS, INCLUDING, BUT NOT LIMITED TO:**

JOHNSTOWN'S MUNICIPAL CODE (AS IT MAY BE AMENDED)
JOHNSTOWN'S AREA COMPREHENSIVE PLAN NOVEMBER 2006
JOHNSTOWN'S DESIGN GUIDELINES, AS AMENDED
JOHNSTOWN'S ZONING AND SIGNAGE CODES
JOHNSTOWN'S TRANSPORTATION PLAN FEBRUARY 2008
JOHNSTOWN'S CRITERIA AND CONSTRUCTION REGULATIONS APRIL 2004
JOHNSTOWN/MILLIKEN PARKS, TRAILS, RECREATION AND OPEN SPACE PLAN MAY 03
JOHNSTOWN'S LANDSCAPE STANDARDS AND SPECIFICATIONS 2004
ANNEXATION AGREEMENT DATED APRIL 7, 2014
MOUNTAIN VIEW WEST MASTER AND RESIDENTIAL HOA COVENANTS (CC&Rs)
MOUNTAIN VIEW WEST PLAT NOTATIONS
MOUNTAIN VIEW WEST DEVELOPMENT AGREEMENT AND EXHIBITS THERETO

Guideline Sections within these MVW Design Guidelines include the following Sections;

- 1.0 Introduction
- 2.0 Purpose and Intent of these Guidelines, Vision and Description
- 3.0 Proposed Land Uses, Approval Committees and Processes, Additional Criteria, Variances, Final Plan Amendments, CC&Rs and JRC Acknowledgement by Council
- 4.0 Architectural Design Guidelines In General for the MVW Subdivision
- 5.0 Guidelines Specific for each Planned Land Use Including Single and Multifamily residences, Commercial Office, Commercial Retail and Special Commercial as well as Flex Space, Light Industrial and Xeriscape Landscaping
- 6.0 Open Space and Trails
- 7.0 Signs
- 8.0 Streetscapes, Furniture and Street Lighting
- 9.0 Storm Water
- 10.0 Utilities, Easements and Rights of Way
- 11.0 Grading
- 12.0 Screening Walls and Use of Berms
- 13.0 Emergency Access
- 14.0 Parking Lots, Transportation and Transit Stops
- 15.0 Irrigation
- 16.0 Irrigation Maintenance
- 17.0 Bicycles
- 18.0 Definitions

Exhibits A-C

1.0 Introduction

In accordance with the Johnstown Area Comprehensive Plan, Mountain View West (MVW) subdivision is a covenant controlled master-planned community that is located in the northeast corner of the intersection of Parish Avenue (WCR 17) and Centennial Drive (WCR 46 ½). The subdivision located just south of Johnstown's existing downtown is to provide an extension to the existing downtown corridor of Johnstown by extending both commercial and residential uses blended within a harmonious mix of neo traditional craftsmen style designs throughout the water wise subdivision.

2.0 Statement of Purpose and Intent of these Guidelines

The purpose and intent of these guidelines is to provide design guidelines for developers, builders and property owners by establishing timeless design guidelines and concepts that maintain the unique character planned for MVW by Parish, LLC in creating a "community within a community" providing MVW residents and business owners a feeling of pride that they have invested in a unique place in which to reside, work, play and shop all within easy walking distance of the existing downtown, and near many Town service facilities. MVW is extending the existing downtown corridor southerly to Centennial. These guidelines will help to insure that the unique character and intent planned for MVW is carried out by future developers and builders choosing to build within MVW assuring consistent design elements and characteristics are maintained throughout the MVW community. These guidelines along with other documents referenced herein provide a basis to ensure that the character of MVW is maintained throughout the subdivision, providing overseers consistency on acceptable site planning, landscaping, streetscapes, parking, signs and signage, and architecture on an ongoing basis. The guidelines also ensure MVW residents and occupants a feeling they are safe and secure in their living and working environments while preserving real estate values in a comfortable community reminiscent of days gone by.

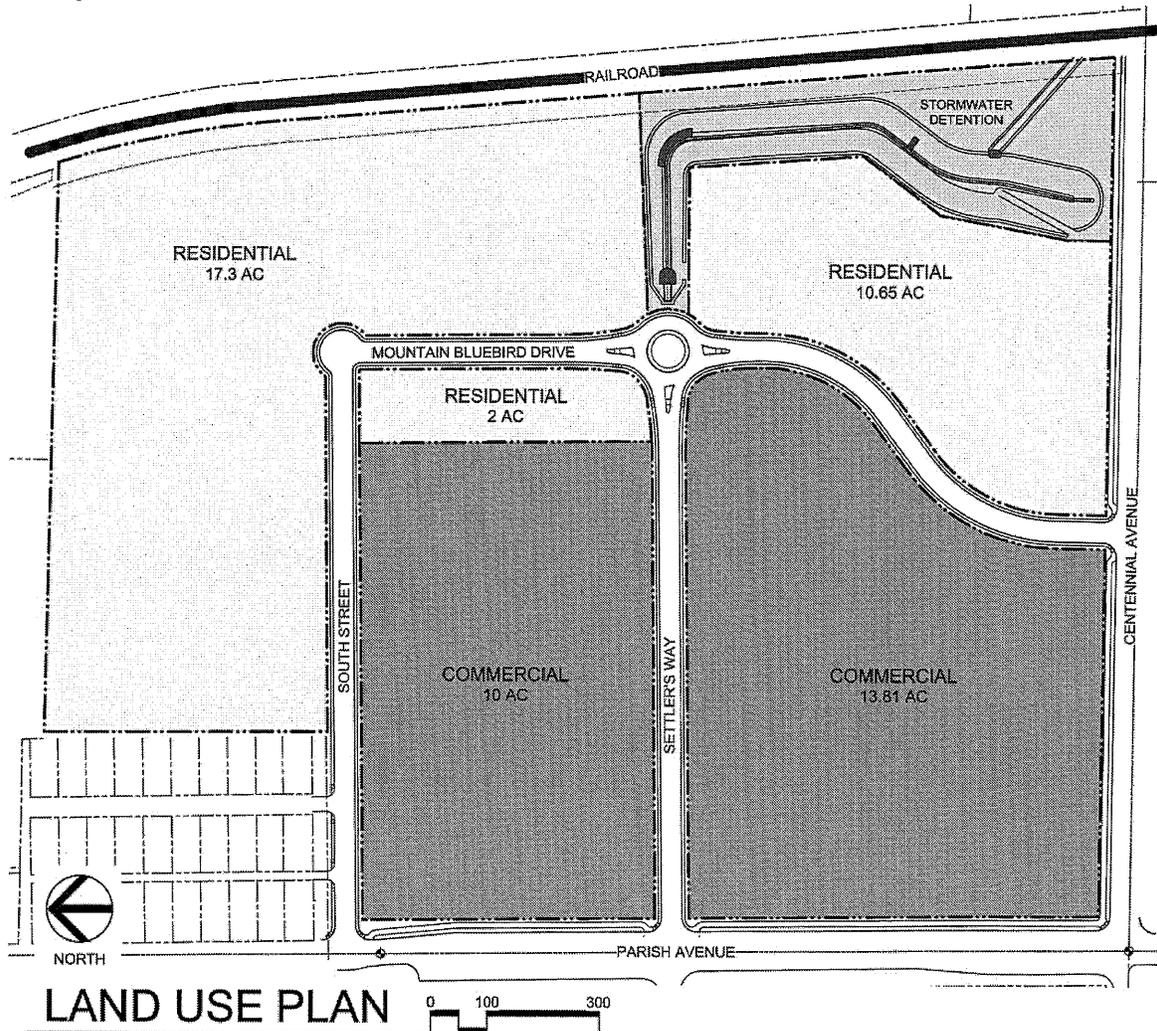
2.1 The Vision for Mountain View West

MVW is located in close proximity to the Johnstown Downtown Corridor. As such MVW will have extra wide sidewalks along Parish Avenue to encourage walkability to and from the downtown. The retail office areas will have excellent curb appeal from Parish whether visitors are coming to the center by foot, bicycle or motorized vehicle. Throughout the subdivision MVW is designed to incorporate neo traditional craftsman styled architecture throughout the community keeping in character with the roots of Johnstown. Residential areas will display tree lined streets and front porches will be encouraged within the architectural guidelines for residential areas featuring moderate to high densities as called out in the Town's Design Guidelines. The entire MVW community will be under landscaping guidelines that are based upon xeriscape landscape techniques and plant species providing for a water wise community. Xeriscaping landscape guidelines are a part of these guidelines as is a list of suggested planting materials.

2.2 Mountain View West Site Description

MVW is located in the northeast corner of the intersection of Parish Avenue (WCR 17) and Centennial Drive (WCR 46 ½) and contains approximately 62 acres of land area. The site is gently sloping from the northwest to the southeast, where the subdivision's detention pond is planned. From the detention pond water will be released into the Little Thompson. The land has been used for agricultural uses for many decades. The land was annexed into the Town on or about April 7, 2014 and has been entitled as a Planned Unit Development (PUD). MVW is bounded on the west by Parish Avenue; on the south by Centennial Drive; on the east by Great Western Railway right of way; and on the north by The Colony and land owned by Weld County.

3.0 Proposed Land Uses



MVW is a Planned Unit Development that will generally consist of approximately 30 acres of commercial office, employment and retail uses and 32 acres of residential uses. MVW is a phased subdivision with two phases. Phase I encompasses approximately 32 acres to the north of the planned easterly extension of Settler's Way. Phase II will contain approximately 30 acres lying south of the easterly extension of Settler's Way. Some utility connections and the MVW subdivision's storm water detention facility are located within the boundary of Phase II, but will be completed as part of the Phase I improvements. Several land uses have been identified as appropriate uses at this time for MVW and they are listed herein. Phase I will have 11 acres of commercial property including retail, office and employment uses that may be located within flex space. Phase I may also accommodate up to 17 acres of residential land uses. In accordance with Goal DT 4 of Johnstown's Design Guidelines MVW residential will be planned for 8 to 10 dwelling units per acre. Residential and commercial areas within MVW will be complementary. Wide sidewalks with street trees and benches and public art displays will guide and invite people from downtown Johnstown to MVW. Phase II of MVW will contain an additional 24.46 acres of land area. Commercial and Special Commercial uses will occupy 13.81 acres of Phase II with medium density residential uses taking up the additional 10.65 acres. In those cases where these guidelines are in conflict with the Town of Johnstown standards and regulations

within the Town's Design Guidelines, then the Town's Design Guidelines shall prevail. The provisions of these MVW Guidelines shall supersede any conflicting provision(s) of the then prevailing Johnstown Municipal Code and may only be modified to protect the health, safety, and welfare of the general public by the Town's Council following at least thirty (30) days written notice to the record owner(s) of real property that will be affected by the intended modification.

3.1 GENERAL PROCEDURES FOR SUBMITTALS AND APPROVALS

MVW shall establish a Design Review Committee (DRC) in order to assure that all of the MVW Master and Residential Home Owner Association (HOA) Covenants, Conditions & Restrictions (CC&Rs) design standards are followed and adhered to before a final plan is submitted to the Town of Johnstown for administrative review and approval by the Johnstown Review Committee (JRC). An applicant shall first start with discussing its planned project with the DRC.

3.1.1 Design Review Committee

The Design Review Committee is established to ensure that all proposed development projects to be constructed meet the standards established in these MVW Design Guidelines. Guidelines have been established to ensure consistency with character and design throughout the MVW community. These MVW Design Guidelines have been promulgated and adopted by MVW and the Town of Johnstown for the sole purpose of providing land use regulations which will form the basis for decisions made by the DRC as well as the JRC as they review all planned project that are submitted to them for review and approval. The DRC and JRC will review and approve all site, building and landscape plans for the MVW subdivision. Planned projects that do not meet these adopted MVW Design Guidelines will not be approved. The DRC will be made up of an architect or engineer, a landscape architect and a representative of the subdivision's Owner. The DRC shall meet regularly to review plans submitted to it, but shall only review submittals that are complete with all required documents submitted as required by the DRC. Applicants are encouraged to have pre-application meetings with the DRC or its members.

3.1.2 Design Review Committee Approval Process

Any time a party wished to build, demolish, or substantially modify an improvement within MVW that party must first have their plans approved by the DRC prior to commencement of any work related to such construction, demolition or modification. The party must thereafter also receive a similar approval from the JRC before commencement of work. Items under the purview of the DRC include, but are not limited to, building elevations, site plans, site photometric plans, site engineering, landscape designs, signage, and other similar items as identified by the DRC. The DRC will require applicants to submit complete packages for DRC review at least 10 days prior to scheduled DRC meeting so that the submittal documents can be dispersed to DRC members for their review prior to the meeting date. Submittals shall be made with electronically in a pdf format, unless otherwise directed by the DRC. Submittals shall not be considered complete unless and until any required submittal fee is received by the DRC. A formal presentation to the DRC may be requested at any time by the DRC by providing the applicant advance notice. Upon notice to the applicant that the DRC has approved the applicant's submittal the applicant may submit the project to the JRC, so long as the submittal documents are consistent with those that were approved by the DRC with no changes or modifications thereto.

3.1.3 Johnstown Review Committee (JRC)

The Johnstown Review Committee may be made up of the Town's Planner and Town Manager, or other professionals engaged by the Town. The JRC shall review the documents that have been previously approved by the DRC that are thereafter submitted to the JRC in their exact same format without any changes or modifications. All Town of Johnstown building codes,

subdivision regulations, fees and permits as adopted from time to time by the Town shall apply. See NOTICE TO APPLICANTS above for additional controlling documents.

3.1.4 Johnstown Review Committee (JRC) Approval Process

Applicants after having their project reviewed and approved by the DRC must then have their application approved by the JRC, after it has been reviewed and approved by the DRC. The applicant shall submit their project to the JRC pursuant to the following approval process:

1. Pre-application Discussion
Applicants may and are encouraged to schedule a pre-application meeting with the Town Planner for Johnstown to informally discuss and review the applicant's planned use of the site in question. This shall include the applicant's interpretation of the MVW Design Guidelines as they relate to the applicant's project. Review of a sketch plan along with elevations and other items as have been addressed and approved by the DRC will be instrumental in assuring good communication of the intended use.
2. Final Development Plan Submittal and Process
Projects being submitted to the JRC as a Final Development Plan Submittal shall be made on the appropriate forms accompanied by the appropriate fees as charged by the Town. A letter from the DRC should accompany the submittal indicating that the applicant has received the approval of the DRC. The Town will review the submittal within seven (7) days of it being submitted for completeness of the submittal. If the Town deems the submittal to be complete the JRC will review the applicant's project submittal. If the submittal is deemed incomplete then the JRC shall inform the applicant in writing as to how the applicant can modify the submittal to make it complete. Once the JRC has a complete submittal for review it shall make its determination within forty five (45) days of the submittal date as to whether or not the application is in conformance to the MVW Design Guidelines as adopted. The JRC may elect to grant variances to the applicant upon the DRC's recommendation and the applicant's ability to provide and demonstrate to the JRC a better design solution. The Town however will not be able to grant a variance to a permitted use.
3. Johnstown Review Committee Approval
4. Once the JRC has determined that the applicant has complied with all of the MVW Design Guidelines, as well as other Town of Johnstown controlling documents and regulations, the JRC may grant its approval for the applicant's project. The JRC shall approve the application if it complies with the applicable terms and conditions of the MVW Guidelines and other Town guidelines, rules and regulations. The JRC may approve the application with conditions. Said conditions shall be specifically related to compliance with standards and guidelines as listed herein. In the event that the JRC determines that the proposed development in the application does not comply with the Design Guidelines, the JRC shall specify in writing the specific reasons in which the application does not meet applicable criteria.
5. Johnstown Review Committee Appeal
The decision of the JRC may be appealed by the applicant to the Johnstown Town Council. The appeal shall be in writing, and shall be made within thirty (30) days of the date of the transmittal of the JRC's decision. The Johnstown Town Council shall hear the appeal within thirty (30) days of the filing of the appeal by the applicant. The decision of the Johnstown Town Council shall be final regarding the applicant's appeal.
6. Resubmittals: Resubmittals of applications that required modifications be made will be processed in the same manner and within the same time frame as the initial

application as shown in the JRC Approval Process 3.1.4 in paragraphs number 1 through 4 above.

3.1.5 ADDITIONAL CRITERIA AND UPDATES

In addition to the criteria herein the DRC and JRC may promulgate additional criteria that not inconsistent with the criteria set forth herein. From time to time, any of these additional criteria may be amended by action of the DRC and JRC. Change in land use or changes greater than the 20% dimensional criteria, that shall become a permanent part of the design guidelines document shall constitute a major change and shall be brought back to the Planning Commission and Town Council for review and approval.

3.1.6 VARIANCES

The DRC may authorize a variance to the MVW Design Guidelines when circumstances such as topography, natural obstructions, hardship, or aesthetic or environmental objectives or considerations may warrant, insofar as they are not superseded by applicable Town of Johnstown zoning regulations. Such variances must be approved by the DRC and JRC. A variation of up to 20% in a dimensional standard is allowed if it improves the project design or an unreasonable hardship can be demonstrated by the applicant.

3.1.7 FINAL PLAN AMENDMENTS

Amendments to Final Plan Documents must be approved in writing by both the DRC and JRC.

3.1.8 COVENANTS, CONDITIONS & RESTRICTIONS (CC&Rs)

MVW will submit to the Town of Johnstown at the time of recording of the Final Plat a complete copy of CC&Rs for MVW for review and recording. The CC&Rs may address other items that are not addressed within these MVW Design Guidelines. However, each and every covenant, condition and restriction within the CC&Rs shall be subordinate to the MVW Design Guidelines. CC&Rs shall conform to all State of Colorado statutes and regulations as well as any that may be established by local governmental bodies or the Town of Johnstown.

3.1.9 JRC APPROVAL OF GUIDELINES ACKNOWLEDGED BY COUNCIL

The Johnstown Review Committee (JRC) acknowledgement and approval of these Mountain View West (MVW) Design Guidelines shall be acknowledged and approved by the Johnstown Town Council by Resolution of the Town Council.

4.0 ARCHITECTURAL DESIGN GUIDELINES IN GENERAL

The architectural guidelines provided within this section provide specific design features and elements that MVW want to achieve in its overall design of a quality subdivision that is a new southerly extension to the downtown corridor of Johnstown. MVW intends to maintain the charm and character of the older parts of the Johnstown community and develop a new residential and activity center for retail, office and employment sectors within the community. The architectural style that has been selected by Parish LLC is the neo traditional craftsman style which is close in design to much of the existing buildings and homes located in the core area of Johnstown. Because MVW is only 62 acres in size and is located along Parish Avenue across from the Johnstown municipal complex, it is developing a large portion of the acreage, approximately 30 acres in total for commercial, office, health care and retail uses with the balance of the property developing as residential dwelling units at the rate of 8 to 10 units per acre as indicated in the Johnstown Design Guidelines as Downtown Goal #4. There will be approximately 32 acres of medium density residential dwellings constructed at MVW in several smaller communities, each with their own identity and some being age restricted communities. Temporary construction, sales and leasing offices of a free standing nature, for periods of less than one year, shall also

be allowed as an accessory use in MVW. Recreational uses shall be considered an allowable accessory use in MVW. Any other structure or use clearly incidental to or that is generally and commonly associated with the operation of any permitted use that is permitted within these MVW Design Guidelines.

Design goals and objectives at MVW shall include:

- Attractive separation from neighboring projects
- Buildings with multiple sided architecture not just street side architecture
- Buildings located with interesting orientations in commercial areas
- Trash enclosures that are fully screened so that dumpsters are not visible
- Mailboxes will be located in well lighted accessible and safe areas
- Regional materials should be encouraged and used as much as possible
- Adjoining properties are encouraged to share access points and allow circulation
- Projects need to provide for bicycle parking and safe circulation through the site
- Routes shall be clearly delineated, visible and marked for safety
- Safe zones for pedestrians at all intersections with vehicles
- Open and unobstructed sight triangles
- Roof mounted objects should be screened or place away from street sides
- Lighting levels throughout MVW commercial areas shall be subdued, not bright
- Use of building based lighting is encouraged
- Where fences are used they should be open in nature
- Privacy Fencing - Allowed but not in linear runs more than 20 feet in 1 direction
- Drive thru restaurant service lanes shall be screened or bermed
- Drive thru service menu boards shall not be visible to public streets
- Enhancement of the scale and style of the central business district is encouraged

5.0 ARCHITECTURAL DESIGN GUIDELINES RESIDENTIAL

The submittal process for single family or multifamily residential projects in MVW will have an abbreviated submittal process as compared to commercial, office, retail, and flex projects, but shall parallel the process described in 3.1 to 3.1.7 above. Builders and owners should ask the MVW Residential HOA for details and proper application forms. Whether a project is being constructed as a residential or commercial project these MVW Design Guidelines will control and shall be enforced by the ARC and JRC. Home occupations shall be allowed within the residential areas of MVW subject to any restrictions placed upon such use by Johnstown.

5.1 ARCHITECTURAL DESIGN GUIDELINES SINGLE FAMILY RESIDENTIAL

Phase I of MVW may not have any detached single family housing as it is currently planned for medium density attached single family residences. See attached Exhibit A to the MVW Design Guidelines for more information and samples of acceptable Craftsman Style architecture to be constructed at MVW. Acceptable accessory uses would include garages, gazebos, gas grills, and patios. No storage sheds will be allowed that are not an attached part of the residence and designed to be compatible with the architecture of the residence.

5.2 ARCHITECTURAL DESIGN GUIDELINES MULTIFAMILY RESIDENTIAL

Multifamily dwellings will meet the same Craftsman Style architecture as described within the MVW Design Guidelines attached as Exhibit A to these Guidelines. Multifamily dwelling density shall range from 12 to 16 dwellings units per acre. At least one garage shall be available for occupants of the multifamily dwelling units, plus additional onsite parking as is required by the Johnstown Municipal Code. Acceptable accessory uses include garages and landscape and site features such as gazebos and private and shared outdoor patios and grill areas and hot tubs.

Maintenance structures shall also be a permitted accessory use as well as patio or deck storage units attached to the buildings.

5.3 ARCHITECTURAL DESIGN GUIDELINES COMMERCIAL OFFICE AND FLEX SPACE

Office buildings and hybrids such as flex space incorporating office and some lab space or inside storage or work space shall also meet similar Craftsman Style architecture so as to be compatible with MVW residences. Uses in these areas will include service businesses such as banks and medical and dental offices as well as standard professional office uses. Skilled care nursing facilities, independent living structures, assisted care living structures and other similar specialty housing types will also be allowed within this area. See attached Exhibit B to the MVW Design Guidelines for a depiction of the architectural style and design elements that are to be incorporated into the designs of office buildings and flex space at MVW. Acceptable accessory uses will include outdoor patios or other gathering areas, free standing signs, parking garages and other similar items that would be customary to these type facilities.

5.4 ARCHITECTURAL GUIDELINES RETAIL COMMERCIAL & SPECIAL COMMERCIAL

MVW considers that uses within these definitions if a Convenience Center and would include, but not be limited to, retail sales, service businesses, restaurants and restaurants with drive-thru lanes, bakeries, coffee shops, drug stores, food stores, specialty food stores, work-out gyms, laundromats, drug stores dry cleaners, hardware stores and many medical service facilities including emergency clinics, delis, salons and repair shops of all kinds. Many other similar businesses will fit into this same category, including brew pubs and convenience stores with gasoline sales. See attached Exhibit B to the MVW Design Guidelines for a depiction of the architectural style and elements to be incorporated into the designs of retail commercial and special commercial buildings at MVW. Acceptable accessory uses will include outdoor patios or other gathering areas, free standing signs, parking garages and other similar items that would be customary to these type facilities. Outdoor seating, benches and patio furniture shall also be allowed to provide gathering places.

5.5 ARCHITECTURAL DESIGN GUIDELINES LIGHT INDUSTRIAL OFFICE FLEX SPACE

MVW will accept certain clean assembly, processing and fabrication facilities, as well as printing and publishing businesses, but these kinds of business use should not be fronted out on Parish Avenue. Buildings housing these types of uses shall also be designed to fit with the Craftsman Style architecture as it is depicted on Exhibit B to these MVW Design Guidelines. Acceptable accessory uses will include outdoor patios or other gathering areas for employees, free standing signs, parking garages and other similar items that would be customary to these type facilities. Many of these same users could fit into flex space.

5.6 ARCHITECTURAL DESIGN GUIDELINES ADDITIONAL CRITERIA

In addition to the criteria set forth herein, the DRC and JRC may promulgate additional criteria from time to time that are not inconsistent with those that are set forth herein. Any of the new or additional criteria may be amended by action of the DRC and JRC. Changes in land use or changes to any criteria that is greater than the 20 percent dimensional criteria that shall become a permanent part of the design guideline document, shall constitute a major change and shall be brought back to the Planning Commission and Town Council for review and approval.

5.7 ARCHITECTURAL DESIGN GUIDELINES LANDSCAPING

MVW will be a water wise subdivision and has designed a complete set of xeriscape landscape regulations, including suggested planting materials for MVW. These Xeriscape Landscape Plans and Plant List are attached as Exhibit C to these MVW Design Guidelines.

6.0 Open Space and Trail

MVW dedicated open space at the time of its annexation into the Town of Johnstown that filled it requirement for open space dedication by providing a strip of land seventy five (75) feet in width either side of the Little Thompson River from the center line of the stream from the east side of the Great Western Railroad south all the way to WCR 19. The Town of Johnstown plans to improve this area with walking and biking paths leaving the bulk of the area open as a natural area. The large detention pond located in the southeast corner of MVW will be graded such that the bottom of the pond can be used for recreational activities when the pond is dry. Connections will be made from MVW to the Little Thompson open space trails when that area has been improved.

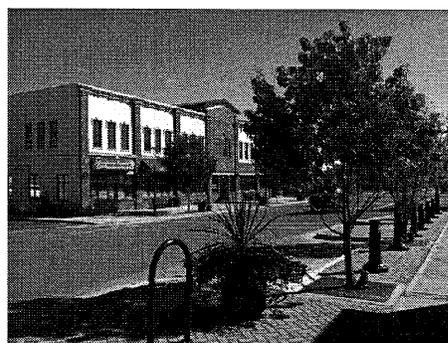
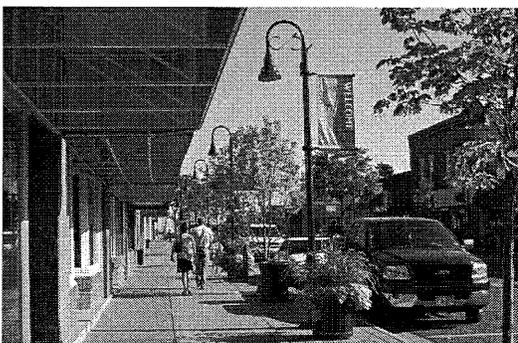
7.0 SIGNS

MVW will have two entry monument signs, see streetscape plans Section 8.1. One shall be located at the entrance to MVW off of Parish Avenue at the Settlers Way entrance in the southeast corner of the entrance. The other will be located along Centennial Drive at the future intersection of Mountain Bluebird Drive that is planned for Phase II of MVW. The entry monument signs will include native stone, a lighted sign and xeriscape landscaped areas with the addition of seasonal flowering plants during the summer months. Throughout the MVW subdivision all signage wherever possible shall be of a more human scale with lighted ground based monument signs used to identify tenants and users of commercial, office, flex and light industrial buildings and sites. Monument signs will be located in easements set aside for such. Façade signs will be allowed on retail buildings with back lit pan channel letters all sized in conformance with Town of Johnstown sign standards. Banners shall be allowed, but shall not be allowed to be displayed for more than one 7 day period of time during each 6 month period during a calendar year, those periods being January through June and July through December each year. Allowable sign areas and sizes shall be as allowed per the Town of Johnstown's Sign Code, at the time that the MVW Design Guidelines are adopted.

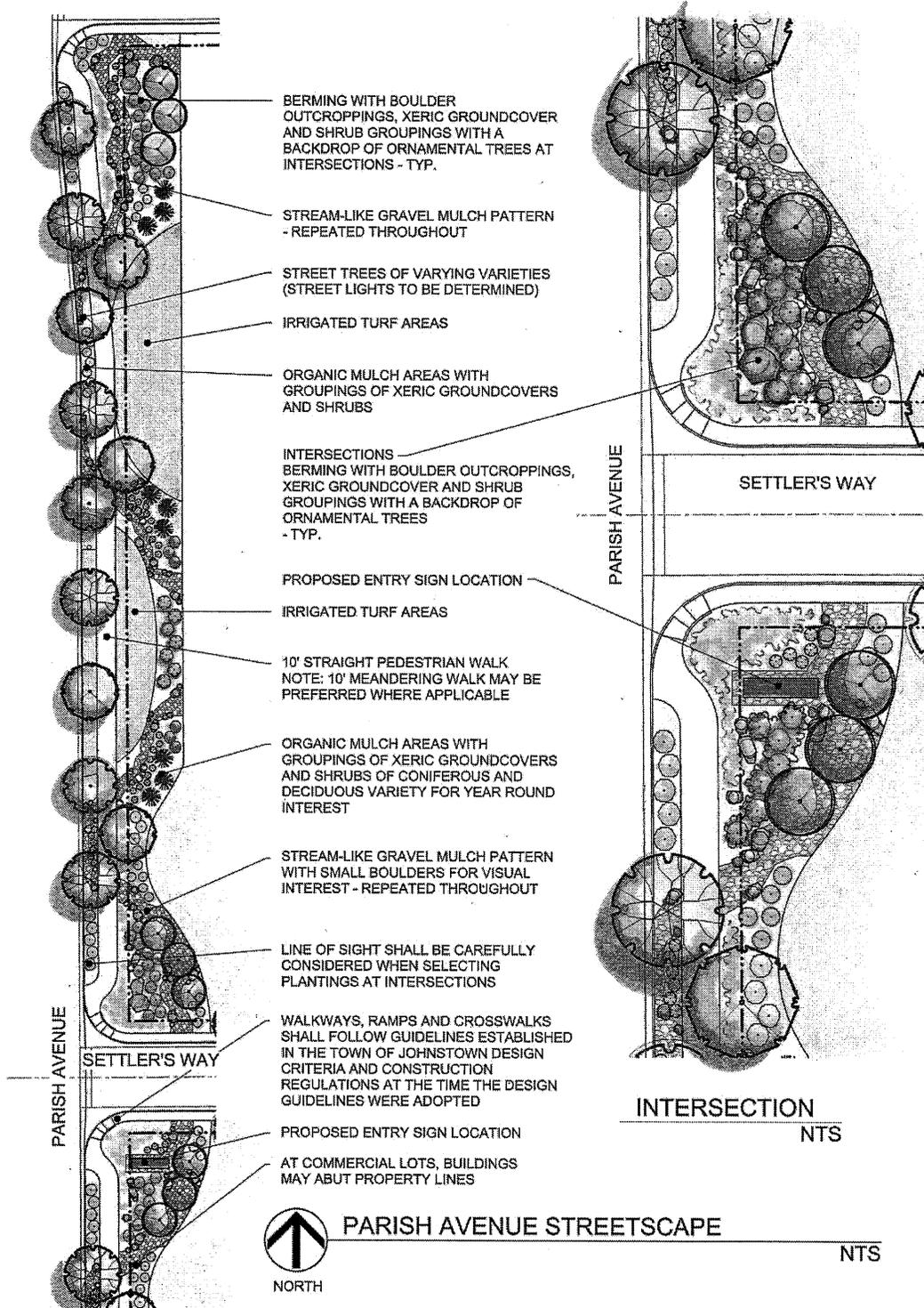
8.0 STREETSCAPES, FURNITURE & LIGHTING

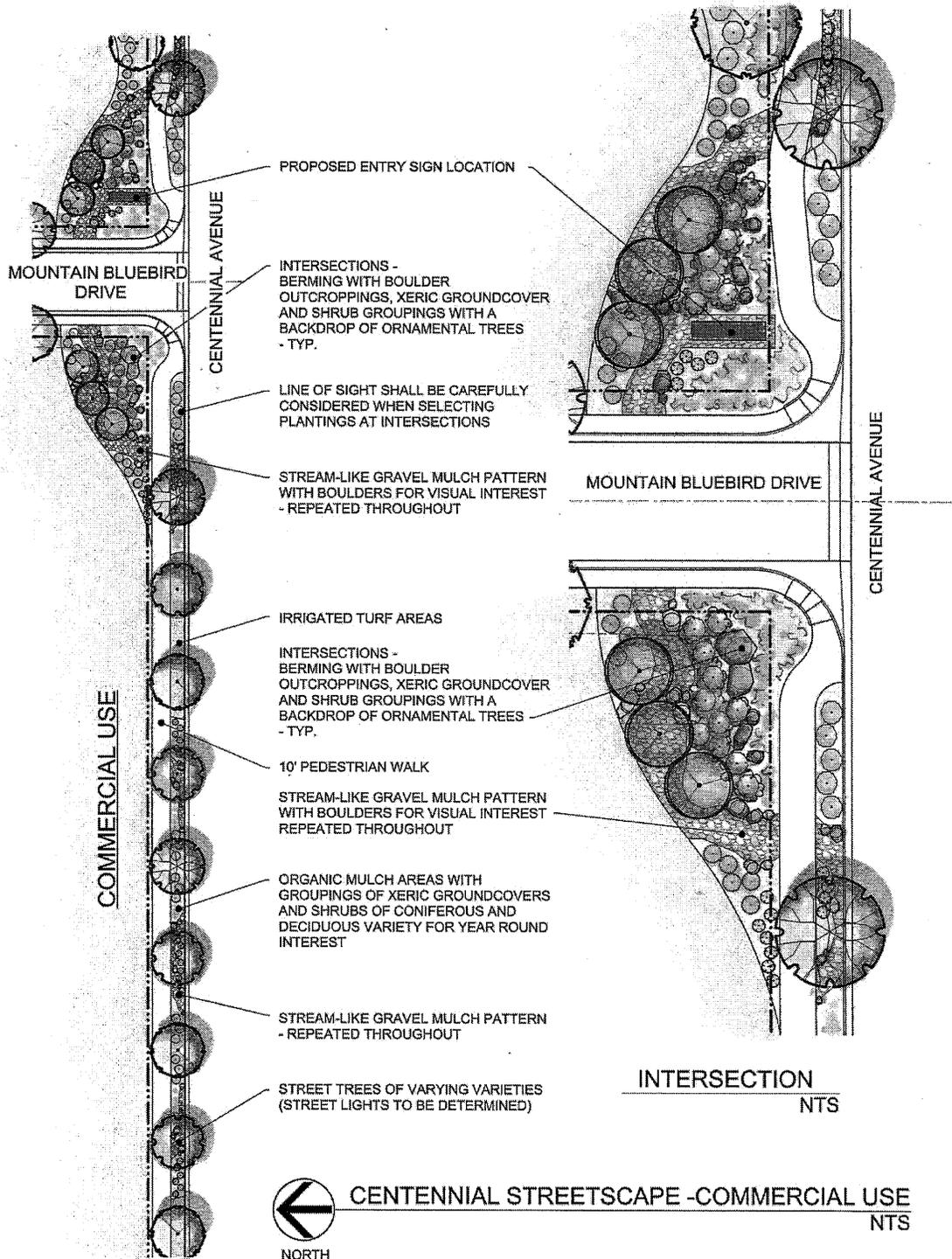
8.1 STREETSCAPES

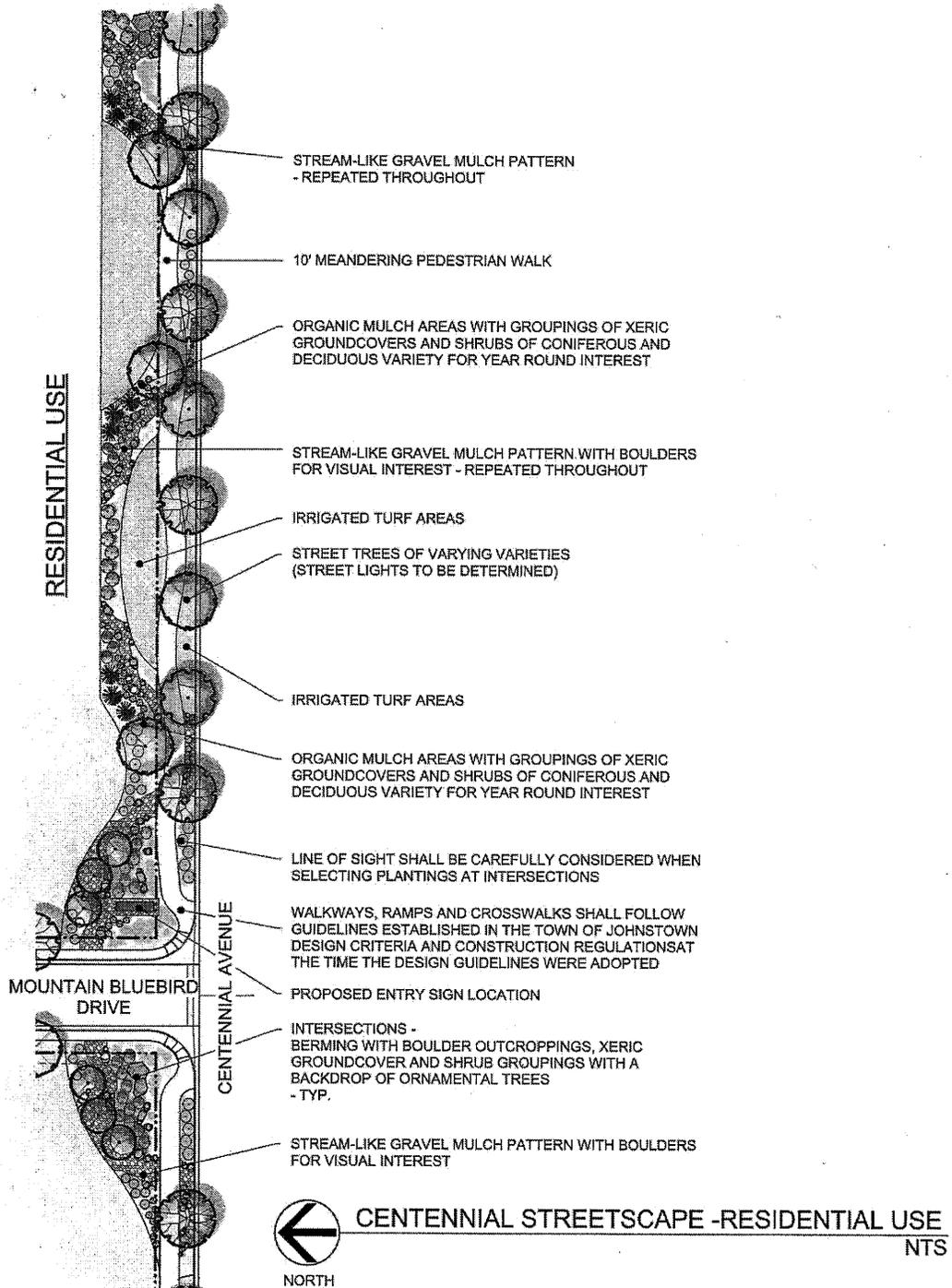
MVW will have tree lined streets throughout using a mixture of deciduous trees and ornamental trees as well as coniferous varieties and evergreen shrubs. That area along Parish Avenue shall be designed to have a blend of all kinds of plant materials mentioned herein, but MVW will focus mostly on xeriscape varieties of plants and trees. The roundabout at the junction of Settlers Way and Mountain Bluebird Drive will also be heavily landscaped, but not so that sight line views are obstructed.

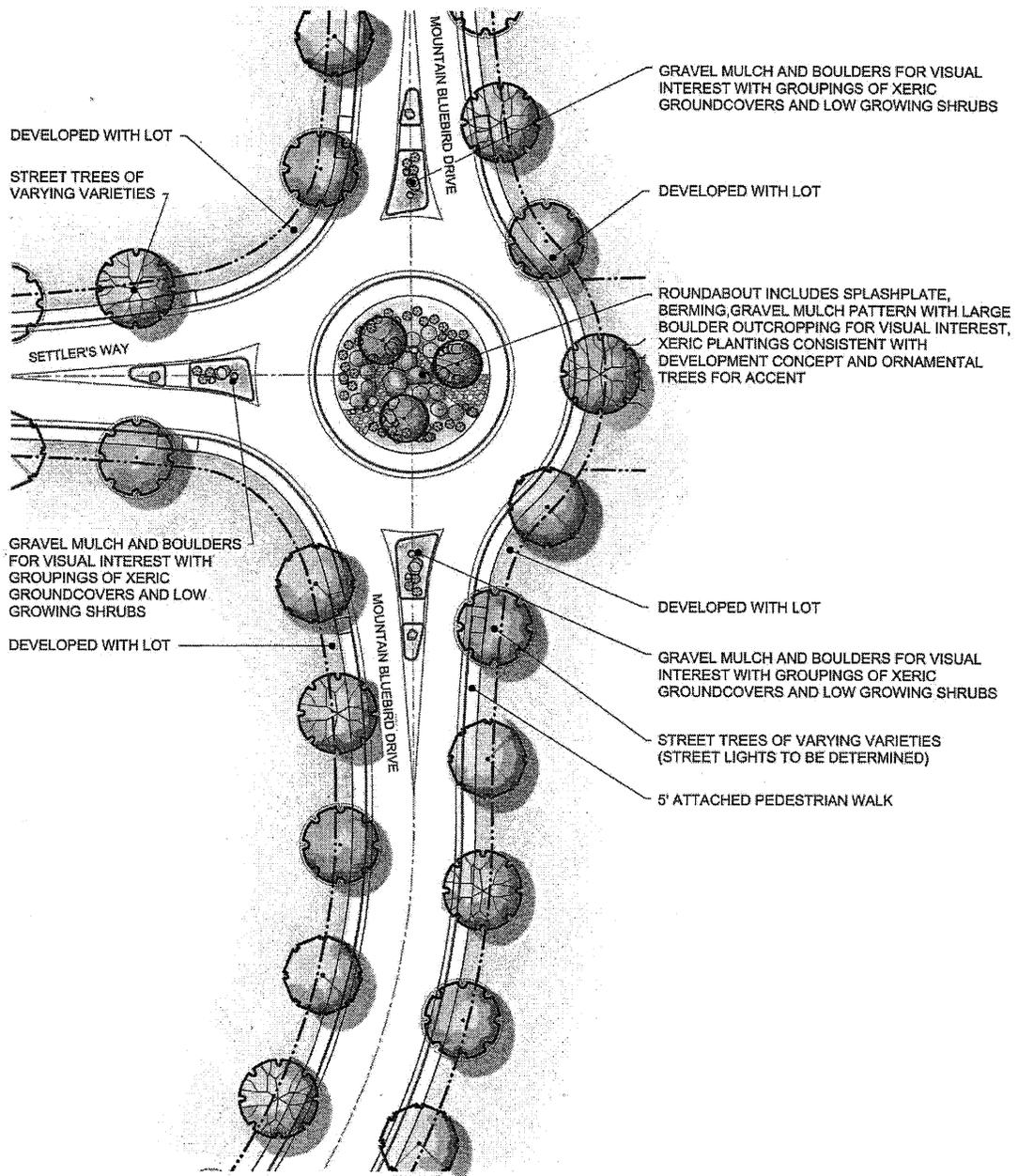


MVW commercial lots on Parish Avenue have the possibility to continue the downtown theme.









at ROUNDABOUT

NTS

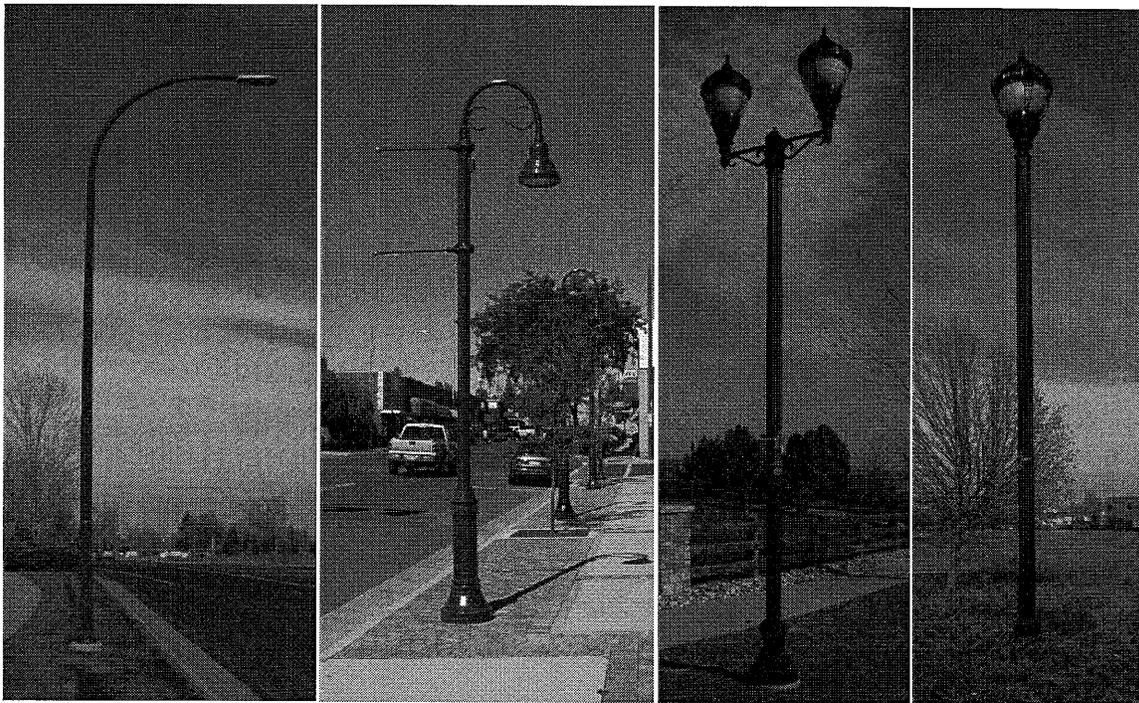
NORTH

8.2 STREET FURNITURE & STREET LIGHTING

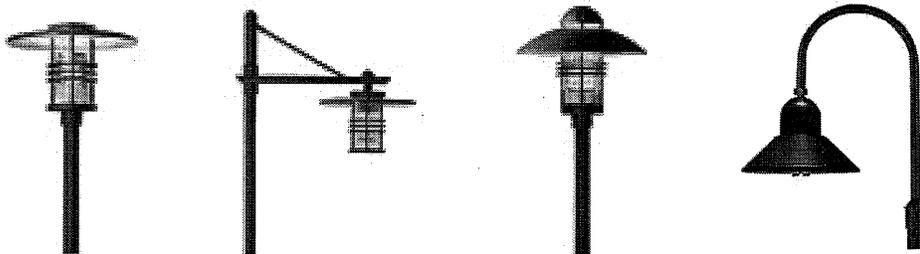
At strategic locations along Parish Avenue and elsewhere throughout MVW along local streets decorative benches and paving and other outdoor furnishings will be strategically placed. Street lighting internal to MVW will be of a decorative nature and street lighting along Parish Avenue shall mirror that used in the downtown area of Johnstown. The visual character of the drive or walk southerly along Parish Avenue will provide a sense of continuity to the downtown.



Site furniture examples from Johnstown's downtown.



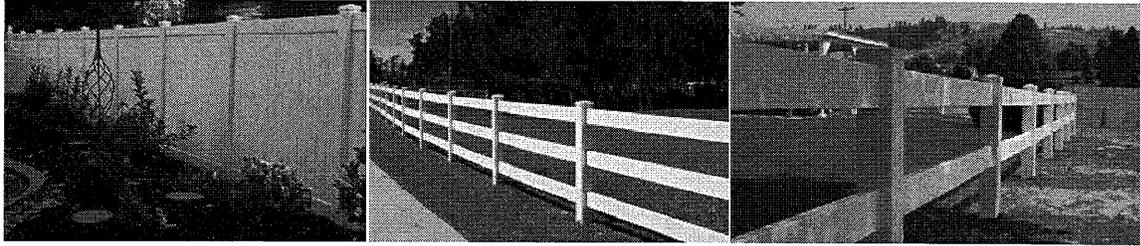
Examples of existing site & street lighting nearby.



Examples of possible pedestrian lighting styles to be considered.

8.3 FENCING & WALLS

All fencing should complement the project's architecture. Any walls should, in as much as possible, match the architecture of the project's buildings. Any fencing and walls shall be subject to JRC and DRC.



Examples of possible fencing styles.

9.0 STORM DRAINAGE AND DETENTION POND

The goal of each site design within MVW shall be to minimize runoff, to the subdivision's storm drainage pond located in the southeast corner of the subdivision which has been designed such that no on site detention or retention is required. MVW storm drainage pond and all calculations have been based upon the most recent data available from the proper authorities so that water being returned to the river is improved via the most recent technology to improve water quality. All sites and lots within MVW shall be designed to minimize the amount of storm water that goes from one site or lot onto a neighboring site or lot. Wherever possible water from parking lots and roof drains shall be directed toward and utilized by landscaped areas, reducing the need for irrigation water. Drainage water shall flow along driveways, dedicated street flow lines, swales and landscaped corridors on their way to the MVW detention pond where it will be introduced into the Little Thompson. Screen grates and trash grates shall be installed at outflow structures.

10. UTILITIES, EASEMENTS AND RIGHTS OF WAY

All existing easements and rights of way for existing utilities have been identified and located on the plat to be filed for MVW. MVW will also be dedicating certain utility easements and rights of way for future development of sites and lots throughout the subdivision. Developers and Builders shall not interfere with any such easements and rights of way and it shall be their sole responsibility to be aware of all such easements and rights of way on their site or lot prior to commencement of construction activity. Landscaping placed over the top of any easement or right of way is subject to future destruction and shall be the sole cost of the site or lot owner for any replacement.

11. GRADING

All construction activity on all sites and lots in MVW shall be constructed to provide positive drainage away from buildings and foundations, but not over sidewalks. No grading shall take place outside of the owner's site or lot without the proper authority from the neighboring land owner or Town when appropriate.

12. SCREEN WALLS AND USE OF BERMS

Within MVW all above ground utility boxes, meter banks, loading areas, and outside equipment storage areas shall be screened by a screen wall that matches the architectural nature of the adjacent building using the predominant materials and colors of the building or by the use of a landscaping berm. Screen walls and berms shall minimize the visual impact of the items being screened by at least seventy five percent (75%) from view of adjacent streets.

13. EMERGENCY ACCESS

All MVW site and street designs shall provide for safe and expeditious access for police, fire, ambulances and other emergency vehicles to residences and commercial buildings in line with the regulations set forth from time to time by the Johnstown Fire Department.

14. PARKING LOTS, TRANSPORTATION AND TRANSIT STOPS

As Johnstown continues to grow transportation will become an ever increasing topic of local conversation. To stay ahead of transportation issues MVW designs will allow for transit stops to be accommodated with retail and commercial areas of MVW as the need arises. In the interim most local residents will likely be using their vehicles when not walking or biking to MVW or within MVW to its commercial areas and tenant occupants. Parking lots in commercial areas will be designed to Town of Johnstown design criteria and construction regulations. Within all MVW residential areas it is anticipated that residences will have at least one parking garage with most having two parking garages. Apartments may not have enough covered parking in garages for all apartments, but they shall still meet the minimum parking requirement of 1.5 parking spaces per one bedroom dwelling and 2 parking spaces per two bedroom dwelling unit and 2.5 parking spaces per three bedroom dwelling unit. Commercial offices shall be designed with 1 parking space per 300 SF of gross leasable area and Commercial retail shall be designed with 1 parking space per 250 SF of gross leasable area. Medical offices shall be designed with 1 parking space per 200 SF of gross leasable area. Restaurants shall be required to have 1 parking space for each 100 SF of gross leasable area. Other uses not mentioned herein shall be as directed by the Town Johnstown Design Guidelines. All parking lots will be designed to current standards of designed to current Americans with Disabilities Act (ADA) standards. Interior rows of parking spaces will provide a landscape island at the end of each row of parking, and landscape islands will be provided within the row of parking spaces so that there is not more than 20 consecutive parking spaces without a minimum 9 foot wide landscape island separating the parking spaces. Bicycle parking shall be prominently made available throughout MVW within the commercial and office and retail areas. Bicycle parking areas shall be well lit to provide a safe environment for cyclists.

15. IRRIGATION AND IRRIGATION SYSTEMS

All landscaped areas at MVW shall have irrigation systems operated by time clocks which shall be operated at non high volume times, generally during the night time hours and set to turn off just before sun rise to minimize evaporative losses. Landscaped areas such as large urns and pots bearing live plant material will require hand irrigation if not set up with automatic sprinkler systems. Irrigations systems will be designed with adequate zones to minimize irrigation tap sizes. The irrigation line shall have an automatic controller to activate and operate the system. Remote control valves shall operate each zone valve. Patterns of sprinkler heads will be set to provide head-to-head coverage to all landscaped areas. The system operator shall manage the system so that no the sprinkler do not spray or irrigate impervious surfaces, including sidewalks, driveways, streets and parking lot areas. Backflow prevention devices shall be installed on all irrigation systems. Please see Exhibit C to these MVW Design Guidelines for further explanation of the xeriscape landscaping to be used at MVW and the water conservation benefit by the use of xeriscape methods and planting materials. MVW is a water wise xeriscape subdivision and as such all landscaped area shall be designed as per the Exhibit C Landscape Design criteria to these MVW Design Guidelines.

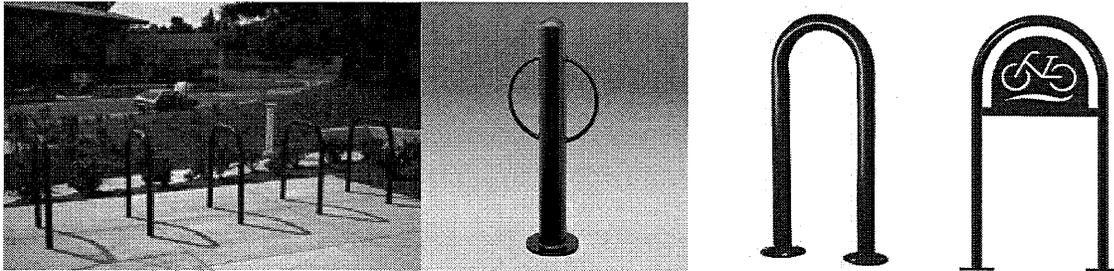
16. IRRIGATION MAINTENANCE

Maintenance of irrigation shall include all reasonable and regular irrigation, weeding, weed control, fertilizing, pruning, timely removal of tree wraps and staking, and bike path snow and ice removal per usual and standard horticultural practices and Town of Johnstown code. All plant

materials that show signs of insect infestation, diseases or other damage shall be appropriately and timely treated. Dead plant material will be replaced according to the approved landscape plan for MVW and the particular site or lot within MVW. An initial inspection of the landscaping installation will be completed at the time of completion of construction or at any time when there is a change in use. The original developer and any subsequent owner(s) shall be responsible for maintaining all on-site and common areas landscaping as shown on the approved landscape plan for the site or lot. MVW through its Master Association and Residential Association(s) shall be responsible for maintaining the landscaping of public improvements on all adjacent rights-of-way as shown on the approved landscape plan unless a maintenance agreement is existing with a third party. The Town, at its discretion, may add, remove, replace, or maintain landscape materials within any right of way per Town of Johnstown standards.

17. BICYCLES

Bicycles have become common place in today's society whether it be for recreation, work or for shopping. MVW recognizing this fact shall endeavor to accommodate bicycle riders within all commercial areas by providing bicycle routes and by providing adequate bicycle parking spaces in all commercial areas within MVW. Bicycle parking facilities shall be located to provide safety, security and convenience for bicycle riders. Such bicycle facilities shall not interfere with, and be located a safe distance from, pedestrian and motor vehicular traffic. It is highly recommended that bicycle parking facilities be designed and constructed to allow the bicycle frame and both wheels to be securely locked to the bicycle parking structure. The structure shall be of a metal or other permanent construction material and permanently attached to a concrete foundation.



Examples of possible parking device styles.

18. DEFINITIONS

1. Animated sign - A moving sign that utilizes motion in a horizontal or vertical plane or both.
2. Berm - An undulation in terrain creating a new landform within a landscape to be utilized for wind protection, screening or a point of focal interest.
3. Building - Any structure used, designed or intended for the roofed shelter, enclosure or protection of persons, animals or property.
4. Clinic...Medical, Dental or Other - Offices organized to provide medical, dental or other types of health services and/or supplies
5. Convenience Center - A small group of retail stores and service establishments which serve the local neighborhood, including, by way of example but not of limitation, a food store, drugstore, hardware store, barber shop, beauty salon, restaurant, shoe repair shop or laundromat.
6. Development - A single lot, parcel or tract of land or portions or combinations of lots, parcels or tracts of land which are held in single or common ownership and which exist as a distinct functional entity. Multi-use buildings and multiple building complexes which

are held in singular or common ownership, either by individuals, corporations or other legal entity, shall be considered a development for the purpose of the MVW Design Guidelines.

7. DRC – The MVW Design Review Committee
8. Flashing Sign - A sign that is illuminated with intermittent lighting, animated lighting or with varying intensities of light at intervals of fifteen (15) seconds or less, including a moving light or lights.
9. Flex Space - Flex space lends itself to multiple uses which is described by its name. A flex space building is designed for multiple tenants, divided in spaces generally running from front to back. Office space is usually located at the front of the building with other space to the rear that can be used for warehouse space, or assembly space that is typically accessed by delivery doors at the rear of the building. Flex space may include such uses for offices, retail, wholesale, warehousing, manufacturing, assembly, light industrial, or research and laboratory facilities, with residences on second floors.
10. Freestanding Sign – Also referred to as a ground sign. A sign that is permanent and self-supporting, being non-dependent upon support from a building or other type of structure, including signs placed upon fences or non-supporting walls.
11. Gross Floor Area – The total floor area of a commercial building that is inhabitable by the building's occupant or multiple occupants if the building is divided or divisible.
12. Gross Leasable Area (G.L.A.) - The total floor area of a commercial building, which floor area is designed for a tenant or tenants' occupancy and exclusive use, including basements, mezzanines and upper stories, expressed in square feet and measured from the center line of joint partitions and from outside wall faces.
13. Home Occupations – The legal use and occupation of a home, where permitted as an accessory use, for the purpose of doing business out of the home. Such use shall not change the character of the home and the home shall not be allowed exterior signage to promote such home occupation and not external storage shall be allowed. The home occupation shall not create any offensive noise, vibration, smoke, dust, odors, heat or glare noticeable to other area occupants.
14. JRC- The Johnstown Review Committee
15. Lot - A single parcel of land occupied or intended to be occupied by such structure or structures and uses as may be permitted by zoning.
16. Lot Area - The area of contiguous land bounded by lot lines, exclusive of land provided for public thoroughfare.
17. Lot Lines - The lines bounding a lot as defined above.
18. Office or Professional Office - The office of a doctor, dentist, architect, landscape or other architect, engineer, attorney or other similar recognized profession.
19. Open Space - The gross area of a lot or tract of land minus all streets, driveways, parking lots, and building areas, which is to be or has been landscaped or developed for use by the public or by the residents of the lot or tract of land for private, common or public enjoyment or recreational use.
20. Retail Store - A commercial establishment for the sale of material goods or commodities in relatively small quantities selling directly to local consumers and residents.
21. Screen or Screening - To use landscape materials, walls, fencing, berms, or other material to shield an area from view of the public and/or to mitigate noise impacts.
22. Sight Distance Triangle - That area formed by drawing a straight line back from intersecting property lines 25 feet from said intersection and connecting same with a separate line, creating a triangle.
23. Signs - Any structure or part thereof or any device attached to a structure, or any other form of visual communication applied by paint, illumination, embossing or other

technique to a building or other structure for the purpose of directing, advertising, informing, warning or otherwise conveying information visually to the viewer.

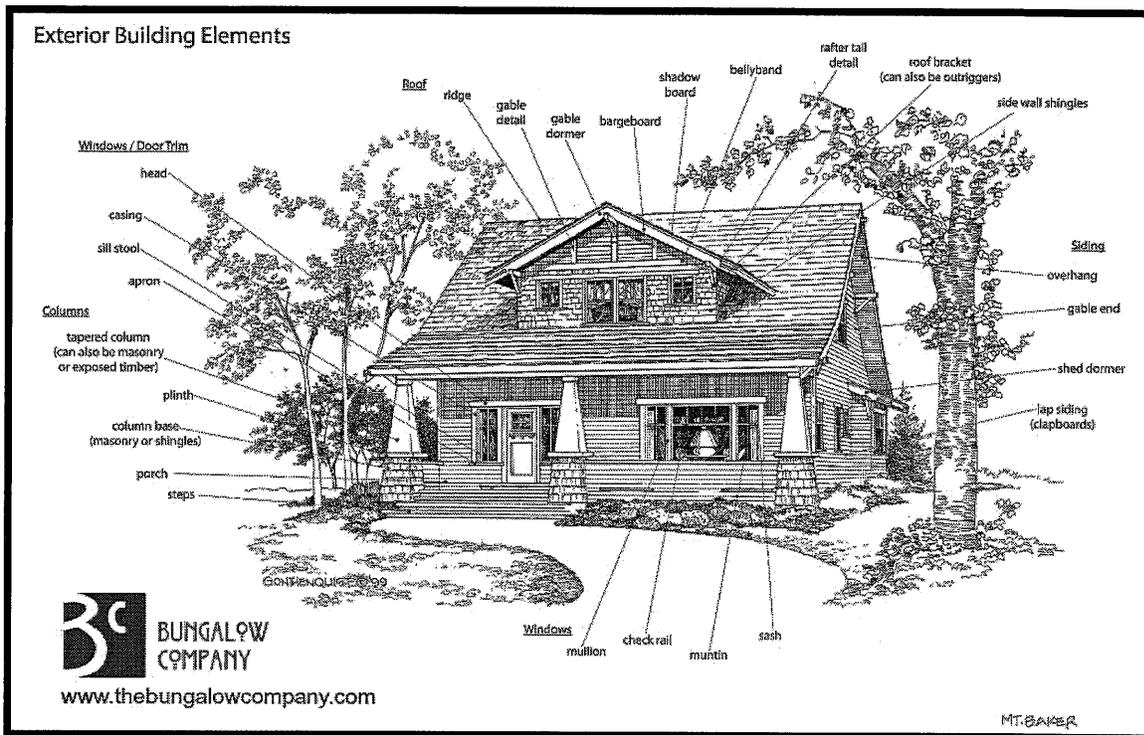
24. Stormwater Detention - Containment of controlled runoff temporarily for storage before discharging downstream. Typically the water is stored in a pond for a limited period of time.
25. Structure - A combination of materials other than natural terrain or plant growth erected or constructed to form a shelter, enclosure, retainer, container, support, base, pavement or decoration.
26. Xeriscape - An environmentally friendly and water wise landscape design approach where some or all of the following techniques are utilized; 1) selecting low water demand plantings, 2) grouping plants by their specific needs, 3) reducing turf areas, 4) using turf types with low water requirements, 5) using plants native to the region being designed, 6) using mulches to cover soil and save moisture, 7) irrigating by zoning those plants together with similar water needs and by using efficient sprinkler head layout and water distribution patterns, 8) and performing regular maintenance to preserve the landscape and conserve water.

EXHIBIT A
Architectural Design Guidelines Standards
Mountain View West – Residential and Multifamily Buildings

The following information is intended for use as an outline only. Please refer to the recorded Covenants, Conditions and Restrictions for Mountain View West Subdivision for additional detail. The Covenants require that all items are to be submitted to the Architectural Review Committee (“ARC”) for review and approval before submittal to the Town of Johnstown Review Committee (“JRC”) for their approval. Both approvals are required prior to construction commencing on any residential or multifamily building.

ITEM	GUIDELINE
Design Scheme	Neo-Traditional “Craftsman Style”
Roof Materials	Residential – Clay or concrete tile or Minimum 50 Year architectural asphalt shingle Commercial – May also add colored metal or flat roof with EPDM membrane
Roof Slopes/Overhang	Minimum 6/12 pitched roof. Sub roof structures may have less pitch to add character to the main roof. (i. e. dormers) Minimum 12 inch over hang on residential units.
Masonry	Brick, stone or faux stone materials wrapped a minimum 4 feet around sides on residential, multifamily and commercial facades. This shall include garages.
Siding	Cementous, Wood or Masonite lap siding is allowed. Maximum width allowed is 8 inches. Maximum exposure allowed is seven inches. Horizontal grooved is allowable. (Panelized siding such as T-111 is not allowed.)
Trim Widths	
Following are required:	Minimum 1” by 4” width required for all windows (front, rear and sides) Minimum 1” by 6” width required for all corners Minimum 1” by 10” width required at all floor changes and gable ends Minimum 1” by 10” width required at bottom of siding above foundation
Fascia	1” by 8” width with a 1” by 4” trim or gutter. Fascia must be wood or CTX only. Seven sixteenth inch (7/16”) siding shall not be allowed to be used as fascia.
Exterior Vents	Must fit exterior design and be colored to match adjacent materials
Vertical Support Posts	Must be framed with a minimum 8” width on the street facing side, minimum 6” on the sides. Supports shall be wider at the bottom than at the top. Masonry or stone must be a minimum of 12” on any elevation when used.
Heat & Plumbing Vents	Must be located on the roof slope away from the street elevation or screened and hidden.
Colors	Traditional colors to blend with the character of the neighborhood are allowed. All exterior railings, wood, trim, etc. shall match in color. Clear finish is not allowed. Adequate representation of proposed colors will be submitted to the ARC and JRC
Windows	All windows must be wood or vinyl. Aluminum windows are not allowed. The exterior of windows shall be painted to match trim colors.
Fences	See “Fencing Standards” within the MVW Covenants (CC&Rs).
Landscaping	See “Landscape Plan” within the MVW Covenants (CC&Rs).
Antennas & Dishes	Antennas are allowed only in attic spaces. Satellite dishes are allowed per Covenants.
Items Allowable With Special Use Approval	Storm Doors, basketball hoops, playhouses, dog houses and dog runs, swing sets, signs, site lighting located off building structures, firewood storage, change in color scheme.

EXHIBIT A CONTINUED



Craftsman Detail Options

Identifying characteristics and features include such things as pitched and occasionally hipped roofs with wide, and sometimes unenclosed overhangs, roof rafters (exposed) or architectural characteristics shown that represent the look of exposed rafters or decorative false beams or braces, commonly added under gables, porches, either full or partial width, with roof support columns many times tapered as shown on these representative drawings. On these pages of Exhibit B are representative photos of styles and characteristics of architectural features the Mountain View West Architectural Design Review Committee would like to see incorporated within your design submittal.

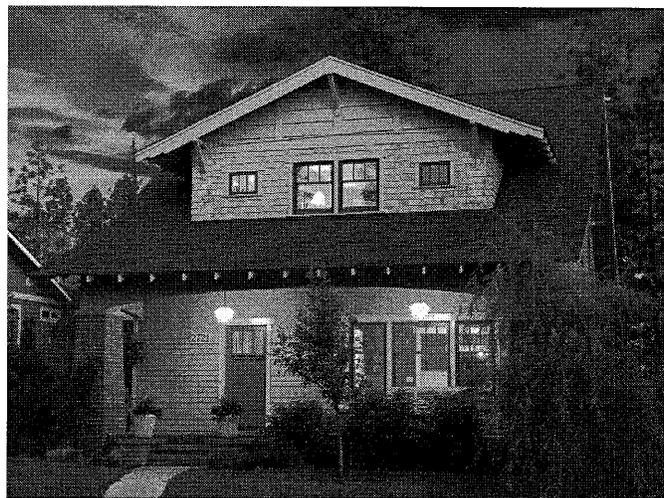


EXHIBIT A CONTINUED

Craftsman Detail Options

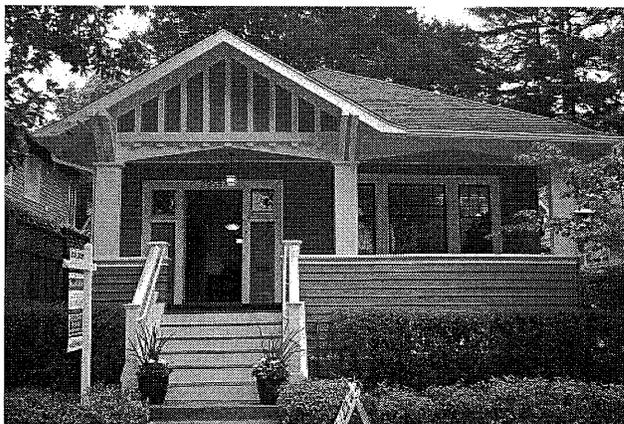
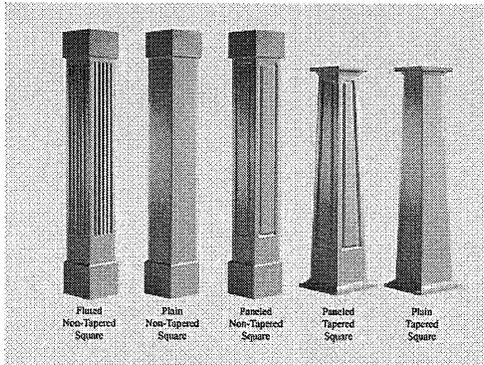
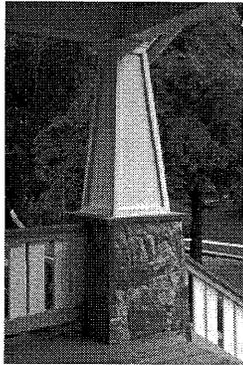
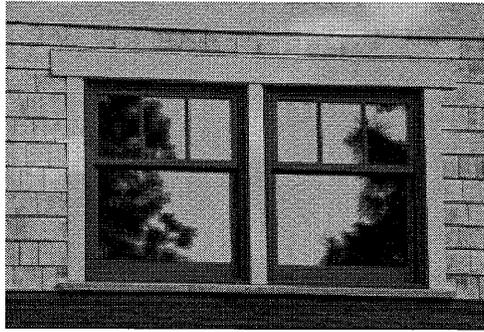
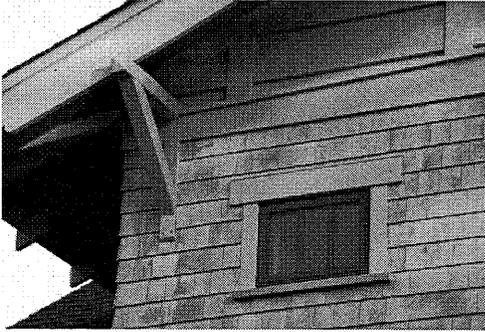


EXHIBIT A CONTINUED
Craftsman Detail Option

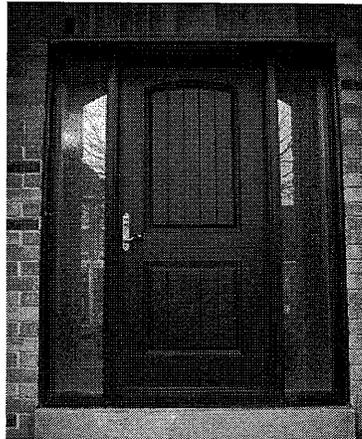


Exhibit B
MVW Commercial/Office & Flex Space Design Guidelines
Craftsman Detail Options

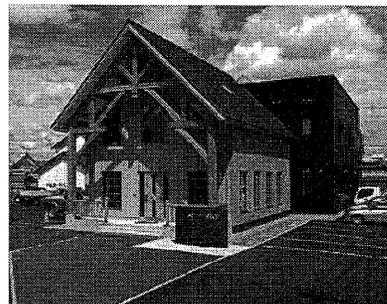
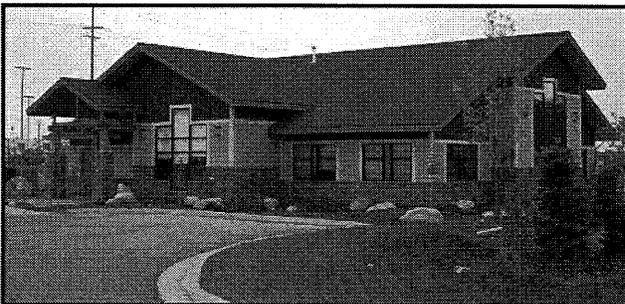
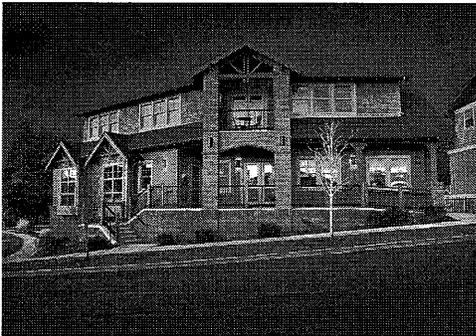
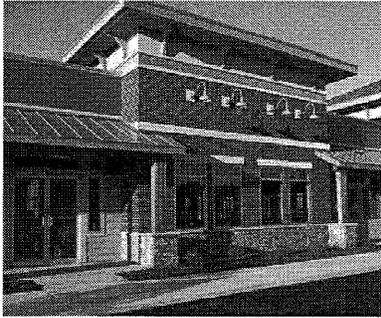


EXHIBIT C – MVW LANDSCAPE STANDARDS - XERISCAPE



What is Xeriscaping?

Xeriscape, pronounced (ZER-i-scape), is a landscape practice used to promote water conservation through the design of creative and attractive water efficient landscapes. Xeriscaping is not the same as “zero-scaping” where the designed landscape consists mostly of hard surfaces with very few plants. Xeriscaping is also different from “natural/native” landscaping because here the emphasis is on the selection of plants for water conservation, not necessarily selecting native plants.

It is not a specific look or style. Rather, xeriscape is a combination of seven common-sense horticulture principles that save water, time and resources while creating a beautiful landscape.

The Seven Principles of Xeriscape are:

1. **Planning and Design:** Whether you plan to design your own property or get help from a Landscape Architect/Designer. A plan is an important first step, a good design will provide direction and guidance to ensure that water-conserving techniques are coordinated and implemented in the landscape. Think about how you want to use your new Xeriscape, while considering maintenance.

Perform a site analysis of your property, take into account existing site features such as the location and orientation of your home (north, south, east or west), commercial building or other project feature, such as open space or entry feature, slopes, soils, drainage, downspouts, prevailing winds, sun exposure, activity areas, desirable views, privacy/screening needs, future structures and site improvements. Draw a base map of your property to scale (i.e., 1”=10’-0” or 1/8”=1’-0”, etc...) and begin to design your Xeriscape according to your future vision and needs.

2. **Improve the Soil:** A good soil, one that supports healthy plant life and conserves moisture is an important part of any healthy landscape. Before any planting, add organic matter such as compost or well-aged manure.

For most soils, adding 3-5 cubic yards of organic matter per 1,000 square feet of area to your soil can be beneficial for plant health, soil infiltration and water retention. Rototill the organic matter into the soil at a depth of at least 6 inches.

3. **Appropriate Plant Selection:** Choose plant species according to their sun and water requirements as it pertains to your specific site and areas within your property. Each property has its own set of criteria when it comes to sun exposure (sunny and shady areas) as well as drainage areas (dry or wet areas). Group plants of similar sun and water requirements together and place them in an area of the site which matches these requirements.

Provided with this document is a Plant List for guidance to get you started. Understand there are many plant varieties not provided on this list that could work in your Xeriscape, with approval. For additional plant options please reference the websites listed on page 4 of this document or visit local nurseries.

4. **Practical Turf Areas:** Thoughtful placement of turf areas of manageable size, shape and selection of appropriate drought tolerant turf species are a must. Consider limiting turf grass to high-traffic areas close to the house or other building, such as areas for play, recreation, and pets, with turf grasses that have been hybridized for arid conditions, such as Hybrid Bluegrass varieties and Turf-Type Tall Fescue. Native turf grasses such as Buffalo Grass or Blue Grama perform much better in low-traffic areas. Avoid narrow strips of turf grass which are hard to maintain and water. Consider planting landscape medians with low water, low maintenance plant material.
5. **Irrigation:** Establish hydrozones for water use. Group plant varieties and turf areas according to specific watering needs by dividing the Xeriscape into zones: High (regular watering), Moderate (occasional watering) and Low (little to no watering). Design an irrigation system to water appropriately and conserve water by zoning the irrigation system to serve plant groupings of similar water needs. This can be accomplished by irrigating turf areas separately (with a pop-up sprinkler system) apart from other planting bed/shrub areas (with low-volume drip irrigation). Irrigate areas according to their specific needs by applying the correct amount of water at the correct time of day, early morning or late evening.

Consider the design of your irrigation system at the same time as the design is being completed of your planting plan to minimize the potential for water waste.

6. **Mulch Planting Beds:** Mulch shall be shredded bark, bark chips, rock, and/or gravel.

Organic Mulch, such as shredded wood and bark chips, should be applied at a depth of at least 3-4 inches and will help keep plant roots cool, prevent water evaporation from the soil and will reduce weed growth. Keep in mind that Colorado winds tend to disperse dried out organic mulch.

Inorganic Mulch, such as rock and gravel should be applied at a depth of approximately 2" thick over a weed barrier fabric. Keep in mind extensive use of rock on south and west exposures can raise temperatures near the house, building or other structure and result in wasteful water runoff. Because of the heat that radiates from rock mulch, consider only hardy shrubs and trees to be planted in these conditions. Mulch will give planting beds a finished look and increase the visual appeal of your landscape.

7. **Landscape Maintenance:** Properly mowing, weeding, pruning, watering and fertilizing at the correct time will preserve the beauty of the Xeriscape. A well-maintained landscape will be healthier and hardier to better withstand drought. Once established, Xeriscape Landscapes, require less maintenance and less irrigation than Traditional Landscapes.

MOUNTAIN VIEW WEST XERISCAPE PLAN REQUIREMENTS:



The Mountain View West Master & Homeowners Associations encourage and support tasteful Xeriscaping which will not only beautify our neighborhood, but also lower outdoor water use up to 50 percent. Current Design Guidelines state that all Xeriscape plans require Committee approval.

Xeriscaping does not involve creating a hot dry landscape by dumping truckloads of rock and gravel on to your property. Only aesthetically pleasing Xeriscape plans will be approved by the Mountain View West HOA Architectural Board. Prior to submitting an Architectural Review Request for your Xeriscape, consider the following:

Single Family Residential, Multi-Family Residential and Commercial Standards:

1. **Plan for Submittal:** Prior to installing the landscape of a property, the Owner must submit an ARC Approval Application. There must be an overall design which enhances the look of the home or other buildings and complies with the vision of the neighborhood. The request must include an outline of the project. Plan view designs must provide detailed information on the location of existing site features and all proposed site elements such as locations of hardscape, turf, mulch types and plant material drawn to their mature sizes. Plans must indicate location and types of mulch and rock. If detailed drawings are not included with the Architectural Review Committee Approval Application, the ARC Approval Application will be returned to the homeowner or building property owner.

2. **Ground Cover:** May include turf, native turf species, or perennial/shrub no-mow groundcovers. Wood mulch, rock mulch, decorative rock boulders, or other natural material over fabric to provide a neat, dust-free, weed-free appearance.

Large areas may not be composed of a single material, i.e. bare mulch/rock unless interspersed with groupings of plants.

3. **Borders:** Edging may consist of metal edging and masonry products such as concrete edger. Turf/native turf areas must be bordered to clearly define turf from planting beds.

4. Front Yard Standards:

- a. The front yard must have a minimum of 30% and a maximum of 50% irrigated turf or alternative turf area, such as no-mow perennial groundcovers. Sprinkler controllers must be set to water turf and planting bed areas in compliance with the Town of Johnstown.
- b. The front yard must have a maximum of 25% tastefully organized inorganic coverings such as rock, stone, or gravel (or some combination thereof).
- c. The remaining area should be perennials, shrubs, trees, and organic mulched area.
- d. Once installed, the landscaping must be maintained in a neat, attractive, and well-kept manner. Remove dead trees and shrubs promptly. Do not allow weeds to grow in the mulched or rock areas.
- e. Turf grass must be watered sufficiently to prevent it from dying or going dormant while not exceeding water provider's limitations.

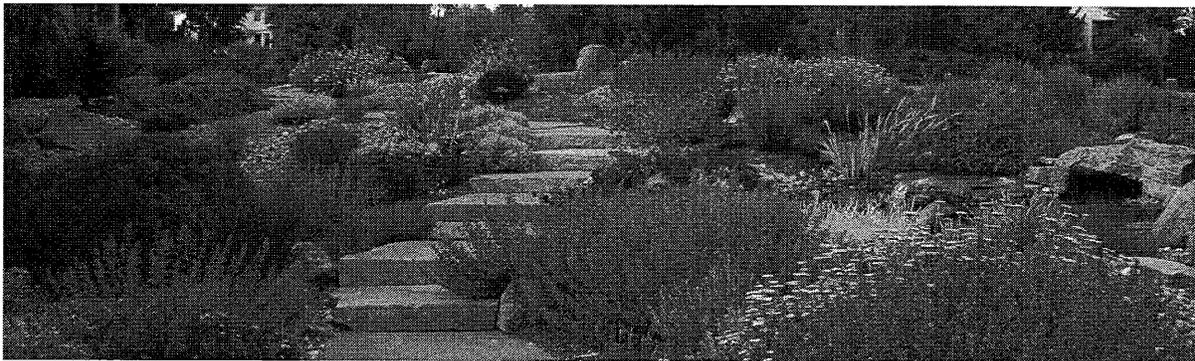
5. Side Yard Standards:

- a. In any location where the side yard of a corner lot is exposed to a street in front of a fence, the side yard landscaping shall be integrated with the front yard landscaping and subject to the same standards.

6. Back Yard Standards:

- a. The same seven water saving principles are to be applied to backyard designs.

- 7. Committee Approval:** Does not constitute assurance that landscape improvements comply with the Landscape Standards and Specifications of the Town of Johnstown. Property owners are responsible for all permits and approvals required from the Town of Johnstown.



City of Johnstown Landscape Standards:

<http://www.townofjohnstown.com/DocumentCenter/Home/View/170>

Sources for further Xeriscape and Plant Selection information:

<http://coloradowaterwise.org/page-645743>

<http://extension.colostate.edu/topic-areas/yard-garden/xeriscaping-creative-landscaping-7-228/>

<http://www.denverwater.org/Conservation/Xeriscape/XeriscapePlans/>

<http://www.fcgov.com/utilities/residential/conserve/water-efficiency/xeriscape>

<http://www.highcountrygardens.com/>

EXHIBIT C CONTINUED – MVW LANDSCAPE – PLANT LIST

PLANT LIST

<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>HYDROZONE</u> ¹	<u>EXPOSURE</u> ²
DECIDUOUS TREES			
<i>Acer glabrum</i>	Rocky Mountain Maple	L	PS-FS
<i>Acer grandidentatum</i>	Bigtooth Maple	VL-L	PS-FS
<i>Acer tataricum</i>	Tatarian Maple	L	PS-FS
<i>Acer tataricum 'Garann'</i>	Hot Wings Tatarian Maple	L	PS-FS
<i>Aesculus glabra</i>	Ohio Buckeye	M	PS-FS
<i>Aesculus hippocastanum</i>	Horsechestnut	M	PS-FS
<i>Amelanchier x grandiflora</i>	Autumn Brilliance Serviceberry	L	PS-FS
<i>Amelanchier canadensis</i>	Shadblow Serviceberry	L	PS-FS
<i>Catalpa speciosa</i>	Western Catalpa	L-M	FS
<i>Chionanthus virginicus</i>	White Fringe Tree	M	PS-FS
<i>Crataegus spp.</i>	Hawthorn	L	PS-FS
<i>Celtis occidentalis</i>	Hackberry	L	PS-FS
<i>Gleditsia spp.</i>	Honeylocust	L-M	PS-FS
<i>Gymnocladus dioica</i>	Kentucky Coffeetree	L	PS-FS
<i>Koelreuteria paniculata</i>	Golden Rain Tree	L	PS-FS
<i>Malus spp.</i>	Crabapple	M	PS-FS
<i>Ptelea trifoliata</i>	Wafer Ash (Hop Tree)	L-M	S-PS-SF
<i>Pyrus spp.</i>	Ornamental Pear	M	PS-FS
<i>Quercus gambelli</i>	Gambel Oak	VL-L	PS-FS
<i>Quercus macrocarpa</i>	Burr Oak	VL-L	FS
<i>Quercus muehlenbergii</i>	Chinkapin Oak	L-M	FS
<i>Robina pseudoacacia 'Purple Robe'</i>	Purple Robe Locust	VL-L	FS
<i>Sophora japonica</i>	Japanese Pagoda Tree	M	FS
<i>Syringa reticulata</i>	Japanese Tree Lilac	M	FS
<i>Tilia spp.</i>	Linden	M	PS-FS
<i>Ulmus spp.</i>	Elm	L-M	PS-FS

¹ **HYDROZONE:**

- VL -Very Low Water Use - indicates a plant that requires little to no additional water once established.
- L - Low Water Use - indicates a plant that requires an additional 3 gallons of water per square foot per season.
- M - Moderate Water Use - indicates a plant that requires an additional 10 gallons of water per square foot per season.
- H - High Water Use (None Selected) - indicates a plant that requires continual water.

² **EXPOSURE:** S-Shade PS-Part Shade FS-Full Sun

PLANT LIST

<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>HYDROZONE</u> ¹	<u>EXPOSURE</u> ²
EVERGREEN TREES			
<i>Abies concolor</i>	White Fir	L-M	PS-FS
<i>Juniperus spp.</i>	Juniper	L	PS-FS
<i>Picea abies</i>	Norway Spruce	M	PS-FS
<i>Picea pungens</i>	Colorado Spruce	L-M	PS-FS
<i>Pinus aristata</i>	Bristlecone Pine	L	FS
<i>Pinus cembroides edulis</i>	Pinyon Pine	L	PS-FS
<i>Pinus flexilis</i>	Limber Pine	L	FS
<i>Pinus flexilis 'Vanderwolf Pyramid'</i>	Vanderwolf's Pine	L	FS
<i>Pinus heldrichi v. leucodermis</i>	Bosnian Pine	M	FS
<i>Pinus mugo 'Big Tuna'</i>	Big Tuna Mugo Pine	L	FS
<i>Pinus mugo 'Tannenbaum'</i>	Tannenbaum Mugo Pine	L	FS
<i>Pinus nigra</i>	Austrian Pine	L-M	FS
<i>Pinus ponderosa</i>	Ponderosa Pine	L-M	FS
<i>Pinus spp. 'character'</i>	Character Pine	L	FS
DECIDUOUS SHRUBS			
<i>Amelanchier spp.</i>	Serviceberry	L	PS-FS
<i>Amorpha spp.</i>	Leadplant	L	FS
<i>Aronis spp.</i>	Chokeberry	L	FS
<i>Artemisia spp.</i>	Sage	VL-L	PS-FS
<i>Atriplex spp.</i>	Saltbush	VL-L	FS
<i>Berberis spp.</i>	Barberry	L	FS
<i>Buddleia spp.</i>	Butterfly Bush	L-M	FS
<i>Caragana spp.</i>	Peashrub	VL-L	PS-FS
<i>Caryopteris spp.</i>	Blue Mist, Dark Knight Spirea	L	FS
<i>Cercocarpus spp.</i>	Mahogany	VL	PS-FS

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PLANT LIST

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<i>Chamaebatiaria millefolium</i>	Fernbush	VL-L	FS
<i>Chrysothamnus spp.</i>	Rabbitbrush	VL-L	FS
<i>Cornus spp.</i>	Dogwood	L-M	PS-FS
<i>Cotoneaster spp.</i>	Cotoneaster	L-M	S-PS
<i>Cowania mexicana</i>	Cliffrose	L	S-PS
<i>Cytisus spp.</i>	Broom	L	FS
<i>Fallugia paradoxa</i>	Apache Plume	VL-L	FS
<i>Fendlera rupicola</i>	Cliff Fendler Bush	L-M	FS
<i>Forestiera neo-mexicana</i>	New Mexican Privet	VL-L	FS
<i>Holodiscus dumosus</i>	Rock Spirea	L-M	PS-FS
<i>James americana</i>	Waxflower	VL-L	PS-FS
<i>Kolkwitzia amabilis</i>	Beauty Bush	L-M	PS-FS
<i>Ligustrum spp.</i>	Privet	L-M	PS-FS
<i>Perovskia atriplicifolia</i>	Russian Sage	L	PS-FS
<i>Philadelphus spp.</i>	Mockorange	L-M	PS-FS
<i>Physocarpus spp.</i>	Ninebark	L-M	PS-FS
<i>Potentilla fruticosa spp.</i>	Potentilla	L	PS-FS
<i>Prunus besseyi spp.</i>	Sandcherry	VL-L	PS-FS
<i>Prunus tomentosa</i>	Nanking Cherry	L	FS
<i>Rhamnus</i>	Buckthorn	L	PS-FS
<i>Rhus glabra</i>	Smooth Sumac	VL-L	PS-FS
<i>Ribes spp.</i>	Currant	L-M	S-PS-FS
<i>Rosea spp.</i>	Shrub Rose sp.	L-M	FS
<i>Rubus deliciosus</i>	Boulder Raspberry	VL-L	PS-FS
<i>Shepherdia argentea</i>	Silver Buffaloberry	VL-L	PS-FS
<i>Sibiraea laevigata</i>	Altai Spirea	L	PS-FS
<i>Sibiraea altaiensis</i>	Siberian Spirea	L	PS-FS
<i>Sorbaria sorbifolia</i>	Ash Leaf Spirea	L	PS-FS

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PLANT LIST

<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>HYDROZONE</u> ¹	<u>EXPOSURE</u> ²
<i>Symphoricarpos spp.</i>	Snowberry, Coralberry	L	PS-FS
<i>Syringa spp.</i>	Lilac	L-M	PS-FS
<i>Viburnum spp.</i>	Viburnum	L-M	PS-FS
EVERGREEN SHRUBS			
<i>Juniperus spp.</i>	Dwarf Juniper	L-M	PS-FS
<i>Picea spp.</i>	Dwarf Spruce	L	PS-FS
<i>Pinus spp.</i>	Dwarf Pine	L	PS-FS
BROADLEAF EVERGREENS			
<i>Agave parryi</i>	Agave	VL-L	FS
<i>Agave neomexicana</i>	New Mexico Agave	VL-L	FS
<i>Arctostaphylos spp.</i>	Manzanita	L-M	S-PS
<i>Euonymus fortunei 'Coloratus'</i>	Wintercreeper	L-M	S-PS
<i>Euonymus fortunei 'Emerald Gaiety'</i>	Emerald Gaiety Euonymus	L-M	S-PS
<i>Euonymus fortunei 'Emerald n' Gold'</i>	Emerald 'n Gold Euonymus	L-M	S-PS
<i>Hesperaloe parviflora</i>	Red Yucca	VL-L	FS
<i>Mahonia aquifolium spp.</i>	Oregon Grape Holly	VL-L	S-PS
<i>Yucca baccata</i>	Banana Yucca	VL-L	FS
<i>Yucca glauca</i>	Soapweed Yucca	VL-L	FS
ORNAMENTAL GRASSES			
<i>Andropogon gerardii</i>	Big Bluestem	L-M	FS
<i>Bouteloua gracilis 'Blonde Ambition'</i>	Blonde Ambition Blue Grama	VL-L	PS-FS
<i>Calamagrostis spp.</i>	Reed Grass	VL-L	PS-FS
<i>Erianthus ravennae</i>	Hardy Pampas Grass	VL-L	PS-FS
<i>Festuca spp.</i>	Blue Fescue	VL-L	PS-FS
<i>Hakonecbola spp.</i>	Japanese Forest Grass	VL-L	S-PS
<i>Helictotrichon sempervirens</i>	Blue Avena Grass	L	PS-FS

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PLANT LIST

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<i>Miscanthus purpurascens</i>	Maiden Grass	L-M	PS-FS
<i>Muhlenbergia spp.</i>	Muhly Grass	VL-L	FS
<i>Panicum virgatum spp.</i>	Switchgrass	VL-L	FS
<i>Pennisetum alopecuroides</i>	Dwarf Fountain Grass	L-M	FS
PERENNIALS			
<i>Achillea spp.</i>	Yarrow	VL-L	PS-FS
<i>Agastache spp.</i>	Agastache	L-M	FS
<i>Alcea rosea</i>	Hollyhock	L	PS-FS
<i>Alyssum spp.</i>	Alyssum	L	PS-FS
<i>Antennaria parvifolia</i>	Dwarf Pussytoes	VL-L	PS-FS
<i>Aquilegia spp.</i>	Columbine	L-M	PS-FS
<i>Arctostaphylos uva-ursi</i>	Kinnikinnick	L	FS
<i>Artemisia spp.</i>	Artemisia	VL	FS
<i>Asclepias tuberosa</i>	Orange Butterfly Weed	VL	FS
<i>Aubrieta spp.</i>	Rockcress	L	FS
<i>Aurinia saxatile compactum</i>	Basket of Gold	L-M	FS
<i>Baptisa australis</i>	False Indigo	L-M	FS
<i>Berlandiera lyrata</i>	Chocolate Flower	VL-L	FS
<i>Callirhoe involucrata</i>	Poppy Mallow	L-M	FS
<i>Campanula spp.</i>	Harebell	L	PS-FS
<i>Centranthus ruber</i>	Red Valerian	L-M	PS-FS
<i>Ceratostigma plumbaginoides</i>	Plumbago	L-M	PS-FS
<i>Coreopsis spp.</i>	Coreopsis	L	FS
<i>Delosperma spp.</i>	Ice Plant	L-M	FS
<i>Diascia integerrima 'Coral Canyon'</i>	Coral Canyon Twinspur	M	FS
<i>Digitalis thapsi 'Spanish Peaks'</i>	Dwarf Pink Foxglove	L-M	PS-FS
<i>Duchesnea indica</i>	Mock Strawberry	L-M	PS-FS
<i>Echinacea spp.</i>	Coneflower	M	FS

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² EXPOSURE: S-Shade PS-Part Shade FS-Full Sun

PLANT LIST

<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>HYDROZONE</u> ¹	<u>EXPOSURE</u> ²
<i>Echium amoenum</i> 'Red Feathers'	Red Feathers Echium	L	FS
<i>Eriogonum umbellatum</i>	Sulfur Buckwheat	L	FS
<i>Gaillardia</i> spp.	Gaillardia	L-M	FS
<i>Galium odoratum</i>	Sweet Woodruff	L	S-PS
<i>Gaura lindheimeri</i>	Whirling Butterfly Gaura	L	FS
<i>Gazania linearis</i>	Colorado Gold Gazania	L-M	FS
<i>Geranium</i> spp.	Geranium	L-M	PS-FS
<i>Gypsophila paniculata</i>	Baby's Breath	L	FS
<i>Helianthus maximiliana</i>	Sunflower	L	FS
<i>Heuchera</i> spp.	Coralbells	M	PS
<i>Iberis sempervirens</i>	Candytuft	M	PS
<i>Iris</i> spp.	Iris	M	FS
<i>Kniphofia</i> spp.	Torch Lily	L	FS
<i>Lamium</i> spp.	Nettle	L	S-PS
<i>Lavendula</i> spp.	Lavender	VL-L	FS
<i>Liatris punctata</i>	Dotted Gayfeather	VL-L	FS
<i>Limonium latifolium</i>	Sea Lavender	L-M	PS-FS
<i>Linum</i> spp.	Flax	L	FS
<i>Lupinus argenteus</i>	Silvery Lupine	L	PS-FS
<i>Marrubium rotundifolia</i>	Silver edged Horehound	VL-L	FS
<i>Mirabilis multiflora</i>	Showy Four O'Clock	VL-L	FS
<i>Nepeta</i> spp.	Catmint	L	FS
<i>Oenothera macrocarpa</i>	Ozark Sundrops	L	FS
<i>Origanum</i> spp.	Showy Oregano	M	PS-FS
<i>Osteospermum</i> spp.	Sun Daisy	L-M	FS
<i>Papaver orientale</i>	Oriental Poppy	L-M	PS-FS
<i>Penstemon</i> spp.	Penstemon	L	FS
<i>Phlox subulate</i>	Creeping Phlox	M	FS
<i>Potentilla verna nana</i>	Creeping Potentilla	L-M	FS

¹ HYDROZONE:

VL -Very Low Water Use - indicates a plant that requires little to no additional water once established.

L - Low Water Use - indicates a plant that requires an additional 3 gallons of water per square foot per season.

M - Moderate Water Use - indicates a plant that requires an additional 10 gallons of water per square foot per season.

H - High Water Use (None Selected) - indicates a plant that requires continual water.

² EXPOSURE: S-Shade PS-Part Shade FS-Full Sun

PLANT LIST

<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>HYDROZONE</u> ¹	<u>EXPOSURE</u> ²
<i>Pulsatilla vulgaris</i>	Pasqueflower	L	PS-FS
<i>Ratibida columnifera</i> 'Mexican Hat'	Prairie Coneflower	VL	FS
<i>Rudbeckia</i> spp.	Gloriosa Daisy	L	FS
<i>Salvia</i> spp.	Salvia	L-M	FS
<i>Saponaria ocymoides</i> 'Splendens'	Rock Soapwort	L	FS
<i>Santolina chamaecyparissus</i>	Lavender Cotton	L-M	FS
<i>Scabiosa</i> spp.	Pincushion Flower	L	PS-FS
<i>Scutellaria resinosa</i>	Prairie Skullcap	L-M	FS
<i>Sedum</i> spp.	Sedum	L	PS-FS
<i>Sempervivum</i> spp.	Hens and Chicks	VL-L	PS-FS
<i>Sphaeralcea</i> spp.	Orange Globemallow	VL-L	FS
<i>Stachys byzantina</i> 'Silver Carpet'	Silver Carpet Lamb's Ear	L	PS-FS
<i>Tanacetum</i> spp.	Partridge Feather	VL	FS
<i>Teucrium</i> spp.	Germander	L-M	FS
<i>Thymus</i> spp.	Thyme	L	PS-FS
<i>Verbena bipinnatifida</i>	Native Verbena	L	PS-FS
<i>Veronica</i> spp.	Veronica	L	PS-FS
<i>Viola corsica</i>	Corsican Violet	VL	PS-FS
<i>Zauschneria</i> spp.	Hummingbird Trumpet Flower	L	FS
<i>Zinnia grandiflora</i>	Rocky Mountain Zinnia	VL-L	FS
VINES			
<i>Campsis radicals</i>	Trumpet Vine	L-M	PS-FS
<i>Clematis terniflora</i>	Autumn Clematis	L-M	PS-FS
<i>Lonicera</i> spp.	Honeysuckle Vine	L-M	PS-FS
<i>Polygonum aubertii</i>	Silverlace Vine	L-M	PS-FS

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² EXPOSURE: S-Shade PS-Part Shade FS-Full Sun

PLANT LIST

<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>HYDROZONE</u> ¹	<u>EXPOSURE</u> ²
TURF			
	Crested Wheatgrass	L	FS
<i>Agropyron spp.</i>			
<i>Agropyron cristatum</i>	Ephraim Crested Wheatgrass	L	FS
<i>Buchloe dactyloides</i>	Buffalo Grass	VL-L	FS
<i>Bouteloua gracilis</i>	Blue Grama	L	FS
<i>Bromus interims</i>	Smooth Bromegrass	L	FS
<i>Festuca arundinacea spp.</i>	Turf-Type Tall Fescue	M	PS-FS
<i>Festuca spp.</i>	Fine Fescues	L-M	S-PS
<i>Poa pratensis x Poa arachnifera</i>	Texas Hybrid, Bandera/ Texas Hybrid, SPF30 Blend	M	FS

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H - High Water Use (None Selected) - indicates a plant that requires continual water.

² **EXPOSURE:** S-Shade PS-Part Shade FS-Full Sun

The Johnstown Review Committee (JRC) has adopted these Mountain View West (MVW) Design Guidelines as of this ____ day of _____ 2017 by Town Council Resolution.

AGENDA ITEM 9B

AGREEMENT
(Building Department Services)
(ProCode, Inc.)

TOWN COUNCIL AGENDA COMMUNICATION

AGENDA DATE: December 18, 2017

ITEM NUMBER: 9B

SUBJECT: Agreement to Provide Building Department Services between the Town of Johnstown and ProCode, Inc.

ACTION PROPOSED: Approve Agreement to Provide Building Department Services between the Town of Johnstown and ProCode, Inc.

PRESENTED BY: Town Attorney, Avi Rocklin

AGENDA ITEM DESCRIPTION: On December 17, 2012, the Town of Johnstown ("Town") entered into an Agreement to Provide Building Services with Ken Kidd. Mr. Kidd currently provides building department services to the Town at the rate of \$45.00 per hour for 30 hours per week. On or about October 18, 2015, the Town approved an amendment to the agreement to allow Mr. Kidd to hire a subcontractor, Jonathan Gesick of ProCode, Inc., for 20 hours per week at the rate of \$40.00 per hour. Mr. Kidd desires to retire at some point during the 2018 calendar year. Mr. Kidd and Mr. Gesick propose to switch roles, with Mr. Gesick acting as the Town's building official for 30 hours per week and Mr. Kidd performing building official services for the Town for 20 hours per week as Mr. Gesick's subcontractor.

With that background, Town Council may consider the Agreement to Provide Building Services between the Town and ProCode, Inc. ("Agreement"). Per the Agreement, ProCode will designate Jonathan Gesick to provide building department services to the Town. The Town will pay ProCode at the rate of \$5,850 per month, which correlates to \$45.00 per hour for 30 hours per week. ProCode will be entitled to retain Mr. Kidd as a subcontractor for \$40.00 per hour for 20 hours per week. When Mr. Kidd retires, ProCode may, in its discretion, either hire an employee or another subcontractor to perform services for the Town for the 20 hour per week role. Notably, ProCode must obtain the approval of the Town Manager to retain a second person.

In addition, ProCode agrees that Mr. Gesick and any other person who provides service for the Town will maintain the appropriate building official certifications during the term of the Agreement and will carry the proper insurance. The Agreement may be terminated by either party with sixty (60) days' notice. If not terminated, the Agreement is subject to automatic annual renewal and is effective on January 1, 2018.

LEGAL ADVICE: The Town Attorney prepared the Amendment to Agreement to Provide Building Department Services.

FINANCIAL ADVICE: The Town Treasurer indicated that sufficient funds are available.

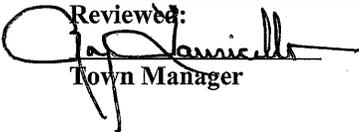
RECOMMENDED ACTION: Approve Agreement to Provide Building Department Services between the Town of Johnstown and ProCode, Inc.

SUGGESTED MOTION:

For Approval: I move to approve the Agreement to Provide Building Department Services between the Town of Johnstown and ProCode, Inc., and authorize the Mayor to sign the agreement.

For Denial: I move to deny approval of the Agreement to Provide Building Department Services between the Town of Johnstown and ProCode, Inc.

Reviewed:


Town Manager

AGREEMENT

AGREEMENT TO PROVIDE BUILDING DEPARTMENT SERVICES

THIS AGREEMENT made this ____ day of _____, 20____, by and between the TOWN OF JOHNSTOWN, COLORADO, a home-rule municipal corporation of the State of Colorado ("Town"), and PROCODE, INC., a Colorado corporation.

WHEREAS, the Town does not have a building department and does not employ a building official; and

WHEREAS, the Town desires to utilize the services of ProCode, Inc. to perform building department services for the Town; and

WHEREAS, at the time of the execution of this Agreement, the parties anticipate that Jonathan Gesik of ProCode, Inc. shall be primarily responsible for providing the services described herein for thirty (30) hours per week and that Ken Kidd, who has acted as the building official for the Town, shall provide services to the Town as a subcontractor of ProCode, Inc. for up to twenty (20) hours per week; and

WHEREAS, the parties acknowledge that Ken Kidd intends to retire during the 2018 calendar year and, at that time, ProCode, Inc. may either retain an employee or a subcontractor to perform the services described herein for up to twenty (20) hours per week upon approval of the Town and on the conditions and in the manner set forth herein; and

WHEREAS, in order to set forth clearly the responsibilities, obligations, powers and rights of each of the parties, the Town and ProCode, Inc. (hereinafter, "Building Official") hereby enter into this Agreement.

NOW, THEREFORE, in consideration of recitals, promises, and covenants herein set forth, and other good and valuable consideration herein receipted for, the parties agree as follows:

1. **SERVICES** – The Town and Building Official agree that Building Official shall perform the following services for the Town: review plans, process permits, conduct inspections prepare certificates of occupancy, respond to phone referrals and attend conferences with building permit applicants. Building Official shall also inspect and investigate complaints of Code violations when so directed by an administrative officer of the Town, and be available for testimony in any proceeding regarding such violations. (Collectively, the foregoing shall be referred to as the "Services.") The Services shall be performed for residential and commercial properties within the incorporated boundaries of the Town and be based upon the Town's adopted Building Code, Mechanical Code, Plumbing Code, Electrical Code and any other related Uniform Codes adopted in Chapter 18 of the Johnstown Municipal Code. Building Official agrees to provide regular reports as may be required by the Town Manager concerning building activity

within the Town. Building Official agrees to designate Jonathan Gesick to be primarily responsible for providing, and/or coordinating for the provision of, the Services hereunder.

2. HOURS – The parties expect and agree that Building Official will work thirty (30) hours per week for the Town. The Town does not dictate Building Official's hours, but expects and requires that Building Official perform the Services in a timely manner and that such Services will be generally performed during regular business hours. If Building Official's hours exceed thirty (30) in any given week, Building Official must have prior written approval from the Town Manager. If Building Official is unavailable during any particular week, Building Official shall provide notice to the Town Manager. Rather than a subcontractor, as provided in Paragraph 6, Building Official may designate an employee to provide Services to the Town for up to twenty (20) hours per week upon written approval of the Town Manager, on the condition that such employee has and maintains the certifications set forth in Paragraph 3 and the remainder of the obligations set forth in this Agreement are satisfied.

3. CERTIFICATION – Building Official represents and agrees that Jonathan Gesick and, if applicable, all other persons providing Services pursuant to this Agreement are certified building official(s), with certifications in building, plumbing, mechanical and electrical disciplines for commercial and residential properties. Building Official shall maintain the appropriate certifications during the term of this Agreement.

4. COMPENSATION – In consideration of Building Official's high level credentials and ability to deliver the Services, the Town agrees to pay Building Official at the rate of \$5,850.00 per month, which is based on the expectation that Building Official will provide Services for thirty (30) hours per week to the Town. Any approved time beyond the thirty (30) hours in a single week shall be compensated at the rate of \$45.00 per hour. This compensation includes time involving meetings with contractors, developers and permit applicants. The compensation will be paid to Building Official within five (5) working days following the first regular Town business meeting of the month for all invoices submitted at least ten (10) days prior to such meeting. If Building Official retains an employee, rather than a subcontractor, to provide Services for up to twenty (20) hours per week, as described in Paragraph 2, Building Official shall be paid for such employee's services at the rate set forth in Paragraph 6.

5. INDEPENDENT CONTRACTOR – Building Official understands and agrees that Building Official is an independent contractor and not an employee of the Town. The Town shall not provide benefits of any kind to Building Official. The Town shall not be responsible for withholding any portion of Building Official's compensation for the payment of Federal Insurance Contributions Act (FICA) tax, workers' compensation or other taxes or benefits. THE BUILDING OFFICIAL IS NOT ENTITLED TO UNEMPLOYMENT COMPENSATION COVERAGE FROM THE TOWN. THE BUILDING OFFICIAL IS OBLIGATED TO PAY FEDERAL AND STATE INCOME TAX ON MONEYS PAID PURSUANT TO THIS AGREEMENT. The Town does not require that Building Official work exclusively for the Town. As long as there is not a conflict of interest with the Town, Building Official may engage in any other lawful business activities during the term of this Agreement.

6. SUBCONTRACTOR – Building Official may retain a subcontractor to perform Services for the Town and shall be responsible for directing the subcontractor to perform such Services. Retention of a subcontractor shall be subject to the following provisions.

(a) Subcontractor Services, Compensation and Hours. Subcontractor shall be entitled to work up to and including twenty (20) hours per week. Subcontractor's weekly work hours shall not exceed the twenty (20) hour limitation without prior written approval of the Town. If the Town, in its sole discretion, determines that a downward adjustment to the subcontractor's weekly hours is appropriate, the Town may provide written notice to Building Official that the subcontractor's maximum weekly work hours shall be reduced. Subcontractor shall be paid at the rate of \$40 per hour. To obtain compensation for subcontractor's services, Building Official shall include the number of hours worked by the subcontractor in his monthly invoices. The Town shall pay Building Official for those hours, and Building Official shall compensate subcontractor at the stated hourly rate.

(b) Subcontractor Qualifications. Subcontractor shall be qualified to perform the Services for the Town and have appropriate certifications. Prior to retaining a subcontractor, Building Official shall provide the name and qualifications of subcontractor to the Town. Subcontractor may not perform Services for the Town until the Town, in its discretion, provides written approval of the retention of subcontractor.

(c) Subcontractor Obligations. Building Official shall require that subcontractor: (1) agrees to be bound by the terms of the Agreement; (2) be fully insured to the minimum extent provided in Paragraph 11 of this Agreement and maintain, through Building Official or independently, worker's compensation insurance in accordance with the lawful requirements of the State of Colorado; and (3) understands and agrees that he or she is not an employee of the Town, is not entitled to unemployment compensation coverage by the Town, is not entitled to benefits provided to Town employees, is not entitled to insurance coverage provided to Town employees and that he or she is obligated to pay federal and state income taxes on moneys earned with respect to work for the Town, unless the taxes are otherwise paid by an employer. Subcontractor shall not perform Services for the Town until the foregoing obligations are satisfied.

7. LIABILITIES –

(a) The Town shall not be liable for the direct payment of any salaries, wages or other compensation to any personnel, including but not limited to subcontractors, performing services herein for Building Official or for the Town at the request of Building Official.

(b) Building Official or his employees shall not be deemed to assume any liability for intentional or negligent acts of said Town or any officer, agent, or employee thereof, and the Town agrees, to the extent permitted by law, to indemnify and hold Building Official harmless for any and all claims, losses and damages arising out of such acts.

(c) The Town or its employees shall not be deemed to assume any liability for intentional or negligent acts of Building Official, his agents, subcontractors or employees, and Building Official agrees to indemnify and hold the Town harmless for any and all claims, losses and damages, including reasonable attorney's fees, arising out of such acts.

8. TERM AND RENEWAL – The term of this Agreement shall be one year from its anniversary date. The Agreement shall be automatically renewed annually on its anniversary date unless either party provides written notice of termination at least sixty (60) days prior to the termination.

9. TERMINATION – Either party may terminate this Agreement by providing sixty (60) days advanced written notice. In such case, Building Official shall complete all outstanding obligations to the Town within thirty (30) days. After providing a reasonable opportunity to cure, either party may terminate this Agreement based on a breach of the Agreement without providing sixty (60) days advanced written notice. Upon termination, the remainder of Building Official responsibilities will be transferred to the Town.

10. NOTICES –

(a) All notices to Building Official shall be sent certified or registered mail, return receipt requested, and first class mail, postage prepaid, to ProCode, Inc., Attention: Jonathan Gesick, 360 Walnut Avenue, Eaton, CO 80615.

(b) All notices to the Town shall be sent certified or registered mail, return receipt requested, and first class mail, postage prepaid, to Town Manager, 450 South Parish, P. O. Box 609, Johnstown, CO 80534.

11. INSURANCE – Building Official shall maintain the following insurance coverage during the term of this Agreement and any subsequent renewals.

(a) Building Official shall maintain errors and omissions liability insurance, the terms of which shall be subject to approval by the Town, and shall provide that any notices of cancellation or non-renewal be provided to the Town. The minimum coverage of errors and omissions liability insurance shall be one million dollars (\$1,000,000.00) with five hundred thousand dollars (\$500,000.00) per occurrence.

(b) Building Official shall maintain one million dollars (\$1,000,000.00) general liability insurance, the terms of which shall be subject to approval by the Town, and shall provide that any notice of cancellation or non-renewal be provided to the Town.

(c) Building Official shall maintain worker's compensation insurance in accordance with lawful requirements of the State of Colorado. Any notice of cancellation or non-renewal shall be provided to the Town.

(d) All insurance policies shall include the Town of Johnstown as an additional insured.

12. CODE MODIFICATIONS AND UPDATES – In addition to the Services set forth herein, Building Official shall make periodic recommendation to the Town for modifying, improving or updating the relevant Uniform Codes in effect pursuant to Chapter 18 of the Johnstown Municipal Code.

13. LAWS – The validity, interpretation, performance, and enforcement of this Agreement shall be governed by the laws of the State of Colorado, and venue shall be in Weld County, Colorado, for any litigation.

14. DISPUTE RESOLUTION – In the event of any dispute arising under this Agreement, the Parties shall submit the matter to mediation prior to commencing legal action. The cost of the mediation shall be split equally between the Parties.

15. SEVERABILITY – If any portion of this Agreement shall be or becomes illegal, invalid or unenforceable in whole or in part for any reason, such provision shall be ineffective only to the extent of such illegality, invalidity or unenforceability, without invalidating the remainder of such provision or the remaining provisions of this Agreement. If any court of competent jurisdiction should deem any covenant herein to be invalid, illegal or unenforceable because its scope is considered excessive, such covenant shall be modified so that the scope of the covenant is reduced only to the minimum extent necessary to render the modified covenant valid, legal and enforceable.

16. NON-APPROPRIATION OF FUNDS – Pursuant to Section 29-1-110, C.R.S., as amended, financial obligations of the Town payable as set forth herein, after the current fiscal year, are contingent upon funds for that purpose being appropriated, budgeted, and otherwise made available. This Agreement shall be terminated effective January 1 of the first fiscal year for which funds are not appropriated.

17. RETURN OF RECORDS – Upon termination of this Agreement, Building Official shall return to Town all records, notes, documents and other items that were used, created or controlled by Building Official during the term of this Agreement.

18. ASSIGNMENT AND BINDING EFFECT – Building Official shall not transfer or assign its interest in this Agreement. Nothing herein shall be construed as giving any rights or benefits hereunder to anyone other than the Town and the Building Official.

19. NO PUBLIC OFFICIAL PERSONAL LIABILITY – Nothing herein shall be construed as creating any personal liability on the part of any elected official, officer, employee or agent of the Town.

20. NO PRESUMPTION – Each Party acknowledges that it has obtained, or has had the opportunity to obtain, the advice of legal counsel of its own choosing in connection with the

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

21. AMENDMENT – This Agreement may not be amended or modified except by a subsequent written instrument signed by both Parties.

22. ENTIRE AGREEMENT – This Agreement constitutes the entire agreement and understanding between the Parties and supersedes all prior agreements or understandings.

23. HEADINGS – The headings used herein are for convenience purposes only and shall not limit the meaning of the language contained herein.

24. EFFECTIVE DATE – This Agreement shall be effective on January 1, 2018.

IN WITNESS WHEREOF, the Town, by motion duly adopted by its governing body, caused this Agreement to be signed by its Mayor and attested by its Clerk. Likewise, Building Official has subscribed to this Agreement by affixing his signature.

PROCEDURE, INC.



By: Jonathan Gesick, President

TOWN OF JOHNSTOWN, COLORADO

By: _____
Scott James, Mayor

ATTEST:

By: _____
Diana Seele, Town Clerk

EXECUTIVE

SESSION

Porzak Browning & Bushong LLP

A t t o r n e y s · a t · L a w

2120 13th Street, Boulder, Colorado 80302

Glenn E. Porzak
Steven J. Bushong
Kristin H. Moseley
Kevin J. Kinnear
Karen L. Henderson

Corina A. Hach
Cassidy L. Woodard

Michael F. Browning
Of Counsel

303-443-6800 Tel.
303-443-6864 Fax.
www.pbblaw.com

November 29, 2017

Avi Rocklin
Law Office of Avi S. Rocklin, LLC
1437 N. Denver Avenue, # 330
Loveland, Colorado 80538

Re: Settlement Discussions between W.R. Investment, LLC and the Town of Johnstown

Dear Avi,

Thanks for meeting with us yesterday to discuss the changed Hillsborough Ditch water rights. At the end of the meeting, we provided you with a draft term sheet summarizing the compromise settlement proposed by W.R. Investment, LLC (“Company”). Given that you plan to disclose the term sheet to the Town Council and potentially others, we request that it be attached to this letter so there are no future misunderstandings regarding the purpose of the term sheet. The term sheet is attached.

As I discussed at the meeting, the 2006 Water and Sewer Service Agreement (“2006 WSSA”) contemplated that the changed Hillsborough Ditch water rights would be the primary source of dedicated water for the Thompson River Ranch (“TRR”), and that the Town would give the Company credit for that water based upon the annual average diversions. The 2014 Reusable Effluent Agreement (“2014 Effluent Agreement”) reset the clock for reinitiating the Water Court application and set up an exchange of water between the Company and Town to more easily replace nonirrigation season return flow obligations. Not only is it clear in the 2014 Effluent Agreement that the 2006 WSSA remains in effect, but the Town “reaffirm[ed] its need for all of the dedicated water, including the Hillsborough Water Rights” and agreed to “accept all water available under the changed Hillsborough Water Rights.”

In consultation with the Town, the Water Court application to change the Hillsborough was filed in December, 2014, immediately after finalizing the 2014 Effluent Agreement. A final Water Court decree in a form acceptable to the Town was obtained in January, 2017. Since the amount

of water available under the changed Hillsborough rights is less than was contemplated in the 2006 WSSA, and given the delay in proceeding to Water Court, additional Home Supply shares have been dedicated for the TRR.

The Company understands that the Town does not desire to incorporate the changed Hillsborough Ditch water rights into its municipal supply in the near term, and that the Town has concerns on how much credit it can give the Company until such incorporation occurs. The Company does not believe those concerns should impact the commitments made in the prior agreements. The Company also believes that since everyone agrees the Town will eventually need to incorporate Hillsborough Ditch water into its municipal supply, it makes more sense to start putting that infrastructure in place now. Such a connection will put the Town in the enviable position of deriving its water supply from the number 1 irrigation season priority (Hillsborough) and the number 1 storage priority (Home Supply).

In an effort to reach an amicable resolution that avoids litigation regarding the prior agreements, the Company proposed a significant reduction of about 42% in SFE credit for its changed Hillsborough Ditch water rights and agreed to defer the majority of that credit for up to 5 years. Although the rate of construction at TRR and the Town's existing Home Supply water may provide the Town with more time before it must connect the Hillsborough to its water supply, this compromise offer was designed to help address the Town's concerns while providing the Company with certainty and closure. However, as we discussed, if a new agreement between the Town and the Company cannot be reached in the near future, then the Company will have no choice but to withdraw its proposal and seek judicial relief under the prior agreements.

We look forward to working with you and hopefully resolving this matter so the Town and the Company can continue to have an amicable working relationship.

Sincerely,

PORZAK BROWNING & BUSHONG LLP



Steve Bushong

Encl.

cc: Tim Wiens
Todd Williams, P.E.
Eric Jonsen, Esq.
Peter Ampe, Esq.

TERM SHEET

The Town of Johnstown ("Town") and W.R. Investment, LLC ("Company") (collectively referred to as the "Parties"), hereby agree to enter into an Agreement consistent with this Term Sheet and in a form and with such other provisions as are mutually acceptable to the Parties.

WHEREAS, the Parties previously entered in a Water and Sewer Service Agreement dated January 4, 2006 ("WSSA"), and a Reusable Effluent Designation Agreement dated December 15, 2014 ("Effluent Agreement") (the WSSA and Effluent Agreement are collectively referred to as the "Prior Agreements").

WHEREAS, the Prior Agreements set forth various obligations by the Parties regarding water service for the Thompson River Ranch Project ("Project") and the Company's Hillsborough Ditch water rights.

WHEREAS, on January 16, 2017, the Company obtained a final decree changing its Hillsborough Ditch water rights to allow the Town's municipal use as was contemplated by the Prior Agreements.

WHEREAS, a dispute has arisen regarding the credit the Company is to receive for the changed Hillsborough Ditch water rights that it can apply to the Project or to other uses.

WHEREAS, the Company maintains that under the terms of the Prior Agreements, it is entitled to 1,058.3 single family equivalent ("SFE") water supply credits from the Town, based upon one SFE credit for each 0.5 acre-feet of annual average yield of diversion under the changed Hillsborough Ditch water rights, after backing out the average amount of water needed for nonpotable irrigation at the Project and the average amount of water to be supplied to the Town pursuant to the Effluent Agreement.

WHEREAS the Town disagrees with the Company's position and desires to use a different calculation for SFE credit and to defer part of the SFE credit until a later time.

WHEREAS, the Parties desire to resolve their differences in an amicable and mutually acceptable manner by entering into a new agreement that describes the SFE credit the Town will provide the Company for the changed Hillsborough Ditch water rights and to otherwise modify the Prior Agreements.

NOW THEREFORE, in consideration of the mutual promises hereinafter expressed and consistent with the factual recitals set forth above, the Parties agree to enter into an Agreement consistent with the following provisions.

1. Compromise SFE Equivalent. The Parties agree that the Company's changed Hillsborough Ditch water rights shall be equivalent to 615 SFE credit. The Town will provide municipal water supply to 615 SFE at the Project or at such other location as the Company may direct within the Town's service area in exchange for the changed Hillsborough Ditch water, but subject to the remainder of this Term Sheet. The 615 SFE is based upon a compromise that takes

into account the changed Hillsborough Ditch water needed to provide nonpotable irrigation at the Project and provide the Town with water pursuant to the Effluent Agreement, after which the fair market value of the remaining historical consumptive use credit, not diversion credit, was calculated based upon the highest and best use of water. Subtracted from that value is the estimated cost of a pump and pipeline to incorporate the Hillsborough Ditch into the Town's potable water supply. The remaining value of the changed Hillsborough Ditch water was then converted to SFE by using the comparative values of Home Supply and W.R. Investment's changed Hillsborough Ditch water rights given an earlier appraisal done for the Parties, but modified to reflect the current value of Home Supply shares.

2. Initial SFE Exchange. The Town agrees to convey to the Company on the date this Agreement is executed, 16 of its approximately 20 shares of Home Supply that the Town owns and that are not committed to the Town's water supply and that have been changed for use within the Town ("Initial SFE Exchange"). The Parties further agree the 16 shares of Home Supply associated with the Initial SFE Exchange satisfies 256 SFE of the 615 SFE described in paragraph 1. Upon rededication of the 16 Home Supply shares to the Town, the Town agrees to immediately begin providing a municipal water supply for an additional 256 SFE. The Company may sell the Home Supply shares to Oakwood Homes, the Project builder, who may in turn rededicate the shares to the Town to acquire water service for 256 SFE at the Project.

3. Deferred SFE Exchange. The Parties agree to defer the remaining 359 SFE (615 SFE – 256 SFE) as set forth in this paragraph to help address the fact that the Town is not yet ready to incorporate the Hillsborough Ditch water directly into its municipal water supply and does not currently need all of the changed Hillsborough Ditch water for other purposes ("Deferred SFE Exchange"). The Deferred SFE Exchange shall be completed upon the date of whichever of the following events occurs first:

- (A) Upon the date on which 1,113 housing units are completed at the Project, based upon the water already dedicated to the Project (857 SFE) and the Initial SFE Exchange (256 SFE), so that the Deferred SFE Exchange is available for the remaining full build-out of the Project, which is contemplated to include a total of 1,803 housing units; or
- (B) The date upon which the Town completes construction of a pump and pipeline connecting the Hillsborough Ditch water to the Town's water supply; or
- (C) 5 years from the date of this Agreement.

Upon the earlier of the three events listed above, the Town agrees to immediately begin providing a municipal water supply for another 359 SFE in exchange for the remainder of the Company's changed Hillsborough Ditch water rights, subject only to first receiving notice from the Company that the Deferred SFE Exchange credit was assigned to the recipient of that municipal water supply. The Deferred SFE Exchange is intended to be fully assignable by the Company to Oakwood Homes or such other developer within the Town as may need a municipal water supply from the Town.

4. Project Water Supply. Taking into account the other water already dedicated to the Town for the Project (857 SFE), the Initial SFE Exchange (256 SFE), and the Deferred SFE Exchange (359 SFE), it is estimated that water for another 331 SFE will be required for full build-out of the Project under the current build-out plans, either in shares of Home Supply or an equivalent source acceptable to the Town.

5. Agreement. The Agreement contemplated by this Term Sheet shall be completed and executed no later than 30 days after the date this Term Sheet is executed by both Parties.

6. Prior Agreements. It is the intent of the Parties that the Agreement contemplated by this Term Sheet will modify the Prior Agreements to the extent necessary to be consistent with this Term Sheet. The Prior Agreements may be further modified by the new Agreement, so long as mutually acceptable by the Parties and not inconsistent with this Term Sheet. The Prior Agreements will remain in effect except to the extent modified by the contemplated Agreement.

Executed this __ day of December, 2017.

W.R. INVESTMENT, LLC

TOWN OF JOHNSTOWN

Tim Wiens, Managing Member

Name:
Position:

**WORK
SESSION**

NORTH
I-25 EXPRESS LANES:
JOHNSTOWN TO FORT COLLINS

North I-25 Express Lanes: Johnstown to Fort Collins

Frequently Asked Questions

Why is this project happening?

Communities along the North I-25 corridor are expanding rapidly, contributing to major economic growth in Northern Colorado. The Colorado Department of Transportation will support this growth by delivering the North I-25 Express Lanes: Johnstown to Fort Collins project.

How will this project benefit me?

This project delivers many benefits to community members and commuters along the North I-25 corridor. The North I-25 Express Lanes project will:

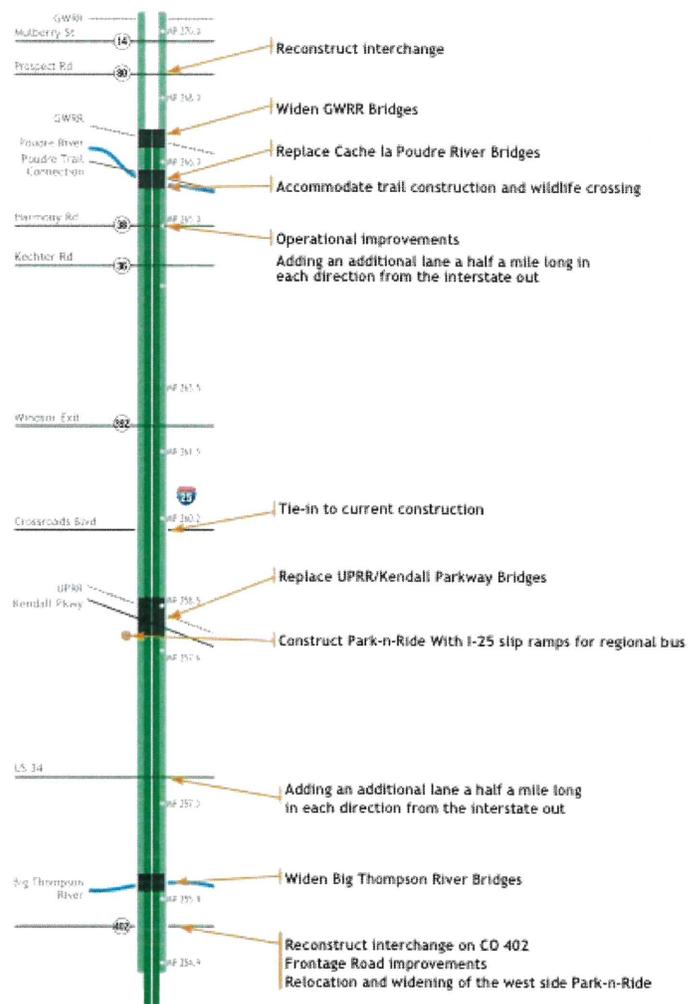
- Increase highway capacity by adding an Express Lane in both directions
- Replace aging bridges and widen others
- Improve bus service performance and reduce each total trip time by 15 minutes by adding new bus slip ramps from I-25 to the new Park-n-Ride at Kendall Parkway
- Create new pedestrian and bicycle access under I-25 at Kendall Parkway
- Connect the Cache la Poudre River Regional Trail under I-25 and network to 100 miles of trails, and also serve as a wildlife corridor
- Improve interchanges at Highway 402 and Prospect Road

How long will it take to build this project?

This project is expected to begin construction in 2018 and end in late 2021.

OVERALL IMPROVEMENTS INCLUDE

- Rehabilitate or Reconstruct General Purpose Lanes
- Add Express Lanes
1) northbound and 1) southbound (widening to the middle)
- Construction of inside and outside shoulders in both directions



How is this project funded?

The U.S. Department of Transportation awarded CDOT and local partners a \$15 million TIGER grant, assisting them in funding this \$302 million expansion of North I-25. The project received widespread support by all of the communities and counties served by this corridor who have contributed significant funds for the original project scope, totaling more than \$25 million, and as much as \$28 million in other additional project scope improvements. Local partners include the City of Fort Collins, City of Loveland, Town of Berthoud, Town of Johnstown, Larimer County, Weld County, Town of Timnath, Town of Windsor and McWhinney (private developer). The cost that remains after these contributions will be covered by other state funding mechanisms.

Why has it taken so long to do this project?

As with many other planned transportation projects throughout the state, the ability to fund these improvements remains a challenge. Currently, the majority of CDOT funding goes to maintaining the highway system in its current condition. With the financial investment by communities and counties along the corridor and the Federal TIGER grant, CDOT is able to deliver this project on an accelerated timeline, sooner than anticipated.

According to the State Demography Office, the population of Larimer County—currently 316,000 residents—is expected to increase by 52 percent by 2040. Similarly, Weld County’s population of 268,400 residents is expected to increase by 111 percent by 2040. CDOT forecasts that this population growth will increase the number of vehicles making daily trips along the I-25 corridor by 60 percent in 2040. To provide the same, or better, quality of life and economic vitality for the future, improvements are needed on I-25.

CDOT is designing the North I-25 corridor in segments and phases according to the 2011 Final Environmental Impact Statement, which analyzed potential transportation solutions along the corridor between Fort Collins/Wellington and downtown Denver, as well as along US 85 and US 287. There are currently Express Lanes in place along I-25 between downtown Denver and 120th Avenue in Northglenn. CDOT is currently extending the Express Lanes that end at 120th Avenue to E-470/Northwest Parkway.

Are local governments and officials involved?

Local partners and elected officials have been heavily involved in the planning, implementation and funding of this critically important project.

In 2013, an I-25 Coalition was formed to help manage and accelerate improvements to the corridor. Six Northern Colorado communities, Weld and Larimer Counties, CDOT, Chambers of Commerce and private businesses have all been collaborating to help bring these improvements to fruition.

The I-25 Coalition has grown steadily and is currently made up of 90 representatives from Adams, Larimer and Weld Counties, Berthoud, Broomfield, Dacono, Erie, Firestone, Fort Collins, Frederick, Johnstown, Loveland, Mead, Northglenn, Timnath, Thornton and Windsor as well as CDOT, businesses and other interested agencies.

Will this project be a Public-Private Partnership?

This project will not be a Public-Private Partnership, meaning CDOT will continue to operate and maintain the roadway.



This project will add one Express Lane in each direction along I-25 between Johnstown and Fort Collins, in addition to the existing two general purpose lanes in each direction. Express Lanes have proven success in increasing roadway capacity and helping to manage congestion on Colorado highways by adding a lane that provides a new choice to drivers. Motorists can choose to ride the bus, carpool or pay a toll to use the new Express Lanes as an alternative to the free general purpose lanes.

Adding an Express Lane optimizes trip reliability for those accessing it. When drivers choose to use the Express Lanes, space frees up in the general purpose lanes and improves speeds for the general purpose lanes, too. The result is a corridor that moves more vehicles and people more efficiently.

To use any Colorado Express Lanes, you will need an ExpressToll account and pass to avoid a higher license plate toll. The Switchable HOV Transponder is the only pass that allows you to choose the carpool option and use the lanes for free if the driver has two or more passengers. A traveler may also use the lane without cost via transit providers like Bustang. Motorists can get a pass by visiting expresstoll.com.

How much will the toll cost?

Express Lanes help to manage traffic congestion and toll rates will vary by time of day to provide reliable travel times. Toll rates are set to provide reliable travel times and are not set to maximize revenue. Toll rates have not yet been set. The toll rates and any rate changes will be approved by CDOT's High Performance Transportation Enterprise.

How will construction impact my daily commute?

During the daytime, two lanes of travel will remain open to ensure travel reliability to motorists. Motorists can expect lane closures at nighttime, when travel volumes are lower. Construction at the interchanges may also result in detours and impacts to the driving public.

What other projects are taking place in this area?

- **North I-25 Express Lanes: 120th Ave. to NW Pkwy/E-470** (Summer 2016 - Winter 2018) - This \$97.5 million project adds capacity and provides travel choice and reliability by adding one HOV/Express Lane in each direction along this stretch of I-25, along with other operational and safety improvements.
- **I-25 Crossroads Bridge** (Fall 2016 - Summer 2017) - This \$22.1 million project will replace the bridges on I-25 at Crossroads Boulevard and reconstruct I-25 with wider pavement, shoulders, improved roadway grades and roadside safety for approximately one-half mile north and south of Crossroads Boulevard.
- **I-25 Climbing Lane** (Spring 2016 - Spring 2017) - This \$10.3 million project adds an additional lane on southbound I-25 near Berthoud. The additional lane is an operational and safety improvement on this section of the interstate, which historically has seen congestion as trucks slow down to get up the three-mile incline known as Berthoud Hill.

How can I ask questions and stay informed?

The best way to stay informed is to visit the project website:

<https://www.codot.gov/projects/north-i-25/johnstown-to-fort-collins/johnstown-fort-collins>

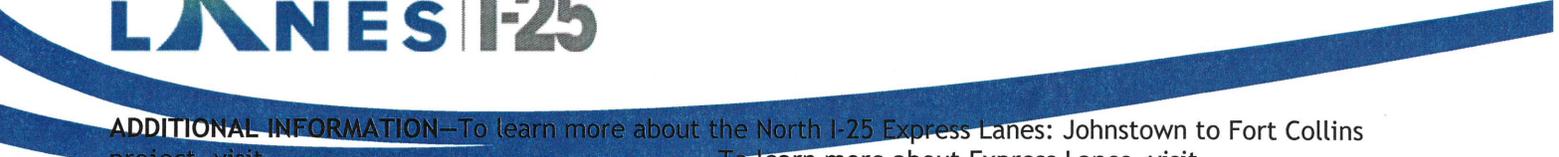
You can also address questions or request a presentation from the project team via email or phone:

Email address: northi25expresslanes@gmail.com

Phone number: 720-593-1996

As the project nears the beginning of construction, the public will be invited to attend meetings to learn more.



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ADDITIONAL INFORMATION—To learn more about the North I-25 Express Lanes: Johnstown to Fort Collins project, visit www.codot.gov/programs/expresslanes. To learn more about Express Lanes, visit www.codot.gov/programs/expresslanes. To get a Express Lanes pass, visit www.expresstoll.com.



North I-25 Express Lanes: Johnstown to Fort Collins

Project Details

Overview

Communities along the North I-25 corridor are expanding rapidly, contributing to major economic growth in Northern Colorado. The Colorado Department of Transportation will support this growth by delivering the North I-25 Express Lanes: Johnstown to Fort Collins project, which will:

- Increase highway capacity by adding an Express Lane in both directions
- Replace aging bridges and widen others
- Improve bus service performance and reduce each total trip time by 15 minutes by adding new bus slip ramps from I-25 to the new Park-n-Ride at Kendall Parkway
- Create new pedestrian and bicycle access under I-25 at Kendall Parkway
- Connect the Cache la Poudre River Regional Trail under I-25 and network to 100 miles of trails, and also serve as a wildlife corridor

Benefits

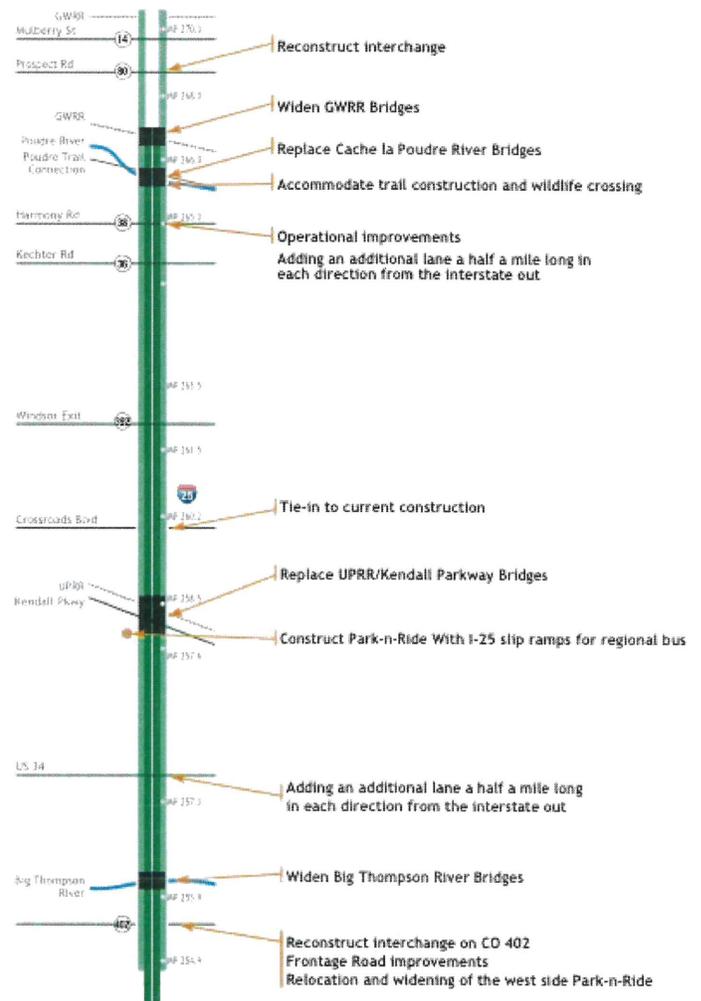
This project brings critically important benefits for the economy, environment and quality of life for Northern Coloradans. The project will:

- Include much-needed safety improvements that will ultimately reduce crashes and fatalities
- Decrease travel time and increase trip reliability
- Reduce emissions and improve freight efficiency
- Employ congestion management and safety technology to improve travel experience
- Reconstruct aging and obsolete infrastructure
- Improve bicycle, pedestrian and transit connectivity

Timeline

This project is expected to begin construction in the summer of 2018, ending in 2021.

- OVERALL IMPROVEMENTS INCLUDE**
- Rehabilitate or Reconstruct General Purpose Lanes
 - Add Express Lanes
 - 1) northbound and 1) southbound (widening to the middle)
 - Construction of inside and outside shoulders in both directions



Funding

The U.S. Department of Transportation awarded CDOT and local partners a \$15 million TIGER grant, assisting them in funding this \$302 million expansion of North I-25. The project is supported by all of the communities and counties served by this corridor who have contributed significant funds for the original project scope, totaling more than \$25 million, and as much as \$28 million in other additional project scope improvements.

Using traditional funding, this stretch would not have happened until 2035. With local support and direction from state officials and representatives in D.C. as well as the TIGER grant, the project will be complete in at least 2021.

By delivering the project to the community earlier than outlined in the CDOT 2040 Long-Range Transportation Plan, the benefits will be implemented 15 years or more years sooner and at a fraction of the cost.

Local Support and Partnership

This project has the full support of all of the communities and counties served by this corridor. Local partners include the City of Fort Collins, City of Loveland, Town of Berthoud, Town of Johnstown, Larimer County, Weld County, Town of Timnath, Town of Windsor and McWhinney (private developer) who have contributed significant funding totaling more than \$25 million. Additionally, Colorado Senators Michael Bennett and Cory Gardner, as well as three Colorado U.S. Representatives: Jared Polis, Ken Buck and Ed Perlmutter endorsed the TIGER grant application, which reflects the critical need of this project.

The Towns of Berthoud and Johnstown have contributed close to \$100 per man, woman, and child in their small town. Additionally, McWhinney, a private developer, contributed \$6 million to ensure enhanced bus access and highway crossing, which serves a hospital and the largest commercial, residential, and retail metropolitan district in Northern Colorado. The benefits this project brings in the near term were all key contributing factors to this broad support.

History

According to the State Demography Office, the population of Larimer County—currently 316,000 residents—is expected to increase by 52 percent by 2040. Similarly, Weld County's population of 268,400 residents is expected to increase by 111 percent by 2040. CDOT forecasts that this population growth will increase the number of vehicles making daily trips along the I-25 corridor by 60 percent in 2040. To provide the same, or better, quality of life and economic vitality for the future, improvements are needed on I-25.

CDOT is designing the North I-25 corridor in segments and phases according to the 2011 Final Environmental Impact Statement, which analyzed potential transportation solutions along the corridor between Fort Collins/Wellington and downtown Denver, as well as along US 85 and US 287. There are currently Express Lanes in place along I-25 between downtown Denver and 120th Avenue in Northglenn. CDOT is currently extending the Express Lanes that end at 120th Avenue to E-470/Northwest Parkway.



Express Lanes

What are Express Lanes?

Express Lanes provide travelers with more reliable, predictable travel times. Anyone can use Express Lanes. A solo driver in a passenger vehicle can use an Express Lane by paying a toll. A traveler can choose to travel for free with a motorcycle and as a carpooler with two passengers. The addition of an Express Lane on the I-25 corridor does not mean that existing general purpose lanes will be tolled. The existing general purpose lanes will continue to be free to use.

To use any Colorado Express Lanes, you will need an ExpressToll account and pass to avoid a higher license plate toll. The Switchable HOV Transponder is the only pass that allows you to choose the carpool option and use the lanes for free if the driver has two or more passengers. A traveler may also use the lane without cost via transit providers like Bustang. Motorists can get a pass by visiting expresstoll.com.

Benefits

- Reduce delay on Colorado's most seriously congested corridors
- Use toll pricing to manage congestion
- Maintain reliable travel times now and in the future
- Promote transit and carpooling

Toll Pricing

Express Lanes help to manage traffic congestion and toll rates will vary by time of day to provide reliable travel times. Toll rates are set to provide reliable travel times and are not set to maximize revenue. Toll rates have not yet been set. The toll rates and any rate changes will be approved by CDOT's High Performance Transportation Enterprise.

ADDITIONAL INFORMATION—To learn more about the North I-25 Express Lanes: Johnstown to Fort Collins project, visit www.codot.gov/projects/north-i-25. To learn more about Express Lanes, visit www.codot.gov/programs/expresslanes. To get an Express Lanes pass, visit www.expresstoll.com.

You can also address questions or request a presentation from the project team via email or phone:
Email address: northi25expresslanes@gmail.com
Phone number: 720-593-1996



