

**TOWN OF JOHNSTOWN, COLORADO**  
**RESOLUTION NO. 2023-08**

**RESOLUTION APPROVING THE ECONOMIC INCENTIVE AGREEMENT  
BETWEEN THE TOWN OF JOHNSTOWN AND KROGER FULFILLMENT  
NETWORK, LLC**

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

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

**WHEREAS**, Kroger Fulfillment Network, LLC (“Kroger”), is leasing, or intends to lease, the real property at 4151 Ronald Reagan Boulevard, Johnstown, Colorado 80534; and

**WHEREAS**, Kroger desires to operate a business establishment known as “Kroger Fulfillment Network” (the “Project”); and

**WHEREAS**, to facilitate the development of the Project, Kroger has requested that the Town provide certain economic incentives; and

**WHEREAS**, Colorado municipalities are entitled to encourage new and expanded business development through inducements and incentives; and

**WHEREAS**, the Town Council finds that the Project will serve a public use and promote the health, safety, prosperity, security and general welfare of the citizens of the Town and that approval of the Economic Incentive Agreement between the Town and Kroger Fulfillment Network, is in the best interests of the Town.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF JOHNSTOWN, COLORADO, THAT** the Town Council hereby approves the Economic Incentive Agreement between the Town of Johnstown and Kroger Fulfillment Network, LLC, attached hereto and incorporated herein by reference as Exhibit A.

PASSED, SIGNED, APPROVED, AND ADOPTED this 6<sup>th</sup> day of February 2023.

**TOWN OF JOHNSTOWN**

BY: \_\_\_\_\_  
Gary Lebsack, Mayor

**ATTEST:**

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Hannah Hill, Town Clerk