

**TOWN OF JOHNSTOWN, COLORADO**  
**RESOLUTION NO. 2021-03**

**ADOPTING AN AMENDED RED FLAGS POLICY AND  
IDENTITY THEFT PREVENTION PROGRAM**

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

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

**WHEREAS**, as a part of the Fair and Accurate Credit Transactions Act of 2003, 15 U.S.C. §§1681-1681x, the Federal Trade Commission issued regulations requiring creditors to develop and implement written identity theft prevention programs, known as the “Red Flags Rule;” and

**WHEREAS**, the Town is a creditor by virtue of providing municipal utility services and is thus subject to the Red Flags Rule; and

**WHEREAS**, in compliance with the Red Flags Rule, on March 16, 2009, by Resolution No. 2009-08, the Town adopted a Red Flag Policy and Identity Theft Prevention Program (“Program”); and

**WHEREAS**, the Red Flags Rule requires that the Town update the Program periodically to reflect changes in risks to customers or to the safety and soundness of the Town from identity theft based on, among other factors, the Town’s experiences with identity theft, changes in methods of identity theft and changes in methods to detect, prevent and mitigate identify theft; and

**WHEREAS**, the Town’s Finance Director has recommended revisions to the Program; and

**WHEREAS**, in compliance with the Red Flags Rule, and based on the recommendation of the Town’s Finance Director, the Town Council desires to update and amend the Program; and

**WHEREAS**, the Town Council hereby finds that adoption of this Resolution is in the best interest of the Town and the citizens of the Town.

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

1. The Town of Johnstown Identity Theft Prevention Program, attached hereto and incorporated herein by reference as Exhibit A, is hereby approved and adopted.

2. The Town of Johnstown Identity Theft Prevention Program adopted herein shall supersede and replace the Red Flag Policy and Identity Theft Prevention Program adopted on March 16, 2009, by Resolution No. 2009-08.

3. This Resolution shall be in full force and effect upon its passage and adoption.

PASSED, SIGNED, APPROVED, AND ADOPTED this 20th day of January, 2021.

**ATTEST:**

**TOWN OF JOHNSTOWN, COLORADO**

By: \_\_\_\_\_  
Diana Seele, Town Clerk

By: \_\_\_\_\_  
Gary Lebsack, Mayor