



Town of Johnstown

TOWN COUNCIL AGENDA COMMUNICATIONS

AGENDA DATE: April 17, 2023

SUBJECT: Discussion – Water Policy

ACTION PROPOSED: Discussion and General Direction Requested

ATTACHMENTS:
1. Water Policy – UPDATED
2. Water Policy – Original (March 18 Version)

PRESENTED BY: Matt LeCerf, Town Manager

AGENDA ITEM DESCRIPTION:

Town Council hosted and participated in a Strategic Planning Retreat on Saturday, March 18. One of the many topics discussed was the creation of a Water Policy to be presented to the voters for consideration and inclusion into the Home Rule Charter. While there are several methods to amend the Home Rule Charter, Section 7.5 permits for this to be accomplished by Town Council through the approval of an Ordinance authorizing the submitting of a question to the registered electors of the Town.

Included are the Water Policy declarations that were presented to the Council for an initial review and critique. These were generated in concert with the Town's Water Attorney and Water Resources Engineer. They have been further adjusted slightly by our Town Attorney to fit the Home Rule Charter. These six (6) policy statements would create a very high level policy for water to be included in the Home Rule Charter. This assumes that:

1. Council desires to present these items to the voters in an upcoming ballot referendum; and
2. The voters approved the water policy question proposed.

Based on a conversation with the Town Attorney, we believe that the question to adopt a Water Policy, to be included in the Home Rule Charter, can be proposed in one single question that would encompass the 6 elements of the policy.

During the meeting on March 18, Council was generally supportive of the water policy, but did have a discussion related to item (F) which contemplates the amount of surplus the Town should have available in its portfolio. The initial language of item F read as follows:

- *The Town will maintain a water portfolio that will be greater than or equal to 1.2 times the acre foot volume treated at the Johnstown Water Treatment Plant each year.*

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The language in the updated version reads as follows:

- *The Town shall endeavor to maintain a water portfolio greater than or equal to 1.2 times the acre-foot volume of water treated at the Johnstown Water Treatment Plant during each calendar year.*

During the retreat, there were ideas and thoughts if a finite amount of surplus should be removed from the Charter provisions given the potential for the Town to be a regular purchaser of water and instead “set a strategic water reserve” on a regular yearly interval. Also, brought up was if the water should be defined by what is delivered or treated wholistically, recognizing that from time to time we utilize interconnects with other partners during peak seasonal demands and just identifying the Johnstown Water Treatment may not be fully representative of actual water consumption in the Town.

Based on the feedback from Council this evening, Staff would like to secure direction on the following questions:

1. Is the policy complete and what changes should be made to the policy based on the items that may need clarity?
2. Should Staff bring back an Ordinance on May 1 for consideration by the Town Council to include this policy at the April 2024 election?

LEGAL ADVICE:

NA

FINANCIAL ADVICE:

NA

RECOMMENDED ACTION: Staff desires the feedback/direction from Council based on the two items in the agenda description.

Reviewed and Approved for Presentation,



Town Manager

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