



# Town of Johnstown

## TOWN COUNCIL AGENDA COMMUNICATIONS

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**AGENDA DATE:** April 5, 2021

**SUBJECT:** Reimbursement Agreement Concerning Water Line Between Town of Johnstown and Podtburg Dairy Limited Partnership, LLLP.

**ACTION PROPOSED:** Consider Approval of the Reimbursement Agreement as Presented

**ATTACHMENTS:** Reimbursement Agreement

**PRESENTED BY:** Matt LeCerf, Town Manager

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### AGENDA ITEM DESCRIPTION:

Enclosed for your review and consideration is a reimbursement agreement between the Town of Johnstown and the Podtburg Dairy Limited Partnership, LLLP. This agreement is a result of the Town's waterline project which is currently under design and the Podtburg Dairy Farm which was recently annexed into the Town.

Both entities are working on projects in the general area of the recently annexed property. In order to ensure proper elevation of our booster pump station without impacting their civil design for grades and road elevations, the two parties coordinated work on a preliminary design to prevent impact upon either party. In order to address this issue, the parties agreed that the Town would take the lead on this preliminary design because the Town is currently moving quicker than the Podtburg development to establish our infrastructure they need for future development.

The Town engaged with the Podtburg engineering team to establish the 30% design for the proper elevations and the two parties have agreed that this work would generally be the responsibility of the developer. Consequently this agreement recognizes that when the Podtburg's begin their development by issuing a building permit, they will reimburse the Town for the costs incurred. The total cost amount in the agreement shall not exceed \$7,000 and currently the Town has a contract with Northern Engineering for \$5,750 to perform this preliminary design work. Staff is recommending approval of this agreement and the agreement has been agreed to between both parties in its current form.

*The Community That Cares*

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**LEGAL ADVICE:**

The reimbursement agreement was drafted by the Town Attorney.

**FINANCIAL ADVICE:**

Funds are available for this work as they are incorporated into the Water Tower project.

**RECOMMENDED ACTION:** Approve the reimbursement agreement as presented.

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**SUGGESTED MOTIONS:**

**For Approval:** I move to approve the reimbursement agreement concerning the water line alignment as presented between the Town of Johnstown and Podtburg Dairy Limited Partnership, LLLP.

**For Denial:** I move we deny the reimbursement agreement concerning the water line alignment as presented between the Town of Johnstown and Podtburg Dairy Limited Partnership, LLLP.

*Reviewed and Approved for Presentation,*



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Town Manager