

TOWN OF JOHNSTOWN, COLORADO

RESOLUTION NO. 2020-25

RESOLUTION AUTHORIZING PAYMENT FROM THE TOWN OF JOHNSTOWN GENERAL FUND TO THE TOWN OF JOHNSTOWN SEWER ACTIVITY ENTERPRISE FOR THE SEWER TAP FEE AND REGIONAL SEWER FEE ASSOCIATED WITH THE TOWN OF JOHNSTOWN COMMUNITY RECREATION CENTER

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 of Johnstown, Colorado, Sewer Activity Enterprise (the “Sewer Activity Enterprise”), is a duly created enterprise, as that term is defined in Article X, Section 20 of the Colorado Constitution; and

WHEREAS, Town Council is vested with the authority to administer the affairs of the Town and the Sewer Activity Enterprise; and

WHEREAS, the Town recently completed construction of the community recreation center, operating as the Johnstown Community YMCA; and

WHEREAS, as part of the construction costs, the Town seeks to pay the sewer tap fee associated with the Johnstown Community YMCA from the Town of Johnstown General Fund to the Sewer Activity Enterprise in the amount of Twenty-Five Thousand Dollars (\$25,000.00); and

WHEREAS, to fund a regional sewer main line in the area generally located east of U.S. Interstate 25 along or near State Highway 60 to the Central Wastewater Treatment Plant, based on the Town’s 2011 Wastewater Master Plan prepared by Farnsworth Group, Inc., a Illinois corporation, and a system-wide study and evaluation of the region’s sanitary sewer system conducted by IMEG Corporation, a Delaware corporation, Town Council intends to adopt a regional sewer fee in the amount of Nine Thousand Five Hundred Dollars (\$9,500.00) per single family equivalent (“SFE”); and

WHEREAS, Town staff has indicated that the Johnstown Community YMCA accounts for fifty (50) SFEs; and

WHEREAS, the Town seeks to pay funds to account for the anticipated regional sewer costs associated with, among other areas, the Johnstown Community YMCA, to be subsequently reflected in a legislatively adopted regional sewer fee, from the Town of Johnstown General Fund to the Sewer Activity Enterprise in the amount of Four Hundred Seventy Five Thousand Dollars (\$475,000.00); and

WHEREAS, Town Council finds, determines and declares that adoption of this Resolution is in the best interests of the citizens of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF JOHNSTOWN, COLORADO, ACTING AS THE GOVERNING BODY OF THE TOWN OF JOHNSTOWN AND OF THE TOWN OF JOHNSTOWN SEWER ACTIVITY ENTERPRISE, THAT:

Section 1. Payment. To account for the sewer tap fee and the anticipated regional sewer fee associated with the Johnstown Community YMCA, Town Council hereby approves a payment from the Town of Johnstown General Fund to the Sewer Activity Enterprise in the amount of Five Hundred Thousand Dollars (\$500,000.00). If Town Council does not adopt a regional sewer fee within three years of the date of this Resolution in furtherance of the anticipated regional sewer improvements described herein, the Sewer Activity Enterprise shall be obligated, and hereby recognizes the obligation, to repay the funds to the Town of Johnstown General Fund.

Section 2. Appropriation. The obligation for the payment shall be subject to the appropriation of funds by Town Council.

PASSED, SIGNED, APPROVED, AND ADOPTED this ____ day of August, 2020.

ATTEST:

TOWN OF JOHNSTOWN, COLORADO

By: _____
Diana Seele, Town Clerk

By: _____
Gary Lebsack, Mayor