



## Castle Rock Water Commission Meeting Minutes - Draft

Todd Warnke, Chair  
John Wright, Vice Chair  
Wyn Barrett  
Kathryn Gienger  
Ben Johnson  
Bill Leung  
Katherine Redmond

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Wednesday, January 26, 2022

6:00 PM

Castle Rock Water  
175 Kellogg Ct., Bldg. 183  
Castle Rock, CO 80109

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This meeting is open to the public and will be held in a virtual format in accordance with Town Council Meeting Special Procedures During Declared Disasters. This meeting can be accessed online at: <https://crgov.webex.com/crgov/j.php?MTID=m91bc7204291c143e2b583509d4ca4115> the meeting password is: **bkJprpEX686 (25577739 from video systems)** or phone in by calling (720) 650-7664, meeting code **2499 641 9017##**. Three or more Council members may also attend this meeting, during which the items listed herein will be discussed.

### CALL TO ORDER / ROLL CALL

- Present** 7 - Chair Todd Warnke, Commissioner Bill Leung, Commissioner Katherine Redmond, Commissioner Kathryn Gienger, Commissioner Ben Johnson, Commissioner Wyn Barrett, and Vice Chair John Wright
- Attendance** 7 - Caryn Johnson, Matt Benak, Rick Schultz, Linda Gould, MaryJo Woodrick, Tim Friday, and Mark Marlowe

### COUNCIL UPDATE

Time was allowed for Council Member Johnson to share an update on Town Council items.

### COMMISSION COMMENTS

Time was allowed for Commissioner Comments

### ADMINISTRATIVE BUSINESS

[WC 2021-116](#)

**Approval of the December 1, 2021 Meeting Minutes**  
**Town Council Agenda Date: NA**

It was moved by John Wright and seconded by Kathy Redmond to approve the meeting minutes for the December 1, 2021 meeting as written. The motion passed with a vote of 7-0.

- Yes:** 7 - Chair Warnke, Commissioner Leung, Commissioner Redmond, Commissioner Gienger, Commissioner Johnson, Commissioner Barrett, and Vice Chair Wright

### ACTION ITEMS (HIGH PRIORITY / TIME CRITICAL)

[WC 2021-117](#)**Resolution Approving Agricultural Water Lease Agreements  
(H&H Farms, Turnpike, Ruppel Farms and Dove Meadow  
Dairy)****Town Council Agenda Date:** Feb 15, 2022

Mr. Benak explained that these items are a continuation of lease agreements that are already in place for water that Castle Rock owns in the Lost Creek Basin. The quantity of water being released will stay the same but the water is being leased to four entities this year where in the past it was leased to only two farms. The total amount of water being leased is 1,435 acre feet (AF) which amounts to a little over \$52k in revenue to Castle Rock Water.

Commissioner Johnson asked why the agricultural water lease rate is less? Mr. Benak explained that agricultural water leases for much lower rates than municipal or industrial water. Since we do not currently have options to lease the water to others, an agricultural lease is the best that we can do currently with this supply.

Commissioner Gienger asked if the water is coming out of Castle Rock owned wells and if so who is maintaining the wells? Mr. Benak explained that the wells are owned by Castle Rock, but the farmer is maintaining the wells and paying the electric cost for operation.

**Kathryn Gienger moved to recommend Town Council approval of the Resolution as presented. John Wright seconded the motion. Passed unanimously 7-0.**

**Yes:** 7 - Chair Warnke, Commissioner Leung, Commissioner Redmond, Commissioner Gienger, Commissioner Johnson, Commissioner Barrett, and Vice Chair Wright

[WC 2021-118](#)**Resolution Approving the 2022 Conservation Rebate  
Incentive Program****Town Council Agenda Date:** Feb 15, 2022

Ms. Gould shared the changes to the 2022 Conservation Rebate Incentive Program. The team has not added any new rebates or removed any rebates.

Ms. Gould explained that some of the changes being suggested are:

- Residential ColoradoScape Renovation - Raise the minimum turf removal required to 400 square feet or entire front yard, whichever is less. Increase the rebate amount per square foot from \$1.10 to \$1.20, amount not to exceed \$1,800.00.
- Non-Residential ColoradoScape Renovation - Increase the rebate amount per square foot from \$1.10 to \$1.20, amount not to exceed \$18,000.00.
- Smart Irrigation Controller - Continue to offer a 50% rebate. Reduce the maximum rebate allowed from \$300.00 to \$200.00.

Commissioner Johnson asked how the changes to the rebate program are communicated to customers? Ms. Gould shared that the information is sent

out via social media, a press release, through the Water Wiser class and word of mouth.

**Katherine Redmond moved to recommend Town Council approval of the Resolution as presented. John Wright seconded the motion. Passed unanimously 7-0.**

[WC 2021-119](#)

**Resolution Approving Updates to the Water Use Management Plan (WUMP) [All areas serviced by the Castle Rock Water Department]**

**Town Council Agenda Date:** Feb 15, 2022

Mr. Schultz explained that the Water Use Management Plan (WUMP) is a demand management tool that identifies regulations, watering schedules to stagger demand, surcharges, and enforcement.

Some of the items that Mr. Schultz highlighted include:

Water Schedules: For non-residential customers, the watering schedule is a set three days per week allowing customers to water east of I-25 on Tuesday, Thursday, Saturday and customers west of I-25 on Monday, Wednesday, Friday. Non-residential watering hours begin at 12 a.m. and must be completed by 8 a.m. on the designated day. In order to accommodate resident’s use, Town owned and managed parks water beginning on their designated day at 9 p.m. and finish no later than 5 a.m. the following morning. He shared the water violations surcharge schedule and explained that it will remain the same as 2021.

Some additional changes were made to wording throughout the plan just to clarify items.

Council Member Johnson asked why in 2021 there were only two Water Monitors? Mr. Schultz explained that CRW had some staffing challenges. Not as many applied, some quit in the middle of the season and then CRW was unable to fill the positions.

**Katherine Redmond moved to recommend Town Council approval of the Resolution as presented. John Wright seconded the motion. Passed unanimously 7-0.**

**Yes:** 7 - Chair Warnke, Commissioner Leung, Commissioner Redmond, Commissioner Gienger, Commissioner Johnson, Commissioner Barrett, and Vice Chair Wright

**DIRECTOR FOLLOW-UP AND INFORMATIONAL / UPDATE ITEMS**

[WC 2021-120](#)

**Ordinance Authorizing the Issuance and Sale of Water and Sewer Enterprise Revenue Bonds, Series 2022, Payable Solely Out of the Net Pledged Revenues to Be Derived from the Operation of the Town’s Water and Sewer**

**Enterprise; Providing  
Other Details Concerning the Bonds, Including, Without  
Limitation, Covenants and  
Agreements in Connection Therewith; Providing Other  
Matters Relating Thereto; and  
Providing for its Emergency Adoption on Second and Final  
Reading (Second  
Reading - Approved on First Reading on January 4, 2022, by  
a vote 7-0) [Entire Town  
Service Area]  
Town Council Agenda Date: January 18, 2022**

Mr. Marlowe shared the presentation that he presented to Town Council.

[WC 2021-121](#)

**Resolution Approving a Service Agreement Between the  
Town of Castle Rock and Muller engineering Company, Inc.,  
for the McMurdo Gulch Stream Reclamation Priority 3 Project  
*[McMurdo Gulch south of the intersection of Castle Oaks Drive  
and Autumn Sage Street]*  
Town Council Agenda Date: January 4, 2022**

Mr. Marlowe explained that this is a design contract with Muller Engineering for the Priority 3 project in the McMurdo Gulch Stream. The purpose of the project is to stabilize the stream. The budget for this project is \$499,803 plus a 10% contingency for a total cost of \$549,783. A great part of this project is that the developer is contributing \$225,000, and the Cherry Creek Basin Water Quality Authority will be contributing 25% of the total cost.

[WC 2021-122](#)

**Resolution Approving a Construction Contract with 53  
Corporation, LLC for the  
Omni Tributary - Prairie Hawk Drive to Red Hawk Drive  
Project *[1662 Marsh Hawk  
Drive and 1551 Prairie Hawk Drive]*  
Town Council Agenda Date: January 18, 2022**

Mr. Marlowe explained that this is part of the Legacy Stormwater Projects. This project is located between Red Hawk and Prairie Hawk. The purpose of this project is to fix the severe erosion that has occurred in this tributary. The cost of this project is \$1.3M with a 10 % contingency which brings the total cost to \$1.4M.

[WC 2021-123](#)

**Update on Water Commission By-Laws  
Town Council Agenda Date: NA**

Mr. Marlowe shared that changes are being made to the Code for all boards and commissions. He explained that the main change is that to be on a Town of Castle Rock Board or Commission the individual needs to be a Castle Rock resident. Mr. Marlowe also shared that each Board or Commission member will need to take an Oath of Office.

[WC 2021-124](#)

### **Upcoming Town Council Items**

**Town Council Agenda Date:** NA

This is a standing item that will be used to share information about projects that are being worked on at the time of the meeting but that staff doesn't have information ready yet.

Mr. Marlowe shared an update on the Pine Canyon Development. The developer requested a phosphorus trade from the Chatfield Watershed Authority and the State. The State sent a letter to the developer and Chatfield Watershed Authority explaining that they can't do the trade as proposed by the developer.

Mr. Marlowe updated Commission on the Regional Wastewater Project proposal that was turned in to Douglas County. At this time Louviers, Sedalia and Thunder Ridge have some concerns about the plan, due to these concerns staff will be re-evaluating and making a few changes to the initial plan.

Commissioner Barrett asked what the next steps will be for the Pine Canyon Developers? Mr. Marlowe explained that until the developer gets a phosphorus allocation they cannot move forward on the needed wastewater treatment plant

### **COMMISSIONER MEETING COMMENTS**

Time was allowed for Commissioner Comments.