



Town Council Meeting Minutes - Draft

Mayor Jason Gray
Mayor Pro Tem Kevin Bracken
Councilmember Ryan Hollingshead
Councilmember Laura Cavey
Councilmember Desiree LaFleur
Councilmember Max Brooks
Councilmember Tim Dietz

Tuesday, October 17, 2023

6:00 PM

Town Hall Council Chambers

100 North Wilcox Street

Castle Rock, CO 80104

Phone in: 720-650-7664

Meeting code: 2482 512 4751

Access key: 93875878

www.CRgov.com/CouncilMeeting

This meeting is open to the public and will be held in a virtual format in accordance with the Town Council Electronic Participation, Connected, and Hybrid Meeting Policy. Public may choose to attend in person at Town Hall, or electronically or by phone if preferred. This meeting will be hosted online and can be accessed at www.CRgov.com/CouncilMeeting, or phone in by calling 720-650-7664, meeting code 2482 512 4751 (if prompted for a password enter "Oct17Council"). All Town Council Meetings are also streamed online in real time at www.CRgov.com/WatchCouncil, and are broadcast for Comcast Cable subscribers on Channel 22 (please note there is a delay to the broadcast).

All times indicated on the agenda are approximate. Remote participants please visit www.CRgov.com/CouncilComments to sign up to speak to an item, and for related instructions. Public Comments may also be submitted in writing online by 1:00 p.m. October 17, 2023, to be included in the public record.

COUNCIL DINNER & INFORMAL DISCUSSION

INVOCATION

CALL TO ORDER / ROLL CALL

Councilmember LaFleur attended remotely.

Present: 7 - Mayor Gray, Mayor Pro Tem Bracken, Councilmember Hollingshead, Councilmember Cavey, Councilmember LaFleur, Councilmember Brooks, Councilmember Dietz

PLEDGE OF ALLEGIANCE

COUNCIL COMMENTS

Councilmember Hollingshead reminded citizens of Restaurant Week.

Councilmember Cavey invited residents to her Open House on October 30th.

Councilmember Brooks encouraged people to check out a new restaurant for Restaurant Week called the Bucket List.

Councilmember Dietz thanked citizens that attended the Your Town Academy and encouraged people to get involved.

Mayor Pro Tem Bracken thanked Public Works for their review of speeding on North Meadows Drive.

UNSCHEDULED PUBLIC APPEARANCES

No public comment.

TOWN MANAGER'S REPORT

[ID 2023-109](#)

Update: Calendar Reminders

David Corliss, Town Manager, highlighted the following events:
October 24 - Councilmember Hollingshead and Mayor Pro Tem Bracken Open House
October 30 - Councilmember Cavey Open House
November 14 - Boards and Commissions Appreciation Event
November 15 - State of the County Event
November 18 - Starlighting

[ID 2023-110](#)

Update: Monthly Department Reports

[ID 2023-111](#)

Presentation: Your Town Academy Graduating Class

Kristin Read, Assistant Town Manager, presented the 23 residents in the graduating class of the 2023 Your Town Academy.

[ID 2023-112](#)

Update: Water Court Cases [Cases located in Douglas County, Weld County and other areas near the Lower South Platte River]

Mark Marlowe, Director of Castle Rock Water, provided an update on Water Court Cases.

[ID 2023-113](#)

Update on Douglas County Water Partnerships

[ID 2023-114](#)

Development Services Project Updates

[ID 2023-115](#)

Update: Quasi-Judicial Projects

TOWN ATTORNEY'S REPORT

No report.

ACCEPTANCE OF AGENDA

Moved by Councilmember Hollingshead, seconded by Mayor Pro Tem Bracken, to Accept the Agenda as presented. The motion passed by a vote of:

Yes: 7 - Gray, Bracken, Hollingshead, Cavey, LaFleur, Brooks, Dietz

CONSENT CALENDAR

Councilmember Cavey clarified that the budget has money set aside for the Brickyard development, but does not approve the project.

Moved by Mayor Pro Tem Bracken, seconded by Councilmember Hollingshead, to Approve the Consent Calendar. The motion passed by a vote of:

Yes: 7 - Gray, Bracken, Hollingshead, Cavey, LaFleur, Brooks, Dietz

[ORD 2023-024](#) Ordinance Amending Title 9 of the Castle Rock Municipal Code by the Addition of a New Chapter 9.06 Entitled “Offenses Related to Morals” (Second Reading - Approved on First Reading on October 3, 2023, by a vote 7-0)

[ORD 2023-025](#) Ordinance Amending Section 2.02.040.C of the Castle Rock Municipal Code Regarding the Protocol for Regular Meetings of the Town Council (Second Reading - Approved on First Reading on October 3, 2023, by a vote 7-0)

[RES 2023-122](#) Resolution Approving a Contribution Funding Agreement Between Dawson Trails Metropolitan District No. 1 and The Town of Castle Rock for The Crystal Valley Parkway Interchange Project

[RES 2023-123](#) Resolution Approving a Construction Contract with Applied Ingenuity, LLC for the 2023-2024 Denver Basin Aquifer Rehabilitation and Pumping Equipment Replacement Project [*Seven wells within Red Hawk, Woodlands, Castle Oaks and Bell Mountain Ranch subdivisions*]

[PROC 2023-012](#) Proclamation: Crash Responder Safety Week, November 13-17, 2023 (For Council Action - Presentation on November 7, 2023)

[MIN 2023-019](#) Minutes: October 3, 2023 Town Council Meeting

ADVERTISED PUBLIC HEARINGS & DISCUSSION ACTION ITEMS

2024 BUDGET

[ORD 2023-026](#) Ordinance Adopting the 2024 Budget for the Town of Castle Rock, Colorado (First Reading)

David Corliss, Town Manager, presented an overview of the 2024 Budget.

No public comment.

Moved by Councilmember Dietz, seconded by Councilmember Cavey, to Approve Ordinance ORD 2023-026 as presented. The motion passed by a vote of:

Yes: 7 - Gray, Bracken, Hollingshead, Cavey, LaFleur, Brooks, Dietz

[ORD 2023-027](#) Ordinance Amending Chapters 3.16, 4.04, 13.12, 13.15, and 13.30 of the Castle Rock Municipal Code By Changing Stormwater Development Impact Fees, Renewable Water Resource Fees, Water and Wastewater System development Fees, and Water, Water

Resources, and Stormwater Rates and Surcharges (First Reading)

Mark Marlowe, Director Castle Rock Water, provided a history of the rates and fees studies. They are investing in converting from well water to renewable water.

No public comment.

Moved by Councilmember Brooks, seconded by Mayor Pro Tem Bracken, to Approve Ordinance ORD 2023-027 as presented. The motion passed by a vote of:

Yes: 7 - Gray, Bracken, Hollingshead, Cavey, LaFleur, Brooks, Dietz

[ORD 2023-028](#) **Ordinance Levying General Property Taxes for the Year 2023, for 2024 Collection, for the Town of Castle Rock, Colorado (First Reading)**

Pete Mangers, Assistant Director - Budget & Revenue, presented the item.

No public comment.

Moved by Councilmember Cavey, seconded by Councilmember Hollingshead, to Approve Ordinance ORD 2023-028 as presented. The motion passed by a vote of:

Yes: 7 - Gray, Bracken, Hollingshead, Cavey, LaFleur, Brooks, Dietz

[RES 2023-124](#) **Resolution Approving the 2024 to 2028 Five-Year Capital Improvement Program for the Town of Castle Rock**

David Corliss, Town Manager, presented the Capital Improvement Plan Resolution and the Balanced Financial Plan Resolution together.

No public comment.

Moved by Councilmember Cavey, seconded by Councilmember Dietz, to Approve Resolution RES 2023-124 as presented. The motion passed by a vote of:

Yes: 7 - Gray, Bracken, Hollingshead, Cavey, LaFleur, Brooks, Dietz

[RES 2023-125](#) **Resolution Approving the 2024-2028 Balanced Financial Plan for the Town of Castle Rock**

David Corliss, Town Manager, presented the Resolution approving the Balanced Financial Plan along with the previous item of a Resolution approving the Capital Improvement Plan.

No public comment.

Moved by Councilmember Cavey, seconded by Councilmember Hollingshead, to Approve Resolution RES 2023-125 as presented. The motion passed by a vote of:

Yes: 7 - Gray, Bracken, Hollingshead, Cavey, LaFleur, Brooks, Dietz

Downtown Development Authority (DDA) Items

[RES 2023-126](#) **Resolution Approving the Proposed 2024 Fiscal Year Budget for the**

Castle Rock Downtown Development Authority

Kevin Tilson, Director of the Castle Rock Downtown Alliance, presented the budget.

No public comment.

Moved by Councilmember Brooks, seconded by Councilmember Hollingshead, to Approve Resolution RES 2023-126 as presented. The motion passed by a vote of:

Yes: 7 - Gray, Bracken, Hollingshead, Cavey, LaFleur, Brooks, Dietz

[ORD 2023-029](#) **Ordinance Levying General Property Taxes on Behalf of the Castle Rock Downtown Development Authority for the Year 2023, To Be Collected in 2024 (First Reading)**

Kevin Tilson on behalf of the Castle Rock Downtown Development Authority, presented the Ordinance to approve the Mill Levy for the DDA, recommending a temporary reduction in the mill levy.

Councilmember Cavey asked how long the reduction is planned for. Tilson replied they anticipate one year amounting to about a \$22,000 savings.

No public comment.

Moved by Councilmember Hollingshead, seconded by Councilmember Dietz, to Approve Ordinance ORD 2023-029 as presented. The motion passed by a vote of:

Yes: 7 - Gray, Bracken, Hollingshead, Cavey, LaFleur, Brooks, Dietz

Miller's Landing Business Improvement District (BID) Items

[RES 2023-127](#) **Resolution Approving the Proposed 2024 Fiscal Year Operating Plan and Budget for the Miller's Landing Business Improvement District**

Pete Managers, Assistant Director - Budget & Revenue, presented the item. The landfill has been re mediated but no additional work has been done.

No public comment.

Moved by Councilmember Cavey, seconded by Councilmember Brooks, to Approve Resolution RES 2023-127 as presented. The motion passed by a vote of:

Yes: 7 - Gray, Bracken, Hollingshead, Cavey, LaFleur, Brooks, Dietz

RECESS TO CASTLE ROCK URBAN RENEWAL AUTHORITY BOARD MEETING, AND FESTIVAL PARK COMMONS GENERAL IMPROVEMENT DISTRICT MEETING

Town Council recessed the Town Council meeting at 7:27 pm.

Castle Rock Urban Renewal Authority Board Meeting

Chairman Gray called the meeting to order at 7:28 pm.

Call to Order and Roll Call

Present: 7 - Chair Gray, Vice Chair Bracken, Commissioner Hollingshead, Commissioner Cavey, Commissioner LaFleur, Commissioner Brooks, Commissioner Dietz

Action Items

[URA MIN
2023-001](#)

Minutes: Approval of the September 20, 2022 Minutes

Moved by Commissioner Cavey, seconded by Commissioner Hollingshead, to Approve CRURA Minutes URA MIN 2023-001 as presented. The motion passed by a vote of:

Yes: 7 - Gray, Bracken, Hollingshead, Cavey, LaFleur, Brooks, Dietz

[URA RESO
2023-001](#)

Resolution Adopting the 2024 Fiscal Year Budget for the Castle Rock Urban Renewal Authority

Pete Managers, Assistant Director - Budget & Revenue, presented the item.

Commissioner Cavey asked Mangers to explain what the Castle Rock Urban Authority is.

David Corliss, Town Manager, explained that nine years ago we had an old landfill site that did not allow it to be appropriately developed. The developer asked for a URA for an incentive for a tax increment in order to re mediate the landfill.

No public comment.

Moved by Commissioner Cavey, seconded by Commissioner Hollingshead, to Approve CRURA Resolution URA RESO 2023-001 as presented. The motion passed by a vote of:

Yes: 7 - Gray, Bracken, Hollingshead, Cavey, LaFleur, Brooks, Dietz

ADJOURN

Moved by Vice Chair Bracken, seconded by Commissioner Cavey, to Adjourn. The motion passed by a vote of:

Yes: 7 - Gray, Bracken, Hollingshead, Cavey, LaFleur, Brooks, Dietz

Meeting adjourned at 7:37 pm.

Submitted by:

Lisa Anderson, Town Clerk

Festival Park Commons General Improvement District

Call to Order and Roll Call

Chairman Gray called the meeting to order at 7:38 pm.

Present: 7 - Chair Gray, Vice Chair Bracken, Boardmember Hollingshead, Boardmember Cavey, Boardmember LaFleur, Boardmember Brooks, Boardmember Dietz

Action Items

[FPC MIN
2023-001](#)

Minutes: Approval of the September 20, 2022 Minutes

Moved by Boardmember Cavey, seconded by Boardmember Hollingshead, to Approve FPC GID Minutes FPC MIN 2023-001 as presented. The motion passed by a vote of:

Yes: 7 - Gray, Bracken, Cavey, LaFleur, Hollingshead, Brooks, Dietz

[FPC RESO
2023-001](#)

Resolution Adopting the 2024 Fiscal Year Budget for the Town of Castle Rock Festival Park Commons General Improvement District

Pete Mangers, Assistant Director - Budget & Revenue, presented the item stating they currently have a 45 mill levy used to pay back bonds for the public parking in the garage.

Boardmember Dietz asked who pays the 45 mills. Mangers stated it is paid by the business property owners and residents in the Encore building.

David Corliss, Town Manager, explained that when the redevelopment was discussed, the Town agreed to put in land and a revenue sharing program for property and sales tax, but required the development generate revenue to pay for the 308 public parking spaces to avoid taking money from the Town general fund or transportation fund. Revenue to pay this is from a portion of the property tax, a portion of the sales tax revenue, a PIF public improvement fee, and the general improvement district property tax. The Town pays the HOA dues for the public parking spaces to help maintain the parking garage.

Citizens that addressed Council:

Adrian Sweeney, resident of Encore, stated he did his due diligence before he purchased his unit. He would like to be able to inspect the four budgets that are involved. Corliss stated staff will get that information to him.

Chuck, resident of Encore, stated it is the largest line item on his property taxes - more than schools.

David Corliss, Town Manager, stated once they pay off the COP's the mill levy will go away.

Moved by Boardmember Brooks, seconded by Vice Chair Bracken, to Approve FPC GID Resolution FPC RESO 2023-001 as presented. The motion passed by a vote of:

Yes: 7 - Gray, Bracken, Hollingshead, Cavey, LaFleur, Brooks, Dietz

[FPC RESO
2023-002](#)

Resolution Levying General Property Taxes for the Town of Castle Rock Festival Park Commons General Improvement District for the Year 2023, to be Collected in 2024

Pete Managers, Assistant Director - Budget & Revenue, presented the item.

No public comment.

Vice Chair Bracken reminded citizens that it cost \$10M to build the parking spaces, and that we will have similar items for the Dawson project.

Boardmember Brooks stated it is similar to his metro district that he has to pay which is about double of what he pays the schools.

Moved by Boardmember Cavey, seconded by Vice Chair Bracken, to Approve FPC GID Resolution FPC RESO 2023-002 as presented. The motion passed by a vote of:

Yes: 7 - Gray, Bracken, Hollingshead, Cavey, LaFleur, Brooks, Dietz

ADJOURN

Moved by Boardmember Cavey, seconded by Boardmember Hollingshead, to Adjourn. The motion passed by a vote of:

Yes: 7 - Gray, Bracken, Hollingshead, Cavey, LaFleur, Brooks, Dietz

The meeting Adjourned at 7:53 pm.

Lisa Anderson, Town Clerk

RECONVENE - ADDITIONAL ADVERTISED PUBLIC HEARINGS & DISCUSSION ACTION ITEMS

Mayor Gray reconvened the Town Council meeting at 7:53 pm.

[RES 2023-128](#) **Resolution Ratifying the 2024 Fiscal Year Budget and Mill Levy for the Town of Castle Rock Festival Park Commons General Improvement District [Parking Garage Adjacent to Encore Condominiums, 115 Wilcox Street]**

Pete Managers, Assistant Director - Budget & Revenue, presented the item.

No public comment.

Moved by Councilmember Cavey, seconded by Councilmember Dietz, to Approve Resolution RES 2023-128 as presented. The motion passed by a vote of:

Yes: 7 - Gray, Bracken, Hollingshead, Cavey, LaFleur, Brooks, Dietz

[ORD 2023-030](#) **Ordinance Repealing and Reenacting Article II of Chapter 3.04 of the Castle Rock Municipal Code Regarding Sales Tax and Amending Various Provisions of Article III of Chapter 3.04 of the Castle Rock Municipal Code Regarding Use Tax (First Reading) [Sale and Use Tax Code Simplification - Standard Definitions, and Economic Nexus and Marketplace Facilitators]**

Pete Managers, Assistant Director - Budget & Revenue, presented the item.

No public comment.

Moved by Councilmember Brooks, seconded by Councilmember Hollingshead, to Approve Ordinance ORD 2023-030 as presented. The motion passed by a vote of:

Yes: 6 - Gray, Hollingshead, Cavey, LaFleur, Brooks, Dietz

Not Present: 1 - Bracken

[ORD 2023-031](#) Ordinance Approving an Agreement Between ACM Dawson Trails VIII JV LLC and The Town of Castle Rock for the Exchange of Property Between the Two Entities, and the Grant of Temporary Easements to The Town to Facilitate the Construction of the Crystal Valley Interchange Project (First Reading)

John LaSala, Assistant Public Works Director, presented the item which is a land swap to allow the Town to construct improvements for the Crystal Valley Interchange.

No public comment.

Moved by Councilmember Cavey, seconded by Councilmember Hollingshead, to Approve Ordinance ORD 2023-031 as presented. The motion passed by a vote of:

Yes: 7 - Gray, Bracken, Hollingshead, Cavey, LaFleur, Brooks, Dietz

QUASI JUDICIAL HEARINGS

[RES 2023-129](#) Resolution of the Castle Rock Town Council Making Required Statutory Findings Concerning the Eligibility of Certain Property for Annexation (Crowfoot Valley Road Annexation)

Mayor Gray read the script. No Councilmembers voiced any conflict of interest. Town Clerk Anderson confirmed the item was advertised appropriately.

Tara Vargish, Director of Development Services, presented the item that consists of four parcels of land to clean up the jurisdictional boundary as they are already owned by the Town but are not currently in the Town boundaries.

No public comment.

Councilmember Cavey commented that we already own and maintain the land. Vargish added that it doesn't prohibit us from widening the road but it cleans up the land records by having all of the land the Town owns is annexed into the Town.

Moved by Councilmember Brooks, seconded by Councilmember Cavey, to Approve Resolution RES 2023-129 as presented. The motion passed by a vote of:

Yes: 7 - Gray, Bracken, Hollingshead, Cavey, LaFleur, Brooks, Dietz

ADDITIONAL UNSCHEDULED PUBLIC APPEARANCES

None.

ADJOURN

Moved by Councilmember Cavey, seconded by Councilmember Hollingshead, to Adjourn. The motion passed by a vote of:

Yes: 7 - Gray, Bracken, Hollingshead, Cavey, LaFleur, Brooks, Dietz

Meeting Adjourned at 8:13pm.

Lisa Anderson, Town Clerk