



Castle Rock Water Commission Meeting Minutes - Draft

Todd Warnke
John Wright
Bill Leung
Kathryn Gienger
David Hammelman
Tony Rathbun
Kevin McHugh

Wednesday, August 31, 2022

6:00 PM

Castle Rock Water
175 Kellogg Ct., Bldg. 171
Castle Rock, CO 80109

This meeting is open to the public and will be held in a hybrid format in accordance with Town Council Electronic Participation, Connected, and Hybrid Meeting Policy. The in-person meeting will be held at 175 Kellogg Ct. Bldg. 171 Castle Rock CO 80104 or this meeting can be accessed online at: <https://crgov.webex.com/crgov/j.php?MTID=mc9a8ce2db8eb4aac5d2ba39aafd96727> the Meeting password: zZFfMpJ5U29 (99336755 from video systems) or phone in by calling (720) 650-7664, meeting code #24892484169##. One 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, John Wright, David Hammelman, Tony Rathbun, Kevin McHugh, Commissioner Bill Leung, and Commissioner Kathryn Gienger
- Attendance** 8 - Caryn Johnson, Mark Marlowe, Nichol Bussey, Paul Rementer, Roy Gallea, Rick Schultz, Linda Gould, and MaryJo Woodrick

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 2022-067](#)

Approval of the July 27, 2022

Town Council Agenda Date: NA

It was moved by Bill Leung and seconded by Kevin McHugh to approve the meeting minutes for the July 27, 2022 meeting as written. The motion passed 6-0-1. John Wright Abstained.

- Yes:** 6 - Chair Warnke, Hammelman, Rathbun, McHugh, Commissioner Leung, and Commissioner Gienger
- Abstain:** 1 - Wright

ACTION ITEMS (HIGH PRIORITY / TIME CRITICAL)

[WC 2022-068](#)

Ordinance Amending Sections 4.04, 13.12, and 15.48.020 of the Castle Rock Municipal Code Related to Water Dedication, Public Services, and Landscape and Irrigation Criteria

Manual [Entire Castle Rock service area]

Town Council Agenda Date: September 20, 2022

Mr. Marlowe explained that this item is to make updates to Castle Rock Municipal code related to water conservation. He shared that half of the water demand used during the summer is used outdoors for irrigation so the main focus this year is to add additional conservation items to the Landscape and Irrigation Criteria Manual (L&ICM). These conservation measures will help the Town of Castle Rock meet its water use goals in the future.

Castle Rock Water (CRW) Staff are recommending that beginning in January 2023 any new home that is permitted, will be required to use ColoradoScape (xeriscape) materials in the front yard, no turf allowed, and only 500 square feet (sf) of turf in the backyards. Mr. Marlowe also reminded commission that within the definition of turf grass (currently in the L&ICM), Kentucky Blue grass has already been banned so future use of turf grass will need to be low water options.

CRW Staff began working with developers and home builders in November 2021 to work through the ideas, questions and concerns related to this new design concept. Staff also hired Norris Design to create some landscape designs that show what a typical lot could look like. Along with the design ideas they created a list of plants that would work well in a ColoradoScape design. These concepts have been shared with the homebuilding community throughout the process.

Currently, the homebuilders only put in the front landscape and leave the back to the individual homeowner. Once this happens the guidelines are not always followed so CRW will be offering an incentive program to homebuilders to put in both the front and back landscape.

For non-residential developments the guideline will be to eliminate non-functional turf for new projects.

Mr. Marlowe explained that this item will go to Town Council on September 20, 2022 for 1st Reading and then will return to Town Council on October 18, 2022 for 2nd Reading. If the ordinance passes it will take effect January 1, 2023.

Mr. Schultz shared that the conservation team has created a test plot for a new Bermuda grass (Tahoma 31). The test plot is 500 sf and was laid the first week of August. There is still a lot to learn about this type of grass such as

how it will survive the winter, when will it green up in the spring, how much water does it really need, how often does it need to be mowed. Mr. Schultz invited everyone to check it out.

Commissioner Wright suggested offering some additional resources to those in the community that would like to change established yards to a ColoradoScape design.

Commissioner Warnke asked if it would be good to have a test plot close to Festival Park? Staff indicated this could be a good approach, but staff felt testing here first makes the most sense.

Commissioner Leung asked how these changes will affect the short term financial situation? Short term there will not be a big impact, but longer term these changes will have huge impacts on system development fees, revenues, capital expense and operational expenses.

Commissioner Hammelman asked how the homebuilder association was taking the changes? Staff explained that the homebuilders have been part of the process all along and generally have been supportive with a few concerns, primarily the desire to not have to install backyards, and the desire for exemptions for alley loaded products.

Commissioner Gienger asked if CRW has guidelines for irrigation smart controllers? Mr. Schultz explained that there are already guidelines in place for smart controllers.

Commissioner Rathbun asked if this item is to control water now or if this is in anticipation of future water use? Staff explained this is really about the future.

Kathryn Gienger moved to recommend Town Council approval of the Ordinance as presented. Tony Rathbun seconded the motion. Passed unanimously 7-0.

Yes: 7 - Chair Warnke, Wright, Hammelman, Rathbun, McHugh, Commissioner Leung, and Commissioner Gienger

[WC 2022-069](#)

Resolution Approving a Spot Water Lease between the Town of Castle Rock and the Chatfield East Property Owners Association, Inc. [Chatfield Reservoir, Douglas and Jefferson Counties]
Town Council Agenda Date: September 6, 2022

Mr. Marlowe shared that this item is a spot water lease between the Town of Castle Rock and Chatfield East Property Owners Association (Chatfield East POA). Currently, CRW is unable to utilize the excess water supplies in Chatfield Reservoir and Chatfield East POA would like to lease 21.045 acre feet (AF), that would be released between November 1, 2022 and October

31, 2023.

CRW will charge \$355 AF. The potential revenue for this lease is up to \$7,470.98.

Bill Leung moved to recommend Town Council approval of the Resolution as presented. Kevin McHugh seconded the motion. Passed unanimously 7-0.

Yes: 7 - Chair Warnke, Wright, Hammelman, Rathbun, McHugh, Commissioner Leung, and Commissioner Gienger

[WC 2022-078](#)

**Resolution Approving the first Amendment to the Town of Castle Rock/Turnpike LLC Agricultural Water Lease Agreement [Weld County, CO]
Town Council Agenda Date: September 6, 2022**

Mr. Marlowe reported that this item is an amendment to an agreement that Water Commission approved earlier in the year. Turnpike LLC is a farmer located in Weld County adjacent to the Lost Creek Basin Wells. The farmer has used 277.08 AF to date. One of the wells that supplies this water failed and they need to repair the well so they have requested additional water to finish out their crop season.

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

Yes: 7 - Chair Warnke, Wright, Hammelman, Rathbun, McHugh, Commissioner Leung, and Commissioner Gienger

[WC 2022-070](#)

**Resolution Approving a Services Agreement between the Town of Castle Rock and Burns & McDonnell Engineering Company, Inc. for Chatfield Reservoir Pump Back Project Infrastructure Preliminary Engineering and Design Services [Northwestern Douglas County and Southeastern Jefferson County]
Town Council Agenda Date: September 20, 2022**

Mr. Tait explained that this is a design agreement with Burns & McDonnell to design the Chatfield Reservoir Pump Back infrastructure. This project is part of the Water Resources Strategic Master Plan. The purpose of this project is to optimize the use of our renewable and reusable water rights, year round.

Water that is stored in Chatfield Reservoir will be transferred back to Plum Creek where it can then be picked up at the Sedalia Diversion.

The bid price is \$349,190 with a 10% contingency for a total budget of \$384,063.90.

Commissioner Gienger asked if there is the opportunity to create partnerships to design smoother systems for the movement of water? Staff indicated that this is a definite possibility.

Commissioner Hammelman asked why a contingency amount might be needed in a design agreement? Staff explained a number of reasons this might be necessary including requests for additional scope, permitting, and other items.

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

Yes: 7 - Chair Warnke, Wright, Hammelman, Rathbun, McHugh, Commissioner Leung, and Commissioner Gienger

DIRECTOR FOLLOW-UP AND INFORMATIONAL / UPDATE ITEMS

[WC 2022-071](#)

An Ordinance Amending Titles 3, 4 and 13 of the Castle Rock Municipal Code by Changing Stormwater Development Impact Fees, Water Resources System Development Fees, Water System Development Fees, Wastewater System Development Fees, Water Resources, Stormwater and Wastewater Rates, and Making Certain Editorial Updates to Such Titles (1st Reading) [Entire Tow of Castle Rock and extraterritorial service areas]
Town Council Agenda Date: September 20, 2022

Mr. Marlowe reported that this will be a presentation only as staff is continuing to finalize the entire 2023 Rates & Fees packet. Mr. Marlowe shared that the goals for the 2023 rates and fees study are:

- To continue advancing long-term renewable water efforts including the WISE imported water project
- Continue implementing advanced metering infrastructure
- Continue water and sewer line rehabilitation projects and upgrades to security, controls and network
- Add five new positions a Stormwater inspector, a water conservation technician, a SCADA instrumentation technician, a collections operator and an office assistant.

Mr. Marlowe also explained some of the factors impacting the proposed water rates:

- Construction costs
- Labor costs
- Energy costs
- Growth estimates, and
- Supply chain issues

Mr. Marlowe than shared staff's recommendation:

- Existing customers rate increase in the water fund 4.5%
- System development fee (SDF) rate increase in the water fund 10%
- Existing customers rate increase in the wastewater fund 0%
- SDF rate increase in wastewater 10%
- Existing customers rate increase in stormwater 4.5%
- SDF rate increase in stormwater 10% (in both Cherry Creek & Plum Creek)
- Existing customers rate increase for water resources 7.5%
- SDF rate increase for water resources 15%

Commissioner Rathbun asked if CRW has an IGA with CORE for energy rates? Staff explained that we do not.

[WC 2022-072](#)

Resolution Waiving Formal Written Bidding Requirement On the Basis of Sole Source for Services Performed by Academy Sports Turf, Inc., for the Paintbrush Park Synthetic Turf Conversion Project and Approving an Equipment and Services Agreement [3492 Meadows Blvd, Castle Rock, CO 80109]
Town Council Agenda Date: July 16, 2022

Mr. Marlowe reminded Water Commission that they received this item via email prior to it going to Town Council on July 16th.

[WC 2022-073](#)

Update on Deer Creek Water Rights Purchase
Town Council Agenda Date: NA

Mr. Marlowe shared that CRW has decided not to recommend the purchase of the Deer Creek Water rights at this time.

[WC 2022-074](#)

Update on the Revised Regional Wastewater Proposal
Town Council Agenda Date: NA

Mr. Marlowe shared an update on the Regional Wastewater Proposal.

[WC 2022-075](#)

Resolution Approving the Amended and Restated Property Lease Agreement between the Town of Castle Rock and Cellco Partnership D/B/A Verizon Wireless for a Communication Tower in Downtown Castle Rock
Town Council Agenda Date: July 16, 2022

Mr. Marlowe reminded Water Commission that they received this item via email prior to it going to Town Council on July 16th.

[WC 2022-076](#)

Grand Re-Opening of the Plum Creek Water Purification Facility (PCWPF)

Town Council Agenda Date: NA

Mr. Marlowe invited all Water Commission members and their families to attend the Grand Re-Opening of the Plum Creek Water Purification Facility (PCWPF) on September 21, 2022 from 4 p.m. to 7 p.m. The event will include tours, food and lots of educational activities.

[WC 2022-077](#)

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.

There were no items at this time.

COMMISSIONER MEETING COMMENTS

Time was allowed for Commissioner Comments.