



Castle Rock Water Commission Meeting Minutes - Draft

Todd Warnke Chair
John Wright Vice Chair
Wyn Barrett
Clark Hammelman
Bill Leung
Katherine Redmond
Carol Selos

Wednesday, December 9, 2020

6:00 PM

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

Special Meeting - Combined Nov/Dec Meetings

This meeting is open to the public and will be held in a fully virtual format in accordance with Town Council Meeting Special Procedures During Declared Disasters. This meeting will be hosted online and can be accessed at <https://crgov.webex.com>, the meeting password is: eEdtEP9vx63 (33383798 from video systems) or phone in by calling (720) 650-7664, meeting code 146642073##. 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, Vice Chair John Wright, Commissioner Wyn Barrett, Commissioner Clark Hammelman, Commissioner Bill Leung, Commissioner Katherine Redmond, and Commissioner Carol Selos
- Attendance** 8 - Mark Marlowe, Tim Friday, Anne Glassman, Matt Benak, David Van Dellen, Jennifer Thompson, MaryJo Woodrick, and Caryn Johnson

COUNCIL UPDATE

Councilmember Johnson updated the commission on various Town Council topics from the November/December Council meetings. Topics included an update on the swearing in of the new Town Council members, Proclamations for the outgoing Council Members, approval of the 2021 budget, election of Kevin Bracken as Mayor Pro tem, passing of a resolution authorizing a letter be sent to the Governor stating the Town's opposition to the level red designation, an update on Sellers Landing's additional townhomes, and a 3rd round of small business grants approved at the December 16th meeting.

COMMISSION COMMENTS

Commissioner Warnke asked how the stage 3 drought will affect Castle Rock Water (CRW). Mr. Marlowe stated that a large part of stage 3 is to communicate with the community what the status is and that the next year may be a tough year.

ADMINISTRATIVE BUSINESS

[WC 2020-100](#)

Approval of the October 28, 2020 Meeting Minutes
Town Council Agenda Date: NA

It was moved by Clark Hammelman and seconded by Kathy Redmond to approve the meeting minutes for September 23, 2020 as written. The motion passed unanimously with a vote of 6-0-1 (Abstention – Wyn Barrett).

Yes: 6 - Chair Warnke, Vice Chair Wright, Commissioner Hammelman, Commissioner Leung, Commissioner Redmond, and Commissioner Selos

Abstain: 1 - Commissioner Barrett

ACTION ITEMS (HIGH PRIORITY / TIME CRITICAL)

[WC 2020-101](#)

2020 Year to Date Financial Performance

Town Council Agenda Date: NA

Ms. Glassman expressed that even though we have been in a pandemic CRW has performed very well through October 2020. She shared some items of note.

She shared that on the revenue side, at the end of 2019, there were 23,600 accounts. As of October 2020 an additional 860 accounts have been added which is a 4% growth. Another revenue item to note is that the actual water use is up 18% due to the dry weather in 2020. Ms. Glassman explained that this will actually help with the 2021 rate study because the revenues will be substantially higher than originally planned.

Ms. Glassman shared one item of note from the expense side. The electricity costs are up due to more water production. She shared that all other expense items continued in line with what was planned.

This item did not need a vote. Placed in the wrong section of the agenda.

[WC 2020-102](#)

Ordinance to Change Chapter 13.25 Damage to or Unauthorized Use of Town Property

Town Council Agenda Date: January 5 & 19, 2021

Mr. Friday shared an overview of this item. When the Stormwater enterprise was created (approximately 15 years ago) town code in this section was not adjusted to include Stormwater. Recently in the Meadows neighborhood, it was discovered that one neighbor had tied into an underdrain system causing issues with the system and a need to make repairs. This prompted staff to go back and look at the code and realize the gap in the code. This item addresses those gaps.

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

Yes: 7 - Chair Warnke, Vice Chair Wright, Commissioner Barrett, Commissioner Hammelman, Commissioner Leung, Commissioner Redmond, and Commissioner Selos

[WC 2020-103](#)

Resolution Approving the Town of Castle Rock/Town of Lochbuie Water Lease Agreement for Calendar Year 2021

Town Council Agenda Date: December 15, 2020

Mr. Benak shared that this item is an agreement to renew a water lease agreement

with the Town of Lochbuie. Lochbuie owns a quantity of water in the Bell Mountain wells. With this agreement, in times of need, CRW would be able to use their water by putting it into East Plum Creek and float it down to the CR1 diversion where it will then be treated and used. In exchange, CRW will make an equal amount of water available for the Town of Lochbuie from their Chatfield Storage account. Lochbuie can take the water up to November 1st. If at that time they have not used the water, CRW would then pay them \$30 per acre foot to keep that water in CRW's storage account. This has proven to be beneficial for CRW as in high water demand season it is good to have that additional water for CR1. It also strengthens the partnership with Lochbuie. Mr. Benak explained that it really is a good deal financially for both parties.

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

Yes: 7 - Chair Warnke, Vice Chair Wright, Commissioner Barrett, Commissioner Hammelman, Commissioner Leung, Commissioner Redmond, and Commissioner Selos

[WC 2020-104](#)

Resolution Approving the Town of Castle Rock/Roxborough Water and Sanitation District 2021 Water Lease Agreement
Town Council Agenda Date: December 15, 2020

Mr. Benak explained that this item is similar to the Lochbuie item. Roxborough Water & Sanitation Dist. (RWSD) owns a quantity of water in the Bell Mountain wells. If CRW uses RWSD's water, CRW will provide RWSD fully reuseable effluent that will be taken out at the Plum Creek diversion for a reduced price. This price will be dependent on which aquifer CRW draws from in Bell Mountain. If CRW does not use water from Bell Mountain, CRW would still be able to lease RWSD water for \$340 acre feet.

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

Yes: 7 - Chair Warnke, Vice Chair Wright, Commissioner Barrett, Commissioner Hammelman, Commissioner Leung, Commissioner Redmond, and Commissioner Selos

[WC 2020-105](#)

Resolution Approving an Agreement for a Construction Contract with 53 Corporation LLC for the Metzler Ranch Pond Retrofit Project
Town Council Agenda Date: December 15, 2020

Mr. Van Dellen reported that this item is a construction contract for the Metzler Ranch Pond. This pond is located south of Walmart on Front St. This project is identified as one of CRW's legacy stormwater projects. It is to be paid for using the bank loan that the Stormwater enterprise secured in 2019. This will be phase 2 of this project (phase 1 was completed in 2005). Phase 2 will concentrate on removal of 7,000 cubic yards of material to improve lost capacity, removal of overgrown woody vegetation, enlargement of the pond, access improvements, and water quality improvements.

Five bids were received and 53 Corp was selected as the contractor. The requested authorization of funds for the project is \$772,736 which includes the contract with 53 Corp and a 10% town managed contingency. Project will begin in January and

hopefully be completed prior to the 2021 rainy season.

Clark Hammelman moved to recommend Town Council approval of the Resolution as presented. Wyn Barrett seconded the motion. Passed unanimously 7-0.

Yes: 7 - Chair Warnke, Vice Chair Wright, Commissioner Barrett, Commissioner Hammelman, Commissioner Leung, Commissioner Redmond, and Commissioner Selos

[WC 2020-106](#)

**Resolution Approving an Engineering Services Agreement with AECOM Technical Services, Inc. for the Craig and Gould North Infrastructure Improvements Project
Town Council Agenda Date: December 15, 2020**

Mr. Van Dellen shared that this item is a continuation of the Craig & Gould project. This agreement is for additional design, bidding assistance, and construction management of the Craig & Gould North project. This project has had several delays due to extensive public outreach and customization of design to meet neighborhood constraints. The customization will result in variances for some design criteria. Commissioner Hammelman raised the question of how variances are approved and who approves those variances. Mr. Marlowe explained the general process, but also suggested that the full variance process be presented to Commission at a future meeting.

This area was originally created as a rural neighborhood. Improvements planned are water, sewer, stormwater, paving, curb and gutter, as well as sidewalk.

AECOM was originally selected as the consultant for the design of this project. They helped with the design of the Craig & Gould South project and have a good understanding of what is needed. The contract amount is \$455,872 with an additional 10% town managed contingency of \$45,587 requested. Construction bids will be obtained in the first quarter and a construction contract will be brought back to Commission and Council for approval. AECOM will start work immediately on the additional design service, and construction is expected to begin in April of 2021 with a completion date of July 2022.

Clark Hammelman moved to recommend Town Council approval of the Resolution as presented contingent on Public Works Commission approval of the project as well. Carol Selos seconded the motion. Passed unanimously 7-0.

Yes: 7 - Chair Warnke, Vice Chair Wright, Commissioner Barrett, Commissioner Hammelman, Commissioner Leung, Commissioner Redmond, and Commissioner Selos

DIRECTOR FOLLOW-UP AND INFORMATIONAL / UPDATE ITEMS

[WC 2020-107](#)

Resolution Approving the Second Amendment to the Contract for Purchase and Sale Agreement between the Town of Castle Rock and the Arapahoe County Water & Wastewater Authority for the Authority's interest in the

Cherry Creek Project Water**Authority****Town Council Agenda Date:** November 3, 2020

Mr. Marlowe explained that this is an amendment to allow additional time to complete due diligence and more time to close on the project. The amendment ensures that we are completing the due diligence process prior to closing.

[WC 2020-108](#)**COVID Customer Assistance Program Update****Town Council Agenda Date:** December 15, 2020

Ms. Glassman shared an update on the Customer Assistance programs that were created to assist with the pandemic. At this time CRW has received 93 residential requests and 55 small business requests. These programs provide a grant and then a loan amount that is paid back over 12 months. Additionally, staff looked at the internal payment plan that CRW offers. The internal payment plan program does not have a forgiveness or grant component. Previously CRW asked for 50% of past due up front and the remaining balance could be deferred for 6 weeks. At this time, CRW has changed it to 25% of past due up front and then the ability to defer the remaining amount for 12 months. Ms. Glassman reported that CRW has received more interest in this payment plan program recently. Customers are able to use both the COVID customer assistance program as well as the internal payment plan program at the same time. Staff would like to propose the continuation of the programs through 2021. Staff would also like to place a \$50,000 cap on the residential customer assistance program and \$100,000 cap on the small business customer assistance program. CRW would also like to offer customers that have already received a grant in 2020 the ability to apply and receive a second one in 2021.

[WC 2020-109](#)**Water Conservation Partnership with Local Restaurants****Town Council Agenda Date:** NA

Mr. Marlowe explained that he has been working closely with the Town Manager on a couple of programs to help small businesses. These programs have been shared with Town Council as well.

The first program is primarily for small, locally owned businesses in the town of Castle Rock. For the 1st program, CRW is offering an opportunity to upgrade small food service business fixtures to be more efficient. Toilets at a restaurant get used a lot more than home toilets so changing out 1.6 gal per flush to a .8 gal per flush toilet will help to make a lot of progress on conservation.

The budget for this program will be \$50,000. These funds will be taken for the unused rebate budget from 2020. CRW will give restaurants the opportunity to have their toilets replaced and urinals upgraded at no-cost to them. CRW will purchase materials and hire the plumber to go in and make the replacements. Restaurants will sign an agreement covering some of the potential liabilities. The plumbers will do a pre-visit to make sure that all the external parts are good and that the new fixtures can be installed without additional changes to the plumbing. Once everything has been checked/approved, the designated plumber will complete the work.

The 2nd program being offered is a marketing opportunity for CRW through small food service businesses. CRW has purchased to-go boxes that are made from recycled plastic water bottles. Small food service businesses can receive to-go boxes for free and in exchange they will place a sticker on the boxes explaining their partnership with CRW to conserve water. This is a great opportunity to build a close relationship with restaurants, working with them on fixtures for water efficiency, as well as giving CRW the opportunity to share their water conservation message.

COMMISSIONER MEETING COMMENTS

Commissioner Selos - Good Meeting

Commissioner Leung - Really good update on programs.

Commissioner Barrett - For the last meeting of 2020 I would like to say I am blessed to be part of the Water Commission. Really appreciate the experience. Happy Holidays!

Commissioner Wright - Appreciate the parts of the meeting where we talk about things that are unusual. Really good to discuss them.

Commissioner Warnke - Wish you all a great and happy holiday!