



Town Council Meeting Minutes - Draft

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

Tuesday, December 20, 2022

6:00 PM

**Town Hall Council Chambers
100 North Wilcox Street
Castle Rock, CO 80104
Phone in: 720-650-7664
Meeting code: 2488 559 3389
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 2488 559 3389 (if prompted for a password enter "Dec20Council"). 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. December 20, 2022, to be included in the public record.

COUNCIL DINNER, INFORMAL DISCUSSION, NEW COUNCIL PHOTOS

INVOCATION - Donald Haymon II, Calvary Church Of Denver

Mayor Gray provided the Invocation.

CALL TO ORDER / ROLL CALL

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

PLEDGE OF ALLEGIANCE

COUNCIL COMMENTS

Mayor Gray wished everyone a Merry Christmas and reflected on a great year of 2022.

Councilmember Hollingshead wished everyone Merry Christmas and Happy New Year; and thanked everyone for making the Town a special place.

Councilmember Cavey thanked Town staff for all they have done and is looking forward to a new good year and wished everyone a Merry Christmas.

Councilmember Brooks wished everyone Merry Christmas and to stay safe over the New Year.

Councilmember Dietz asked everyone to remember what the season is all about.

Mayor Pro Tem Bracken wished everyone Merry Christmas and is looking forward to a new year. He thanked the Town Attorney for his time on the homeless initiative and the focus group held last week.

UNSCHEDULED PUBLIC APPEARANCES

No public comment.

TOWN MANAGER'S REPORT

[DIR 2022-022](#)

Discussion/Direction: 2023 Council Meeting Schedule

David Corliss, Town Manager, presented the proposed 2023 Council meeting schedule and recommended to call a special meeting on May 9 at 5pm for Boards and Commissions interviews, and cancelling meeting on July 4 and the August 1 meeting for National Night Out.

Moved by Councilmember LaFleur, seconded by Councilmember Cavey, to call a special meeting on May 9 at 5pm for Boards and Commissions interviews, and cancel meetings on July 4 and August 1. The motion passed by the following vote:

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

[ID 2022-131](#)

Introduction to Town Boards and Commissions and Other Agencies *[for liaison designations on January 3, 2023]*

David Corliss, Town Manager, went over various boards and commissions and other organizations needing Council liaison designations. These appointments will occur at the January 3, 2023 meeting.

Mayor Gray asked Council to communicate with each other if there is a board or commission that they are interested in.

Mayor Pro Tem Bracken felt Council should have first right of refusal for boards they are currently serving on and indicated he would be willing to give up the Water Resources board.

Councilmember Hollingshead asked everyone to email their preferences.

Councilmember Brooks asked if there is a vacancy for any meeting that needs to be attended prior to January 3. Corliss felt we are fine until that meeting.

[ID 2022-132](#)

Update: Calendar Reminders

David Corliss, Town Manager, reminded everyone that the Town offices are closed Friday and Monday for Christmas, and that they are debating what to do on Thursday with the extreme cold weather coming. Offices will also be closed January 3, January 16 and February 20 for holidays. Corliss also mentioned several other calendared items, upcoming Council meetings, and neighborhood meetings.

[ID 2022-133](#)**Update: Monthly Department Reports**[ID 2022-134](#)**Update: 2023 Major Projects List**

David Corliss, Town Manager, stated that we respond to changes. We are seeing fewer single-family permits that impacts the ability to proceed with some capital projects but we are still focusing on top priorities. Public Safety: we are adding additional positions, financial incentives for certain shifts, certifications, etc. Transportation: priorities are the Crystal Valley interchange, the pavement maintenance program, and completing construction on several projects. Water: priorities include landscape criteria, advancing long-term renewable water, expanding water purification facility, construction of a reservoir, upgrades on infrastructure, and adding positions. Parks and Recreation: will continue work on various projects, replacing equipment and turf, and adding a position. Economic Development: fulfill existing agreements. Financial: continue conservative financial policies, energy savings, etc. Community character: continued effort with the Cantrill School, Metzler family open space and looking for additional opportunities.

[ID 2022-135](#)**Update: State Carryout Bag Fee**

David Corliss, Town Manager, pointed out that the bag fee is a state mandate not a Town mandate which imposes a 10 cent per bag fee. It does not apply to all businesses. Any questions should be directed to the state. 60% of the bag revenue comes back to the Town. Communications will be sent to businesses with the state contact.

Councilmember Cavey will get more information from Parker Councilmember Hefta about what they passed.

Councilmember LaFleur stated Jackson Hole, Wyoming did away with plastic bags years ago and their revenue goes back to parks.

[ID 2022-136](#)**Update: Legislative Update**

Kristin Read, Assistant Town Manager, provided an update on proposed legislation which includes making all car thefts a felony, local control on mushrooms, and statewide land use regulations. There will be another policy committee meeting in February. If Council wishes to support any bills, they should make a motion.

Moved by Councilmember Cavey, seconded by Councilmember Dietz, to state support to make all car thefts a felony, support local control on mushrooms, and oppose statewide land use regulations. . The motion passed by the following vote:

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

[ID 2022-137](#)**Update on 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, updated Council on current water court cases.

[ID 2022-138](#)**Update: Customer Financial Hardship Program through Castle Rock Water [Entire Castle Rock Water Customer Base]**

Mark Marlowe, Director of Castle Rock Water, stated that in 2020 they had a Covid assistance program. They would like to convert that to a financial hardship program and are taking part in the LEAP low-income program. Customers would go to the Help and Hope center to determine if they qualify. If so, they would receive a \$300 credit to their account. \$150 is a grant and \$150 they would pay back over 12 months at no interest. They would budget \$5,000 per year for this program. The Water Commission is in favor.

[ID 2022-139](#)**Presentation of the Metropolitan District Summary for the year ending December 31, 2021**

Pete Managers, Assistant Director - Budget & Revenue, presented the 2021 summary of Metropolitan Districts. They are a taxing entity separate from the Town and finance public improvements which are repaid through property taxes from property owners. The total debt is \$943M. The policy for future Metro districts sets a 50 Mill cap and a 35 year term.

Mayor Pro Tem Bracken asked if we can put some guidelines for new metro districts. Corliss stated that we did set up those guidelines in the model plan presented.

Councilmember Cavey noted that half of the debt is interest.

Corliss noted that most metro districts are not as easy to access to get information; so the Town providing this information is valuable.

Mayor Pro Tem Bracken noted his frustration that some metro districts are not willing to refinance the debt when the rates go down.

Corliss stated 50 mills is reasonable for road, water, and sewer infrastructure but most significant is that the mill levy term is limited to 35 years. Some developers put infrastructure costs in the price of the lot vs. incurring debt in a metro district that is paid back over time. Corliss stated the next time Council will look at this is the Canyons Far South development agreement. Cavey asked if they could be forced to refinance to lower rates. Corliss stated that some of their contracts do not allow refinancing.

[ID 2022-140](#)**Development Services Project Updates**

Tara Vargish, Director of Development Services, provided an update on various projects being proposed. They have had 19 since the last update.

[ID 2022-141](#)**Update: Quasi-Judicial Projects**

Tara Vargish, Director of Development Services, provided an update on all of the quasi-judicial projects that should not be discussed outside of a public hearing.

TOWN ATTORNEY'S REPORT

No report.

ACCEPTANCE OF AGENDA

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

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

CONSENT CALENDAR

Moved by Mayor Pro Tem Bracken, seconded by Councilmember LaFleur, to Approve the Consent Calendar as presented.. The motion failed by the following vote:

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

[APPT
2022-012](#)

**Douglas County Open Space Advisory Committee (COSAC)
Nomination: Patti Hostetler**

[RES 2022-137](#)

Resolution Approving the First Amendment to the Equipment and Services Acquisition Agreement with Nine Point Eight Capital LLC D/B/A DRC Construction Services for the Storm Sewer Video Inspection Services

[RES 2022-138](#)

Resolution Approving the First Amendment to The Town of Castle Rock Equipment and Services Acquisition Agreement with Calgon Carbon Corporation for the Installation of Additional Granulated Activated Carbon Filter Media at the Town's Plum Creek Water Purification Facility [*Plum Creek Water Purification Facility in Castle Rock, CO*]

[RES 2022-139](#)

Resolution Designating the Public Place for Posting Notices Pursuant to C.R.S. Section 24-6-402(2)(c)

[MIN 2022-021](#)

Minutes: December 6, 2022 Town Council Meeting

ADVERTISED PUBLIC HEARINGS & DISCUSSION ACTION ITEMS

[RES 2022-140](#)

Resolution Approving the Economic Development Assistance Agreement Between the Town of Castle Rock, and Portercare Adventist Health System D/B/A Castle Rock Adventist Hospital

Frank Gray, Castle Rock EDC, stated this provides primary employment and helps grow our tax base. We don't have a lot of available office space for new employers or expanding employers. Castle Rock Adventist Hospital currently has over 600 employees. The medical office building #3 expects completion in 2023. We currently have approximately 600 cancer patients that would benefit from not leaving Castle Rock for treatments.

Marcus Nothiesen said the opportunity would expand to allow oncology treatments.

They are requesting \$368k reimbursement of fees from the Town. This represents 10% of the cost. This EDC recommends approval with 1/3 reimbursed and 2/3 rebated when a CO is issued.

Gray stated it supports a stand alone community, contributes to a thriving economy, and may attract other medical investments to the Town.

Councilmember Cavey confirmed this building is already being built. Gray confirmed that and stated the hospital still needs to decide what will reside in that building.

Jeremy Pitman, CEO of the health campus stated this would allow them to bring cancer treatments to Castle Rock.

No public comment.

Moved by Councilmember LaFleur, seconded by Councilmember Brooks, that Resolution 2022-140 be Approved as presented. The motion passed by the following vote:

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

[DIR 2022-023](#)

Discussion/Direction of Applications for the 2022 Fourth Quarter Council Community Grant Program, One Application

Pete Mangers, Assistant Director - Budget & Revenue, presented the item showing one applicant for the fourth quarter.

Moved by Councilmember LaFleur, seconded by Councilmember Dietz, to award \$2,000 to the American Legion. The motion passed by the following vote:

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

[RES 2022-141](#)

Resolution Approving a Construction Contract with Kraemer North America, LLC, for the Crystal Valley Parkway and Plum Creek Boulevard Roundabout Project

Dan Sailer, Director of Public Works, provided an overview of the area impacted. They plan to proceed this month and complete at the end of 2023. Public Works Commission recommends approval.

No public comment.

Moved by Councilmember Dietz, seconded by Councilmember Hollingshead, that Resolution 2022-141 be Approved as presented. The motion passed by the following vote:

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

[ORD 2022-032](#)

Ordinance Approving an Agricultural Lease Agreement Between the Town of Castle Rock and Sublette, Inc. (First Reading) *[Weld County, Colorado]*

Mark Marlowe, Director of Castle Rock Water, provided an overview. They initially

leased it back and they recommend renewing the lease that allows hunting, grazing and growing crops. Water Commission recommends approval.

No public comment.

Moved by Councilmember Brooks, seconded by Councilmember LaFleur, that Ordinance 2022-032 be Approved as presented. The motion passed by the following vote:

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

[RES 2022-142](#) **Resolution Approving a Purchase Agreement between the Town of Castle Rock and Roxborough Water and Sanitation District for Water Rights and Other Infrastructure [Northern and Central Douglas County]**

Mark Marlowe, Director of Castle Rock Water, stated there are water rights that are in addition to their long-term water plan, and we will also own capacity in several Bell Mountain wells that we plan to connect to the Bell Mountain water treatment plant. We will provide 220 AF of ground water to the golf course each year for irrigation. We have the ability in a drought to shut that water off if needed. They also incur an extra 10% surcharge with rates updated each year. The Water Commission recommends approval.

No public comment.

Moved by Councilmember Cavey, seconded by Councilmember Brooks, that Resolution 2022-142 be Approved as presented. The motion passed by the following vote:

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

ADDITIONAL UNSCHEDULED PUBLIC APPEARANCES

None.

ADJOURN

Moved by Mayor Pro Tem Bracken, seconded by Councilmember Cavey, to Adjourn. The motion passed by the following vote:

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

Meeting Adjourned at 8:06 pm.

Submitted by:

Lisa Anderson, Town Clerk