



Town Council Meeting Minutes - Final

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

Tuesday, November 2, 2021

6:00 PM

**Town Hall Council Chambers
100 North Wilcox Street
Castle Rock, CO 80104
Phone in: 720-650-7664
Meeting code: 146 428 1387
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 146 428 1387 (if prompted for a password enter "Nov2Council"). 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. November 2, 2021, to be included in the public record.

COUNCIL DINNER & INFORMAL DISCUSSION

INVOCATION - Mark Marble, Castle Rock Police Chaplain

CALL TO ORDER / ROLL CALL

Present: 6 - Councilmember Hollingshead, Councilmember LaFleur, Councilmember Johnson, Councilmember Dietz, Mayor Pro Tem Bracken, Mayor Gray

Not Present: 1 - Councilmember Cavey

PLEDGE OF ALLEGIANCE

COUNCIL COMMENTS

Councilmember Dietz commented that history repeats itself and asked what are we choosing and what are we willing to do. Freedom of speech, freedom to choose. He encouraged people to get involved and talk to their neighbors and find solutions. We are staffing for the future. What we have now is not enough for the future and we need to be part of the solution and do not want to lose our personnel to other communities.. Dietz also invited citizens to the Veterans Day celebration at the Veterans Memorial downtown at 11am this Saturday.

Mayor Gray commented that it is nice to be able to vote in this country and encourages everyone to vote. He thanked all the volunteers at the County Clerk's Office, the County Clerk Merlin Klotz, and Town Clerk Lisa Anderson for what they

do.

UNSCHEDULED PUBLIC APPEARANCES

Citizens that addressed Council:

Gary Godfrey, resident for 8 years, is interested in the update to the wireless cellular facilities and would like to know what that entails. He has voiced his concern with the lack of coverage and wants to work on getting the community engaged to see what kind of support we have in the community. He also wants to hear about supporting local business owners. Their alliance has 90 businesses and he wants to know more about the proclamation honoring small businesses. Godfrey stated that he voted and he supported all of the tax issues and gave credit to our Police and Fire departments. He would like to see funding go toward more traffic safety controls.

TOWN MANAGER'S REPORT

[ID 2021-114](#)

Update: Calendar Reminders

Nov 6 Veterans Memorial Celebration.
Nov 11 Veterans Day holiday offices closed
Nov 16 Council photos
Nov 20 2-6pm Starlighting
Nov 25-26 Thanksgiving holiday offices closed
Dec 7 and 21 Council meetings
Dec 23-24 Christmas holiday offices closed

David Corliss, Town Manager, also showed a summary of neighborhood meetings and events coming up.

[ID 2021-115](#)

Update: Wireless Cellular Facilities

David Corliss, Town Manager, noted the information provided and that more information will be sent out. The Town responds to requests from cellular providers and we are working to streamline that process. The county is conducting a survey on cellular and broadband access.

[ID 2021-116](#)

Update: Appropriation of Conditional Water Storage Rights at Prewitt and Fremont Butte Reservoirs [Morgan, Washington and Logan Counties, Colorado]

David Corliss, Town Manager, summarized water rights on the Platte in northeast Colorado and that we are actively pursuing with Parker. There are short term and large long term costs.

[ID 2021-117](#)

Update: Residential Unit Data (through September 30, 2021) with Potential Buildout Estimates

David Corliss, Town Manager, states we are keeping track of entitlements of records and what has been built.

[ID 2021-118](#)

Update: Undeveloped Property Inquiries (through October 21, 2021)

David Corliss, Town Manager, stated we keep track of undeveloped property.

[ID 2021-119](#) **Development Services Project Updates**

[ID 2021-120](#) **Update: Quasi-Judicial Projects**

TOWN ATTORNEY'S REPORT

[ID 2021-121](#) **Castleview Metropolitan District No. 2 Proposed Issuance of Subordinate Limited Tax General Obligation Bonds, Series 2021 B(3)**

Mike Hyman, Town Attorney, stated we received notice from Castleview Metro District 2 that they would like to issue debt. They submitted documentation for repayment and are well within their debt cap and mill levy cap and maximum term. They are cash flow bonds and they are not paid until the taxes come in. The finance director, Trish Muller, reviewed the plan and didn't not any issues. The interest compounds, and staff recommends that they do not compound. That is their only comment. The Town code allows us to make recommendations to the District.

Councilmember Johnson confirmed the location is at the Oaks of Castle Rock, south of Plum Creek Parkway around Castleview Drive. Hyman will provide Council a boundary map. Johnson also confirmed there is no approval process and asked if the Town is allowed to require Council approval for future metro districts. Hyman stated we could change our code, but he feels it would require a robust conversation with Council and it would have to be done at the time the district was formed. Council does approve their service plans. Staff is in the process of developing a model service plan. If we set the rules with the mill levy, length of time, etc., we can provide some protections for the residents.

Mayor Pro Tem Bracken inquired about the process. Hyman stated when interest compounds it rolls back into the principal of the bonds. The debt ceiling cap is the amount of the bond issued, not the amount with the interest added. Council would have to approve an amendment to their service plan and then go to a vote to increase their debt cap. Bracken asked if we could amend the compounding interest clause. Hyman stated we can only make comments and have no authority. There is no action Council can take to prevent it as the service plan allows for it.

Councilmember Johnson stated the acknowledgement is where we would add our recommendations and comments.

ACCEPTANCE OF AGENDA

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

Yes: 6 - Hollingshead, LaFleur, Johnson, Dietz, Bracken, Gray

Not Present: 1 - Cavey

CONSENT CALENDAR

[PROC
2021-011](#)

Proclamation Supporting Small Business Saturday [For Council Action
- Presentation on November 16, 2021] *(added November 2, 2021)*

[RES 2021-096](#)

Resolution Approving the First Amendment to a Services Agreement with David Evans and Associates, Inc., for the Design of the Four Corners Intersection Improvement Project *[Founders Parkway, State Highway 86, Fifth Street, and Ridge Road]*

[RES 2021-097](#)

Resolution Approving the Assignment and Assumption Agreement Regarding the Establishing Agreement for the Plum Creek Water Reclamation Authority *[Allowing Parker Water and Sanitation District to Replace Castle Pines North Metropolitan District on the Plum Creek Water Reclamation Authority Board]*

[MIN 2021-019](#)

Minutes: October 19, 2021 Town Council Meeting

Moved by Councilmember Johnson, seconded by Councilmember Dietz to approve the Consent Calendar as read. The motion passed by a vote of:

Yes: 6 - Hollingshead, LaFleur, Johnson, Dietz, Bracken, Gray

Not Present: 1 - Cavey

ADVERTISED PUBLIC HEARINGS & DISCUSSION ACTION ITEMS

[RES 2021-098](#)

Resolution Approving the Intergovernmental Agreement Between the Town of Castle Rock and the Consolidated Bell Mountain Ranch Metropolitan District for Water Service and Improvements
[Unincorporated Douglas County subdivision located south of Town and adjacent to Crystal Valley Ranch and Lanterns subdivisions]

Mark Marlowe, Director of Castle Rock Water, stated they have been working on this for 16 years and recognized Tim Friday, Assistant Director, for all his work to get this done. Bell Mountain Ranch Consolidated Metro District approved the agreement last week. There are 321 homes in unincorporated Douglas County and relied on their own groundwater system. Castle Rock owns some of that groundwater. They have had trouble complying with State water quality requirements without a way to comply without assistance. They also need a long-term, renewable water supply. The County is supportive of this and will likely be able to refund some of their engineering costs. They are going to pay full rate to connect to the Town plus a 10% extraterritorial fee. Their system and assets would transfer to the Town. There are 6 reserved taps for future homes built and a community center and two irrigation taps. This will dissolve the Bell Mountain water district. System development fees will be assessed at the 2020 fees because the draft terms were approved by Council in 2020. We have been wanting to build a water treatment plant, which we will obtain from them. We will acquire additional property for a tank site, a water treatment plant site, an

easement to connect our existing wells to the water treatment plant. Their monthly bills will average \$179 a month which is similar to where they are today. There will be a \$77 per month interim finance charge based on the estimated cost to connect to our system that will be finalized once complete. They will be subject to the same rules our customers are. The water used by Bell Mountain will not be returned to us, it will go to septic tanks. We will be able to access the septic return flows in the future. The District Court has to approve the dissolution of their water district which will take several months. The bids to build the connection have to come in at less than \$2.5M to Bell Mountain Ranch. If that doesn't happen, each party has the option to terminate the agreement. We will build and manage building the improvements. Castle Rock Water Commission and staff recommend approval.

Councilmember LaFleur, asked if there are any concerns with their water run off and asked if any resident was not in favor. Marlowe stated we have no concern, it goes to the creek now and that won't change. The customers have been talking to them the last 18 months. There may be a handful of residents that were skeptical, but out of 321 residences, 29 came and most were fine with it. This is a decision of their board that is elected by their residents. No residents showed up at their board meeting last week when they approved this.

No public comment.

David Corliss, Town Manager, congratulated Mark and his staff. This is a big deal for Bell Mountain Ranch and the Town and he wants to ensure the record reflects that we are doing this at their request. There is a cap on the number of residential units in the agreement of 5 additional homes. It is always a possibility that later in the century they may want to subdivide the property, but the agreement does not obligate us to provide water to additional homes. Mayor Gray stated this is something that the County and Bell Mountain want us to do. We are not annexing them, we are providing water that also benefits the Town.

Moved by Councilmember LaFleur, seconded by Councilmember Dietz, that Resolution 2021-098 be Approved as presented. The motion passed by the following vote:

Yes: 6 - Hollingshead, LaFleur, Johnson, Dietz, Bracken, Gray

Not Present: 1 - Cavey

[RES 2021-099](#)

Resolution Approving the First Amendment to the Ridge Estates Annexation and Development Agreement [South of Crystal Valley Ranch, east of Bell Mountain Ranch and north of Sellers Creek Ranch]

Mark Marlowe, Director of Castle Rock Water, presented the amendment to the Ridge Estates Development Agreement. The original annexation agreement in 2020 was to provide an easement across their property to provide water to Bell Mountain. The developer realized the potential benefit of water to Bell Mountain for their development to share infrastructure. They worked out a deal that Bell Mountain Ranch who would pay 70% of costs for the pump station and pipe and 30% paid by Ridge Estates. The developer will agree to design the enhanced water improvements pump station and pipeline to Bell Mountain tanks and they

give an easement to build a third tank on that tank site. Bell Mountain's cost to connect is lowered to about \$1.39M by sharing costs. This is pending approval of the IGA with Bell Mountain and the dissolution of Bell Mountain water district. We would then vacate the easement because we will have a new easement for the waterline. We would manage and oversee construction. Castle Rock Water Commission and staff recommend approval.

No public comment.

Moved by Councilmember Johnson, seconded by Councilmember Dietz, that Resolution 2021-099 be Approved as presented. The motion passed by the following vote:

Yes: 6 - Hollingshead, LaFleur, Johnson, Dietz, Bracken, Gray

Not Present: 1 - Cavey

ADDITIONAL UNSCHEDULED PUBLIC APPEARANCES

None.

ADJOURN

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

Yes: 6 - Hollingshead, LaFleur, Johnson, Dietz, Bracken, Gray

Not Present: 1 - Cavey

Meeting Adjourned 6:59 pm.

Lisa Anderson, Town Clerk