



Castle Rock Water Commission Meeting Minutes - Final

Todd Warnke, Chair
John Wright, Vice Chair
Wyn Barrett
Kathryn Gienger
Ben Johnson
Bill Leung
Katherine Redmond

Wednesday, December 1, 2021

6:00 PM

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

Special Meeting -Combined November/December Meeting

This meeting is open to the public and will be held in a hybrid format in accordance with Town Council Meeting Special Procedures During Declared Disasters. The in-person meeting will be held at 175 Kellogg Ct. Bldg. 171 Castle Rock CO 80109 or this meeting can be accessed online at: [https://crgov.webex.com/crgov/j.php?](https://crgov.webex.com/crgov/j.php?MTID=mb4a99e81b6606158f62b96a2a45c4bba)

MTID=mb4a99e81b6606158f62b96a2a45c4bba the meeting password is: P6QgRJZ8GW7 (76747598 from video systems) or phone in by calling (720) 650-7664, meeting code 24801312682##. 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, Commissioner Bill Leung, Commissioner Katherine Redmond, Commissioner Kathryn Gienger, Commissioner Ben Johnson, Commissioner Wyn Barrett, and Vice Chair John Wright

Attendance 6 - Caryn Johnson, Mark Marlowe, Roy Gallea, Josh Hansen, Paul Rementer, and MaryJo Woodrick

COUNCIL UPDATE

Time was allowed for Mr. Marlowe to share an update on Town Council items.

COMMISSIONER COMMENTS

Time was allowed for Commissioner Comments.

ADMINISTRATIVE BUSINESS

[WC 2021-103](#)

Approval of the October 27, 2021 Meeting Minutes Town Council Agenda Date: NA

It was moved by John Wright and seconded by Ben Johnson to approve the meeting minutes for the October 27, 2021 meeting as written. The motion passed with a vote of 7-0.

Yes: 7 - Chair Warnke, Commissioner Leung, Commissioner Redmond, Commissioner Gienger, Commissioner Johnson, Commissioner Barrett, and Vice Chair Wright

ACTION ITEMS (HIGH PRIORITY / TIME CRITICAL)

[WC 2021-104](#)

Resolution Approving a Construction Contract between the Town of Castle Rock and C&L Water Solutions for Woodlands Sewer Interceptor Manhole Rehabilitation Phase 2 [Woodlands Boulevard and Saddleback Drive]
Town Council Agenda Date: December 21, 2021

Mr. Hansen shared that this is phase 2 of the Woodlands Sewer Interceptor Manhole Rehabilitation project that was shared with Water Commission earlier in 2020. During Phase 1, 7 interceptor manholes were rehabilitated, an additional 25 have been inspected and evaluated. All of the evaluated manholes showed anywhere from moderate to severe corrosion from sewer gases so staff is recommending that all 25 be rehabilitated. The request for proposals was issued in October of 2021. Staff received 5 proposals. C&L Water Solutions proposal was selected based on value and risk mitigation. C&L Water was also the vendor for Phase 1. Budget for the project is \$ 960,095. The schedule is to begin in June 2022 with project completion scheduled for December 2022.

Commissioner Warnke asked if there are concerns with procurement of supplies. Mr. Hansen explained at this time the staff and vendor don't have any concerns.

Kathryn Gienger moved to recommend Town Council approval of the Resolution as presented. Ben Johnson seconded the motion. Passed unanimously 7-0.

Yes: 7 - Chair Warnke, Commissioner Leung, Commissioner Redmond, Commissioner Gienger, Commissioner Johnson, Commissioner Barrett, and Vice Chair Wright

[WC 2021-105](#)

Resolution Approving an Intergovernmental Agreement with Parker Water and Sanitation District for WISE Pump Station Expansion and Infrastructure Design [Rueter-Hess Reservoir, Parker Water and Sanitation District, Parker, CO]
Town Council Agenda Date: December 7, 2021

Mr. Benak shared that this is an intergovernmental agreement for cost sharing with Parker Water and Sanitation District (PWSD) for design of an expansion to PWSD's WISE pump station and associated infrastructure. The design RFP was issued in September 2021; 7 proposals were received. HDR has been selected as the vendor. Once this project is completed, Castle Rock Water (CRW) will be able to receive up to 9 million gallons per day (mgd) through this system (6 mgd from WISE and 3 mgd from the Box Elder property). The project is projected to be online by 2024. PWSD will be managing this project. The estimated cost of the project is \$825,600 + 10% contingency for a total cost of \$885,600. CRW's cost will be 54% of the total cost. The project timeline is to begin design in January 2022 with design completion planned for January 2023.

Commission members asked for clarification on the costs and why PWSD was managing the project? Matt Benak explained that PWSD will ultimately own and operate the pump station and Castle Rock will own capacity in the system. Clarification on costs was also provided.

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

Yes: 7 - Chair Warnke, Commissioner Leung, Commissioner Redmond, Commissioner Gienger, Commissioner Johnson, Commissioner Barrett, and Vice Chair Wright

[WC 2021-106](#)

Resolution Approving the First Amendment to the Participation Agreement between the Cherry Creek Basin Water Quality Authority and the Town of Castle Rock for Design of Stream Reclamation Improvements for McMurdo Gulch Priority 2 Project [McMurdo Gulch near the intersection of Castle Oaks Drive and Autumn Sage Street]

Town Council Agenda Date: December 7, 2021

Mr. Van Dellen explained that this is the 1st Amendment to the participation agreement between the Cherry Creek Basin Water Quality Authority (Authority) for design of the stream reclamation improvements on McMurdo Gulch. This is an ongoing project and at this time the Authority has contributed \$1.1M. The original agreement included \$75,000 for the design work and the amendment will add an additional \$540,000 for construction of the project. The total project construction cost is \$2,160,000 and is part of the Town's Stormwater legacy project funding. Currently, this project is under budget.

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

Yes: 7 - Chair Warnke, Commissioner Leung, Commissioner Redmond, Commissioner Gienger, Commissioner Johnson, Commissioner Barrett, and Vice Chair Wright

[WC 2021-107](#)

Resolution Approving a Construction Contract Between the Town of Castle Rock and Tezak Heavy Equipment Co., Inc., for the McMurdo Gulch Stream Reclamation Priority 2 Project [McMurdo Gulch near the intersection of Castle Oaks Drive and Autumn Sage Street]

Town Council Agenda Date: December 7, 2021

Mr. Van Dellen explained that design and permitting for this project started in 2020 and now staff are ready to begin construction. This project involves stream channel improvements to mitigate impacts and preserve the natural drainageway. Staff received 13 bids. Tezak Heavy Equipment was selected as the contractor. Estimated cost for this project is \$1,623,182 + \$162,318 contingency for a total of \$1,785,500. Construction will begin in December 2021, and the anticipated project completion is June 2022.

Commissioner Johnson asked if there were unused funds if they would be returned to the Authority? Mr. Van Dellen explained that yes if funds were leftover they would be returned.

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

Yes: 7 - Chair Warnke, Commissioner Leung, Commissioner Redmond, Commissioner Gienger, Commissioner Johnson, Commissioner Barrett, and Vice Chair Wright

[WC 2021-108](#)

Resolution Approving the First Amendment to the Intergovernmental Agreement Between the Town of Castle Rock and Crowfoot Valley Ranch Metropolitan District Nos. 1 and 2 Regarding the Monitoring and Enforcement of Town Conservation Regulations *[Located in the Macanta subdivision off of Crowfoot Valley Road, northeast of Castle Rock in unincorporated Douglas County]*
Town Council Agenda Date: December 7, 2021

Mr. Friday reported that CRW has several intergovernmental agreements within the Macanta Subdivision (previously known as Canyons South). One of the agreements is for the enforcement of the conservation regulations. It has become clear that there is a disconnect between the Metro Districts and the homeowners moving into the area as to the landscaping and conservation guidelines. This agreement allows for the Metro Dist. to assign the responsibility over to the HOA so that the entity that works with the homeowner can make sure that correct information/guidelines are shared with the home buyers, and the Town receives plans for review before landscaping is installed.

Ben Johnson moved to recommend Town Council approval of the Resolution as presented. Katherine Redmond seconded the motion. Passed unanimously 7-0.

Yes: 7 - Chair Warnke, Commissioner Leung, Commissioner Redmond, Commissioner Gienger, Commissioner Johnson, Commissioner Barrett, and Vice Chair Wright

[WC 2021-109](#)

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, Meter Set Fees; and Making Certain Editorial Updates to Such Titles (2nd Reading) *[Entire Town of Castle Rock and extraterritorial service areas]*

Town Council Agenda Date: December 7, 2021

Mr. Marlowe shared that Water Commission board members saw and approved this Ordinance on 1st Reading but since that time significant changes have been made to the system development fees so staff has brought it back for a second approval. Mr. Marlowe explained there are no changes to the existing customer rates. The increases are to the fees for new homes being built. The rates and fees study showed that an increase of fairly significant amounts could be charged immediately, but on first reading the staff suggested the increases be spread out over a 5-year period. Since

that time staff have reevaluated that approach and feel that adding the entire suggested increase at this time is a better option. The recommendation is to increase the development fees for the Water fund by 41.4%, Water Resources fees by 43%, Stormwater fees by 49.3% in Plum Creek and 22.5% in Cherry Creek and Wastewater fund by 22%.

Kathryn Gienger moved to recommend Town Council approval of the Ordinance as presented. Ben Johnson seconded the motion. Passed unanimously 6-0.

Yes: 6 - Chair Warnke, Commissioner Leung, Commissioner Redmond, Commissioner Gienger, Commissioner Johnson, and Commissioner Barrett

Not Present: 1 - Vice Chair Wright

DIRECTOR FOLLOW-UP AND INFORMATIONAL / UPDATE ITEMS

[WC 2021-110](#)

Resolution Approving an Intergovernmental Agreement Between the Douglas County School District and the Town of Castle Rock Regarding the District's Compliance with the Town's MS4 Stormwater Discharge Permit Requirements
[Item applies to current and future Douglas County School District facilities within the Town boundaries]
Town Council Agenda Date: November 16, 2021

Mr. Marlowe explained that this is an update item only as Town Council has already approved it.

[WC 2021-111](#)

Resolution Approving a Variance Pursuant to Chapter 9.16.070E of the Castle Rock Municipal Code for the Village North Drainage and Infrastructure Improvements Project
[Intersection of Park and Malibu Street]
Town Council Agenda Date: December 7, 2021

Mr. Marlowe reported that this item is to get Town Council approval to allow for overnight work for the Village North Drainage and Infrastructure Improvements Project. This is not a residential area; it is mainly commercial. The purpose of the night work is to not interrupt service during the work day and further inconvenience the businesses in this area.

[WC 2021-112](#)

Tank 18 Project Update *[Liberty Village Subdivision]*
Town Council Agenda Date: December 21, 2021

Mr. Hansen explained that Tank 18 was previously designed in 2013 and bid for construction in 2014. Bid prices were significantly over budget at the time and construction of the project was deferred. Since that time Liberty Village/Cobblestone has almost reach build out. Staff have been working to update the design. The RFQ was published in October. Five contractors have been placed on the shortlist. Bids will be requested in December 2021-January 2022. With construction planned for 2022.

The budget for this project is \$3.85M.

[WC 2021-113](#)**Results from the 2021 Sanitary Survey**
Town Council Agenda Date: NA

Mr. Marlowe reported that Colorado Department of Public Health and Environment Water Quality Control Division (CDPHE) conducted a Sanitary Survey for CRW in September 2021. Mr. Marlowe was happy to report that there were no violations or deficiencies. CDPHE made some suggestions on items that needed to be updated before the next survey. CRW staff made all suggested changes within about 2 weeks of the survey.

[WC 2021-114](#)**Platte Valley Water Partnership Proposal to Douglas County**
Town Council Agenda Date: NA

Mr. Marlowe shared that CRW worked with PWSD to turn in a proposal to Douglas County for American Recovery Plan Act funding for a project in eastern Colorado to bring back water supply from the Lower South Platte River.

[WC 2021-115](#)**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.

Mr. Marlowe just wanted to let Commission members know that the Town Managers office is working on some changes to the Boards & Commissions code. Some changes include: all board and commission members will need to take an oath of office, the allowable absences from board meetings will be adjusted, and by-laws will need to be posted on the website.

COMMISSIONER MEETING COMMENTS

Time was allowed for Commissioner Comments.