

## RAINDANCE METROPOLITAN DISTRICT NOS. 1-3

[www.raindancemetrodistrict.org](http://www.raindancemetrodistrict.org)

### **Raindance MD No. 1**

Martin Lind, President  
May 2027  
Justin Donahoo,  
Secretary/Treasurer  
May 2025  
Austin Lind, Asst.  
Secretary  
May 2025  
Ryan Scallon, Asst.  
Secretary  
May 2025  
Vacant  
May 2027

### **Raindance MD No. 2**

Martin Lind, President  
May 2027  
Justin Donahoo,  
Secretary/Treasurer  
May 2025  
Austin Lind, Asst.  
Secretary  
May 2025  
Barry McGuinness, Asst.  
Secretary  
May 2027  
Garrett Scallon, Asst.  
Secretary  
May 2025

### **Raindance MD No. 3**

Martin Lind, President  
May 2027  
Justin Donahoo,  
Secretary/Treasurer  
May 2025  
Alan MacGregor, Asst.  
Secretary  
May 2025  
Cindy Beemer, Asst.  
Secretary  
May 2027  
Ryan Scallon, Asst.  
Secretary  
May 2025

### **NOTICE OF JOINT MEETING**

Thursday, October 17, 2024, at 10:30 a.m.

1625 Pelican Lakes Point, Suite 201, Windsor, Colorado 80550

*This meeting may also be attended via teleconferencing through the directions below:*

<https://us06web.zoom.us/j/81784084221?pwd=WUZyWUVaNjBaMlFnL1lKWkhuNmJaZz09>

Meeting ID: 817 8408 4221; Passcode: 043909; Call In#: 1(720)707-2699 or 1(719)359-4580

### **JOINT MEETING AGENDA**

1. Call to Order
2. Declaration of Quorum/Director Conflict of Interest Disclosures
3. Approval of Agenda
4. Public Comment – Members of the public may express their views to the Boards on matters that affect the Districts that are not otherwise on the agenda. Comments will be limited to three (3) minutes per person.
5. Consent Agenda –The items listed below are a group of items to be acted on with a single motion and vote by the Boards. An item may be removed from the consent agenda to the regular agenda by any Board member. Items on the consent agenda are then voted on by a single motion, second, and vote by the Boards.
  - a. Approval Minutes from the August 26, 2024, Joint Special Meeting (**enclosure**)
  - b. Adoption of 2025 Joint Annual Administrative Resolution (**enclosure**)
  - c. Approval of Joint Amended and Restated Public Records Request Policy (**enclosure**)
  - d. Approval of Independent Contractor Agreements (**enclosures**)

6. Operations Matters

a. General District Operations

- i. Consider Approval of Updated Recreation Amenities Use Policy (**enclosure**)
- ii. Discussion re Fence Staining and Open Space Weed Control

b. Raindance River Resort / WaterDance Operations

- i. Consider Approval of Updated Raindance River Resort Rules (**enclosure**)
- ii. Consider Approval of 2025 Recreation Amenities Fee Schedule (**enclosure**)

c. Water System Operations

7. Legal Matters

- a. Consider Adoption of Joint Resolution Calling May 6, 2025, Election (**enclosure**)
  - i. Discussion re SB24-233 and HB24-1001
- b. Consider Adoption of Resolution Certifying Delinquent Water Fees to County for Collection (**enclosure**)

8. Financial Matters

9. Other Business

10. Adjourn

MINUTES OF A JOINT SPECIAL MEETING OF THE  
BOARDS OF DIRECTORS

OF

RAINDANCE METROPOLITAN DISTRICT NOS. 1-3

Held: Monday, August 26, 2024, at 11:30 a.m.

*This meeting was held via teleconference and at 1625 Pelican  
Lakes Point, Suite 201, Windsor, Colorado 80550.*

Attendance

The joint special meeting of the Boards of Directors of the Raindance Metropolitan District Nos. 1-3 was called and held in accordance with the applicable laws of the State of Colorado. The following Directors, have confirmed their qualifications to serve, were in attendance:

Justin Donahoo, Secretary/Treasurer (District Nos. 1-3)  
Austin Lind, Assistant Secretary (District Nos. 1 & 2)  
Garrett Scallon, Assistant Secretary (District No. 2)  
Barry McGuiness, Assistant Secretary (District No. 2)  
Alan MacGregor, Assistant Secretary (District No. 3)  
Cindy Beemer, Assistant Secretary (District No. 3)  
Ryan Scallon, Assistant Secretary (District Nos. 1 & 3)

Director Martin Lind, President (District Nos. 1-3) was absent. All absences are deemed excused unless otherwise noted in these minutes.

Also present were William P. Ankele, Jr., Zachary P. White, Esq., Darah D. Fuller, Esq. White Bear Ankele Tanaka & Waldron, Attorneys at Law (District Counsel); Gary Kerr, Lara Wynn, Water Valley Companies (District General Manager); Steve Southard, Melissa Ehrlich, Hannah Barker, Advance HOA (District Manager); Jonathan Heroux, Piper Sandler & Co., Kimberly A. Casey, Esq., Ballard Spahr (Bond Counsel), Tiffany Leichman, Sherman & Howard (Special Counsel); Jon Mollenberg, RBC Capital; and members of the public.

Call to Order/Declaration of  
Quorum

It was noted that a quorum of the Boards was present. In Director Martin Lind's absence, Mr. White called the meeting to order and appointed Legal Counsel to direct the meeting.

Conflict of Interest  
Disclosures

Mr. White advised the Boards that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at

the meeting. Mr. White reported that disclosures for those directors that provided White Bear White Tanaka & Waldron with notice of potential or existing conflicts of interest were filed with the Secretary of State's Office and the Boards at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Boards. Mr. White inquired into whether members of the Boards had any additional disclosures of potential or existing conflicts of interest with regard to any matters scheduled for discussion at the meeting. No additional disclosures were noted. The participation of the members present was necessary to obtain a quorum or to otherwise enable the Boards to act.

Combined Meetings

The Boards of Directors of the Districts have determined to hold joint meetings of the Districts and to prepare joint minutes of action taken by the Districts in such meetings. Unless otherwise noted herein, all official action reflected in these minutes is the action of each of the Districts. Where necessary, action taken by an individual District will be so reflected in these minutes.

Approval of Agenda

Mr. White presented the proposed agenda to the Boards for consideration. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved the agenda as presented.

Public Comment

None.

Consent Agenda

Mr. White reviewed the items on the consent agenda with the Boards. Mr. White advised the Boards that any item may be removed from the consent agenda to the regular agenda upon the request of any director. No items were requested to be removed from the consent agenda. Upon a motion duly made and seconded, the following items on the consent agenda were unanimously approved, adopted, accepted, and ratified:

- Minutes from the July 29, 2024, Joint Special Meeting

Operations Matters

None.

Legal Matters

None.

Financial Matters

Conduct Public Hearings on 2024 Budget Amendments

Director Donahoo opened the public hearing on the 2024 Budget Amendments for District Nos. 2 and 3. Mr. White noted that the notice of public hearing was provided in accordance with Colorado Law. No written objections were received prior to the meeting. There being no public comment, the hearings were closed.

Consider Adoption of

Mr. White presented the Resolution Amending the 2024 Budget

Resolutions Amending 2024 Budgets (District No. 2)

with the Board of District No. 2. Following discussion, upon a motion duly made and seconded, the Board of District No. 2 unanimously adopted the resolution amending the Debt Service Fund to \$50,200,708.

Consider Adoption of Resolutions Amending 2024 Budgets (District No. 3)

Mr. White reviewed the Resolution Amending the 2024 Budget with the Board of District No. 3. Following discussion, upon a motion duly made and seconded, the Board of District No. 3 unanimously adopted the resolution amending the Debt Service Fund to \$26,953,360.

Bond Matters

Engagement Letters

Mr. White reviewed a series of five engagement letters for professional services rendered in conjunction with the present bond transaction. Following discussion and upon motions duly made and seconded, the Boards approved the respective engagement and fee letters.

Mr. Heroux presented to the Boards regarding the proposed structure of the refinancing of the District No. 2 and District No. 3 bonds by District No. 2. He reported on the favorable rating of “A” the proposed transaction which will benefit both districts in reducing the cost of borrowing. He reported that the issuance is expected to result in approximately \$4,100,000 in present value savings and approximately 10\$ savings over the life of the bonds. Mr. Kerr addressed the Boards regarding the benefits and efficiencies achieved by consolidating the two districts bonds, and noted that while there is capacity to issue new money to reimburse the developer, the no new money is being issued and no more reimbursements are expected to occur.

Director McGuinness inquired about whether there is any benefit to waiting until later to issue to get a better rate. Mr. Heroux explained that there is typically market volatility during elections and recommended moving forward not to get the best result possible.

Consider Adoption of Resolution Authorizing a Capital Pledge Agreement between District Nos. 2-3 and U.S. Bank National Association (District No. 3)

Ms. Casey presented the Resolution Authorizing a Capital Pledge Agreement between District Nos. 2-3 and U.S. Bank National Association with the Boards of Districts Nos. 2 & 3 which serves to provide revenue from District No. 3 to District No. 2 to pay a portion of the refinanced bonds. Following discussion, upon a motion duly made and seconded, the Board of District No. 3 unanimously adopted the Resolution Authorizing a Capital Pledge Agreement between District Nos. 2-3 and U.S. Bank National.

Ms. Casey presented the Resolution Authorizing the Issuance of the

Consider adoption of a resolution authorizing the issuance by Raindance Metropolitan District No. 2, in the Town of Windsor, Weld County, Colorado, of its Limited Tax General Obligation Refunding Bonds, Series 2024, in the aggregate principal amount of \$51,000,000 for the purpose of refunding outstanding general obligation indebtedness of District No. 2 and District No. 3, approving a Capital Pledge Agreement with District No. 3, and other documents relating to the Bonds

Consider ratification and authorization of additional agreements and actions by the Districts' consultants and representatives on the Districts' behalf that are necessary and incidental to the issuance of the Bonds

Other Business

Adjourn

Bonds, agreements approved by the Resolution, and the parameters of the approvals given in the Resolution. The Boards discussed with Ms. Casey the parameters included in the Resolution. Mr. Kerr suggested the total issuance amount be lowered from \$51,000,000 to \$45,000,000, and the interest rate be raised from a maximum interest rate of 4.75% to 4.90% to provide additional cushion. Following discussion, upon a motion duly made and seconded, the Board of District No. 2 approved the Resolution Authorizing the Issuance of the Bonds.

Upon a motions duly made and seconded, the Boards approved the ratification and authorization of additional agreements and actions by the Districts' consultants and representatives on the Districts' behalf that are necessary and incidental to the issuance of the Bonds.

None.

There being no further business to come before the Boards, and following discussion and upon a motion duly made, seconded, and unanimously carried, the Boards determined to adjourn the meeting.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting.

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Secretary for the Meeting Districts

The foregoing minutes were approved on the 17<sup>th</sup> day of October 2024.

**RAINDANCE METROPOLITAN DISTRICT NOS. 1-3  
JOINT ANNUAL ADMINISTRATIVE RESOLUTION  
(2025)**

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WHEREAS, Raindance Metropolitan District Nos. 1-3 (each a “District”), were organized as special districts pursuant to an Order and Decree of the District Court in and for the County of Weld, Colorado (the “**County**”), and is located entirely within the Town of Windsor, Colorado; and

WHEREAS, the Board of Directors (the “**Board**”) of each District has a duty to perform certain obligations in order to assure the efficient operation of the District and hereby directs its consultants to take the following actions.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:

1. The Board directs the District’s legal counsel to cause an accurate map of the District’s boundaries to be prepared in accordance with the standards specified by the Division of Local Government (“**Division**”) and to be filed in accordance with § 32-1-306, C.R.S.

2. The Board directs the District’s legal counsel to notify the Board of County Commissioners, the County Assessor, the County Treasurer, the County Clerk and Recorder, the governing body of any municipality in which the District is located, and the Division of the name of the chairman of the Board, the contact person, telephone number, and business address of the District, as required by § 32-1-104(2), C.R.S.

3. The Board directs the District’s legal counsel to prepare and file with the Division, within thirty (30) days of a written request from the Division, an informational listing of all contracts in effect with other political subdivisions, in accordance with § 29-1-205, C.R.S.

4. The Board directs the District’s accountant to cause the preparation of and to file with the Department of Local Affairs the annual public securities report for nonrated public securities issued by the District within sixty (60) days of the close of the fiscal year, as required by §§ 11-58-101, et seq., C.R.S.

5. The Board directs the District’s accountant to: (a) obtain proposals for auditors to be presented to the Board; (b) cause an audit of the annual financial statements of the District to be prepared and submitted to the Board on or before June 30; and (c) cause the audit to be filed with the State Auditor by July 31, or by the filing deadline permitted under any extension thereof, all in accordance with §§ 29-1-603(1) and 606, C.R.S. Alternatively, if warranted by § 29-1-604, C.R.S., the Board directs the District’s accountant to apply for and obtain an audit exemption from the State Auditor on or before March 31 in accordance with § 29-1-604, C.R.S.

6. The Board directs the District’s accountant, if the District has authorized but unissued general obligation debt as of the end of the fiscal year, to cause to be submitted to the Board of County Commissioners or the governing body of the municipality that adopted a resolution of approval of the District the District’s audit report or a copy of its application for exemption from audit in accordance with § 29-1-606(7), C.R.S.

7. The Board directs the District's accountant to submit a proposed budget to the Board by October 15 and prepare the final budget and budget message, including any amendments thereto, if necessary. The Board also directs the District's accountant to perform the property tax limit calculation, if required by §§ 29-1-306, *et seq.*, C.R.S., and to inform the Board of the result of such calculation. The Board directs legal counsel to schedule a public hearing on the proposed budget or amendments, as applicable, and to post or publish notices thereof. The Board directs legal counsel to prepare all budget resolutions. The Board directs legal counsel to file the budget, budget resolution, and budget message with the Division on or before January 30th, all in accordance with §§ 29-1-101, *et seq.*, C.R.S.

8. The Board directs the District's accountant to monitor all expenditures and, if necessary, to notify the District's legal counsel, the District's Manager, and the Board when expenditures are expected to exceed appropriated amounts. The Board directs legal counsel to prepare all budget amendment resolutions. The Board directs legal counsel to schedule a public hearing on a proposed budget amendment and post or publish notices thereof in accordance with § 29-1-106, C.R.S. The Board directs legal counsel to file the amended budget with the Division on or before the date of making such expenditure or contracting for such expenditure, all in accordance with §§ 29-1-101, *et seq.*, C.R.S.

9. The Board directs legal counsel to cause the preparation of the Unclaimed Property Act report and submission of the same to the State Treasurer by November 1st if there is property presumed abandoned and subject to custody as unclaimed property, in accordance with § 38-13-110, C.R.S.

10. The Board directs the District's accountant to prepare the mill levy certification form and directs legal counsel to file the mill levy certification form with the Board of County Commissioners on or before December 15th, in accordance with § 39-5-128, C.R.S.

11. The Board directs that all legal notices shall be published in accordance with § 32-1-103(15), C.R.S.

12. The Board hereby determines that each member of the Board shall, for any potential or actual conflicts of interest, complete conflicts of interest disclosures and directs legal counsel to file the conflicts of interest disclosures with the Board and with the Colorado Secretary of State at least seventy-two (72) hours prior to every regular and special meeting of the Board, in accordance with § 32-1-902(3)(b) and § 18-8-308, C.R.S. Written disclosures provided by Board members required to be filed with the governing body in accordance with § 18-8-308, C.R.S., shall be deemed filed with the Board when filed with the Secretary of State. Additionally, at the beginning of each year, each Board member shall submit information to legal counsel regarding any actual or potential conflicts of interest and, throughout the year, each Board member shall provide legal counsel with any revisions, additions, corrections, or deletions to said conflicts of interest disclosures.

13. The Board confirms its obligations under § 24-10-110(1), C.R.S., with regards to the defense and indemnification of its public employees, which, by definition, includes elected and appointed officers.



14. The Board hereby appoints legal counsel as the official custodian for the maintenance, care, and keeping of all public records of the District, in accordance with §§ 24-72-202, et seq., C.R.S. The Board hereby directs its legal counsel, accountant, manager, and all other consultants to adhere to the Colorado Special District Records Retention Schedule as adopted by the District.

15. The Board directs the District's Manager to post notice of all regular and special meetings in accordance with § 32-1-903(2) and § 24-6-402(2)(c), C.R.S. The Board hereby designates <https://www.raindancemetrodistrict.org> as the District's website for the posting of its regular and special meeting notices. The Board also hereby designates, unless otherwise designated by the Board, the following, as the location the District will post notices of meetings in the event of exigent or emergency circumstances which prevent the District from posting notice of the meeting on the District's website. The Board directs legal counsel to provide the website address set forth above to the Department of Local Affairs for inclusion in the inventory maintained pursuant to § 24-32-116, C.R.S.

District No. 1: The director parcel for the District

District No. 2: The northeast intersection of C.R. 13 and New Liberty

District No. 3: The southeast intersection of C.R. 13 and New Liberty

16. The Board determines to hold regular meetings on the third Thursday of January, April, July, and October at 10:30 a.m. at 1625 Pelican Lakes Point, Suite 201, Windsor, Colorado 80550 and by telephone, electronic, or other means not requiring physical presence. All notices of meetings shall designate whether such meeting will be held by electronic means, at a physical location, or both, and shall designate how members of the public may attend such meeting, including the conference number or link by which members of the public can attend the meeting electronically, if applicable.

17. The Board determines to hold an annual meeting, pursuant to § 32-1-903(6), on the third Thursday of August, at 9:00 a.m. at 1625 Pelican Lakes Point, Suite 201, Windsor, Colorado 80550, and by telephone, electronic, or other means not requiring physical presence, subject to change by action of the Board. Notice of the annual meeting shall designate whether such meeting will be held by electronic means, at a physical location, or both, and shall designate how members of the public may attend such meeting, including the conference number or link by which members of the public can attend the meeting electronically, if applicable. The District's legal counsel shall be responsible for coordinating the required presentations for the annual meeting.

18. In the event of an emergency, the Board may conduct a meeting outside of the limitations prescribed in § 24-6-402(2)(c), C.R.S., provided that any actions taken at such emergency meeting are ratified at the next regular meeting of the Board or at a special meeting conducted after proper notice has been given to the public.

19. The Board directs the District's Manager to maintain the District's website in compliance with state and federal requirements and to make such documents and information required by § 32-1-104.5, C.R.S. available to the public on the District's website.

20. For the convenience of the electors of the District, and pursuant to its authority set forth in § 1-13.5-1101, C.R.S., the Board hereby deems that all regular and special elections of the District shall be conducted as independent mail ballot elections in accordance with §§ 1-13.5-1101, *et seq.*, C.R.S., unless otherwise deemed necessary and expressed in a separate election resolution adopted by the Board.

21. Pursuant to the authority set forth in § 1-1-111, C.R.S., the Board hereby appoints Ashley B. Frisbie, as the Designated Election Official (the “**DEO**”) of the District for any elections called by the Board, or called on behalf of the Board by the DEO, and hereby authorizes and directs the DEO to take all actions necessary for the proper conduct of the election, including, if applicable, cancellation of the election in accordance with § 1-13.5-513, C.R.S.

22. In accordance with § 1-11-103(3), C.R.S., the Board hereby directs the DEO to certify to the Division the results of any elections held by the District and, pursuant to § 32-1-1101.5(1), C.R.S., to certify results of any ballot issue election to incur general obligation indebtedness to the Board of County Commissioners or the governing body of the municipality that adopted a resolution of approval of the District and file a copy of such certification with the Division of Securities.

23. The Board directs legal counsel to cause a notice of authorization of or notice to incur general obligation debt to be recorded with the County Clerk and Recorder within thirty (30) days of authorizing or incurring any indebtedness, in accordance with § 32-1-1604, C.R.S.

24. Pursuant to the authority set forth in § 24-12-103, C.R.S., the Board hereby designates, in addition to any officer of the District, Brian S. Bowers of the law firm of White Bear Ankele Tanaka & Waldron, Attorneys at Law, as a person with the power to administer all oaths or affirmations of office and other oaths or affirmations required to be taken by any person upon any lawful occasion.

25. The Board directs legal counsel to cause the preparation of and filing with the Board of County Commissioners or the governing body of the municipality that adopted a resolution of approval of the District, if requested, the application for quinquennial finding of reasonable diligence in accordance with § 32-1-1101.5(1.5), (2), C.R.S.

26. The Board directs legal counsel to cause the preparation of and the filing with the Board of County Commissioners or the governing body of any municipality in which the District is located, the Division, the State Auditor, the County Clerk and Recorder, and any interested parties entitled to notice pursuant to § 32-1-204(1), C.R.S., an annual report in accordance with § 32-1-207(3)(c), C.R.S.

27. The Board directs the District's Manager to obtain proposals and/or renewals for insurance, as applicable, to insure the District against all or any part of the District's liability, in accordance with §§ 24-10-115, *et seq.*, C.R.S. The Board directs the District's Manager to review and update the District's property schedule as needed, and no less than annually. The Board directs the District's accountant to pay the annual SDA membership dues, agency fees, and insurance premiums, as applicable, in a timely manner. The Board appoints legal counsel to designate the proxy for the SDA Annual meeting for voting and quorum purposes.

28. The Board hereby opts to exclude elected or appointed officials as employees within the meaning of § 8-40-202(1)(a)(I)(A), C.R.S., and hereby directs legal counsel to file a statement with the Division of Workers' Compensation in the Department of Labor and Employment not less than forty-five (45) days before the start of the policy year for which the option is to be exercised, in accordance with § 8-40-202(1)(a)(I)(B), C.R.S.

29. The Board hereby directs legal counsel to prepare the disclosure notice required by § 32-1-809, C.R.S., and to disseminate the information to the electors of the District accordingly. Further, the Board hereby designates the following website as the District's official website for the purposes thereof: <https://www.raindancemetrodistrict.org>.

30. The Board hereby directs legal counsel to prepare and record with the County Clerk and Recorder updates to the disclosure statement notice and map required by § 32-1-104.8, C.R.S., if additional property is included within the District's boundaries.

31. In accordance with § 38-35-109.5(2), C.R.S., the District hereby designates the President of the Board as the official who shall record any instrument conveying title of real property to the District within thirty (30) days of any such conveyance.

32. The Board hereby affirms the adoption of the corporate seal in substantially the form appearing on the signature page of this resolution in accordance with § 32-1-902, C.R.S., regardless of whether initially produced electronically or manually. The requirement of any District resolution, proceeding or other document to "affix" the District seal thereto, including for the purpose of satisfying any applicable State law, shall be satisfied by manual impression or print, facsimile reproduction or electronic reproduction, or inclusion of the image of such seal. Without limiting the foregoing, any electronic production or reproduction of the image of the seal shall constitute an electronic record of information, as defined in the Uniform Electronic Transactions Act, and the Board hereby authorizes its use in accordance with the authority provided by § 24-71.3-118, C.R.S.

33. The Board directs the District's Accountant to prepare and submit the documentation required by any continuing disclosure obligation signed in conjunction with the issuance of debt by the District.

34. The Board directs legal counsel to monitor, and inform the Board of, any legislative changes that may occur throughout the year.

35. In the event the District has not engaged an accountant or a manager, the Board hereby directs legal counsel to undertake all actions designated in this Resolution to the District accountant or the District's Manager until such time as an accountant or manager, as applicable, is engaged by the District.

***[Remainder of Page Intentionally Left Blank, Signature Page Follows]***

ADOPTED OCTOBER 17, 2024

(SEAL)

**DISTRICTS:**

**RAINDANCE METROPOLITAN DISTRICT  
NOS. 1-3**, quasi-municipal corporations and  
political subdivisions of the State of Colorado

By: \_\_\_\_\_  
Officer of the Districts

Attest:

By: \_\_\_\_\_

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON  
Attorneys at Law

\_\_\_\_\_  
General Counsel to the Districts

**RAINDANCE METROPOLITAN DISTRICT NOS. 1-3**  
**JOINT AMENDED AND RESTATED PUBLIC RECORDS REQUEST POLICY**  
**Adopted October 17, 2024**

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**I. Purposes of the District’s Public Records Request Policy**

This Public Records Request Policy of the Raindance Metropolitan District Nos. 1-3 (each a “**District**”, collectively the “**Districts**”) shall be applied and interpreted with the following purposes in mind:

- A. To adopt a Public Records Request Policy pursuant to § 24-72-203(1), C.R.S.;
- B. To provide access to and the protection and integrity of Public Records in the custody of the Districts;
- C. To prevent unnecessary interference with the regular discharge of the duties of each District and its manager in compliance with the Colorado Open Records Act, §§ 24-72-200.1 to 24-72-206, C.R.S. (“**CORA**”);
- D. To establish reasonable and standardized fees for producing copies of and information from records maintained by the Districts as authorized by CORA; and
- E. To set forth a general procedure for providing consistent, prompt and equitable service to those requesting access to Public Records.

**II. Public Records Requests**

A. Applicability.

This Public Records Request Policy applies to requests submitted to the Districts for the inspection of Public Records pursuant to CORA, and shall supersede any previously adopted CORA policies of the Districts.

B. Definitions.

1. “**Custodian**”: Except as otherwise provided in this policy, the term “**Custodian**” shall mean legal counsel, or any successor that has been designated by the Board of Directors of each District to oversee the collection, retention, and retrieval of Public Records of the Districts.

2. “**Public Records**”: As defined in § 24-72-202(6), C.R.S.

C. Submission of Requests

1. Requests for inspection of Public Records are to be submitted in writing on an official request form to the Custodian, and must be sufficiently specific as to enable the Custodian to locate the information requested with reasonable effort. The official request form is attached hereto as **Exhibit A** and incorporated herein by this reference, as may be modified from

time to time by the Districts. Each District has determined that the use of an official request form is necessary for the efficient handling of Public Records requests.

2. Requests may be submitted by mail, fax, e-mail, or hand-delivery.
3. A request shall be considered made when the request is actually received by the Custodian:
  - a. A letter is received when it is opened in the usual course of business by the recipient or a person authorized to open the recipient's mail;
  - b. A fax is received when it is printed during regular business hours, or, if received after hours, at 8:30 a.m. on the following business day; and
  - c. An e-mail is received when it is received and opened during regular business hours, or, if received after hours, at 8:30 a.m. on the following business day.
4. If a deposit is required, the request is not considered received until the deposit is paid.

D. Inspection.

1. The Custodian or the Custodian's designee shall make the requested Public Records available for inspection during regular business hours, deemed to be from 8:30 a.m. to 4:30 p.m., Monday through Friday, except for times the Custodian's office is closed. During the inspection of Public Records, the Custodian may ask that the requestor follow certain procedures to protect the integrity of the Public Records.

2. If a Public Record is not immediately or readily available for inspection, the Custodian or the Custodian's designee shall make an appointment or other arrangements with the applicant concerning the time at which the requested record will be available. The Public Records shall be made available for inspection within a reasonable time, which is presumed to be three (3) working days or less from the date of receipt of the request. Such three (3) day period may be extended by an additional seven (7) working days if extenuating circumstances, as described in § 24-72-203(3)(b), C.R.S., exist. Responding to applications for inspection of Public Records need not take priority over the previously scheduled work activities of the Custodian or the Custodian's designee.

3. All Public Records to which the request applies shall be preserved from the date of the request until such time as set forth in the Districts' records maintenance, retention, or deletion policy or practices utilized by the Custodian.

4. No one shall remove a Public Record from the Custodian's offices without the permission of the Custodian. Public Records may be removed from file folders or places of storage for photocopying by the Custodian or the Custodian's designee. The Custodian may allow a person to use his or her own portable electronic equipment to make copies of Public Records.

5. As a general practice, in response to a Public Records request:

a. Public Records will be made available for inspection in the format in which they are stored. If the Custodian is unable to produce the Public Record in its stored format for any reason set forth in § 24-72-203(3.5)(b) C.R.S., an alternate format may be produced or a denial issued under § 24-72-204, C.R.S.

b. The person making the request shall not be allowed to access the Custodian's computer or any other computer for purposes of inspecting any Public Records;

c. Any portion of a Public Record containing non-public information that is not subject to inspection may be redacted by the Custodian prior to making the record available for inspection. The Custodian is not required to redact information from a writing that is not a Public Record in order to make the writing available for inspection. *Denver Publishing Co. v. Bd. Of County Comm'rs of the County of Arapahoe*, 121 P.3d 190 (Colo. 2005); *Colorado Republican Party v. Benefield, et al.*, Court of Appeals No. 07CA1216, Oct. 23, 2008 (Unpublished).

d. The Custodian, in consultation with the Districts' general counsel, will determine which information is no longer considered "work-in-progress" subject to the deliberative process or work product privilege and therefore eligible for release.

e. Altering an existing Public Record, or excising fields of information that the Custodian is either required or permitted to withhold does not constitute the creation of a new Public Record. Section 24-72-203(3.5)(d), C.R.S.

f. A document will not ordinarily be created in order to respond to a request.

6. Where a request seeks in excess of twenty-five (25) electronically-stored Public Records, the following procedure shall apply in responding to such a request:

a. The Custodian shall solicit the comments of the requestor regarding any search terms to be used to locate and extract such records, and, in doing so, will seek to have the request refined so that it does not result in an inordinate number of irrelevant or duplicative documents, it being understood that the Custodian will make the final determination regarding search terms;

b. The Custodian shall designate an employee or another person with experience in performing electronic searches to locate and extract responsive records;

c. The person who is designated to perform the searches shall consult, as appropriate, with legal counsel to identify privileged records that should not be produced; and

d. Where appropriate, legal counsel shall conduct a final review to identify and withhold privileged records.

7. The Custodian or the Custodian's designee shall deny the inspection of the records if such inspection would be contrary to federal or state law or regulation, or would violate a court order. In special circumstances, a Custodian shall deny inspection of the Public Records if such inspection would cause substantial injury to the public interest. Such a denial shall be made in writing by the Custodian to the person making the request and shall set forth with specificity

the grounds of the denial. It is not necessary to state a ground for denial of access for each document if a specific ground is applicable to a group of documents.

8. If the Public Records requested are not in the custody or control of the Custodian, the Custodian shall notify the requestor of this fact in writing. In such notification, the Custodian shall state in detail to the best of his/her knowledge and belief the reason for the absence of the Public Records, the location of the Public Records, and what person then has custody or control of the Public Records.

9. All Public Records, regardless of storage format, will be administered in accordance with approved retention schedules. Each District reserves the right to adopt the records retention policy that has been promulgated by the Custodian.

E. Fees for All Record Requests.

1. Fees for Standard Reproductions. The Custodian or the Custodian's designee shall charge a fee not to exceed twenty-five cents (\$.25) per page for any photocopies or printed copies of electronic records that are required to make a Public Record available. Other reproductions of Public Records shall be provided at a cost not to exceed the actual cost of the reproduction. Such fees shall be paid by the applicant prior to the receipt of copies of any Public Records. Requests expected to exceed a total charge of ten dollars (\$10.00) or more must be accompanied by a deposit equal to the reasonably-estimated reproduction costs. This deposit will be credited toward the total fee, and the total fee shall be paid prior to release of the requested records. In the event the deposit amount exceeds the actual costs, the balance will be refunded.

2. Transmission Fees. No fees related to transmission shall be charged for transmitting public records via electronic mail. Within the period specified in § 24-72-203, C.R.S., the Custodian shall notify the record requester that a copy of the record is available, but will only be sent to the requester once the custodian receives payment for postage if the copy is transmitted by United States mail, or payment for the cost of delivery if the copy is transmitted other than by United States mail, and payment for any other supplies used in the mailing, delivery, or transmission of the record and for all other costs associated with producing the record. Upon receiving such payment, the custodian shall send the record to the requester as soon as practicable but no more than three business days after receipt of such payment.

3. Fees for Search, Retrieval and Legal Review:

a. In the case of any request requiring more than one (1) hour of time for search, retrieval, supervision of inspection, copying, manipulation, redaction or legal counsel review to identify and withhold privileged records, the Custodian or the Custodian's designee may charge an hourly fee not to exceed the maximum allowed under § 24-72-205(6)(a), C.R.S., which can be found at <https://leg.colorado.gov/node/1669596/>. Prior to performing any services necessary to respond to a request, the Custodian or the Custodian's designee shall require the applicant to pay a deposit equal to the reasonably estimated fees that will be charged by the Custodian for such staff time. Before receiving any records, the applicant shall also pay the amount by which the cost of any open records services exceeds the deposit. The Districts shall promptly refund the amount by which the deposit exceeds the cost of any open records services.

b. To the extent possible, the Custodian shall utilize administrative or clerical staff for search and retrieval of Public Records who are ordinarily responsible for such



duties to ensure that the fees charged for staff time in connection with the request represent costs incurred in the ordinary course of business and not extraordinary charges, but in any case, such charges shall be consistent with § 24-72-205(6), C.R.S.

*[Remainder of Page Intentionally Left Blank. Signature page follows]*

ADOPTED OCTOBER 17, 2024.

**DISTRICTS:**

**RAINDANCE METROPOLITAN DISTRICT NO  
S. 1-3**, quasi-municipal corporations and political  
subdivisions of the State of Colorado

By: \_\_\_\_\_  
Officer of the Districts

ATTEST:

By: \_\_\_\_\_

APPROVED AS TO FORM:

**WHITE BEAR ANKELE TANAKA & WALDRON**  
Attorneys at Law

\_\_\_\_\_  
General Counsel to the Districts

*Signature Page to Joint Public Records Request Policy*

**EXHIBIT A**

**OFFICIAL REQUEST FORM**

**RAINDANCE METROPOLITAN DISTRICT NOS. 1-3**

**Request for Inspection/Copy of Public Records**

**For Internal Use Only**

Date of Request: \_\_\_\_\_

Time of Request: \_\_\_\_\_ AM/PM

**Applicant Name:** \_\_\_\_\_

**Applicant Address:** \_\_\_\_\_

**City/State:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

**Daytime Phone #:**( ) \_\_\_\_\_ **Alt./Cell:** ( ) \_\_\_\_\_

**Email:** \_\_\_\_\_

**Detailed description of the records requested: (Please use additional sheets if necessary)**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Select a preferred format for the materials: Hard Copies \_\_\_\_ Electronic \_\_\_\_ View Hard Copy Only \_\_\_\_

**I request the records described and agree to pay all charges incurred in processing this request at or before the time the records are made available. If over \$10, I understand I must provide a deposit to pay for the cost incurred to obtain the records. I understand that the Estimated Charges are estimates only, and that the actual cost may vary. This request will be considered received when this form is complete and received by the Custodian and any required deposit is paid.**

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

Submit Request Form To:  
White Bear Ankele Tanaka & Waldron  
2154 E. Commons Ave., Suite 2000  
Centennial, CO 80122

If the records are available pursuant to §§ 24-72-201, *et seq.*, C.R.S., the records shall be made available for viewing within three (3) working days. The date of receipt is not included in calculating the response date. If extenuating circumstances exist so that the Custodian cannot reasonably gather the records within the three (3)-day period, the Custodian may extend the period by up to seven (7) working days. The requestor shall be notified of the extension within the three (3)-day period. Public records shall be viewed at the District's offices during regular business days at prearranged times.

**For Internal Use Only**

**Estimated Charges**

Number of Pages \_\_\_\_\_ at \$.025/page \_\_\_\_\_

Postage/Delivery Costs: \$ \_\_\_\_\_

Research & Retrieval \_\_\_\_\_ Hours at \$41.37/hr

See § 24-72-205(6), C.R.S. for hourly fee

Research & Retrieval Total: \$ \_\_\_\_\_

Deposit Required: \$ \_\_\_\_\_

Total Estimated Costs: \$ \_\_\_\_\_

Note: Non-standard and special requests will be billed at cost and charged in addition to any other fees.

**Administrative Matters**

Date Request Completed:

Amount Prepaid: \$ \_\_\_\_\_

Approved: \_\_\_\_\_ Denied: \_\_\_\_\_

Balance Due Before Release: \$ \_\_\_\_\_

Total Amount Paid: \$ \_\_\_\_\_

If Denied, Provide Reason(s)

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## **BOARD MEETING COMMUNICATION**

**TO:** Board of Directors, Raindance Metropolitan District Nos. 1-3  
**DATE:** October 17, 2024  
**RE:** Independent Contractor Agreements for Approval / Ratification

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This communication consolidates and describes the various independent contractor agreements proposed for approval or ratification by the Board of Directors of the RainDance Metropolitan District No. 1 (the “District”) to provide services to the RainDance Metropolitan District Nos. 2 & 3. Each of these agreements are presented on the Districts’ standard form of independent contractor agreement. If you would like to see a copy of any individual agreement, please feel free to let us know.

1. Zak George Landscaping, LLC – 2024/2055 Snow Removal Services
2. Advance HOA – Accounting Services

# RAINDANCE METROPOLITAN DISTRICT NO. 1

## RECREATION AMENITIES USE POLICY

(October 2024 Update)

- 1. Preamble:** The Board of Directors of Raindance Metropolitan District No. 1 (the "**District**") has adopted the following Recreation Amenities Use Policy (the "**Policy**") pursuant to Section 32-1-1001(1)(m), C.R.S., to provide for the orderly and efficient conduct of management, operation and control of the public facilities and services of the District. The District, pursuant to the provisions of its Service Plan approved by the Town of Windsor (the "**Service Plan**") has financed certain recreation amenities to serve the community commonly known as Raindance (the "**Community**") including the Raindance River Resort, trails, paths, orchards, open space, landscape tracts and turf fields (collectively, the "**Recreation Amenities**").

Unless otherwise specified, all references to the "District" made herein shall refer to Raindance Metropolitan District No. 1, as well its respective Board of Directors. All references herein to "District Manager" shall refer to an independent contractor engaged by the District to perform such services, with and to the extent authorized by the District, by contract or other valid allocation of authority.

- 2. District Recreation Amenities Use Generally:** The Recreation Amenities are available for use by the general public during the hours of operation set forth below, subject to this Policy on a first come, first serve basis, except as set forth in Section 3 below.

### HOURS OF OPERATION:

Parks, gazebos, pavilions: 5:00 a.m. – 10:00 p.m.

Tennis courts and Pickle Ball courts: 8:00 a.m. – 9:00 p.m.

Beaches and Lakes: 5:00 a.m. – 10:00 p.m.

The parks in the Community, and the parks within the Water Valley community which are also open to the public, are depicted in the map attached hereto and the classification and intended use of each of the parks is set forth in **Attachment A**.

- 3. Reservations/Commercial Activity/Organized Sports:** The Recreation Amenities are available for the general, informal use of the general public - no reservations are allowed without the prior written approval of the District, with the exception of the Pavilion at Barnyard Park. Any group event with over 25 people requires a notice to be sent to the District at least one week prior to the event. Commercial use of the Recreation Amenities is prohibited without the prior written approval of the district. For purposes of this policy "commercial use" shall mean use of the Recreation Amenities for promotion of any business, or sale of any product or service, including but not limited to entrance fees or ticket sales. Recreation Amenities may not be reserved for organized sports without prior written approval of the District. For purposes of this policy "organized sports" shall mean any organized team which a coach or referee is present, or any team that is part of any organized league or organization, or as otherwise determined by the Board.

4. **Recreation Pass Required:** All members of the public are required to have a current and valid “Recreation Pass” issued by the District in their possession while using the Recreation Amenities, with exception of the paths and trails, parks, playgrounds, and the RainDance River Resort. Users may be asked to present their Recreation Pass to the District Manager, or its designee, including patrol staff. If a Recreation Pass is not in the person’s possession, they and their guests will be asked to leave the area until a Recreation Pass is presented and may be subject to a fine. Recreation Passes are revocable by the District Manager, or their designee, as set forth in Section 7 of this Policy, if the Recreation Pass holder violates any regulation in this Policy, commits any act of vandalism, engages in unruly conduct or behavior that endangers the Recreation Pass holder, others, or District owned property or adjacent property. Parents or legal guardians of minor children will be held responsible for the actions of their minor children and may have their Recreation Passes revoked as a result of the actions of their minor children. Non-residents are required to pay reasonable fees as may be established by the District from time to time in order to obtain a Recreation Pass. All Residents and Non-residents wishing to obtain a Recreation Pass are required to complete a “Recreation Pass Application and Agreement” which may be obtained from the District Manager at the address below or from the District’s website <https://www.raindancemetrodistrict.org/>:

Advance HOA  
1601 Pelican Lakes Point, Suite 100  
Windsor, CO 80550

To review the rules for Poudre Tech Metropolitan District, please visit [www.poudretechmetro.org](http://www.poudretechmetro.org):

5. **Prohibited Activities:** Unless specifically authorized in writing by the District, the activities described in this Section 5 are prohibited within the Recreation Amenities.
- a. Enter or remain in or refuse to leave during those times when the Recreation Amenities are not open for public use.
  - b. Hold organized sports team practices or games.
  - c. Except as set forth in this Policy, allow personal property to remain on the Recreation Amenities at the end of the hours of operation, including golf carts, watercraft, trailers and parking motor vehicles overnight.
  - d. Operate private or commercial drones, or other recreational aircraft.
  - e. Deposit, leave or bury refuse, trash, pet waste, or litter except in designated trash receptacles.
  - f. Place or post signs, or stick or place any handbill, poster, placard, sticker, or painted or printed matter, including political signs, garage sale signs, for sale or for rent signs, on any public building, fence, power or light or telephone pole, or any other public structure or other District owned property



- g.** Permit pets or animals to be off leash. Domestic animals must be under the owner's or handler's control at all times, and on a leash. Owner or handler will be responsible for any damages caused by their animal.
- h.** Camp overnight. Any property left within Recreation Amenities shall be presumed abandoned after twenty-four (24) hours and shall be disposed of properly.
- i.** Install any structure, including but not limited to, tents, booths, stands, awnings, tree houses, rope swings, inflatable amusements or canopies, except that temporary awnings and umbrellas or other temporary portable structures for shade are permitted as long as such structures are not left unattended and are removed when user leaves. No stakes may be driven into the ground unless authorized by the District. Portable toilets are prohibited unless authorized by the District.
- j.** Destroy, vandalize, deface or damage any property, buildings, structures, signs, equipment, fences, gates or locks regulating access.
- k.** Use any amplified sound system that produces audible sound beyond 25 feet.
- l.** Play or practice golf or archery.
- m.** Sell, serve, or dispense any alcoholic beverages unless a special event permit is obtained pursuant to the District Amenities Reservation Policy. The private, personal consumption of alcohol is permitted for persons 21 years of age or older and in compliance with all applicable State and local laws and regulations.
- n.** Smoke, including vaping and electronic cigarettes.
- o.** Consume or possess any illegal drugs.
- p.** Consume or possess marijuana.
- q.** Bring into, possess, or have any glass bottles, or container, plates, or any other object made of glass.
- r.** Engage in disorderly conduct or abusive language.
- s.** Discharge explosives or fireworks or operate launch model rockets or other devices which may have an explosive charge.
- t.** Conduct any commercial activity without prior written approval of the District Manager.
- u.** Block, close off, or impair access to any trails or facilities.
- v.** Hunt, shoot, kill, injure, trap or maim any animal, except for fishing as provided for in this Policy.

- w. Enter, without authorization, those areas and facilities posted or otherwise designated as closed to the general public, if any.
  - x. Remove, sand, cut down, disfigure rocks, trees, shrubs or other features of the natural environment. Picking fruit and vegetables in the orchards and farm fields during District approved picking seasons is permitted. Resale of these fruit and vegetables is strictly prohibited.
  - y. Plant any trees, shrubs or other vegetation anywhere within the Recreation Amenities or any other property owned by the District. Install or place any sand foreign to the District.
  - z. Build a fire. Unless prohibited by the Town of Windsor, manufactured, portable outdoor fire pits and charcoal grills are permitted solely on a daily basis and must be broken down and removed at the end of the day, and site returned to previous condition. All wood burning devices must include a screen or spark arrester design feature to contain fire. No dumping of ash or charcoal is allowed. Fires are not permitted in parks, trails, or open spaces.
  - aa. Operate unauthorized motorized vehicles, including all off-road vehicles such as ATVs, dirt bikes, and other recreational vehicles. Golf carts are permitted pursuant to the Section 6. Electric scooters and bicycles are permitted.
  - bb. Possess a weapon, unless authorized pursuant to C.R.S. 18-12-214, or any air rifle, spring-gun, sling, paintball gun, air soft gun or any other weapon.
  - cc. Enter or fish in any lake or reservoir in the RainDance Metropolitan District Nos. 1-3.
  - dd. Climb any building, gazebo, or structure.
  - ee. Enter onto any frozen or ice covered lake or reservoir for any reason.
  - ff. Operate a gas or electric vehicle capable of traveling faster than 25 MPH on the Community Concrete Trails.
  - gg. Operate a gas or electric powered vehicle in any natural area or open space.
  - hh. Store trailered boats.
6. **Parking:** Unless otherwise authorized by the District in writing, the following parking restrictions apply to vehicles are parked on property owned by the District within the geographical boundaries of the District, including streets and parking areas. The Town of Windsor enforces parking on Town of Windsor owned streets.
- a. No person shall park a vehicle, trailer, camper, truck, or boat upon District property for the principal purpose of:
    - i. Displaying such vehicle, trailer, camper, truck or boat for sale.

- ii. Washing, greasing, painting or repairing such vehicle except repairs necessitated by an emergency.
  - iii. Displaying advertising.
- b. The parking of motor vehicles in designated fire lanes is prohibited, without exception.
  - c. The parking area known as the “Eyebrows” is intended for temporary use or guest parking. Residents shall not store any vehicle in the Eyebrows for a period exceeding 24 hours. Residents shall not park more than one vehicle in the Eyebrows at a time.

## 7. **Private Golf Carts:**

- a. **Use Generally:** Pursuant to C.R.S. § 42-1-111(1)(bb), all golf cart drivers must be at least sixteen (16) years of age and possess a valid driver’s license. Golf carts may only be operated within designated areas within the Water Valley and Raindance area as depicted in **Attachment B**, attached hereto. Golf carts shall not be driven or parked outside the designated areas, including open space, parks, and turf fields. Golf carts shall not be operated with more passengers than are seats on the golf cart. All passengers must remain seated while the golf cart is moving.
- b. **Registration Required:** All golf carts used or intended for use within Raindance are required to be registered with the District. Golf Cart Registration Forms may be obtained from the District Manager. Any person found operating an unregistered golf cart may be subject to fines, at the discretion of the Board.
- c. **Golf Carts on Public Streets:** Use of golf carts on designated public streets in Raindance is permitted under the jurisdiction of the Town of Windsor pursuant to Town of Windsor Resolution 2021-49. All golf cart users must comply with all applicable ordinances of the Town of Windsor and laws of the State of Colorado regarding motor vehicles.
- d. **Lights:** Golf carts must be equipped and illuminated with head, tail and stop lamps and turn signals when used at night or low visibility.

## 8. **Compliance/Enforcement:**

- a. **Disorderly or Offensive Conduct.** The District Manager and its authorized representatives, including security patrols may request any individual to cease conduct that is:
  - i. In violation of any of the District's rules and regulations, including this Policy.
  - ii. Interferes with, or is abusive, toward any of the District's representatives in the normal operation of the Recreation Amenities.

iii. Interferes with any user or guest's use or enjoyment of the Recreation Amenities, or is abusive to any such person.

b. **Disciplinary Actions for Disorderly or Offensive Conduct.** In the event that the offending party fails to cease such conduct after being requested and warned to do so, the District Manager, or its designee, are authorized to use any and all reasonable means they deem necessary to stop such conduct. This includes, but is not limited to, having the offender removed from the Recreation Amenities, the imposition of fines, or the revocation of further privileges at the Recreation Amenities. Any individual may be suspended in either Water Valley, Raindance, or both.

c. **Violations.** If anyone is found to violate the District's rules and regulations, including this Policy, disciplinary measures may be administered by the District Manager as follows without the necessity of any action of the District's Board of Directors:

First offense:	Advisory Letter
Second offense within 90 days of the Advisory Letter:	\$100
Third offense within 90 days of the Advisory Letter:	\$200

Users may also be restricted from use of the Recreation Amenities at the discretion of the District Manager or their designee for repeated violations of the District Policies.

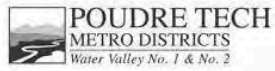
The District Manager may also suspend individuals for violating the District's rules and regulations. Any violation by the District Manager may result in a suspension of up to 30-day for the manager, the approval of which shall be done by the District's Board of Directors and the District's attorney.

The District's Board of Directors shall be notified of all disciplinary measures by the District Manager and shall, in its discretion, have the ability to impose other disciplinary measures it deems appropriate at any point in time, which may include revocation of Recreation Amenities privileges for a user and/or user's family members. Any violations and disciplinary measures taken will be recorded in writing and kept on file by the District Manager. All violations may be reported to local law enforcement authorities as deemed necessary by the District Manager or the District's Boards of Directors.

d. **Restitution for Violation.** If any user or guest commits an act or omission that constitutes a violation of this Policy, and the violation causes the District to incur expenses, the user who commits the violation, or who is responsible for the guest who commits the violation, shall be liable to the District for all such expenses and shall repay the same to the District upon request. Such expenses may include, but shall not be limited to, reasonable attorneys' fees incurred as a result of the violation, as well as reasonable costs and/or attorneys' fees incurred in obtaining and collecting a judgment against a user who commits a violation or is responsible for a guest who commits a violation.

## ATTACHMENT A

### PARKS CLASSIFICATION



### Classifications of Parks



The National Recreation and Park Association's (NRPA) *Park, Recreation, Open Space and Greenway Guidelines* provides definitions for park classifications, as well as acknowledges that each community is unique in terms of geographical, cultural, and socioeconomic make-up. Each community should develop its own standards for recreation, parks, and open space, with the NRPA definitions as a guide.

All parks can be placed into specific categories or classifications:

- Mini Parks
- Neighborhood Parks
- Community Parks
- Open Lands

### Mini Parks

Mini Parks are specialized facilities that serve a concentrated or limited population area, or that serve a specific function or age group. Examples of amenities found in mini parks include playground/tot lot equipment, benches, picnic tables, and gazebos.

### Service Area and Park Size

Mini Parks could have amenities that draw people from a greater area, but typically serve an area within a ¼ mile radius. Because of the specialized nature of these parks, they usually range in size from only 2,500 square feet up to 1 acre.



### Amenities

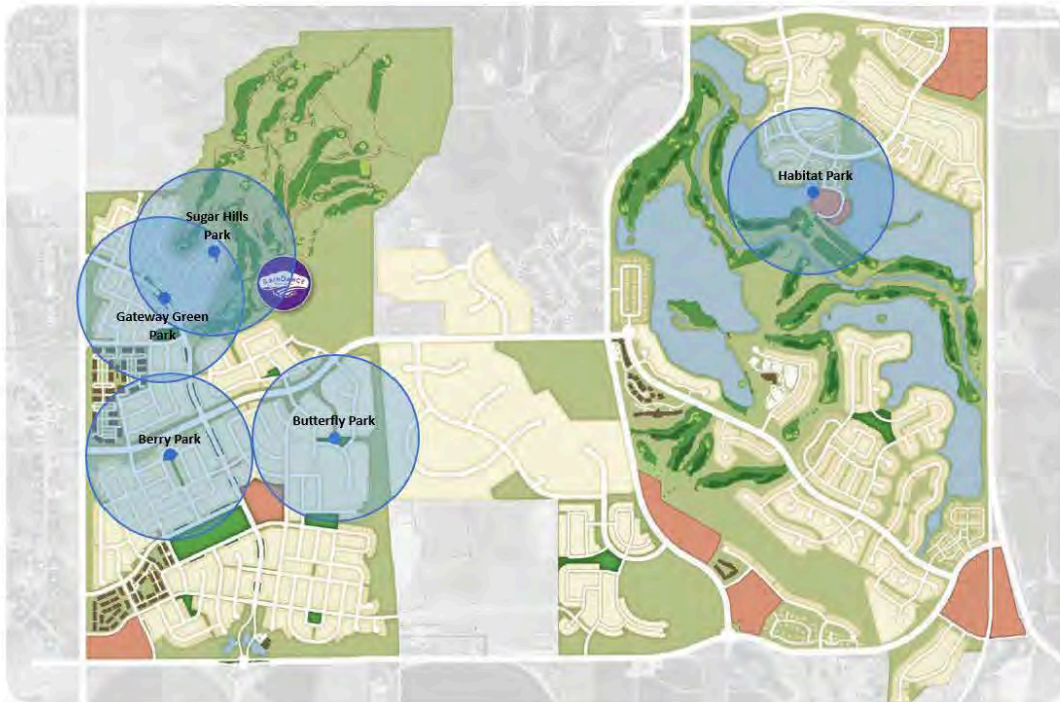
Mini Parks will typically have a small turf area, benches, and a small shade structure. Because Mini Parks serve as a place to rest, parking and bathrooms are not provided.

#### Water Valley Mini Park

- Habitat Park (Gazebo) – 0.018 acres

#### RainDance Mini Parks

- Berry Park – 0.67 acres
- Butterfly Park – 0.48 acres
- Gateway Green Park – 1.27 acres
- Sugar Hills Park – 0.37 acres



### Neighborhood Parks

Neighborhood Parks remain the basic unit of the park system and serve as the recreational and social focus of the neighborhood. These parks provide opportunities for activities such as field games, court games, picnicking, and playground areas.

### Service Area and Park Size

Neighborhood Parks serve an area within a ¼ to ½ mile radius uninterrupted by major roads or other barriers. One to two acres is standard for every 1000 residents served.



### Amenities

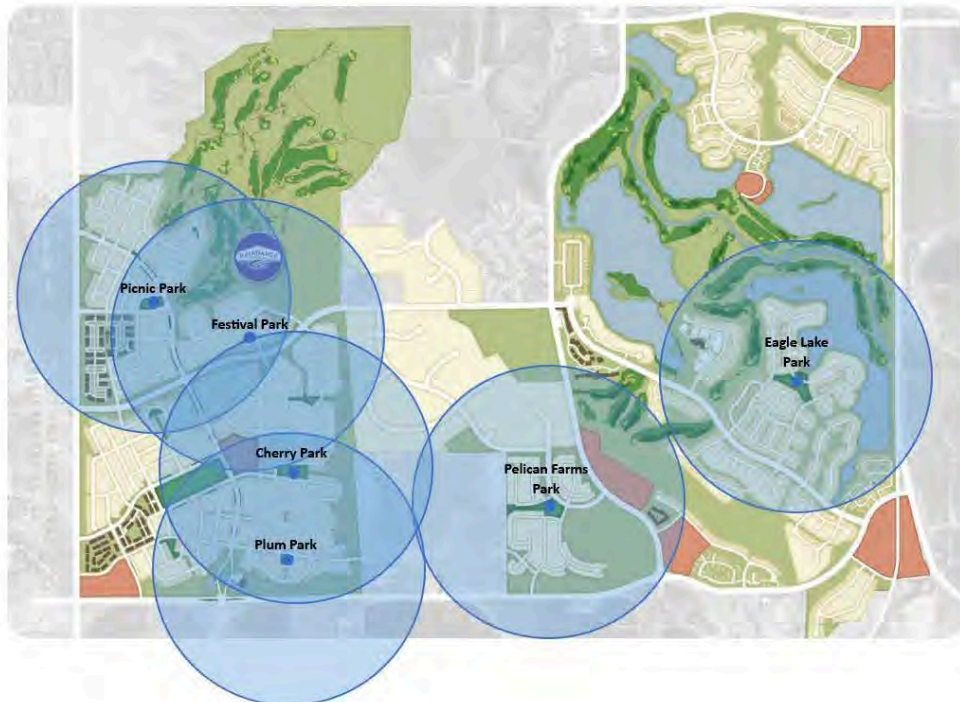
Neighborhood Parks will typically have a medium sized turf area, benches, a shade structure, and playgrounds. Because Neighborhood Parks serve the immediately adjacent homes, parking and bathrooms are not provided by the Metro District unless sports courts are present in the park (Picnic Park and the PTMD pickleball courts). The District Board of Directors will consider private funding for additional amenities on a case by case basis.

### Water Valley Neighborhood Parks

- Eagle Lake Park – 0.85 acres
- Pelican Farms Park – 3.41 acres

### RainDance Neighborhood Parks

- Cherry Park – 3.12 acres
- Festival Park – 1 acre
- Picnic Park – 2 acres
- Plum Park – 1.15 acres



### Community Parks

Community Parks are diverse in nature, serving a broader purpose than the Neighborhood or Mini Parks. While Community Parks may include neighborhood park amenities, the focus of these parks is on meeting community-based recreation, athletics, and open space needs.



### Service Area and Park Size

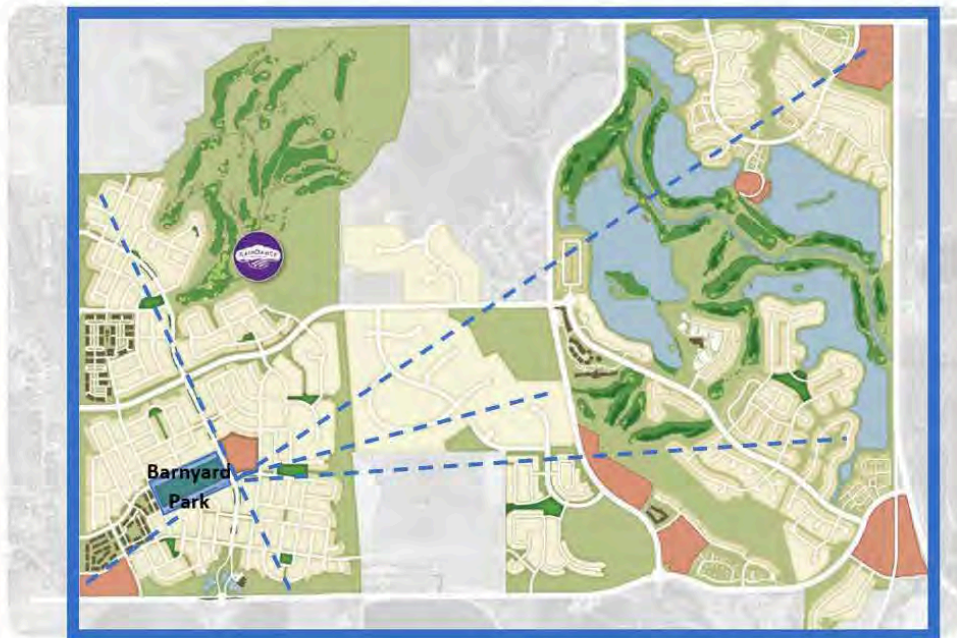
Community Parks typically serve an area within a ½ mile to a 3-mile radius or more. The traditional Community Park contains five to eight acres for every 1000 residents served.

### Amenities

Community Parks provide aquatic amenities, large game sized turf areas, playgrounds, rentable pavilions, walking paths, picnic areas. Because Community Parks serve a broad radius, they will provide dedicated parking and bathrooms.

### RainDance Community Park

Barnyard Park (13 acres) is the only Community Park, meant to service both the Water Valley and RainDance communities. This park includes the RainDance River Resort.





### Open Lands

Open Land sites are properties designated as parks that have few or no built amenities but provide natural areas or open space that can be utilized for passive recreation. These parks may have a trail, picnic tables and benches, but are dominated by open areas for the enjoyment of nature, fishing, or other similar activities.



### Service Area and Size

Open Lands do not have a defined service area as they do not serve a population but are a resource. Open lands can be of any size, though larger sites fit the open space intent of these areas.

#### Water Valley Open Lands

- Glass Bead Open Space – 27.12 acres
- Farmers Corner Open Space – 37.73 acres
- Rancho Open Space – 6.45 acres
- Redtail Hawk Open Space – 39.89 acres

#### RainDance Open Land

- Milkshake Mound Open Space – 11.85 acres



# ATTACHMENT B DESIGNATED GOLF CART AREAS



- 16 Watering
- 15 Tennis Courts
- 14 7th Street Lake
- 13 Polidre Farms
- 12 Common's
- 11 Water Valley
- 10 Trails
- 9 Common's
- 8 Polidre Lakes
- 7 Polidre Lakes
- 6 Polidre Lakes
- 5 Polidre Lakes
- 4 Polidre Lakes
- 3 Polidre Lakes
- 2 Polidre Lakes
- 1 Polidre Lakes

**PEDESTRIAN-FRIENDLY TRAIL**  
**POLIDRE RIVER TRAIL CORRIDOR**  
**GOLF CART TRAIL**  
**GOLF CART TRAIL CONNECTION**  
**NO GOLF CARTS ALLOWED**  
**GOLF CART CROSSING**  
**MAP SCALE**  
**GOLF CARTS ARE ALLOWED ON BOUNDS**  
**PLEASE DRIVE RESPONSIBLY**  
 Raindance Water Valley Golf Cart Areas are shown for informational purposes only. Raindance Water Valley Golf Cart Areas are shown for informational purposes only. Raindance Water Valley Golf Cart Areas are shown for informational purposes only.

**THE COMBINED TRAIL MAP**  
 for the Communities of  
**RAINDANCE & WATER VALLEY**

## 2025 RainDance River Resort Rules and Regulations

The RainDance River Resort (the "Resort") Rules and Regulations are designed to promote the safety and enjoyment of its guests. We ask for your cooperation in abiding by these rules.

### Summer Hours: May 24<sup>th</sup> - August 10<sup>th</sup>

Monday - Thursday: 10 am – 7 pm

Friday - Sunday: 10 am – 7 pm

4<sup>th</sup> of July: 10 am – 5 pm

### End of Season Hours: August 11<sup>th</sup> - September 1<sup>st</sup>

Weekdays: 4:30 pm – 7 pm

Weekends: 10 am – 7 pm

Labor Day: 10 am – 5 pm

**Lifeguards may not be able to see all areas of the pool at all times. Lifeguards enforce the facility rules. Parents are responsible for the safety of minors. SWIMMERS SWIM AT THEIR OWN RISK AT ALL TIMES.**

### Facility Rules

1. The Resort is a family facility, and all guests shall conduct themselves in a manner consistent with this standard.
2. All guests must not jeopardize or interfere with the safety, rights, or interests of other persons.
3. No one shall physically or verbally abuse, harass, or accost any other person.
4. Members are responsible for the conduct of their guests.
5. No food allowed within 10ft of the pool edge. Non-alcoholic beverages are allowed in the pool area.
6. Guests Must clean up after themselves. No food, drink, or trash left behind.
7. No animals or pets (except service animals) are permitted at the facility.
8. All guests are required to check-in at the front gate.
9. Alcoholic beverages, glass containers, smoking, vaping, drugs, gum, bicycles, skateboards, scooters, rollerblades, mermaid tales, fins, hard balls, and items containing glitter or confetti are not permitted on the property.
10. Any person failing to abide by these Rules and Regulations, any other stated policy, or safety rules as contained in any of the District's governing documents and/or as posted at the Resort; may be asked to leave and may have their access rights to the Resort revoked for the day at the discretion of a lifeguard or pool staff. Suspensions up to 30 days will be determined by the Director of Operations and approved by the District's Manager. The District may also impose fines or penalties for violations of its rules and regulations.
11. Closure policy:
  - Lightning within 5-miles. The pool is required to close for no-less than 30-minutes from the last lightning strike
    - WeatherBug App for lightning detection
    - Guests are allowed to remain at the facility under the awning or pavilion at their own risk
  - Contamination – State Requires up-to 8-hour closure for sterilization depending on type of contamination
  - Main-drain visibility concerns - Head-Lifeguard discretion if closure is necessary
  - If the forecasted high temperature is projected to be 65 degrees or below - Head-Lifeguard discretion if closure is necessary. (This rule is designed to allow for closing the facility on poor weather days. It is not designed to prevent access on a nice day).
12. Hours and/or days of operation may be adjusted at the discretion of the RainDance Metro District No. 1 and/or River Resort staff.
13. Refunds nor prorates are available.

Lifeguards may provide special accommodations for persons with disabilities.

## Pool Safety Rules

1. Children under 48" tall Must pass the facilities swim test to swim unaccompanied.
2. Children unable to pass the swim test and who are under 48" tall are required to be within one arm's reach of a responsible person 16 years or older at all times.
3. Swim diapers are Required for those who are incontinent or not toilet trained.
4. Band-Aids or bandages should be removed before entering the facility.
5. Lap Lanes are for Lap Swimmers & Swim Tests ONLY. No hanging on the lane lines.
6. Breath-holding activities are not permitted.
7. Only Coast Guard approved lifejackets or puddle jumpers are permitted.
8. Only proper swim attire appropriate for a family atmosphere is allowed. Street clothes, cut-offs, jeans, or workout clothing are not permitted. Staff reserves the right to deem any questionable attire inappropriate.
9. No running, pushing, jumping backwards, diving, dunking, rough housing, spitting, catapulting off the hammocks, or adjusting overhead sprinklers.
10. The islands in the lazy river are off limits to all patrons. Authorized personnel only.

## Water Slide & Lazy River Rules \* **WARNING: Water Depth is 42" Deep** \*

1. All riders must be at least 48" tall or have passed the facilities swim test to ride the water slide or enter the Lazy River unaccompanied.
2. Maximum rider weight for the slide is 300 pounds.
3. No head-first sliding at any time.
4. No running, standing, kneeling, tumbling, or stopping in flume.
5. Only one rider at a time may travel on the slide.
6. Do not use the slide while under the influence of alcohol or drugs.
7. Leave the landing area promptly after exiting the slide.
8. No sitting on the edge of the Lazy River

Rider assumes all risk of injury due to misuse of the slide or failure to follow these rules.

**POUDRE TECH METROPOLITAN DISTRICT  
WATER VALLEY METROPOLITAN DISTRICT NOS. 1 & 2  
RAINDANCE METROPOLITAN DISTRICT NOS. 1-3**

**Schedule of Fees and Charges  
Effective - February 1, 2025**

**RECREATION AMENITIES - GENERAL**

	2024 Fee	Proposed 2025 Fee
<b>WATERDANCE</b>		
WaterDance (Individual)	\$52/month	\$54/month
WaterDance (Household)	\$63/month	\$65/month
WaterDance (Senior Household)	\$52/month	\$54/month
<b>RAINDANCE ONLY</b>		
RainDance River Resort Only Season Pass (Individual)	\$249/season	\$249/season
RainDance River Resort Only Season Pass (Couple)	\$349/season	\$360/season
RainDance River Resort Only Season Pass (Household)	\$499/season	\$510/season
<b>WCLUB AND RRR Daily Fees</b>		
Member Guest (WClub & RRR)	\$5/person/day	\$5/person/day
Non-Member Resident Drop-In (WClub and RRR – with Rec Pass)	\$10/person/day	\$10/person/day
Non-Resident Drop In (WClub)	\$10/person/day	\$10/person/day
Non-Resident Drop-In (RRR)	\$20/person/day	\$20/person/day
<b>RECREATION FEES</b>		
Non-Resident Recreation Pass	\$1900/year	\$1950/year
Non-Resident All-Day Pass -	\$99/day	\$99/day
Boat Storage	\$100/season	\$100/season
Watercraft Confiscation / Retrieval Fee	\$100 - \$500	\$100 - \$500
Rule Violation – 2nd Offense	\$100	\$100
Rule Violation – 3rd Offense	\$200	\$200
Barnyard Park Pavilion Rental – Playground and Park Stays Open to Public	\$60/1/2 day	\$60/1/2 day
Event Space Park Rental ½ day with FEE EVENT	\$150	\$150
Event Space Park Rental ½ day without FEE EVENT	\$100	\$100
Event Space Clean-up Fee	Assess in 2024	\$0 - \$200
Pickle Ball Courts in Water Valley (4 courts) – Clubs and Leagues	\$15/hr	\$15/hr

<b>GRANDFATHER FEES AT WCLUB</b>			
Family Annual First Responder	0	\$166/Month	Eliminate
Family Annual Honorably Discharged Military Veteran	0	\$166/Month	Eliminate
Family Annual RainDance Resident	0	\$150/Month	Eliminate
Family Annual Season Ticket Holder	0	\$150/Month	Eliminate
Family Annual Water Valley Resident	8	\$150/Month	\$154.00/month
Family Monthly	4	\$182/Month	\$187.00/month
Individual Annual	2	\$99/Month	Eliminate
Individual Annual First Responder	3	\$84/Month	Eliminate
Individual Annual Honorably Discharged Military Veteran	1	\$84/Month	Eliminate
Individual Annual Pelican Lakes Golf	4	\$68/Month	Eliminate
Individual Annual RainDance Resident	1	\$68/Month	Eliminate
Individual Annual Senior (60+)	8	\$84/Month	\$87.00/month
Individual Annual Water Valley Resident	4	\$68/Month	Eliminate
Individual Monthly	4	\$99/Month	Eliminate
One – Week Complimentary Pass		Free/1 wk	\$0.00/month
Retired Military Resident (20+ years of service)	17	\$0/Month	\$0.00/month
Water Valley Employee Individual Monthly	2	\$50/Month	Eliminate
Water Valley Employee Couple - Monthly	12	\$70/Month	Eliminate
Family Membership Add-On	0	\$32/Month	Eliminate
VIP Guest Pass	0	Free/1 day	\$0.00/month
WClub Employee Membership	0	\$0/Month	\$0.00/month
Monthly Locker Rental	0	\$10/Month	\$10.00/month
Colorado Eagles Chicks (Trade)	0	\$0/Month	\$0.00/month
Colorado Eagles Players (Trade)	0	\$0/Month	\$0.00/month
Colorado Eagles – Spouse and Family	0	\$32/Month	\$33.00/month
Corporate Membership – Kids Harbor	0	\$700/Month	\$720/month
Couple Annual	8	\$140/Month	\$144.00/month
Couple Annual First Responder	2	\$125/Month	Eliminate
Couple Annual Senior (60+)	0	\$125/Month	Eliminate
Couple Annual Water Valley Resident	10	\$110/Month	Eliminate
Family Annual	31	\$180/Month	\$180.00/month

**JOINT RESOLUTION OF BOARDS OF DIRECTORS  
CALLING ELECTION**

**RAINDANCE METROPOLITAN DISTRICT NOS. 1-3**

§§ 32-1-804, 1-1-111(2), 1-13.5-1101, and 1-13.5-513(1), C.R.S.

WHEREAS, the Raindance Metropolitan District Nos. 1-3 (each, individually a “**District**”) are quasi-municipal corporations and political subdivisions of the State of Colorado; and

At a joint meeting of the Boards of Directors of the Raindance Metropolitan District Nos. 1-3 (each a “**District**,” and each Board of Directors of a District, a “**Board**”), it was moved to adopt the following Resolution:

WHEREAS, the District was organized as a special district pursuant to §§ 32-1-101, *et seq.*, C.R.S. (the “**Special District Act**”); and

WHEREAS, the District is located entirely within Weld County, Colorado (the “**County**”); and

WHEREAS, pursuant to § 32-1-804, C.R.S., the Board governs the conduct of regular and special elections for the District; and

WHEREAS, the Board anticipates holding a special/regular election on May 6, 2025, for the purpose of electing directors and desires to take all actions necessary and proper for the conduct thereof (the “**Election**”); and

WHEREAS, the Election shall be conducted pursuant to the Special District Act, the Colorado Local Government Election Code and the Uniform Election Code of 1992, to the extent not in conflict with the Colorado Local Government Election Code, including any amendments thereto; and

WHEREAS, pursuant to § 1-1-111(2), C.R.S., the Board is authorized to designate an election official (the “**Designated Election Official**”) to exercise authority of the Board in conducting the Election; and

WHEREAS, pursuant to § 1-13.5-513(1), C.R.S., the Board can authorize the Designated Election Official to cancel the Election upon certain conditions.

NOW, THEREFORE, BE IT RESOLVED by the Board as follows:

1. The Board hereby calls the Election for the purpose of electing directors. The Election shall be conducted as an independent mail ballot election in accordance with §§ 1-13.5-1101, *et seq.*, C.R.S.

2. The Board names Ashley B. Frisbie as the Designated Election Official for the Election. The Designated Election Official shall act as the primary contact with the County and shall be primarily responsible for ensuring the proper conduct of the Election.

3. Without limiting the foregoing, the following specific determinations also are made:

- a. The Board hereby directs general counsel to the District to approve the final form of the ballot to be submitted to the eligible electors of the District and authorizes the Designated Election Official to certify those questions and take any required action therewith.
- b. The Board hereby determines that: in addition to emailing to each registered elector at the email address provided by the county (or if no email is provided, by mailing to the household of each registered elector), notice of the call for nominations will be provided by posting on the District's website.
- c. The Board hereby authorizes and directs general counsel to the District to oversee the general conduct of the Election and authorizes and directs the Designated Election Official to take all action necessary for the proper conduct thereof and to exercise the authority of the Board in conducting the Election, including, but not limited to, causing the call for nominations; appointment, training and setting compensation of election judges and a board of canvassers, as necessary; all required notices of election; printing of ballots; supervision of the counting of ballots and certification of election results; and all other appropriate actions.

4. The District shall be responsible for the payment of any and all costs associated with the conduct of the Election, including its cancellation, if permitted.

5. The Board hereby ratifies any and all actions taken to date by general counsel and the Designated Election Official in connection with the Election.

6. The Board hereby authorizes and directs the Designated Election Official to cancel the Election and to declare the candidates elected if, at the close of business on the sixty-third day before the Election, or at any time thereafter, there are not more candidates for director than offices to be filled, including candidates filing affidavits of intent to be write-in candidates, and so long as the only ballot questions are for the election of candidates. The Board further authorizes and directs the Designated Election Official to publish and post notice of the cancellation as necessary and file such notice and cancellation resolutions with the County Clerk and Recorder and with the Division of Local Government, as required. The Designated Election Official shall also notify the candidates that the Election was canceled and that they were elected by acclamation.

7. This Resolution shall remain in full force and effect until repealed or superseded by subsequent official action of the Board.



ADOPTED OCTOBER 17, 2024

**DISTRICTS:**

**RAINDANCE METROPOLITAN DISTRICT  
NOS. 1-3**, a quasi-municipal corporations and  
political subdivisions of the State of Colorado

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Officer of the Districts

Attest:

By: \_\_\_\_\_

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON  
Attorneys at Law

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General Counsel to the Districts

*Signature Page to Joint Resolution Calling Election*

**RESOLUTION  
OF THE BOARD OF DIRECTORS OF THE  
RAINDANCE METROPOLITAN DISTRICT NO. 1**

**CERTIFYING DELINQUENT WATER FEES, RATES, TOLLS, PENALTIES AND  
CHARGES TO WELD COUNTY TREASURER FOR COLLECTION**

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WHEREAS, the RainDance Metropolitan District No. 1 (the “District”) was duly organized and validly exists pursuant to and in accordance with the Special District Act, §§ 32-1-101, *et seq.*, C.R.S.; and

WHEREAS, pursuant to § 32-1-1001(1)(j)(I), C.R.S., the Board of Directors of the District (the “Board”) is empowered to fix and from time to time increase or decrease certain fees, rates, tolls, penalties or charges for services, programs or facilities furnished by the District; and

WHEREAS, the District currently imposes various water fees, rates, tolls, penalties and charges upon properties receiving services furnished by the District; and

WHEREAS, pursuant to §32-1-1101(1)(e), C.R.S., the District is permitted to have certain delinquent fees, rates, tolls, penalties, charges or assessments made or levied by the District certified to the Weld County Treasurer (the “County Treasurer”) for collection in the same manner as taxes; and

WHEREAS, the properties reflected on **Exhibit A**, attached hereto and incorporated herein by this reference (the “Delinquent Properties”), are delinquent in their water fees by at least six (6) months and by more than One Hundred Fifty Dollars (\$150); and

WHEREAS, the Delinquent Properties have outstanding delinquent fees rates, tolls, penalties, charges or assessments in the amounts set forth in **Exhibit A** (the “Delinquent Fees”); and

WHEREAS, pursuant to §32-1101(1)(e), C.R.S., the District may elect, by resolution, at a public meeting held after receipt of notice by the Delinquent Properties, to certify the Delinquent Fees to the County Treasurer for collection; and

WHEREAS, on the District provided notice to the Delinquent Properties through written correspondence deposited in the United States mail; and

WHEREAS, the Board hereby considers the adoption of this Resolution at a public meeting, which meeting has been properly noticed in accordance with Colorado law; and

WHEREAS, the District, by this Resolution, desires to certify the Delinquent Fees to the County Treasurer for collection.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:

1. CERTIFICATION OF DELINQUENT FEES. The Board hereby elects to have the Delinquent Fees certified to the County Treasurer to be collected and paid over by the County Treasurer in the same manner as taxes are authorized to be collected and paid over pursuant to § 39-10-107, C.R.S. The Board hereby directs the District's Legal to certify to the County Treasurer the Delinquent Fees set forth in **Exhibit A**, attached hereto and incorporated herein by this reference (the "Certification"). Such Delinquent Fees shall be certified by no later than the deadline established by the County Treasurer in order to comply with State statutory and County certification deadlines.

*[Remainder of Page Intentionally Left Blank].*

ADOPTED THIS 17TH DAY OF OCTOBER, 2024.

RAINDANCE METROPOLITAN DISTRICT  
NO. 1

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

ATTEST:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON  
Attorneys at Law

\_\_\_\_\_  
General Counsel to the District

**EXHIBIT A**  
Delinquent Properties and Delinquent Fees