

Parks, Trails, Historic Resources and Open Space Sales Tax Staff Report

Date: October 14, 2025
To: Douglas County Board of County Commissioners
Through: Douglas J. DeBord, County Manager
From: Dan Dertz, Director of Open Space and Natural Resources
CC: Martha Marshall, Director of Budget
Subject: Parks, Trails, Historic Resources and Open Space (PTHROS) Sales Tax Funding Request for Highlands Ranch Community Association (HRCA) in the amount of \$3,500,000.00 for the construction of Wildcat Regional Park and the adjoining trail network

Board of County Commissioners Meeting:

October 14, 2025 @ 2:30 p.m.

I. EXECUTIVE SUMMARY

The Highlands Ranch Community Association (HRCA) is requesting funding from the Parks, Trails, Historic Resources and Open Space (PTHROS) sales tax in the amount of \$3,500,000 to construct a passive trail network with a trailhead on approximately 350 acres in an area known as Wildcat Regional Park and the Highlands Ranch Open Space Conservation Area (OSCA). The trail network will consist of approximately 10 miles of new trails that will connect with the Douglas County East West trail. Funding will be allocated from Trails and Open Space Account of the PTHROS sales tax. The current account balance of the Trails and Open Space Account is approximately \$24,300,000.

II. REQUEST

Approval of a PTHROS Funding Agreement between Douglas County and the HRCA in the amount of \$3,500,000.

III. BACKGROUND

HRCA is a nonprofit homeowners association incorporated in 1981 to serve the planned community of Highlands Ranch. HRCA manages covenant enforcement, architectural review, and community services, while also operating four recreation centers, maintaining the 8,200-acre Backcountry Wilderness Area (AKA OSCA), and hosting a wide range of community events. Governed by an elected Board, district delegates, and volunteer committees, HRCA serves more than 30,000 households.

Wildcat Regional Park was dedicated to Douglas County as part of the parks land dedication process within the Highlands Ranch Planned Development (HRPD). Per the HRPD, the

property can be used as a regional park or open space. The County has considered the development of this property as a park on multiple occasions, but neighbors have opposed the development of this property as an active park. The HRCA Board of Directors have undergone a community input process and proposes utilizing the property for passive recreation and open space uses verses developing the property as an active park.

The Trails and Open Space Account of the PTHROS sales and use tax allows trails to be funded that are located on County open space, for regional trail systems, or trails that connect County open space properties. This request will connect the proposed trail network with the County’s East West trail and will be open for all public use as a passive open space.

HRCA will seek all approvals necessary and will oversee the construction of the trail network. HRCA will work with County staff, as necessary, to ensure the project is completed within three (3) years from the date of approval. Once constructed, HRCA will maintain the property and all improvements within this area.

HRCA has presented the project to the County’s Open Space Advisory Committee (COSAC) on several occasions. COSAC recommended funding the project on April 22, 2025, with the condition that County staff work with HRCA to reduce any unnecessary costs and to maximize the sales tax funding. HRCA staff worked with County staff on issues such as access, trailheads, trails, and amended the proposal based on that work. HRCA presented the plan that is attached to this funding request to COSAC on September 7, 2025. COSAC members updated scorecards for the Board’s review at the October 2, 2025 meeting.

IV. ADVISORY BOARD RECOMMENDATIONS

COSAC unanimously recommends funding the \$3,500,000 project from the Trails and Open Space Account. COSAC requests that HRCA place a conservation easement on the property to ensure that the property is only used for passive uses in perpetuity. COSAC also suggests that the project includes signage that identifies that the trail network is open to all members of the public and funded by Douglas County.

V. STAFF ASSESSMENT

The Board of County Commissioners may approve the PTHROS Funding Memorandum of Understanding (MOU) with HRCA in the amount of \$3,500,000.

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HIGHLANDS RANCH

COMMUNITY ASSOCIATION

Wednesday – October 01, 2025

Sent Via: Email to: ddertz@douglas.co.us

Mr. Dan Dertz, Director

Douglas County

Open Space & Natural Resources

100 Third Street

Castle Rock, CO 80104-2425

RE: **Wildcat Regional Park**

Highlands Ranch, CO

PROJECT SUMMARY AND REQUEST FOR FUNDING

Greetings, Mr. Dertz, DougCo COSAC, and the DougCo Board of County Commissioners:

The Highlands Ranch Community Association (“HRCA”) is pleased to present our funding request proposal for the Wildcat Regional Park.

As you know, the Wildcat Regional Park property is a valuable natural asset located in southeastern Highlands Ranch. Our proposal is to develop the Wildcat Regional Park property with an emphasis on passive recreation, conservation, and wildlife preservation in this beautiful open space and wilderness area, which will benefit the community and preserve the environment.

Our proposal includes the construction of five miles of pedestrian trails that will accommodate all, with benches to relax and enjoy the surrounding open space. Also included is a family picnic area and shade structure. This five-mile trail will provide additional connectivity of the existing Douglas County east/west trail network to neighboring communities like Lone Tree, Castle Pines North, South Suburban, Parker, and Sterling Ranch/Chatfield, making it a true regional treasure.

Also included is the construction of five miles of directional single-track mountain bike trails and a bike skills area on property currently owned by HRCA.

The mountain bike trails will be located on the east and west side of Grigs Road, each approximately two-and-a-half to three miles in length and will include natural features like berms, humps, rock/wood features (no large arial jumps are planned). These trails will have direct access to the Douglas County East-West Trail and both the proposed Wildcat Regional Park parking area as well as the Grigs Road Pavilion parking area.

The bike skills area, located on the east side of Grigs Road and occupying approximately three to four-acres, will include a playground for riders of all ages and skill levels. The amenities will include pump tracks, flow lines, skinnies, logs, berms, and more.

All these amenities, including those on property currently owned by the HRCA, will be open to all Douglas County residents.



As you can see from our current conceptual plan (reference Exhibit B, attached), our proposal is centered on preserving the natural beauty of the Wildcat property and protecting wildlife habitats. By dedicating the park to wildlife preservation, passive recreation opportunities are realized. Our proposal emphasizes conservation, safeguarding the existing ecosystems, including the significant elk population in the area. This approach aligns with community values about the importance of maintaining open spaces while introducing a passive recreational system that future generations can enjoy.

We are respectfully requesting funding from the Parks, Trails, Historic Resources, and Open Space (PTHROS) Sales and Use Tax in the amount of \$3,500,000.00 to construct Wildcat Regional Park's amenities, as described above (reference Exhibit A, attached).

Our intention is to internally fund all future maintenance requirements once the trail network is complete.

We greatly appreciate your consideration of this request. HRCA looks forward to working with Douglas County to ensure that Wildcat Regional Park becomes a lasting community resource—enhancing recreation, conservation, and connectivity for all residents.

Please let us know if additional information or clarification would be helpful as you review this proposal.

Thank you.

My best,

Mike Bailey

CEO/General Manager

Attachments: As noted, if applicable.

Cc:



HELP CONSERVE OUR NATURAL RESOURCES!



OPINION OF PROBABLE CONSTRUCTION COSTS

Project: **HRCA IMPROVEMENTS FOR WILDCAT REGIONAL PARK**

Between Monarch Boulevard & Daniel's Park Road (Highlands Ranch, CO)

Job No.: HRCA

Date: 10/01/2025

By: WAB

Chk'd:

Reference: Wildcat Regional Park Improvements

QTY	UNIT	RSMEANS® LINE NUMBER REFERENCE	DESCRIPTION	UNIT PRICE			TOTAL	
							UNIT	SECTION
OVERHEAD ACTIVITIES							\$ 391,609	
1	LS	01 11 31.10 0020	Construction Management Fees	@	4.00%	/ LS	\$ 100,411.00	
1	LS	01 11 31.30 0800	Engineering Fees: Design	@	6.50%	/ LS	\$ 163,167.88	
1	LS	01 31 13.30 0200	Insurance: All Risk, Average	@	4.40%	/ LS	\$ 110,452.10	
1	LS	01 31 13.80 0150	Contractor OH&P: Average	@	10.00%	/ LS	\$ 251,027.50	
CONSTRUCTION ACTIVITIES							\$ 2,510,275	
		Parking Area (Drive, Parking, Picnic Shelter, PortaPotties)					\$ 673,300	
1	LS		Construction Erosion Control	@	\$ 20,000.00	/ LS	\$ 20,000.00	
4	DAY	01 71 23 1100	Construction Layout: Survey, 2 Man Crew	@	\$ 2,500.00	/ DAY	\$ 10,000.00	
1	EA		Stormwater Management Pond (6,000cf) w/OCS	@	\$ 15,000.00	/ EA	\$ 15,000.00	
71.2	KCY	G1030 115 1300	Site Earthwork, Cut & Fill	@	\$ 2,000.00	/ KCY	\$ 142,400.00	
200	LF	G2010 230 1050	Bitum Roadway, 2 lanes, 3.5" Pvmnt, 6" Grav Base, 24' W	@	\$ 275.00	/ LF	\$ 55,000.00	
120	SP	G2020 210 2200	Parking Lot, 45° angle, 3" Pvmnt, 6" Grav Base	@	\$ 2,250.00	/ SP	\$ 270,000.00	
925	LF	G2030 120 1620	Conc Sidewalk, 4" th, 4" Grav Base, 5' W, Reinforced	@	\$ 90.00	/ LF	\$ 83,250.00	
325	SF	G2030 120 1620	Conc Sidewalk, 4" th, 4" Grav Base, Reinforced (Area)	@	\$ 162.00	/ SF	\$ 52,650.00	
1	EA		Picnic Shelter, Open, Wood	@	\$ 20,000.00	/ EA	\$ 20,000.00	
1	EA		Portapotty Shelter, Wood	@	\$ 5,000.00	/ EA	\$ 5,000.00	
		Trails						\$ 1,836,975
1	EA		Initial Wildlife Management	@	\$ 50,000.00	/ EA	\$ 50,000.00	
20.3	KLF		8' wide Crusher Fine Pedestrial Trail, 5 miles	@	\$ 48,250.00	/ KLF	\$ 979,475.00	
30.0	LF		Concrete Waterway Crossing, 10' wide	@	\$ 750.00	/ LF	\$ 22,500.00	
1	EA		Single-Track Bike Course, 5 miles	@	\$ 750,000.00	/ EA	\$ 750,000.00	
1	EA		Bike Skills/Terrain Area	@	\$ 85,000.00	/ EA	\$ 85,000.00	

Cost Estimates for Proposed Construction: In providing opinions of probable construction costs, it is understood that HRCA has no control over the cost or availability of labor, equipment or materials, or over market conditions or the Contractor's method of pricing, and that HRCA's opinions of probable construction costs are made on the basis of HRCA's professional judgment and experience. HRCA makes no warranty, express or implied, that the bids or the negotiated cost of the Work will not vary from HRCA's opinion of probable construction cost.

SUBTOTAL: \$ 2,901,884
± 20 % Contingency: \$ 580,377
TOTAL: \$ 3,482,260
"SAY:" \$ 3,500,000

Wildcat Regional Park Conceptual Plan



**2024 - OSNR Funding Requests - External
Criteria and Scoring**

Project Name: HRCA Wildcat Funding Request

Project Origin: BOCC, COSAC, Public, Other Municipalities

Requested Amount: \$3,500,000

COSAC Member: Patti Hostetler

Total Points	Criteria	Score	Comments
10	Property Conservation, Attributes, and Condition (Consider geographic features, water & mineral rights, recreation features, native vegetation, and environmental constraints)	6	Provides additional public access while protecting wildlife habitat Conservation Easement Highly recommended
10	Partnerships (Consider funding partnerships, supporters, and interest groups)	0	Signage to acknowledge Douglas County's financial Partnership
10	Public Safety (Consider National resources, public visitation, fire mitigation, trails, trailhead amenities, Ranger presence)	10	will offer much needed trails/connections and additional trail
10	Public Accessibility and Population Use (Consider driving distance from population centers and if there is proper public access)	10	Provides additional public recreation opportunities
6	Cost of Funding (Consider if it is a one-time cost or ongoing)	4	upfront costs are higher than originally presented
6	Historic and Cultural Resources (Consider structures and other significant cultural attributes of the property)	0	
6	Management and Maintenance Costs (Consider ongoing maintenance cost, staff, vendor costs, and equipment costs)	6	No ongoing management maintenance costs to Douglas County
4	Network of Preserved Open Spaces (Consider trail connections, and wildlife corridors)	4	
4	Wildlife Values and Critical Habitat (Consider the comprehensive plan section 9 wildlife resources, connection to other properties and important habitat)	3	Provides protection of Elk Habitat
4	Scenic Views from the Roadway (Consider geological, topographic and vegetation features)	4	
4	Educational Research (Consider property data, geological, topographic and vegetation features)	0	

2024 - OSNR Funding Requests

External

Criteria and Scoring

COSAC Member: Patti Hostetler

Project Name: HRCA Wildcat Funding Request

Project Origin: BOCC, COSAC, Public, Other Municipalities

Requested Amount: \$3,500,000

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Individual Project Score

Comments

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**2024 - OSNR Funding Requests - External
Criteria and Scoring**

Project Name: HRCA Wildcat Funding Request

Project Origin: BOCC, COSAC, Public, Other Municipalities

Requested Amount: \$3,500,000

COSAC Member: Kathie Shandro

Total Points	Criteria	Score	Comments
10	Property Conservation, Attributes, and Condition (Consider geographic features, water & mineral rights, recreation features, native vegetation, and environmental constraints)	10	a conservation easement is absolutely necessary for permanent preservation.
10	Partnerships (Consider funding partnerships, supporters, and interest groups)	0	BOCC will hopefully support this project without funding partners.
10	Public Safety (Consider National resources, public visitation, fire mitigation, trails, trailhead amenities, Ranger presence)	5	
10	Public Accessibility and Population Use (Consider driving distance from population centers and if there is proper public access)	10	
6	Cost of Funding (Consider if it is a one-time cost or ongoing)	3	
6	Historic and Cultural Resources (Consider structures and other significant cultural attributes of the property)	0	
6	Management and Maintenance Costs (Consider ongoing maintenance cost, staff, vendor costs, and equipment costs)	6	HRCA pays! (for maintenance)
4	Network of Preserved Open Spaces (Consider trail connections, and wildlife corridors)	4	
4	Wildlife Values and Critical Habitat (Consider the comprehensive plan section 9 wildlife resources, connection to other properties and important habitat)	4	I'd like to give 10 pts for wildlife values!
4	Scenic Views from the Roadway (Consider geological, topographic and vegetation features)	4	
4	Educational Research (Consider property data, geological, topographic and vegetation features)	0	

2024 - OSNR Funding Requests

External

Criteria and Scoring

COSAC Member: Kathie Shandro

Project Name: HRCA Wildcat Funding Request

Project Origin: BOCC, COSAC, Public, Other Municipalities

Requested Amount: \$3,500,000

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Individual Project Score

Comments

**2024 - OSNR Funding Requests - External
Criteria and Scoring**

Project Name: HRCA Wildcat Funding Request

Project Origin: BOCC, COSAC, Public, Other Municipalities

Requested Amount: \$3,500,000

COSAC Member: Brian O'Malley

Total Points	Criteria	Score	Comments
10	Property Conservation, Attributes, and Condition (Consider geographic features, water & mineral rights, recreation features, native vegetation, and environmental constraints)	10	maintains conservation as opposed to a play fields conservation easement is highly desirable.
10	Partnerships (Consider funding partnerships, supporters, and interest groups)	0	no funding partner has been found.
10	Public Safety (Consider National resources, public visitation, fire mitigation, trails, trailhead amenities, Ranger presence)	10	as opposed to
10	Public Accessibility and Population Use (Consider driving distance from population centers and if there is proper public access)	10	full public access
6	Cost of Funding (Consider if it is a one-time cost or ongoing)	3	one time build ^{out} cost of \$3.5 million is a lot of bucks for the bang.
6	Historic and Cultural Resources (Consider structures and other significant cultural attributes of the property)	0	none found
6	Management and Maintenance Costs (Consider ongoing maintenance cost, staff, vendor costs, and equipment costs)	6	-HRCA will assume costs
4	Network of Preserved Open Spaces (Consider trail connections, and wildlife corridors)	4	connects to the Back coo
4	Wildlife Values and Critical Habitat (Consider the comprehensive plan section 9 wildlife resources, connection to other properties and important habitat)	4	connects to major wildlife areas - the Backcountry
4	Scenic Views from the Roadway (Consider geological, topographic and vegetation features)	4	grant view from Greg Roads
4	Educational Research (Consider property data, geological, topographic and vegetation features)	0	none planned

2024 - OSNR Funding Requests**External****Criteria and Scoring**

COSAC Member: Brian O'Malley

Project Name: HRCA Wildcat Funding Request**Project Origin:** BOCC, COSAC, Public, Other Municipalities**Requested Amount: \$3,500,000**

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Individual Project Score

Comments

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2024 - OSNR Funding Requests - External
Criteria and Scoring

Project Name: HRCA Wildcat Funding Request

Project Origin: BOCC, COSAC, Public, Other Municipalities

Requested Amount: \$3,500,000

COSAC Member: Jim Guerra

Total Points	Criteria	Score	Comments
10	Property Conservation, Attributes, and Condition (Consider geographic features, water & mineral rights, recreation features, native vegetation, and environmental constraints)	6	Need to have conservation easement to protect long-term from development or re-purposing
10	Partnerships (Consider funding partnerships, supporters, and interest groups)	0	no other partners identified, other than HRCA
10	Public Safety (Consider National resources, public visitation, fire mitigation, trails, trailhead amenities, Ranger presence)	10	High public visitation, trails, trailhead amenities
10	Public Accessibility and Population Use (Consider driving distance from population centers and if there is proper public access)	10	This is convenient to a large population (HR Lone Tree, Castle Pines) *Available to all residents, not just HRCA!
6	Cost of Funding (Consider if it is a one-time cost or ongoing)	4	Cost of funding is high, but the Wildcat Regional Park will be used by a lot of people, shift load from Bluffs Reg Pk
6	Historic and Cultural Resources (Consider structures and other significant cultural attributes of the property)	2	Not much historical or cultural resources
6	Management and Maintenance Costs (Consider ongoing maintenance cost, staff, vendor costs, and equipment costs)	6	HRCA will not manage & maintain Wildcat Reg Park - DCOSNR has limited in future O&M \$
4	Network of Preserved Open Spaces (Consider trail connections, and wildlife corridors)	4	High interconnectivity with existing HRCA & County paths trails.
4	Wildlife Values and Critical Habitat (Consider the comprehensive plan section 9 wildlife resources, connection to other properties and important habitat)	3	will have negative impact on wild life during the day, but even today you don't see much wildlife where trails will be!
4	Scenic Views from the Roadway (Consider geological, topographic and vegetation features)	4	As Highly due to being visible from monarch & Griggs Road
4	Educational Research (Consider property data, geological, topographic and vegetation features)	1	Unclear there's any educational research value.

2024 - OSNR Funding Requests

External

Criteria and Scoring

COSAC Member: Jim Guerra

Project Name: HRCA Wildcat Funding Request

Project Origin: BOCC, COSAC, Public, Other Municipalities

Requested Amount: \$3,500,000

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Individual Project Score

Comments

Jay S.

2024 - OSNR Funding Requests - External Criteria and Scoring			Project Name: HRCA Wildcat Funding Request Project Origin: BOCC, COSAC, Public, Other Municipalities Requested Amount: \$3,500,000
COSAC Member: Jay Sage			
Total Points	Criteria	Score	Comments
10	Property Conservation, Attributes, and Condition (Consider geographic features, water & mineral rights, recreation features, native vegetation, and environmental constraints)	6	what about having a CONSERVATION Easement
10	Partnerships (Consider funding partnerships, supporters, and interest groups)	0	O.S. ^{money} contribution needs to BE considered By SEA SUN AGE OR
10	Public Safety (Consider National resources, public visitation, fire mitigation, trails, trailhead amenities, Ranger presence)	10	call the property an open space park
10	Public Accessibility and Population Use (Consider driving distance from population centers and if there is proper public access)	10	Does a construction agent monitor \$ cost of construction
6	Cost of Funding (Consider if it is a one-time cost or ongoing)	3	
6	Historic and Cultural Resources (Consider structures and other significant cultural attributes of the property)	2	
6	Management and Maintenance Costs (Consider ongoing maintenance cost, staff, vendor costs, and equipment costs)	6	
4	Network of Preserved Open Spaces (Consider trail connections, and wildlife corridors)	4	
4	Wildlife Values and Critical Habitat (Consider the comprehensive plan section 9 wildlife resources, connection to other properties and important habitat)	4 3	
4	Scenic Views from the Roadway (Consider geological, topographic and vegetation features)	3	
4	Educational Research (Consider property data, geological, topographic and vegetation features)	0	

2024 - OSNR Funding Requests

External

Criteria and Scoring

COSAC Member: Jay Sage

Project Name: HRCA Wildcat Funding Request

Project Origin: BOCC, COSAC, Public, Other Municipalities

Requested Amount: \$3,500,000

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Individual Project Score

Comments

**2024 - OSNR Funding Requests - External
Criteria and Scoring**

Project Name: HRCA Wildcat Funding Request

Project Origin: BOCC, COSAC, Public, Other Municipalities

Requested Amount: \$3,500,000

COSAC Member: Tom Rundell

Total Points	Criteria	Score	Comments
10	Property Conservation, Attributes, and Condition (Consider geographic features, water & mineral rights, recreation features, native vegetation, and environmental constraints)		Preserves important land which may otherwise become developed
10	Partnerships (Consider funding partnerships, supporters, and interest groups)		Appreciate HRCA managing this
10	Public Safety (Consider National resources, public visitation, fire mitigation, trails, trailhead amenities, Ranger presence)		opens greater ranger ops w/ cars + HRCA
10	Public Accessibility and Population Use (Consider driving distance from population centers and if there is proper public access)		Close to major pop centers
6	Cost of Funding (Consider if it is a one-time cost or ongoing)		One time, substantial Conservation easement - insurance
6	Historic and Cultural Resources (Consider structures and other significant cultural attributes of the property)		N/A, Hd e best
6	Management and Maintenance Costs (Consider ongoing maintenance cost, staff, vendor costs, and equipment costs)		Limited
4	Network of Preserved Open Spaces (Consider trail connections, and wildlife corridors)		Concerning, connects to trails closed to public
4	Wildlife Values and Critical Habitat (Consider the comprehensive plan section 9 wildlife resources, connection to other properties and important habitat)		opens up opportunity for buffalo, saves land for elk + eagles
4	Scenic Views from the Roadway (Consider geological, topographic and vegetation features)		Fairly substantial considering the urban setting
4	Educational Research (Consider property data, geological, topographic and vegetation features)		Close to a school and pop center. As this develops could offer ops for education, ecology + VOLS

2024 - OSNR Funding Requests**External****Criteria and Scoring**

COSAC Member: Tom Rundell

Project Name: HRCA Wildcat Funding Request**Project Origin:** BOCC, COSAC, Public, Other Municipalities**Requested Amount: \$3,500,000**

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Individual Project Score

Comments

Largest concern is proximity to trails & spaces closed to "the public" non-HRCA members would like more opportunities for "the public". Concerned that HRCA Rangers have fined/ticketed residents of Lone Tree.

2024 - OSNR Funding Requests - External

Criteria and Scoring

Project Name: HRCA Wildcat Funding Request

Project Origin: BOCC, COSAC, Public, Other Municipalities

Requested Amount: \$3,500,000

COSAC Member: Elizabeth Snow

Total Points	Criteria	Score	Comments
10	Property Conservation, Attributes, and Condition (Consider geographic features, water & mineral rights, recreation features, native vegetation, and environmental constraints)	10	This is an amazing property to conserve, adjacent not only to Backcountry but also Cherokee Ranch's land. COSAC has already emphasized how critical it is to protect w/ conservation easement, not just zoning.
10	Partnerships (Consider funding partnerships, supporters, and interest groups)		Good partnership w/ HRCA. I'm not entirely sure why the land needs to change ownership for this partnership. We want to ensure all county residents can and know they can enjoy this area.
10	Public Safety (Consider National resources, public visitation, fire mitigation, trails, trailhead amenities, Ranger presence)		Ensure signage acknowledges open space. Nothing notable
10	Public Accessibility and Population Use (Consider driving distance from population centers and if there is proper public access)	10	Located in northern DC near heavy populated area.
6	Cost of Funding (Consider if it is a one-time cost or ongoing)	9	one-time trail and parking construction
6	Historic and Cultural Resources (Consider structures and other significant cultural attributes of the property)	0	not a focus
6	Management and Maintenance Costs (Consider ongoing maintenance cost, staff, vendor costs, and equipment costs)		No ongoing maintenance in this request
4	Network of Preserved Open Spaces (Consider trail connections, and wildlife corridors)	10	Wild life corridors - adjacent to Backcountry & Cherokee Ranch for great wildlife protection. Connectivity - great East/West trail connection
4	Wildlife Values and Critical Habitat (Consider the comprehensive plan section 9 wildlife resources, connection to other properties and important habitat)	10	great to protect the area for the resident elk. See above comments for wildlife corridors w/ Backcountry + Cherokee Ranch
4	Scenic Views from the Roadway (Consider geological, topographic and vegetation features)	8	great views to the west, visible from Monarch, Daniel's Park Rd, + Brig's Rd.
4	Educational Research (Consider property data, geological, topographic and vegetation features)		Good proximity for Backcountry events + schools not sure of exact plans.

**MEMORANDUM OF UNDERSTANDING BETWEEN
DOUGLAS COUNTY AND HIGHLANDS RANCH COMMUNITY ASSOCIATION**

THIS MEMORANDUM OF UNDERSTANDING (the “Agreement”) is made and entered into this ____ day of _____, 2025, by and between the **BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DOUGLAS, STATE OF COLORADO** (the “BOCC”), and **HIGHLANDS RANCH COMMUNITY ASSOCIATION, INC.**, authorized to do business in Colorado (“HRCA”). The BOCC and the HRCA are hereinafter collectively referred to as the “Parties” and individually as a “Party”.

RECITALS

WHEREAS, in 2022, the Douglas County voters approved a referred tax measure allocating funding for local parks, trails, historic resources, and open space with the discretion to make some of that funding available to local partners to fund partnership projects as recommended by citizen advisory committees (“Sales and Use Tax”); and

WHEREAS, on September 7, 2025, the County Open Space Advisory Council (COSAC) heard HRCA’s plans to construct a passive trail network on a 202-acre property known as Wildcat Regional Park that will link the Highlands Ranch Community to the Douglas County East West Regional Trail and be available to the general public (the “Project”); and

WHEREAS, HRCA has requested funding from the Parks, Trails, Historic Resources, and Open Space (PTHROS) Sales and Use Tax in the amount of \$3,500,000.00 to construct approximately ten (10) miles of trails, a trailhead, and accessory structures; and

WHEREAS, HRCA has proposed to fund all future maintenance requirements once the trail network is complete; and

WHEREAS, on October 2, 2025, COSAC provided a recommendation to the BOCC to fund the Wildcat Regional Park with funds from the PTHROS Sales and Use Tax, Trails and Open Space Account; and

NOW, THEREFORE, in consideration of the Parties’ mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereto agree as follows:

1. Amount of Funding. The BOCC hereby awards to HRCA a sum not to exceed **THREE MILLION FIVE HUNDRED THOUSAND DOLLARS AND ZERO CENTS (\$3,500,000.00)** (the “Funding Award”) for use by the HRCA solely to complete the Project, in substantial conformity with Exhibit A. Subject to the BOCC’s determination in its sole discretion that the HRCA is in compliance with this Agreement, the BOCC shall disburse the Funding Award in one payment and in accordance with the terms outlined in this Agreement.

In no event shall the BOCC be liable for payment under this Agreement for any amount in excess of **three million five-hundred hundred thousand dollars and zero cents (\$3,500,000.00)**. The BOCC is not under obligation to make any future apportionment or allocation to this Agreement nor is anything set forth herein a limitation of liability for HRCA potential expenditure for this Agreement outside the current fiscal year is subject to future annual appropriation of funds for any such proposed expenditure.

2. Use of Funds. The Funding Award shall be used for eligible expenses of the HRCA as described in Exhibit A and three years from the date of executing this Agreement or October 14, 2028, whichever is later.

3. Distribution of Funds. The full amount of the Funding Award (\$3,500,000.00) will be disbursed to HRCA in a one-time lump sum payment upon execution of this Agreement.

4. Term. It is mutually agreed by the Parties that the term of this Agreement shall commence upon execution by the Parties until terminated.

5. Project Scope. HRCA shall not materially modify the Project without the prior written approval of the BOCC. Any material modification to the Project undertaken without the BOCC's prior written consent may be deemed a breach of this Agreement, entitling the BOCC to all remedies available under this Agreement.

6. Authorized Representative. Dan Dertz, Director of Open Space & Natural Resources is designated as Authorized Representative of the BOCC regarding Open Space funds (the "Authorized Representative") for the purpose of administering, coordinating, and approving the work performed by HRCA under this Agreement.

7. Compliance with All Laws and Regulations. HRCA hereby assumes responsibility for compliance with all regulatory requirements in all applicable areas, including, but not limited to, nondiscrimination, worker safety, local labor preferences, preferred vendor programs, equal employment opportunity, use of competitive bidding, and other similar requirements. In addition, HRCA applicable ordinances, regulations, and resolutions of Douglas County and all necessary licensing and permitting requirements imposed by an agency of a local, state or federal government.

8. Indemnification. The BOCC cannot and by this Agreement does not agree to indemnify, hold harmless, exonerate or assume the defense of HRCA or any other person or entity whatsoever, for any purpose whatsoever. The HRCA shall, to the extent permitted by law, defend, indemnify and hold harmless the BOCC, its commissioners, officials, officers, directors, agents, and employees from any and all claims, demands, suits, actions or proceedings of any kind or nature whatsoever, including workers' compensation claims, in any way resulting from or arising from this Agreement; provided, however, that HRCA need not indemnify or save harmless the BOCC, its officers, agents and employees from damages resulting from the sole negligence of the BOCC commissioners, officials, officers, directors, agents and employees.

9. Independent Contractor. HRCA is an independent contractor. Notwithstanding any provision of this Agreement, all personnel and volunteers of the HRCA shall be and remain at all times, employees or volunteers of the HRCA for all purposes. It is not intended nor shall it be construed that the HRCA, its employees or volunteers are agents, employees or officers of Douglas County for any purpose whatsoever.

10. Audits and Accounting. HRCA shall maintain standard financial accounts, documents, and records relating to the use, management, and the operation of the Project. HRCA shall maintain standard financial accounts, documents, and records relating to the use, management, and operation of the Project. The BOCC shall have the right, upon reasonable notice to HRCA, to audit the books and records of HRCA which pertain to the Project and to the use and disposition of the BOCC funds. The BOCC shall retain the authority to audit for two years after Project completion.

11. Inspection. The BOCC shall have the right to inspect the Project area to ascertain compliance with this Agreement during business hours at any time during the Project and up to six months after termination or completion of the Project.

12. Termination for Convenience. The BOCC may terminate this Agreement at any time and for any reason at its sole discretion by providing HRCA written notice of such termination at least thirty (30) calendar days prior to the effective date of such termination. Upon such termination, HRCA shall be entitled to compensation for activities performed in accordance with this Agreement which were incurred prior to the effective date of the termination, but not exceeding the available budget balance at the time of the effective date of the termination.

13. Effect of Project Completion or Termination. HRCA agrees that Project completion or termination of this Agreement does not invalidate continuing obligations imposed on HRCA by this Agreement. Project completion or termination of this Agreement does not alter the BOCC's authority to disallow costs and recover funds based on a later audit or other review and does not alter the HRCA's obligation to return any funds due to the BOCC as a result of later refunds, corrections, or other transactions.

14. Notices. Notices concerning termination, alleged or actual violations of the terms or provisions of this Agreement, and all other notices shall be made as follows:

by HRCA to: Douglas County Open Space & Natural Resources
Attn: Dan Dertz
100 3rd Street
Castle Rock, CO 80104
Ph: (303) 660-7495
E-mail: ddertz@douglas.co.us

with a copy to: Douglas County Attorney's Office
100 Third Street
Castle Rock, CO 80104
Ph: (303) 660-7414
E-mail: attorney@douglas.co.us

and by the BOCC to: Highlands Ranch Community Association

Attn: Mike Bailey, CEO/General Manager
9568 S. University Blvd
Highlands Ranch, CO 80126
Ph: (303) 791-2500
E-mail: mike.bailey@hrcaonline.org

15. Assignment. HRCA covenants and agrees that it will not assign or transfer its rights hereunder, or subcontract any work hereunder, either in whole or in part without the prior written approval of the Authorized Representative. Any attempt by the HRCA to assign or transfer its rights hereunder shall, at the option of the Authorized Representative, void the assignment or automatically terminate this Contract and all rights of the HRCA hereunder.

16. Applicable Law and Venue. This Agreement shall be governed by and construed in accordance with the laws of the State of Colorado and venue for any dispute hereunder shall lie exclusively in the County of Douglas, State of Colorado.

17. Incorporation of Recitals and Exhibits. The recitals set forth above and Exhibit A attached hereto are hereby incorporated by reference.

18. Severability. If any provision of this Agreement, or the application thereof, is found to be invalid, the remainder of the provisions of this Agreement, or the application of such provision other than those as to which it is found to be invalid, shall remain in full force and effect.

19. Third-Party Beneficiary. The Parties hereby acknowledge and agree that this Agreement is intended only to cover the relative rights and obligations between the Parties, and that no third-party beneficiaries are intended.

20. No Waiver of Governmental Immunity Act. The Parties agree that their commissioners, officials, officers, directors, agents and employees, are relying on, and do not waive or intend to waive by any provisions of this Agreement, the monetary limitations or any other rights, immunities and protections provided by the Colorado Governmental Immunity Act, §§ 24-10-101 to 120, C.R.S., or any other immunities or defenses from liability otherwise available to the Parties.

21. Entire Agreement. This Agreement constitutes the entire understanding and agreement of the Parties and supersedes all prior negotiations, representations, or agreements, either written or oral related to the subject matter of this Agreement.

(Remainder of Page Intentionally Blank)

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the above date.

HIGHLANDS RANCH COMMUNITY ASSOCIATION, INC. (HRCA)

BY: _____

ATTEST: (if a corporation)

Printed Name _____

Title: _____

Title: _____

DATE: _____

Signature of Notary Public Required:

STATE OF _____)

)

ss.

COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 2025, by _____.

Witness my hand and official seal

Notary Public

My commission expires: _____

**BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS**

BY: _____

DATE: _____

DATE: _____

APPROVED AS TO FISCAL CONTENT:

APPROVED AS TO LEGAL FORM:

Director of Finance

Arielle J. Denis
Assistant County Attorney

DATE: _____

DATE: _____

EXHIBIT A

October 14, 2025, Agenda Item