RESOLUTION NO. 162-06

A RESOLUTION AUTHORIZING A MAIL BALLOT ELECTION IN THE GRAND JUNCTION DOWNTOWN DEVELOPMENT AUTHORITY FOR THE APRIL 3, 2007 SPECIAL ELECTION, AUTHORIZING THE CITY CLERK TO SIGN THE INTERGOVERNMENTAL AGREEMENT WITH MESA COUNTY CLERK AND RECORDER AND APPROVING THE WRITTEN PLAN FOR THE CONDUCT OF A MAIL BALLOT ELECTION

RECITALS.

The City Council for the City of Grand Junction has scheduled a special election within the Downtown Development Authority for April 3, 2007.

The City Council finds that conducting that election by mail ballot is the most efficient method for that election.

The City Council has designated the City Clerk as the Designated Election Official (DEO) for the special election.

The Mail Ballot Election Code, 1-7.5-101 et seq, C.R.S., specifically section 105, requires that the designated election official "shall notify the secretary of state no later than fifty-five days prior to the election. The notification shall include a proposed plan for the conducting the mail ballot election, . . ."

The Secretary of State has promulgated rules as to what is to be included in the plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT:

- 1. The Special Election for the Downtown Development Authority is scheduled for April 3, 2007 and will be conducted by mail ballot.
- 2. That the City Clerk is hereby authorized to enter into an Intergovernmental Agreement with the Mesa County Clerk and Recorder for the printing and distribution of the required TABOR notice.
- 3. The attached "Written Plan for the Conduct of a Mail Ballot Election" is approved for the April 3, 2007 Special Election and that the City Clerk as the Designated Election Official be directed to submit such plan to the Secretary of State.

Approved this 20th day of December, 2006.

	/s/ James J. Doody President of the Council
ATTEST:	
/s/ Stephanie Tuin City Clerk	

WRITTEN PLAN FOR THE CONDUCT OF A MAIL BALLOT ELECTION

SUBMITTED BY: Stephanie Tuin, City Clerk

ELECTION ADMINISTRATOR FOR: Downtown Development Authority, a Part of the City of Grand Junction, Colorado

- 1. **LEGAL NAME OF JURISDICTION:** Grand Junction Downtown Development Authority, a part of the City of Grand Junction, Colorado
- **2. TYPE OF JURISDICTION:** An Authority as defined in 31-25-802, C.R.S.
- DESCRIPTION OF ELECTION TO BE HELD: Special Election on a Ballot Issue to be held on Tuesday, April 3, 2007
- **4. AUTHORITY TO HOLD THIS ELECTION**: 31-10-108 C.R.S. and 31-25-807(1)(b), C.R.S.
- 5. **ESTIMATED NUMBER OF ELECTORS: 800** qualified electors as defined in 31-25-802 C.R.S., Exhibit "F" may be used to designate a qualified voter under 31-25-802 (9) C.R.S.
- 6. NAME OF CHIEF ELECTION ADMINISTRATOR: Stephanie Tuin, City Clerk, Acting Secretary for the Authority and Designated Election Official (hereinafter "D.E.O.")
- 7. **COUNTY CLERK AND RECORDER WILL:** provide registration lists, assist as requested and print and distribute the required TABOR notice. An intergovernmental agreement has been executed for that purpose.
- 8. **NUMBER OF PLACES OF DEPOSIT:** One City Clerk's Office at City Hall at 250 North 5th Street, Grand Junction, Co. 81501
- 9. IF BALLOT PACKETS ARE RETURNED AS UNDELIVERABLE:
 Undeliverable ballots will be tallied/recorded on the DAILY
 RECONCILIATION OF MAIL BALLOTS (see Exhibit "A"), entered as "U"
 on the ballot distribution database, alphabetically slotted into trays marked
 "Undeliverable", and secured in a locked box accessible only by
 clerks/election judges/deputy clerks. These ballots will not be remailed,
 but may be reissued to any addressee appearing in person at the City
 Clerk's Office, upon presentation of proper identification of qualified elector
 and address.
- 10. HOW POSTAGE WILL BE HANDLED FOR BALLOT PACKETS RETURNED AS UNDELIVERABLE: Ballots will be mailed in accordance with both USPS and state statutory requirements, each envelope bearing

"RETURN SERVICE REQUESTED" as per the Domestic Mail Manual, Section F, 010.5.3. This will guarantee return of "undeliverable" envelopes to the City Clerk's Office. If a new address is identified by the yellow USPS label, the D.E.O. will comply with 1-2-605(5) C.R.S.

11. PROCEDURES TO BE FOLLOWED TO ENSURE COMPLIANCE WITH STATUTES AND RULES INCLUDING NAMES OF THOSE RESPONSIBLE:

- a) Planning and procedural meetings will be held involving the D.E.O. and D.E.O. staff. Title 1, Article 7.5 C.R.S. and the Secretary of State's Rules and Regulations will be reviewed and explained for implementation and administration of the state's mail ballot process. The State Statutes and the rules and regulations will be administered under the direct supervision of Stephanie Tuin, the D.E.O. Additional staff may be required for this mail ballot election and hired as judges for the final tally of the ballots. The County Elections Director and/or the County Clerk may be consulted as needed.
- b) Printing and mailing of the TABOR NOTICE will be coordinated with Mesa County as required by law. County Elections Director Sheila Reiner will supervise this in accordance with Article X, Section 20(3)(b), with a mailing date no later than March 2, 2007.
- c) Absentee mail ballot applications will be processed for mail distribution on the date required by law and in accordance with the appropriate regulations.
- d) Mail ballot packages, including absentee ballots, will be prepared in accordance with the mail ballot election law and under the supervision of D.E.O. Stephanie Tuin.
- e) Mail ballot packages for each eligible voter will be prepared and mailed no later than March 19, 2007 to all "active voters" that did not request absentee ballots. The ballot distribution system for this election will be manual and D.E.O. Stephanie Tuin will oversee this process. There are 800 eligible electors.
- f) Each business day, ballot envelopes received or returned to the Elections Office (City Clerks Office) will be date-stamped and tallied for recordkeeping. Each envelope will then be preliminarily verified (first verification) for completion of necessary information (including name, address, and signature) and voter eligibility. The pollbook will be updated daily for each ballot received, indicating by code either accepted, rejected or undeliverable. Accepted ballot envelopes will be deposited into a

"dated" and sealed ballot box. Rejected or undeliverable ballot envelopes will be filed alphabetically in trays in a locked box in a secured facility. Daily receipt, coding and securing of ballots will include those received at the one drop off location or via mail. D.E.O. Stephanie Tuin and her designated assistants will be responsible for this process.

- Boxes representing each day's receipt of accepted ballots shall be opened, the return envelopes slit, and the ballot stub number in each envelope checked against the ballot number issued. If acceptable, the ballot stub shall be removed, then the secrecy envelope removed and the ballot shall be placed in a transfer envelope. In the event a ballot is returned without a secrecy envelope (see Exhibit "G"), secrecies will be readily available for the election judge to enclose the ballot before removing it from the envelope. All envelopes will be sealed, numbers recorded and stored in a secured facility. D.E.O. Stephanie Tuin will oversee this aspect of the election.
- h) The City Clerk's Office, 250 N. 5th Street, will be open for issue of ballots to "inactive voters" or the reissue of ballots to those who have spoiled, lost, moved, or for some reason did not receive a ballot for the period of Tuesday, March 27, 2007 to Monday, April 2, 2007, from 7:30 a.m. to 5:30 p.m. each business day and Tuesday, April 3, 2007 7:00 a.m. to 7:00 p.m. In the event that all ballots have not been issued and an elector needs a ballot reissued on Saturday, March 31, 2007, the D.E.O. will be available to reissue that ballot. Prior to March 27, 2007 these requests will be handled in the regular City Clerk's Office area by D.E.O. staff.

Anytime that a replacement ballot is issued, or a ballot is issued to an "inactive voter", a REQUEST FOR BALLOT/REPLACEMENT BALLOT (see Exhibit "B") sworn statement must be completed, with signatures gathered either in person at the City Clerk's Office or through the mail. Reissued ballots, or ballots issued to "inactive voters" through the mail will have a mark on their return envelope (next to their signature affirmation) that will immediately alert the election judge that a completed sworn statement must be included with the voted ballot.

12. DESCRIBE PROCEDURES TO ENSURE BALLOT SECURITY:

- a) Ballot packages are prepared and stored in secured facilities by D.E.O. staff. Ballot packages will be sealed and delivered to the United States Post Office at 241 N. 4TH Street. The packages are then processed in accordance with USPS regulations and state statutory provisions.
- b) Ballots, including pre-distribution and non-issued, will be kept in a locked box on secured premises at all times. All election materials, ballots, and

ballot boxes will be monitored during utilization by D.E.O. staff and placed under locked security each night. The area used for ballot processing is in the City Clerk's Office. Only three keys to the critical ballot and materials areas exist, and those are held by the D.E.O. and her two assistants. All empty ballot boxes and envelopes will be witnessed before and during both sealings (first and second verifications), including the recording of seal numbers.

- c) Ballots will be paper ballots. There is only a single ballot type for this election so no color-coding is necessary for the ballot. The ballots will be colored to distinguish them from the regular municipal election that is taking place at the same time.
- d) At the single drop off site, the City Clerk's Office, there will be a locked ballot box.
- e) All employees (D.E.O. staff) will be sworn in, affirming their adherence to the election statutes, rules and procedures. Observers (or watchers) will need to present completed forms, and the secured area is not accessible to the cleaning staff during the period of March 9th through April 4th. Ballots will be tabulated by hand at the City Clerk's Office and then stored in the vault.

13. DESCRIBE THE PROCEDURES FOR SIGNATURE VERIFICATION:

The very day each ballot envelope is received (initial verification), it will be verified for name, address and the presence of a signature. If any of the foregoing information does not correspond to the ballot issue record or if all information is not provided, the ballot will be rejected for discrepancies. The rejection will be coded on the pollbook and the envelope placed in alphabetical order in the "REJECTED" tray, which will be stored in the secured facility. Periodic checks of signatures on record will be performed to ensure the integrity of the mail ballot election in the Grand Junction Downtown Development Authority, City of Grand Junction. Pursuant to 31-25-802 (9) C.R.S., "any landowner or lessee which is not a natural person may vote only if it designates by some official action a representative thereof to cast its ballot." A qualified landowner or lessee may use the "Voter Designation Form", Exhibit "F", if they show choose. Failure to provide such form does not disqualify the ballot.

14. DESCRIBE THE PROCEDURES TO ENSURE SECRECY OF

BALLOTS: A secrecy envelope will be enclosed with each ballot mailed to all active eligible voters on or before March 19, 2007. Voter instructions will specifically ask voters to place the voted ballot in a secrecy envelope (Exhibit "G") when returning the ballot. Ballots initially received are left in sealed envelopes until the final verification. At the time of final verification, when ballot stubs are removed, each election judge will have secrecy envelopes to slip around any ballot (while it's still in the envelope) in the

event the voter did not place his/her voted ballot in the secrecy envelope. Ballots rejected with the stub still attached will be alphabetized and locked away nightly. Every D.E.O. staff member will be thoroughly trained on the vital importance and necessity of ballot security.

15. DESCRIBE THE PROCEDURE TO RECONCILE BALLOTS ISSUED. **BALLOTS RECEIVED, DEFECTIVE BALLOTS AND SUBSTITUTE BALLOTS:** Reconciliation will occur daily for every ballot issued and every ballot received using the DAILY RECONCILIATION FORM (see Exhibit "A") and the DAILY RUNNING TALLY (see Exhibit "C"). Reconciliation will be manual, and each day's current status will be available by 9 am the following morning. FINAL DISPOSITION OF BALLOT RECONCILIATION (see Exhibit "D") will reflect the number of ballots issued and reissued, less the number of ballots accepted, less the number rejected, less the number undeliverable, less the number of ballots returned after the deadline and/or never returned, which will equal the total number of ballots issued. Additionally, a STATEMENT OF BALLOTS (see Exhibit "E") will be placed in each sealed envelope to assure verification with tabulation and the canvass board. Many safeguards have been built into the procedures; and yet the ability to immediately explain and /or access any ballot discrepancy will exist. Double checking by different staff members will occur daily to ensure tracking accuracy.

DATE OF SUBMISSION:	
ELECTION OFFICIAL SIGNATURE:	
TITLE:	City Clerk/Acting Secretary of the
	Authority/DEO

TIMETABLE ENCLOSED

TIMETABLE For the conduct of a Mail Ballot Election (Rule 12.3.3.b)

Please indicate dates by which each item will be completed

12/20/06	Written Plan submitted to governing body.	Rule 12.3.2
12/20/06	Election approved by governing body.	Rule 12.3.3b
no later than <u>02/07/07</u>	Submission of written plan to Secretary of State (55 days prior to election)	1-7.5-105(1) Rule 12.3.2
02/22/07	Last date for approval by Secretary of State (15 days after receipt in Secretary of State's office)	1-7.5-105(2)
02/22/07	Registration records ordered by designated election official from County Clerk and Recorder (at least 40 days prior to election)	1-5-303(1)
03/02/07	List of electors submitted to election official (at least 30 days prior to election)	1-7.5-107(2)(a)
03/05/07	Close of registration (29 days prior)	1-2-201(3)
03/09/07 through		
<u>03/19/07</u>	Ballots mailed (not sooner than 25 days and no later than 15 days prior)	1-7.5-107(3)(a)
03/09/07	Ballots available at election official's office (no sooner than 25 days prior)	1-7.5-107(3)(c)
03/14/07	Notice of election to electorate (at least 20 days prior) with copy to County Clerk	1-5-205(2) 1-7.5-107(2.5)
03/14/07	Notice of election to County Clerk & Recorder	Rule 12.3.1a
03/14/07	Notice of election to County Assessor	1-5-304
03/14/07 107(2.5)(a)	Publish Notice of Election	1-7.5-
03/14/07	Supplemental list of electors submitted (at least 20 days prior)	1-7.5-107(2)(b)
03/24/07	Verification of ballot numbers to pollbook (may begin at any time during the 10 days before)	1-7.5-107.5
04/03/07	Election day	31-10-108

§3		City Charter,
<u>04/05/07</u> §25	Canvass dates/certification issued	City Charter,
925	(canvass no later than 2 days after the election)	Rule 12.12

DOWNTOWN DEVELOPMENT AUTHORITY CITY OF GRAND JUNCTION JUDGES DAILY RECONCILIATION OF MAIL BALLOTS

APRIL 3, 2007 SPECIAL ELECTION

				(Date	<u>e)</u>		
	1.	Total num	ber of ball	ots received			
	Information on return envelope verified Yes			No			
	2.	Less number ballots rejected in first verification -insufficient information on return verification envelope					
	3.	Less number ballots rejected in second verification -ballot number does not match poll book					
	4.	Equals to	tal numbe	r ballots appr 1-2	oved for 2-3 = 4	final count	
Spoiled	Uı	ndeliverab	le	Rejected Ba	allots:	Incomplete Signature Damaged	No Stub
				Total reject	ed ballo	ots	Total 2nd Rej:
	Hand co	ount			Judge's	s Int	
	Electror	nic count			Judge's	s Int	
	Seal Nu	ımber			Judges	Signature	
	Seal Nu	mber			Judge'	s Signature	
	Date of	reseal					

EXHIBIT "B"

Request for Ballot	Original ballot number
April 3, 2007	Replacement number
Date	
l, e	ligible elector of the Downtown Development
Authority, City of Grand Junction a	t Residence Address
	Residence Address
City/Town	Zip
Request a ballot for the April 3, 2 reason(s):	2007 Special Election for the following
I was not issued a ballot due	e to eligibility.
I have not as of this date red	ceived the ballot packet mailed to me.
The ballot I received was de	estroyed or marked incorrectly.
I have not voted a ballot issued for by voting this replacement ballot.	this election and I do not intend to vote except
The original ballot issued me will n replacement ballot are cast, neithe	ot be cast and if the original and the r will be counted in this election.
	nent must be included in the return verification and must be received by 7:00 p.m. on Election be counted.
SIGN	Date of Birth
HERE	
STATE OF COLORADO, COUNT	Y OF MESA, SS:
SUBSCRIBED AND SWORN BEF	ORE ME THIS DAY OF

(\$001)	Clerk/Deputy/Notary My Commission expires	
(Seal)	wy Commission expires	•

EXHIBIT "C"

DOWNTOWN DEVELOPMENT AUTHORITY CITY OF GRAND JUNCTION DAILY RUNNING TOTAL

April 3, 2007 SPECIAL ELECTION

Daily:	Received Date	
	Number of Original Mailings	
	Number of spoiled Ballots	
	Number of ballots reissued / issued late	
	Number of ballots received	
	Number of ballots approved for final count	
Total:	:	
	1. Number of Original Mailings	
	2. Number of ballots reissued / issued late	
	3. Number of ballots spoiled	
	Total ballots issued 1+2-3=	
	Total of ballots received	
	Total rejected ballots Total Spoiled:	
	Total Undeliverable:	
	Total of ballots approved for final count	

EXHIBIT "D"

DOWNTOWN DEVELOPMENT AUTHORITY CITY OF GRAND JUNCTION FINAL DISPOSITION OF MAIL BALLOT ELECTION

	APRIL 3, 2007 SPECIAL ELECTION	
ISSUED: REISSUED:		
	ACCEPTED:	
	REJECTED:	
	SPOILED	
	INCOMPLETE	
	DAMAGED	
	SIGNATURE	
	UNMATCHED	
	NO STUB	
	UNDELIVERABLE	
	RETURNED AFTER DEADLINE	
	NEVED DETLIBNED	

SPECIAL MAIL BALLOT ELECTION April 3, 2007

DOWNTOWN DEVELOPMENT AUTHORITY CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO

DATE OF BALLOT RECEIPT
NUMBER OF BALLOTS RECEIVED
NUMBER OF BALLOTS IN THIS TRANSFER CASE
TRANSFER CASE FOR THIS DAY'S RECEIPTS OF
SEAL #
JUDGES SIGNATURES
TEAMWORK COUNT

VOTER DESIGNATION FORM

STATE OF COLORADO) COUNTY OF MESA) CITY OF GRAND JUNCTION) ss DOWNTOWN DEVELOPMENT AUTHORITY)	
Pursuant to the Downtown Development Authority la	aw, Title 31, Article 25, Part 8,
C.R.S.,, as the owner	or lessee of real or personal
property located within the boundaries of the Downto	own Development Authority,
hereby designate as it	s representative for purposes
of voting on its behalf in the election scheduled for A	April 3, 2007 in the City of
Grand Junction Downtown Development Authority.	
The address and phone number for the designated of	elector are:
(Property owner/lessee)	
By:(Name)	
Its:	-

Draft Secrecy Sleeve

Exhibit "G"

FIRST TIME VOTERS WHO REGISTER BY MAIL TO VOTE IN THE STATE OF COLORADO

If you registered to vote for the first time in the State of Colorado by mail, and you have not previou voted in the county, a <u>copy</u> of one of the following forms of identification may be required with your mail ballot or absentee ballot:

- · A valid Colorado driver's license;
- · A valid identification card issued by the department of revenue;
- A valid United States passport;
- A valid employee identification card with a photograph of the eligible elector issued by any branch, department, agency, or entity of the United States government or of this state, or by any county, municipality, board, authority, or other political subdivision of this state;
- A valid pilot's license issued by the federal aviation administration or other authorized agency of the United States;
- A valid United States military identification card with a photograph of the eligible elector;
- A copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the elector;
- A valid Medicare or Medicaid card issued by the United States health care financing
- A certified copy of a birth certificate for the elector issued in the United States; or
- Certified documentation of naturalization.

Any form of identification that shows the address of the eligible elector shall be considered identification only if the address is in the state of Colorado.

HOW DO I KNOW IF I AM A FIRST TIME VOTER WHO REGISTERED BY MAIL?

PLEASE CHECK FOR A RED "ID REQUIRED" STAMP BY YOUR NAME ON THE FLA OF THE RETURN ENVELOPE TO SEE IF YOU ARE REQUIRED TO SEND A PHOTOCOPY OF YOUR ID.

If you are a FIRST TIME VOTER WHO REGISTERED BY MAIL TO VOTE IN THE STATE OF COLORADO (see above) for a list of acceptable forms of identification.

IMPORTANT: Place your ID photocopy and Secrecy Sleeve (containing your voted ballot) in the OFFICIAL RETURN ENVELOPE. DO NOT PLACE YOUR ID PHOTOCOPY IN THE SECRECY SLEEVE WITH YOUR VOTED BALLOT.

DESIGNATED DROP OFF SITE INFORMATION

- On Election Day, all drop off sites are open 7:00 a.m. to 7:00 p.m.

 Mesa County Elections Office
 Old Mesa County Courthouse 544 Rood Avenue, Grand Junction Open weekdays 8:00 am to 5:00 pm
 - City Clerk's Office City Hall 250 N 5th St, Grand Junction Open weekdays 7:30 am to 5:30 pm
 - Mesa County Clerk's Office (Motor Vehicle Division) 2424 Hwy 6 & 50, #414, Grand Junction Open weekdays 7:30 am to 4:30 pm
 - Orchard Mesa_County Clerk's Branch Mesa County Fairgrounds 2775 Hwy 50, Grand Junction Open weekdays 7:30 am to 4:30 pm

Secrecy Sleeve and Voter Instructions

CITY OF GRAND JUNCTION REGULAR MUNICIPAL ELECTION APRIL 3, 2007

DEADLINE FOR RETURNING VOTED BALLOTS

Ballots must be received by the Mesa County Clerk & Recorder's Office by 7:00 p.m. on Election Day in order for your vides to be counted. Ballots received after 7:00 p.m. on Election Day will not be counted. Postmarks do not count as received.

RETURN POSTAGE REQUIRED

You may return your voted ballot by mail or you may hand deliver your ballot to a Designated Drop Off Site (see reverse side for Designated Drop Off Site locations and schedules). If you choose to return your voted ballot by mail, you must affix (TBD) postage.

BALLOT PACKET CONTENTS

This is your Official Ballot Packet for the 2007 Regular Municipal Election. This packet contains the following items:

- Official Ballot
- Secrecy Sleeve and Voter Instructions
- Official Return Envelope

INSTRUCTIONS

- To ensure that your vote(s) are counted correctly, it is important that you follow all the voting instructions shown on your ballot.

 After you have marked all your voting choices and finished voting

 - Refold your ballot exactly as you received it.
 - · Place your voted ballot in this Secrecy Sleeve.
 - Place this Secrecy Sleeve (with voted ballot) into the Official Return Envelope. Be sure you place your Secrecy Sleeve (with voted ballot) into your Official Return Envelope and have not in error placed it in another family members' envelope.
 - Only one voter's ballot is permitted in your Official Return Envelope. If more than one ballot is
 placed in your Official Return Envelope, none of the ballots will be counted.
 - . If you are a first time voter who registered to vote in the State of Colorado by mail, you must in you are a list a limit worker with egistated or with the Oderial Return Envelope. Do not place your lop hidocopy of your identification in the Official Return Envelope. Do not place your ID photocopy in the Secrecy Sleeve with your voted ballot. (See HOW DO I KNOW IF I AM A FIRST TIME VOTER WHO REGISTERED BY MAIL section on reverse side).
 - Sign and date the AFFIDAVIT OF VOTER located on the backside of the Official Return Envelope.
 - See reverse side for DESIGNATED DROP OFF SITE INFORMATION

AFFIDAVIT OF VOTER

I state under penalty of pertury that I am an eligible elector, that I reside at the address indicated on my application for an absentee bellot, that II have not and will not cast any vote in this election except by the enclosed ballot, and that my abilit is enclosed in accord with the provisions of the "Unform Election Code of 1952."

By law, your signature is required on the AFFIDAVIT OF VOTER (located on the backside of the Official Return Envelope). If you do not sign the affidavit, your ballot will not be counted.

George Washington

TODAY'S DATE *July 4, 1776*

* Witness ______ In case of applicant's disability or inability to sign personally, his/her mark shall be witnessed by another