INTERGOVERNMENTAL AGREEMENT

BETWEEN

ARAPAHOE COUNTY CLERK AND RECORDER

AND

CITY OF LITTLETON

REGARDING THE CONDUCT AND ADMINISTRATION OF THE

NOVEMBER 3, 2015 COORDINATED ELECTION

PREPARED BY: MATT CRANE ARAPAHOE COUNTY CLERK AND RECORDER 5334 S. PRINCE STREET LITTLETON, COLORADO 80120 303-795-4239

THIS AGREEMENT is made by and between the Board of County Commissioners of the County of Arapahoe, State of Colorado, on behalf of the Arapahoe County Clerk and Recorder (hereinafter referred to as the "County") and City of Littleton (hereinafter referred to as the "Jurisdiction") (hereinafter collectively referred to as the "Parties"); and

WHEREAS, pursuant to the Uniform Election Code of 1992 (Articles 1 to 13 of Title 1, C.R.S.) as amended, governmental entities are encouraged to cooperate and consolidate elections in order to reduce taxpayer expenses; and

WHEREAS, pursuant to section 1-7-116, C.R.S. if more than one jurisdiction holds an election on the same day in November and the eligible electors for each such election are the same or the boundaries overlap, the County Clerk and Recorder is the coordinated election official and, pursuant to section 1-5-401, C.R.S. shall conduct the elections on behalf of all jurisdictions whose elections are part of the coordinated election utilizing the mail ballot procedures set forth in article 7.5 of title 1; and

WHEREAS, the County and Jurisdiction have determined that section 1-7-116, C.R.S. applies and it is in the best interest of the taxpayers and the electors to enter into this Agreement to conduct a Coordinated Election on November 3, 2015; and

WHEREAS, such agreements are authorized by State law.

NOW, THEREFORE, for and in consideration of the promises herein contained, the sufficiency of which is hereby acknowledged, the Parties hereto agree as follows:

This election shall be conducted as a Coordinated Election in accordance with the Uniform Election Code of 1992 (Articles 1-13 of Title 1, C.R.S.). The election participants will execute agreements with Arapahoe County for this purpose and may include municipalities, school districts, and special districts within the Arapahoe County limits and the State of Colorado.

The Arapahoe County Clerk and Recorder shall be designated as the Coordinated Election Official (hereinafter "CEO") and the Jurisdiction hereby identifies Wendy Heffner as its Designated Election Official (hereafter "DEO).

FURTHER, the Parties agree as follows:

SECTION I. PURPOSE AND GENERAL MATTERS

1.01 DEFINITIONS:

- A. "Address Library Report" means the address report from the Secretary of State voter registration system (hereinafter "SCORE") which defines street addresses and precincts within the jurisdiction.
- B. "Coordinated Election Official" (hereinafter "CEO") shall mean the County Clerk and Recorder who shall act as the "coordinated election official," as defined within the Code and Rules and, as such, shall conduct the election for the Jurisdiction for all matters in the Code and the Rules which require action by the CEO.
- C. "Colorado Election Code" or "Code" means any part of the Uniform Election Code of 1992, (Articles 1-13 of Title 1, C.R.S.) or any other Title of C.R.S governing participating Jurisdiction's election matters, as well as the Colorado Constitution, and the State of Colorado Secretary of State (SOS) Rules.
- D. "Coordinated Election" means an election where more than one jurisdiction with overlapping boundaries or the same electors holds an election on the same day and the eligible electors are all registered electors, and the County Clerk is the Coordinated Election Official for the jurisdictions.
- E. "Contact Officer" means the individual who shall act as the primary liaison or contact between the Jurisdiction and the County Clerk. The Contact Officer shall be that person under the authority of the County Clerk who will have primary responsibility for the coordination of the election for the Jurisdiction and the procedures to be completed by the County Clerk hereunder.
- F. "Designated Election Official" (hereinafter "DEO") means the individual who shall be identified by the Jurisdiction to act as the primary liaison between the Jurisdiction and the Contact Officer and who will have primary responsibility for the conduct of election procedures to be handled by the Jurisdiction hereunder. To the extent that the Code requires that an Election Official of the Jurisdiction conduct a task, the DEO shall conduct same.
- G. "General Election" means the election held on the Tuesday succeeding the first Monday of November in each even-numbered year.
- H. "IGA" or "Agreement" means this Intergovernmental Agreement between the County and the Jurisdiction for election coordination.

- I. "Jurisdiction" means a political subdivision as defined in § 1-7.5-116, C.R.S. and referenced in the Code and, in this Agreement, is interpreted to refer to [Coordinating Entity Name].
- J. "Mail Ballot Packet" means the packet of information provided by the CEO to eligible electors in the mail ballot election. The packet includes the ballot, instructions for completing the ballot, a secrecy envelope, and a return envelope. § 1-7.5-103(5), C.R.S.
- K. **"Post Election Audit"** means such audit as set forth substantially in the Colorado Election Code.
- L. **"Precinct"** means an area with established boundaries within a jurisdiction used to establish election districts.
- M. "Proposed Jurisdiction" means a jurisdiction which may be formed pursuant to this election which is not yet identified by a tax authority code in the County Assessor database. When the context of this Agreement so requires, a Proposed Jurisdiction will simply be referred to as a Jurisdiction.
- N. **"Regular Biennial School Election"** means the election held on the first Tuesday in November of each odd-numbered year.
- O. "SOS" means State of Colorado Secretary of State.
- P. **"SOS Election Calendar"** means the most recent election calendar as published on the SOS website located at www.sos.state.co.us and attached hereto as Attachment B and incorporated herein by this reference.

1.02 JOINT RESPONSIBILITIES

- A. All parties shall familiarize themselves with all statutory and regulatory requirements impacting coordinated elections and TABOR notices if required.
- B. Nothing herein shall be deemed or construed to relieve the CEO or the Jurisdiction from their official responsibilities for the conduct of the election.

- C. All parties shall adhere to all applicable provisions of the Colorado Election Code which are necessary or appropriate to the performance of the above duties, as well as to the time guidelines schedule as attached hereto as these relate to the election.
- D. All parties shall enforce all provisions of the Fair Campaign Practices Act as they may apply to the conduct of the election.

1.03 JURISDICTIONAL LIMITATION

- A. The Jurisdiction encompasses territory within Arapahoe County. This Agreement shall be construed to apply only to that portion of the Jurisdiction within Arapahoe County.
- B. Where the Jurisdiction is entirely contained within Arapahoe County, the CEO has authority in setting ballot order and number. When the Jurisdiction is split among more than one county, the Jurisdiction agrees to coordinate with the CEO prior to agreeing upon ballot order or numbering.

SECTION II. COUNTY/JURISDICTION RESPONSIBILITIES

The County and the Jurisdiction shall each perform their respective duties and/or functions within the context of this Agreement:

2.01 THE COUNTY SHALL PERFORM THE FOLLOWING TASKS IN RELATION TO SAID ELECTION:

- A. Give assistance and information to the DEO of the Jurisdiction on any matter related to elections to ensure the smooth and efficient operation of the election (such information shall not include legal advice).
- B. Designate a Contact Officer with the specific duty of assisting with the election of the Jurisdiction (such oversight shall not preclude such Contact Officer from assisting with the elections of other jurisdictions or from performance of other tasks as delegated by the CEO).
- C. Adhere to all applicable provisions of the Colorado Election Code that are necessary or appropriate to the performance of the above duties.

- D. Use the Address Library Report and any documents provided regarding annexation, inclusion and or exclusion, to identify eligible electors within the Jurisdiction.
 - a. Provide the Jurisdiction with an Address Library Report which defines Jurisdictional boundaries in terms of residential street ranges based on County Assessor data.
 - b. County will verify errors, omissions, and/or corrections identified by the Jurisdiction against County Assessor data, and where appropriate, modify street ranges to accurately define the eligible electors within the Jurisdiction.
- E. Deliver a proposed election plan to the Secretary of State no later than 90 days prior to the Election.
- F. Contract for Mail Ballot Packets with a vendor acceptable to the CEO and remit payment directly to the vendor.
- G. Lay out the text of the official ballots in a format that complies with the Code. (See also Section 1.03 (B) herein).
- H. Provide ballot printing layouts and text for proofreading and signature approval by the Jurisdiction prior to final ballot printing.
- I. Mail the ballot packets as required by the Code.
- J. Make available a certified list of registered voters on or before the deadline as set forth within Attachment B.
- K. Appoint, instruct, oversee, and administer the payment of the judges of the election.
- L. Coordinate, instruct, and oversee the Canvass Board.
- M. Prepare and run the required Logic and Accuracy test deck, along with a test deck provided by the Jurisdiction.

- N. If applicable, provide daily business day pick-up of the sealed ballot container(s) containing voted ballots from all assigned locations. Provide replacement sealed empty ballot container(s).
- O. Publish and post the required legal notices pursuant to § 1-5-205(1) and § 1-7.5-107(2.5)(a)(I), C.R.S. Notice shall be published for the Jurisdiction's ballot issues, ballot questions, and/or candidates on or before the deadline as set forth within Attachment B.
- P. CEO will refer members of the public and press to the DEO regarding specific questions about candidates or ballot questions.
- Q. Provide the necessary electronic voting tabulation equipment, personnel properly trained in electronic tabulating equipment, programming of the vote tabulating equipment, and the facility to conduct the ballot tabulation.
- R. Establish and maintain mail ballot drop-off locations and designate and operate Voter Service and Polling Centers as required by and in conformance with the Colorado Election Code.
- S. Maintain a list of names and precinct numbers of eligible electors together with the date on which the mail ballot was sent and the date on which the mail ballot was returned or cast.
- T. Conduct and oversee the process of counting the ballots and reporting the results by Jurisdiction.
- U. Conduct a recount of the ballots where the final ballot tabulation results are close enough to require a recount by law, or if not required by statute, upon the request of the Jurisdiction, for any reason. In either scenario, the cost of the recount will be charged to the Jurisdiction. If more than one Jurisdiction is involved in the recount, the cost will be pro-rated among the participating Jurisdictions equally.
- V. Provide unofficial results of the election on election night by telephone or electronic transmittal upon request.
- W. In conjunction with the Jurisdiction, prepare and run the required Post Election Audit before certifying election results.

- X. Conduct a canvass of the votes and certify the results of the Jurisdiction's election within the time required by law and forthwith provide the Jurisdiction with a copy of all election statements and certificates which are to be created under the Code.
- Y. Submit to the Jurisdiction an itemized invoice for all expenses incurred under this Agreement. Within sixty (60) days from the date of receipt of such invoice, the Jurisdiction shall remit to the County the total payment.
- Z. Keep a careful and accurate accounting of time, supplies, printing costs and salaries attributable to the County's administration of the election for the Jurisdiction. The Jurisdiction's proportional share of actual costs shall be based on County expenditures relative to the Election.
- AA. Store all election records as required by the Code in such a manner that they may be accessed by the Jurisdiction, if necessary, to resolve any challenges or other legal questions that might arise regarding the election.

2.02 THE JURISDICTION SHALL PERFORM THE FOLLOWING TASKS IN RELATION TO SAID ELECTION AND TABOR NOTICE (IF REQUIRED):

- A. DEO shall familiarize themselves with all statutory and regulatory requirements impacting the Jurisdiction.
- B. Identify a DEO to act as liaison between the Jurisdiction and the CEO.
- C. Identify immediately to CEO if Jurisdiction is shared by any additional county. Procedures will be followed as per SOS Rule 4.2 to determine controlling county for purpose of setting up shared races, issues, and questions in coordinated elections. (See Section 1.03 (B) herein).
- D. The Jurisdiction shall provide the CEO with a copy of the ordinance or resolution stating that the Jurisdiction has adopted the exclusive use of Title 1 of the Colorado Election Code and that the Jurisdiction will participate in the Coordinated Election in accordance with the terms and conditions of this Agreement. The ordinance or resolution shall further authorize the presiding officer of the Jurisdiction or other designated person to execute this Agreement.
- E. The Jurisdiction confirms that it has sufficient funds available and appropriated in its approved budget to pay its prorated election expenses for this Coordinated Election. See Attachment A.

- F. The IGA must be returned to the CEO with all signatures executed on or before the deadline as set forth within Attachment B in order to enter into an intergovernmental agreement, per the Code.
- G. Use the Address Library Report provided by the County to identify eligible electors within the Jurisdiction. In order for the CEO to provide correct ballots to electors, the information contained in the Address Library Report must be accurate. If the street list information and/or certification are not provided by the date specified in Attachment C, the Jurisdiction may not participate in this Coordinated Election.
- H. Identify any errors, omissions, and/or corrections to the street ranges used to define Jurisdictional boundaries, in writing eighty (80) days prior to Election Day.
- I. Provide CEO certification of the accuracy of the Address Library Report including any changes, additions, or deletions to be made to the street ranges and return with signed IGA on or before the deadline as set forth within Attachment B.
- J. A Proposed Jurisdiction, not already identified by a tax authority code in the County Assessor's records, will provide the CEO's office with a certified legal description, map, and a street list, identifying the street ranges for all streets within the Proposed Jurisdiction on or before eighty (80) days prior to Election Day. In the event residential addresses are not available, the Proposed Jurisdiction agrees to provide a list of the land parcel numbers that are within the boundaries of the Proposed Jurisdiction.
- K. Provide CEO certification of any annexations, inclusions, and/or exclusions, to the Jurisdiction, including all supporting documents, on or before eighty (80) days prior to Election Day.
- L. Review all petition information and verify the information against the registration records, and, where applicable, the county assessor's records as per § 1-4-908, C.R.S. After review, the DEO shall notify the candidate of the number of valid signatures and whether the petition appears to be sufficient or insufficient. Upon determining that the petition is sufficient and after the time for protest has passed, the DEO shall certify the candidate to the ballot and, if the election is a Coordinated Election, so notify the CEO.
- M. Jurisdiction is strongly encouraged to write initiatives in plain, non-technical language, worded with simplicity and clarity in compliance with all statutory requirements as per § 1-40-105(1), C.R.S.

- N. Respond to inquiries as follows: The CEO shall respond to all correspondence and calls within its expertise relating to election procedures. The DEO shall refer correspondence and calls relating to election procedures, and which are outside of the DEO's expertise, to the Contact Officer for response. The CEO and Contact Officer shall refer correspondence and calls concerning the substance of the ballot issues or the operations of the Jurisdiction to the DEO or a person designated by the Jurisdiction to respond to correspondence and calls, which person the DEO shall identify and designate at least forty-five (45) days prior to the election. The DEO and/or the person so designated by the DEO shall respond to correspondence and calls within a reasonable time after being notified of the same by the CEO.
- O. Determine the ballot title and text. Certify, if applicable, the candidate, the list of ballot issues and/or ballot questions electronically (with receipt confirmed by the County Election Department) in a plain text format on or before the deadline as set forth within Attachment B. The ballot content must be certified in the order in which it will appear on the ballot. The certified list of candidates (order determined by lot drawing, or if applicable, city/town charter), ballot issues, and/or ballot questions shall be final and the CEO will not be responsible for making any changes after the certification, except those prescribed by statute. Due to limitations in the voting software, the CEO will not accept text that includes, but is not limited to, bold, italic, underline, bullets, tables, strikethrough or indentations. All caps are reserved for TABOR issues only per the Code.
 - a. The Jurisdiction shall defend and resolve at its sole expense all challenges relative to the candidates, ballot issues and/or ballot questions as certified to the County for inclusion on the ballot.
- P. Jurisdiction is to provide the phonetic pronunciation of each candidate's name to assist with the preparation of the audio ballot at the time ballot content is certified to the County. This information shall be left in a voice message recording at (303) 734-5365 and shall include the candidate name, jurisdiction and title of office. Candidate information must be provided by the date specified in Attachment C.
- Q. Jurisdiction must indicate whether question(s) are a referred measure or an initiative from a citizen petition. The Jurisdiction understands and agrees that any ballot content submitted to the CEO after the ballot content has been certified, may result in its candidates, issues, or questions not being on the ballot for the election.
- R. Within one business day of receipt, proofread the layout and the text of the Jurisdiction's portion of the official ballots and TABOR notice (if applicable) and provide written notice (electronic format) of acceptance before the printing of the ballots and TABOR notice (if applicable).

- S. Prepare, hand-count, and deliver to the CEO, the required test deck of ballots for testing the electronic vote counting equipment by the date specified.
- T. For elections where owning property in the Jurisdiction is a requirement for voting in the election, utilize the online inquiry terminal to access the State of Colorado and Arapahoe County voter registration records to confirm voter registration and verify "property ownership" information.
- U. Provide the CEO with an initial and supplemental certified list of "property owners" (if applicable) eligible to vote in the election, as determined by the Jurisdiction, who:
 - a. Own property within the Jurisdiction, appear on the State of Colorado list of registered voters, reside at an address as shown, that is not within the boundaries of Arapahoe County ("Out of County" property owners); or,
 - b. Own property within the Jurisdiction, appear on the Arapahoe County list of registered voters, reside at an address that may not match the property address as shown on the County Assessor's list, but is within the boundaries of Arapahoe County ("In County" property owners).
 - c. The lists shall be submitted as an electronic copy. The electronic copy shall be submitted to the CEO using Microsoft Excel format. The spreadsheet shall contain no more than one (1) eligible elector's name per line. Each line shall consist of the following separated fields: eligible elector's voter identification number (if applicable), last name, first name, middle name, mailing address, city, state, zip, parcel number, phone number, if available, and Arapahoe County precinct number, if applicable.
- V. Publish and post any required legal notices for the Jurisdiction's candidates, ballot issues and/or ballot questions, other than the notice required by § 1-5-205, C.R.S. A copy of such published legal notice shall be submitted to the County for its records.
- W. Notify the CEO within twenty-four hours of the completion of the final ballot tabulation whether a recount is required or desired. The Jurisdiction shall reimburse the County for the full cost of the recount. If other Jurisdictions are included in the recount the cost of the recount will be pro-rated among the participating Jurisdictions as per § 1-10.5-101, C.R.S.
- X. Within sixty (60) days from the date of receipt of an invoice relating to the Jurisdiction's prorated share of costs for the printing and mailing of ballots, TABOR

Notice (if required), and all other election expenses, the Jurisdiction shall remit to the County the total payment.

Y. Pay any additional or unique election costs resulting from Jurisdiction delays and/or special preparations or cancellations relating to the Jurisdiction's participation in the Coordinated Election.

2.03 TABOR

- A. If the election includes a ballot question and/or issue governed by Colorado Constitution, Article X, Section 20, ("TABOR"), the County shall perform the following tasks in relation to the TABOR Notice:
 - a. Certify the complete number of registered electors and/or household addresses with one or more active registered voters, within the Arapahoe County portion of the Jurisdiction in accordance with the dates in Attachment B.
 - b. Determine the "least cost" method for mailing the TABOR Notice package. Nothing herein shall preclude the County from sending the TABOR Notice or Notice package to persons other than electors of the Jurisdiction if such transmittal arises from the County's efforts to mail the TABOR Notice package at the "least cost."
 - c. Include the text, and provide a proof as written and in the order submitted, in accordance with the TABOR requirements for the TABOR Notice. Coordinate and mail the TABOR Notice package in the time frame as required by law.
 - d. Keep a careful and accurate accounting of time, supplies, printing costs and salaries attributable to the County's TABOR Notice services for the Jurisdiction. The Jurisdiction's proportional share of actual costs shall be based on the County's total expenditures relative to the TABOR Notice.
- B. If the election includes a ballot question and/or issue governed by Colorado Constitution, Article X, Section 20, ("TABOR"), the Jurisdiction shall perform the following tasks in relation to the TABOR Notice:
 - a. Publish all required legal notices for the Jurisdiction's ballot questions/ballot issues, other than the notice that is required by § 1-5-205, C.R.S. that is published no later than 10 days before the election, which covers all pertinent

information required by statute. A copy of such published legal notice shall be submitted to the County for its records.

- b. Comply with the provisions of the Uniform Election Code of 1992 (Articles 1-13 of Title 1, C.R.S.), and the time guidelines schedule, as these relate to the election in the Jurisdiction, unless superseded by other legal authority.
- c. Receive petition representative's written summary of comments relating to ballot issues/ballot questions.
- d. The Jurisdiction shall certify a final and exact text and summary of comments concerning its ballot issues and/or ballot questions, along with the required fiscal information to the County, on portable data storage device or email (with receipt confirmed by the Election Department) in Microsoft Word and with a paper copy, within one business day of receipt, for inclusion in the TABOR Notice mailing as required by Section 20 of Article X of the Colorado Constitution. The process of receiving written comments relating to ballot issues/ballot questions and summarizing such comments, as required by Section 20 of Article X of the Colorado Constitution. The colorado Constitution, is the sole responsibility of the Jurisdiction. The certified text, summary of comments and fiscal information shall be final and the County will not be responsible for making any changes after the certification.
- e. The Jurisdiction shall defend and resolve, at its sole expense, all challenges relative to the TABOR Notices certified to the County for inclusion in the TABOR Notice package for its election.

SECTION III. CANCELLATION OF ELECTIONS

3.01 CANCELLATION OF ELECTION BY THE JURISDICTION.

A. In the event that the Jurisdiction resolves not to hold the election, then notice of such resolution shall be provided to the CEO immediately. The Jurisdiction shall be liable for the full actual costs of the activities of the CEO relating to the election incurred both before and after the CEO's receipt of such notice. The Jurisdiction shall provide and post notice by publication as defined in the Code. In the event that the Jurisdiction resolves not to hold the election after the last day for the DEO to certify the ballot order and content to the CEO (see Attachment B), the text provided by the Jurisdiction cannot be removed from the ballot and/or the Ballot Issue notice (TABOR Notice).

SECTION IV. MISCELLANEOUS

4.01 NOTICES.

A. Any and all notices required to be given by this Agreement are deemed to have been received and to be effective: (1) three days after they have been mailed by certified mail, return receipt requested; (2) immediately upon hand delivery; or (3) immediately upon receipt of confirmation that an email or fax was received; to the address of a Party as set forth below or to such Party or addresses as may hereafter be designated in writing:

To County:	Matt Crane Arapahoe County Clerk and Recorder Elections Department 5334 S. Prince St. Littleton, Colorado 80120 Fax: (303) 794-4625 mcrane@arapahoegov.com
To Jurisdiction:	Wendy Heffner City Clerk 2255 W. Berry Avenue

4.02 TERM OF AGREEMENT.

A. The term of this Agreement shall continue until all statutory requirements concerning the conduct of the election and the creation, printing, and distribution of the TABOR Notice, if needed, are fulfilled.

Littleton, CO 80120 Fax: (303) 795-3818

Email: wheffner@littletongov.org

4.03 AMENDMENT.

A. This Agreement may be amended only in writing, and following the same formality as the execution of the initial Agreement.

4.04 INTEGRATION.

A. The Parties acknowledge that this Agreement constitutes the sole and entire Agreement between them relating to the subject matter hereof and that no Party is relying upon any oral representation made by another Party or employee, agent or officer of that Party.

4.05 CONFLICT OF AGREEMENT WITH LAW, IMPAIRMENT.

A. In the event that any provision in this Agreement conflicts with the Code or other statute, this Agreement shall be modified to conform to such law. No resolution of either party to this Agreement shall impair the rights of the CEO or the Jurisdiction hereunder without the consent of the other party to this Agreement.

4.06 TIME OF ESSENCE.

A. Time is of the essence for this Agreement. The time requirements of the Code shall apply to completion of the tasks required by this Agreement. Failure to comply with the terms of this Agreement and/or the deadlines in Attachment C or the Code may result in consequences up to and including termination of this Agreement.

4.07 GOOD FAITH.

A. The parties shall implement this Agreement in good faith, including acting in good faith in all matters that require joint or general action.

4.08 NO WAIVER OF GOVERNMENTAL IMMUNITY ACT.

A. The Parties hereto understand and agree that the County, its 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, protections or defenses provided by the Colorado Governmental Immunity Act (the "CGIA"), §§ 24-10-101 to 120, C.R.S., or otherwise available to the County or the Jurisdiction. To the extent the CGIA imposes varying obligations or contains different waivers for cities and counties, both the Jurisdiction and the County agree that they will remain liable for their independent obligations under the CGIA, and neither party shall be the agent of the other or liable for the obligations of the other.

4.09 NO THIRD PARTY BENEFICIARIES.

A. The enforcement of the terms and conditions of this Agreement and all rights of action relating to such enforcement shall be strictly reserved to the County and the Jurisdiction, and nothing contained in this Agreement shall give or allow any such claim or right of action by any other or third person under such Agreement.

4.10 GOVERNING LAW: JURISDICTION AND VENUE

A. Unless otherwise agreed in writing, this Agreement and the interpretation thereof shall be governed by the laws of the State of Colorado. Venue for any and all legal actions arising under this IGA shall lie in the District Court in and for the County of Arapahoe, State of Colorado.

4.11 SEVERABILITY

A. Should any provision of this Agreement be determined by a court of competent jurisdiction to be unconstitutional or otherwise null and void, it is the intent of the parties hereto that the remaining provisions of this Agreement shall be of full force and effect.

4.12 ATTACHMENTS.

A. The following attachments are incorporated herein by this reference.

Attachment A 2015 Cost Estimates Attachment B SOS Election Calendar (subject to updates) Attachment C Arapahoe County Key Election Dates

END OF PAGE

ARAPAHOE COUNTY BOARD OF COUNTY COMMISSIONERS

Nancy N. Sharpe, Chair	Date
Matt Crane, Coordinated Election Official	Date
City of Littleton	
By: Title:	Date
Wendy Heffner, Designated Election Official	Date



ATTACHMENT A CITY OF LITTLETON - COST ESTIMATE 2015 COORDINATED ELECTION

25,807
15
50.4%
520
12,486
-
192

Mail Ballot Costs

Ballot Materials & Processing	Qty.	Unit Cost		Total
Outer Envelopes	25,807	\$	0.05	\$ 1,290.35
Return Envelope	25,807	\$	0.14	\$ 3,483.95
Ballot Packets	25,807	\$	1.20	\$ 30,968.40
Supplemental Packets Processing	3	\$ \$	30.00	\$ 90.00
Instruction Sheets	25,807	\$	0.04	\$ 903.25
Secrecy Sleeve	25,807	\$	0.04	\$ 1,032.28
Pre-Marked Test Deck	1	\$	110.16	\$ 110.16
Car Rental	12,486	\$	0.06	\$ 713.95
Ballot Team Mileage	12,486	\$	0.01	\$ 94.82
			Sub Total	\$ 38,687.15
Postage				,
Freight Charges	25,807	\$	0.0012	\$ 30.94
Postage Out-Bound	25,807	\$	0.10	\$ 2,588.44
			Sub Total	\$ 2,619.38
Mail Ballot Temp Personnel Costs	Qty.	ι	Jnit Cost	Total
Ballot Processing Temp Staff	12,486	\$	0.81	\$ 10,168.80
Signature Verification Temp Staff	12,486	\$	0.09	\$ 1,121.56
Temp Staff Background Check	12,486	\$	0.04	\$ 468.29
		ę	Sub Total	\$ 11,758.64
Ν	lail Ballot Election Ex	pens	e Estimate	\$ 53,065.17
	Mail Ballot Co	ost pe	r Vote Cast	\$ 4.25

ATTACHMENT A - CONT.

VSPC Costs

Equipment & Supplies	Qty.	Unit Cost		Total
WIFI Connection	520	\$	0.04	\$ 19.58
Laptop Computers	520	\$	4.02	\$ 2,093.70
iPad Rental	520	\$	0.74	\$ 383.95
Machine Seals	520	\$	0.08	\$ 42.95
Dymo Labels	520	\$	0.01	\$ 4.29
VSPC Supplies	520	\$	0.58	\$ 300.63
VSPC Ballots	520	\$	2.91	\$ 1,513.26
Blank Stock for BOD	520	\$	0.27	\$ 143.02
Toner for BOD	520	\$	0.59	\$ 309.22
Provisional Ballot Envelope	520	\$	0.21	\$ 106.94
Machine Delivery	520	\$	0.52	\$ 272.25
		S	ub Total	\$ 5,189.81
Personnel Costs	Qty.	Un	it Cost	Total
VSPC Election Judges	520	\$	6.52	\$ 3,392.87
Election Judge Background Check	520	\$	0.88	\$ 458.30
		S	ub Total	\$ 3,851.17
	VSPC Election Ex	pense E	stimate	\$ 9,040.98

Other Costs

Additional Costs	Qty.	Ur	nit Cost	 Total
Ballot Bridging	1	\$	80.00	\$ 80.00
UOCAVA Online Ballot Marking Tool	192	\$	0.01	\$ 1.92
		ę	Sub Total	\$ 81.92
<u>Notices</u>	Qty.	Ur	nit Cost	Total
TABOR Printing	0	\$	0.36	\$ -
TABOR Postage	0	\$	0.10	\$ -
Notice of Election	1	\$	60.00	\$ 60.00
		ę	Sub Total	\$ 60.00
	al Election E	•		\$ 62,248.07 (26 524 82)
Less Cost Shared by (Joorunaung	District	s a state	\$ (36,534.83)
Estimate of Total	Due to Ara	pahoe	County	\$ 25,713.24

\$

VSPC Cost per Vote Cast

17.38

Attachment B.

2015 Election Calendar

	December, 2014	
3-December	· · · · · · · · · · · · · · · · · · ·	1 40 100(1)
(Wednesday)	First date for meeting of the title board. (No sooner than the first Wednesday in December after an election).	1-40-106(1)
4-December	Last day for the Secretary of State to compile and total returns from all counties and complete statutory recounts,	
(Thursday)	if any. (30 days after the General Election)	1-10.5-102(2)
5-December (Friday)	- · · · · · · · · · · · · · · · · · · ·	
11-December (Thursday)	Last day to complete a requested recount by an interested party. (No later than the 37th day after the General Election)	1-10.5-106(2)
(Thursday)	January, 2015	<u> </u>
2-January	Last day for Secretary of State to generate a list of electors showing who voted and who did not vote in the	1-2-305
(Friday)	election.	1-1-106(5)
9-January (Friday)	Last day for state office holders/appointees to file personal financial disclosures, or update form.	24-6-202(4) 1-1-106(5)
14-January (Wednesday)	Last day for General Assembly to convene 2015 regular session.	Art. V, Sect. 7
	February, 2015	
2-February (Monday)	Deadline for the county clerk and recorder to provide the county chairpersons of the major political parties with a list of records cancelled under the NVRA. (no later than 90 days after the general election)	1-2-605(8)
27-February (Friday)	Deadline for the Secretary of State to distribute a free list of who voted in the 2014 general election to each major and minor political party. (no later than March 1 following the general election)	1-2-305(4); 1-1-106(5)
	April, 2015	
3-April (Friday)	Last day to submit a draft to the Secretary of State of a 2015 proposed initiative to be heard by the Title Board if the initiative is to be voted on in November. (by 3:00pm, 12 days before the last Title Board Hearing)	1-40-106(1)
15-April (Wednesday)	Last Title Board Hearing for measures that will appear on the 2015 Coordinated election ballot.	1-40-106(1)
(**********	May, 2015	
14-May (Thursday)	The General Assembly must adjourn no later than this date. (regular sessions must not exceed 120 calendar days)	Art. V, Sect. 7
(marsuay)	June, 2015	
1-June	Last day for the Secretary of State to notify county clerks of qualified political organizations' loss of qualified	
(Monday)	status. (no later than June 1 of each odd-numbered year)	Rule 3.7
(July, 2015	
24-July	If a political subdivision has taken formal action to participate in the Coordinated Election, it must notify the	1-7-116(5)
(Friday)	county clerk in writing. (100 days before the election, if the governing body has taken formal action)	1-1-106(5)
	August, 2015	
3-August (Monday)	Last day to file an initiative petition with the Secretary of State for the 2015 Coordinated Election. (no later than 3:00 PM, at least 3 months before the election)	Art. V, Sect. 1(2) 1-40-108
3-August (Monday)	Last day to file an addendum to a previously filed initiative petition that was deemed insufficient. (within 15 days after determination of insufficiency, but no later than 3:00pm at least 3 months before the election)	Art. V, Sect. 1(2); 1-40-117(3)(b)
5-August (Wednesday)	Last day for the county clerk to submit a mail ballot plan to the Secretary of State. (no later than 90 days before the election)	1-7.5-105(1) Rule 7.1.1
5-August (Wednesday)	Last day to designate Voter Service and Polling Centers and Drop Off Locations for the 2015 Coordinated election and submit accessibility surveys to the Secretary of State. (no later than 90 days before the election)	Rule 7.9
5-August (Wednesday)	First day a candidate for the office of school district director may circulate a nomination petition. (no sooner than 90 days before the election)	1-4-803(1)(b)
20-August (Thursday)	Last day for the Secretary of State to give written approval or disapproval to a submitted mail ballot plan, if the plan was filed on August 5th. (within 15 days after submission of the plan)	1-7.5-105(2)(a) Rule 7.1
25-August (Tuesday)	Deadline for the county clerk and coordinating political subdivisions to sign intergovernmental agreements for the 2015 Coordinated Election. (no later than 70 days before the election)	1-7-116(2)

28-August (Friday)	Last day for candidates for the office of school district director to file a nomination petition. (no later than 67 days before the election)	1-4-803(2)
31-August Monday)	Last day to file an affidavit of intent to run as a write-in candidate for a non-partisan coordinated election. (by close of business on the 64th day before the election)	1-4-1102(2)
	September, 2015	
2-September (Wednesday)	Last day for the Secretary of State to issue statements of sufficiency or insufficiency for initiative petitions filed on August 3rd. (no more than 30 calendar days after the petition is filed)	1-40-116(2)
4-September (Friday)	Last day for the designated election official from each political subdivision that intends to conduct an election to certify the ballot content. If the election will be coordinated with the county, the certification must be delivered to the county clerk and recorder of each county that has territory within the political subdivision. (no later than 60 days before the election)	1-5-203(3)(a)
4-September (Friday)	Deadline for the county clerk to file security and contingency plans with the Secretary of State. (no later than 60 days prior to the first election where the procedures will be used)	1-5-616(5)(b)
4-September (Friday)	Deadline for the county clerk to begin video surveillance of designated areas for the Coordinated Election (at least 60 days before the election)	Rule 20.7.2
4-September (Friday)	Last day for the Secretary of State to send notice and certification of the Coordinated election ballot to the county clerks. (no later than the 57th day before the Coordinated Election)	1-5-203(1) 1-1-106(5)
9-September (Wednesday)	Last day for the designated election official to submit a mail ballot plan to the Secretary of State to conduct a nonpartisan election by mail ballot if the jurisdiction is not coordinating with the county clerk. (no later than 55 days before the election)	1-7.5-105(1)
18-September (Friday)	Last day to file pro/con comments pertaining to local ballot issues with the designated election official in order to be included in the ballot issue notice. (the Friday before the 45th day before the election)	1-7-901(4)
19-September (Saturday)	Deadline to send mail ballots to military and overseas electors. (no later than 45 days before the election)	1-8.3-110(1) 1-1-106(5)
21-September (Monday)	Last day for a petition representative to submit a summary of comments in favor of their local ballot issue. (no later than 43 days before the election)	1-7-903(3)
22-September (Tuesday)	Last day for the designated election official to deliver ballot issue notices to the county clerk. (no later than 42 days before the election)	1-7-904
24-September (Thursday)	Last day for the designated election official to order registration and property owner records for use by election judges in a local election that is not coordinated with the county. (no later than the 40th day before the election)	1-5-303(1) 1-5-304(1), (2)
24-September (Thursday)	Last day for the Secretary of State to give written approval to a mail ballot plan submitted by a designated election official for a nonpartisan election, if plan was filed on September 9th. (within 15 days after submission of the plan)	1-7.5-105(2)(a)
	October, 2015	•
2-October (Friday)	Last day to mail notice of election for ballot issues. (At least 30 days before a ballot issue election)	Art. X, Sect. 20(3)(b) 1-7-116 1-1-106(5)
2-October (Friday)	Last day for the Legislative Council staff to print and distribute the ballot information booklet for statewide measures to active registered voters. (At least 30 days before the election)	Art. V, Sect. 1(7.5)(b) 1-1-106(5)
2-October (Friday)	Deadline for the county clerk to provide initial registration lists, and county assessor to provide initial property owner's list ordered by political subdivisions. (first list provided by the 30th day before the election and the supplemental list provided the 20th day before the election)	1-5-303(1) 1-5-304 1-7.5-107(2)(a) 1-1-106(5)
9-October (Friday)	Deadline to complete changes in the boundaries or division of precincts for nonpartisan elections. (No later than 25 days prior to the election)	1-5-104(1)
12-October (Monday)	Last day to submit an application to register to vote through a voter registration drive for the Coordinated Election. (No later than 22 days before the election)	1-2-201(3)(b)(I)
12-October (Monday)	First day mail ballots may be sent to voters, except for UOCAVA voters.	1-7.5-107(3)(a)
14-October (Wednesday)	Deadline for the county clerk and recorder to provide supplemental registration lists, and county assessor to provide supplemental property owner's list ordered by political subdivisions. (no later than 20 days before the election)	1-5-303(1),(2) 1-5-304(1),(2) 1-7.5-107(2)(b)
14-October Wednesday)	Last day for the designated or coordinated election official to publish notice of the Coordinated Election. (no later than 20 days before the election)	1-1-104(34) 1-5-205(1) 1-7.5-107(2.5)(a)(I)

(Thursday)	any. (No later than the 30th day after the Coordinated Election)	1-10.5-102
3-December	Last day for the Secretary of State to compile and total returns from all counties and order appropriate recounts, if	
	December, 2015	
20-November (Friday)	Deadline to submit official Abstract of Votes for the Coordinated Election to the Secretary of State. (no later than the 18th day after the election)	1-10-103 1-1-106(5)
(Friday)	than 5:00pm on the last day to canvass)	Rule 11.3.3(m)
20-November (Friday) 20-November	Deadline to complete the canvass for the Coordinated Election. (no later than the 17th day after the election) Deadline for the county clerk to report the results of the post-election audit to the Secretary of State. (no later	1-10-102(1)
17-November (Tuesday) 20-November	Last day for verification and counting of provisional ballots to be completed. (within 14 days after election day)	1-8.5-105(5)
12-November (Thursday)	Last day for elector to cure signature discrepancy or missing signature, or to provide missing ID for mail and provisional ballot to be counted. (within 8 days after election day)	1-7.5-107(3.5)(d) 1-7.5-107.3(2)(a) 1-8.5-105(3)(a) 1-1-106(4)
12-November (Thursday)	Last day for ballots cast by military and overseas electors to be received by the county clerk in order to be counted. (no later than the 8th day after election day)	1-8.3-113(2) 1-1-106(4)
5-November (Thursday)	Deadline for the county clerk to send missing signature, signature verification, and missing ID letters for mail and provisional. (within 3 days from signature/ID verification but no later than 2 days after election day)	1-7.5-107(3.5)(d) 1-7.5-107.3(2)(a) 1-8.5-105(3)(a)
5-November (Thursday)	Deadline for the Secretary of State to notify counties of the voting devices and races selected for auditing purposes. (Within 48 hours after the close of polls)	Rule 11.3.3(a)
3-November (Tuesday)		1-41-102(1) 1-7.5-107(4)(b)(II) 1-8.3-111 1-8.3-113 (1), (2)
3-November (Tuesday)	<i>Coordinated Election</i> (Polls open 7:00am to 7:00pm. First Tuesday in November)	Art. X, Sect. 20(3)(a) 1-1-104(6.5) 1-7-101
Thuay	November, 2015	
30-October (Friday)	First day Drop-off locations must be open. (At least 4 days before election day, including Saturday)	1-7.5-107(4.3)(b)
27-October (Monday)	Elections Setup Records are due to the Secretary of State for the Coordinated Election. (No later than 5:00pm on the 7th day before the election)	Rule 11.4
26-October (Monday)	First day Voter Service and Polling Centers must be open (At least 8 days before and on election day, except	1-7.5-107(4.5)(c)
26-October (Monday)	Last day to submit an application to register to vote through the mail, a voter registration agency, a local driver's license examination facility, or online to receive a mail ballot for the Coordinated Election. (through the 8th day prior to the election)	1-2-201(3)(b)(III)
23-October 5-November.	The election notice must be posted in the designated election official's office. (at least 10 days before the election and until 2 days after the election)	1-5-205(1.3) 1-1-106(5)
23-October (Friday)	Equipment inventory lists due to the Secretary of State. (no later than 10 days before use in the Logic & Accuracy Test and the Post-Election Audit Test)	Rule 11.2.3 1-1-106(5)
19-October (Monday)	nonpartisan election) Counting of mail ballots may begin. No results may be disclosed until after 7:00pm on Election Day. (15 days prior to the election)	1-7.5-107.5
19-October (Monday)	Last day the designated election official for a municipal or special district election may mail a voter information card to each household. It may be included with the ballot issue notice. (no later than 15 days before a	1-5-206(2) 1-10-101
19-October (Monday)	Last day to appoint board of canvassers for a nonpartisan election that is not coordinated by the county. If the election is coordinated, the canvass board will be appointed in accordance with the intergovernmental agreement. (At least 15 days before election)	1-10-201(1)
L6-October Friday)	Deadline for the county clerk to send mail ballots to each active elector for the Coordinated Election. (no later than 18 days before the Election)	1-7.5-107(3)(a)(I)
4-October Wednesday)	Last day to post Voter Service and Polling Center, Polling Location, and Drop-off signs for the Coordinated Election. (at least 20 days before the election)	1-5-106
4-October Wednesday)	Deadline for the designated election official to mail a copy of the notice of election to the county clerk of each county in which the political subdivision is located if the election is not coordinated by the county. (no later than 20 days before the election)	1-5-205(1),(2)

4-December (Thursday)	First day the county clerk may stop video surveillance of designated areas for the Coordinated Election. (through at least 30 days after the election, unless there is a recount)	Rule 20.7.2
4-December (Friday)	Last day an interested party may request a recount of the results of the Coordinated Election at their own expense. (within 31 days after the election)	1-10.5-106 (2)
10-December (Thursday)	Last day to complete a requested recount. (no later than the 37th day after the Coordinated Election)	1-10.5-106 (2)
	January, 2016	
4-January (Monday)	Deadline to be affiliated with a major or minor party to run as a party candidate. (Note: For major-party assembly designation, this deadline may be dictated by party rules.) Deadline to be unaffiliated to access the ballot by petition as an unaffiliated candidate.	1-4-601(4)(a) 1-4-801(3) 1-4-802(1)(g)(II) 1-4-1304(2)(b)
4-January (Monday)	Last day to affiliate with a political party in order to vote in the precinct caucus if held on March 1. (2 months before the precinct caucus)	1-3-101(1)
13-January (Wednesday)	General Assembly to convene 2016 regular session.	Art. V, Sect. 7
8-January (Friday)	Deadline to submit a petition to qualify as a minor political party. (Must be signed by at least 10,000 registered electors and submitted to the Secretary of State no later than the second Friday in January)	1-4-1302(1)
29-January (Friday)	Last day for Secretary of State to issue a statement of sufficiency/insufficiency regarding petition to qualify as a minor political party, if petition is received on January 8 (No later than 21 days after receipt)	1-4-1302(4)(b)
*	An insufficient petition to qualify as a minor political party may be amended once prior to 3 p.m. on the 7th day after the notice of insufficiency.	1-4-1302(4)(c)

Attachment C. 2015 Coordinated Election - Abridged Calendar Key Dates for Coordinating Jurisdictions

Resource provided by Arapahoe County Elections. Use this as a reference guide only. Always refer to the Colorado Constitution, Revised Statutes and Secretary of State rules for applicable provisions. Find a complete election calendar at: <u>www.sos.state.co.us/pubs/elections/calendars/2015ElectionCalendar.pdf</u>

Date	Event	Reference	Accountable
	July 2015	•	
24-Jul	Jurisdiction to provide copy of legal boundaries to County Clerk	IGA Agreement	Jurisdiction
24-Jul	Last day to notify County Clerk of intent to participate in the Coordinated Election (100 days prior)	1-7-116(5); 1-1-106(5); IGA Agreement	Jurisdiction
31-Jul	County Clerk to provide copy of legal boundaries to jurisdiction	IGA Agreement	County Clerk
	August 2015		
5-Aug	First day candidates for School District Director may circulate nomination petition (90 days prior)	1-4-803(1)(b)	Candidate
5-Aug	Last day for County to provide mail ballot plan to Secre- tary of State (90 days prior)	1-7.5-105(1); Rule 7.1.1	County Clerk
14-Aug	Jurisdiction to certify legal boundaries to County Clerk	IGA Agreement	Jurisdiction
25-Aug	Last day for county clerk and coordinating jurisdictions to sign intergovernmental agreement (70 days prior)	1-7-116(2)	Jurisdiction, County Clerk
28-Aug	Last day candidates for School District Director may file nomination petition (67 days prior)	1-4-803(2)	Candidate
31-Aug	Last day for write-in candidates for non-partisan election to file affidavit of intent (64 days prior)	1-4-1102(2)	Candidate
	September 2015	•	
1-Sep	Deadline to cancel participation in a coordinated elec- tion (63 days prior)	1-5-208(1.5)	Jurisdiction
4-Sep	Last day for coordinating jurisdictions to certify ballot content to county clerk (60 days prior)	1-5-203(3)(a)	Jurisdiction
4-Sep	Candidates must record their name exactly as it appears on the statement of intent, and must provide the record- ing to the county clerk no later than the deadline to file the statement of intent.	Rule 4.6.2	Candidate
18-Sep	Deadline to file TABOR pro/con statements with jurisdic- tion DEO (Friday before 45th day before the election)	1-7-901(4)	Voters, Jurisdiction
19-Sep	Deadline to send mail ballots to military and electors (45 days prior)	1-8.3-110(1); 1-1-106(5)	County Clerk
21-Sep	Deadline for a petition representative to file pro state- ments with jurisdiction DEO (43 days prior)	1-7-903(3)	Voters, Jurisdiction
22-Sep	Deadline for jurisdiction to file TABOR issue notices with county clerk (42 days prior)	1-7-904	Jurisdiction
24-Sep	Deadline for jurisdiction to order registration and proper- ty owner records <i>if not coordinating</i> with county (40 days prior)	1-5-303(1)	Jurisdiction

	October 2015		
2-Oct	Deadline to mail TABOR notices (30 days prior)	Article X, Sec. 20(3) (b); 1-7-116; 1-1-106(5)	County Clerk
2-Oct	Clerk and Assessor provide registration list and/or prop- erty owner list ordered by jurisdictions (30 days prior)	1-5-303(1); 1-5-304; 1-7.5-107(2)(a)	County Clerk
TBD	Public Logic and Accuracy Test of Voting Equipment		County Clerk
12-Oct	Deadline to register to vote by Voter Registration Drive	1-2-201(3)(b)(l)	Voters
12-Oct	First day mail ballots may be sent to voters, excluding UOCAVA (22 days prior)	1-7.5-107(3)(a);	County Clerk
13-Oct	County ballot drop-off locations and pick-ups begin		County Clerk
14-Oct	Clerk and Assessor provide supplemental registration list and/or property owner lists ordered by jurisdictions (20 days prior)	1-5-303(1),(2); 1-5-304(1),(2); 1-7.5-107(2)(b)	County Clerk
14-Oct	Last day for designated or coordinated election official to publish notice of Coordinated Election (20 days prior)	1-1-104(34); 1-5-205(1); 1-7.5-107(2)(b)	County Clerk, Jurisdiction
14-Oct	Deadline to send election notice to county clerk if not coordinating with county (20 days)	1-5-205(1),(2)	Jurisdiction
19-Oct	Counting of ballots may begin (15 days prior)	1-7.5-107.5	County Clerk
23-Oct	Notice of election to be posted (10 days prior to election and 2 days after election)	1-5-205(1.3); 1-1-106(5)	County Clerk
26-Oct	County Voter Service & Polling Centers (VSPCs) open	1-7.5-107(4.5)(c)	County Clerk
26-Oct	Last day to register to vote through the mail, agency, motor vehicle, or online and receive a ballot by mail	1-2-201(3)(b)(III)	Voters
27-Oct	Last day to apply for and be mailed a mail-in ballot (7 days prior)	1-7.5-116(3)	Voters
31-Oct	Saturday mail ballot drop-off sites open	1-5-102.9(4)(b)(l)(B)	County Clerk
	November 2015	1	
3-Nov	Coordinated Election Day (Voter Service and Polling Centers and Ballot Drop-Off locations open 7 a.m 7 p.m.)	Art.X, Sec. 20(3)(a); 1-1-104(6.5); 1-7-101; 1-41-102(1)	County Clerk, Voters
12-Nov	Last day for military and overseas ballots to be received by Clerk in order to be counted (8 days after election)	1-7.5-107(3.5)(d); 1-7.5-107.3(2)(a); 1-8.5-105(3)(a); 1-1-106(4)	Voters
12-Nov	Last day for electors to cure signature discrepancy or missing signature, or to provide missing ID for mail and provisional ballots to be counted. (8 days after election)	1-8.3-113(2) 1-1-106(4)	County Clerk, Voters
20-Nov	Deadline to complete the canvass for the Coordinated Election. (17 days after election)	1-10-102(1)	County Clerk
	December 2015		_
4-Dec	Last day for interested party to request a recount at its own expense.	1-10.5-106(2)	Any
10-Dec	Last day to complete a requested recount.	1-10.5-106(2)	County Clerk