

**CITY OF LEADVILLE, COLORADO
RESOLUTION 16
Series of 2017**

A RESOLUTION DESIGNATING THE CITY ELECTION OFFICIAL AND APPROVING AN INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE CITY OF LEADVILLE AND LAKE COUNTY CLERK AND RECORDER FOR PARTICIPATION IN THE 2015 COORDINATED ELECTION.

WHEREAS, the City Clerk has election responsibilities defined in C.R.S. 31-10-10 et seq. and C.R.S. 31-10-501; and

WHEREAS, according to C.R.S. 1-7-116. Coordinated elections.

(1) If more than one political subdivision 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 shall be the coordinated election official and shall conduct the elections on behalf of all political subdivisions that are not utilizing the mail ballot procedure set forth in sections 1-7.5-101 to 1-7.5-112. As used in this subsection (1), "political subdivision" shall include the state, counties, municipalities, school districts, and special districts formed pursuant to title 32, C.R.S.

(2) The political subdivisions for which the county clerk and recorder will conduct the coordinated election shall enter into an agreement with the county clerk and recorder for the county or counties in which the political subdivision is located concerning the conduct of the coordinated election. The agreement shall be signed no later than seventy days prior to the scheduled election. ; and

WHEREAS, the City and the County desire to enter into an intergovernmental agreement with the Lake County Clerk and Recorder for participation in the November 2015 coordinated election.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Leadville, Colorado as follows:

Section 1. The Leadville City Council designates Sarah Dallas, Deputy City Clerk, as the City's Election Official; and

Section 2. The City of Leadville City Council approves the Intergovernmental Agreement by and between the Lake County Clerk and Recorder and the City of Leadville for participation in the November 2015 coordinated election.

Section 3. This Resolution shall be effective upon its adoption.

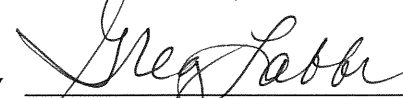
ADOPTED this 15th day of August, 2017 by a vote of 6 in favor, 0 against, 0 abstaining, 1 absent.

ATTEST:


Bethany Maher, Deputy City Clerk

CITY OF LEADVILLE, COLORADO

By


Greg labbe, Mayor

LETTER OF AGREEMENT

This Letter of Agreement shall serve as the intergovernmental agreement between the Lake County Clerk and Recorder (hereinafter referred to as "County Clerk") and the City of Leadville1 (hereinafter referred to as "City").

PURPOSE: Pursuant to the terms of this agreement, the County Clerk and the "City" agree to participate in the Coordinated Election on November 7, 2017. The purpose of the agreement is to set forth the responsibilities of the County Clerk and the "City" in the conduct and finance of the election. This election shall be held under the provisions of Title 1 of the Colorado Revised Statutes.

JURISDICTIONAL LIMITATION: If any district encompasses territory in more than one county, this Agreement shall be construed to apply only to that portion of the district within Lake County.

DESIGNATION OF OFFICIALS: The County Clerk shall serve as the Designated Election Official for all political subdivisions involved in the Coordinated Election. The "City" shall designate an "Election Official" who shall act as the primary liaison or contact between the "City" and the County Clerk for the Coordinated Election. The "City" designated Bethany Maher as the Election Official. To the extent that the Code requires, this person is the City's Election Official".

VOTING PRECINCTS & VOTER SERVICE & POLLING CENTER LOCATIONS: Voting precincts and Voter Service and Polling Center locations will be established and designated by the County Clerk. Voter Service & Polling Center signs will be purchased and posted by the County Clerk at least ten (10) days [1-5-205(1.3) and 1-1-106(5), C.R.S.] prior to the election.

APPOINTMENT OF JUDGES: All Election Judges shall be appointed and trained by the County Clerk.

LEGAL NOTICE: Any legal notice of election which is required to be given to the electorate of the "City" according to statute governing the Coordinated Election other than the notice required at least twenty (20) days prior to the election according to [1-5-205(1) C.R.S.] shall be the responsibility of the "City".

PETITIONS: The candidate petitions will be supplied by the County Clerk. Upon completion of the petition, the signatures will be verified by the County Clerk. The County Clerk will notify the "City" of the successful candidates.

BALLOT CONTENTS: In accordance with Colorado law, the ballot contents must be certified to the County Clerk by the "City", in its exact and final form, no later than 5:00 p.m. on Friday September 8, 2017 [1-5-203(3)(a) C.R.S.]. The list of questions must be typed exactly as it is to appear on the ballot including the correct order. The "City" assumes all responsibility and cost

for any judicial proceedings regarding whether or not issues legally belong on the ballot. For issues, specify the title of the text, and the order of the issues. The "City" has the responsibility to proof and approve the layout and text of the sample/absentee/official ballots before authorizing the printing of the ballots. From time of receipt of proof, the "City" has 24 hours to proof, sign and return to the County Clerk.

RECEIVING OF WRITTEN COMMENTS AS COVERED BY SECTION 20 OF ARTICLE X OF THE COLORADO CONSTITUTION (hereafter referred to as

Amendment 1): The process of receiving written comments, including petition representative's summary of comments, and summarizing such comments, as required by Amendment 1, shall be solely the responsibility of the "City's" Election Official.

PREPARATION AND MAILING OF NOTICES FOR BALLOT ISSUES: The "City" shall certify a final and exact summary of comments concerning its ballot issues to the County Clerk no later than the Tuesday before the 45 days before the election (5:00 p.m. September 22, 2017) [1-7-904 C.R.S.], for inclusion in the ballot issue mailing as required by Amendment 1. The County Clerk shall coordinate the text for the ballot issue mailing for all participating Lake County political subdivisions into one notice. Ballot issue mailing shall be prepared and mailed by the County Clerk in accordance with Amendment 1.

MAIL BALLOT ELECTION: Lake County will be conducting a Mail Ballot Election. The ballots will be mailed (no sooner than 22 days before the election and no later than 18 days before the election) [Section 1.7.5-107(3)(a)(I), C.R.S]. Ballots will be available at the County Clerk's office or the office designated in the Mail Ballot Plan (no sooner than 22 days to the election) [Section [1-75.-107(3)(a), C.R.S.]

ABSENTEE AND REPLACEMENT BALLOTS: All request for absentee ballots shall be transmitted to and processed by the County Clerk at 505 Harrison Avenue, P. O. Box 917, Leadville, Colorado 80461. All completed forms must be returned to the County Clerk.

PREPARATION FOR ELECTION DAY: The County Clerk shall be responsible for preparing and printing the sample/absentee/official ballot. The County Clerk shall also be responsible for providing, preparing and delivering voting equipment and supplies to all polling place locations.

TEST DECK: The "City" shall provide a representative to witness and initial the results of the three runs of the test deck. These tests are run one day prior to the election, just before the ballot counting and directly after the ballot count.

TABULATION OF BALLOTS: All processes relating to the tabulation of ballots shall be the responsibility of the County Clerk. The "City" shall designate one representative to observe the counting of the ballots. An unofficial abstract of votes will be provided to the "City" upon completion of the counting of all ballots.

CANVASS OF VOTES: The canvass of votes will be the responsibility of the County Clerk. Such canvass will be completed no later than seventeen (17) days after the Coordinated Election

(November 27, 2017[1-10-102(1) C.R.S. and Rule 11.3.3(f)] as required by law, and official results of the canvass will be provided to all political subdivisions participating in the election.

CANCELLATION: In the event that the election is cancelled by the "City" before Election Day, such notice shall be provided to the County Clerk immediately. The "City" shall pay its prorated costs of the activities of the County Clerk relating to the election incurred to the date of notification of cancellation. The "City" shall publish notice of such cancellation in at least two newspapers and post it at each voter service and polling center.

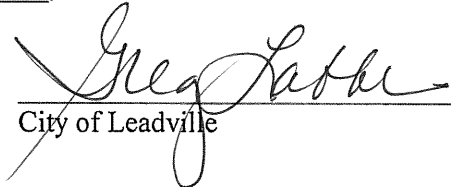
STORAGE OF RECORDS: The County Clerk shall store all materials required by Election Codes for twenty-five (25) months.

ALLOCATION OF COST OF ELECTION: The County Clerk shall determine the cost allocation for each district participating in the election. The "City" shall reimburse the County Clerk for such election costs as allocated to the "School". The election invoice will be itemized and prorated for the "School" on the basis of the total number of registered voters within each political subdivision. Reimbursement shall be made to the County Clerk within thirty (30) days from receipt of billing from the County Clerk.

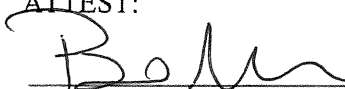
INDEMNIFICATION: The "City" agrees to indemnify, defend and hold harmless the County and the County Clerk from any and all loss, costs, demands, or actions, arising from negligence or willful misconduct of the "City" relating to its responsibilities for the November 7, 2017 election. Likewise, the County Clerk shall indemnify, defend and hold harmless the "City" from any and all loss, costs, demands or actions arising from negligence or willful misconduct of the County and the County Clerk relating to its responsibilities for the November 7, 2017 election.

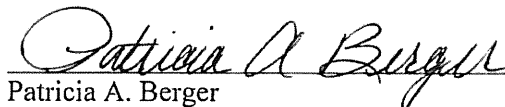
This letter of agreement expires at 5:00 p.m. on Tuesday, August 29, 2017[1-7-116(2), C.R.S.] if both parties do not sign it.

IN WITNESS WHEREOF, the parties hereto have executed this agreement to be effective the 15th day of August, 2017.



City of Leadville

ATTEST:




Patricia A. Berger
Lake County Clerk and Recorder

ATTEST:

Kathleen Owens