

MAIL BALLOT – WRITTEN PLAN

City of Boulder Mail Ballot Plan for the Special Municipal Election to be Conducted on Tuesday, July 10, 2007

- a. **Date of the election:** July 10, 2007
- b. **Type and name of jurisdiction involved in the election:** City of Boulder, a Home Rule Municipality
- c. **Description of the type of election to be conducted:** Special Municipal Election for election of **one (1)** Councilmember to fill a vacancy.
- d. **Citation of the statute or home rule charter provisions authorizing the election:** City of Boulder Home Rule Charter Article 4, Section 2; C.R.S. Title 1, Article 7.5; C.R.S. 31-10-102.7; and other applicable City Ordinances and Regulations.
- e. **Estimated number of eligible electors:** 44,573 Active electors on the Official Registration Records of Boulder County) Ballots will be mailed to active voters only.
- f. **Name of the designated election official who will be responsible for all aspects of the election:** Alisa Lewis, City Clerk
- g. **Indication of whether the county clerk and recorder will assist in the election for the entity other than by providing a list of registered electors and other information required by statute:** In addition to providing Preliminary and Supplemental Lists of Registered Electors as required by statute, County Clerk will provide for use of County owned election tabulation equipment, pursuant to the terms of an intergovernmental agreement. Conduct of the special election will be contracted through Boulder County.
- h. **Total number of “places of deposit”. For security reasons, unmonitored freestanding places of deposit located outside will not be allowed:** The one drop-off site shall be the County Clerk’s primary facility at 1750 33rd St., Boulder. Including drive-by drop-off on Saturday, **July 7** between the hours of 10:00 a.m. and 2:00 p.m., and on Election Day from 7:00 a.m. to 7:00 p.m.

The drop-off ballot box shall be an official locked and monitored by one or more sworn persons. If the weather is inclement, the ballot box will be just inside the main door of the County Clerk’s Building at 1750 33rd Street, Boulder. If the weather is adequate, a person shall monitor the ballot box and the box shall be locked and chained to a fixed structure outside the building, near the curb.
- i. **Per Secretary of State Rule 12.8.2, no more than 5 voted ballots may be dropped off by any one individual.**
- j. **Written timetable for the conduct of the election in accordance with the statute:** See Attached Exhibit 2.

- k. Indication of how postage will be handled for ballot packets returned as undeliverable (e.g. "return postage guaranteed"):** Ballot Packets will be mailed first class at the required postage rate. Per the instructions of the United States Post Office, City of Boulder Branch, the envelope containing the ballot package shall be clearly marked "DO NOT FORWARD – RETURN SERVICE REQUESTED." With use of this language, the U.S. Postal Service guarantees return of undeliverable mail to the County Clerk.

Ballot Packets returned by the post office to the County Clerk as "undeliverable" will be date stamped, alphabetized and a notation (UND) made on the registration list by the County Clerk or her designee. This will be done on a daily basis, and this figure will be included in the Daily Receipt Records. These ballot packages will be secured in the vault until the designated time to count and reconcile ballots. Ballot packets will not be re-mailed.

If a voter for whom a ballot package was returned as undeliverable, appears in person at the Clerk's office, a new ballot package will be prepared and issued to the elector. The elector must first show proof of residency and complete a sworn statement requesting a replacement ballot.

In accordance with Section 1-7.5-107 (3)(d)(I), C.R.S., if a registered elector does not receive the mail ballot packet, the elector must sign and submit to the Designated Election Official (no later than 7:00 p.m. on election day) a sworn statement specifying the reasons for requesting a replacement ballot. The DEO or Boulder County Clerk will also request a Change of Address form from an elector who has moved before re-issuing and/or re-mailing the ballot packet to the corrected address. The County will pay the postage but be reimbursed by the City.

- l. Indication of procedures to be followed to ensure compliance with statutes and rules, including persons responsible for each stage:** The County Clerk shall be accountable for the administration of the election as set forth in the Colorado Revised Statutes and the City of Boulder Home Rule Charter including preparation of the ballot packages, mailing of ballot packets, receiving and recording of ballots, handling of walk-in voters, counting, and other issues which may arise in conjunction with this election.

Experienced election staff from the Clerk's office and sworn Election Judges will lead various election functions, including the following assignments.

Staff from the County Clerk's Elections office will be responsible for the daily collection of the returned envelopes from the Post Office, and receipt of ballot envelopes that are hand delivered to the County Clerk's office.

Staff from the Clerk's office will be responsible for handling requests from voters who appear at the County Clerk's Elections office and indicate they did not receive a ballot, or are in need of a replacement ballot.

Staff and Election Judges will be responsible for separating, date stamping, and alphabetizing the ballot envelopes received at the Elections office on a daily basis. A daily reconciliation form will be completed at the end of each business day.

The ballot envelopes will be secured in the County's secure ballot area after they have been sorted. If more ballots are returned than staff can handle, election judges will be hired as needed during this two-week period.

Election Judges will be appointed to work with the Elections staff during the verification and counting process in accordance with procedures established by the Clerk. It is anticipated that verification and counting will commence approximately ten (10) days prior to Election Day.

All judges and staff shall be sworn in prior to processing.

Hart InterCivic, Inc. will be responsible for printing of ballots, ballots packet assembly and mailing of ballots from their facilities off-site. They will also provide supplies to the Clerk's office for walk-in voters requesting replacement ballots.

Hart InterCivic, Inc. will be responsible for creating the memory cards for the Ballot Now Counting system. A representative from Hart InterCivic, Inc. will be available at all times during the counting period and on Election Day to assist with any problems encountered by staff or the judges.

- m. Description of procedures to be used to ensure ballot security at all stages of the process:** The County Clerk's Elections secured ballot storage areas will be used to secure all election materials during each stage of the election process. All election supplies, including unvoted replacement ballots, voted ballot envelopes and ballot packages returned as undeliverable shall be stored in the Clerk's vault and only persons who have been deputized or sworn in shall have access to this area.

Only authorized staff will be permitted to handle ballots once they are in the County Clerk's possession. A separate post office box has been rented for the return of ballot envelopes through the mail and two members of the Clerk's staff will retrieve ballot envelopes from this box on a daily basis and bring them directly back to Elections office for processing. Any voter returning a voted ballot envelope to the Boulder City Clerk's office will be directed to the County Clerk's Elections office where staff will review the verification information for completeness, date stamp the envelope, and then have the citizen place the ballot envelope in a locked ballot box. Election Judges will remove the ballots from the ballot box for verification and counting. Election Judges will also be responsible for verification and counting of ballots returned by mail.

Preparation and assembly of ballot packets is anticipated to take place at Hart InterCivic, Inc. election facilities, off site from the County's Elections center under the security procedures established by this company.

- n. Description of procedures to be used for signature verification:** Voter information on the self-affirmation on the return envelope will be verified against voter registration records by the election judges prior to the opening of the return envelopes. Envelopes not properly completed will be rejected, and returned to the Clerk unopened for reconciliation.

Description of procedures to ensure privacy by use of a secrecy sleeve or secrecy envelope so receiving judges cannot tell how the elector voted: Each ballot packet will include a secrecy sleeve with voter instructions on how to insert the voted ballot into the secrecy sleeve.

The secrecy sleeve will meet all specifications described in the Secretary of State's Rules Concerning Mail Ballot Elections, Section 12.1.1, including instructions for compliance with section 1-7.5-107 (3.5)(a), the requirement for submission of ID for first time voters who registered by mail.

Instructions to judges, as well as the Judge's sworn oath, will include the direction that any vote inadvertently revealed must remain confidential.

- o. Description of procedures to be used to reconcile ballots issued, ballots received, defective ballots and substitute ballots:** A record of the number of ballots issued to Active registered voters will be supplied by Hart InterCivic, Inc. at the time the ballots are mailed. The sequential number on a ballot is not associated to a specific voter.

Daily Receipt Records will be maintained of the voted ballot packages received at the County Clerk's office and also those ballot packages returned as undeliverable. All replacement ballots issued will be recorded and marked as replacements. The registration record will also be marked to indicate a replacement ballot has been issued. Pursuant to Colorado election law, the first ballot returned by the voter will be counted. All requests for replacement ballots shall be made on forms supplied by the Clerk's office and the Clerk will retain a copy of the form.

Any spoiled or defective ballots will be voided and retained by the Election Judges for verification and reconciliation during the Counting Procedure.

The verification and counting officials will be required to maintain daily reconciliation forms. The daily reconciliations will be added together and verified through the ballot count. Judges will make sure all totals are reconciled on Election Day. Daily and cumulative reports will be printed and initialed by the Clerk, her staff, and/or the election judges as appropriate. The Judge's Abstract of Votes and the Reconciliation Reports will not contain voter information but will contain the number and types of ballots issued, returned, not returned, counted, not counted and challenged. The Abstract will be posted following the close of the counting but no sooner than 7:00 p.m. on Election Day. A Judge's Certificate of Election Returns, which enumerates the total number of votes cast for each candidate will also be posted and included as Attachment 3.

- p. An actual sample of the secrecy sleeve or secrecy envelope to be used in the mail ballot election:** Enclosed

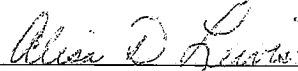
Other Items:

1. Pursuant to Section 8 of the City of Boulder Home Rule Charter, in any case where election procedure is in doubt, the Election Commission shall prescribe the procedure to be followed.

2. No replacement ballot will be transmitted to any voter unless the County Clerk has received a sworn statement specifying the reason for requesting the replacement ballot. The form may be submitted by fax pursuant to SOS Rule 12.10.1.
3. Any person desiring to run as a write-in candidate must file an Affidavit of Intent to Run, no later than May 29, 2007.

Date of Submission: May 16, 2007

Designated Election Official Signature:



Alisa Lewis, City Clerk

JUDGES' CERTIFICATE OF ELECTION RETURNS
(CITY OF BOULDER)
§1-7-601 (2), C.R.S.

It is hereby identified and specified that: Numeric and Spelled Out

Total Ballots Issued _____
Original Mailings: _____
Absentee Ballots: _____
Emergency Ballots: _____
Replacement Ballots: _____
Issued to Inactive Status Elector: _____

Total Returned: _____

Total Ballots Returned _____
Original Mailings: _____
Absentee Ballots: _____
Emergency Ballots: _____
Replacement Ballots: _____
Issued to Inactive Status Elector: _____
Challenged Ballots: _____

Total Returned: _____

Total Ballots Not Counted _____
Voided Ballots: _____
Spoiled Ballots: _____
Incomplete Ballots: _____
Unreturned Ballots: _____
Ballots Returned by the Post Office: _____
Challenged Ballots: _____
Rejected for insufficient information: _____

Total Not Counted: _____

Total Ballots Counted: _____
(equals total issued minus total not counted)

Total Ballots: _____
(equals total number listed in pollbook)

(All ballots voted shall be returned with the statement.)

Certified by us:

_____, Election Judge

_____, Election Judge

Exhibit A – Excerpt from City of Boulder Home Rule Charter

Sec. 8. Vacancies.

A vacancy shall exist in the council whenever a duly elected council member fails to qualify within ten days after notice of the election, dies, resigns, removes from the city, is absent from five consecutive regular meetings of the council unless formally excused therefrom, is convicted of a crime or felony while in office, or is judicially declared a lunatic; or, in case of a recall, no successor is elected, or if elected, fails to qualify.

In case of vacancy, the remaining council members shall, by majority vote, by resolution call for a special election to fill the vacancy, to be held on a Tuesday within sixty days of the vacancy, except that:

(a) Any vacancy occurring less than one hundred twenty-one days prior to a general municipal election but more than seventy-five days before that election shall be filled at that election and not by special election;

(b) If the seat of a council member which will not otherwise be on the ballot at the next general municipal election becomes vacant within seventy-five days before that election, the council shall provide for a special election to occur on the second Tuesday after the first Monday in January of the next year;

(c) Any vacancy occurring less than one hundred twenty-one days prior to a state primary or general election but more than seventy-five days before that election shall be filled at a special election held on the day of that election;

(d) Any vacancy occurring within seventy-five days before a state primary election shall be filled at a special election to occur on the first Tuesday after the first Monday in November of that year; and

(e) Any vacancy occurring within seventy-five days before a state general election shall be filled at a special election to occur on the first Tuesday after the first Monday in January of the next year.

*The nomination of candidates to be voted for at such special election, the publication of notice, and the conduct of the same shall all be in conformity with the provisions of this charter relating to elections, but the council shall, in the resolution calling for the special election, adjust the times for checking petitions, correcting or replacing signatures, completion and filing of petitions, withdrawal from nomination, and certification and filing of the list of candidates, as may reasonably be required to accommodate the date set for the election. (Amended by Ord. No. 5813 (1996), 2, adopted by electorate November 5, 1996.)**

RESOLUTION NO. 1021

A RESOLUTION CALLING FOR A SPECIAL ELECTION TO
FILL A CITY COUNCIL VACANCY TO BE HELD BY MAIL
BALLOT ON JULY 10, 2007, AND SETTING FORTH
DETAILS IN RELATION THERETO.

WHEREAS, Councilmember Eldridge passed away on May 13, 2007 creating a vacancy on the City Council; and

WHEREAS, pursuant to Section 8 of the Charter of the City of Boulder, as amended, the City Council in such circumstances shall by resolution call for a special election to be held within 60 days to fill the vacancy; and

WHEREAS, the Council has determined that it is in the best interest of the City to hold this special election by mail ballot;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
BOULDER, COLORADO THAT:

Section 1. There shall be a special election held on Tuesday, July 10, 2007, to fill the Council vacancy. This election shall be held by mail ballot.

Section 2. The practice of the City Clerk in accepting the affidavit of consent of candidates and in verifying signatures on nomination petitions for this vacancy under Charter Sections 23 and 24 on and after May 16 and through May 25, 2007. The form of the candidate's consent, as specified in Charter Section 7, shall be modified to reflect the fact that the election in question will be a special election, not a general election.

Section 3. The last date for signing and completing petitions is May 25, 2007 and the last date for amending petitions is Tuesday, May 29, 2007.

Section 4. The last date for withdrawing a nomination is Tuesday, May 29, 2007.

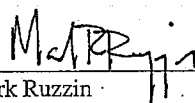
Section 5. The City Clerk shall certify and file the list of the candidates duly nominated on May 29, 2007.

Section 6. The election shall be conducted under the provisions of the Colorado Constitution, the charter and ordinances of the city, and the Boulder Revised Code, 1981, and this resolution, and all contrary provisions of the statutes of the State of Colorado are hereby superseded. The officers of the City are authorized to take all action necessary or appropriate to effectuate the provisions of this resolution, and to contract with the County Clerk for conducting the election.

Section 7. The City Clerk of the City of Boulder shall give public notice of the election in the manner required by Charter Section 31 and by law for Council elections.

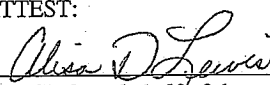
Section 8. This resolution shall become effective on May 15, 2007.

ADOPTED this 15th day of May, 2007.



Mark Ruzzin
Mayor

ATTEST:



City Clerk on behalf of the
Director of Finance and Record

Exhibit B

Timeline for City of Boulder Special Municipal Election
July 10, 2007

Day/Date	Description	Notes
	Establish CFR Expenditure Limit Guidelines Printed	After purge of voter records Time frame for Central Copy to print guidebooks Possible notice to newspapers of pending "Special Election"
May 16, 2007	Submission of mail ballot plan to Secretary of State's office	Anticipated date of approval, June 1, 2007
May 16, 2007	Special Meeting of City Council called to accept Tom Eldridge's Vacancy AND Resolution Calling for a Special Election	Special Election must be held within 60 days on a Tuesday
May 16, 2007	Begin Petition Process	8:00 – 5:00 PM All Candidate Petitions must be signed at Municipal Building during regular business hours.
June 1, 2007	Anticipated date of approval, June 1	
May 25, 2007	Petition Process Ends	5:00 PM
May 31, 2007	Financial Training for Candidates and Treasurers	5:30-7:00 PM
May 30, 2007	Last day for Write-In Candidates, to Amend Petitions, or Withdraw	Noon
No Later Than NOON May 29, 2007	Statement of Organization 13-2-5 Financial Disclosure 13-2-3 Contributions & Expenditures Statement	<i>First Report Due Within Three Days of Certified Petition</i> <i>First Report Due Within Three Days of Accepting a Contribution or Making an Expenditure</i>
June 2 – June 12, 2007	Hart Ballot Printing Certified ballots off for printing	Requires 10 working days
June 12, 2007	Voter Registration Closes for Election	

June 16, 2007	Ballots are ready	
June 16, 2007	Earliest ballots can be mailed out	
June 21, 2007	Contributions & Expenditures Statement 13-2-8	Due by 5 PM
June 24, 2007	Publish Mail Ballot Election Notice	
June 25, 2007	Latest ballots can be mailed out	
June 29, 2007	<i>Last day to apply for Matching Funds</i> Matching Funds Qualifying 13-2-21 (a) Contract for Matching Funds 13-2-21 (b)	Due by NOON Due by NOON
June 29, 2007	Contributions & Expenditures Statement 13-2-8	Due by 5 PM
July 1, 2007	Ballot counting may begin	
July 1, 2007	Written Certification of number of registered voters within the City	
July 5, 2007	Publish Election Notice for five (5) successive days	Print in Boulder Daily Camera
July 6, 2007	Contributions & Expenditures Statement 13-2-8	Due by NOON
	Anticipated Contributions & Expenditures 13-2-8 (c)	Due by NOON
July 7, 2007	Ballot drop-off 10:00 a.m. – 2:00 p.m. @ 1750 33 rd St., Boulder	Manned curbside drop-off of voted ballots (no replacement issued)
Election Day	Ballot drop-off 7:00 a.m. – 7:00 p.m. @ 1750 33 rd St., Boulder	Manned curbside drop-off of voted ballots (replacement ballots will be issued inside office)
July 10, 2007	Election Day	

Timeline for Official, Unofficial, and Issue Committees

Date Due	Time	Form #	Form
May 29, 2007	NOON	13-2-5	<i>First Report Due Within Three Days of Certified Petition</i>
	NOON	13-2-3	Statement of Organization Financial Disclosure <i>First Report Due Within Three Days of Accepting a Contribution or Making an Expenditure</i>
June 21, 2007	NOON	13-2-8	Contributions & Expenditures Statement
	5 PM	13-2-8	Contributions & Expenditures Statement
June 29, 2007	NOON	13-2-21 (a)	<i>Last day to apply for Matching Funds</i>
	NOON	13-2-21 (b)	Matching Funds Qualifying form Contract for Matching Funds
June 29, 2007	NOON	13-2-8	Contributions & Expenditures Statement
		13-2-8 (c)	Anticipated Contributions & Expenditures
July 6, 2007	5 PM	13-2-8 (d)	Final Contributions & Expenditures Statement