AGENDA DOCUMENTATION
Meeting Date: April 16, 2019

TO: DURANGO CITY COUNCIL
FROM: CHRIS VICARI,
DEPUTY CITY CLERK

SUBJECT: CERTIFICATION OF THE APRIL 2, 2019 ELECTION RESULTS

PURPOSE/BACKGROUND
Pursuant to the Durango City Charter and the Uniform Election Code of 1992 staff will present for Council approval, the certification of the results for the Regular Municipal Election held on April 2nd, 2019.

The election was conducted to elect two City Councilors from a field of four (4) candidates and to ask the voters Question 1-A. The two (2) candidates receiving the most votes will be sworn in for terms of (4) four-years.

As the certification reflects, Kim Baxter received 3,016 votes and Barbara Noseworthy received 2,749 votes. Question 1-A passed with 2,326 votes in support of the sales tax increase and 2,127 votes against the sales tax increase.

QUESTION 1-A: AUTHORIZATION TO INCREASE CITY TAXES FOR 10 YEARS FOR THE PURPOSE OF FUNDING STREET IMPROVEMENTS.

SHALL CITY OF DURANGO TAXES BE INCREASED NOT MORE THAN $4,686,000 IN THE FIRST FULL FISCAL YEAR OF COLLECTIONS AND BY WHATEVER AMOUNTS ARE GENERATED ANNUALLY FROM AN ADDITIONAL SALES AND USE TAX OF NOT MORE THAN 0.50% TO BE IMPOSED BEGINNING JULY 1, 2019, FOR THE PURPOSES OF FUNDING THE CONSTRUCTION, OPERATION AND MAINTENANCE OF STREETS, ALLEYS, CURBS, GUTTERS, SIDEWALKS AND RELATED STREET IMPROVEMENTS WITH PROPOSED EXPENDITURES BEING FIRST SUBMITTED TO A CITIZEN ADVISORY BOARD FOR A RECOMMENDATION TO CITY COUNCIL; PROVIDED THAT THESE INCREASED TAXES SHALL NOT BE COLLECTED AFTER JUNE 30, 2029?

YES NO

The canvass of votes verified that 12,113 ballots were distributed to active registered voters and those inactive registered voters who requested a ballot. Of that number, 11,435 ballots were delivered to voters, and 678 ballots were returned marked “undeliverable”. A total of 4,470 ballots were counted, resulting in a 39% voter turnout based on the total ballots delivered to voters or a 37% voter turnout based on the number of ballots distributed. 35 ballots were rejected due to invalid signatures. Letters were mailed to each voter, and curing time was allowed until April 10, 2019. 1 ballot was cured within the grace period. (As of April 11, 2019, 52 additional ballots were received.)

The total number of ballots cast in 2019 decreased by 430 ballots from those cast in 2017—a 9% decrease.

ELECTION HISTORY
The 2017 canvass of votes verified that 12,197 ballots were distributed to active registered voters and those inactive registered voters who requested a ballot. Of that number, 11,410 ballots were delivered to voters, and 787 ballots were returned marked “undeliverable”. A total of 4,900 ballots were counted, resulting in a 43 percent voter turnout based on the total ballots delivered to voters or a 40 percent voter turnout based on the number of ballots distributed. The per ballot cost for the 2017 Municipal Election was $3.69.

The 2015 canvass of votes verified that 10,323 ballots were distributed to active registered voters and those inactive registered voters who requested a ballot. Of that number, 9,713 ballots were delivered to registered voters, and 610 ballots were returned marked “undeliverable” by the U.S. Postal Service. A total of 3,954 ballots were counted, resulting in a 41 percent voter turnout based on the total ballots delivered to voters or a 38 percent voter turnout based on the number of ballots distributed. The per ballot cost for the 2015 Municipal Election was $4.70.

The 2013 canvass of votes verified that 9,882 ballots were distributed to active registered voters and those inactive registered voters who requested a ballot. Of that number, 9,378 ballots were delivered to a like number of registered voters, and 504 ballots were returned marked “undeliverable” by the U.S. Postal Service. A total of 3,442 ballots were counted, resulting in a 37 percent voter turnout based on the total ballots delivered to voters or a 34 percent turnout based on the number of ballots distributed. The per ballot cost for the 2013 Municipal Election was $5.00.

FISCAL IMPACT
The total expense associated with the Election is not known at this time, pending the arrival of the final bill from La Plata County. The budgeted amount for the Election was $24,000.
RECOMMENDATION
It is the recommendation of the City Manager, City Attorney, and the City Clerk that the Council, by motion,
approve the April 2, 2019 Certification of Election Results.

Ronald P. LeBlanc
City Manager Ronald P. LeBlanc
CANVASS OF VOTE
REGULAR MUNICIPAL ELECTION
CITY OF DURANGO
APRIL 2, 2019

Municipal Judge Jim Casey met with City Clerk Amy Phillips on April 15, 2019, for the purpose of examining the election returns of the Regular Municipal Election held on April 2, 2019.

CERTIFICATE OF ELECTION RETURNS

I, Amy Phillips, City Clerk, do hereby certify that the attached is a true and exact copy of the Abstract of Votes Cast at the Regular Municipal Election held on April 2, 2019, to elect two City Councilors and to asked the eligible voters of the City of Durango Question 1-A. The two candidates receiving the most votes were declared as having been elected to terms of (4) four-years. QUESTION 1-A:

AUTHORIZATION TO INCREASE CITY TAXES FOR 10 YEARS FOR THE PURPOSE OF FUNDING STREET IMPROVEMENTS.

SHALL CITY OF DURANGO TAXES BE INCREASED NOT MORE THAN $4,686,000 IN THE FIRST FULL FISCAL YEAR OF COLLECTIONS AND BY WHATEVER AMOUNTS ARE GENERATED ANNUALLY FROM AN ADDITIONAL SALES AND USE TAX OF NOT MORE THAN 0.50% TO BE IMPOSED BEGINNING JULY 1, 2019, FOR THE PURPOSES OF FUNDING THE CONSTRUCTION, OPERATION AND MAINTENANCE OF STREETS, ALLEYS, CURBS, GUTTERS, SIDEWALKS AND RELATED STREET IMPROVEMENTS WITH PROPOSED EXPENDITURES BEING FIRST SUBMITTED TO A CITIZEN ADVISORY BOARD FOR A RECOMMENDATION TO CITY COUNCIL; PROVIDED THAT THESE INCREASED TAXES SHALL NOT BE COLLECTED AFTER JUNE 30, 2029?

Said results have been ascertained, determined, and certified in accordance with the requirements of the Charter of the City of Durango and the Statutes of the State of Colorado.

In accordance with the Abstract of Votes, Kim Baxter, having received 3,016 votes and Barbara Noseworthy receiving 2,749 votes were hereby certified as the candidates elected to hold four-year terms on the Durango City Council. Question 1-A passed receiving 2,326 votes cast in favor of, and 2,127 votes cast in opposition. Total ballots cast was 4,470; and the total number of ballots issued was 12,113.

Dated at Durango, Colorado, this 15th day of April, 2019.

Amy Phillips  Jim Casey
City Clerk  Municipal Judge
La Plata County Clerk and Recorder

Tiffany Lee Parker
98 Everett St, Ste. C
Durango, CO 81303
Phone (970) 382-6297   Fax (970) 259-5413

BILL TO:
City of Durango
949 E 2nd Ave
Durango, CO 81301

April 2, 2019 City of Durango Municipal Election

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<tr>
<th>CATEGORY</th>
<th>DESCRIPTION</th>
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**Total Amount Due** $17,914.38

Make all checks payable to La Plata County Clerk.
Payments due 30 days after receipt.

Thank you!
La Plata County Election Services Intergovernmental Agreement

THIS AGREEMENT is made effective this 24th day of February, 2019, between the Board of County Commissioners of La Plata County, Colorado, the La Plata County Clerk and Recorder (the "Clerk") and the City of Durango (the "Jurisdiction") (collectively, the "Parties").

Recitals

WHEREAS, the Jurisdiction desires to conduct an election on April 2, 2019 ("Election") pursuant to its home rule and statutory authority; and,

WHEREAS, the Clerk has agreed to perform certain election services set forth herein in consideration of the performance by the Jurisdiction of its obligations and payment of a fee as set forth herein.

NOW, THEREFORE, in consideration of their mutual promises contained herein, the Parties agree as follows:

I. Duties of the Clerk

The Clerk generally agrees to assist and inform the Jurisdiction on matters that ensure the efficient preparation and conduct of the Election. The Clerk shall not provide any legal advice. Specifically, the Clerk shall perform the following duties, or such other duties as may be mutually agreed upon by the Parties in writing, in connection with the Election:

A. Preparation for the Election

1. Design and program the ballot content.

2. Conduct all required tests of the voting system.

3. Prepare, print, insert and mail ballot packets. The address on the return envelopes shall be Durango City Clerk, Amy Phillips, 949 E 2nd Ave, Durango, CO 81301-5110.

4. Prepare, print, label and mail the TABOR notices. Notices will be mailed to "All Registered Voters" at each address of one or more active registered elector in the City of Durango not less than thirty days prior to the election pursuant to Colorado Constitution Article X, §20(3)(b).

5. Supply voting machines to tabulate and process the Jurisdiction ballots.

B. Conducting the Election

1. Provide for the receipt, security and processing of all mail-in ballots upon receipt from the Jurisdiction. Maintain an accounting of the number of returned envelopes.

2. Provide sealed ballot boxes for the lobby of the Jurisdiction, as well as at the Clerk's main branch office located at 98 Everett Street, Suite C, Durango, CO 81303; and the County Administration Building, 1101 E 2nd Ave, Durango, CO 81301.

3. Provide secure collection and transportation of sealed ballot boxes from the County Administration Building to the mail ballot processing location.

4. Tabulate ballots received prior to the Election starting the week of March 25th. The Clerk and the Municipal Election Officer, (the "MEO") will work together on scheduling.
5. Immediately direct all disputes and challenges to the Jurisdiction’s MEO for resolution.

6. Conduct a recount in the event that the difference between the highest number of votes cast in that election contest and the next highest number of votes cast in that election contest is less than or equal to one-half of one percent of the highest vote cast in that election contest, pursuant to C.R.S § 1-10.5-101.

C. Election Costs

1. Keep an accurate account of all Election costs including, but not limited to, supplies, tabulation equipment, labor, overtime costs and other expenses attributable to the Clerk’s administration of the Election for the Jurisdiction.

2. Submit to the Jurisdiction an invoice for all expenses incurred under this Agreement.

3. The cost of any recount will be charged to the Jurisdiction.

II. Duties of the Jurisdiction

The Jurisdiction agrees to assist and inform the Clerk on matters that the election is efficiently prepared for and conducted. Specifically, the Jurisdiction shall perform the following duties, or such other duties as may be mutually agreed upon by the Parties in writing, in connection with the Election:

A. Preparation for the Election

1. Post and/or publish any legal notices required in accordance with its charter and Colorado law.

2. Provide ballot content immediately upon availability. The Jurisdiction is solely responsible for the language, content, and accuracy of voter instructions, candidate names and ballot text. This includes the exact order in which it is to appear on the ballot.

3. Proofread and approve the ballot content for printing within one (1) business day of receipt from the Clerk.

4. Prepare the TABOR notice for any ballot issue(s) pursuant to the Applicable Election Laws. The Jurisdiction shall be solely responsible for it preparation, accuracy and the language contained therein, and shall submit such notice, including pro and con summaries and fiscal information, to the Clerk no later than February 18, 2019 at 4:00 p.m.

5. The Jurisdiction understands and agrees that this material must be provided prior to consideration of the Agreement by the Board of County Commissioners and understands that the Board may not approve the Agreement, but agrees to provide the required information and be responsible for all costs and expenses incurred by the Clerk prior to consideration if the Board does not approve the Agreement.

6. Proofread and approve the Jurisdiction’s TABOR content for printing within one (1) business day of receipt from the Clerk.

7. Provide person(s) to participate in ballot testing of voting equipment used in the Election.

8. Hire election judges and determine their compensation. Jointly train election judges with the Clerk prior to the Election, including specific instruction in the secure operation of the election equipment.

9. Coordinate the proper number of election judges and mail ballot processing judges.
B. Conducting the Election

1. Provide newly registered ballots and replacement ballots if requested by voters. Update Clerk immediately via email to elections@co.laplata.co.us.

2. Immediately notify the Clerk of any election challenge or dispute that is initiated and the resolution of the same.

3. Be responsible for the preservation of all election materials.

C. Election Costs

1. Costs shall be based on Clerk's expenditures relative to the Election.

2. The Jurisdiction confirms that it has sufficient funds available in its approved budget to pay its Election expenses.

3. If it is determined that counting must be moved to an established backup site, all related costs shall be paid by the Jurisdiction.

4. Upon receipt of the invoice, pay to the Clerk within thirty (30) days the invoiced amount.

III. General Provisions

1. To the extent permitted by law, the Jurisdiction hereby agrees to indemnify, defend, save and hold harmless the Board of County Commissioners of La Plata County, Colorado, the La Plata County Clerk and Recorder, and any and all other La Plata County departments, officers, elected officials and employees from any and all costs, damages, and liability they may incur which is caused by an activity, condition or event arising out of the performance or nonperformance of any provision of this Agreement. Such costs shall include but is not limited to, in the event of legal action, court costs, expenses and reasonable attorney's fees, including reimbursement of all costs and attorney's fees associated with any litigation arising out this Agreement.

2. The Jurisdiction hereby releases the Board of County Commissioners of La Plata County, Colorado and the La Plata County Clerk and Recorder, and any other La Plata County departments, officers, elected officials and employees from all claims, causes of action or liabilities that may arise out of this Agreement.

3. If any legal action or other proceeding is brought for the enforcement of this Agreement, or because of an alleged dispute, breach, default or misrepresentation in connection with any provisions of this Agreement, the Clerk, if the successful or prevailing party, will be entitled to recover reasonable attorney's fees, court costs and all expenses even if not taxable as court costs (including, without limitation, all such fees, costs and expenses incident to appeals) incurred in that action or proceeding, in addition to any other relief to which such party or parties may be entitled.

4. If any term or provision of this Agreement shall be adjudicated to be invalid, illegal or unenforceable, this offending term shall be amended to conform as closely as possible to the parties' original intent and the validity of the other terms and provisions of this Agreement shall not be affected thereby.

5. No portion of this Agreement shall be deemed to create a cause of action with respect to anyone not a party to this Agreement, nor is this Agreement intended to waive any privileges, immunities to the parties, their officers or employees may possess, except as expressly stated in this Agreement.
6. The term of this Agreement shall be from the date of its final execution through June 1, 2019.

In Witness Whereof, the Parties hereto have executed this Agreement the day and year first above written.

(Seal)

Board of County Commissioners
La Plata County, Colorado

Julie Westendorff, Chair

Clerk & Recorder
La Plata County, Colorado

Tiffany Lee Parker

Jurisdiction

RON LEBLANC

CITY MANAGER

distribution: The Jurisdiction
Clerk & Recorder – Elections
Board of County Commissioners
County Attorney
Finance Department
Minutes
TO: ALL REGISTERED VOTERS

NOTICE OF ELECTION TO INCREASE TAXES ON A REFERRED MEASURE

CITY OF DURANGO
La Plata County, Colorado

Election Date: Tuesday, April 2, 2019
Election Hours: 7:00 a.m. to 7:00 p.m.

Local Election Office Address and Telephone Number:
City Clerk
City of Durango
949 East 2nd Avenue
Durango, CO 81301
Telephone: (970) 375-5010

Ballot Title and Text:

QUESTION 1-A: AUTHORIZATION TO INCREASE CITY TAXES FOR 10 YEARS FOR THE PURPOSE OF FUNDING STREET IMPROVEMENTS.

SHALL CITY OF DURANGO TAXES BE INCREASED NOT MORE THAN $4,686,000 IN THE FIRST FULL FISCAL YEAR OF COLLECTIONS AND BY WHATEVER AMOUNTS ARE GENERATED ANNUALLY FROM AN ADDITIONAL SALES AND USE TAX OF NOT MORE THAN 0.50% TO BE IMPOSED BEGINNING JULY 1, 2019, FOR THE PURPOSES OF FUNDING THE CONSTRUCTION, OPERATION AND MAINTENANCE OF STREETS, ALLEYS, CURBS, GUTTERS, SIDEWALKS AND RELATED STREET IMPROVEMENTS WITH PROPOSED EXPENDITURES BEING FIRST SUBMITTED TO A CITIZEN ADVISORY BOARD FOR A RECOMMENDATION TO CITY COUNCIL; PROVIDED THAT THESE INCREASED TAXES SHALL NOT BE COLLECTED AFTER JUNE 30, 2029?

Total City Fiscal Year Spending

<table>
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<th>Fiscal Year</th>
<th>Amount</th>
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<tr>
<td>2019 (estimated)</td>
<td>$55,597,472</td>
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<tr>
<td>2018 (unaudited)</td>
<td>$48,581,620</td>
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<tr>
<td>2017 (actual)</td>
<td>$47,941,018</td>
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<tr>
<td>2016 (actual)</td>
<td>$47,436,436</td>
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<tr>
<td>2015 (actual)</td>
<td>$47,664,284</td>
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</table>
Overall percentage change from 2015 to 2019  16.65 %
Overall dollar change from 2015 to 2019  $7,933,188

Proposed Tax Increase

City Estimate of the Maximum Dollar Amount
  of the Proposed Tax Increase For Fiscal Year 2020
  (the First Full Fiscal Year of the Proposed Tax Increase):

  BALLOT ISSUE NO. 1A: $4,686,000

City Estimate of 2020 Fiscal Year Spending
  Without Proposed Tax Increase:  $60,377,346

Summary of Written Comments FOR Ballot Issue No. 1A:

Vote Yes on 1-A for a Road to an Even Better Durango!
Ballot question language is confusing. So, let’s break 1-A down without all the politics
and jargon.

- This is a request to approve (vote yes) for a 1/2 cent sales and use tax increase to
take effect July 1, 2019 and end June 30, 2029 (10 years). Half a penny on a $1
purchase which means 50 cents on a $100 purchase.
- This additional 1/2 cent investment (paid for by 1/3 tourists; 1/3 Non-City County
residents; and 1/3 City residents) would be dedicated to pay for construction,
operation and maintenance of streets, alleys, curbs, gutters and sidewalks. It will
also fund the City 50/50 sidewalk program and the improvement of ramps
between sidewalks and streets in accordance with the Americans with Disabilities
Act (ADA).
- Yes, there’s money in the General Fund to pay for street improvements of this
type now. But not enough - because the General Fund and Capital Improvement
Project funds are depleting. Why? Several reasons: The percentage of sales tax
growth has remained relatively flat since 2008 when the economy went bad; the
constant increase in online purchases without any sales tax coming to our City;
the regional decline of the oil & gas industry; and increased operating costs such
as minimum wage, materials and construction costs, asphalt, etc. So... revenue
from sales taxes down plus costs up = not enough money.
- Last November, Ballot Question 2A was too much. Voters wanted to be able to
consider something they could better understand and wasn’t so much of an ask.
So, this very simple, small tax for a very specific use is being proposed. And it
should be done now, because an ounce of prevention is worth a pound of cure. If
we invest in maintaining our streets, sidewalks, etc. then we don’t have to
completely reconstruct them when they have fallen apart. And reconstruction will
cost the taxpayers $2-4 million more than preventative maintenance would every
year. (Example: reconstruction can be 8 times more expensive than preventative
maintenance since it costs $40 - $50/square yard to rebuild a street. Depending on
the condition of the street, preventative measures cost between $2 - 11/square
yard.)
- What assures voters that this 1/2 of a penny increase is going to go towards doing what the ballot says? A new Citizen Advisory Board. For example, Parks & Recreation benefits from an Advisory Board with City Council and Government listening to and acting on their recommendations.
- We should not reallocate money earmarked for Parks & Recreation. Voters wanted that money for its intended purpose, and we all enjoy what it's done and continues to do for our community and quality of life, including providing a remarkable place to live, work, and visit which has obvious positive economic benefit for everyone.
- If passed, the total sales tax would be 8.4%; putting Durango in the middle for similar mountain and regional towns.

Summary of Written Comments AGAINST Ballot Issue No. 1A:

The overwhelming rejection of last November's 2-A tax increase was apparently not understood by the City Council.
Voters want comprehensive planning, transparency and serious re-evaluation of all city expenditures. Question 1-A is another hastily prepared "ask" for new tax dollars without any strategic planning by the City.
- The City Council has been reactive, rather than engaging in long term planning. The 1-A proposal is representative of tax increase proposals placed in front of voters recently. They have all been rushed (1-A had 3 weeks of limited public discussion) and lacked any long term planning or transparency. Question 1-A is a temporary fix for street repairs, but it does not put the other needs of the City in any context. How is the voter to decide on funding street repairs ($55M), without also knowing plans for other large projects including a new police station ($25M), second Water Treatment plant ($55M), storm drainage improvements ($80-100M), Ewing Mesa development ($80-100M), and increasing City Reserves ($20M). The City Council has not told voters when these massive projects will be constructed, how they will be funded, and what is the most pressing project.
- Spending and austerity measures have not been addressed. This election is about fiscal responsibility. The City says it needs to rebuild its Reserve Fund. Ask yourself if you know of any austerity measures the City has taken in the past 8 years? How has the City reduced spending from its current $92M budget? Why has the City staff size been allowed to rise 29% (from 280 to 360) since 2011, while the population has grown by only 9%?
- Affordability of living in Durango is in doubt. Higher sales and property taxes make living in Durango more difficult. Residents and businesses have been hammered in recent years with higher sales taxes, higher sewer bills, higher water bills, higher taxes for Parks and Recreation, higher property taxes for schools and fire protection, higher property taxes for city operation, higher trash pickup & recycling fees and higher parking/traffic control fees & fines. The City Council needs to step back, make hard choices and not use a tax increase as an easy first choice.
- City Council blocked taxpayer vote on repurposing existing expenditures. The 1999 Parks and Recreation (P&R) sales tax is expected to raise $173M by 2039 + $80M more
from the General fund. The 2005 sales tax will raise an additional $42M for P&R by
2026. Four of five current City Councilors refuse to even ask voters their opinion on
repurposing some of the swollen P&R budget (approaching $295M by 2039) for other
important city needs. The Council solution – increase sales tax (again!) with ballot
Question 1-A.
• There is no urgency for another sales tax increase at this time. Voting down Question 1-
A will send a clear message to the City Council that taxpayers want long term planning
and they want the City to look first for budget cuts and reallocation of existing tax
revenues before asking for new taxes.
April 2, 2019

John [Redacted]
Durango, CO 81301

Re: Mail Ballot Return Envelope Missing or Discrepant Signature

Dear John,

We have received your voted ballot for the City of Durango Municipal Election. Colorado Election Law requires us to compare the signature on your return envelope with the signatures in your voter registration record in order to verify your identity. Unfortunately, either your return envelope did not have a signature or we were unable to verify your signature with those on file.

In order for your ballot to count, you must complete, sign, and return the enclosed form by April 10, 2019. Please note that you will also be required to return a photocopy of your identification.

If you indicate that you have not voted a ballot, or if you fail to return the enclosed form, we will not count this ballot. If your ballot contained a signature that was not verifiable, and you do not affirm on the enclosed form that you voted a ballot, we will also turn over this discrepancy to the District Attorney’s Office for investigation.

If you have questions, please contact our office at 970-375-5010. We are open Monday through Friday (except legal holidays) between the hours of 7:30am to 4:30pm for your convenience.

Thank you for your assistance.

Sincerely,

[Signature]

Amy Phillips, CMC
City Clerk
City of Durango
Signature Affidavit Form

Complete, sign and return this form to Durango City Clerk's Office.

1. Select a box (you must select one)

☐ Yes, I returned my voted ballot
You must return a copy of acceptable ID with this form.
You can find a list of acceptable IDs at the bottom of this form. If your ID lists an address, it must be a Colorado address. Proceed to Section 2.

OR

☐ No, I did not return my voted ballot
You are not required to include a copy of ID when you return this form. Proceed to Section 2.

2. Sign. If you are unable to sign, make a mark and have a witness to the mark sign on witness line.

If Yes is selected above: I state under penalty of perjury that I am an eligible elector; that my signature and name are as shown on this form; that I have only cast one ballot in this election in accordance with the provisions of the Uniform Election Code.

If No is selected above: I affirm that the information I have provided on this form is true and correct to the best of my knowledge.

Your signature or mark

Today's date (mm/dd/yyyy)

Witness

Today's date (mm/dd/yyyy)

3. Return this form

Return this form and a copy of your ID, if applicable, to the City Clerk's Office by April 10, 2019. You may return it by:

1. Emailing it to: ballot@durangogov.org
2. Faxing it to: 970-375-5058
3. Mailing or delivering it to:
   Durango City Clerk
   949 East 2nd Avenue
   Durango CO 81301

Acceptable Forms of Identification

- A valid Colorado driver's license, except one issued to an individual that is not a citizen of the United States;
- A valid identification card by the Department of Revenue;
- 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 Administration;
- A certified copy of a birth certificate for the elector issued in the United States;
- Certified documentation of naturalization;
- A valid student identification card with a photograph of the eligible elector issued by an institution of higher education in Colorado;
- A valid veteran identification card with a photograph of the eligible elector issued by the United States Department of Veterans Affairs Veterans Health Administration;
- A valid identification card issued by a federally recognized tribal government certifying tribal membership;
- Written verification that you are a resident of a group residential facility, are committed to the Department of Human Services, or are in the custody of the Department of Youth Corrections;
- A valid United States passport.

SOS Approved 5/31/2018
Sections 1-1-104(19.5), and 1-7.5-107.3 C.R.S.; Election Rule 7.7.1
OFFICIAL MUNICIPAL ELECTION BALLOT
DURANGO, COLORADO
TUESDAY, APRIL 2, 2019

Amy Phillips, City Clerk

“WARNING: Any person who, by use of force or other means, unduly influences an eligible elector to vote in any particular manner or to refrain from voting, or who falsely makes, alters, forges, or counterfeits any mail ballot before or after it has been cast, or who destroys, defaces, mutilates, or tampers with a ballot is subject, upon conviction, to imprisonment, or to a fine, or both.” 1-7.5-107(3)(b), C.R.S.

Instructions To Voters: To vote for the candidate and measure of your choice, completely fill in the oval to the LEFT of the race. If you tear, deface, or wrongly mark this ballot, return it and receive a replacement.

VOTE LIKE THIS:  

<table>
<thead>
<tr>
<th>City Council Members</th>
</tr>
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<tbody>
<tr>
<td>(Vote for two)</td>
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<tr>
<td>Four Year Terms</td>
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○ Marcos Wisner
○ Jaime McMillan
○ Barbara Noseworthy
○ Kim Baxter

QUESTION 1-A: AUTHORIZATION TO INCREASE CITY TAXES FOR 10 YEARS FOR THE PURPOSE OF FUNDING STREET IMPROVEMENTS.

SHALL CITY OF DURANGO TAXES BE INCREASED NOT MORE THAN $4,686,000 IN THE FIRST FULL FISCAL YEAR OF COLLECTIONS AND BY WHATEVER AMOUNTS ARE GENERATED ANNUALLY FROM AN ADDITIONAL SALES AND USE TAX OF NOT MORE THAN 0.50% TO BE IMPOSED BEGINNING JULY 1, 2019, FOR THE PURPOSES OF FUNDING THE CONSTRUCTION, OPERATION AND MAINTENANCE OF STREETS, ALLEYS, CURBS, GUTTERS, SIDEWALKS AND RELATED STREET IMPROVEMENTS WITH PROPOSED EXPENDITURES BEING FIRST SUBMITTED TO A CITIZEN ADVISORY BOARD FOR A RECOMMENDATION TO CITY COUNCIL; PROVIDED THAT THESE INCREASED TAXES SHALL NOT BE COLLECTED AFTER JUNE 30, 2029?

○ YES
○ NO
RESOLUTION NO. R-2019-3

A RESOLUTION SUBMITING TO THE REGISTERED ELECTORS OF THE CITY AT THE CITY’S GENERAL ELECTION TO BE HELD ON APRIL 2, 2019 A BALLOT ISSUE AND TITLE CONCERNING AN INCREASE IN CITY TAXES.

WHEREAS, the City of Durango, in the County of La Plata and State of Colorado (the “City”), is a home rule municipal corporation duly organized and existing under laws of the State of Colorado and the City Charter (the “Charter”); and

WHEREAS, the members of the City Council of the City (the “Council”) have been duly elected and qualified; and

WHEREAS, Article X, Section 20 of the Colorado Constitution, also referred to as the Taxpayer’s Bill of Rights (“TABOR”), requires voter approval for any new tax, any increase in any tax rate, the creation of any multiple fiscal year financial obligation, and the spending of certain funds above limits established by TABOR; and

WHEREAS, the Council wishes to submit to the registered electors of the City a ballot issue seeking to authorize an increase in City taxes; and

WHEREAS, TABOR requires that the City submit ballot issues, as defined in TABOR, to the City’s registered electors on specified election days before action can be taken on such ballot issues; and

WHEREAS, Article VI, Section 4 of the Charter provides that City general elections are to be held on the first Tuesday of April in odd-numbered years; and

WHEREAS, on April 2, 2019, the City Clerk (the “City Clerk”) will be conducting the city general election (the “Election”) pursuant to the Colorado Municipal Election Code of 1965 in Article 10 of Title 31 of the Colorado Revised Statutes (the “Election Code”); and

WHEREAS, April 2, 2019 is one of the election dates at which TABOR ballot issues may be submitted to the registered electors of the City pursuant to TABOR.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF DURANGO, IN THE COUNTY OF LA PLATA AND THE STATE OF COLORADO:

Section 1. All action heretofore taken (not inconsistent with the provisions of this Resolution) by the City and the officers thereof, directed toward the Election and the objects and purposes herein stated is ratified, approved and confirmed. Unless otherwise defined herein, all terms used herein shall have the meanings specified in the Election Code.

Section 2. The City hereby determines that the Election shall be held on April 2, 2019, and that there shall be submitted to the eligible electors of the City the question set forth herein. The Election shall be conducted by the City Clerk pursuant to TABOR and the Election Code, and all laws amendatory thereof and supplemental thereto.

Section 3. Pursuant to Section 31-11-111, C.R.S., the title and submission clause which shall be submitted to the eligible electors of the City at the Election shall be in substantially the following form:

QUESTION 1-A: AUTHORIZATION TO INCREASE CITY TAXES FOR 10 YEARS FOR THE PURPOSE OF FUNDING STREET IMPROVEMENTS.
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Section 4. The City Clerk is hereby appointed as the designated election official of the City for purposes of performing acts required or permitted by law in connection with the Election.

Section 5. Pursuant to Section 31-10-1308, C.R.S., any election contest arising out of a ballot issue or ballot question election concerning the order of the ballot or concerning whether the form or content of any ballot title meets the requirements of TABOR shall be commenced by petition filed with the proper court within five days after the title of the ballot issue or ballot question is set.

Section 6. The officers and employees of the City are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.

Section 7. All actions heretofore taken (not inconsistent with the provisions of this Resolution) by the City, directed towards the Election and the objects and purposes herein stated, are hereby ratified, approved, and confirmed.

Section 8. If any portion of this Resolution is held to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution. The Council hereby declares that it would have passed this Resolution and each part hereof irrespective of the fact that any one part be declared invalid.

Section 9. All other resolutions or portions thereof inconsistent or conflicting with this Resolution or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

ADOPTED AND APPROVED this January 22, 2019.

[Signature]
Mayor

[Signature]
City Clerk