

**WRITTEN PLAN FOR THE CONDUCT OF THE FALCON HIGHLANDS METROPOLITAN
DISTRICT MAIL BALLOT RECALL ELECTION TO BE HELD JULY 16, 2024**

1. **Contact information for Special District** conducting the election:
Name of the Special District ("District"): Falcon Highlands Metropolitan District
Primary contact person: Josh Miller, District Manager
Phone: (719) 284-7226
Email: Josh.Miller@CLACConnect.com
Principal Office Address: c/o CliftonLarsonAllen, 121 South Tejon, Suite 1100, Colorado Springs, CO 80903 ("District Office")
2. **Date of the Election:** July 16, 2024 ("Election")
3. **Type of Election:** Special district recall election
4. Citation of the **statutes** authorizing election: Title 32, Article 1, C.R.S.; Title 1, Article 13.5, C.R.S. et seq. The District will conduct the Election according to all relevant provisions of the statutes authorizing the Election.
5. Name and contact information for the **Designated Election Official** ("DEO") who will be responsible for all aspects of the election: Wayne W. Williams, 719-439-1870, 3472 Research Parkway, Ste. 104-200, Colorado Springs, CO 80920, waynewilliamslaw@comcast.net. Tasks referring to the DEO may be accomplished through election judges.
6. **Eligible electors and timing for mailing ballots:** As of March 27, 2024, there were 818 eligible electors registered within the district boundaries with additional eligible electors to be determined as provided by law.

The DEO has received a list of the registered electors residing within the District from the El Paso County Clerk ("Clerk") and a list of the owners of all taxable real and personal property with the District from the El Paso County Assessor. Such initial lists were received no later than 30 days prior to the Election. The DEO has requested a new list of registered electors and the supplemental lists will be obtained received no later than 20 days prior to the Election (June 26, 2024). Sections 1-13.5-203(1), 1-13.5-204(1) and (2), and 1-13.5-1105(2)(a) and (b), C.R.S.

No later than 45 days prior to the Election (June 1, 2024), the DEO will cause to be mailed a ballot to each active eligible elector residing within the District who is a covered voter, as that term is defined in Section 1-8.3-102, C.R.S. (UOCAVA). Section 1-13.5-1103(4), C.R.S.

Between 20 and 15 days before the Election (June 26, 2024 to July 1, 2024), the DEO will cause to be mailed a ballot to each active eligible elector of the District. Section 1-13.5-1105(4)(a), C.R.S.

7. **Ballot Return and Distribution:** There will be at least one place(s) of deposit, which is a secure 24/7 drop box at the Falcon Park and Ride, 6702 N Meridian Sol Drive, Falcon, CO 80831, which is south of U.S. Highway 24 near Meridian and Swingline Roads. For security reasons, there will be no unmonitored freestanding drop-off locations. Ballots may also be dropped off in the ballot box located in the District Office.

Ballots can also be mailed to the District's Designated Election Official at Wayne Williams, DEO, Falcon Highlands Metro District, P.O. Box 64560, Colorado Springs, CO 80962.

The walk-in location to obtain new or replacement ballots and to drop off voted ballots shall be located at the District Office. This location will be open from 8 a.m. to 5 p.m., Monday through Friday, beginning 22 days prior to the Election (June 24), and from 7:00 a.m. to 7:00 p.m. on July 16, the day of the Election. Section 1-13.5-1105(4)(d), C.R.S. Since all active voters will be mailed a ballot, it is anticipated that the number of voters seeking new or replacement ballots will be small. Accordingly, the DEO will appoint and train a limited number of District staff (anticipated to be limited to Marie Jackson, Rob Lange, and Trish Peregrina) rather than hire separate judges for 150+ hours. Prior to issuing a ballot packet, the staff-judge will obtain the necessary documentation and log the distribution of the ballot on an inventory prepared by the DEO. All excess ballots will be returned to the DEO.

8. **Notice of Election:** A notice of the District's election shall be published one time on before June 26, 2024 (at least 20 days before the Election, no later than 6/6/24) in the *The New Falcon Herald*, which is a legal publication having general circulation in the District. Such notice shall also be posted in the District office used by the DEO and sent to the County Clerk and Recorder. Sections 1-13.5-502(1) and (2) and 1-13.5-1105(2)(d), C.R.S.

9. **Ballot delivery and processing:** The DEO will supervise the distribution and handling of the ballots and will take the necessary steps to protect the confidentiality of the ballots cast and the integrity of the election. The DEO shall appoint a sufficient number of election judges to distribute, handle and count the ballots. The election judges will also take the necessary steps to protect the confidentiality of the ballots cast and the integrity of the election.

All deposited ballots will be counted as provided by the Election Laws. A mail ballot will be valid and counted only if it is returned in the return envelope, the self-affirmation on the return envelope is signed and completed by the eligible elector to whom the ballot was issued and the information on the return envelope is verified.

If the DEO determines that an eligible elector to whom a replacement ballot has been issued has voted more than once, the first ballot returned by the elector will be considered the elector's official ballot. Any other ballot will be rejected. Any such voter may be referred the 4th Judicial District Attorney for investigation and/or prosecution.

Ballot envelopes will be date stamped upon receipt. Each day when ballots are received by the DEO, the ballots will be counted, batched, and the number of ballots received recorded, including those that were returned as undeliverable. The DEO will maintain a daily log containing the total number of ballots returned.

10. Description of **procedures to be used to ensure ballot security** at all stages of the process: The Ballots or ballot labels will contain the warning set forth in Section 1-13.5-1105(4)(b). The return envelopes will contain the self-affirmation set forth in Section 1-13.5-605(1). To protect the elector's privacy, the District will include a secrecy sleeve with voting instructions, in the mail ballot packet.

When not being processed, ballots packets will be placed in a safe, secure area under the supervision of the DEO, election judge or person designated by the DEO. Ballots will not be left unattended while being processed unless secured. After processing is complete, ballots will be placed in a safe and secure area. Access to the secure area shall be determined by the DEO.

A replacement ballot may be requested if the ballot was destroyed, spoiled, lost or not received by the elector. An elector may obtain a ballot if a mail ballot packet was not sent to the elector because the eligibility of the elector could not be determined at the time the mail ballot packets were mailed. The elector requesting the new or replacement ballot must complete a sworn statement specifying the reason for requesting the ballot. A mail ballot packet will not be issued or transmitted to the elector unless a sworn statement requesting the ballot is received on or before the Election.

11. **Counting of the mail ballots:** The election judges shall receive and prepare the mail ballots for counting. The counting may begin no sooner than 15 days before the Election (July 1, 2024). The election judges shall take all precautions necessary to ensure the secrecy of the counting procedures. No information concerning the count shall be released by the election judges or any watchers until after 7:00 p.m. on the day of Election. Section 1-13.5-1107, C.R.S.

12. **Changes** to this Plan may be made for good cause and will be promptly posted to FalconHighlandsMetro.com.

Dated this 22nd day of May, 2024,

Falcon Highlands Metropolitan District

By: Wayne W. Williams

Name: Wayne W. Williams, DEO