

**CANVASS BOARD'S
CERTIFICATE OF DETERMINATION
(CERTIFICATE OF RESULTS)**

**FOR THE SPECIAL ELECTION HELD ON NOVEMBER 5, 2024
OLD COLORADO CITY DOWNTOWN DEVELOPMENT AUTHORITY
EL PASO COUNTY, COLORADO**

1-13.5-1305 CRS

Each of the undersigned members of the Canvass Board of the Old Colorado City Downtown Development Authority certifies that the following is a true and correct statement of the votes cast at the special election of the Old Colorado City Downtown Development Authority, at which time the eligible electors of the Old Colorado City Downtown Development Authority voted as indicated on the attached Judges' Certificate of Election Returns:

BALLOT QUESTION A:

Number of **YES** votes cast: 123

Number of **NO** votes cast: 90

BALLOT ISSUE B:

Number of **YES** votes cast: 98

Number of **NO** votes cast: 116

BALLOT ISSUE C:

Number of **YES** votes cast: 108

Number of **NO** votes cast: 105

BALLOT ISSUE D:

Number of **YES** votes cast: 105

Number of **NO** votes cast: 102

By:

Katie Miller

Katie Miller, Deputy Designated Election Official

Cassidy Sedlacek

Cassidy Sedlacek, Canvasser

Jay Gust

Jay Gust, Canvasser

Contact Person for the District: Nicole Peykov, Esq.
Spencer Fane LLP
1700 Lincoln Street, Ste. 2000
Denver, CO 80203

Business Address of the District: c/o Spencer Fane LLP
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Denver, CO 80203

Telephone Number: (303) 839 - 3708

PROCEDURAL INSTRUCTIONS: The canvassers meet to survey the returns and certify the results. No later than fourteen (14) days after the election, the canvass board shall certify the official abstract of votes cast which the DEO uses to certify the election (results). This form must be filed with the Division of Local Government within 30 days after the election. The DEO shall notify the candidates of their election with certificate.

Please attach Election Judges' Certificate(s) of Election Results as well as any ballot language for record keeping purposes.

**JUDGES' CERTIFICATE OF MAIL BALLOT ELECTION RETURNS
AND STATEMENT OF BALLOTS
OLD COLORADO CITY DOWNTOWN DEVELOPMENT AUTHORITY
SPECIAL ELECTION HELD NOVEMBER 5, 2024**

§ 1-13.5-613, C.R.S.

IT IS HEREBY CERTIFIED by the undersigned, who conducted the mail ballot election held by the Old Colorado City Downtown Development Authority of the City of Colorado Springs, County of El Paso, Colorado, on the 5th day of November, 2024 that, after swearing and subscribing to their oaths of office, they opened the ballot depository/walk-in voting location at 1700 Lincoln Street, Suite 2000, Denver, Colorado, at 9:00 a.m. on October 14, 2024, and kept said ballot depository/walk-in voting location open between 9:00 a.m. and 5:00 p.m. every business day through November 4, 2024 and on November 5, 2024, election day, the hours were extended from 7:00 a.m. to 7:00 p.m. for receipt of ballots and walk-in voting, after which time they counted the ballots cast for any ballot issue or ballot question submitted in accordance with the Colorado Local Government Election Code.

That the votes cast for and against the ballot issues/questions submitted were as follows (numeric and spelled out):

BALLOT QUESTION A
(Organize Downtown Development Authority)

Shall the Old Colorado City Downtown Development Authority (the "Authority") be organized pursuant to Part 8 of Article 25 of Title 31 Colorado Revised Statutes to exercise all powers authorized therein and perform any approved plan of development within the boundaries of the area described as follows:

The proposed Authority is located within a central business district of the City of Colorado Springs, County of El Paso, Colorado, in a downtown district. The Authority's boundaries within the central business district include only the properties located in the City of Colorado Springs, Colorado, identified by the El Paso County Assessor Schedule/Parcel Numbers, property addresses, and partial legal descriptions as shown on the Attachment to this Ballot and as such boundaries are described in Ordinance No. 24-87, adopted by the City Council of the City of Colorado Springs on August 27, 2024.

BALLOT QUESTION A	NUMBER OF VOTES CAST	
	Numeric	Spelled Out
YES	123	One hundred twenty three
NO	90	Ninety

BALLOT ISSUE B
(Operations Tax Increase – Limited Mill Levy)

SHALL THE CITY OF COLORADO SPRINGS (THE "CITY") TAXES BE INCREASED \$325,000 IN THE FIRST FISCAL YEAR (2024) AND ANNUALLY THEREAFTER BY LEVYING AN AD VALOREM TAX AT A RATE OF NOT MORE THAN FIVE MILLS WITHIN THE BOUNDARIES OF THE PROPOSED OLD COLORADO CITY DOWNTOWN DEVELOPMENT AUTHORITY (THE "AUTHORITY"), FOR THE PURPOSES SET FORTH IN PART 8 OF ARTICLE 25 OF TITLE 31

DN 2976485.2

COLORADO REVISED STATUTES; AND SHALL THE CITY AND THE AUTHORITY BE AUTHORIZED TO COLLECT, RETAIN, AND EXPEND THE REVENUES COLLECTED FROM SUCH TOTAL PROPERTY TAX RATE, AND INVESTMENT INCOME THEREON, AS A VOTER-APPROVED REVENUE CHANGE?

If approved, the City of Colorado Springs shall be authorized to impose an ad valorem mill levy not to exceed five (5) mills on all real and personal property within the boundaries of the Authority and for the Authority, to be used for the purpose of paying the Authority's operations, maintenance, and other expenses, as allowed by Part 8 of Article 25 of Title 31 Colorado Revised Statutes.

BALLOT ISSUE B	NUMBER OF VOTES CAST	
	Numeric	Spelled Out
YES	98	Ninety-eight
NO	116	One hundred sixteen

BALLOT ISSUE C
(Debt)

SHALL OLD COLORADO CITY DOWNTOWN DEVELOPMENT AUTHORITY (THE "AUTHORITY") DEBT BE INCREASED \$5,000,000 WITH A REPAYMENT COST OF \$15,000,000 (MAXIMUM) FOR APPROVED PLANS OF DEVELOPMENT AND CONSTITUTING A VOTER-APPROVED REVENUE CHANGE?

If approved, such debt may be issued for the Authority by the City of Colorado Springs for the purpose of constructing capital improvements with a public purpose, including through, but not limited to, paying the costs of creating and implementing any plan of development, including operating, maintaining, or otherwise providing systems, operations, and administration for the purpose of carrying out the objects and purposes for which the Authority was organized, together with all necessary, incidental, and appurtenant, facilities, equipment, personnel, contractors, consultants, and costs, and all land, easements, and appurtenances necessary or appropriate in connection therewith, such debt to bear interest at a net effective interest rate not to exceed nine percent (9%) per annum, such interest to be payable at such time or times and which may compound periodically as may be determined by the City Council, such debt to be sold in one series or more at a price above, below, or equal to the principal amount of such debt and on such terms and conditions as the City Council may determine, including provisions for redemption of the debt prior to maturity with or without payment of premium, and which debt may be refinanced at a net effective interest rate not to exceed the maximum net effective interest rate without additional voter approval; such debt shall be paid from any legally available moneys of the Authority, including the revenues pledged or from taxes pledged pursuant to Section 31-25-807(3)(b), C.R.S., or both such revenues and taxes with such limitations as may be determined by the board of the Authority and the City Council, and shall the proceeds of any such debt and the proceeds of such taxes, any other revenue used to pay such debt, and investment income thereon be collected and be spent as a voter approved revenue change, without regard to any spending, revenue-raising, or other limitation contained within Article X, Section 20 of the Colorado Constitution and Section 7-90 of the Charter of the City of Colorado Springs and without limiting in any year the amount of other revenues that may be collected and spent by the Authority and the City of Colorado Springs.

BALLOT ISSUE C	NUMBER OF VOTES CAST	
	Numeric	Spelled Out
YES	108	One hundred eight
NO	105	One hundred five

**BALLOT ISSUE D
(De-TABOR)**

SHALL THE OLD COLORADO CITY DOWNTOWN DEVELOPMENT AUTHORITY (THE "AUTHORITY"), OR THE CITY OF COLORADO SPRINGS (THE "CITY") ON BEHALF OF AND FOR USE BY THE AUTHORITY FOR PURPOSES OTHER THAN ENTERPRISES, AND AS A VOTER APPROVED REVENUE CHANGE, BE AUTHORIZED TO COLLECT, RETAIN, AND SPEND THE FULL AMOUNT OF REVENUES RECEIVED BY THE AUTHORITY, OR BY THE CITY ON BEHALF OF AND FOR USE BY THE AUTHORITY, IN 2024 AND EACH YEAR THEREAFTER, INCLUDING, WITHOUT LIMITATION, TAX REVENUES, FEES, RATES, TOLLS, CHARGES, GRANTS, RENTS, LOANS, CONTRIBUTIONS, AND ANY OTHER REVENUES IMPOSED, COLLECTED, OR AUTHORIZED BY LAW, AND SHALL SUCH REVENUE BE COLLECTED AND SPENT WITHOUT REGARD TO ANY EXPENDITURE, REVENUE-RAISING, OR OTHER LIMITATION INCLUDING THOSE CONTAINED WITHIN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR SECTION 7-90 OF THE CHARTER OF THE CITY OF COLORADO SPRINGS, AND WITHOUT LIMITING IN ANY YEAR THE AMOUNT OF OTHER REVENUES THAT MAY BE COLLECTED, RETAINED, AND SPENT BY THE AUTHORITY AND THE CITY ON BEHALF OF THE AUTHORITY, AND SHALL ALL REVENUES GENERATED BY ANY AD VALOREM TAX LEVY UP TO FIVE MILLS COLLECTED, RETAINED, OR SPENT IN 2024 AND COLLECTED, RETAINED, OR SPENT IN ALL SUBSEQUENT YEARS THEREAFTER BE VOTER APPROVED AS AN INCREASED LEVY EXEMPT FROM THE TAX INCREASE LIMITATIONS CONTAINED IN SECTIONS 29-1-301 AND 29-1-302 COLORADO REVISED STATUTES AND ANY OTHER APPLICABLE LAW?

BALLOT ISSUE D	NUMBER OF VOTES CAST	
	Numeric	Spelled Out
YES	105	One hundred five
NO	102	One hundred two

STATEMENT OF BALLOTS

§ 1-13.5-613, C.R.S

It is hereby identified and specified that:

	(Numeric)	(Spelled Out)
TOTAL Number of Ballots Issued to Electors:	831	Eight hundred thirty-one
UOCAVA:	4	Four
Regular Mail Ballot:	827	Eight hundred twenty-seven
<u>Total Number of Ballots Returned, Cast</u>		
a. Official Regular Mail Ballots	216	Two hundred sixteen
b. Official UOCAVA Ballots	0	Zero
c. Unofficial Ballots	0	Zero
d. Substitute Ballots	0	Zero
e. Total Voted Challenged Ballots	0	Zero
Total Returned/Cast Mail Ballots: <i>(lines a+b+c+d+e = total cast ballots)</i>	216	Two hundred sixteen
<u>Delivered to Voters, Not Cast</u>		
a. Returned, Undeliverable	7	Seven
b. Spoiled	0	Zero
c. Rejected	1	One
d. Defective	0	Zero
e. Successfully Challenged Ballots	0	Zero
f. Not Returned	615	Six hundred fifteen
Total Delivered and Not Cast: <i>(lines a+b+c+d+e+f = total delivered and not cast ballots)</i>	623	Six hundred twenty-three
Total Not Delivered to Voter, Not Cast, Unused:	0	Zero
Total Mail Ballots Printed:	831	Eight hundred thirty-one

Certified this 5th day of November, 2024.

Nancy L. Schacht
Election Judge

Kimberli Brown
Election Judge