



Town of Eagle Downtown Development Authority

November 2, 2021, Special Election FAQs

On November 2, 2021, the Town of Eagle Downtown Development Authority (“DDA”) is asking the qualified electors for authorization to issue debt to cover projects to be undertaken by the DDA and paid for by its Tax Increment Financing (TIF) funds. Elections are held as needed to authorize debt for projects aligned with the DDA Plan of Development and Master Plan.

Who will receive a DDA ballot?

Only “qualified electors” of the DDA will receive and vote on the DDA ballot. “Qualified electors” for the DDA ballot are natural persons or corporate entities who own **property** or are **leaseholders** in the DDA.

If a commercial property owner or commercial leaseholder is a corporate entity rather than a natural person, that entity will have to appoint a natural person to vote on its behalf (more information on this below).

(“DEO” Designated Election Official). Ballots will be mailed approximately between October 8th and October 15th to the qualified electors known at the time of mailing the ballots. A commercial property owner or leaseholder can designate a natural person to vote on its behalf up to and including on Election Day.

How will I know if I am on the list of qualified electors to vote on the DDA ballot on Election Day?

The DEO will be compiling and maintaining a list of qualified electors for the DDA ballot. This list will start with a list of property owners in the DDA, as provided by the Eagle County Assessor’s office. In September, all identified property owners will be mailed a letter notifying them of an upcoming election along with an Affidavit for Designation of Elector Form.

- If the owner of the property or leaseholder is a corporation, not a natural person, an authorized representative of the corporation must designate a natural person to vote on its behalf by completing and filing the Designation of Elector form.
- If you are a leaseholder and the lease is under a natural person’s name, not the name of the business, you will need to complete and file the Affidavit of Qualified Elector.

One person = one vote: Each corporate entity may appoint a natural person to vote a ballot on its behalf, and each natural person may only cast one vote UNLESS that person has been designated by one or more entities to also cast a vote, in which case the person will cast as many votes as they have been designated for.

One owner, one corporate entity name, multiple properties = one vote: A person or corporate entity that owns multiple properties under **one** corporate name may only designate one person to vote on behalf of that corporate entity, even if that person or corporate entity owns multiple properties

One owner, multiple corporate entity names, multiple properties = multiple votes: A person or corporate entity that owns multiple properties under multiple corporate names **may** appoint one natural person to vote on behalf of each corporate entity.



What if I'm not on the list of qualified elector list for the DDA ballot but believe that I should be?

If a property owner or leaseholder feels that he or she is qualified to vote but has not received a letter and election notification from the DEO by October 15th, please contact the DEO as soon as possible prior to the election. Property owners will be required to present a valid deed for the property in question and the Town Clerk will confirm the designation of that property with the Eagle County Assessor's office. Leaseholder tenants may be required to present a valid lease for a property in the DDA.

Why is the procedure for confirming your status as a qualified elector for the DDA ballot so cumbersome? Why can't the DEO just use the County lists?

State law permits corporate and legal entities to vote in elections but requires that they designate a "natural person" to vote on their behalf. The County lists do not provide that information, and such designation may change from election to election. The property owners list obtained from the Eagle County Assessor will not have the names of the leaseholders/tenants, and will not provide the names of the natural persons authorized to vote on behalf of a given corporate property owner.

By requiring all potential DDA voters to submit an Affidavit of Designated Elector Forms and/or an Affidavit of Qualified Elector form confirming their eligibility to vote in the DDA election, the DEO is able to compile a list of natural persons who are eligible to vote on the DDA ballot. This way, the election judges need only reference the DDA voter list, just as they would the Town of Eagle registered voters list for the municipal ballot; they will not be required to make a subjective, off-the-cuff determination of whether a particular individual is truly authorized to vote on behalf of ABC, Inc.

For more information, please feel free to contact Town Clerk Jenny Rakow at jenny.rakow@townofeagle.org or by calling 970-328-9623.