



## Legislation Details (With Text)

**File #:** 16-724      **Version:** 1      **Name:**  
**Type:** Resolution      **Status:** Mayor's Office  
**File created:** 11/18/2016      **In control:** City Council  
**On agenda:** 1/10/2017      **Final action:** 1/10/2017

**Title:** A resolution submitting to the registered qualified electors of the City of Colorado Springs, Colorado at the general municipal election conducted by mail ballot to be held on Tuesday, April 4, 2017, the question of re-establishing the city’s authority to provide, or to facilitate or partner or coordinate with service providers for the provision of, “advanced (high-speed internet) service,” “cable television service,” and “telecommunication service,” either directly, indirectly, or by contract, to residential, commercial, nonprofit, government or other subscribers and to acquire, operate and maintain any facility for the purpose of providing such services, restoring local authority and flexibility that was taken away by Title 29, Article 27, Part 1 of the Colorado Revised Statutes, without increasing taxes

**Presenter:**  
Councilmember Bill Murray

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. BallotQ-CableTelevisionServiceCityAuthRES-2016-11-18, 2. 121316 April 2017 SB 152 slides, 3. SB 152, 4. Resolution 4-17

Date	Ver.	Action By	Action	Result
1/10/2017	1	City Council	adopted	Pass
12/13/2016	1	Council Work Session	referred	

A resolution submitting to the registered qualified electors of the City of Colorado Springs, Colorado at the general municipal election conducted by mail ballot to be held on Tuesday, April 4, 2017, the question of re-establishing the city’s authority to provide, or to facilitate or partner or coordinate with service providers for the provision of, “advanced (high-speed internet) service,” “cable television service,” and “telecommunication service,” either directly, indirectly, or by contract, to residential, commercial, nonprofit, government or other subscribers and to acquire, operate and maintain any facility for the purpose of providing such services, restoring local authority and flexibility that was taken away by Title 29, Article 27, Part 1 of the Colorado Revised Statutes, without increasing taxes

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**Summary:**  
Colorado statutes require an affirmative vote of the people before municipalities can provide or partner with the private sector to provide broadband services, vital for both commercial and residential consumers, within their jurisdictions. According to a recent analysis by the Colorado Municipal League, 65 Colorado municipalities have thus far approved broadband ballot issues, with every such issue being approved overwhelmingly by voters.

**Previous Council Action:**

N/A

**Background:**

One of the biggest impediments to local governments enhancing broadband infrastructure is a 2005 Colorado state law commonly referred to as “SB 152” (Senate Bill 05-152, codified at sections 29-27-101-304, C.R.S.). SB 152 took away local power and requires that an election be held before a city or county government may “engage or offer to engage in providing” various telecommunication services.

El Paso County voters overwhelmingly approved the proposed measure for the county in the November 2016 election, and the voters in numerous cities and counties throughout Colorado have adopted similar measures. .

Through a successful SB 152 election, local governments can assist in providing broadband opportunities, including enhanced broadband infrastructure to attract service providers. A successful vote can also pave the way for public-private partnerships among local governments, economic development agencies, and the telecommunication industry.

This item supports the City’s strategic goal relating to investing in infrastructure. A successful vote would provide the City with the flexibility to identify partnerships with the private sector to expand or improve broadband access within the City.

**Financial Implications:**

N/A

**Board/Commission Recommendation:**

N/A

**Stakeholder Process:**

N/A

**Alternatives:**

City Council could decide not to refer this item to the April 2017 ballot.

**Proposed Motion:**

Approve the resolution as presented.

N/A