RESOLUTION NO. 36-17

A RESOLUTION EXPRESSING CITY COUNCIL'S SUPPORT OF ISSUE 3 ON THE APRIL 4, 2017 MUNICIPAL BALLOT, EXEMPTING COLORADO SPRINGS FROM SENATE BILL 152, AND REESTABLISHING THE CITY'S AUTHORITY TO FACILITATE, PARTNER, OR COORDINATE WITH SERVICE PROVIDERS TO PROVIDE ADVANCED TELECOMMUNICATIONS SERVICES TO ITS CITIZENS, AND RESTORING LOCAL AUTHORITY THAT WAS TAKEN AWAY BY STATE LAW

WHEREAS, pursuant to City Code § 5.2.304(A) the City Council of the City of Colorado Springs, Colorado may adopt a resolution supporting an election issue submitted to the electors; and

WHEREAS, in 2005, the passage of SB 05-152 resulted in state law changes that limit local governments authority in providing high-speed internet, cable television, and telecommunication services; and

WHEREAS, under SB 05-152, local governments can provide such services only after voter approval, see, C.R.S. § 29-27-201; and

WHEREAS, since the passage of SB 05-152, the voters in 95 Colorado communities have overwhelmingly approved such measures, restoring local authority and flexibility; and

WHEREAS, the exemption of Colorado Springs from SB 05-152 would allow the City to facilitate or partner with service providers to ensure that the citizens of Colorado Springs have access to innovative technology products, and City Council may utilize the services of an advisory board to explore matters related to IT infrastructure and telecommunications service and advise City Council on such matters; and

WHEREAS, the City Council has determined that it is in the best interests of the City to consider how the City can improve high-speed internet services, cable television services, and telecommunication services within the City; and

WHEREAS, to foster job creation, stronger economic development infrastructure and competition, the City Council asks the voters to restore to the City the local authority to assist in providing high-speed internet services, cable television services, either directly or 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, thus restoring local authority and flexibility that was taken away by SB 05-152.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. City Council supports the passage of Colorado Springs Ballot Issue 3 because it is in the best interests of the citizens of Colorado Springs and of the public's health, safety, and welfare to assist in providing advanced telecommunications services.

Section 2. The City Council authorizes distribution of this resolution in accordance with the City Code.

DATED at Colorado Springs, Colorado, this 14th day of March, 2017.

Council President

ATTEST:

Sarah B. Johnson, City Clerk