RESOLUTION NO. 14
SERIES 2015

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, REFERRING A BALLOT QUESTION TO THE REGISTERED ELECTORS OF THE CITY OF GUNNISON REQUESTING AUTHORIZATION TO RE-ESTABLISH THE AUTHORITY OF THE CITY TO PROVIDE ALL SERVICES, DESCRIBED AS "ADVANCED SERVICES" (HIGH SPEED INTERNET), "TELECOMMUNICATIONS SERVICES" AND "CABLE SERVICES", RESTRICTED **SINCE 2005 BY TITLE 29, ARTICLE 27 OF THE COLORADO REVISED STATUTES**

WHEREAS, in 2005, the Colorado legislature passed a law commonly referred to as Senate Bill 152, codified at Title 29, Article 27 of the Colorado Revised Statutes, which prohibits most uses of municipal or county money for infrastructure to improve local broadband service, without first going to a vote of the people; and

WHEREAS, the provision of broadband service, including high bandwidth services and service "redundancy" have been the topic of many discussions among elected officials within the City and the County of Gunnison; and

WHEREAS, in order to ensure that the City is able to assist with a cost effective and coordinated election to determine whether local governments in Gunnison County shall have authority to provide the services currently prohibited by Senate Bill 152, Gunnison County, through its Board of County Commissioners, has agreed to pay for the City's costs related to submission of a ballot question to its registered electors at the November 3, 2015 general election; and

WHEREAS, such ballot question would seek authorization from electors to re-establish the authority of the City to provide all services, described as "advanced services" (high speed internet), "telecommunications services" and "cable services", including any new or improved high bandwidth services based on existing or future technologies, telecommunications services and cable television services, within the City's service area, as such proposed ballot question is set forth below.

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

Section 1. The following ballot question shall be referred to a vote of the registered electors of the County-administered General Election on November 3, 2015:

> Without increasing taxes, shall the City Council of the City of Gunnison, Colorado, re-establish the authority to provide all services, restricted since 2005 by Title 29, Article 27 of the Colorado Revised Statutes, described as "advanced services" (high speed internet), "telecommunications services" and "cable services", including any new or improved high bandwidth services based on existing or future technologies, telecommunications services and cable television services to residents, businesses, schools, libraries, non-profit entities, governmental entities, and other users of such services, either directly or indirectly, to any and all service areas, with public or private sector partners?
>
> [ ] YES
> [ ] NO

INTRODUCED, READ, PASSED, AND ADOPTED at a special session meeting of the City Council of the City of Gunnison held this 1st day of September, 2015.

Richard Hagan

Richard Hagan, Mayor

(SEAL)

ATTEST:

Gail A Davidson

Gail Davidson, City Clerk