

RESOLUTION 2014-05

A RESOLUTION SUBMITTING TO THE REGISTERED ELECTORS OF THE CITY OF MONTROSE AT THE APRIL 1, 2014 GENERAL ELECTION A BALLOT QUESTION REGARDING WHETHER THE CITY MAY RE-ESTABLISH ITS RIGHT TO PROVIDE TELECOMMUNICATIONS SERVICES, ADVANCED SERVICES, AND CABLE TELEVISION SERVICES EITHER DIRECTLY OR INDIRECTLY WITH PUBLIC OR PRIVATE SECTOR PARTNERS

WHEREAS, affordable, reliable, and innovative telecommunication services are essential for residents and businesses in today's economic environment and for quality of life; and

WHEREAS, in 2005 the Colorado General Assembly adopted Senate Bill 152, codified at C.R.S. 29-27-101, et seq., which provides that before a local government may provide telecommunications services, advanced services, or cable television services, an election must be held on the question of whether the local government shall provide the services; and

WHEREAS, the effect of Senate Bill 152 has been to restrict the City's right to improve the City's connectivity either through the provision of direct services or through partnerships with the public or private sector; and

WHEREAS, the Council finds re-establishing the City's telecommunications rights would allow the Montrose community to implement local communication solutions to provide needs based access to benefit the residents and businesses of the City; and

WHEREAS, the ballot question must be approved by a majority vote before becoming effective.

THEREFORE, THE COUNCIL OF THE CITY OF MONTROSE, COLORADO, RESOLVES:

The following ballot question and title shall be submitted to the electors at the April 1, 2014 general election:

"Without increasing taxes, shall the citizens of the City of Montrose Colorado re-establish their City's right to provide all services restricted since 2005 by Title 29, article 27 of the Colorado Revised Statutes, described as "advanced services," "telecommunications services" and "cable television services," including any new and improved high bandwidth services based on future technologies, utilizing community owned infrastructure including but not limited to the existing fiber optic network, either directly or indirectly with public or private sector partners, to potential subscribers that may include telecommunications service providers, residential or commercial users within the City?"

YES ____

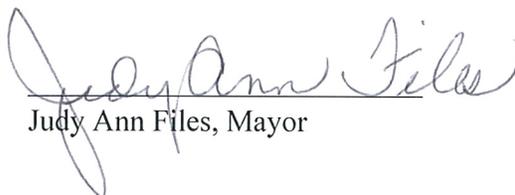
NO ____

BE IT FURTHER RESOLVED that said election shall be a general election with the County of Montrose administering the mail ballot election.

BE IT FURTHER RESOLVED The City Clerk and City Manager are hereby authorized and directed to take all necessary and appropriate action with respect to the submission of Referred Measure "A" to the electors and the holding of the general election of April 1, 2014.

ADOPTED this 21st day of January, 2014, by the Montrose City Council.

CITY OF MONTROSE, COLORADO


Judy Ann Files, Mayor

ATTEST:


Lisa DelPiccolo, City Clerk

