

**TOWN OF ERIE**  
**RESOLUTION NO. \_\_\_\_\_-2018**

**A Resolution Of The Board Of Trustees Of The Town Of Erie Submitting To The Town Electorate A Ballot Question For Consideration At The November 6, 2018 Special Election, Concerning Authorization For The Town, Without Increasing Taxes, To Restore The Town’s Authority To Deploy Broadband Infrastructure Used To Provide Advanced Services (High-Speed Broadband Internet), Telecommunication Services, And/Or Cable Television Services As Defined By § 29-27-101–304 Of The Colorado Revised Statutes, Including Without Limitation Any New And Improved High Bandwidth Services Based On Future Technologies, To Residents, Businesses, Schools, Libraries, Nonprofit Entities, And Other Users Of Such Services, Either Directly, Or Indirectly With Public And/Or Private Sector Partners.**

**WHEREAS**, the Town has called a special election on November 6, 2018, to be coordinated with Boulder County and Weld County;

**WHEREAS**, pursuant to C.R.S. § 31-11-111, the Board of Trustees may submit any question to a vote of the registered electors of the Town;

**WHEREAS**, given the technological advances made in broadband communications, people have become increasingly dependent on broadband access for a wide variety of uses, including business, education, healthcare and entertainment content;

**WHEREAS**, Colorado Senate Bill 152 (2005) as amended, codified at C.R.S. § 29-27-101–404, prohibits most uses of local government resources for infrastructure to improve subscriber services for the following: broadband internet services (referred to as “Advanced Services” in Senate Bill 152), cable television services or telecommunication services, without first going to a vote of the eligible electors of the applicable jurisdiction; and,

**WHEREAS**, the Board of Trustees desires to submit to the Town electorate a ballot question whether the Town should restore the Town’s legal authority that existed before 2005, and remove the legislative barrier imposed by Senate Bill 152 related to broadband internet services (referred to as “Advanced Services” in Senate Bill 152), cable television services or telecommunication services, either directly or in partnership with other public and/or private entities.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO as follows:**

The Town Board of Trustees hereby submits the following ballot question to the registered electors of the Town of Erie, Colorado to be considered at the November 6, 2018 special election:

**QUESTION**

Shall the Town of Erie, without increasing taxes, be authorized to deploy broadband infrastructure used to provide advanced services (high-speed broadband internet), telecommunications services, and/or cable television services as defined by § 29-27-102 and § 29-27-402 of the Colorado

Revised Statutes, including without limitation any new and improved high bandwidth services based on future technologies, to residents, businesses, schools, libraries, nonprofit entities and other users of such services, either directly, or indirectly with public and/or private sector partners.

**ADOPTED this 28<sup>th</sup> day of August, 2018.**

**TOWN OF ERIE**

**ATTEST**

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**Jennifer Carroll, Mayor**

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**Jessica Koenig,  
Deputy Town Clerk**