

# **STUDY SESSION AGENDA**

## **CITY COUNCIL CITY OF WHEAT RIDGE, COLORADO**

7500 W. 29th Ave.  
Wheat Ridge CO

July 16, 2018

6:30 p.m.

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Individuals with disabilities are encouraged to participate in all public meetings sponsored by the City of Wheat Ridge. Call Sara Spaulding, Public Information Officer 303-235-2877 at least one week in advance of a meeting if you are interested in participating and need inclusion assistance.

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### Citizen Comment on Agenda Items

1. Let's Go, Colorado Transportation Funding Campaign
2. Discussion on Wheat Ridge 50<sup>th</sup> Anniversary celebration activities
3. 2017 Code Enforcement Strategies/TLC update
4. Crime Update
5. 2017 Cannabis Update
6. Exemption from SB 05-152 Broadband
7. Staff Report(s)
8. Elected Officials' Report(s)

ADJOURNMENT



# Memorandum

**TO:** Mayor and City Council

**FROM:** Patrick Goff, City Manager

**DATE:** July 11, 2018 (for July 16, 2018 Study Session)

**SUBJECT:** Let's Go, Colorado Transportation Funding Campaign

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A coalition of organizations from across the state of Colorado are advocating for a 0.62% increase in the state's sales tax rate to increase revenue for transportation projects. The Let's Go, Colorado campaign is collecting the necessary signatures to include a question on the November 2018 ballot.

The proposed tax increase is projected to generate \$767 million in revenue from sales tax in the first year for transportation projects statewide. The new revenues would be distributed to the State Highway Fund (45%), cities (20%), counties (20%) and to the Multimodal Options Fund (15%). The tax increase would sunset after 20 years.

The City of Wheat Ridge would potentially receive \$1.1 million in new transportation funding in the first year or \$33 million over a 20-year period. Jefferson County is projected to receive \$10.5 million in the first year or \$297 million over a 20-year period.

Senator Rachel Zenzinger and Let's Go, Colorado campaign staff will be at the study session on July 16 to provide more details to City Council about the ballot initiative.

**ATTACHMENTS:**

1. Let's Go, Colorado Sample Resolution
2. Let's Go, Colorado Flyer
3. Let's Go, Colorado Sign Up Sheet
4. Let's Go, Colorado PowerPoint

### **Sample Resolution Endorsing Statewide Transportation Sales Tax Solution**

WHEREAS, a modern, safe and efficient 21<sup>st</sup> century transportation system is essential to Colorado's quality of life and the health of our economy; and

WHEREAS, Colorado's population has grown nearly 60 percent since 1991, while state transportation spending per driver, adjusted for inflation, has been cut in half over that same time period; and

WHEREAS, increased demands on our roads and bridges have resulted in increased traffic congestion, lost worker productivity and deep frustration among local citizens; and

WHEREAS, the Colorado Department of Transportation has identified \$9 billion in much-needed projects that lack funding; and

WHEREAS, compounding the inability of CDOT to fund vital projects is the lack of resources available to local communities to address traffic congestion, maintenance needs and safety concerns; and

WHEREAS, the failure to maintain roads and bridges adequately costs Coloradans on average of \$468 per driver due to damage and unnecessary wear-and-tear to vehicles, and

WHEREAS, truly addressing Colorado's transportation challenges requires a dedicated, sufficient and guaranteed stream of revenue; and

WHEREAS, a bipartisan, statewide group of local elected officials and business leaders has proposed to raise the state sales tax by .62 percent, or about six cents on a ten-dollar purchase, for transportation needs; and

WHEREAS, will raise \$767 million in its first year and allow for bonding of \$6 billion for state projects; and

WHEREAS, 40 percent of the new revenue will go to county and municipal governments to address local transportation needs; and

WHEREAS, Colorado voters will be able to vote on this statewide transportation solution on the November 2018 ballot; be it therefore

RESOLVED, that **[GOVERNING BODY]** endorses this strong and effective transportation solution as the right answer to address years of neglect of our state's transportation needs and to address the concerns we have heard from our local citizens; and be it further

RESOLVED that **[GOVERNING BODY]** urges our local voters to support this transportation solution on the November 2018 ballot.

# LET'S GO, COLORADO

## HOW WE GOT HERE

Colorado's transportation needs have gone unmet for decades. In every corner of our state, we lack the resources to maintain our roads, highways and local bus routes.

Because the state's gas tax isn't tied to inflation, there has been less and less revenue from existing gas taxes to address Colorado's transportation needs. Today, Colorado spends just \$69 per driver on transportation infrastructure, compared to 25 years ago when we spent almost twice that amount - \$125 per driver.

CDOT has more than \$9 billion in projects with no funding - and that's only part of the issue, our local communities lack the resources to address congestion, maintain roads and improve safety. **We need a statewide solution that ensures local governments have the resources to meet demands, addresses high-priority projects on state highways, and promotes multimodal transportation options that reduce congestion.**



78% of Colorado's roads will need to be repaired in the next 10 years, but the state lacks the budget to keep up. It's time to stop the band-aid approach.



Potholes and rough roads damage a vehicle's tires and suspensions, costing the average Colorado driver \$468 in repairs each year.



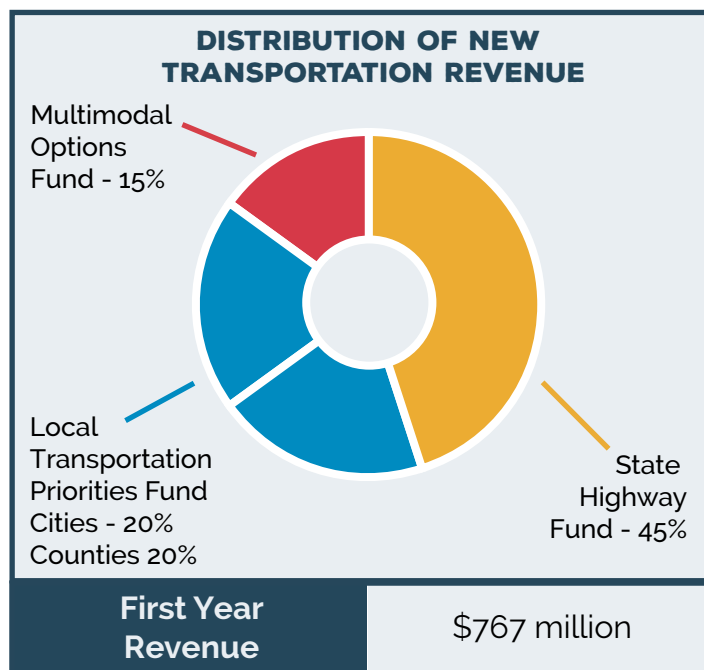
Each dollar spent on road improvements results in an average benefit of \$5.20 by reducing delays and fuel consumption, and improving safety.

## OUR PROPOSAL

**We need a new funding source to fix our roads.** A sales tax asks everyone to chip in, including the 80 million out-of-state tourists who use our infrastructure every year.

Our proposal will increase the state's sales tax by 0.62%, a little more than half a cent on a dollar purchase. This revenue will address longstanding problems with funding transportation projects in the state.

New revenue will be distributed to fund critical state projects that address safety and make it easier to get around, projects on local streets and highways as determined by local leaders and make a serious investment in multimodal transit to help reduce congestion and protect our air quality.





## FUNDING STATE PROJECTS

Our initiative will address major projects on I-25, I-70 and the state highways that connect our communities throughout Colorado.

- Improve traffic flow by widening lanes, adding passing lanes and improving interchanges.
- Improve safety by adding and widening shoulders, replacing bridges and building wildlife crossings.

We see on our commutes and daily travels that the needs at the state level are serious and immediate. By using bonds, we'll be able to start these projects right away.



## ADDRESSING LOCAL PRIORITIES

Local governments will have full flexibility of their share of the funding, allowing our communities to meet their diverse needs throughout the state.

Projects could include:

- Street repaving and pothole repair
- Matching for state projects
- New intersections, shoulders and signals
- Bike lanes, sidewalks and other transit options

This revenue will be split 50/50 between cities and counties based on lane miles and vehicle registrations.



## SUPPORTING MULTIMODAL OPTIONS

Multimodal funding will support transportation options that decrease traffic congestion and protect our air quality. This funding could be used to support urban and rural bus service, large scale bike lanes and paths, and improvements for pedestrians.

This revenue will be divided to leverage state local dollars to complete large and small projects, support interregional transit projects like Bustang, and distribute funds to local governments specifically for multimodal projects.



# LET'S GO, COLORADO

Name \_\_\_\_\_

Organization: \_\_\_\_\_ Title: \_\_\_\_\_

Cell Phone \_\_\_\_\_ Personal Email: \_\_\_\_\_

City \_\_\_\_\_ County \_\_\_\_\_

I support the initiative proposed by the Let's Go, Colorado campaign and coalition.  
The campaign may use my name in print or online in support of the ballot initiative.

My endorsement is: ☐ Personal ☐ On behalf of my organization

Signature: \_\_\_\_\_

The campaign can count on me to help in the following ways (check all that apply):

- |  |  |
|--|--|
| <input type="checkbox"/> Circulate a petition and collect signatures                     | <input type="checkbox"/> Contribute to the campaign                                |
| <input type="checkbox"/> Organize a group to circulate a petition and collect signatures | <input type="checkbox"/> Raise campaign funds                                      |
| <input type="checkbox"/> Speak on behalf of the campaign at events                       | <input type="checkbox"/> Write op-eds, letters to the editor and emails in support |
| <input type="checkbox"/> Request a presentation be made to my group                      | <input type="checkbox"/> Share campaign information on social media                |

Additional Comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Paid for by Coloradans for Coloradans

For more information or to return this form,  
please email us at [info@lets gocolorado.com](mailto:info@lets gocolorado.com) or call (303) 526-8551

**ATTACHMENT 3**



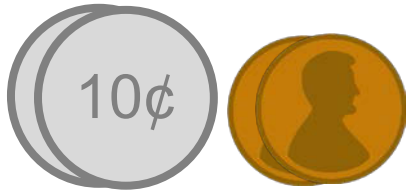
**LET'S GO,  
COLORADO**

**Wheat Ridge City Council  
07/16/2018**

**ATTACHMENT 4**

# WHERE IT STARTED

Colorado set the gas tax to 22 cents per gallon in 1991.

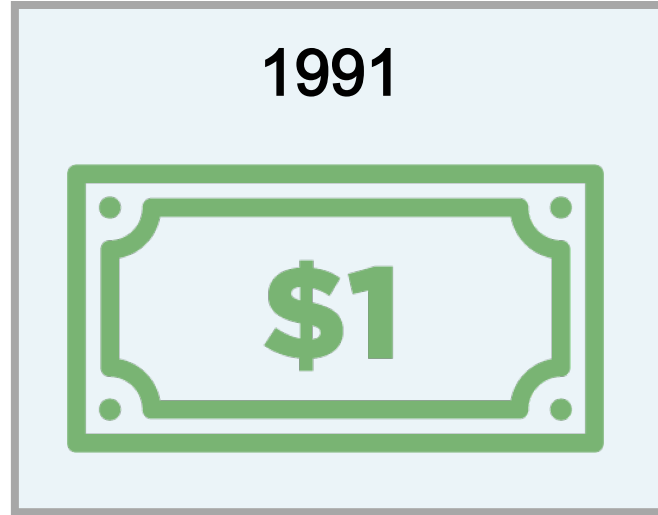


The gas tax is the primary in-state revenue source for road repair, maintenance and construction

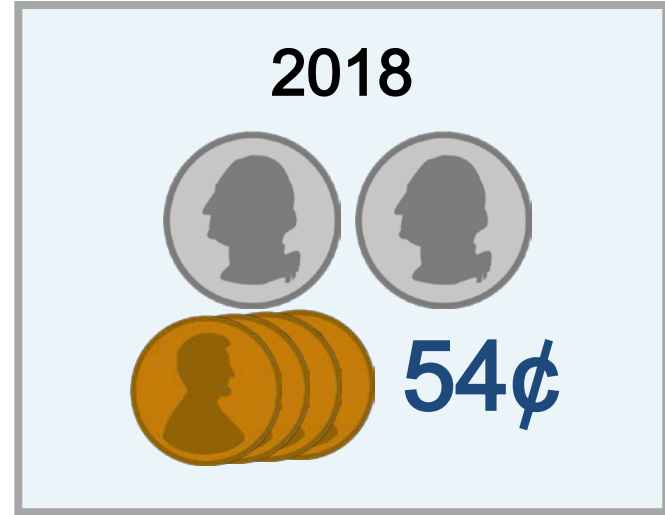
In 1991, in Colorado ...

- 3,387,000 people lived here
- Coloradans drove a combined 28 billion miles
- **Colorado spent \$126 per driver**

# DECREASING PURCHASING POWER



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# INCREASED COSTS



Honda Civic

1991: \$10,760  
2018: \$18,940

+76%



Road  
Resurfacing

1991: \$120k/m  
2018: \$265k/m

+120%



Gallon  
of Gas

1991: \$1.20/gal  
2018: \$2.90/gal

+140%

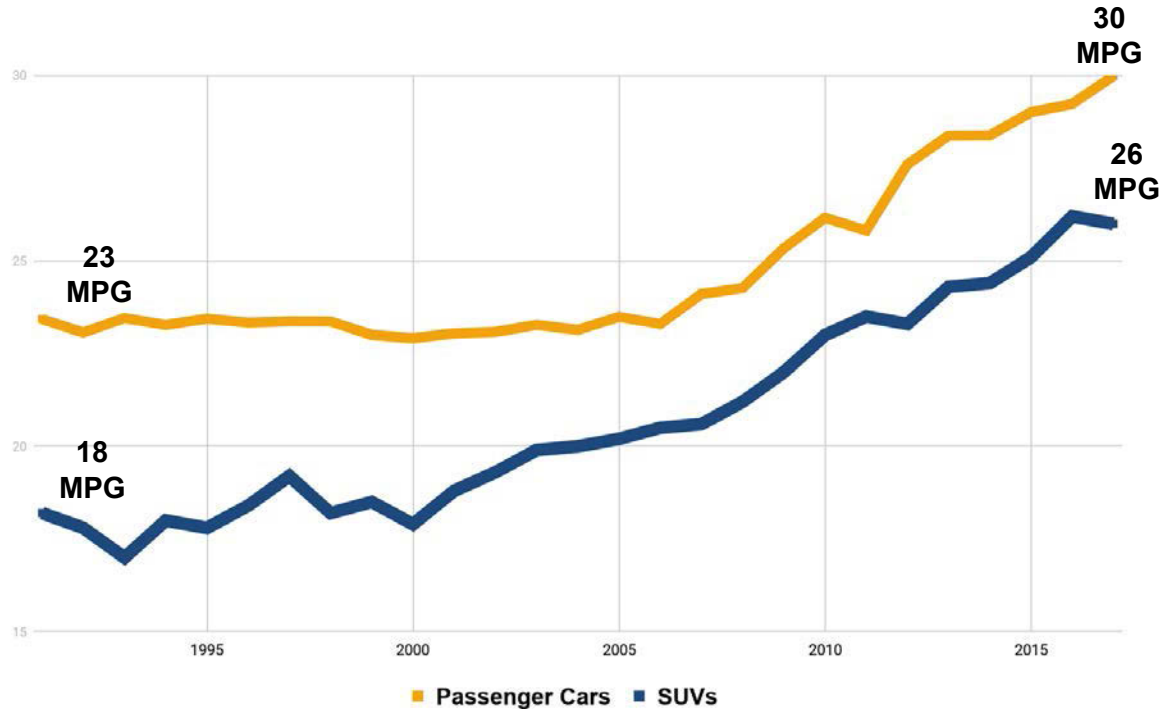


Fuel Tax

1991: \$0.22/gal  
2018: \$0.22/gal

No Change

# INCREASING FUEL EFFICIENCY

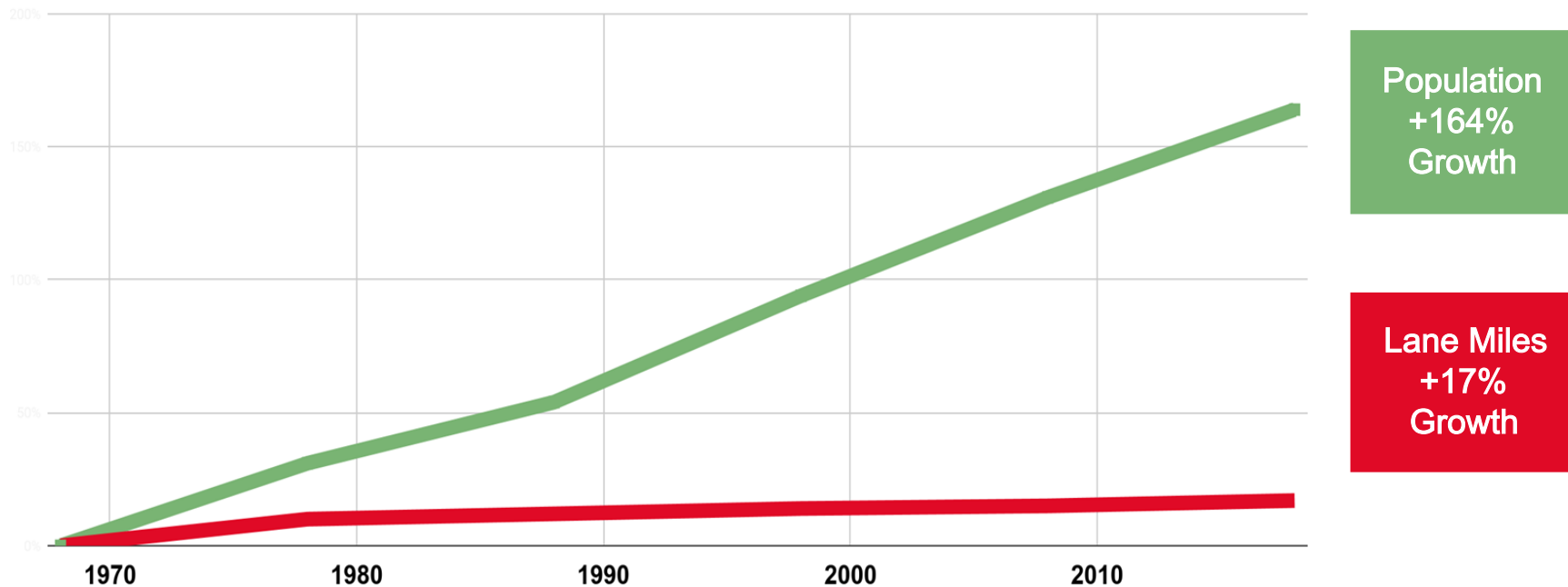


Average increase  
in fuel efficiency = less  
revenue for  
transportation

**18%**

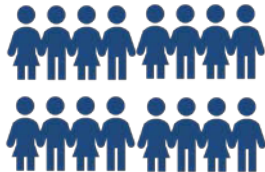
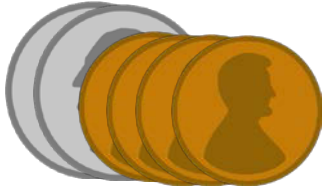
# GROWING POPULATION

Percent Change in Lane Miles and Population





# PUTTING IT ALL TOGETHER



- \$9 billion in outstanding projects
- \$1 billion/year shortfall
- Limited budget capacity for new construction
- \$69 spent per driver (nearly half of '91 amount)

# STATEWIDE COALITION

Organizations Advocating for a Sales Tax to Increase Transportation Revenue

Denver Metro Chamber of  
Commerce

Downtown Denver Partnership

I-70 Coalition

Denver South Economic  
Development

Conservation Colorado

Pro 15

LiveWell Colorado

Commuting Solutions

AAA Colorado

Colorado Ski Country USA

Ports to Plains Alliance

Colorado Counties Incorporated



Colorado Association of Transit Agencies

Colorado Association of Realtors

Associated General Contractors

Jefferson County Economic Development  
Corporation

Colorado Contractors  
Association

Bicycle Colorado

Club 20

Metro Mayors Caucus

Move Colorado

Home Builders Association

Colorado Farm Bureau

DRCOG

American Concrete Pavement  
Association

Action 22

Colorado Asphalt Pavement  
Association

ACEC of Colorado

# REVENUE OPTIONS EXPLORED



Vehicle  
Registration



Fuel  
Tax



General Fund



Income  
Tax

# SALES TAX OPTION



Vehicle  
Registration



Fuel  
Tax



General Fund



Income  
Tax



Sales Tax



- ✓ Raises enough to address the problem
- ✓ A small amount that adds up
- ✓ Everyone pays the same rate, including tourists

# 0.62 SALES TAX



**\$767 million**

First year, statewide revenue from sales tax

**\$6 billion**

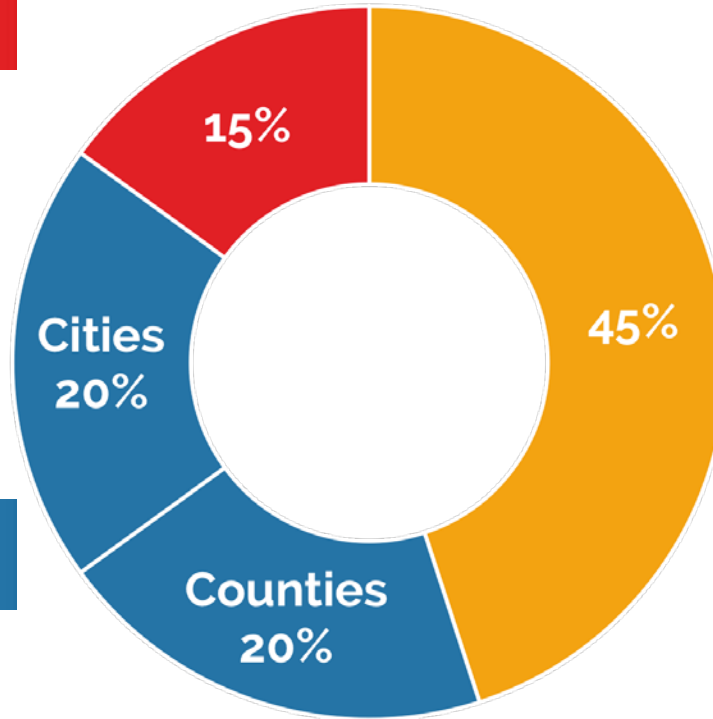
Bond principal for state projects

**20 Years**

This tax will sunset after 20 years

# SYSTEMWIDE IMPROVEMENTS

Multimodal Transportation  
Options Fund



State Highway Fund

Local Transportation  
Priorities Fund

# STATE PROJECTS



Address CDOT's strategic priority investment program



Bond against new revenue to immediately start critical projects

## I-270 Widening

- Expansion and mobility improvements between I -70 and I-76
- **Total Cost:** \$233 million

## I-70 Kipling Interchange

- Reconstruction of the interchange to improve performance and safety
- **Total Cost:** \$68 million

## I-25 Speer & 23rd Bridges

- Reconstruction of two bridges and a northbound connector road
- **Total Cost:** \$47 million

## 6th and Wadsworth Interchange

- Reconstruction of the interchange to improve safety and capacity
- **Total Cost:** \$68 million

# LOCAL PRIORITIES



New dollars dedicated to municipal and county transportation projects



Projects selected by local leaders, not mandated by the state

| Area             | First Year Amount | 20-year Total |
|------------------|-------------------|---------------|
| Wheat Ridge      | \$1,184,066       | \$33,485,023  |
| Jefferson County | \$10,531,112      | \$297,816,508 |

## Potential Local Projects to Fund:

- ✓ Street repaving and pothole repair
- ✓ Matching for state projects
- ✓ New intersections
- ✓ Lane widening
- ✓ Shoulders
- ✓ Bridge repair
- ✓ Sidewalks
- ✓ Bike lanes
- ✓ Transit projects



# MULTI-MODAL MOBILITY



- ✓ Leverage state and local dollars for projects
- ✓ Fund local multimodal projects across the state
- ✓ Fund interregional transit projects, like Bustang

# ADDING IT ALL UP



**Create a reliable revenue stream to support and complete state transportation projects**



**Prioritize rural and urban multimodal mobility**



**Allocate funding to local communities across the state and give them the authority to make transportation decisions**

# Memorandum

**TO:** Patrick Goff, City Manager

**THROUGH:** Heather Geyer, Administrative Services Director

**FROM:** Sara Spaulding, Communications Manager/PIO

**DATE:** July 6, 2018 (for July 16, 2018 Study Session)

**SUBJECT:** 50<sup>th</sup> Anniversary Celebration Plans

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## **BACKGROUND:**

In 2019, Wheat Ridge will celebrate 50 years of incorporation as a City. Planning for the City's 50<sup>th</sup> Celebration began in the fall of 2017 and this memorandum provides an outline of recommended activities developed to date by an internal staff committee and staff from Localworks.

While special attention will be focused on celebrating the City's 50 years at the Carnation Festival in August 2019, the plan outlined below provides celebratory activities throughout the year. These activities will be kicked-off with a Signature Gala event planned for March 2, 2019.

Staff in partnership with Localworks will engage community members and key partners in an inclusive process, described in greater detail below, as we move closer to 2019.

## **RECOMMENDATIONS:**

### **Community Engagement**

The City has already begun community outreach through the Connections Newsletter and Facebook in gathering photos and stories. These submissions will be shared throughout the 50<sup>th</sup> Year on our website and on our social media platforms and in display form at events.

The City hopes to engage a subcommittee of City staff and community members to assist with further development of plans for the year long celebration. Businesses, schools, service clubs and the faith community will be encouraged to join in the celebration and enhance their own activities with the City's 50<sup>th</sup> Anniversary theme.

### **50<sup>th</sup> Anniversary Seal and Logo**

Central to the marketing of the 50<sup>th</sup> Anniversary activities is the development of a celebratory seal and logo. Both the seal and logo will be used on banners, business cards, electronic letterhead, invitations and the City website as well as any items we may wish to giveaway at 50<sup>th</sup> events. Other potential uses identified include detachable magnets for the City's fleet. Attachment 1 includes the

draft 50<sup>th</sup> seal and Attachment 2 includes the draft 50<sup>th</sup> logo.

#### WRPD Commemorative Badge

The Wheat Ridge Police Department has already developed and approved a badge modeled after the very first department design. Officers interested in acquiring a commemorative badge can purchase one at their own cost.

#### Restoration of Unit 1

WRPD is pursuing the restoration of Unit 1, the first patrol car used by the Department's Chief in 1969. The City is reviewing the potential for financial support from the WR Community Foundation to fund the restoration.

#### Communications Plans

The City plans to utilize multiple City communications vehicles such as our website, the Connections newsletter as well as mainstream and social media to share plans and programs with community members. A new Facebook Group has been created, Celebrate WR50.

Other special marketing and communications ideas include:

- Addition of a website banner with the 50<sup>th</sup> logo
- Use of a special Connections masthead throughout the year
- Addition of 50<sup>th</sup> flair for Cody the Code Ranger
- Launch of a new Instagram account
- Frames for use with photos on Facebook and Instagram
- Giant sized 50 that can be moved to different locations around the City for photo opportunities
- A calendar with then and now photos of Wheat Ridge
- Collaboration with other organizations and cities celebrating 50 years (e.g. Lakewood, JCMH)
- Outreach to regional media

#### Draft Calendar of Activities

##### January

- Happy 50<sup>th</sup> New Year

##### February

- Love letters to Wheat Ridge

##### March

- Signature Event Gala to celebrate the petitioning process that took place in the spring of 1969.

## 50<sup>th</sup> Anniversary Celebration Plans

July 6, 2018

Page 3

### April

- Employee Recognition Ceremony – tie into annual awards program. Invite long-term employees back to receive special recognition for years of service.

### May

- Historic Park TBD
- Anderson Park Pool Party

### June

- Criterium
- Performances in the Park
- Localworks Friday Night Movies
- 50<sup>th</sup> Celebratory Date: Incorporation election birthday party – June 17<sup>th</sup>
- Active Over 50 Month (Heart Healthy)

### July

- Performances in the Park
- Localworks Friday Night Movies
- Ice Cream Social

### August

- Carnation Festival – to include a special float, activities at the Festival to be coordinated with the Festival Committee.
- Performances in the Park
- Summer Fest & Child Safety Fair
- Localworks Friday Night Movies
- Proclamations (state and local)
- 50<sup>th</sup> Celebratory Date: Elected officials sworn into office August 20<sup>th</sup>

### September

- Business Awards – to include special legacy awards and recognition
- RidgeFest – special 50<sup>th</sup> beer brew

### October

- Haunted Tour of Wheat Ridge
- Trunk or Treat

### November

- Thankful for Wheat Ridge

### December

- Holiday Lighting – Ring out 50 years

The following activities were suggested to mark this important milestone in our history and some are currently underway:

Community Events offered by the City and enhanced with the 50<sup>th</sup> Theme

- Localworks Friday Night Movie Nights
- Parks & Recreation Department and Active Adult Center will also incorporate the 50<sup>th</sup> Anniversary Theme into their special events and programs

**FINANCIAL IMPACT:**

Funding in the amount of \$10,000 is included in the 2018 Budget. A budget for 2019 will be developed and included for City Council review in the proposed 2019 budget. Localworks has \$10,000 included in their 2018 Budget for 50<sup>th</sup> Celebration activities.

Staff asks that City Council review the ideas listed and provide any suggestions. Once we have our community steering committee in place by the fall of 2018, we will provide City Council with an update on the final plan prior to the end of 2018.

**ATTACHMENT(S):**

1. Draft anniversary seal
2. Draft anniversary logo

SBS/sbs

CELEBRATING



50  
YEARS

1969-2019



ATTACHMENT 1

WR 50 - 1



04.20.2018

**FREE**AGENT  
STRATEGIC

**ATTACHMENT 2**





04.20.2018

**FREE**AGENT  
CREATIVE



## Memorandum

**TO:** Mayor Bud Starker and City Council

**THROUGH:** Patrick Goff, City Manager  
Daniel Brennan, Chief of Police

**FROM:** Jim Lorentz, Division Chief  
Lucas Hunt, Supervisor, Community Services Team

**DATE:** July 16, 2018

**SUBJECT:** Staff Report: Code Enforcement 2017 Update and 2018 Recommendations

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### **ISSUE:**

City Council has requested an annual update on code enforcement efforts and strategies. Code enforcement was an area of focus discussed by City Council in the last City strategic planning process.

### **BACKGROUND**

In 2008, the Wheat Ridge Police Department instituted the Wheat Ridge Administrative Enforcement Process for Nuisance and Code Violations. This process has proven to be an innovative and proactive effort to deal with the local enforcement of nuisance violations of City Code, such as tall weeds, inoperable vehicles, outside storage of junk, graffiti, and illegal dumping. Our model was featured in *Colorado Municipalities Magazine* in October 2010, as an innovative approach to handling code enforcement. The Administrative Enforcement Process shifts from the criminal procedures and violations model handled usually through the Municipal Court system, to a more efficient and effective civil administrative citation process. The program is intended to benefit the community by making neighborhoods safe and attractive, as well as increasing citizen interest and ownership in neighborhood identity. Compliance can reduce vandalism, deter crime, maintain property value, and prevent deterioration of neighborhoods.

In 2014, the Wheat Ridge City Council identified code enforcement as an action agenda item during its annual retreat. Based on discussions, Council agreed that code enforcement was an important component, and that it should be strengthened and applied consistently throughout the City. The City Council directed Staff to bring this topic before Council for further discussion and consideration. As a result, staff from Community Development, Public Works, Parks and Recreation, and the Police Department began meeting to review efforts by City departments that address code enforcement.

The resulting program was named *Wheat Ridge TLC Neighborhoods*. "TLC" stands for *Traffic safety, Life quality, and Crime reduction*. The purpose of this report is to update City Council on staff's efforts to initiate specific code enforcement strategies in residential neighborhoods and commercial corridors throughout the City of Wheat Ridge.

Since the program's inception in 2014, the City has worked in the following neighborhoods as part of the TLC Neighborhoods program:

- East Wheat Ridge
- Applewood Village
- Apel
- Clear Creek Station
- Fruitdale East
- Sun Valley
- Clearvale
- Fruitdale West

The following commercial corridors have been a part of the TLC program to date:

- West 44<sup>th</sup> Avenue East (Fenton to Wadsworth)
- West 44<sup>th</sup> Avenue Central (Wadsworth to Kipling)
- West 44<sup>th</sup> Avenue West (Kipling to Xenon)
- Kipling Street (W. 32<sup>nd</sup> Avenue to W. 51<sup>st</sup> Place)
- Wadsworth Boulevard, 32<sup>nd</sup> Avenue north to 48<sup>th</sup> Avenue

During the administration of enforcement activities, all previously identified neighborhoods and commercial projects were assessed for code violations and were brought into compliance using the administrative nuisance code process.

### **2017 UPDATE**

In 2017, the Community Services Team (CST) was able to partially recover from a significant loss of personnel in 2016. The Police Department hired Lucas Hunt as the Supervisor for the CST. Two new Community Services Officers (CSOs) were hired and trained; however, two CSOs left their positions to become Wheat Ridge Police Officers and another CSO left to take a position as a Detentions Deputy with an area Sheriff's Office. Although the loss of personnel impacted the CST, the Team was able to maintain services to the community and complete the 2017 TLC Neighborhoods and Commercial Corridor programs. Currently, the CSO Team is conducting a hiring process for two (2) regular CSO positions and two (2) part-time, intermittent Park Ranger positions.

The current authorized strength of the CST is as follows:

- One (1) Community Services Supervisor
- One (1) Lead CSO position
- Six (6) full time CSO positions (two positions currently open)
- Two (2) part-time, intermittent Park Ranger positions (May through October)
- There are five (5) specially equipped vehicles assigned to the team

### **ACCOMPLISHMENTS**

Throughout the past year, the CST responded to calls for service that fluctuated throughout the year, and peaked during the spring and summer months. In 2017, the CST responded to more than 5,312 calls for service, of which 3,310 were proactively self-initiated by CSOs.

Additionally, the Team answered more than 3,972 telephone calls from citizens, addressed over 134 service requests, and worked diligently to sustain the Wheat Ridge TLC Neighborhoods program.

The following are the calls for service associated with code enforcement, animal control, and parks enforcement activities during calendar year 2017:

| Enforcement Activities               | Code Enforcement | Animal Control | Parks Enforcement |
|--------------------------------------|------------------|----------------|-------------------|
| Calls for Service                    | 2,518            | 1,922          | 872               |
| Warnings Issued                      | 912              | 222            | 190               |
| 1 <sup>st</sup> Citations/Compliance | 62 / 92%         | 80             | 34                |
| 2 <sup>nd</sup> Citations/Compliance | 20 / 98%         | N/A            | N/A               |
| 3 <sup>rd</sup> Citations/Compliance | 13 / 99%         | N/A            | N/A               |
| Admin Hearings                       | 11 / 1%          | 80             | 34                |
| Abatements                           | 0                | 0              | 0                 |
| Criminal Charges                     | 0                | 1              | 0                 |
| Fines Assessed                       | \$25,490         | \$13,188       | Unavailable       |
| Abatement Fees Assessed              | 0                | 0              | 0                 |

### TLC NEIGHORHOODS

The TLC model is multi-faceted in its approach. The model includes outreach to property owners and residents in an identified TLC area, followed by a community meeting with property owners and residents. This meeting is attended by representatives from the Patrol Operations Division, Community Services Team, other City departments, and staff from Localworks. Staff presents on the identified issues and then attendees are given the opportunity to tell us about their concerns or what they feel is working. A plan is developed to address resident concerns and arrangements made for a *Dumpster Day* event. After the voluntary cleanup is completed, CSOs begin the process of addressing properties that are still out of compliance. In addition, random patrols are conducted to address other issues brought up by the neighbors, and bicycle officers are deployed randomly as well. To ensure open lines of communication with the different stakeholders, the team shares information during monthly meetings with Community Development to address issues brought forward by members of the community and other City departments.

In 2017, the team used this approach to address quality of life, traffic and crime concerns in the identified neighborhoods and commercial corridors that would benefit from the support provided by the program in the following areas:

- **Apel Neighborhood:** Quay Street west to Wadsworth Boulevard, and West 44<sup>th</sup> Avenue north to I-70.
- **Sun Valley Neighborhood:** Garrison Street west to Kipling Street, and West 42<sup>nd</sup> Avenue north to I-70
- **Wadsworth Boulevard Corridor:** Wadsworth Boulevard, from West 32<sup>nd</sup> Avenue north to West 48<sup>th</sup> Ave.

The hosted community meetings were held at local faith-based institutions and community partners were provided with material and information about TLC clean-up projects in their neighborhoods. The *Dumpster Days* events were held throughout the months of June, July, August, and September. As part of the process, the Team distributed educational material door-to-door and encouraged citizens to express their concerns during neighborhood meetings. The open exchange of information allowed the team to work with neighborhood supporters to clean-up and enforce the City of Wheat Ridge Municipal Codes, using Notice of Violations and administering the City's nuisance abatement process.

Community Services concentrated its pro-active enforcement activities in the TLC Neighborhoods and was able to eventually gain full compliance for the 912 Notice of Violations issued in 2017. The enforcement process emphasized cooperation with property owners to identify municipal code violations, and to provide appropriate time to gain voluntary compliance. The oversight given to the TLC Neighborhoods allowed the department to effectively organize and direct enforcement activities within high complaint and call areas. The objective of the directed enforcement activities were to address citizen concerns and improve the quality of life for the community.

### HOTEL/MOTEL INSPECTIONS

Over the past year, the team worked with City of Wheat Ridge staff members from Community Development, Crime Prevention, and the Arvada Fire Protection District to evaluate the nine (9) commercial hotel and motel structures for code, fire, and building violations. Throughout the course of the inspection process, staff examined more than 2,600 rooms, issued nine (9) Notice of Violations for 18 separate infractions, and worked with representatives from each site to gain full compliance.

A complete review of the municipal, fire, and building codes were conducted by representatives from each agency to ensure the most recent safety standards and training were applied by inspecting members in 2017.

### GREENBELT ASSESSMENTS

During the summer months, CSOs and patrol officers worked with local volunteer groups, such as Family Tree, to assess the impact of people experiencing homelessness within the community. As part of these assessments, the department provided support and services to those individuals contacted, while also enforcing municipal code violations.

Through the evaluation of the City's Greenbelt, every effort was made to connect the different stakeholders, such as Parks and Recreation, Colorado Department of Transportation, and Public Works to address areas of concern. The services provided to the community allowed our partners to address the removal of trash and debris, paint park facilities and bridges, and address the issues of camps in City parks and under bridges. The department and team worked with surrounding communities and law enforcement agencies on homelessness camps that were close to our community as well.

### PROACTIVE ENFORCEMENT

In 2017, the team continued to be proactive in addressing code enforcement violations and was able to develop an operational method for identifying areas of concern in the community. By collaborating with Crime Analyst, Beth Daniels, the team produces and utilizes a monthly mapping system to identify areas of concern for weekly proactive team activities. Through the use of focused patrols on Wednesday mornings, the team was able to produce more than 900 proactive code calls using this approach during the summer of 2017. This practice will be continued for directed enforcement activities in 2018.

### 2018 RECOMMENDATIONS

In 2018, two additional neighborhoods and one commercial corridor were selected to participate in the TLC program. These neighborhoods were selected based on a variety of concerns,

including Community Services Officer input, equal representation within City Council Districts, and community/neighborhood interests. The following neighborhoods were identified as areas for the TLC program in 2018:

- **Historical Park Neighborhood:** (181 Residential Parcels) Tabor Street to Parfet Street and 44<sup>th</sup> Avenue to the I-70 Frontage Road.
- **Discovery Park Neighborhood:** (217 Residential Parcels) Kipling Street to Holland Street and 32<sup>nd</sup> Avenue to 38<sup>th</sup> Avenue.
- **W. 38<sup>th</sup> Ave. Commercial Corridor:** 38<sup>th</sup> Avenue, from Pierce Street to Sheridan Boulevard.

The dates and locations for the TLC Clean Up day and community meetings are as follows:

- **June 2, 2018** (District 4) - Clear Creek Church, 10555 W 44th Ave (Community Meeting, May 23, 2018 between 7:00 - 8:30 PM.)
- **July 7, 2018** (District 3) - Glory of God Lutheran Church, 12200 W 38th Ave (Community Meeting, June 27, 2018 between 7:00 - 8:30 PM.)
- **August 18, 2018** (District 2) - St. Peter and Paul Catholic Church, 3900 Pierce St. (Community Meeting, August 08, 2018 between 7:00 - 8:30 PM.)
- **September 22, 2018** (District 1) - WR United Congregational Church, 6310 W 29th Ave (Community Meeting, September 12, 2018 between 7:00 - 8:30 PM.)

The dates for the community meetings and *Dumpster Days* can be found on the City website and department Facebook page.

Staff believes that since the program's inception, the TLC and *Dumpster Day* programs have been a very positive and successful method for providing proactive code enforcement services to the community. Although staffing resources are limited currently and proactive enforcement may be narrowed to these designated areas, the CST continues to respond to calls for service and complaints regarding any property in Wheat Ridge.

The Police Department has confidence that quality of life, traffic, and crime issues in these neighborhoods can be effectively addressed through the TLC program. Staff is seeking direction from City Council for any input that may help identify other potential neighborhoods and commercial areas for consideration in 2019. With the direction and input provided by Council, the department can outline an education and enforcement program that allows the Department to mitigate potential concerns from the community going forward.

### **FUTURE DISCUSSIONS/CONSIDERATIONS**

The department has shared the Strategic Plan Update, Wheat Ridge Vision 2035, regarding an attractive and inviting city with leadership in the department and with the members of the Community Services Team. Staff understands that effective code enforcement plays an important role in achieving these goals. Moving forward we have identified the following areas for further discussion and development:

- Citizen education regarding quality of life issues is important in achieving City goals regarding code enforcement. The department routinely pushes out information via the

Mayor's Newsletter, Connections, our department website and Facebook page. The department has printed brochures available as well. If any of our information or a department speaker would be helpful to City Council in discussing quality of life issues at a Council District meeting, please let us know.

- Staff recommends that the Administrative Enforcement Process, TLC program, and Dumpster Day programs continue. They continue to be the best option for success in attaining Council's vision.
- Staff is seeing citizens utilize native grasses and xeriscaping as strategies to address environmental and watering concerns. Staff is seeking direction from City Council to research and bring forth recommendations on changes at a future date. The department will work with the Community Development Department and City Attorney's Office.
- Staff continues to meet monthly with Community Development and Public Works to address quality of life issues that blend into the roles and responsibilities of each department. Staff has found these meetings to be productive in problem-solving and agreeing on education or enforcement approaches.
- The City Manager directed staff to work with the City Attorney to develop recommendations for code changes to provide more effective enforcement tools for habitual code enforcement offenders.



# Memorandum

**TO:** Mayor Bud Starker and City Council

**THROUGH:** Patrick Goff, City Manager

**FROM:** Daniel Brennan, Chief of Police

**DATE:** July 16, 2018

**SUBJECT:** Crime in Wheat Ridge

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The purpose of this staff report is to provide City Council with a snapshot of crime in Wheat Ridge. One of the most frequent questions and concerns expressed by citizens to the Police Department concerns crime, followed by questions about quality of life and traffic issues. The department reviews data related to crime, traffic, and quality of life issues on a frequent basis to address concerns in these areas.

Over the past year, I have received multiple questions from citizens about crime in their neighborhoods or the City. There is undoubtedly a community sense that crime has increased and this is accurate in terms of overall crime in the city. As a community in a large metropolitan area, Wheat Ridge has experienced similar increases in crime as seen throughout the Denver Metropolitan Area and Colorado.

Respondents to the 2018 Resident Survey were asked to provide their perceptions about feelings of safety in and around the city. Generally, residents felt safe in Wheat Ridge, with more than 9 in 10 reporting that they felt very or somewhat safe in recreation centers and in their home. At least 8 in 10 felt safe in parks and playgrounds, retail and commercial areas and in their neighborhood. About 7 in 10 reported feeling very safe or somewhat safe on roadways and on the trail system. Overall, 16% or less reported feeling unsafe in any of these areas in Wheat Ridge. From 2015 to 2018, feelings of safety increased in the neighborhood, but decreased on roadways.

## **CRIME DATA**

It is helpful to understand how crime is reported statewide and nationally. There are two national crime reporting systems; the Uniform Crime Report (UCR) and the National Incident-Based Reporting Status (NIBRS). The FBI has administered the national UCR Program since 1930, to generate reliable information for use by law enforcement. UCR data is the most familiar source of crime information for most people. While UCR data can be a very useful way of looking at crime; it is not a complete picture of crime because it does not provide an accurate representation of all crime. For instance, if a person is the victim of a burglary, motor vehicle theft and is seriously assaulted, UCR records the most serious crime committed (serious assault) and does not capture the lesser included crimes. UCR's definition of some crimes, such as sexual assault, are narrowly defined and do not reflect current law definitions and descriptions for this crime.



UCR is broken out into two categories, Part I and Part II Crimes. Part I Crimes are the most serious and include Homicide, Sexual Assault, Robbery, Aggravated Assault, Burglary, Larceny (theft and theft from a vehicle), Auto Theft, and Arson. The definitions of what these crimes consist of are very specific.

Part II Crimes include lesser offenses such as simple assault, curfew offenses and loitering, embezzlement, forgery and counterfeiting, disorderly conduct, driving under the influence, drug offenses, fraud, gambling, liquor offenses, offenses against the family, prostitution, public drunkenness, runaways, sex offenses, stolen property, vandalism, vagrancy, and weapons offenses.

NIBRS is an incident-based reporting system for reporting data on crime and is viewed as providing a more accurate picture of crime. Unlike UCR, NIBRS records all crime committed per incident. Using the example above, NIBRS would capture all the crimes committed versus the most serious crime. The FBI administers NIBRS as well and has been working on moving all law enforcement agencies to report crime using this methodology. The Wheat Ridge Police Department utilizes NIBRS to report crime to the Colorado Bureau of Investigation. CBI converts the data to UCR and sends this data to the FBI. The department tracks crime utilizing the NIBRS method.

### **CRIME IN WHEAT RIDGE**

Nationally, violent crime increased for the second year in a row while property crimes declined slightly except motor vehicle thefts, which increased by 7.4%. In Colorado, violent and property crimes both increased according to the 2016 Crime in Colorado report. The Colorado Bureau of Investigations statewide report reflects that Homicides increased 9.9%, Rapes increased 7.2%, Robbery increased 5.9%, Aggravated Assaults increased 8.3%, Other (Simple) Assaults increased 3.6%, Burglary increased .8%, Larceny (theft) increased 4.3%, and Auto Thefts showed one of highest increases, up 22% statewide. Statewide, motor vehicle thefts accounted for 38.7% of the major offenses reported. Violent crimes increased by 100 offenses in 2017, Aggravated and Other Assaults made up 87% of these crimes.

A review of Wheat Ridge crime data from 2011-2017 for Type I (all Part I Crimes, plus simple assaults) crimes shows a relatively low and flat crime rate from 2011–2013, followed by a significant dip in crime in 2014. Crime increased in 2015 compared to 2014 and has increased annually through 2017. Wheat Ridge has historically had a very low homicide rate, which is reflected in the 2017 statistics. However, data shows aggravated assaults increased 43%, simple assaults increased 19%, adult sex assaults increased 13%, and motor vehicle thefts increased 9% when compared to 2016 data.

Type II Crimes have continued to trend downward since 2012; however, the City experienced a moderately low increase in 2017. Domestic violence incidents increased by 26% in 2017 (domestic violence is not a criminal offense, rather it is a sentencing enhancer). For instance, a domestic violence incident could involve a violent crime, property crime or both.

The top locations for Type I CFS tend to be clustered along the major transportation corridors and includes Lutheran Medical Center (LMC). LMC is a unique location compared to these other areas for a couple of reasons. First, victims will often respond to the hospital before the

police are called. Secondly, staff in the hospital can be subject to assaults from patients with mental health or substance abuse issues. The department has been providing extra-duty officers at the LMC Emergency Room during their high-volume times to provide additional safety for staff and patients.

The department tracks other data as well, to compare to crime trends. This includes looking at calls for service, case reports, arrests, traffic accidents, summonses issued, and our response time to calls for service. Calls for Service (CFS) have steadily increased since 2011; however, CFS declined in 2017. CFS include all incidents of crime, traffic, and quality of life incidents reported to the department. A review of data reflect both an increase in overall crime, coupled with a decline in self-initiated officer activity in 2017, most likely the result of staffing shortages.

### **OTHER ISSUES**

The department is seeing an increase in incidents involving the possession of heroin and methamphetamine. These incidents often involve a subject who has been contacted for other reasons, and during the arrest drugs are found on their person or in a vehicle.

Homelessness, substance abuse, and mental health calls for service continue to impact day-to-day operations. These are broader social issues that must continue to be addressed at a local, state, and national level. The police department continues to participate in homelessness programs and initiatives in Jefferson County and metro-wide. The department is working with other jurisdictions, non-profits, public health, and others to respond to these challenges presented by people experiencing homelessness more effectively.

The department continues to maintain a strong collaborative relationship with the Jefferson Center for Mental Health in an effort to more effectively address mental health in the community. The department achieved its goal of training all officers and supervisors with more than three years of experience in Crisis Intervention Training or Mental Health First Aid for First Responders. Also, the department is working with the Jefferson County Sheriff's Office and the Golden Police Department on a federal grant to initiate a co-responder program for north Jefferson County, Golden, and Wheat Ridge. The co-responder model consists of two-person teams comprised of a law enforcement officer and a behavioral health specialist, who are available to intervene on mental health-related police calls to de-escalate situations that have historically resulted in an arrest and to assess whether the person should be referred for an immediate behavioral health assessment.

Recruitment and retention of officers has been challenging nationally and statewide. Wheat Ridge has experienced similar challenges in these areas. During the past three years, the department has experienced both retirements and resignations, coupled with difficulty in hiring sworn officers. In response to the staffing shortages, the department has redeployed resources to address patrol staffing. This has included redeploying special units, which historically generate considerable self-initiated activity.

Lastly, the department continues to provide police-led community programs such as Crime Prevention through Environmental Design (CPTED), Neighborhood Watch, the Lockbox Program, and the Crime Free Housing program.

**SUMMARY**

The department will continue to monitor and respond to crime, quality of life, and traffic challenges. We will continue to promote community policing and problem-solving efforts to address these challenges. Achieving full staffing levels will allow us to be more proactive in our efforts.

The department continues to work to address both sworn and non-sworn staffing issues; however, we are challenged by the national perception of law enforcement, larger agencies recruiting our employees, and the economy in general. The department has spent a considerable effort in recruiting, particularly members of the military, women and minorities. We continue to explore opportunities to retain employees.



# Memorandum

**TO:** Mayor Bud Starker and City Council

**FROM:** Daniel Brennan, Chief of Police

**DATE:** July 16, 2018

**SUBJECT:** Staff Report: Cannabis Update

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In 2014, City Council requested that the Police Department provide an annual update on marijuana in the City of Wheat Ridge. The Police Department was asked to provide an annual report to the City Council on the following three areas:

- Marijuana/drug use in Wheat Ridge Schools
- Calls for Service and crime at currently licensed marijuana facilities
- Marijuana and drug arrests in the city

A PowerPoint presentation has been prepared for City Council covering this information.

Marijuana arrests in Wheat Ridge schools declined from 58 arrests in the 2012-2013 school year, to 34 arrests in the 2017-2018 school year. There was a 3% decrease in the number of drug/alcohol charges in Wheat Ridge schools. There were no cases of possession of a controlled substance or alcohol compared to 2016/2017. The department's School Resource Officers taught 81 classes that incorporated drug awareness during 2017-2018.

Calls for Service (CFS) at dispensaries in 2017 increased 10% (68 CFS) from 2016. Thirty-three percent of these calls were for alarms, and 31% were calls related to suspicious activity. There were five (5) burglaries, three (3) disturbances, and four (4) theft calls at marijuana facilities in 2017.

From a community perspective, there was a 15% decrease in the number of juveniles charged with alcohol or drug violations in 2017. There were 103 people arrested for Driving Under the Influence (DUI) of alcohol or drugs in 2017. Ten percent of these arrests involved marijuana. The department responded to 167 calls for service referenced to heroin in 2017. This data includes 28 heroin-related arrests, 10 known heroin overdoses, and one (1) heroin-related death. The department responded to 494 calls for service referencing methamphetamine, resulting in 115 arrests and two (2) overdoses.



# Memorandum

**TO:** Mayor and City Council

**FROM:** Patrick Goff, City Manager

**DATE:** July 11, 2018 (for July 16, 2018 Study Session)

**SUBJECT:** Exemption from SB 05-152 Broadband

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In 2005, the Colorado General Assembly enacted Senate Bill 05-152 (SB 152), which prohibits local governments such as the City of Wheat Ridge from providing cable television services, telecommunication services, or high speed internet services (advanced services), either directly or indirectly, unless such services are authorized by the electorate. Mayor Pro Tem Fitzgerald is requesting City Council to consider an exemption from SB 152 on the November 2018 ballot.

SB 152 has been interpreted by some as prohibiting local governments from providing a wide spectrum of services, including such things as internet service in city libraries, parks and community centers; leveraging government infrastructure and partnering with private businesses to provide affordable and high speed internet services throughout the community; and direct provision of broadband services by municipal government where needed.

A voter approved exemption from SB 152 would restore local independence and the ability for the City to evaluate all possibilities for next generation broadband services in the City of Wheat Ridge. Since the passage of SB 152, voters in 92 towns and cities and at least 17 counties have overwhelmingly approved measures to allow their local government to decide whether to offer broadband services to their residents.

**ATTACHMENTS:**

1. Senate Bill 05-152
2. Summary of statewide ballot questions

**NOTE:** This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.



SENATE BILL 05-152

BY SENATOR(S) Veiga, and Mitchell;  
also REPRESENTATIVE(S) Jahn, Crane, Harvey, Kerr, and Sullivan.

CONCERNING LOCAL GOVERNMENT COMPETITION IN THE PROVISION OF  
SPECIFIED COMMUNICATIONS SERVICES.

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** Title 29, Colorado Revised Statutes, is amended BY  
THE ADDITION OF A NEW ARTICLE to read:

**ARTICLE 27**  
**Competition in Utility and Entertainment Services**

PART 1  
COMPETITION IN UTILITY  
AND ENTERTAINMENT SERVICES

**29-27-101. Legislative declaration.** (1) THE GENERAL ASSEMBLY  
HEREBY FINDS AND DECLARES THAT IT IS THE POLICY OF THIS STATE TO  
ENSURE THAT CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE,  
AND HIGH SPEED INTERNET ACCESS, OTHERWISE KNOWN AS ADVANCED  
SERVICE, ARE EACH PROVIDED WITHIN A CONSISTENT, COMPREHENSIVE, AND

**ATTACHMENT 1**

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

NONDISCRIMINATORY FEDERAL, STATE, AND LOCAL GOVERNMENT FRAMEWORK.

(2) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT:

(a) THERE IS A NEED FOR STATEWIDE UNIFORMITY IN THE REGULATION OF ALL PUBLIC AND PRIVATE ENTITIES THAT PROVIDE CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, AND ADVANCED SERVICE.

(b) MUNICIPAL ORDINANCES, RULES, AND OTHER REGULATIONS GOVERNING THE PROVISION OF CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, AND ADVANCED SERVICE BY A LOCAL GOVERNMENT IMPACT PERSONS LIVING OUTSIDE THE MUNICIPALITY.

(c) REGULATING THE PROVISION OF CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, AND ADVANCED SERVICE BY A LOCAL GOVERNMENT IS A MATTER OF STATEWIDE CONCERN.

**29-27-102. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "ADVANCED SERVICE" MEANS HIGH-SPEED INTERNET ACCESS CAPABILITY IN EXCESS OF TWO HUNDRED FIFTY-SIX KILOBITS PER SECOND BOTH UPSTREAM AND DOWNSTREAM.

(2) "CABLE TELEVISION SERVICE" MEANS THE ONE-WAY TRANSMISSION TO SUBSCRIBERS OF VIDEO PROGRAMMING OR OTHER PROGRAMMING SERVICE, AS WELL AS SUBSCRIBER INTERACTION, IF ANY, THAT IS REQUIRED FOR THE SELECTION OR USE OF THE VIDEO PROGRAMMING OR OTHER PROGRAMMING SERVICE.

(3) "LOCAL GOVERNMENT" MEANS ANY CITY, COUNTY, CITY AND COUNTY, SPECIAL DISTRICT, OR OTHER POLITICAL SUBDIVISION OF THIS STATE.

(4) "PRIVATE PROVIDER" MEANS A PRIVATE ENTITY THAT PROVIDES CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, OR ADVANCED SERVICE.

(5) "SUBSCRIBER" MEANS A PERSON THAT LAWFULLY RECEIVES

CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, OR ADVANCED SERVICE. A PERSON THAT UTILIZES CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, OR ADVANCED SERVICE PROVIDED BY A LOCAL GOVERNMENT FOR LOCAL GOVERNMENTAL OR INTERGOVERNMENTAL PURPOSES AND IS USED BY PERSONS ACCESSING GOVERNMENT SERVICES IS NOT A SUBSCRIBER FOR PURPOSES OF THIS ARTICLE.

(6) "TELECOMMUNICATIONS SERVICE" HAS THE SAME MEANING AS SET FORTH IN SECTION 40-15-102 (29), C.R.S.

**29-27-103. Limitations on providing cable television, telecommunications, and advanced services.** (1) EXCEPT AS PROVIDED IN THIS ARTICLE, A LOCAL GOVERNMENT SHALL NOT:

(a) PROVIDE TO ONE OR MORE SUBSCRIBERS CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, OR ADVANCED SERVICE; OR

(b) PURCHASE, LEASE, CONSTRUCT, MAINTAIN, OR OPERATE ANY FACILITY FOR THE PURPOSE OF PROVIDING CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, OR ADVANCED SERVICE TO ONE OR MORE SUBSCRIBERS.

(2) FOR PURPOSES OF THIS ARTICLE, A LOCAL GOVERNMENT PROVIDES CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, OR ADVANCED SERVICE IF THE LOCAL GOVERNMENT PROVIDES THE CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, OR ADVANCED SERVICE TO ONE OR MORE SUBSCRIBERS:

(a) DIRECTLY;

(b) INDIRECTLY BY MEANS THAT INCLUDE BUT ARE NOT LIMITED TO THE FOLLOWING:

(I) THROUGH AN AUTHORITY OR INSTRUMENTALITY ACTING ON BEHALF OF THE LOCAL GOVERNMENT OR FOR THE BENEFIT OF THE LOCAL GOVERNMENT BY ITSELF;

(II) THROUGH A PARTNERSHIP OR JOINT VENTURE;

(III) THROUGH A SALE AND LEASEBACK ARRANGEMENT;



(c) BY CONTRACT, INCLUDING A CONTRACT WHEREBY THE LOCAL GOVERNMENT LEASES, SELLS CAPACITY IN, OR GRANTS OTHER SIMILAR RIGHTS TO A PRIVATE PROVIDER TO USE LOCAL GOVERNMENTAL FACILITIES DESIGNED OR CONSTRUCTED TO PROVIDE CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, OR ADVANCED SERVICE FOR INTERNAL LOCAL GOVERNMENT PURPOSES IN CONNECTION WITH A PRIVATE PROVIDER'S OFFERING OF CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, OR ADVANCED SERVICE; OR

(d) THROUGH SALE OR PURCHASE OF RESALE OR WHOLESALE CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, OR ADVANCED SERVICE FOR THE PURPOSE OF PROVIDING CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, OR ADVANCED SERVICE TO ONE OR MORE SUBSCRIBERS.

(3) NOTHING IN THIS ARTICLE SHALL BE CONSTRUED TO LIMIT THE AUTHORITY OF A LOCAL GOVERNMENT TO LEASE TO A PRIVATE PROVIDER PHYSICAL SPACE IN OR ON ITS PROPERTY FOR THE PLACEMENT OF EQUIPMENT OR FACILITIES THE PRIVATE PROVIDER USES TO PROVIDE CABLE TELEVISION, TELECOMMUNICATIONS, OR ADVANCED SERVICES.

## PART 2 CONDITIONS FOR PROVIDING SERVICES

**29-27-201. Vote - referendum.** (1) BEFORE A LOCAL GOVERNMENT MAY ENGAGE OR OFFER TO ENGAGE IN PROVIDING CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, OR ADVANCED SERVICE, AN ELECTION SHALL BE CALLED ON WHETHER OR NOT THE LOCAL GOVERNMENT SHALL PROVIDE THE PROPOSED CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, OR ADVANCED SERVICE.

(2) THE BALLOT AT AN ELECTION CONDUCTED PURSUANT TO THIS SECTION SHALL POSE THE QUESTION AS A SINGLE SUBJECT AND SHALL INCLUDE A DESCRIPTION OF THE NATURE OF THE PROPOSED SERVICE, THE ROLE THAT THE LOCAL GOVERNMENT WILL HAVE IN PROVISION OF THE SERVICE, AND THE INTENDED SUBSCRIBERS OF SUCH SERVICE. THE BALLOT PROPOSITION SHALL NOT TAKE EFFECT UNTIL SUBMITTED TO THE ELECTORS AND APPROVED BY THE MAJORITY OF THOSE VOTING ON THE BALLOT.

**29-27-202. Exemption for unserved areas.** (1) A LOCAL GOVERNMENT SHALL BE EXEMPT FROM THE REQUIREMENTS OF THIS PART 2

AND MAY ENGAGE OR OFFER TO ENGAGE IN PROVIDING CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, OR ADVANCE SERVICE IF:

(a) NO PRIVATE PROVIDER OF CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, OR ADVANCED SERVICE PROVIDES THE SERVICE ANYWHERE WITHIN THE BOUNDARIES OF THE LOCAL GOVERNMENT;

(b) THE GOVERNING BODY OF THE LOCAL GOVERNMENT HAS SUBMITTED A WRITTEN REQUEST TO PROVIDE THE SERVICE TO ANY INCUMBENT PROVIDER OF CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, OR ADVANCED SERVICE WITHIN THE BOUNDARIES OF THE LOCAL GOVERNMENT; AND

(c) THE INCUMBENT PROVIDER HAS NOT AGREED WITHIN SIXTY DAYS OF THE RECEIPT OF A REQUEST SUBMITTED PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION (1) TO PROVIDE THE SERVICE OR, IF THE PROVIDER HAS AGREED, IT HAS NOT COMMENCED PROVIDING THE SERVICE WITHIN FOURTEEN MONTHS OF THE RECEIPT OF THE REQUEST.

### PART 3 COMPLIANCE WITH LOCAL, STATE, AND FEDERAL REGULATIONS

**29-27-301. General operating limitations.** (1) A LOCAL GOVERNMENT THAT PROVIDES CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, OR ADVANCED SERVICE UNDER THIS ARTICLE SHALL COMPLY WITH ALL STATE AND FEDERAL LAWS, RULES, AND REGULATIONS GOVERNING PROVISION OF SUCH SERVICE BY A PRIVATE PROVIDER; EXCEPT THAT NOTHING HEREIN SHALL BE CONSTRUED TO AFFECT THE JURISDICTION OF THE PUBLIC UTILITIES COMMISSION WITH RESPECT TO MUNICIPAL UTILITIES.

(2) (a) A LOCAL GOVERNMENT SHALL NOT MAKE OR GRANT ANY UNDUE OR UNREASONABLE PREFERENCE OR ADVANTAGE TO ITSELF OR TO ANY PRIVATE PROVIDER OF CABLE TELEVISION SERVICES, TELECOMMUNICATIONS SERVICES, OR ADVANCED SERVICES.

(b) A LOCAL GOVERNMENT SHALL APPLY WITHOUT DISCRIMINATION AS TO ITSELF AND TO ANY PRIVATE PROVIDER THE LOCAL GOVERNMENT'S ORDINANCES, RULES, AND POLICIES, INCLUDING THOSE RELATING TO:

- (I) OBLIGATION TO SERVE;
- (II) ACCESS TO PUBLIC RIGHTS-OF-WAY;
- (III) PERMITTING;
- (IV) PERFORMANCE BONDING WHERE AN ENTITY OTHER THAN THE LOCAL GOVERNMENT IS PERFORMING THE WORK;
- (V) REPORTING; AND
- (VI) QUALITY OF SERVICE.

**29-27-302. Scope of article.** (1) NOTHING IN THIS ARTICLE SHALL BE CONSTRUED TO AUTHORIZE ANY LOCAL GOVERNMENT TO:

(a) PROVIDE, DIRECTLY OR INDIRECTLY, CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, OR ADVANCED SERVICE; OR

(b) PURCHASE, LEASE, CONSTRUCT, MAINTAIN, OR OPERATE A FACILITY FOR THE PURPOSE OF PROVIDING, DIRECTLY OR INDIRECTLY, CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, OR ADVANCED SERVICE.

(2) NOTHING IN THIS ARTICLE SHALL BE CONSTRUED TO APPLY TO A LOCAL GOVERNMENT PURCHASING, LEASING, CONSTRUCTING, MAINTAINING, OR OPERATING FACILITIES THAT ARE DESIGNED TO PROVIDE CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, OR ADVANCED SERVICE THAT THE LOCAL GOVERNMENT USES FOR INTERNAL OR INTERGOVERNMENTAL PURPOSES.

(3) NOTHING IN THIS ARTICLE SHALL BE CONSTRUED TO APPLY TO THE SALE OR LEASE BY A LOCAL GOVERNMENT TO PRIVATE PROVIDERS OF EXCESS CAPACITY, PROVIDED:

(a) SUCH EXCESS CAPACITY IS INSUBSTANTIAL IN RELATION TO THE CAPACITY UTILIZED BY THE LOCAL GOVERNMENT FOR ITS OWN PURPOSES; AND

(b) THE OPPORTUNITY TO PURCHASE AND THE OPPORTUNITY TO USE SUCH EXCESS CAPACITY IS MADE AVAILABLE TO ANY PRIVATE PROVIDER IN

A NONDISCRIMINATORY, NONEXCLUSIVE, AND COMPETITIVELY NEUTRAL MANNER.

(4) NOTHING IN THIS ARTICLE SHALL BE CONSTRUED TO LIMIT EITHER THE AUTHORITY OF THE STATEWIDE INTERNET PORTAL AUTHORITY CREATED IN SECTION 24-37.7-102, C.R.S., TO CARRY OUT ITS MISSION OR TO INTEGRATE THE ELECTRONIC INFORMATION DELIVERY SYSTEMS OF LOCAL GOVERNMENTS INTO THE STATEWIDE INTERNET PORTAL AS DEFINED IN ARTICLE 37.7 OF TITLE 24, C.R.S.

**29-27-303. Enforcement and appeal.** (1) BEFORE AN INDIVIDUAL SUBSCRIBER OR A PRIVATE PROVIDER THAT COMPETES WITH A LOCAL GOVERNMENT IN THE GEOGRAPHIC BOUNDARIES OF THE LOCAL GOVERNMENT MAY FILE AN ACTION IN DISTRICT COURT FOR VIOLATION OF THIS ARTICLE, THAT PERSON SHALL FILE A WRITTEN COMPLAINT WITH THE LOCAL GOVERNMENT. THE FAILURE BY THE LOCAL GOVERNMENT TO ISSUE A FINAL DECISION REGARDING THE COMPLAINT WITHIN FORTY-FIVE DAYS SHALL BE TREATED AS AN ADVERSE DECISION FOR PURPOSES OF APPEAL.

(2) AN APPEAL OF AN ADVERSE DECISION FROM THE LOCAL GOVERNMENT MAY BE TAKEN TO THE DISTRICT COURT FOR A DE NOVO PROCEEDING.

**29-27-304. Applicability.** THIS ARTICLE SHALL APPLY TO CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, AND ADVANCED SERVICE AND TO THE PURCHASE, LEASE, CONSTRUCTION, MAINTENANCE, OR OPERATION OF ANY FACILITY FOR THE PURPOSE OF PROVIDING SUCH SERVICE, FOR WHICH A LOCAL GOVERNMENT HAS NOT ENTERED INTO AN AGREEMENT OR OTHERWISE TAKEN ANY SUBSTANTIAL ACTION PRIOR TO MARCH 1, 2005, TO PROVIDE SUCH SERVICE OR PURCHASE, LEASE, CONSTRUCT, MAINTAIN, OR OPERATE SUCH FACILITIES.

**SECTION 2. Safety clause.** The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

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Joan Fitz-Gerald  
PRESIDENT OF  
THE SENATE

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Andrew Romanoff  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

---

Karen Goldman  
SECRETARY OF  
THE SENATE

---

Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

APPROVED \_\_\_\_\_

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Bill Owens  
GOVERNOR OF THE STATE OF COLORADO

## SB05-152 Ballot Questions

| <b>SPRING 2018</b> |   |      |
|--------------------|---|------|
| Firestone          | Shall the Town of Firestone, without increasing taxes by this measure, be authorized to provide high-speed internet services (advanced services), telecommunications services, and/or cable television services, including but not limited to any new and improved high bandwidth service(s) based on future technologies to residents, businesses, schools, libraries, nonprofit entities, and other users of such services, either directly or indirectly with public or private sector partners, as expressly permitted by Colorado Revised Statutes 29-27-101 to 304, "Competition in Utility and Entertainment Services?"  | Pass |
| Fruita             | Referred Issue A: Without increasing tax rates or adding new taxes of any kind, shall the City of Fruita be authorized, from January 1, 2019, through December 31, 2024, to receive and expend all grants and to collect, retain, and expend all revenues generated in excess of the revenue and expenditure limitations established under Article X, Section 20 of the Colorado Constitution for the purpose of implementing the city's capital improvement plan including the maintenance of capital improvements?  | Pass |
| Lake City          | Question 1: SHALL THE TOWN OF LAKE CITY, WITHOUT INCREASING TAXES BY THIS MEASURE, AND TO RESTORE LOCAL AUTHORITY THAT WAS DENIED TO LOCAL GOVERNMENTS BY THE COLORADO GENERAL ASSEMBLY AND FOSTER A MORE COMPETITIVE MARKETPLACE, BE AUTHORIZED TO PROVIDE HIGH-SPEED INTERNET, INCLUDING IMPROVED HIGH BANDWIDTH SERVICES BASED ON NEW TECHNOLOGIES, TELECOMMUNICATIONS SERVICES, AND/OR CABLE TELEVISION SERVICES TO RESIDENTS, BUSINESSES, SCHOOLS, LIBRARIES, NON-PROFIT ENTITIES AND OTHER USERS OF SUCH SERVICES EITHER DIRECTLY OR INDIRECTLY WITH PUBLIC OR PRIVATE SECTOR PARTNERS, AS EXPRESSLY PERMITTED BY ARTICLE 27, TITLE 29 OF THE COLORADO REVISED STATUTES?  | Pass |
| Limon              | Ballot Question 3 Without increasing taxes, shall the Town of Limon, 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? | Pass |

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| Lyons            | <p><del>Ballot Question #1B</del></p> <p>SHALL THE TOWN OF LYONS, WITHOUT INCREASING TAXES BY THIS MEASURE, AND TO RESTORE LOCAL AUTHORITY THAT WAS DENIED TO LOCAL GOVERNMENTS BY THE COLORADO GENERAL ASSEMBLY AND FOSTER A MORE COMPETITIVE MARKETPLACE, BE AUTHORIZED TO PROVIDE HIGH-SPEED INTERNET, INCLUDING IMPROVED HIGH BANDWIDTH SERVICES BASED ON NEW TECHNOLOGIES, TELECOMMUNICATIONS SERVICES, AND/OR CABLE TELEVISION SERVICES TO RESIDENTS, BUSINESSES, SCHOOLS, LIBRARIES, NON-PROFIT ENTITIES AND OTHER USERS OF SUCH SERVICES EITHER DIRECTLY OR INDIRECTLY WITH PUBLIC OR PRIVATE SECTOR PARTNERS, AS EXPRESSLY PERMITTED BY ARTICLE 27, TITLE 29 OF THE COLORADO REVISED STATUTES?</p>  | Pass |
| Severance        | <p>WITHOUT INCREASING TAXES, SHALL THE CITIZENS OF THE TOWN OF SEVERANCE, COLORADO, RE-ESTABLISH THEIR TOWN'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 TOWN'S BOUNDARIES AND WITHIN ANY OTHER SERVICE AREAS OF THE TOWN'S WASTERWATER ENTERPRISE?</p>  | Pass |
| <b>FALL 2017</b> |  |      |
| ALAMOSA          | <p>Without Increasing Taxes Unless Through Future Voter Approval, Shall The City Of Alamosa Have The Legal Ability To Provide Any And All Services Currently Restricted By Title 29, Article 27, Part 1, Of The Colorado Revised Statutes, Specifically Described As "Advanced Services" (High Speed Internet), "Telecommunication Services," And "Cable Television Services," As Defined By Statute (Specifically Including New And Improved Bandwidth Services Based On Current Or Future Technologies), Including The Ability To Utilize Existing Fiber Optic Or Other Infrastructure And The Ability To Construct New Fiber Optic Or Other Infrastructure, Either Directly By The City Of Alamosa Alone, Or Indirectly Through Contract Or Partnership With Other Governmental, Private, Or Corporate, Including Nonprofit, Entities, To Potential Subscribers That May Include Telecommunications Service Providers And Residential Or Commercial Users Within The City Of Alamosa?</p> | Pass |
| AVON             | <p>Without increasing taxes, shall the Town of Avon have the authority to provide, facilitate, 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, commercials, nonprofit, government or other "subscribers" and to acquire, operate and maintain any facility for the purpose of providing such services, and thereby restoring local authority and flexibility that was restricted by Title 29, Article 27, Part 1 of the Colorado Revised Statutes?</p>  | Pass |

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| DILLON      | Shall the Town of Dillon, without increasing taxes, and to restore local authority that was denied in 2005 to all local governments by the Colorado Legislature, be authorized to provide high- speed internet services (advanced services), telecommunication services, and/or cable television services as authorized by sections 29-27-101 through 304 of the Colorado Revised Statutes including but not limited to any new or improved high bandwidth services based upon future technologies, either directly, and/or indirectly with public and/or private sector partners, to residents, businesses, schools, libraries, nonprofit entities and other users of such services, without limiting its home rule authority?   | Pass |
| EAGLE       | Without increasing taxes by this measure, shall the citizens of the Town of Eagle, Colorado, reestablish the Town’s authority to provide all services restricted since 2005 by Article 27 of Title 29 of the Colorado Revised Statutes, described as “advanced services”, “telecommunication services”, and “cable television services”, including any new and improved high bandwidth services based on future technologies, directly or indirectly, with public and/or private sector partners, to residents, businesses, schools, libraries, healthcare facilities, non- profit entities, and other users of such services located within the boundaries of the Town of Eagle?   | Pass |
| FORT LUPTON | Without increasing taxes, and to restore local authority that was denied in 2005 to all local governments by the Colorado legislature, shall the City of Fort Lupton be authorized to provide high-speed internet (advanced services), telecommunications services, and/or cable television services as defined by C.R.S. 29-27-102 of the Colorado Revised Statutes including but not limited to any new or improved high band width services based upon future technologies , either directly, and/or indirectly with public and/or private sector partners, to residents , businesses, schools, libraries, nonprofit entities and other users of such services?  | Pass |
| GEORGETOWN  | “Without increasing taxes, shall the Town of Georgetown have the legal ability to provide any and all services currently restricted by Title 29, Article 27, Part 1, of the Colorado Revised Statutes, specifically described as “advanced service,” “telecommunications services” and “cable television services,” as defined by the statute, specifically including new and improved bandwidth services based on best available technologies, utilizing current and new community-owned infrastructure to any existing fiber optic network, either directly, or indirectly with public or private sector service providers, to potential subscribers that may include telecommunications service providers, and residential or commercial users within the Town of Georgetown, and that said services may be provided by the Town of Georgetown alone or in partnership with other governmental, private or corporate, including nonprofit, entities? | Pass |
| GREELEY     | Without increasing taxes, shall the City of Greeley be authorized to provide high speed internet services, telecommunications services and cable television services as defined by 29-27-101 through 304 of the Colorado Revised Statutes, either directly, and/or indirectly with public and/or private sector partners, to residents, businesses, schools, libraries, nonprofit entities and other users of such services, without limiting home rule authority?  | Pass |



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| GYPSUM        | Without increasing taxes, shall the Town of Gypsum, in the exercise of its local home-ruled authority, have the right to provide advanced service (high-speed internet), cable television service or telecommunication service, directly or indirectly with public and/or private sector partners, to residents, businesses, schools, libraries, health care facilities, nonprofit entities, and other users of such services located within the boundaries of the Town of Gypsum as expressly permitted by Title 29, Article 27 of the Colorado Revised Statutes?  | Pass |
| IDAHO SPRINGS | Without increasing taxes, shall the City of Idaho Springs have the legal authority to provide or facilitate or partner or coordinate any and all services currently restricted by Title 29, Article 27, Part 1 of the Colorado Revised Statutes, specifically described as "advanced (high-speed internet) services," "telecommunications services" and "cable television" services, as defined by statute, specifically including new and improved bandwidth services based on best available technologies, utilizing current and new community-owned infrastructure to any existing fiber optic network either directly, indirectly, or by contract with public or private sector service providers, to potential residential, commercial, nonprofit, government or other subscribers within the City of Idaho Springs, and that said services may be provided by the City of Idaho Springs alone or in partnership with other governmental, private or corporate, including nonprofit, entities? | Pass |
| KREMMLING     | Without increasing taxes, shall the citizens of the Town of Kremmling, Colorado re-establish their town'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 town?   | Pass |
| LOUISVILLE    | Shall the City of Louisville be authorized to provide high-speed internet services (advanced services), telecommunications services, and/or cable television services to residents, businesses, schools, libraries, nonprofit entities and other users of such services, either directly or indirectly with public or private sector partners, as expressly permitted by Colorado Revised Statutes §§ 29-27-101 to 304, "competition in utility and entertainment services," without limiting its home rule authority?  | Pass |

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| MANITOU SPRINGS | Without increasing taxes, shall the City of Manitou Springs have the legal right to provide high-speed internet services (advanced services), telecommunications services and cable television services to residents, businesses, schools, libraries, nonprofit entities and other users of such services, either directly or indirectly with public or private sector partners, as expressly permitted by Colorado Revised Statutes §§ 29-27-101 through 304, entitled "Competition in Utility and Entertainment Services"?  | Pass |
| MINTURN         | Shall the Town of Minturn, without increasing taxes by this measure, and to restore local authority that was denied to local governments by the Colorado General Assembly and foster a more competitive marketplace, be authorized to provide high-speed internet, including improved high bandwidth services based on new technologies, telecommunications services, and/or cable television services to residents, businesses, schools, libraries, non-profit entities, and other users of such services either directly or indirectly with public or private sector partners, as expressly permitted by article 27, title 29 of the Colorado Revised Statutes?   | Pass |
| MONTE VISTA     | Without increasing taxes unless through future voter approval, Shall the City of Monte Vista have the legal ability to provide any and all services currently restricted by Title 29, Article 27, Part 1, of the Colorado Revised Statutes, specifically described as "advanced services" (high speed internet), "telecommunication services" and "cable television services," as defined by statute (specifically including new and improved bandwidth services based on current or future technologies), including the ability to utilize existing fiber optic or other infrastructure and the ability to construct new fiber optic or other infrastructure, either directly by the City of Monte Vista alone, or indirectly through contract or partnership with other governmental, private or corporate, including nonprofit, entities, to potential subscribers that may include telecommunications service providers and residential or commercial users within the City of Monte Vista? | Pass |
| RIFLE           | Ballot Question G Without increasing taxes, shall the City of Rifle re-establish the legal authority of the City of Rifle to provide cable television services, telecommunications services, and/or advanced services (high speed internet/broadband), as defined and currently restricted by Title 29, Article 27 of the Colorado revised statutes, including any new and improved bandwidth services based on existing or future technologies, to any existing fiber optic network, either directly or indirectly with public or private sector service providers, to potential subscribers that may include telecommunications service providers and residential or commercial users within the City of Rifle, and that said services may be provided by the City of Rifle alone or in partnership with other governmental, private, or corporate, including nonprofit, entities?  | Pass |
| SILVERTHORNE    | Without increasing taxes, shall the Town of Silverthorne have the legal right to provide high-speed internet services (advanced services), telecommunications services and cable television services to residents, businesses, schools, libraries, nonprofit entities and other users of such services, either directly or indirectly with public or private sector partners, as expressly permitted by Colorado Revised Statutes 29-27-101 through 304, entitled "Competition in Utility and Entertainment Services"?  | Pass |

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| SNOWMASS VILLAGE   | WITHOUT INCREASING TAXES, SHALL THE TOWN OF SNOWMASS VILLAGE BE AUTHORIZED TO PROVIDE, EITHER DIRECTLY OR INDIRECTLY WITH PUBLIC OR PRIVATE SECTOR PARTICIPATION OR PARTNERS, ALL SERVICES RESTRICTED SINCE 2005 BY TITLE 29, ARTICLE 27 OF THE COLORADO REVISED STATUTES DESCRIBED AS HIGH-SPEED INTERNET SERVICES (ADVANCED SERVICE), TELECOMMUNICATIONS SERVICES AND/OR CABLE TELEVISION SERVICES, TO PROMOTE AND ENCOURAGE THE EXPANSION OF SUCH SERVICES, INCLUDING IMPROVED HIGH BANDWIDTH SERVICE(S) BASED ON NEW OR FUTURE TECHNOLOGIES, TO RESIDENTS, BUSINESSES, SCHOOLS, LIBRARIES, NONPROFIT ENTITIES AND OTHER USERS OF SUCH SERVICES, WITHOUT LIMITING ITS HOME RULE AUTHORITY? | Pass |
| VAIL               | Without increasing taxes, shall the Town of Vail have the legal right to provide high-speed internet services (advanced services), telecommunications services and cable television services to residents, businesses, schools, libraries, nonprofit entities and other users of such services, either directly or indirectly with public or private sector partners, as expressly permitted by Colorado Revised Statutes 29-27-101 through 34, entitled "Competition in Utility and Entertainment Services"?   | Pass |
| <b>SPRING 2017</b> |   |      |
| CENTRAL CITY       | <del>SHALL THE CITY OF CENTRAL, WITHOUT INCREASING TAXES BY THIS MEASURE, AND TO RESTORE LOCAL</del> AUTHORITY THAT WAS DENIED TO LOCAL GOVERNMENTS BY THE COLORADO GENERAL ASSEMBLY AND FOSTER A MORE COMPETITIVE MARKETPLACE, BE AUTHORIZED TO PROVIDE HIGH-SPEED INTERNET, INCLUDING IMPROVED HIGH BANDWIDTH SERVICES BASED ON NEW TECHNOLOGIES, TELECOMMUNICATIONS SERVICES, AND/OR CABLE TELEVISION SERVICES TO RESIDENTS, BUSINESSES, SCHOOLS, LIBRARIES, NON-PROFIT ENTITIES AND OTHER USERS OF SUCH SERVICES EITHER DIRECTLY OR INDIRECTLY WITH PUBLIC OR PRIVATE SECTOR PARTNERS, AS EXPRESSLY PERMITTED BY ARTICLE 27, TITLE 29 OF THE COLORADO REVISED STATUTES?                   | Pass |
| COLORADO SPRINGS   | ISSUE 3: WITHOUT INCREASING TAXES, SHALL THE CITY OF COLORADO SPRINGS HAVE THE AUTHORITY TO PROVIDE OR 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?  | Pass |
| <b>FALL 2016</b>   |   |      |

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| ARVADA     | BALLOT QUESTION 2H: Shall the City of Arvada, without increasing taxes, and to restore local authority that was denied in 2005 to all local governments by the Colorado Legislature, be authorized to provide high-speed internet services (advanced services), telecommunication services, and/or cable television services as defined by section 29-27-101-304 of the Colorado Revised Statutes including but not limited to any new or improved high bandwidth services based upon future technologies, either directly, and/or indirectly with public and/or private sector partners, to residents, businesses, schools, libraries, nonprofit entities and other users of such services, without limiting its home rule authority? | Pass |
| ASPEN      | Ballot Question 2B: Shall the City of Aspen, without increasing taxes, be authorized to provide, either directly or indirectly with public and/or private sector partner(s), all services restricted since 2005 by Title 29, Article 27 of the Colorado Revised Statutes described as High-Speed Internet Services (Advanced Service), Telecommunication Services, and/or Cable Television Services, to foster the expansion of such services, including but not limited to any new and improved high bandwidth service(s) based on future technologies, to residents, businesses, schools, libraries, nonprofit entities and other users of such services without limiting its Home Rule Authority?                                   | Pass |
| BASALT     | Ballot Question 2I: Shall the Town of Basalt, Colorado, without increasing taxes, be authorized to provide, either directly, or indirectly with public and/or private sector partner(s), all services restricted since 2005 by Title 29, Article 27 of the Colorado Revised Statutes described as High-Speed Internet Services (Advanced Service), telecommunications services, and/or cable television services, to foster the expansion of such services, including but not limited to any new and improved high bandwidths service(s), based on future technologies, to residents, businesses, schools, libraries, nonprofit entities and other uses of such services without limiting its home rule authority?                     | Pass |
| BLACK HAWK | Ballot Question 1B: Without increasing taxes and without limiting its home rule authority, shall the City of Black Hawk be authorized to provide high-speed internet (advanced services), telecommunications service, and/or cable television services to residents, businesses, schools, libraries, nonprofit entities and other users of such services, either directly or indirectly with public or private sector partners, as expressly permitted by §§29-27-101 to 304, "Competition in Utility and Entertainment Services", of the Colorado Revised Statutes?   | Pass |

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| BRECKENRIDGE  | Ballot Question 2A: AUTHORIZING THE TOWN OF BRECKENRIDGE TO PROVIDE HIGH-SPEED INTERNET SERVICES (ADVANCED SERVICES), TELECOMMUNICATION SERVICES AND/OR CABLE TELEVISION SERVICES PURSUANT TO ARTICLE 27 OF TITLE 29 OF THE COLORADO REVISED STATUTES: SHALL THE TOWN OF BRECKENRIDGE WITHOUT INCREASING TAXES BY THIS MEASURE, RESTORE LOCAL AUTHORITY TO PROVIDE HIGH-SPEED INTERNET SERVICES (ADVANCED SERVICES), TELECOMMUNICATION SERVICES, AND/OR CABLE TELEVISION SERVICES AS DEFINED BY ARTICLE 27 OF TITLE 29 OF THE COLORADO REVISED STATUTES, INCLUDING BUT NOT LIMITED TO, 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, WITHOUT LIMITING ITS HOME RULE AUTHORITY?   | Pass |
| CARBONDALE    | WITHOUT INCREASING TAXES, SHALL THE TOWN OF CARBONDALE HAVE THE LEGAL ABILITY TO PROVIDE ANY AND ALL SERVICES CURRENTLY RESTRICTED BY TITLE 29, ARTICLE 27, PART 1, OF THE COLORADO REVISED STATUTES, SPECIFICALLY DESCRIBED AS “ADVANCED SERVICE,” “TELECOMMUNICATIONS SERVICES” AND “CABLE TELEVISION SERVICES,” AS DEFINED BY THE STATUTE, SPECIFICALLY INCLUDING NEW AND IMPROVED BANDWIDTH SERVICES BASED ON BEST AVAILABLE TECHNOLOGIES, UTILIZING CURRENT AND NEW COMMUNITY-OWNED INFRASTRUCTURE TO ANY EXISTING FIBER OPTIC NETWORK, EITHER DIRECTLY, OR INDIRECTLY WITH PUBLIC OR PRIVATE SECTOR SERVICE PROVIDERS, TO POTENTIAL SUBSCRIBERS THAT MAY INCLUDE TELECOMMUNICATIONS SERVICE PROVIDERS, AND RESIDENTIAL OR COMMERCIAL USERS WITHIN THE TOWN OF CARBONDALE, AND THAT SAID SERVICES MAY BE PROVIDED BY THE TOWN OF CARBONDALE ALONE OR IN PARTNERSHIP WITH OTHER GOVERNMENTAL, PRIVATE OR CORPORATE, INCLUDING NONPROFIT, ENTITIES? | Pass |
| CRIPPLE CREEK | Ballot Measure 2B: Without Increasing Taxes, Shall The Citizens Of The City Of Cripple Creek, Colorado, Re-Establish The City’s Authority 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 Existing Fiber Optic Network, Either Directly Or Indirectly With Public Or Private Sector Partners, To Potential Subscribers That May Include Telecommunications Service Providers, And Residential Or Commercial Users Within Or Outside The City, Any Limitation Contained In Said Title 29, Article 27 Notwithstanding?  | Pass |

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| DOLORES              | BALLOT QUESTION 2A: Shall the citizens of the Town of Dolores, Colorado authorize the Board of Trustees of the Town of Dolores, Colorado, to provide to potential subscribers including telecommunications services providers, residential and commercial users within the Town of Dolores, all services restricted since 2005 Title 29, articles 27 of the Colorado Revised Statutes, including "telecommunication services," "cable television services," and "advanced services" which is defined as high speed internet access capability in excess of two hundred fifty six kilobits per second both upstream and downstream (known as "broadband") including any new and improved bandwidth services based on future technologies, utilizing the existing community owned fiber optic network and/or developing additional infrastructure either directly or indirectly with public or private sector partners?                                       | Pass |
| GOLDEN               | Shall the City of Golden, Colorado, be authorized to provide high-speed internet services (advanced services), telecommunication services, and/or cable television services to residents, businesses, schools, libraries, nonprofit entities, and other users of such services, either directly or indirectly with public or private sector partners, as expressly permitted by §§ 29-27-101 to 304, "Competition in Utility and Entertainment Services," of the Colorado Revised Statutes without limiting its home rule authority?  | Pass |
| GREEN MOUNTAIN FALLS | Without increasing taxes, shall The Town of Green Mountain Falls have the legal ability to provide any and all services currently restricted by title 29, article 27, Part 1, of the Colorado Revised Statutes, specifically described as "Advanced Service," "Telecommunications Services" and Cable Television Services," as defined by the Statute, specifically including new and improved bandwidth services based on best available technologies, utilizing current and new community owned infrastructure to any existing fiber optic network, either directly, or indirectly with public or private sector service providers, to potential subscribers that may include telecommunications service providers, and residential or Commercial users within Green Mountain Falls, and that said services may be provided by Green Mountain Falls alone or in partnership with other Governmental, Private or Corporate, including nonprofit, entities? | Pass |
| HUDSON               | Without increasing taxes and without limiting its home rule authority, shall the Town of Hudson be authorized to provide high-speed internet (advanced services), telecommunications services, and/or cable television services to residents, businesses, schools, libraries, nonprofit entities and other users of such services, either directly or indirectly with public or private sector partners, as expressly permitted by §§ 29-27-101 to 304, "Competition in utility and entertainment services," of the Colorado Revised Statutes?  | Pass |
| LAFAYETTE            | BALLOT QUESTION 2E: Shall the City of Lafayette, Colorado, be authorized to provide high-speed internet services (advanced services), telecommunications services, and/or cable television services to residents, businesses, schools, libraries, nonprofit entities, and other users of such services, either directly or indirectly with public or private sector partners, as expressly permitted by §§ 29-27-101 to 304, "competition in utility and entertainment services," of the Colorado Revised Statutes, without limiting its home rule authority?   | Pass |

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| NEW CASTLE | BALLOT QUESTION 2K: Without increasing taxes, shall the town of New Castle, now or in the future, have the legal ability to provide any and all services currently restricted by Title 29, Article 27, Part 1, of the Colorado Revised Statutes, specifically including "advanced service," "telecommunications services," and "cable television services," as defined by the statute , as well as new and improved bandwidth services based on best available technologies, utilizing current and new community-owned infrastructure, including any existing fiber optic network, either directly, or indirectly, with public or private sector service providers, to potential subscribers that may include telecommunications service providers, and residential, commercial, or other governmental users within the Town of New Castle, whether said services are provided by the Town of New Castle alone or in partnership with other governmental, private or for-profit or nonprofit corporate entities? | Pass |
| PALISADE   | REFERRED MEASURE 2F: Without increasing taxes by this measure, shall the citizens of the Town of Palisade, Colorado, reestablish the Town's authority to provide all services restricted since 2005 by Article 27 of Title 29 of the Colorado Revised Statutes, described as "advanced services", "telecommunication services", and "cable television services", including any new and improved high bandwidth services based on future technologies, directly or indirectly, with public and/or private sector partners, to residents, businesses, schools, libraries, healthcare facilities, non-profit entities, and other users of such services located within the boundaries of the Town of Palisade?  | Pass |
| PARACHUTE  | BALLOT QUESTION 2C: Without increasing taxes, shall the Town of Parachute Board of Trustees re-establish the authority of the Town of Parachute to provide cable television service, telecommunications service, and/or advanced service (high speed internet/broadband), as defined in Title 29, Article 27, Part 1 of the Colorado Revised Statutes, 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 and quasi-governmental entities, and other users of such services, either directly or indirectly, to any and all service areas, with public or private sector partners?  | Pass |
| SILT       | BALLOT QUESTION 2A: Shall the Town of Silt, without increasing taxes, have the legal ability to provide any and all services currently restricted by Title 29, Article 27, Part 1, of the Colorado Revised Statutes, specifically described as "advanced service," "telecommunication services," and "cable television services," as defined by statute, specifically including new and improved bandwidth services based on best available technologies, utilizing current and new community-owned infrastructure to any existing fiber optic network, either directly or indirectly with public or private sector service providers, to potential subscribers that may include telecommunications service providers, and residential or commercial users within the Town of Silt, and that said services may be provided by the Town of Silt alone or in partnership with other governmental, private, or corporate, including nonprofit, entities?  | Pass |

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| SUPERIOR           | BALLOT QUESTION 2G: Without increasing taxes, shall the Town of Superior have the legal right to provide high-speed internet (advanced services), telecommunications services and cable television services to residents, businesses, schools, libraries, nonprofit entities and other users of such services, either directly or indirectly with public or private sector partners, as expressly permitted by Colorado Revised Statutes §§ 29-27-101 through 304, entitled "Competition in Utility and Entertainment Services"?  | Pass |
| VICTOR             | BALLOT QUESTION 2C: Without increasing taxes by this measure, shall the City of Victor re-establish its right to provide, either directly, and/or indirectly with public and/or private sector partners, high-speed internet services, including but not limited to any new or improved high bandwidth services based on future technologies (advanced services), telecommunications services, and/or cable television services to residents, businesses, schools, libraries, nonprofit entities, other governmental entities and other users of such services located within or outside of the boundaries of the City of Victor, as expressly permitted by SB 05-152 (codified at Sections 29-27-101 to 304 of the Colorado Revised Statutes)? | Pass |
| WOODLAND PARK      | Without increasing taxes by this measure, shall the City of Woodland Park have the right to provide either directly, and/or indirectly with public and/or private sector partners, high-speed internet services, including but not limited to any new or improved high bandwidth services based on future technologies (advanced services), telecommunications services, and/or cable television services to residents, businesses, schools, libraries, nonprofit entities, or other governmental entities and other users of such services located within the borders of the City of Woodland Park as expressly permitted by S.B. 05-152 (codified as Section 29-27-101 of the Colorado Revised Statutes)?                                     | Pass |
| <b>Spring 2016</b> |   |      |
| AKRON              | PURSUANT TO THE AUTHORITY GRANTED BY C.R.S. SECTION 29-27-101 TO 304 TITLED "COMPETITION IN UTILITY AND ENTERTAINMENT SERVICES" SHALL THE TOWN OF AKRON BE AUTHORIZED TO PROVIDE HIGH-SPEED INTERNET SERVICES (ADVANCED SERVICES), TELECOMMUNICATIONS SERVICES, AND/OR CABLE TELEVISION SERVICES TO RESIDENTS, BUSINESSES, SCHOOLS, LIBRARIES, NONPROFIT ENTITIES AND OTHER USERS OF SUCH SERVICES EITHER DIRECTLY OR INDIRECTLY WITH PUBLIC OR PRIVATE SECTOR PARTNERS AS THOSE TERMS ARE DEFINED IN THE AFOREMENTIONED STATUTES WITHIN THE TOWN OF AKRON, COLORADO?   | Pass |
| BUENA VISTA        | Issue B. Without increasing taxes by this measure, shall the Town of Buena have the right to provide, either directly, and/or indirectly with public and/or private sector partners, high-speed internet services, including but not limited to any new or improved high bandwidth services based on future technologies (advanced services), telecommunications services, and/or cable television services to residents, businesses, schools, libraries, nonprofit entities, other governmental entities and other users of such services located within the boundaries of the Town of Buena Vista, as expressly permitted by SB 05-152 (codified at Sections 29-27-101 to 304 of the Colorado Revised Statutes)?                              | Pass |



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| FRUITA         | WITHOUT INCREASING TAXES, AND TO RESTORE LOCAL AUTHORITY, SHALL THE CITY OF FRUITA BE AUTHORIZED TO PROVIDE ADVANCED SERVICE (HIGH SPEED INTERNET), CABLE TELEVISION SERVICE, OR TELECOMMUNICATIONS SERVICE, DIRECTLY OR INDIRECTLY WITH PUBLIC AND/OR PRIVATE SECTOR PARTNERS, TO RESIDENTS, BUSINESSES, SCHOOLS, LIBRARIES, HEALTH CARE FACILITIES, NONPROFIT ENTITIES, AND OTHER USERS OF SUCH SERVICES LOCATED WITHIN THE BOUNDARIES OF THE CITY OF FRUITA AS EXPRESSLY PERMITTED BY TITLE 29, ARTICLE 27 OF THE COLORADO REVISED STATUTES?  | Pass |
| MANCOS         | BALLOT ISSUE 1: Shall the Town of Mancos, without increasing taxes by this measure, be authorized to provide any or all services currently restricted by Title 29, Article 27, Part 1 of the Colorado Revised Statutes, described as “advanced service,” “telecommunications service,” and “cable television service”, including, but not limited to, any new and improved high bandwidth services based on future technologies, utilizing community owned or other infrastructure, including but not limited to existing fiber optic network, either directly, or indirectly, or by sale, or purchase, or resale, or by contract with public or private sector service providers, to potential subscribers that may include telecommunications service providers, advanced service providers, residential users, commercial users, schools, libraries, non-profit entities, and other users of such services? | Pass |
| ORCHARD CITY   | <del>Shall the citizens of the Town of Orchard City, without increasing any taxes, re-establish their Town's right to</del> 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 or leased infrastructure either directly or indirectly, including use of Town wireless connections in Town facilities without charge to members of the public, with or without public or private sector partners, to potential subscribers that may include telecommunications service providers, resident or commercial users within the Town?   | Pass |
| PAGOSA SPRINGS | WITHOUT INCREASING TAXES AND WITHOUT LIMITING THE TOWN’S HOME RULE AUTHORITY, SHALL THE CITIZENS OF THE TOWN OF PAGOSA SPRINGS REESTABLISH THEIR TOWN’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,” AS DEFINED BY THE STATUTES, INCLUDING BUT NOT LIMITED TO, ANY NEW AND IMPROVED HIGH BANDWIDTH SERVICES BASED ON FUTURE TECHNOLOGIES, UTILIZING COMMUNITY-OWNED INFRASTRUCTURE INCLUDING BUT NOT LIMITED TO ANY EXISTING FIBER OPTIC NETWORK, EITHER DIRECTLY, OR INDIRECTLY WITH PUBLIC OR PRIVATE SECTOR SERVICE PROVIDERS, TO POTENTIAL SUBSCRIBERS THAT MAY INCLUDE TELECOMMUNICATIONS SERVICE PROVIDERS AND RESIDENTS, BUSINESSES, SCHOOLS, LIBRARIES, NONPROFIT ENTITIES, AND OTHER USERS OF SUCH SERVICES?                        | Pass |

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| SILVER CLIFF     | Question D: Shall the town of Silver Cliff, without increasing taxes, and to restore local authority that was denied to all local governments by the state legislature in 2005, and to foster a more competitive marketplace, be authorized to directly or indirectly provide or sponsor high-speed internet (advanced services), telecommunications services, and/or cable television services to residents, businesses, schools, libraries, nonprofit entities and other users of such services, through competitive and non-exclusive partnerships with private businesses, as expressly permitted by article 29, title 27 of the Colorado revised statutes?  | Pass |
| WELLINGTON       | WITHOUT INCREASING TAXES, WITH THE INTENT OF STUDYING FEASIBILITY AND IN THE FUTURE EVALUATING THE VIABILITY OF THE TOWN OF WELLINGTON POTENTIALLY PROVIDING SERVICES, SHALL THE CITIZENS OF THE TOWN OF WELLINGTON, COLORADO, ESTABLISH A TOWN RIGHT TO PROVIDE SOME OR ALL OF THE 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 AND NEW AND IMPROVED HIGH BANDWIDTH SERVICES BASED ON FUTURE TECHNOLOGIES, UTILIZING COMMUNITY OWNED AND PRIVATELY OWNED AND CONTRACTED FOR INFRASTRUCTURE INCLUDING BUT NOT LIMITED TO EXISTING FIBER OPTIC NETWORK, EITHER DIRECTLY OF INDIRECTLY WITH PUBLIC OR PRIVATE SECTOR PARTNERS, TO POTENTIAL SUBSCRIBERS THAT MAY INCLUDE TELECOMMUNICATIONS SERVICE PROVIDERS, RESIDENTIAL OR COMMERCIAL USERS WITHIN THE TOWN? | Pass |
| WESTCLIFFE       | Shall the town of Westcliffe, without increasing taxes, and to restore local authority that was denied to all local governments by the state legislature in 2005, and to foster a more competitive marketplace, be authorized to directly or indirectly provide or sponsor high-speed internet (advanced services), telecommunications services, and/or cable television services to residents, businesses, schools, libraries, nonprofit entities and other users of such services, through competitive and non-exclusive partnerships with private businesses, as expressly permitted by Article 29, Title 27 of the Colorado Revised Statutes?  | Pass |
| <b>Fall 2015</b> |  |      |
| ALMA             | 2A WITHOUT INCREASING TAXES, SHALL THE CITIZENS OF THE TOWN OF ALMA, COLORADO, RE-ESTABLISH THE TOWN'S AUTHORITY 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 EXISTING FIBER OPTIC NETWORK, EITHER DIRECTLY OR INDIRECTLY WITH PUBLIC OR PRIVATE SECTOR PARTNERS, TO POTENTIAL SUBSCRIBERS THAT MAY INCLUDE TELECOMMUNICATIONS SERVICE PROVIDERS, AND RESIDENTIAL OR COMMERCIAL USERS WITHIN OR OUTSIDE THE TOWN, ANY LIMITATION CONTAINED IN SAID TITLE 29, ARTICLE 27 NOTWITHSTANDING?   | Pass |

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| BAYFIELD  | 2E Without increasing taxes, shall the Town of Bayfield be authorized to reestablish the right to provide high-speed internet services (advanced service), telecommunications services, and/or cable television services (all as defined in §29-27-102, Colorado Revised Statutes) to residents, businesses, schools, libraries, nonprofit entities and other users of such services, either directly or indirectly with public or private sector partners?   | Pass |
| BRIGHTON  | Ballot Issue 2L WITHOUT INCREASING TAXES, SHALL THE CITY OF BRIGHTON BE AUTHORIZED TO PROVIDE HIGH-SPEED INTERNET SERVICES (ADVANCED SERVICES) AND/OR TELECOMMUNICATIONS SERVICES, AND/OR CABLE TELEVISION SERVICES TO RESIDENTS, BUSINESSES, SCHOOLS, NONPROFIT ENTITIES AND OTHER USERS OF SUCH SERVICES, INCLUDING ANY NEW AND IMPROVED HIGH BANDWIDTH SERVICES BASED ON FUTURE TECHNOLOGIES, EITHER DIRECTLY, AND/OR INDIRECTLY WITH PUBLIC AND/OR PRIVATE SECTOR PARTNERS, AS EXPRESSLY PERMITTED BY §§ 29-27-101 TO 304, "COMPETITION IN UTILITY AND ENTERTAINMENT SERVICES," OF THE COLORADO REVISED STATUTES, WITHOUT LIMITING ITS HOME RULE AUTHORITY?   | Pass |
| CEDAREdge | 2F Without increasing taxes, shall the Town of Cedaredge, Colorado, have the legal ability to provide any or all services currently restricted by Title 29,Article 27,Part 1, of the Colorado Revised Statutes, specifically described as "advanced services," "telecommunications services," and "cable television services," as defined by the statute, including, but not limited to, any new and improved high bandwidth services based on future technologies, utilizing community owned infrastructure including but not limited to any existing fiber optic network, either directly, or indirectly with public or private sector service providers, to potential subscribers that may include telecommunications service providers, and residential or commercial users within the Town of Cedaredge? | Pass |
| CRAIG     | 2A Without increasing taxes, shall the City of Craig, Colorado restore local authority that was denied to all local governments by the state legislature, and to foster a more competitive marketplace, be authorized to directly or indirectly provide high speed internet ("advanced services"), "telecommunications services", and/or "cable television services", to residents, businesses, schools, libraries, non-profit entities and other users of such services, through partnerships with private businesses and other entities, as expressly permitted by article 29, title 27 of the Colorado revised statutes?   | Pass |
| CRAWFORD  | 2D Without increasing taxes, shall the citizens of the Town of Crawford, Colorado re-establish their Town'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 Town and the service area of the Town's light and power enterprise?                 | Pass |

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| CRESTED BUTTE | Without increasing taxes, shall the Town Council of the Town of Crested Butte, 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?  | Pass |
| DELTA         | 2A Without increasing any taxes, shall the citizens of the City of Delta, 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 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 of Delta?  | Pass |
| DURANGO       | 2C Without increasing taxes, shall the City of Durango be authorized to reestablish the right to provide high-speed internet services (advanced service), telecommunications services, and/or cable television services (all as defined in §29-27-102, Colorado Revised Statutes) to residents, businesses, schools, libraries, nonprofit entities and other users of such services, either directly or indirectly with public or private sector partners?   | Pass |
| FAIRPLAY      | 2B WITHOUT INCREASING TAXES, SHALL THE CITIZENS OF THE TOWN OF FAIRPLAY, COLORADO, RE-ESTABLISH THE TOWN'S AUTHORITY 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 EXISTING FIBER OPTIC NETWORK, EITHER DIRECTLY OR INDIRECTLY WITH PUBLIC OR PRIVATE SECTOR PARTNERS, TO POTENTIAL SUBSCRIBERS THAT MAY INCLUDE TELECOMMUNICATIONS SERVICE PROVIDERS, AND RESIDENTIAL OR COMMERCIAL USERS WITHIN OR OUTSIDE THE TOWN, ANY LIMITATION CONTAINED IN SAID TITLE 29, ARTICLE 27 NOTWITHSTANDING? | Pass |
| FORT COLLINS  | 2B Without increasing taxes by this measure, shall the City of Fort Collins, in the exercise of its home-rule authority, have the right to provide, either directly, and/or indirectly with public and/or private sector partners, high-speed internet services, including but not limited to any new or improved high bandwidth services based on future technologies (advanced services), telecommunications services, and/or cable television services to residents, businesses, schools, libraries, nonprofit entities and other users of such services located within the boundaries of the City of Fort Collins growth management area, as expressly permitted by SB 05-152 (codified at Sections 29-27-101 to 304 of the Colorado Revised Statutes)?  | Pass |

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| FRASER    | Ballot Question 2 Shall the Town of Fraser be authorized to provide high-speed internet services (advanced services), telecommunications services and/or cable television services to residents, businesses, schools, libraries, nonprofit entities and other users of such services, either directly or indirectly with public or private sector partners, as expressly permitted by Colorado Revised Statutes §§ 29-27-101 to 304, "Competition in Utility and Entertainment Services," without limiting the Town's authority?  | Pass |
| GUNNISON  | 2C 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?   | Pass |
| HAYDEN    | Referendum 2E Without increasing taxes, shall the Town of Hayden, Colorado have the legal ability to provide any and all services currently restricted by Title 29, Article 27, Part 1, of the Colorado Revised Statutes, specifically described as “advanced service,” “telecommunications services,” and “cable television services,” as defined by the statute, including, but not limited to, any new and improved high bandwidth services based on future technologies, utilizing community owned infrastructure including but not limited to any existing fiber optic network, either directly, or indirectly with public or private sector service providers, to potential subscribers that may include telecommunications service providers, and residential or commercial users within the Town of Hayden? | Pass |
| HOTCHKISS | 2C Shall the town of Hotchkiss, without increasing taxes, and to restore local authority that was denied to all Local Governments by the state legislature, and to foster a more competitive marketplace, be authorized to provide high- speed internet (advanced services), telecommunications services and/or cable television services to residents, businesses, schools, libraries, nonprofit entities and other users of such services, either directly or indirectly, with public or private sector partners as expressly permitted by Article 29, Title 27, of the Colorado Revised Statutes?  | Pass |

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| IGNACIO   | 2A Without increasing taxes, shall the Town of Ignacio, Colorado have the legal ability to provide any or all services currently restricted by Title 29, Article 27, Part 1 of the Colorado Revised Statutes, specifically described as "advanced service," "telecommunications service," and "cable television service", as defined by the Statute, including, but not limited to, any new and improved high bandwidth services based on future technologies, utilizing community owned or other infrastructure, including but not limited to any existing fiber optic network, either directly, or indirectly, or by contract, or by sale or purchase of resale of wholesale cable television service, telecommunications service or advanced service, with public or private sector service providers, to potential subscribers that may include telecommunications service providers, advanced service providers residential users, commercial users, schools, libraries, non-profit entities, and other users of such services within the Town of Ignacio, Colorado? | Pass |
| LOVELAND  | 2C. Authorizing the City of Loveland to provide advanced service (high speed internet), cable television service, or telecommunications service. Without increasing taxes, and to restore local authority, shall the City of Loveland be authorized to provide advanced service (high speed internet), cable television service, or telecommunications service, directly or indirectly with public and/or private sector partners, to residents, businesses, schools, libraries, health care facilities, nonprofit entities, and other users of such services located within the boundaries of the City of Loveland or the service territory of the City of Loveland's power enterprise as expressly permitted by title 29, article 27 of the Colorado Revised Statutes?  | Pass |
| OAK CREEK | 2A Without increasing taxes, shall Oak Creek, Colorado have the legal ability to provide any and all services currently restricted by Title 29, Article 27, Part 1, of the Colorado Revised Statutes, specifically described as "advanced service," "telecommunications services," and "cable television services," as defined by the statute, specifically including new and improved high bandwidth services based on best available technologies, utilizing current and new community owned infrastructure to any existing fiber optic network, either directly, or indirectly with public or private sector service providers, to potential subscribers that may include telecommunications service providers, and residential or commercial users within the Town of Oak Creek, and that said service may be provided by the Town of Oak Creek alone or in partnership with other governmental, private or corporate, including non-profit, entities?  | Pass |
| OURAY     | QUESTION 2E: Without increasing taxes, shall the citizens of the City of Ouray, 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 providers, to potential subscribers that may include telecommunications service providers, residential or commercial users within the City?  | Pass |

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| PAONIA            | 2B Without increasing taxes, shall the citizens of the Town of A ballot question Paonia, Colorado re-establish their Town'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 any ballot question bandwidth services based on future technologies ,utilizing community owned infrastructure including but not limited to providers, residential or commercial users within the Town?   | Pass |
| RIDGEWAY          | 2B Without increasing taxes, shall the Town of Ridgway be authorized to provide all services currently restricted by Section 29-27-201,of the Colorado Revised Statutes, defined therein as "advanced services", "telecommunications services" and "cable television services", including high speed fiber optic internet services and any new or improved telecommunication services, either directly or indirectly, or with other public or private parties including other telecommunication service providers, to commercial, residential and other non residential customers?  | Pass |
| STEAMBOAT SPRINGS | 2C Without increasing taxes, shall the City of Steamboat Springs, Colorado have the legal ability to provide any and all services currently restricted by Title 29, Article 27, Part 1, of the Colorado Revised Statutes, specifically described as "advance service," "telecommunication services," and "cable television services," as defined by the statute, specifically including new and improved high bandwidth services based on best available technologies, utilizing current and new community owned infrastructure to any existing fiber optic network, either directly, or indirectly, with public or private sector service providers, to potential subscribers that may include telecommunications service providers, and residential or commercial users within Routt County, and that said services may be provided by the City of Steamboat Springs alone or in partnership with other governmental, private, corporate, or non profit entities? | Pass |
| TELLURIDE         | 2b Shall the Town of Telluride, without increasing taxes by this measure, be authorized to provide high-speed internet services (advanced service), telecommunication services, and/or cable television services as defined by § 29-27-101–304 of the Colorado Revised Statutes, including but not limited to 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, without limiting its home rule authority?   | Pass |
| THORNTON          | No. 2T:Shall the City of Thornton, without increasing taxes, re-establish its authority to provide high-speed Internet services (advanced services), telecommunications services, 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 city's existing fiber optic network, to residents, businesses, schools, libraries, nonprofit entities and other users of such services, either directly or indirectly with public or private sector partners, as expressly permitted by §§ 29-27-101 to 304, "Competition in Utility and Entertainment Services," of the Colorado Revised Statutes, without limiting its home rule authority?  | Pass |

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| WINTER PARK        | Shall the Town of Winter Park be authorized to provide high-speed Internet services (advanced services), telecommunications services and/or cable television services to residents, businesses, schools, libraries, nonprofit entities and other users of such services, either directly or indirectly with public or private sector partners, as expressly permitted by Colorado Revised Statutes §§ 29-27-101 to 304, "Competition in Utility and Entertainment Services," without limiting the Town's home rule authority?   | Pass |
| YAMPA              | 2B Without increasing taxes, shall Yampa, Colorado have the legal ability to provide any and all services currently restricted by Title 29, Article 27, Part 1, of the Colorado Revised Statutes, specifically described as "advanced service," "telecommunications service," and "cable television service," as defined by the statute, specifically including new and improved high bandwidth services based on best available technologies, utilizing current and new community owned infrastructure and any new or existing fiber optic network, either directly, or indirectly with public or private sector service providers, to potential subscribers that may include telecommunications service providers, and residential or commercial users within the Town of Yampa, alone or in partnership with other governmental, private or corporate, including non-profit, entities? | Pass |
| <b>Spring 2015</b> |   |      |
| GRAND JUNCTION     | CITY OF GRAND JUNCTION REFERRED MEASURE 2A SHALL THE CITY OF GRAND JUNCTION, WITHOUT INCREASING TAXES BY THIS MEASURE, BE AUTHORIZED TO PROVIDE, EITHER DIRECTLY OR INDIRECTLY WITH PUBLIC OR PRIVATE SECTOR PARTNER(S), HIGH-SPEED INTERNET SERVICES (ADVANCED SERVICE), TELECOMMUNICATIONS SERVICES AND/OR CABLE TELEVISION SERVICES AS DEFINED BY § 29-27-101 TO 304 OF THE COLORADO REVISED STATUTES, INCLUDING BUT NOT LIMITED TO ANY NEW AND IMPROVED HIGH BANDWIDTH SERVICE(S) BASED ON FUTURE TECHNOLOGIES, TO RESIDENTS, BUSINESSES, SCHOOLS, LIBRARIES, NONPROFIT ENTITIES AND OTHER USERS OF SUCH SERVICES, WITHOUT LIMITING ITS HOME RULE AUTHORITY?  | Pass |
| ESTES PARK         | Without increasing taxes, shall the Town of Estes Park reestablish the Town'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 Town and the service area of the Town's light and power enterprise?  | Pass |
| <b>Fall 2014</b>   |   |      |



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| BOULDER              | Shall the City of Boulder be authorized to provide high-speed Internet services (advanced services), telecommunications services, and/or cable television services to residents, businesses, schools, libraries, nonprofit entities and other users of such services, either directly or indirectly with public or private sector partners, as expressly permitted by §§ 29-27-101 to 304, "Competition in Utility and Entertainment Services," of the Colorado Revised Statutes, without limiting its home rule authority?  | Pass |
| CHERRY HILLS VILLAGE | Shall the City of Cherry Hills Village, without increasing taxes by this measure, and to restore local authority that was denied to local governments by the Colorado General Assembly and foster a more competitive marketplace, be authorized to provide high-speed internet, including improved high bandwidth services based on new technologies, telecommunications services, and/or cable television services to residents, businesses, schools, libraries, non-profit entities and other users of such services either directly or indirectly with public or private sector partners, as expressly permitted by Article 27, Title 29 of the Colorado Revised Statutes?  | Pass |
| RED CLIFF            | Shall the Town of Red Cliff be authorized to provide cable television, telecommunications and/or hi-speed internet services to residents, businesses, schools, libraries, nonprofit entities and other users of such services, either directly or indirectly through public or private sector partners?  | Pass |
| WRAY                 | WITHOUT INCREASING TAXES, SHALL THE CITIZENS OF WRAY, COLORADO RE-ESTABLISH THEIR CITY'S RIGHTS TO PROVIDE ALL SERVICES AND FACILITIES RESTRICTED SINCE 2005 BY TITLE 29, ARTICLE 27 OF THE COLORADO REVISED STATUTES, DESCRIBED AS "ADVANCED SERVICES,' TELECOMMUNICATIONS SERVICES' AND 'CABLE TELEVISION SERVICES,' INCLUDING PROVIDING ANY NEW AND IMPROVED BROADBAND SERVICES AND FACILITIES BASED ON FUTURE TECHNOLOGIES, UTILIZING EXISTING OR NEW 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?                       | Pass |
| YUMA                 | WITHOUT INCREASING TAXES, SHALL TH CITIZENS OF YUMA, COLORADO RE-ESTABLISH THEIR CITY'S RIGHTS TO PROVIDE ALL SERVICES AND FACILITIES RESTRICTED SINCE 2005 BY TITLE 29, ARTICLE 27 OF THE COLORADO REVISED STATUTES, DESCRIBED AS "ADVANCED SERVICES,' TELECOMMUNICATIONS SERVICES' AND 'CABLE TELEVISION SERVICES,' INCLUDING PROVIDING ANY NEW AND IMPROVED BROADBAND SERVICES AND FACILITIES BASED ON FUTURE TECHNOLOGIES, UTILIZING EXISTING OR NEW 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'S UTILITY SERVICE AREA? | Pass |
| Spring 2014          |  |      |

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| MONTROSE           | Referred Measure A: 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?   | Pass |
| <b>Fall 2013</b>   |  |      |
| CENTENNIAL         | <p>Ballot Question 2G</p> <p>SHALL THE CITY OF CENTENNIAL, WITHOUT INCREASING TAXES, AND TO RESTORE LOCAL AUTHORITY THAT WAS DENIED TO ALL LOCAL GOVERNMENTS BY THE STATE LEGISLATURE, AND TO FOSTER A MORE COMPETITIVE MARKETPLACE, BE AUTHORIZED TO INDIRECTLY PROVIDE HIGHSPEED INTERNET (ADVANCED SERVICES), TELECOMMUNICATIONS SERVICES, AND/OR CABLE TELEVISION SERVICES TO RESIDENTS, BUSINESSES, SCHOOLS, LIBRARIES, NONPROFIT ENTITIES AND OTHER USERS OF SUCH SERVICES, THROUGH COMPETITIVE AND NON-EXCLUSIVE PARTNERSHIPS WITH PRIVATE BUSINESSES, AS EXPRESSLY PERMITTED BY ARTICLE 29, TITLE 27 OF THE COLORADO REVISED STATUTES?</p>   | Pass |
| <b>Fall 2011</b>   |  |      |
| LONGMONT           | BALLOT QUESTION 2A: WITHOUT INCREASING TAXES, SHALL THE CITIZENS OF THE CITY OF LONGMONT, COLORADO, RE-ESTABLISH THEIR CITY'S RIGHT TO PROVIDE ALLSERVICES RESTRICTED SINCE 2005 BY TITLE 29, ARTICLE 27 OF THE COLORADO REVISED STATUTES, DESCRIBED AS "ADVANCES 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 PROTENTIAL SUBSCRIBERS THAT MAY INCLUDE TELECOMMUNICATIONS SERVICE PROVIDERS, RESIDENTIAL OR COMMERCIAL USERS WITHIN THE CITY AND THE SERVICE AREA OF THE CITY'S ELECTIC UTILITY ENTERPRISE? Y/N | Pass |
| <b>Fall 2009</b>   |  |      |
| LONGMONT           | Ballot Issue 2C-- Authorization to allow the City to provide telecommunications services, advanced services and cable television services to residential and commercial users within the service area of the City's electric utility enterprise  | Fail |
| FORT MORGAN        | Shall the City of Fort Morgan, Colorado be authorized to directly, indirectly, by contract or through the sale or purchase in resale or wholesale form, through a sale or leaseback arrangement provide cable television, telecommunications and advanced services to subscribers within the corporate limits of the City and in unincorporated Morgan County effective December 1, 2009?  | Pass |
| <b>Spring 2008</b> |  |      |

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| GLENWOOD<br>SPRINGS | Shall the City of Glenwood Springs, Colorado be authorized to directly, indirectly, by contract, or through the sale or purchase in resale or wholesale form, provide voice, data and video services, including cable television, telecommunications and advanced service, to any subscribers in the corporate limits of the City and in unincorporated Garfield County? | Pass |
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| <b>Totals:</b> Pass | 92 |
| Fail                | 1  |