AN ORDINANCE SUBMITTING TO A VOTE OF THE REGISTERED ELECTORS OF THE CITY OF ENGLEWOOD AT THE NOVEMBER 3, 2020 GENERAL ELECTION A BALLOT ISSUE TO AUTHORIZE, BUT NOT OBLIGATE, THE CITY OF ENGLEWOOD, WITHOUT INCREASING TAXES, 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.

WHEREAS, this bill for an ordinance would submit to the registered voters of the City of Englewood a ballot question regarding authorizing, but not obligating, the City of Englewood 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 or without public and/or private sector partners, without limiting its home rule authority; and

WHEREAS, C.R.S. 29-27-101 provides that cable television service, telecommunications service, and high-speed internet access (a.k.a. advanced service) are a matter of statewide concern;

WHEREAS, C.R.S. 29-27-201 allows local governments to submit to its voters a ballot measure exempting such local government from the limits of Title 29, Article 27, and

WHEREAS, C.R.S. 29-27-201 requires that the ballot measure 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.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, THAT:

Section 1. The following ballot issue shall be submitted to the registered electors of the City of Englewood at the general election on November 3, 2020:
SHALL THE CITY OF ENGLEWOOD, WITHOUT INCREASING TAXES, BE AUTHORIZED BUT NOT OBLIGATED 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 WITHIN THE BOUNDARIES OF THE CITY, EITHER DIRECTLY OR INDIRECTLY, WITH OR WITHOUT PUBLIC AND/OR PRIVATE SECTOR PARTNERS, WITHOUT LIMITING ITS HOME RULE AUTHORITY?

YES __ NO __

Section 2. For purposes of C.R.S. § 1-11-203.5, this Ordinance shall serve to set the title and content of the ballot issue set forth herein and the ballot title for such question shall be the text of the question itself.

Section 3. If any section, paragraph, clause, or other portion of this Ordinance is for any reason held to be invalid or unenforceable, the invalidity or unenforceability shall not affect any of the remaining portions of this Ordinance.

Introduced, read in full, and passed on first reading on the 1st day of June, 2020.

Published by Title as a Bill for an Ordinance in the City's official newspaper on the 4th day of June, 2020.

Read by Title and passed on final reading on the 15th day of June, 2020.

Published by Title in the City’s official newspaper as Ordinance No. 22, Series of 2020, on the 18th day of June, 2020.

Published by title on the City’s official website beginning on the 17th day of June, 2020 for thirty (30) days.

This Ordinance shall take effect thirty (30) days after publication following final passage.

ATTEST:

Linda Olson, Mayor

Stephanie Carlile, City Clerk
I, Stephanie Carlile, City Clerk of the City of Englewood, Colorado, hereby certify that the above and foregoing is a true copy of the Ordinance passed on final reading and published by Title as Ordinance No. 22, Series of 2020.

Stephanie Carlile

[Signature]

Stephanie Carlile