

RESOLUTION NO. 22-43

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES,
COLORADO SUPPORTING A “YES” VOTE ON BALLOT QUESTIONS 1B AND 2A
IN THE NOVEMBER 8, 2022 ELECTION SEEKING VOTER APPROVAL TO OPT-
OUT OF SENATE BILL 05-152 IN DOUGLAS COUNTY AND THE CITY OF
CASTLE PINES**

WHEREAS, in 2005 the Colorado General Assembly enacted Senate Bill 05-152, codified at C.R.S. § 29-27-101, *et seq.*, which provides that before a local government may provide telecommunications services, advanced services (high speed internet), or cable television services, as such services are defined in the statute, either directly or indirectly, it must call an election on the question of providing such services and obtain the approval of the majority of its registered electors voting on any such ballot question; and

WHEREAS, the Castle Pines City Council and the Douglas County Board of Commissioners referred ballot questions 1B and 2A for the November 8, 2022 coordinated election, seeking voter approval to re-establish the City and County’s legal ability to provide cable television, telecommunications, and advanced services (high speed internet) either directly or indirectly and with public or private sector service providers; and

WHEREAS, in accordance with the Colorado Fair Campaign Practices Act (C.R.S. § 1-45-117), the City Council may pass a resolution taking a position on any ballot measure; and

WHEREAS, affordable, reliable, and innovative telecommunications services, including, but not limited to, broadband internet services, has become a necessity for Douglas County and Castle Pines residents and businesses to maintain quality of life and enhance business operations and economic development opportunities; and

WHEREAS, the City of Castle Pines is committed to providing excellent services through innovation, collaboration, and efficiency; and

WHEREAS, re-establishing the City’s legal ability to directly and/or indirectly provide such cable television, telecommunications, and advanced services (high-speed internet) could allow Castle Pines to implement local telecommunications solutions that would provide or improve needs-based access for residents and businesses; and

WHEREAS, voter approval of ballot question 2A does not bind local taxpayers to provide local funds and does not increase taxes; and

WHEREAS, a “YES” vote on Question 2A will allow the City of Castle Pines the opportunity to explore and assist in developing plans to address the community’s internet and broadband needs.

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

Section 1. The City Council supports a “YES” vote on Questions 1B and 2A and urges the citizens to vote in favor of re-establishing the City and County’s legal authority to provide cable television, telecommunications, and advanced services (high-speed internet) either directly or indirectly and with public or private sector service providers

Section 2. Effective Date. This Resolution shall take effect upon its approval by City Council.

INTRODUCED, READ, AND ADOPTED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES BY A VOTE OF 6 IN FAVOR, 0 AGAINST, AND 1 ABSENT THIS 11th DAY OF OCTOBER, 2022.



ATTEST:

Tobi Duffey

Tobi Duffey, MMC, City Clerk

Tracy Engerman

Tracy Engerman (Oct 18, 2022 15:09 MDT)

Tracy Engerman, Mayor

APPROVED AS TO FORM:

Linda Michow

Linda Michow (Oct 13, 2022 12:56 MDT)

Linda C. Michow, City Attorney