

November 4, 2014
Cherry Hills Village
Coordinated Election
Ballot Question 2F

The Ballot Question

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?

What is being asked of voters?

Cherry Hills Village voters are being asked to restore the City's pre-2005 right to provide high-speed internet, telecommunications services, and/or cable television services, either directly or through public-private partnerships. The City does not currently own any fiber optics networks or similar assets, but is asking the voters to restore the right for any future networks or other City-sponsored telecommunications initiatives.

History

- Until 2005, municipalities throughout Colorado enjoyed the right and authority to use municipal communications network infrastructure to provide high-speed Internet, advanced telecommunications, and cable television services to their residences and businesses. Only a few did so, although some governments have studied how to leverage their network assets to promote a more competitive private sector market.
- In 2005, the State Legislature enacted Senate Bill 05-152 (codified in Article 27 of Title 29, C.R.S.) to revoke and deny all Colorado municipalities the right of using municipal communication network facilities, improvements, and fiber optic infrastructure to provide directly or indirectly high-speed Internet, advanced telecommunications, and cable television services to residents and businesses.
- Senate Bill 05-152 expressly authorizes every local government to submit a ballot question to the local voters to reauthorize and reclaim the local right to use the municipal communications networks, including but not limited to fiber optic infrastructure to provide high-speed Internet, telecommunications, and cable television services to

residents and businesses, and to enter into public-private partnerships to promote broadband network deployment.

- Although the City of Cherry Hills Village does not currently own any municipal fiber optic infrastructure or other communications network assets, future construction and use of such infrastructure could likely be used to increase competition and potentially decrease costs of services to residents and businesses by providing opportunities to private service providers to partner with the City to use the City's fiber optic infrastructure to deliver services to residents and businesses, or in some cases, for the City to directly provide services.
- The City Council has determined it is in the best interests of the City to refer a ballot question to the voters concerning the City's ability to provide directly or indirectly, including through partnerships with private companies high-speed internet, advanced telecommunications, or cable television services, as authorized pursuant to C.R.S. Section 29-27-201.

Those in favor believe:

- Cities should have local control on critical issues such as the telecommunications needs of the community. This important issue should be decided at the local level as a matter of self-determination. A yes vote will restore Cherry Hills Village's legal right and ability to partner with public and private sector partners, and to utilize public assets to provide these services where appropriate.
- Although Cherry Hills Village does not have an existing fiber optic infrastructure or similar communications network, any future network could be used either directly or in partnership with public or private sector partners to facilitate access to faster and higher capacity advanced telecommunications and Internet services. Through competition among private providers using this network, citizens could potentially receive these advanced services at a lower cost.
- Cities should have the right to fully leverage community-owned infrastructure in order to encourage economic growth, increase jobs, improve the community's ability to compete for primary employers, and to support education, the arts, cultural activities and health care organizations.
- Ballot question #2F will authorize the City, without increasing taxes, to explore and provide opportunities for the provision of telecommunications services, high-speed internet and/or cable services to the City's highly educated residents, businesses, non-profits and other users.
- The goal and benefit of undergrounding overhead utility lines could be enhanced, and additional benefits provided to City residents, by re-establishing the City's authority lost due to Senate Bill 05-152.

Those opposed believe:

- Cherry Hills Village residents and businesses are satisfied with the availability, quality and costs of services provided by the current telecommunications companies, so there is no reason for the City to be involved.
- Local government should not be involved in the telecommunications services industry. By Cherry Hills Village putting this measure on the ballot, the City is expanding government. This is not the role of local government.
- Private sector companies built their existing fiber optic networks with private capital at no cost or risk to the taxpayers and bear the entire risk of their investment. The City should not be allowed to use any future publicly-funded communications network infrastructure for direct provision of competitive services or to partner with private businesses that may offer competitive services.

Election Day is November 4, 2014

Ballots are scheduled to be mailed to all voters October 14th.

Voters can drop off ballots at the Village Center, 2450 E. Quincy Avenue

- During business hours 8:00 a.m. to 4:30 p.m. Monday to Friday beginning October 13th
- Saturday October 25th from 9:00 a.m. to 3:00 p.m.
- Saturday November 1st from 9:00 a.m. to 3:00 p.m.
- Election Day, Tuesday November 4th from 7:00 a.m. to 7:00 p.m.

Please refer to www.ArapahoeVotes.com for more information regarding ballot drop off locations, mailing instructions, voter service centers, and voter registration.