

**CITY OF FLORENCE
COMMITTEE MEETINGS
August 20, 2018**

2:00 P.M.

POLICE COMMITTEE

***Police Report**

2:30 P.M.

GENERAL GOVERNMENT

***SB-152 Ballot Title and Language**

3:00 P.M.

WATER COMMITTEE

***Water Report**

CITY OF FLORENCE, COLORADO

ORDINANCE NO. 8-20-2018A

AN ORDINANCE SUBMITTING TO THE REGISTERED ELECTORS OF THE CITY OF FLORENCE AT THE COORDINATED ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2018, THE QUESTION OF AFFIRMING THE CITY'S RIGHT 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 ARTICLE 27, TITLE 29, OF THE COLORADO REVISED STATUTES, WITHOUT LIMITING THE CITY'S STATUTORY AUTHORITY AND SETTING FORTH RELATED DETAILS

WHEREAS, the City Council of the City of Florence, Colorado, pursuant to Colorado statute and the Florence Municipal Code, is vested with the authority of administering the affairs of the City of Florence, Colorado; and

WHEREAS, the City will participate in a coordinated election on November 6, 2018; and

WHEREAS, the City Council is of the opinion that it should refer to the voters at the November 6, 2018 coordinated election the question of re-establishing the City's right to provide high-speed internet services (advanced services), telecommunications services, and/or cable services as stated herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FLORENCE, COLORADO AS FOLLOWS:

Section 1. A coordinated election will be held on Tuesday, November 6, 2018 pursuant to the Intergovernmental Agreement with Fremont County.

Section 2. Pursuant to applicable provisions of the laws of the State of Colorado, the City Council hereby submits to the registered electors of the City at such coordinated election to be held on November 6, 2018 (the "election"), the ballot question specified in Section 3 of this ordinance.

Section 3. The following ballot question, certified in substantially the form set forth below, is hereby referred to the registered electors of the City and shall appear on the ballot of the election to be held on November 6, 2018:

BALLOT TITLE:

SHALL THE CITY OF FLORENCE, 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?

Yes _____

No _____

Section 4. If a majority of all the votes cast at the election on the question submitted shall be for the question, the question shall be deemed to have passed and shall be effective upon passage.

Section 5. The City will utilize the requirements and procedures of the Uniform Election Code of 1992, articles 1 to 13 of title 1, C.R.S., as amended, in lieu of the Colorado Municipal Election Code of 1965, article 10 of title 31, C.R.S., as amended, with respect to the regular election to be held on November 6, 2018, and such election shall be conducted as part of the coordinated mail ballot election with Fremont County.

Section 6. The officers and employees of the City are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this ordinance and the conduct of the November 6, 2018 election, and to contract with the County Clerk to conduct the election for the City as a coordinated election.

Section 7. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 8. Repeal. Existing ordinances or parts of ordinances covering the same matters embraced in this ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this ordinance.

INTRODUCED AND PASSED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF FLORENCE ON THIS ____ DAY OF _____, 2018.

ATTEST:

CITY OF FLORENCE, COLORADO

Dena Lozano, City Clerk

BY: _____
Keith Ore, Mayor

PASSED AND ADOPTED ON A SECOND READING THIS ___ DAY OF _____, 2018.

ATTEST:

CITY OF FLORENCE, COLORADO

Dena Lozano, City Clerk

BY: _____
Keith Ore, Mayor