



Town of Johnstown

TOWN COUNCIL AGENDA COMMUNICATIONS

AGENDA DATE: February 17, 2021

SUBJECT: Intergovernmental Agreement Concerning Regional Broadband Needs Assessment And Feasibility Study

ACTION PROPOSED: Consider Approval of the IGA for a Regional Broadband Study

ATTACHMENTS: 1. Intergovernmental Agreement

PRESENTED BY: Matt LeCerf, Town Manager

AGENDA ITEM DESCRIPTION:

In April 2020, the registered voters of the Town of Johnstown were asked to consider providing the Town with an exemption from SB152 which prohibits municipalities from the expenditure of funds for broadband projects. That ballot measure was approved by roughly a 75% - 25% margin in support of the exemption.

In the FY2021 budget, funds were appropriated for the first step in this process which is a broadband needs and financial feasibility study. During preparation of the Request for Proposal (RFP), I had the opportunity to discuss the project with other neighboring community Town Managers. A portion of them also had similar experience with less than desirable internet service from the current providers and were interested in the work we were doing. Consequently, they were in a similar position of wanting to explore a municipal broadband project. During our discussions we proposed the idea that maybe a collaborative option could be a solution that is more financially feasible rather than going it alone.

Each Manager then discussed the idea with their respective Council/Board's to issue a joint and regional RFP for a broadband needs and financial feasibility study. The general consensus the elected officials was this was a project and idea that would be amenable by all governmental entities. Accordingly, as we near completion of the RFP, attached is an Intergovernmental Agreement that outlines the obligations of each party regarding the cooperative Broadband RFP. Those parties involved in the collaborative IGA and Broadband RFP are as shown below. The

The Community That Cares

www.TownofJohnstown.com

P: 970.587.4664 | 450 S. Parish Ave, Johnstown CO | F: 970.587.0141

cost obligations of each entity are also shown below and were allocated based on the population percentage by measuring the individual Town populations against the total population of the four towns in the IGA.

Town	Percentage Cost Obligation
Berthoud	24%
Johnstown	41%
Milliken	22%
Mead	13%

The general timeline of this project related to the RFP include the following:

- RFP Issuance
 - March 1, 2021
- RFP Due Date
 - March 31, 2021
- Tentative Award Date
 - Week of April 18, 2021

The IGA presented before you this evening outlines the obligations of the parties and provides no additional commitment by any of the participants beyond expenditures and completion of the study. Based on the findings of the study, each of the governmental agencies may decide individually how they want to proceed – regionally, individually, or status quo.

LEGAL ADVICE:

The IGA was drafted by the Town Attorney and reviewed by each of the other governmental entities.

FINANCIAL ADVICE:

Funds have been obligated for the work in FY2021.

RECOMMENDED ACTION: Approve the IGA as presented

SUGGESTED MOTIONS:

The Community That Cares

www.TownofJohnstown.com

P: 970.587.4664 | 450 S. Parish Ave, Johnstown CO | F: 970.587.0141

For Approval

I move to approve the Intergovernmental Agreement Concerning Regional Broadband Needs Assessment And Feasibility Study as presented.

For Denial

I move we deny the Intergovernmental Agreement Concerning Regional Broadband Needs Assessment And Feasibility Study as presented.

Reviewed and Approved for Presentation,



Town Manager