



## Legislation Text

---

**File #:** 2019-0748, **Version:** 1

---

**To:** Board of Supervisors

**Department or Agency Name(s):** Economic Development Board

**Staff Name and Phone Number:** Calvin Sandeen 565-7170

**Vote Requirement:** Majority

**Supervisorial District(s):** All

**Title:**

Amendment to the North Bay North Coast Broadband Consortium Joint Powers Agreement and Authorization to Apply for Three Year California Public Utilities Commission Advanced Services Fund Project Plan Grant (Project Plan Grant)

**Recommended Actions:**

Approve Amended Joint Powers Agreement with Sonoma, Marin, Napa and Mendocino Counties for NBNCBC Grant Coordination and Authorize Application for Project Plan Grant.

**Executive Summary:**

This item requests the Board approve an amendment to the Joint Powers Agreement with Marin, Napa and Mendocino counties for grant coordination, previously approved by all four counties in 2016. Each board of supervisors are required to approve the amended Joint Powers Agreement (referred to as the "MOU").

**Discussion:**

Broadband is a critical means of access for rural communities and a vital connection to an increasingly national and global economy. Rural communities continue to have little or no access to broadband, with many residents and businesses still relying upon dial-up modems as their primary connection to the Internet. Broadband access provides much assistance to local residents, businesses, and agricultural/farm communities.

The North Bay North Coast Broadband Consortium (NBNCBC) consisting of Marin, Napa, Mendocino and Sonoma counties, was formed by a MOU in 2014 to oversee and manage broadband planning activities in the four county region. The current MOU expires June 30, 2019. The Counties have coordinated to present this amendment to the MOU to apply for the Project Plan Grant.

**Project Plan Grant.** The NBNCBC has been funded by California Public Utilities Commission Advanced Services Fund (CASF) grants. Grant awards of \$250,000 were approved in 2014 and 2016. The NBNCBC is applying for new 3 year CASF grant of \$450,000 to fund its "Three Year Project Plan for the CASF Consortia Grant." (Project Plan). The Project Plan grant has significant restrictions. It cannot be used for infrastructure projects, meals, food and refreshments for group gatherings such as meetings, conferences, workshops; work on legislation, including meetings, travel or lobby, etc. If the Consortium seeks authority to engage in those activities, there must be another approved revenue source for those activities. If the Public Utilities Commission approves the Project Plan grant, we will return to the Board to accept the grant award.

Over the last four years the four counties working as the NBNCBC, have collaborated successfully to establish the current state of broadband deployment in each county, to identify deployment opportunities, locate plausible funding sources, complete broadband strategic plans and help broadband service providers take advantage of funding to address broadband opportunities. The NBNCBC has also worked effectively to recommend the member counties board of supervisors authorize coordination with local, state and federal officials and agencies to review and support regulations and policies to expand broadband deployment to rural areas.

The MOU is required to define each counties role as part of their participation in the NBNCBC. Sonoma County will continue to be the fiscal agent for the grant because of the EDB's engagement regional broadband program. As fiscal agent, the MOU authorizes acceptance and administration of the Project Plan grant funds. If the expenditures comply with the grant restrictions and state and local laws, grant related expenses will be reimbursed to NBNCBC members upon approval of quarterly reports and payment requests by the CPUC. Each county bears the responsibility for ensuring their use of the funds complies with the grant restrictions and state and local laws.

The MOU also authorizes continuation of the NBNCBC Oversight Committee which is comprised of a member of the board of supervisors from each county. The MOU does not authorize the Oversight Committee to make policy. However, the Oversight Committee can make recommendations for policy and bring those recommended policies to their respective boards for approval. The Oversight Committee meets quarterly to monitor progress with the grant work plan, interface with NBNCBC boards of supervisors and facilitate common issues affecting all member counties. Board members that are currently active in member county broadband efforts include Marin County Supervisor Dennis Rodoni, Napa County Supervisor Diane Dillon, Mendocino County Supervisor Ted Williams and Sonoma County Supervisor Lynda Hopkins. Alternate members include Marin County Supervisor Damon Connolly, Mendocino County Supervisor John Haschak, Napa County Supervisor Belia Ramos and Sonoma County Supervisor James Gore. On December 14, 2018 the Oversight Committee approved continuation of the NBNCBC and its Action Plan including application for a new 3 year CASF grant.

**Draft Action Plan.** In addition to the Project Plan Grant, this board item also includes an attached Draft Action Plan. No revenue sources have been identified that would authorize the most of the work set forth in the attached Draft Action Plan. The Draft Action Plan includes legislative advocacy and infrastructure projects. If revenue sources are identified to conduct the activities in the Draft Action Plan, staff will return to their respective Board of Supervisors to consider for approval. Likewise, if a County decides to seek independent revenue sources to develop broadband infrastructure, the Sonoma County Economic Development Board will not serve as the Fiscal Agent for managing that project and those funds. The County that seeks that revenue source will be responsible for compliance with all federal, state and local laws, including prevailing wage, competitive bid procedures and CEQA.

#### **Prior Board Actions:**

December 13, 2016 - Board accepted grant for \$250,000 and approved amended MOU for the NBNCBC.

July 29, 2014 - Board accepted CASF grant for \$250,000 and approved MOU for NBNCBC grant coordination.

December 10, 2013 - Board approved a resolution endorsing the County's membership in the North Bay North Coast Broadband Consortium.

February 21, 2012 - Board directed the EDB and ISD to perform studies to determine infrastructure needs and seek funding opportunities for broadband programs.

**FISCAL SUMMARY**

<b>Expenditures</b>	<b>FY 18-19 Adopted</b>	<b>FY19-20 Projected</b>	<b>FY 20-21 Projected</b>
Budgeted Expenses		150,000	150,000
Additional Appropriation Requested			
<b>Total Expenditures</b>		<b>150,000</b>	<b>150,000</b>
<b>Funding Sources</b>			
General Fund/WA GF			
State/Federal		150,000	150,000
Fees/Other			
Use of Fund Balance			
Contingencies			
<b>Total Sources</b>		<b>150,000</b>	<b>150,000</b>

**Narrative Explanation of Fiscal Impacts:**

If approved by the CPUC, EDB will receive \$150,000 per year for three years beginning in fiscal year 2019-2020. Revenues and expenses for FY 19-20 are included in the recommended budget.

<b>Staffing Impacts:</b>			
<b>Position Title (Payroll)</b>	<b>Monthly Salary Range (A - I Step)</b>	<b>Additions (number)</b>	<b>Deletions (number)</b>

**Narrative Explanation of Staffing Impacts (If Required):**

None.

**Attachments:**

- Amended Joint Powers Agreement (MOU)
- NBNCBC Project Plan
- NBNCBC Draft Action Plan

**Related Items "On File" with the Clerk of the Board:**

Click or tap here to enter text.