



**BOARD OF SUPERVISORS
AGENDA LETTER**

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: County Executive Office
Department No.: 012
For Agenda Of: March 1, 2022
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from: N/A
Vote Required: **Majority**

TO: Board of Supervisors
FROM: Department Director(s) Mona Miyasato, County Executive Officer
Contact Info: Nancy Anderson, Assistant County Executive Officer *NA*
SUBJECT: **Approval to Join the Golden State Connect Authority (GSCA) for the Purpose of Expanding Broadband Access and Quality in Rural Counties**

DocuSigned by:
Mona Miyasato
41846F5C725B460...

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence:

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- a) Approve and adopt a resolution authorizing the Chair to execute the Golden State Connect Authority Joint Exercise of Powers Agreement, adding the County as a Member of the Golden State Connect Authority, subject to the County’s right to withdraw the County’s membership as described in the Agreement; and
- b) Appoint Supervisor Nelson as the County’s Delegate and Supervisor Lavagnino as the Alternate to the Golden State Connect Authority’s Governing Board; and
- c) Determine that the above actions are not a project under the California Environmental Quality Act (CEQA), because pursuant to sections 15378(b)(4) and 15378(b)(5) the recommended actions consist of organization, administrative, or fiscal activities of government that will not result in direct or indirect physical changes in the environment.

Summary:

In order to increase access to reliable, affordable, high-speed broadband for all rural Californians, RCRC (Rural County Representatives of California) has created a Joint Powers Authority entitled Golden State Connect Authority to implement this objective and focus on broadband for rural California. As a member of the RCRC, joining GSCA has no cost to joining but will give Santa Barbara County exposure to efforts

of the GSCA (Attachment B). In addition, joining GSCA will compliment, not replace, our current Broadband efforts that are occurring through SBCAG with the development of the Countywide Broadband Strategic Plan. Staff recommends the Board adopt the attached Resolution, approving and authorizing the Chair to execute the Golden State Connect JPA agreement to join the JPA.

Background:

On August 18, 2021, the Board of Directors of Rural County Representatives of California (RCRC) voted unanimously to approve the formation of a Joint Powers Authority (JPA), Golden State Connect Authority, for the purpose of expanding broadband access and quality in rural counties. Following approval by the RCRC Board, the next step in establishment of this entity is to provide the Golden State Connect Authority JPA to each RCRC Member County for review and approval by the Member County Boards of Supervisors. There are currently 37 Member Counties in GSCA.

Activities within Golden State Connect Authority focus exclusively on broadband. All RCRC member counties are welcome and encouraged to join. There is no financial impact associated with joining the JPA, and no obligation for individual member counties to provide funds to the Authority, absent a separate agreement to participate in one (or more) of the specific programs. As with RCRC, the proposed new entity will be governed by delegate Supervisors from each member county, and day-to-day operations will be administered by RCRC staff.

The primary goals for the project structure are:

- to ensure that elected County Supervisors retain control of the program, with day-to-day administration provided by RCRC staff,
- to allow for partnership agreements between like-governmental entities for the operation and advancement of the program of work, and,
- to attract public and private investment in the program, as necessary and appropriate.

Initial areas of focus for broadband work on behalf of Member Counties will include:

- Foundational Readiness: Ensure all member counties have broadband strategic plans
- Capacity Building: Equip rural counties with information and resources about innovative models and approaches to broadband deployment
- Demonstration Projects: Implement open-access municipal broadband projects

Fiscal Impact:

There is no fiscal impact to joining the GSCA JPA, and there is no obligation for an individual member county to provide funds to the Golden State Connect Authority, absent a separate future agreement to participate in one (or more) of GSCA's specific programs.

Legal Considerations:

State law allows a joint powers agreement to provide that contractual debts of the JPA are not debts of the individual member entities. (Gov't Code § 6508.1). The GSCA joint powers agreement includes a provision specifying that the debts, liabilities and obligations of the GSCA are not the obligations of an individual associate member entity.

However, individual member entities of a JPA cannot avoid joint and several liability for the torts of the joint powers agency itself. (Gov't Code § 895.2.). The County of Santa Barbara's potential tort liability

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can be addressed in part by the joint powers agency's insurance policy and the County's own insurance policy.

Attachments:

Attachment A – Resolution

Attachment B – RCRC Rural Broadband Initiative

Attachment C – Proposed Golden State Connect Authority Joint Exercise of Powers Agreement

Special Instructions:

Please return electronic version of executed agreement to jmcginty@countyofsb.org and two wet signature copies to Jasmine McGinty, 805-568-3108.

Authored by:

Jasmine McGinty, Principal Analyst, County Executive Office