



Executive Committee Meeting

**Friday
July 29, 2022
8:30 A.M.**

**1215 K Street, Suite 1650
Sacramento, California 95814**

**Golden State Connect Authority (GSCA)
Executive Committee Meeting
Friday, July 29, 2022 - 8:30 a.m.
1215 K Street, Suite 1650
Sacramento, CA 95814**

Executive Committee Members:

Supervisor Jack Garamendi, Calaveras County
Supervisor David Griffith, Alpine County
Supervisor Dan Miller, Nevada County
Supervisor Doug Teeter, Butte County
Supervisor Chris Lopez, Monterey County
Supervisor Stacy Corless, Mono County

Supervisor Rex Bohn, Humboldt County
Supervisor Aaron Albaugh, Lassen County
Supervisor Denise Carter, Colusa County
Supervisor Miles Menetrey, Mariposa County
Supervisor Daron McDaniel, Merced County

In accordance with Government Code section 54953, subdivision (e) (Assembly Bill 361), the July 29, 2022 GSCA Executive Committee Meeting will be facilitated virtually through Zoom with limited in-person attendance. Members of the public may attend the meeting in-person, provided that the GSCA Executive Committee reserve the right to limit the number of people in attendance. Members of the public can also watch or listen to the meeting using one of the following methods:

1. Join the Zoom meeting application on your computer, tablet or smartphone:

Go to: <https://rsrcnet.zoom.us/j/81951332786?from=addon>

Enter Password: 886059

2. Call-in and listen to the meeting:

Dial +1 (669) 900-9128

Enter meeting ID: 819 5133 2786

Enter password: 886059

PUBLIC COMMENT USING ZOOM: Members of the public who join the Zoom meeting, either through the Zoom app or by calling in, will be able to provide live public comment at specific points throughout the meeting.

EMAIL PUBLIC COMMENT: One may also email public comment to mchui@rsrcnet.org before or during the meeting. All emailed public comments will be forwarded to all GSCA Executive Committee members.

DISABLED ACCOMMODATION: Meeting facilities are accessible to persons with disabilities. If you have a disability which requires an accommodation or an alternative means to assist you in attending, observing, or commenting on this meeting, or an alternative agenda document format, please contact GSCA at (916) 447-4806 or by email at mchui@rsrcnet.org by 8:30 a.m. Thursday, July 28th to ensure arrangements for accommodation.

AGENDA

1. Call to Order & Determination of Quorum

Chair, Supervisor Jack Garamendi, Calaveras County

Vice Chair, Supervisor David Griffith, Alpine County

2. Pledge of Allegiance

3. Public Comments

At this time any member of the public may address the Board. Speakers are asked to state their name for the record but are not required to do so. Comments are usually limited to no more than 3 minutes per speaker.

Guest Speaker:

**Commissioner Darcie Houck
California Public Utilities Commission**

8:30 a.m.

4. Consent Agenda – ACTION

- a. **April 29, 2022 Executive Committee Meeting Minutes**
- b. **GSCA Resolution TC006-22: Authorizing Remote and Hybrid Teleconference Meetings of the GSCA Executive Committee Pursuant to Assembly Bill 361**

Arthur J. Wylene, RCRC General Counsel

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5. Program Update

*Barbara Hayes, RCRC Chief Economic Development Officer
Craig Ferguson, RCRC Senior Vice President*

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6. Adjournment

Agenda items will be taken as close as possible to the schedule indicated. Any member of the general public may comment on agenda items at the time of discussion. In order to facilitate public comment, please let staff know if you would like to speak on a specific agenda item. The agenda for this regular meeting of the GSCA Executive Committee was duly posted at its offices, 1215 K Street, Suite 1650, Sacramento, California, 72 hours prior to the meeting.

Any written materials related to an open session item on this agenda that are submitted to the GSCA Executive Committee than 72 hours prior to the meeting, and that are not exempt from disclosure under the Public Records Act, will promptly be made available for public inspection at GSCA's principal office, 1215 K Street, Suite 1650, Sacramento, CA 95814, (916) 447-4806, during normal business hours, and on the GSCA website, <https://www.goldenstateconnect.org>.

**Golden State Connect Authority
Executive Committee Meeting
Friday, April 29, 2022 – 9:00 a.m.
1215 K Street, Suite 1650
Sacramento, CA 95814**

Executive Committee Members:

Supervisor Jack Garamendi, Calaveras County
Supervisor David Griffith, Alpine County
Supervisor Dan Miller, Nevada County
Supervisor Doug Teeter, Butte County
Supervisor Chris Lopez, Monterey County
Supervisor Stacy Corless, Mono County

Supervisor Rex Bohn, Humboldt County
Supervisor Aaron Albaugh, Lassen County
Supervisor Denise Carter, Colusa County
Supervisor Miles Menetrey, Mariposa County
Supervisor Daron McDaniel, Merced County

Call to Order and Determination of Quorum

Chair, Supervisor Jack Garamendi, Calaveras County, presided. Present were Executive Director Patrick Blacklock, RCRC General Counsel Arthur J. Wylene, and RCRC Director of Board Operations Maggie Chui, clerk. Chair Garamendi called the meeting to order at 9:02 a.m. A quorum was determined at that time. Those members present:

<u>Supervisor</u>	<u>County</u>
Jack Garamendi	Calaveras
David Griffith	Alpine
Dan Miller	Nevada
Doug Teeter	Butte
Stacy Corless	Mono
Aaron Albaugh	Lassen
Denise Carter	Colusa
Daron McDaniel	Merced

Absent

Chris Lopez	Monterey
Rex Bohn	Humboldt
Miles Menetrey	Mariposa

Public Comments

Written comments from Frederick Pilot were received and read to the GSCA Executive Committee.

Consent Agenda

- a. **February 25, 2022 Executive Committee Meeting Minutes**
- b. **GSCA Resolution TC004-22: Authorizing Remote and Hybrid Teleconference Meetings of the GSCA Executive Committee Pursuant to Assembly Bill 361**
- c. **GSCA Budget v. Actual Report (Quarter Ended March 31, 2022)**

Chair, Supervisor Jack Garamendi, Calaveras County, called for approval of the above-listed consent agenda items.

Supervisor Stacy Corless, Mono County, motioned to approve the following: minutes from the February 25, 2022 Executive Committee meeting; and, GSCA Resolution TC004-22; and filing and receipt of the GSCA Budget v. Actual Report (Quarter Ended March 31, 2022). Supervisor David Griffith, Alpine County, seconded the motion. Motion passed with all Supervisors present voting “Aye” except:

Not Voting: Lassen County

Legislative and Regulatory Advocacy Update

Tracy Rhine, RCRC Senior Policy Advocate, provided an update on RCRC’s lobbying and advocacy efforts, and the California Public Utilities Commission’s (CPUC) rulemaking process.

As part of the Broadband Infrastructure Deployment Proceeding, the CPUC recently adopted the Federal Fund Account (FFA) Decision following a modified proposal that lowers the pricing cap commitment to five years, allows for Consumer Price Index adjustment, and eliminates the requirement for low-cost service offering beyond participation in the federal Affordable Connectivity Program. The CPUC must now determine where the eligible project, or “priority areas,” will be in each of the 58 counties.

As part of the California Advanced Services Fund (CASF) Proceeding, the CPUC released a Second Amended Scoping Memo and Ruling which includes proposed rule modifications for funding accounts within the CASF program and questions for comment on Phase IIA, the Broadband Loan Loss Reserve (LLR) program. RCRC has submitted opening comments on the Broadband LLR program. It is expected the CPUC will release a draft program outline by August 2022.

Initial Project Area(s) Update

Barbara Hayes, RCRC Chief Economic Development Officer, provided an update on broadband related efforts currently underway within GSCA and the Golden State Finance Authority (GSFA). Ms. Hayes noted that Solano County’s membership into GSCA is currently being prepared for review and action by the Solano County Board of Supervisors.

Ms. Hayes provided a status update on the broadband program of work that includes Foundational Readiness, Information Sharing and Capacity Building, and Demonstration Project Identification. Within the Foundational Readiness priority GSFA is currently awaiting final approval of the grant application submitted to the U.S. Department of Commerce Economic Development Administration. Information Sharing is in-progress as GSCA continues to increase communication and outreach to member counties. The initial review of project areas is nearing completion under the Demonstration Project Identification priority, as GSCA has completed initial business analysis and identified a list of potential initial project areas. Ms. Hayes presented the potential project areas and the key attributes associated with each area.

Ms. Hayes also discussed funding opportunities for broadband, including the Local Agency Technical Assistance Program and the FFA/Last Mile Funding.

Carolyn Jhajj, RCRC Communications Director, presented GSCA's resources and communication efforts, including the release of an updated Broadband Funding Resource Guide, GSCA e-newsletter, and the Broadband Expert Series.

Craig Ferguson, RCRC Senior Vice President, briefly discussed GSCA's financing prospects.

Adjournment

Chair, Supervisor Jack Garamendi, Calaveras County, adjourned the meeting of the GSCA Executive Committee at 10:12 a.m.



To: Members of the GSCA Executive Committee

From: Arthur J. Wylene, RCRC General Counsel

Date: July 19, 2022

Re: GSCA Resolution TC006-22: Authorizing Remote and Hybrid Teleconference Meetings of the GSCA Executive Committee Pursuant to Assembly Bill 361 – **ACTION**

Summary

The proposed resolution will allow the current GSCA Executive Committee meeting to be held primarily in-person at the RCRC offices, while still permitting full remote participation for those members who are unable to attend in person, or prefer to participate virtually.

Background

Meetings of the GSCA Executive Committee are subject to the provisions of the Ralph M. Brown Act. The Brown Act has traditionally placed significant restrictions on teleconferenced meetings, including requiring that each teleconference location be accessible to the public (i.e., participation of Executive Committee members from homes or private offices has not been permitted).

In the early days of the COVID-19 pandemic, the Governor issued a series of Executive Orders temporarily suspending the restrictions on teleconferenced meetings, under which most meetings of RCRC-affiliated legislative bodies have been conducted during the last year-and-a-half. These Executive Orders terminated on September 30, 2021. In their place, the Legislature has enacted Assembly Bill 361 (R. Rivas), which permits legislative bodies to continue holding teleconferenced meetings without the traditional Brown Act restrictions (through December 2023) under any of the following circumstances:

- (A) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.*
- (B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.*
- (C) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.*

To continue holding teleconferenced meetings in the manner to which Executive Committee members have become accustomed, each RCRC-affiliated legislative body will need to make one of the determinations required by Assembly Bill 361. The "imminent

risk” determinations are factually supportable, as the continued rates of transmission of the COVID-19 virus, including the Omicron variant, can indeed present imminent risks to the health and safety of some in-person attendees, particularly those with pre-existing health conditions.

If the proposed resolution making these determinations is approved, the current GSCA Executive Committee meeting may be held as a remote and hybrid in-person/remote meeting, in substantially the same manner as previous meetings during the past 18 months. (Assembly Bill 361 includes several additional requirements for teleconferenced meetings, including providing an opportunity for “real time” public comment, and suspending the meeting in the event that remote connectivity is lost; however, these are all consistent with RCRC's existing practices.)

Assembly Bill 361 generally requires that the requisite determinations must be reconsidered every thirty days. Since GSCA Executive Committee meetings typically will not occur that frequently, a new resolution making these determinations will be required at the start of each meeting.

Recommendation

It is recommended that proposed Resolution Authorizing Remote and Hybrid Teleconference Meetings of the GSCA Executive Committee Pursuant to Assembly Bill 361 be approved.

Attachment

- Proposed GSCA Resolution TC006-22

GSCA RESOLUTION NO. TC006-22

RESOLUTION OF THE EXECUTIVE COMMITTEE OF THE GOLDEN STATE CONNECT AUTHORITY AUTHORIZING REMOTE AND HYBRID TELECONFERENCE MEETINGS OF THE GSCA EXECUTIVE COMMITTEE PURSUANT TO ASSEMBLY BILL 361

WHEREAS, Golden State Connect Authority (GSCA) is committed to preserving and nurturing public access and participation in meetings of GSCA's legislative bodies; and

WHEREAS, the Brown Act, Government Code section 54953, subdivision (e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953, subdivision (b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, on March 4, 2020, the Governor proclaimed pursuant to his authority under the California Emergency Services Act, California Government Code section 8625, that a state of emergency exists with regard to a novel coronavirus (a disease now known as COVID-19); and

WHEREAS, on June 4, 2021, the Governor clarified that the "reopening" of California on June 15, 2021 did not include any change to the proclaimed state of emergency or the powers exercised thereunder; and

WHEREAS, as of the date of this Resolution, neither the Governor nor the Legislature have exercised their respective powers pursuant to California Government Code section 8629 to lift the state of emergency either by proclamation or by concurrent resolution in the state Legislature;

WHEREAS, the continued rates of transmission of the virus and variants causing COVID-19 within GSCA member counties are such that meeting in person would present imminent risks to the health or safety of some attendees of public meetings, particularly those with pre-existing health conditions; and

WHEREAS, the Executive Committee has considered the current circumstances of the state of emergency, and determined that the state of emergency continues to directly impact the ability of the members to meet safely in person;

NOW, THEREFORE, BE IT RESOLVED by the Executive Committee of the Golden State Connect Authority as follows:

1. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.
2. A proclaimed state of emergency exists and as a result of the emergency, meeting in person would present imminent risks to the health or safety of some attendees, particularly those with pre-existing health conditions.
3. The Executive Committee is hereby authorized and directed to conduct open and public meetings in accordance with Government Code section 54953, subdivision (e) and other applicable provisions of the Brown Act.
4. This Resolution is intended to enable the Executive Committee to meet via teleconference in accordance with Assembly Bill 361 of 2021 (Statutes 2021, Chapter 165), whether solely by teleconference or via a "hybrid" combination of physical location and teleconference.
5. This Resolution shall take effect immediately upon its adoption and shall be effective for a period of thirty (30) days thereafter, unless extended pursuant to Government Code section 54953, subdivision (e)(3). Expiration of this resolution shall not prejudice any subsequent action to adopt another resolution in accordance with Government Code section 54953, subdivision (e) during the present or any future state of emergency.

PASSED, APPROVED AND ADOPTED by the Executive Committee of the Golden State Connect Authority, the 27th day of July.

I certify that the foregoing resolution is a true and accurate copy of Resolution TC006-22, approved by the Executive Committee of the Golden State Connect Authority on July 27, 2022 in Sacramento, California.

Date: _____

Secretary



To: Members of the GSCA Executive Committee
From: Barbara Hayes, RCRC Chief Economic Development Officer
Craig Ferguson, RCRC Senior Vice President
Date: July 19, 2022
Re: Program Update

Summary

An update on the Golden State Connect Authority program of work will be provided.

Background

US Department of Commerce Economic Development Administration (EDA) Grant

A grant for development of broadband strategic plans for 27 member counties was submitted on September 3, 2021, to the US Department of Commerce Economic Development Administration (EDA) by Golden State Connect Authority affiliate, Golden State Finance Authority. The grant application is currently being reviewed by EDA.

Local Agency Technical Assistance Program

The Local Agency Technical Assistance (LATA) program established under SB 156 to assist local governments (among the eligible applicants) to prepare for and advance broadband deployment is nearing the date on which the program portal will open for the receipt of applications. Over the last 30 days additional resources have been added to the program webpage ([Local Agency Technical Assistance](#)), including the program application, Administrative Manual, and webinar recording on how to complete the application.

An update on individual member county and Golden State Connect Authority LATA project identification and application development will be provided.

Advancement of Open Access Municipal Broadband Network

An update will be provided on progress toward further solidification of GSCA technical and operational partners, as well as GSCA project area identification.

Recommendation

No action is recommended.