

SOUTH SALINAS VALLEY BROADBAND AUTHORITY

BOARD OF DIRECTORS

SPECIAL MEETING AGENDA

**GREENFIELD COUNCIL CHAMBERS
599 EL CAMINO REAL
GREENFIELD, CA 93927**

**August 3, 2023
4:00 p.m. to 5:00 p.m.**

Zoom Link: <https://us02web.zoom.us/j/81428020419>

Webinar ID: 814 2802 0419

Passcode: N/A

1. Call to Order

2. Pledge of Allegiance

3. Roll call

Board President: Supervisor Chris Lopez, County of Monterey
Board Vice President: Mayor Mike LeBarre, City of King
Board Member: Mayor Bob White, City of Greenfield
Board Member: Councilmember Alejandro Chavez, City of Soledad
Board Member: Mayor Jose Rios, City of Gonzales

4. Business from the Public

Members of the public may comment on matters within the jurisdiction of the agency that are not on the agenda. Public comments generally are limited to two (2) minutes per speaker; the Chair may further limit the time for public comments depending on the agenda schedule. Comments on agenda items should be held until the items are reached. To be respectful of all speakers and avoid disruption of the meeting, please refrain from applauding or jeering the speaker.

5. Consent Items

- a. Approval of June 7, 2023 SSVBA Draft Board Meeting Minutes (Pages 4-8)
- b. Consideration for future SSVBA Regular Meetings scheduled (Page 9)
 - i. SSVBA Regular Meeting October 19, 2023

- c. Consideration for approval of MBEP’s consultant annual fees for July 2022-June 2023 (Page 10)
- d. Consideration for approval of Aleshire & Wynder, LLP’s legal counsel fees for May-July 2023 (Page 11)
- e. Consideration for GSCA applying on behalf of the SSVBA for the Federal Funding Account/Last Mile Grant Program (Page 12)

6. Regular Agenda

- a. Resolution No. 2023-03: Electronic Signatures Authorization (Page 13-17)
 - i. Resolution authorizing the use of electronic signatures for conduct of business.
- b. National Telecommunication & Information Administration (NTIA) Presentation (Page 18)
 - i. Overview of the Federal & State Broadband Funding in California

7. Executive Director’s Report

- a. SSVBA Banking Update (page 19)
 - i. Successful addition of new city of Gonzales City Manager Carmen Gil as a signatory.
 - ii. SSVBA Public Account Balance Update (as of August 01, 2023)
 - iii. SSVBA Invoicing for FY 2023-2024
- b. MBEP Housing White Paper was released in June 2023 (page 20)

8. Board of Directors’ Report

9. Future Agenda Items

- a. Legal Counsel’s Presentation on governing requirements for the JPA and suggested considerations for expanded policy suggestions
- b. Crown Castle Dark Fiber Project Updates

Adjournment

MEETING ACCOMMODATION

Disability-related modification or accommodation, including auxiliary aids or services, may be requested by any person with a disability who requires modification or accommodation in order to participate in the meeting. Requests should be referred to MBEP Staff, Ameer Othman, at aothman@mbep.biz as soon as possible but by no later than 5:00 p.m. of the last business day prior to the meeting. Hearing impaired or

TTY/TDD text telephone users may contact the Agency by dialing 711 for the California Relay Service (CRS) or by telephoning any other service providers' CRS telephone number.

VIEWING MEETINGS

Live meetings are broadcast via Zoom and are recorded. The recorded meetings schedule may be viewed at the City of Greenfield's website, [Greenfield, CA | Official Website](#).

AGENDA POSTING

The meeting agenda was posted on August 2, 2023 at the Civic Center - 599 El Camino Real - Greenfield, CA 93927 and the City's website: www.ci.greenfield.ca.us

**South Salinas Valley Broadband Authority
Consent Agenda**

AGENDA ITEM: 5.a

AUTHORITY MEETING DATE: August 3rd, 2023

SUBJECT: Approval of June 7th, 2023 SSVBA Draft Board Meeting Minutes

RECOMMENDATION: Motion to approve June 7th, 2023 SSVBA Board Meeting Minutes.

ATTACHMENTS:

- June 7th, 2023 SSVBA Draft Meeting Minutes

SOUTH SALINAS VALLEY BROADBAND AUTHORITY

**BOARD OF DIRECTORS
SPECIAL MEETING AGENDA**

**GREENFIELD COUNCIL CHAMBERS
599 EI CAMINO REAL
GREENFIELD, CA 93927**

**June 7th, 2023
3:30 p.m. to 4:30 p.m.**

Zoom Link: <https://us02web.zoom.us/j/81428020419>

Webinar ID: 814 2802 0419

Passcode: N/A

1. Call to Order

Board President Lopez called the meeting to order at 3:30 p.m.

2. Pledge of Allegiance

All recited the Pledge of Allegiance.

3. Roll call

PRESENT: Board President Chris Lopez, Board Vice President Mike LeBarre, & Board Members Rios, Chavez, and Untalon

ABSENT: none.

4. Business from the Public

none.

5. Consent Items

- a. Approval of April 20th, 2023 SSVBA Draft Board Meeting Minutes
- b. Consideration for future SSVBA Regular Meetings scheduled & approved by the board
 - i. SSVBA Regular Meeting July 20th, 2023

ii. SSVBA Regular Meeting October 19th, 2023

A MOTION by Untalon, seconded by LeBarre to approve both Consent Items, which include:

- April 20, 2023 SSVBA Board Meeting Minutes
- Future dates for SSVBA's Regular Meeting Dates for both July 20th, 2023 & October 19th, 2023
- The motion was unanimously approved

4. Regular Agenda

a. Consideration of Renewal of Contract with Monterey Bay Economic Partnership

- i. Recommended action is to approve the renewal of contract
- ii. Existing contract expires June 30th, 2023
- iii. The report was delivered by Ameer Othman.
 - 1. Overview of the changes to the existing MBEP contract, which expires on June 30, with the board:
 - a. Highlighted the proposed renewal that would run from July 01, 2023, to June 30, 2024.
 - b. Provided direction on the contract's scope of work and definitions included
 - c. Highlighting the JPA's Legal Counsel that has been updated to reflect the addition of Roy Santos of Aleshire & Wynder, LLP
 - 2. The proposed renewal also included a change in the requested signature on the document from the former City Manager of Gonzales to Supervisor & President of the Board, Chris Lopez.

A MOTION by Rios, seconded by Chavez, to approve the Renewal Contract with MBEP.

- The motion was unanimously approved

5. Executive Director's Report

a. New Banking Resolution

- i. Removal of former city of Gonzales City Manager as a signatory
- ii. The report was delivered by Dr. Doreen Danielson and Ameer Othman.
 - 1. The resolution was previously approved and signed in April of 2023.
 - 2. The removal of the former City Manager of Gonzales, Trevin Barber, as a signator prompted the resolution to return to the board for approval and subsequent signatures.
 - 3. The drafted resolution would only remove the former City Manager of Gonzales and would not add any additional individuals as a signatory.
- iii. The board requested minor alterations that would add the newly appointed City Manager of Gonzales, Carmen Gil, as a signatory.
- iv. Legal Counsel representative, Shannon L. Chaffin, recommended moving the item to the Regular Agenda for the board to adopt the resolution properly.

1. Following this directive, President of the Board, Chris Lopez, requested a motion to make item 7a part of the Regular Agenda.

A MOTION by LeBarre, seconded by Rios, to make Banking Resolution a Regular Agenda Item rather than an Executive Director's Report item.

- v. No public input was provided after the approved changes to item 7a to the Regular Agenda. President Lopez called for a motion to approve the resolution following the minor change to add City Manager Carmen Gill as a bank signatory.

1. Following the addition, MBEP staff are authorized to collect signatures for the resolution.

A MOTION by Rios, seconded by Chavez, to approve the Banking Resolution.

- The motion was unanimously approved

6. Board of Directors' Reports

- a. Mayor LeBarre's Report provided an update on TAMC's broadband efforts
 - i. TAMC will be more engaged in broadband efforts throughout Monterey County.
 - ii. Over the past year, TAMC Board identified broadband as critical infrastructure that is critical to transportation projects.
 - iii. Mayor LeBarre concluded with a notice to the board regarding their involvement and the potential need to present their work to assist TAMC's information and data collection on all of the broadband projects in the area.
- b. President Lopez's Report was concerning two timely items:
 - i. The BEAD Digital Equity Regional Workshop on June 02, 2023, at CSU Monterey Bay, which MBEP co-hosted.
 1. Lopez cited that the workshop's mission was centered on bridging the digital divide and part of the state's efforts to collect public feedback on the future of digital equity and the use of the upcoming BEAD funding.
 2. Lopez also highlighted that the event was well-attended and succeeded in bringing the region together to produce unique strategies for state officials to collect.
 3. Councilmember Chavez followed up and noted that the diversity in the local community voices present at the event and who had spoken to share their input was vital.
 - ii. The recent release of Governor Newsom's Revised Budget for the State of California, as of May 2023. Notable items mentioned by President Lopez include:
 1. A deficit in the state's budget was cited to be approximately \$30 Billion.
 2. The state's deficit could cause shifts in the allocation of broadband funds and potentially delay the state's initial timelines in the digital equity space.
 - iii. President Lopez requested an update on the Golden State Net Authority in the upcoming SSVBA Regular Meeting scheduled for July 20, 2023.
- c. Board Member Untalon shared an announcement regarding her immediate resignation to the board and public from her role at the City of Greenfield as soon as her replacement is successfully appointed.

7. Future Agenda Items

none.

8. Adjournment

Meeting was adjourned by Board President Lopez at 3:44 p.m.

9. MEETING ACCOMMODATION

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AGENDA POSTING

The meeting agenda was posted on [date and time] at the [location].

**South Salinas Valley Broadband Authority
Consent Agenda**

AGENDA ITEM: 5.b

AUTHORITY MEETING DATE: August 3rd, 2023

SUBJECT: Consideration for future SSVBA Regular Meetings scheduled & approved by the board

RECOMMENDATION: Motion to confirm the approved dates for the upcoming SSVBA Regular Meetings for the following dates:

- SSVBA Regular Meeting October 19th, 2023

ATTACHMENTS: N/A

**South Salinas Valley Broadband Authority
Consent Agenda**

AGENDA ITEM: 5.c

AUTHORITY MEETING DATE: August 3rd, 2023

SUBJECT: Consideration for approval of MBEP's consultant annual fees for July 2022-June 2023

RECOMMENDATION: Motion to submit and pay the consultant annual fees for July 2022-June 2023

BACKGROUND: Annual fee (\$100,000) for Monterey Bay Economic Partnership's role as the Executive Director for the JPA - July 2022-June 2023.

ATTACHMENTS: N/A

**South Salinas Valley Broadband Authority
Consent Agenda**

AGENDA ITEM: 5.d

AUTHORITY MEETING DATE: August 3rd, 2023

SUBJECT: Consideration for approval of Aleshire & Wynder, LLP's legal counsel fees for May-July 2023

RECOMMENDATION: Motion to submit and pay the legal counsel fees for May-July 2023

BACKGROUND: As of June 30th, 2023, the legal services rendered for the professional services provided by Aleshire & Wynder, LLP amounts to \$3,217.50. The accumulated total amount due is through the months of May-July 2023.

ATTACHMENTS: N/A

**South Salinas Valley Broadband Authority
Consent Agenda**

AGENDA ITEM: 5.e.

AUTHORITY MEETING DATE: August 3rd, 2023.

SUBJECT: Consideration for GSCA applying on behalf of the SSVBA for the Federal Funding Account/Last Mile Grant Program.

RECOMMENDATION: Motion to authorize the Golden State Connect Authority (GSCA) to apply on behalf of the SSVBA as a single applicant for the Federal Funding Account/Last Mile Grant Program.

BACKGROUND: The CPUC's FFA/ Last Mile program application window officially opened on Friday, June 30th, 2023, and will remain open until September 29th, 2023. The FFA/Last Mile program will fund the deployment of broadband infrastructure across California, with a focus on unserved/underserved areas, as delineated on the CPUC's FFA/Last Mile program map. These program dollars, such that they are available for areas within the SSVBA member region, will be part of the financial stack anticipated to be used by GSCA to deploy an open-access municipal broadband network across the SSVBA region.

ATTACHMENTS: N/A.

**South Salinas Valley Broadband Authority
Regular Agenda**

AGENDA ITEM: 6.a.

AUTHORITY MEETING DATE: August 3rd, 2023.

SUBJECT: Resolution No. 2023-03: Electronic Signatures Authorization.

PREPARED BY: MBEP Staff.

RECOMMENDATION: Motion to approve and adopt the resolution.

BACKGROUND: Resolution authorizing the use of electronic signatures for conduct of business.

ATTACHMENTS:

- Resolution NO. 2023-03.

RESOLUTION NO. 2023-03

**A RESOLUTION OF THE SOUTH SALINAS VALLEY BROADBAND AUTHORITY
AUTHORIZING THE USE OF ELECTRONIC SIGNATURE FOR CONDUCT OF
BUSINESS**

WHEREAS, the Board of Directors (“Board”) desires to establish standards for when electronic signatures may replace hand-written or wet signatures on South Salinas Valley Broadband Authority (“Authority”) documents, thereby encouraging the use of paperless, electronic documents when appropriate and allowed by law.

WHEREAS, the term, “electronic signature,” is defined as data in electronic form that is attached to or associated with other data in electronic form in order to be used by the signatory to sign. Thus, providing any electronic form of a signatory’s original signature on an electronic document may constitute an electronic signature.

WHEREAS, for the purposes of this resolution, an electronic signature is not required to be subject to a digital certificate issued by a licensed certificate authority for providing authentication of signed electronic documents unless otherwise noted, and may also include scanned, faxed, or emailed copies of signatures.

WHEREAS, use of an electronic signature provides an efficient and secure way of signing electronic documents, increasing productivity by facilitating the proper use of electronic records and electronic signature technology to collect and preserve signatures on documents in a timely manner while preserving the security and integrity of documents, and the Board desires to establish policies for use of the same.

NOW, THEREFORE, the Board of the South Salinas Valley Broadband Authority resolves as follows:

1. All Board members and official signatories of the South Salinas Valley Broadband Authority have the option, but are not required, to provide an electronic version of their original signature on electronic documents pertaining to all matters associated with the South Salinas Valley Broadband Authority consistent with the requirements of this resolution.

2. This resolution broadly permits the use of electronic signatures, but there are some circumstances in which electronic signatures cannot be used, or only electronic signatures with a digital certificate may be used. Subject to State and federal law as may be amended, the Board authorizes use of an electronic signature consistent with the following:

Document Type Examples	Electronic Signature Acceptable?	Notes
Memos, Forms, Letters, and other Correspondence	Yes	Electronic signature is recommended.
Contracts	Yes	Electronic signature is recommended if acceptable to the other parties to the contract. Contracts involving an interest in land must be a “wet” signature or may be signed with a digital certificate.
Certificates, Permits	Yes, if allowed by law	General Counsel to determine whether applicable laws permit an electronic signature to be used on a case-by-case basis.
Documents Requiring Notarization	No	All signatures must be “wet” signatures.
Resolutions	Yes	Manual “wet” signatures or electronic signatures are acceptable.
Transactions requiring a handwritten signature, or for which an electronic signature is not enforceable by law	No	Consult General Counsel as to applicable laws for such transactions.
Checks or any other forms of payment issued by OCCOG	Yes	Electronic signature is permitted if otherwise allowed by the financial institution; however, General Counsel is to determine where applicable laws prohibit an electronic signature from being used.
Use of an electronic signature by another	No	Email forwarding of an electronic signature for the use by another is not authorized.

Proxy Signatures	No	Note: The Vice President may sign in the absence or unavailability of the President. Such a signature is not a “proxy” as it is signed in the Vice President’s official capacity.
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In cases of doubt or where clarity is needed, it is recommended to seek General Counsel’s advice to determine if applicable laws permit an electronic signature to be used.

3. Whenever an electronic signature is authorized as noted in Section 2, above, the use of an electronic signature is permitted if the digital signature meets all of the following criteria:

- a. It is unique to the person using it.
- b. It is capable of verification.
- c. It is under the control of the person utilizing it.
- d. It conforms to all criteria set forth in this resolution.

4. In the case of communications, contracts, or transactions which must be signed by outside parties not part of the Authority, each party to the agreement must agree in advance to the use of electronic records and electronic signatures unless otherwise required by law. Such consent may be withdrawn by any party at any time such that future documents requiring a signature must be manually signed.

5. When a document is electronically signed, the official representative of the South Salinas Valley Broadband Authority should, upon receiving the request, provide a copy of the electronically-signed document to the other parties in an electronic format that is capable of being retained and printed by the other parties.

6. The official representative of the South Salinas Valley Broadband Authority is responsible for the physical and/or electronic storage of all signed documents. All electronic records and electronic signatures shall be capable of retention and accurate reproduction by all parties or persons entitled to retain the records, transactions, or other documents upon submitting a request to the official representative of the South Salinas Valley Broadband Authority.

7. The South Salinas Valley Broadband Authority board members, staff, and official representatives are responsible for determining acceptable electronic signature methodology and technology consistent with this resolution, along with current state legal requirements and industry best practices, ensuring the security and integrity of the data produced and collected from the South Salinas Valley Broadband Authority.

8. Any use, execution, acceptance, or modification of an electronic signature or associated electronic record by any person in a manner that is unauthorized or not in compliance with applicable law or this resolution shall render such signature or record invalid. Any unauthorized signing of any contract, record, or other document, shall render such contract, record, or other document invalid as not fully and properly executed by the South Salinas Valley Broadband Authority.

9. This resolution shall take effect immediately.

PASSED AND ADOPTED at a regular meeting of the South Salinas Valley Broadband Authority held on the 3rd day of August 2023 by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

SOUTH SALINAS VALLEY BROADBAND AUTHORITY

By: _____
Chris Lopez, Board President

ATTEST

By: _____
Ameer Othman, Clerk of the Board

**South Salinas Valley Broadband Authority
Regular Agenda**

AGENDA ITEM: 6.b.

AUTHORITY MEETING DATE: August 3rd, 2023.

SUBJECT: NTIA Update: Federal & State Broadband Funding in California

PREPARED BY: Ameer Othman (MBEP), on behalf of Gladys Palpallatoc, Federal Program Officer/State Lead for the National Telecommunications and Information Administration (NTIA).

RECOMMENDATION: N/A.

BACKGROUND: Overview of the Federal & State Broadband Funding in California (Digital Equity Act & BEAD Broadband Funding Plans).

ATTACHMENTS: N/A.

**South Salinas Valley Broadband Authority
Executive Director's Report**

AGENDA ITEM: 7.a.

AUTHORITY MEETING DATE: August 3rd, 2023.

SUBJECT: SSVBA Banking Update:

- Successful addition of new city of Gonzales City Manager Carmen Gil as a signatory.
- SSVBA Public Account Balance Update (as of August 01, 2023)
- SSVBA Invoicing for FY 2023-2024

PREPARED BY: Ameer Othman (MBEP).

RECOMMENDATION: N/A.

ATTACHMENTS: N/A.

**South Salinas Valley Broadband Authority
Executive Director's Report**

AGENDA ITEM: 7.b.

AUTHORITY MEETING DATE: August 3rd, 2023.

SUBJECT: MBEP Housing White Paper was released in June 2023.

PREPARED BY: MBEP Staff.

BACKGROUND:

- MBEP's Housing White Paper:
 - ["Practical Housing Policy: Increasing Supply and Affordability"](#)
- MBEP's Housing White Paper:
 - ["Practical Housing Policy: Increasing Supply and Affordability - Executive Summary"](#)

RECOMMENDATION: N/A.

ATTACHMENTS: N/A.