

RESOLUTION NO. 2022-09

**A RESOLUTION OF THE BOARD OF
THE EASTERN SIERRA COUNCIL OF GOVERNMENTS,
APPROVING A PROGRAM OF WORK FOR THE EASTERN SIERRA COUNCIL OF
GOVERNMENTS RELATED TO THE INYO-MONO BROADBAND CONSORTIUM**

WHEREAS, from approximately 2016 to 2019, the Inyo-Mono Broadband Consortium (IMBC) operated within and under the governance of the Eastern Sierra Council of Governments (ESCOG);

WHEREAS, during this time, the IMBC was awarded roughly \$105,000 of funding from the Consortia Account of the California Advances Services Fund (CASF) administered by the California Public Utilities Commission (CPUC);

WHEREAS, the IMBC used these funds to achieve crucial regional goals related to improving broadband access and adoption, including developing awareness around broadband offerings, producing tools to assist with selecting providers, assisting with policy creation within the agencies, and developing marketing materials;

WHEREAS, in April 2019, when the CASF grant was full expended, the IMBC went dormant;

WHEREAS, in January 2020, the ESCOG modified its organizational structure and entered into a formal joint powers authority agreement that includes the City of Bishop, County of Inyo, Town of Mammoth Lakes, and County of Mono;

WHEREAS, section 3.01 of the ESCOG JPA agreement requires ESCOG to obtain the approval of all four of its member agencies before engaging in substantive projects, such as applying for grants or participating in state or federal programs;

WHEREAS, in early June 2022, ESCOG administration became aware that the CPUC adopted Decision 22-05-029, which modified the rules for CASF consortia, expanded the activities that consortia could engage in, and allocated an additional \$10.7 million in grant funding for consortia to spend on any of the following eligible activities:

- Collaborating with the Commission and other state agencies to engage regional consortia, local officials, internet service providers (ISPs), stakeholders, and consumers regarding priority areas and cost-effective strategies to achieve the broadband access goal.
- Identifying potential CASF infrastructure projects or potential broadband deployment projects related to new programs created under SB 156 and AB 164, along with other opportunities, where providers can expand and improve their

infrastructure and service offerings to achieve the goal of reaching 98% broadband deployment in each consortia region.

- Assisting potential CASF infrastructure applicants or potential applicants for broadband deployment projects related to the new programs created under SB 156 and AB 164 in the project development or grant application process.
- Conducting activities that will lead to or that can be reasonably expected to lead to CASF infrastructure projects or broadband deployment projects related to new programs created under SB 156 and AB 164, including but not limited to the following examples of allowable activities:
 - Supporting project permitting activities.
 - Engaging local government officials and communities to better understand and explain regional broadband needs and solutions and providing technical assistance to such entities.
 - Conducting an inventory of public assets (e.g., rights-of-ways, publicly owned towers, public utility poles, equipment housing, publicly owned property) and aggregate demand, including speed tests and the identification and updates of priority areas.
- Assisting the Commission in publicizing requests for wireline testing volunteers in areas, as needed.
- Assisting the Commission in promoting broadband deployment in California, related to the Federal Funding Account and other programs including Middle-Mile, Broadband Loan Loss Reserve, and Local Agency Technical Assistance created under SB 156 and AB 164.

WHEREAS, in order to prepare a strong application to access this latest round of CASF and avoid duplication of efforts, the members of the IMBC should agree upon a central entity to house and administer the IMBC, agree upon basic details regarding the governance of the IMBC, and assign an entity to submit a CASF application on behalf of all members of the IMBC;

WHEREAS, ESCOG is uniquely qualified to fulfill the tasks enumerated above. The IMBC was previously housed within ESCOG from 2016-2019. Additionally, ESCOG is a regional entity whose Board contains representatives from all four entities that make up the IMBC.

NOW THEREFORE BE IT RESOLVED by the Board of the Eastern Sierra Council of Governments that,

1. Following the approval of its four member agencies, ESCOG engage in a program of work related to the IMBC, specifically:
 - a. The ESCOG house the IMBC within its governance structure and provide administrative support to the IMBC.
 - b. The Board of Directors of ESCOG serve as the Board of the IMBC.

- c. On behalf of the Eastern Sierra region, ESCOG submit all applications and materials necessary to access the CASF made available by the CPUC's Decision 22-05-029.
2. Should ESCOG choose to engage in the IMBC Program of Work, ESCOG is empowered to apply for, administer, and expend grants and other sources of revenue to participate in regional broadband development efforts, including but not limited to the CASF made available by Decision 22-05-029; take official positions on matters of policy related to regional broadband development efforts; serve as the governing body of the IMBC; engage in any actions already authorized by the ESCOG Joint Powers Agreement including the securing of appropriate levels of insurance and hiring personnel; and take any other actions reasonable related to its pursuit of the above-mentioned broadband development activities, provided, however, that the IMBC Program of Work shall not be authorized to incur debt that is not otherwise secured by the Program's identified revenue. Member agency funding to support such work is subject to approval by each agency and action by the ESCOG shall not obligate members financially.

PASSED AND ADOPTED 8th day of July, 2022 by the following vote:

AYES: Chair John Wentworth, Vice Chair Dan Totheroh, and Board Members
Bob Gardner, Jeff Griffiths, Jim Ellis and Lynda Salcido

NOES:

ABSTAIN:

ABSENT: Board Members Karen Schwartz and Stacy Corless

ATTEST: Angela Plaisted
Secretary

John Wentworth
[John Wentworth \(Jul 8, 2022 09:49 PDT\)](#)
John Wentworth
Chairperson









Resolution 2022-09 IMBC Consortium Resolution - ESCOG

Final Audit Report

2022-07-08

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