

Achieving Broadband For All Pacific Coast Municipal Toolkit

ACKNOWLEDGEMENTS

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Introduction

Broadband For All goals are outlined in the California Broadband for All Action Plan, clearly defining the imperative to bring reliable, affordable high-speed internet to all Californians. The three long-term goals of the Plan aim to bring all Californians internet access:

- High-performance broadband available at home, schools, libraries, and businesses.
- Access to affordable broadband and necessary devices.
- Access to training and support to enable digital inclusion.

The Toolkit includes data and resources to assist municipalities in their local alignment with the California Broadband for All initiative to close the digital divide in Santa Barbara, San Luis Obispo and Ventura Counties. Municipal staff and elected officials can use the toolkit to update policies and procedures to reduce the barriers for broadband infrastructure deployment throughout unserved and underserved areas, to increase affordability and adoption in homes, schools, libraries and businesses, and to partner with local organizations to increase adoption and digital literacy.

The toolkit draws from data collection conducted throughout the region and resources developed by the California Department of Technology, California Emerging Technology Fund, and the California Broadband for All Action Plan. Resources are organized across several categories: Policies and Planning, Key Stakeholders, Funding Opportunities, and Resources. It also aligns with planning at minimum speeds of 100mbps download and 20mbps upload although many communities are already focusing on gigabyte connectively planning.

The following resources can assist in guiding local vision and actions and could be referenced throughout development of local broadband deployment strategy.

- [California Local Jurisdiction Permitting Playbook](#)
- [Getting Connected: A Resource Guide for Local and Regional Government Leaders](#)
- [Planning a Community Broadband Roadmap: A Toolkit for Local and Tribal Governments](#)

The Role of Local & Regional Government

On page four of the Getting Connected Resource Guide, the importance of local and regional governments' roles cannot be overstated. Among the biggest challenges for public agencies is staff capacity to participate in and implement broadband planning and deployment. Capacity-building and leveraging partnerships are significant factors leading to success in broadband planning.

Key Roles for Local and Regional Government:

As Policy Leaders: Policy Leaders promulgate policies that determine the jurisdiction's attention and attitude towards broadband technology. They also define the approach to facilitating capital investment.

As Planners: Planning, public works, and economic development officials prepare land use and other related plans that guide economic development policy in their jurisdiction, charting a course for "smart" growth.

As Regulators: Regulators adopt implementing ordinances for policies and plans that promote "smart" infrastructure and facilities.

For regional planning and alignment efforts, liaisons from each agency should be invited to supply key information and data to assess local broadband readiness. The appropriate departments and staff positions aligned with the key roles for government should be identified and connected to each other and to broadband stakeholders. The toolkit can be used in concert with capacity-building efforts and ongoing broadband planning participation within the organization.

Policies and Planning

Communities with advanced broadband development have adopted policies that promote efficient and effective deployment. Broadband-friendly policies encourage private investment, build private-public partnerships, and maximize municipal staff time and efforts.

Planning initiatives at the municipal level can range from providing information to industry firms for private investment to public investment in infrastructure and deployment. Each municipality should evaluate its broadband goals, staff capacity, funding, and current infrastructure assets to determine the level of public participation

in planning. At a minimum, the best practice is maintaining information and making it available to approved private industry firms to encourage broadband deployment.

An initial step for any municipality is a formalized commitment to broadband access, affordability, and digital equity. Across the state of California, communities have employed different modes for formalizing their commitment to ensure broadband is available to all constituencies. This section defines several approaches, leaving room for local innovation and alignment with unique approaches to policy development. Municipal parties should identify their roles and set commitments to elements of deployment.

Adopt a Broadband Access Resolution

Adopting a resolution demonstrates public support of broadband for all in an official matter, and sets a baseline for municipal departments, staff, and elected officials to engage in efforts to improve broadband access throughout the community. Resolutions may include the following concepts:

1. Resolve to support Broadband for All goals through municipal actions.
2. Resolve to reduce barriers to broadband deployment at the municipal level and ease access for local investment.
3. Resolve to integrate broadband access goals into related projects, such as redevelopment planning, community library access, and public service outreach.

Integrate Broadband Infrastructure Planning into the General Master Plan

Review the Broadband Strategic Plan, focusing on the community profile section to identify local needs. Address specific infrastructure needs for the community as integral to the General Master Plan, highlighting target areas and setting goals for access and adoption. Insert a telecommunications placeholder if you haven't yet defined an approach to infrastructure planning.

Adopt a Broadband Master Plan

A regional approach to broadband deployment is being promoted by the RCRC and both Santa Barbara and San Luis Obispo Counties are on track to continue with to leverage the benefits of this approach. As a next step, a community could build on this work effort at a more localized level to identify and set broadband goals unique to their needs. A Broadband Master Plan would be reviewed regularly and assist with tracking

necessary policy and planning updates and track community goals and achievements. This approach would likely require a budget allocation and staff time.

Infrastructure Best Practices

Inventory Assets

Maintain a list of publicly owned broadband assets within municipal or regional jurisdiction to ensure coverage for all community areas. Make the list available to approved private industry firms to connect to city resources and increase the reach of last-mile infrastructure.

A regional GIS developed as part of the Broadband Strategic Plan exemplifies best practices in broadband GIS, including layers depicting current speed tests, provider-submitted service levels, census block data, and more. The GIS can accommodate additional data related to digital equity goals as identified by communities.

Simplify Permitting Processes

Streamline permitting processes to reduce barriers for private industry firms to gain approval for new projects, improvement projects, and maintenance projects. Permitting process improvements include:

1. Develop online permit application processes that can be routed to multiple municipal departments for approval, rather than requiring multiple permits individualized to each department. If this is not feasible, convene regularly scheduled cross-departmental permit review sessions to expedite permit processing.
2. Vary permit processes according to the physical characteristics of the facility, the location, and compliance with standards.
3. Compile a set of pre-approved designs to expedite the approval process if the applicant conforms to one of the pre-approved designs.

NTIA and the Department of Commerce published [Examples and Best Practices of Streamlining Permitting](#) to complement BEAD funding guidelines, which details nationwide case studies of successful permitting overhauls. Sample approaches and analysis to permitting from around the State of California can be found in additional resources:

- [Lake County Broadband Master Plan](#)
- [Humboldt County General Plan \(Chapter 6\)](#)
- [Huntington Beach General Plan](#)
- [City of San Leandro Fiber Master Plan](#)
- [North San Luis Obispo County Broadband Strategic Plan](#)

Implement a Dig Once Policy

A 'Dig Once' policy encourages the placement of fiber or conduit in the ground any time the road is dug up for a public works project (Next Century Cities). This may include requiring municipal-owned conduit to be installed in all public improvement projects or creating an open notification process for approved private industry firms to apply for access to install conduit in open trench projects along public right-of way and easements. Sample policy can be found in additional resources:

- [Lake County Broadband Master Plan](#)
- [Mono County General Plan](#)
- [Santa Cruz County Broadband Master Plan](#)
- [City of Oakland Fiber-Optic Network Master Plan](#)

Similar policies across the nation include "Climb Once" or "One-Touch-Make-Ready" policies that streamline the deployment process by requiring fewer entities to be involved in the movement of hung wires and addition of new lines.

Develop Broadband Building Regulations

Ensure new development includes last-mile broadband infrastructure. This could include mandates that new construction include broadband infrastructure and/or that it connects to city infrastructure. Regulations can prioritize high-capacity wireline connections and require justification for alternative technologies where wireline is not feasible.

- [City of Salinas Broadband Plan](#)
- [City of Sacramento Broadband Infrastructure Assessment and Action Plan](#)
- City of Loma Linda Connected Community Plan
- [Mono County General Plan](#)
- [Riverside County Broadband to the Premise Master Plan](#)
- [Northern San Luis Obispo County Broadband Strategic Plan](#)

Develop Ordinances

Ordinances may be appropriate for some municipalities to target key areas of concern driven by community input.

Municipal Fiber

Create a plan for a municipal fiber ring network within municipality boundaries, enabling connections for local businesses and residents and improving redundancy and resiliency for the community. One approach to a municipal fiber ring network connects all public entities and assets through a municipal network.

- Santa Maria Fiber Ring
- City of Brentwood Advanced Technology Master Plan
- [City of Redding Broadband Master Plan](#)
- [City of San Leandro Fiber Optic Master Plan](#)

Incentivize private investment

Create conditions that invite investment from private industry firms and develop competitive processes for approval that allow for local competition. Invite proposals from private industry to offer service at speeds higher than the minimum standard.

Municipal Agreements with Private Industry

Develop a public-private partnership through lease agreements or other contracts to offer community Wi-fi within select community institutions, such as libraries, community centers, business corridors, and schools.

- City of Brentwood Advanced Technology Master Plan
- [City of Sacramento Broadband Infrastructure Assessment and Action Plan](#)

Adoption Best Practices

Joint Efforts to Improve Adoption

Support the organization of entities working to increase adoption and digital literacy through participation in or endorsement of the Santa Barbara County Digital Equity Coalition, Ventura County Digital Equity Coalition and the San Luis Obispo County Digital Equity Roundtable. Coalitions convene organizations across the county that

have established connections to high-need communities and have identified broadband adoption as a needed service.

Liaising with community-based organizations that provide digital devices to eligible community members elevates the work and creates stronger connections throughout the community. Build partnerships with local organizations to develop and deploy digital navigators who, as members of their communities and neighborhoods, can support adoption efforts with high-need groups. Reference [NDIA's Digital Navigator Model](#) for common definitions, job descriptions, assessments, and more.

Municipal departments that interface with low-income community members can include information about federal subsidies for low- or no-cost high-speed internet plans, and provide resources and referrals to community-based organizations for assistance enrolling in the programs.

Affordable Connectivity Program (ACP) Enrollment

The Federal Communications Commission (FCC) oversees the Affordable Connectivity Program (ACP) which provides a federal subsidy to low-income households to increase access to high-speed internet and the devices required to use it. Local community-based organizations are actively engaging households to enroll in the program using their networks and collaborative planning for outreach.

Municipalities can support the efforts to enroll households in this benefit through awareness campaigns and enrollment opportunities embedded into public support services. Current programs offered through the municipality that target households making less than 200% of the federal poverty level can leverage outreach to improve awareness of the ACP benefit. For example, municipal water departments offer the federal Low Income Household Water Assistance Program (LIHWAP) which reaches the same target audience. ACP enrollment information can be provided alongside LIHWAP outreach.

Increasing awareness with public-facing staff who can provide technical support through the enrollment process builds capacity and improves access and affordability. Public assistance hotlines or technical assistance departments can be trained to support ACP enrollment.

No-cost ACP Enrollment training is offered through [Education Superhighway](#) and digital promotion materials can be accessed on the ACP enrollment website under [Community Resources](#).

Digital Literacy Training

Community-based organizations are leading digital literacy work across the county, and municipal efforts to supplement and support their work can be deployed strategically. Coordinate with the Digital Equity Coalitions and other partners to assess the current digital literacy training landscape and identify gaps, participating in planning to meet unserved areas. Reference the Digital Literacy section of the Broadband For All Playbook and the Asset Mapping Guide for resources to support assessment and planning.

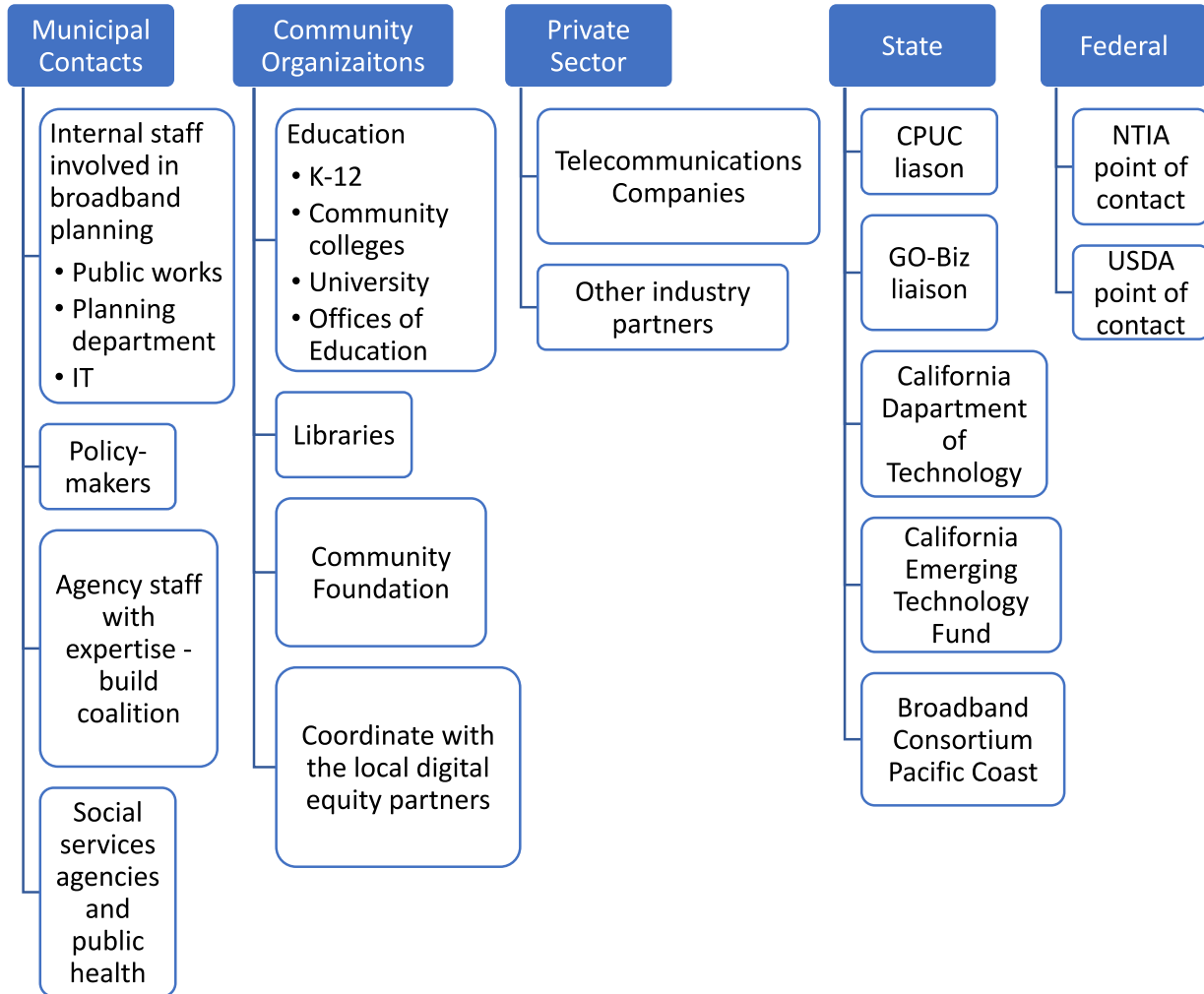
Resources are evolving that cover a spectrum of digital literacy needs, from basic computer skills to job training, navigating public websites, parent education for family online health and safety, and access to telehealth and online learning opportunities. Designate resources for capacity-building in appropriate departments such as libraries, public education, economic and workforce development, health services, and any public-facing department providing online services, so they can support public use of online systems.

Stakeholder Engagement

Broadband deployment requires input and participation from public organizations, private industry sector, and community-based organizations supporting digital inclusion initiatives. Best practices for engaging stakeholders used to develop the Santa Barbara County Broadband Strategic Plan may be a helpful guide as local community priorities are initiated:

- Maintain a list of key stakeholders and partners that impact infrastructure development and adoption from the following network map (may change as work progresses)
- Implement a communication strategy and ensure work efforts are communicated across stakeholder groups to encourage ongoing collaboration and identify additional best practices

- Provide updates to policy makers as needed to help track progress and successes or to seek support for ongoing work efforts or as new priorities are identified



Funding Opportunities

Broadband funding supports the following:

- Broadband deployment
- Adoption
- Digital literacy planning and implementation

State and Federal legislation has provided funding to close the digital divide and ensure broadband for all. The California Broadband for All portal has the most comprehensive list of funding resources and a great tool for what type of funding your agency or organization may be seeking. Additional information can be found here: [Funding opportunities.](#)

Action Steps

- Adapt a local definition of roles and responsibilities for municipal efforts to reach Broadband for All goals.
- Establish broadband priorities for your community from the Strategic Plan or identify other priorities and review annually.
- Participate in regional broadband conversations that include an interdepartmental team with the necessary skills to accomplish community/ regional broadband goals.
- Determine whether a budget allocation is necessary to accomplish your community goals and priorities.
- Adopt a statement committing to digital equity.
- Review policy recommendations from local and regional Broadband Strategic Plans as it relates to your community and address, adopt, and implement.
- Develop a Digital Equity Action Plan. Reference NDIA's state [Digital Equity Plan](#) toolkit.
- Support actions and activities of the Digital Equity Coalition or convene a roundtable
 - Assess adoption and digital literacy needs across your community and share information with countywide CBOs.
 - Increase access to digital devices and low- or no-cost high speed internet in the home.

- Engage in dialogue between countywide leadership and the Digital Equity Coalition to ensure digital equity input is factored into infrastructure planning and deployment.
- Consider joint funding opportunities and support DEC partner funding applications to advance digital literacy and adoption in key communities.

Summary

The purpose of this toolkit is to support the implementation of Broadband Strategic Plans in alignment with Broadband for All to achieve digital equity and inclusion.

While the resources provided are comprehensive and considered to be best practices, there may be unique needs within local jurisdictions that require innovation and adaptation for a better fit to ensure implementation. Consider this toolkit as a guide for future work efforts.

As funding becomes available, this toolkit may assist in guiding grant requests. The data developed in the Strategic Plan process, along with new data, could be incorporated to strengthen applications.

Additional Resources

[Sample Digital Equity Statement](#)

[Local Government Best Practices Checklist](#)

[Sample Dig Once Policy](#)

[Sample Broadband Access Resolution](#)

Sample Digital Equity Statement

Adapted from [National Digital Inclusion Alliance](#)

Digital equity is achieved when all members of a community have the capacity to use technology that enables them to fully participate in society, democracy, and the economy. This includes access to reliable and affordable high-speed internet, the necessary device to connect to the service, and training and technology support that is responsive to the user's level of need.

As a community, we commit to furthering digital equity for all constituents to serve their long-term needs through continued assessment, investment, and deployment of broadband adoption resources.

Local Government Best Practices Checklist

Adapted from Get Connected Resource Guide (California Emerging Technologies Fund)

Roles of Local Government Leaders

Check List for Leadership to Achieve Digital Equity Best Practices

Working Prototype August 2021

Role	Best Practice	Yes
		√
Policy Leader		
Promulgate policies that determine the jurisdiction's attention and attitude about broadband technology and define the approach to facilitating or discouraging capital investment in deployment and adoption by residents.	<p>Adopt a resolution or policy to accelerate broadband deployment and adoption to achieve Digital Equity.</p> <p>Request all Departments to identify and implement strategies that integrate Digital Inclusion into ongoing services and programs.</p> <p>Participate in a Regional Leadership Group to coordinate plans and actions to achieve economies of scale and optimal impact.</p> <p>Post on website and distribute information to low-income residents about affordable home Internet service offers and lower-cost devices.</p> <p>Establish a remote-work program to reduce vehicle trips (embrace broadband as a green strategy) that maintains workforce productivity.</p>	

Planner		
<p>Prepare land use and other related plans (such as for economic development) that guide the development in the jurisdiction, thus determining “how smart” growth will be and defining quality of life for residents.</p>	<p>Convene community meetings in-language and in-culture to obtain public input on broadband infrastructure needs and affordable access.</p> <p>Prepare a map of unserved areas and digitally-disadvantaged neighborhoods with preferred broadband strategic corridors and identified public assets to accelerate broadband deployment.</p> <p>Share the map with appropriate Regional Leadership Groups and California Department of Technology for middle-mile planning.</p> <p>Identify strategies and adopt policies to accelerate broadband deployment and adoption, including consideration of incentives for ISPs to reach the unserved areas and assist low-income residents.</p> <p>Incorporate the broadband map, strategies, and policies into the General Plan with an analysis of overall programmatic impacts and benefits to streamline compliance with CEQA.</p>	
Regulator		
<p>Adopt implementing ordinances for policies and plans that promote “smart” infrastructure and facilities (buildings) consistent with “Dig Once, Dig Smart” objectives.</p>	<p>Adopt ordinances to implement policies and procedures to accelerate broadband deployment, including online submission of plans and permit applications with ministerial procedures to minimize delays.</p> <p>Enact procedures to streamline broadband project approvals and permitting, including priority focus for partnerships with ISPs.</p> <p>Conduct briefings for ISPs about how to comply with policies and procedures in ordinances to minimize delays in approvals.</p>	

	<p>Incorporate high-speed Internet infrastructure into all public projects, especially major transportation and public utility projects.</p> <p>Require high-speed Internet infrastructure as a condition of approval for all private construction (with public access where appropriate).</p>	
Consumer Purchaser		
<p>Purchase and utilize technology which can enable residents to access information and services, increasing demand for the technology and encouraging innovation and competition to develop new applications that will increase productivity.</p>	<p>Inventory information technology (IT) and ISP contracts to determine total amount being paid annually for IT and Internet services. Share the inventory with Regional Leadership Group(s) to explore demand aggregation in negotiating for IT and Internet services.</p> <p>Meet with IT and ISP vendors to identify strategies for accelerating broadband deployment and adoption. Consider requiring assistance with adoption programs as a condition of procurement contracts.</p> <p>Ensure all IT and ISP contracts require periodic updates to state-of-art technology with user-friendly interfaces and applications for residents.</p> <p>Develop a robust “green technology ecosystem” to refurbish retired computing devices for donation to unconnected low-income households participating in adoption programs.</p> <p>Encourage other public agencies and larger employers to donate retired devices.</p> <p>Purchase computing devices and hotspots in bulk to be loaned and/or sold at a discounted price for residents in adoption programs.</p>	

Service Provider		
<p>Provide information and services online through broadband that increases the relevance of the technology to consumers, which encourages adoption and reduces impacts on the environment.</p>	<p>Provide online access to all policies, plans, ordinances, and services information, including remote participation in public meetings.</p> <p>Deliver online as many services as possible to reduce vehicle trips and improve efficiency and productivity.</p> <p>Designate the library as a “community digital hub” to help residents become digitally literate and learn how to get online at home.</p> <p>Promote telehealth (as a health provider and/or encourage other providers) to optimize effective healthcare and reduce vehicle trips.</p> <p>Encourage and support schools to implement effective technology and Digital Inclusions programs such as School2Home.</p>	
Total Best Practices	Recommend adding up the number of completed Best Practices	
TOTAL SCORE	Recommend 4 points per Best Practice for Possible Total Score of 100.	
Progress Rating	Recommend a percentage that is $\text{Total Score} / 100 = \%$ Progress.	%

Notes:

Broadband is defined in State law as high-speed Internet infrastructure including wireline and wireless technologies. Threshold speeds for adequate broadband is define by State law and regulations. State law currently defines “unserved” as less the 25/3 Mbps and minimums for publicly-subsidized Internet infrastructure as 100/20 Mbps.

Regional Leadership Groups include: Broadband Regional Consortium; Metropolitan Planning Organization; Council of Governments; Regional Transportation Agency; Countywide Work Group; and Other Voluntary Work Group involving multiple Local Governments. It is vital to work with the Broadband Regional Consortium.

Adoption Programs help unconnected low-income households get online at home and generally include: (a) outreach in-language and in-culture by trusted messengers, such as community-based organizations (CBOs), schools, libraries, and community agencies; (b) awareness about the relevance and value of being online; (c) assistance with selecting and signing up for affordable home Internet service; (d) delivery of digital literacy training; and (e) assistance with acquiring an affordable and appropriate computing device.

Sample Dig Once Policy

Telecommunications Infrastructure Improvement Ordinance, “Dig Once Policy”

1.0 Findings and Intent

- A. It is the intent of the City XXX to streamline and simplify the process of installing and upgrading telecommunications equipment throughout the City, and to encourage improvement and modernization of telecommunications infrastructure.
- B. Access to modern telecommunications infrastructure is vital for communication, education, and economic development.
- C. It is consistent with the City’s goals and values to encourage investment in telecommunications infrastructure to help close the digital divide.
- D. It is the desire of the City to foster a fair and level playing field for all market competitors that does not disadvantage or advantage one service provider or technology over another.
- E. The City seeks to promote widespread access to the most technologically advanced telecommunications services for all City residents and business in a nondiscriminatory manner regardless of socioeconomic status.
- F. It is the responsibility of the City to protect and control access to public rights-of-way.
- G. The City has a duty to ensure that all service providers utilizing City property, facilities, or rights -of-way comply with all applicable state and local health, safety, and other laws.
- H. It is necessary to update City policies and practices to recognize the authority of the California Public Utilities Commission as established in state and federal statutes.
- I. It is the desire of the City to protect and control access to the public right-of-way, and to extend the life of City streets and other civil infrastructure, and reduce the cost of ongoing maintenance by encouraging cooperation between utility companies, public agencies, and City departments.

2.0 Definitions

A. For the purposes of this Chapter, the following definitions apply:

- “Telecommunications” refers to data, voice, video, or other information provided by wire, fiber optic cable, or other technology.
- “Facilities” and “Infrastructure” refers to wires, cables, conduit, switches, transmission equipment, or other equipment for use in transmitting or processing telecommunications services or for providing support or connection to such equipment.
- “Rights-of-Way” refers to the area upon or adjacent to any City-owned road, highway, or rail line or along or across any of the waters or lands owned or controlled by the City.
- “Service Providers” refers to any person, company, corporation, or other entity providing data, voice, cable, video, or other information services by wire, fiber optic cable, or other structures or equipment.
- “Excavation” refers to any process which removes material from the ground through digging, drilling, boring other activity for the purpose of installing utilities infrastructure or other structures or equipment.
- “Conduit” refers to a tube, duct, or other device or structure designed for enclosing telecommunication wires or cables.
- “Reconstruction” refers to any project which repairs or replaces fifty percent or more of an existing road, highway, or rail line.

3.0 Open trench notification triggered for excavation projects

A. The director of public works shall determine, upon receipt of an encroachment permit application for an excavation project or approval of specifications for a public works project, that if either criteria in subsection (1) or (2) below are met:

- The application or specification involves utility infrastructure construction, road
- construction or resurfacing, or other work that will result in an excavation that could reasonably include, or prepare for, the installation of broadband conduit.
- It spans nine hundred feet, or three City blocks within the ROW, or involves terrain that is difficult or expensive to traverse (e.g., a bridge), or is an element of a larger project that will require installation or upgrading of utility infrastructure.

- If an encroachment permit application for an excavation project or approval of specifications for a public works project satisfies either subsection (1) or (2) above, the applicant shall be required to comply with the open trench notification as described below.
- The public works department shall initiate the open trench notification process by delivering notice and instructions for participation.

4.0 Open Trench Notification process

- A. All service providers and third parties interested in collocating conduits and telecommunication facilities in the project excavation area shall inform the public works department of the interest to participate in the manner set forth from the date of an open trench notice issued.
- B. The director of public works, in consultation with the information technology department, shall develop and implement an open trench notification policy, as may be amended from time to time, that establishes the standards and processes to carry out the intent and requirements of this chapter.
- C. At a minimum, the open trench notification policy shall include the following:
 - The procedure by which the public works department will initiate the open trench notification process for each qualified excavation project.
 - The procedure for receiving, processing, and reviewing of notices of intent to participate from interested service providers and third parties for collocation of conduits and telecommunication facilities in the project area.
 - The timeline for interested service providers and third parties to submit notices of intent to participate in collocation work and delivering notices received to the project applicant.
 - The criteria for determining whether responses received from interested Service Providers and third parties for collocation work are competent and may be forwarded to the applicant.
 - The procedure for receiving, processing, and reviewing of any protests regarding negotiations between the parties for collocation of conduits and telecommunication facilities in the project area.
 - The criteria for determining whether the information provided in support of a protest sufficiently demonstrates that further negotiation is appropriate, and the timeline for such further negotiation if warranted.

5.0 Response to open trench notifications

- A. Service providers and third parties interested in participating in the open trench collocation process shall submit a notice of intent to participate to the public works department within thirty days of an open trench notice issuance. The notice of intent shall contain sufficient information to constitute a competent response to be forwarded to the project applicant.
- Responses to open trench notifications shall be forwarded to the project applicant. The applicant is responsible for negotiating collocation of conduits and/or other telecommunication facilities with any interested third parties for the project location.
 - Protests regarding negotiations between the parties for collocation work and any information in support thereof may be submitted to the public works department. The public works department shall be responsible to determine whether the information provided sufficiently demonstrate that further negotiation is warranted.
- B. The information technology department director shall designate staff to receive notifications of pending excavation projects, broadband related work, and other encroachment permit applications that are subject to the open trench notification process.
- C. The information technology director shall determine whether to submit a response to the open trench notification for collocating conduits or telecommunication facilities at the project location, by considering the following:
- The collocation of City-owned conduit in a given project will support the achievement of other City objectives.
 - The incremental installation cost is reasonable.
 - The cost of maintaining the conduit over time is proportionate to its value to the City.
 - Sufficient funds are available within existing budgets or can be obtained from other sources.
 - Collocation should be pursued in furtherance of overall City goals and priorities.
- D. If the information technology director submits a response to the open trench notification for collocation work, the information technology director or designee shall attempt to negotiate an acceptable agreement with the project applicant. If negotiation is successful, the information technology department shall coordinate the design and construction of the collocation work with the

public works department, including whether installation of facilities in addition to conduits would be necessary.

- E. Any conduits or telecommunication facilities collocated shall be the property of the City.
- F. The information and technology department shall maintain a geodatabase of communications assets located within or connecting to the City, including, but not limited to:
 - City-owned conduit and appurtenant facilities;
 - Fiber optic cable;
 - Towers and tower sites;
 - Communications facilities and services belonging to third parties that are used by the City;
 - Real estate, poles, and other City-owned assets leased to third parties for telecommunication purposes.
 - Third party network data provided to the City in conjunction with such leases or permitting processes, or as may become available through other means, including, but not limited to, a future electronic plans submission program, or as collected by other agencies or provided by telecommunications companies.

6.0 Telecommunications Infrastructure Improvement

In recognition of the need to provide local resident and businesses within the community with the infrastructure required to meet their telecommunications needs, all construction, reconstruction or repaving of a City right-of-way will include provisions for the installation of telecommunication cable, conduit, and other related equipment wherever practical and feasible. Where appropriate, telecommunications infrastructure shall be installed in or adjacent to City rights-of-way in conformance with current City standards. City staff will work with contactors to identify the most cost-effective approach consistent with City requirements. If a project includes excavation in or adjacent to a City right- of-way, installation of or upgrades to telecommunications cable, conduit, or other infrastructure will be included as needed. All installations shall conform to the size, shape, location and other specifications as determined by the Director of public works.

7.0 Implementation

No less than 60 days before this ordinance takes effect, the City of XXXX shall e-mail, fax, mail or deliver a copy of it to all telecommunications service providers and other affected entities doing business within the City.

8.0 Exemptions

- A. The director of public works, designee, may exempt projects from the requirements of this chapter where compliance is found to be not practical or feasible. Requests for an exemption shall be in writing, and the director's or the director's designee's decision shall be final.
- B. An exemption application shall include all information necessary for the director of public works or the director's designee to decide, including but not limited to documentation showing factual support for the requested exemption.
- C. The Director of public works or Director's designee may approve the exemption application in whole or in part, with or without conditions.

9.0 Enforcement

Enforcement of this ordinance shall be as follows:

- A. The Director of public works, or designee, shall have primary responsibility for enforcement of this ordinance and shall have authority to issue citations for violation of this chapter. The Director, or designee is authorized to establish regulations or administrative procedures to ensure compliance with this chapter.
- B. A person or entity violating or failing to comply with any of the requirements of this chapter shall be guilty of an infraction.
- C. The City of Atascadero may seek legal, injunctive, or any other relief to enforce the provisions of this chapter and any regulation or administrative procedure authorized by it.
- D. The remedies and penalties provided in this chapter are cumulative and not exclusive of one another.
- E. The Director of public works or designee may inspect the premises of any construction, reconstruction, repaving, or excavation project to verify compliance with the ordinance.

10.0 Violation

Violations of this ordinance shall be enforced as follows:

Violations of this chapter is hereby declared to be a public nuisance. Any violation described in the preceding paragraph shall be subject to abatement by the City of XXXX, as well as any other remedies that may be permitted by the law for public nuisances, and may be enforced by injunction, upon showing a violation.

11.0 Severability

If any word, phrase , sentence, part section, subsection, or other portion of this chapter, or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such a word, phrase, sentence, part, section, subsection, or other portion, or the proscribed application there of shall be severable, and the remaining provisions of this chapter, and all application thereof, not having been declared void, unconstitutional or invalid , shall remain in full force and effect. The City of XXXX hereby declares that it would have passed this title, and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any of one or more sections, subsections, sentences, clauses, or phrases had been declared invalid or unconstitutional.

Sample Broadband Access Resolution

Adapted from Get Connected Resource Guide (California Emerging Technologies Fund)

Sample Broadband Access Resolution

SAMPLE RESOLUTION NO. 2020-XXXX

SETTING FORTH SUPPORT TO INCREASE BROADBAND ACCESS TO

UNDERSERVED COMMUNITIES THROUGHOUT (insert City/County) CALIFORNIA
WHEREAS, closing the digital divide is important and provides long-term community benefits

that include the ability to fully engage in the digital economy, access existing and emerging

services, expands economic opportunities and bridges the economic divide; and

WHEREAS, the COVID-19 pandemic has amplified the need for available, reliable and affordable

broadband services in all communities; and

WHEREAS, the COVID-19 pandemic has caused schools to shift to distance learning; and

WHEREAS, the COVID-19 pandemic has made the digital divide within underserved

communities and/or areas (which include people of color, low-income households, residents in

rural areas, and senior citizens) more apparent; and

WHEREAS, we recognize that cost and household income is a primary barrier to

broadband access.

WHEREAS, all residents, businesses and institutions need high speed broadband services where

they work, live, learn and play; and

WHEREAS, high speed broadband enables Work from Home and remote workers,

enhances business efficiencies, drives job creation throughout the region, and connects

customers and partners worldwide to goods and services; and

WHEREAS, high speed broadband is a “green technology” that reduces our impact on

the environment, shrinks our regional carbon footprint, offsetting vehicle trips and use of

resources; and

WHEREAS, high speed broadband greatly expands the ability of residents to access

medical, behavioral, oral health services and the capacity of public health officials to monitor

and respond to health threats such as COVID-19 and other diseases; and

WHEREAS, high speed broadband enables greater civic participation and brings communities

together, helps improve public safety, and makes our transportation systems more resilient

and efficient; and

WHEREAS, effective emergency services require using high speed broadband to integrate data

in real time from all available sources, so decision-makers have access to the information

necessary for the protection of lives and property; and

WHEREAS, to accelerate the deployment of broadband, the primary objective is to deploy

private-sector capital as quickly as possible through improved public cooperation; and

NOW, THEREFORE, BE IT RESOLVED on this XX day of XXXXX 2023 that the

XXXXXX (insert City/County)

Board of Supervisors does hereby as follows:

1. Supports FCCs (United States Federal Communications Commission) and CPUCs (California Public Utilities Commission) rules, regulations, programs and funding opportunities that

support broadband deployment opportunities to bridge the digital divide.

2. Supports Governor Newsom's Executive Order N-73-20 signed August 14, 2020 that seeks to accelerate work towards closing gaps in access to reliable broadband networks throughout

California; and

3. Supports collaboration with Santa Barbara County, broadband providers, school districts (K-12), community college districts, universities, community and business stakeholders, Regional Broadband Consortia, California Emerging Technology Fund, the State of California and other federal and regional organizations that have similar goals to increase broadband access throughout Santa Barbara County California; and

4. Determines that closing the digital divide is important and provides long-term community benefits; and

5. Supports the request for grant funding from the State and/or Federal government for a regional program that provides funding for free internet access for qualifying

residents that bridges the economic digital divide; and

6. Supports a minimum broadband speed capability of 100 megabits per second today and 1 gigabit per second by 2030 for all residential and business customers within the

urban, suburban and rural communities of our region; and

7. Supports working with collaborating jurisdictions to affect the deployment decisions of broadband providers by lowering permitting fees to a reasonable level, reduce the cost of entry and operation of broadband systems in our communities, reduce the risks of

delays during the planning, permitting and construction phases, provide opportunities for

increasing revenue, and creating new avenues for competitive entry; and

8. Supports working with collaborating jurisdictions to identify broadband opportunity zones in

underserved communities; and

9. Upon identifying broadband opportunity zones, supports the adoption of an emergency ordinance which would allow local jurisdictions to develop specific rules to

expedite low-cost broadband deployment such as: waivers for micro projects, deployment

of broadband infrastructure in underserved communities and fixed wireless or other broadband technologies in rural communities; and

10. Supports the adoption of consistent fees and expedited broadband permitting processes

within collaborating jurisdictions; and

11. Supports the concept of “Dig Smart” and/or “Dig Once” whereby conduit is installed for future or immediate use for wireless towers, fiber optic or other

comparable broadband network installation, whenever underground construction occurs in a roadway.