



City Council Agenda Item

City Council Meeting Date: April 2, 2024

TO: Dean Albro, City Manager

FROM: Michael W. Luther, Public Works Director
m_luther@ci.lompoc.ca.us

SUBJECT: Adoption of Resolution No. 6642(24) Approving a Second Amended and Restated Joint Powers Agreement for the Santa Barbara County Association of Governments to Designate SBCAG as the Local Agency Responsible to Plan for and Facilitate Regional Broadband Internet Access and Related Telecommunications Services

Recommendation:

Staff recommends the City Council:

- 1) Adopt Resolution No. 6642(24) (Attachment 1) approving a Second Amended and Restated Joint Powers Agreement for the Santa Barbara County Association of Governments (Agreement); and
- 2) Direct the Mayor and City Manager to execute the Agreement (Attachment 2).

Background:

In 1966 the County of Santa Barbara, and the Cities of Santa Barbara, Santa Maria, Lompoc, Carpinteria, and Guadalupe established the Santa Barbara County and Cities Area Planning Council. In 1985 a Joint Powers Agreement (JPA) was executed between the County of Santa Barbara, and Cities of Santa Barbara, Santa Maria, Lompoc, Carpinteria, Guadalupe and Solvang (agency members). At that time, the Area Planning Council was formed under the California Government Code section 65601, to assume the planning responsibilities of an airport land use commission (Public Utilities Code section 21670.1), to participate in a council of governments Government Code section 29532), to participate in regional planning (42 USC section 3334), and to designate a representative as the metropolitan planning organization (23 USC section 134(b)).

Thereafter in 1990 the member agencies executed an amendment to the JPA rebranding the agency as the Santa Barbara County Association of Governments (SBCAG). Lompoc approved the amended JPA by adoption of Resolution No. 3994(90) on September 18, 1990. SBCAG's responsibilities were expanded to serve as a transportation authority

(Public utilities section 18000), metropolitan planning organization (23 USC section 134), airport land use commissions (Public Utilities section 21670.1), and a metropolitan clearinghouse (42 USC section 3334). SBCAG also could, by resolution, consent to serve as lead planning organization for air quality (42 USC section 7504) in the event the Board of Supervisors of Santa Barbara County relinquished its designation.

SBCAG has the powers to make and enter into contracts, apply for and accept grants, advances, contributions, employ or contract agents, employees and consultants, to make plans and conduct studies, sue and be sued in its own name, incur debts, liabilities, or obligations, and to adopt annually a budget. The term of the agreement was for 5 years, with an automatic renewal for additional 5-year periods. The five members of the Board of Supervisors of Santa Barbara County, and one additional member from each incorporated city act as the board of SBCAG.

Discussion:

SBCAG now wishes the agency members, including cities added after 1990, to enter into a Second Amended and Restated Joint Powers Agreement (Second Amendment). In addition to the previous powers, SBCAG will serve as “the local agency responsible to plan, coordinate, and facilitate regional broadband internet access service or related telecommunications services consistent with, but not limited to, Senate Bill 156 (2021) (excluding broadband and telecommunication permitting to which each incorporated city and the county shall retain its jurisdictional responsibility).”

Fiscal Impact:

There is no fiscal impact to the General Fund for entering into the Second Amendment. Failure to do so could result in the City losing access to certain funding such as Measure A, public transit planning and programming, CARES Act funding, safe routes to schools, and other grants that are released to the City through SBCAG.

Conclusion:

Execution of the Second Amendment will allow SBCAG to continue to pursue its mission as a joint powers agency for all agency members within the County of Santa Barbara.

Respectfully submitted,

Michael W. Luther, Public Works Director

APPROVED FOR SUBMITTAL TO THE CITY COUNCIL:

Dean Albro, City Manager

- Attachments: 1) Resolution No. 6642(24)
2) Second Amended and Restated Joint Powers Agreement