

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

(2277)  
(228)



**FROM:** Riverside County Information Technology (RCIT)

**SUBMITTAL DATE:**  
September 2, 2016

**SUBJECT:** Accept and approve the Riverside County Broadband Master Plan and Policy; Approve Resolution No. 2016-197 Setting Forth Support for Riverside County's Broadband Fiber to the Premise Master Plan; and Approve and execute the Agreement with Best, Best & Krieger (BB&K) LLP, without seeking competitive bids, for legal consultation services [All Districts], [Not to exceed \$250,000; 45500-RCIT Operating Fund].

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Accept and approve Riverside County Broadband Master Plan and Broadband Policy; and
2. Approve and have all five (5) Supervisors sign Resolution No. 2016-197 Setting Forth Support for Riverside County's Broadband Fiber to the Premise Master Plan, contained in the second page of the Master Plan; and,
3. Approve the Agreement with BB&K, in an amount not to exceed \$250,000, without seeking competitive bids, for legal consultation services related to securing Broadband networks throughout the County of Riverside; and,
4. Authorize the Purchasing Agent, in accordance with Ordinance No. 459, based on the availability of funding and as approved by County Counsel to sign amendments that do not change the substantive terms of the BB&K agreement, and sign amendments to the compensation provisions that do not exceed 10% of the total amount.

*Steve Reneker*  
Steve Reneker  
Chief Information Officer

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 250,000	\$ 0	\$ 250,000	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	

**SOURCE OF FUNDS:** 45500-RCIT Operating Fund  
Budget Adjustment: No  
For Fiscal Year: 16/17

**C.E.O. RECOMMENDATION:**

**APPROVE**

County Executive Office Signature

BY: *Jennifer L. Sargent*  
Jennifer L. Sargent

**MINUTES OF THE BOARD OF SUPERVISORS**

JRM APPROVED COUNTY COUNSEL  
 BY: *Karin L. Vantis-Bazzan* DATE: 9/14/16  
 Departmental Concurrence

PURCHASING & FLEET SERVICES  
 Lisa Brandl, Director

- A-30
- 4/5 Vote
- Positions Added
- Change Order

Prev. Agn. Ref.: | District: All | Agenda Number:

**3-11**

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**  
**FORM 11:** Approve and execute the Agreement with Best, Best & Krieger (BB&K) Attorneys at Law for legal consultation services without seeking competitive bids for the duration of the onetime project. All Districts, [Not to exceed \$250,000]; General Fund

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**BACKGROUND:**

**Summary (continued)**

This agreement will enable development and oversight of a Request for Proposal (RFP), aimed at the private sector, to encourage deployment of advanced digital communications networks throughout the County of Riverside. At its core, digital Broadband is simply high-speed access to the Internet. As it currently exists, Riverside County residents' access to high-speed Broadband internet service is limited to approximately 20% of the total geographic area of the County, and is provided to a disproportionate percentage of residents. As of January of this year, it is estimated that almost 100,000 Riverside County residents have no access whatsoever to high-speed Broadband, comprising 58% of the rural and tribal community populations and 2% of its urban residents. Delivering this limited level of service today are incumbents chiefly comprised of cable companies (Charter/Time-Warner,) telecommunications companies (AT&T,) Digital Subscriber Lines (DSL), (Verizon,) satellite providers (HughesNet, VSAT Systems,) and some fiber-optic infrastructure (Frontier Communications.)

**How fast is High-Speed?** Citing the FCC 2015 *Broadband Progress Report*, high-speed Broadband has been redefined as 25 Mbps (megabytes per second) download and 3 Mbps upload, an increase from the 4 Mbps standard set in 2010 (just prior to the first iPad to come onto the market.) This increase in speed is a critical step toward not only narrowing the Digital Divide, it also brings to light the growing need for bandwidth speeds that allow for access for multiple-device households. The FCC has redefined the threshold for single devices and for "uses like sharing photos or downloading music" to be 10 Mbps, a far cry from the needs of multiple devices and video streaming.

**Why is this important?** At issue is the overall economic and educational health of the County's 2.3 million residents, along with our ability to compete in the business and academic arenas. Attracting and retaining business, especially those related to technology that also, in turn, pay higher living wages, is paramount to providing for the overall well-being of our residents. This also holds true for the County's college graduates who often times find it economically necessary to relocate to a different county – or different state entirely – to secure better and higher-paying jobs to begin their careers and raise their families. As FCC Chairman Tom Wheeler recently wrote, high-speed Broadband access is *"crucial not only for delivering today's entertainment and basic communications, but tomorrow's innovations that will educate our children, deliver quality health care, improve energy efficiency, fill the employment ranks, and maintain the United States as the world's leader for the 21<sup>st</sup> Century."*

**What does the future look like?** Landline phones are quickly becoming a thing of the past as households look to reduce costs by using their cellular devices or moving to Voice over IP (VoIP) solutions over the Internet. The next trend, it is believed, will be the elimination of Broadcast and Cable TV services, to include those large, bundled programming packages that generally please no one, moving instead to streaming services over the Internet to reduce cost and increase choice. All of these new directions, to include 4K video and Virtual Reality (VR) gaming, however, will require higher speeds of Broadband services, and is where most US Cities and Counties are focusing.

**What is Riverside County's plan?** The RIVCOconnect initiative has been established to clear the way to providing an environment whereby private sector carriers and service providers are invited to build out a 21<sup>st</sup> Century High-Speed Broadband network, one based upon 1 Gbps symmetrical data rates. Establishing this environment, however, will require the County, its cities and its unincorporated and tribal communities to expedite permitting processes, provide affordable locations for infrastructure, consider anchor tenancy, revise policies and ordinances to be more Broadband-friendly, and to create the atmosphere of collaboration needed to bring about this new expansion of access to the burgeoning world of 21<sup>st</sup> Century information. To get us there, RCIT is requesting the services of Best, Best & Krieger (BB&K).

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Any attempt at assessing the potential impacts at this time would be wholly speculative and, therefore, the proposed action is not considered a project under the California Environmental Quality Act (CEQA). The project will undergo environmental review once a conceptual framework for implementation and extension of broadband service is more developed that will allow for a meaningful evaluation of potential impacts, including property impacts due to rights or way acquired or granted for installation of broadband infrastructure. The compliance document under CEQA will be presented to the Board under separate cover for approval in combination with the design submittal.

**What do we need BB&K to do?** The County previously engaged with BB&K for their services in developing a Broadband Master Plan and Blueprint which is BB&K's first crucial task in this endeavor. This document set forth the framework upon which the public and private partnerships we need will be established. BB&K will then take on and oversee the development and drafting of the Request for Participants (RFP) which will officially set forth the new collaborative effort to bring new fiber infrastructure to the County and increase access to high-speed broadband connectivity to all areas, from Corona to Blythe (Colorado River). BB&K will also assist in evaluation of the RFP proposals and contract negotiations.

BB&K has extensive experience in spectrum law, land usage agreements, and broadband services. They have worked with other public entities, to include the City of Los Angeles, to provide legal advice and counsel in the development of an RFP to solicit private sector companies to build-out fiber-optic infrastructure for the purpose of delivering gigabit-speed internet to all local residents at an affordable rate. Additionally, BB&K is an awarded County vendor and has an ongoing relationship with County and knowledge of County processes and procedures.

**Impact on Residents and Businesses**

Long term, the RIVCOconnect project will encourage the build-out of high-speed Broadband to every resident of the County. As the project progresses, 1 Gbps connectivity will become available to more and more communities, businesses and schools, bringing about enormous improvements in three specific areas.

1. First, this new level of service will help bring the world to all Riverside County residents at very high speeds. Students will have access to vast stores of knowledge and research, working people will be able to submit resumes and search for better paying positions of employment, seniors will have far greater access to benefits and health care without having to leave their homes, and entrepreneurs will find it more efficient to conduct business over these broadband connections.
2. Second, as the information infrastructure grows and gets faster, new businesses will be enticed to look at Riverside County as a location better suited for technology and entertainment fields, broadening the need for a more highly-technical and professional workforce.
3. Third, with an improved business climate with more information-based services, the college students graduating from local institutions of higher learning will be more apt to remain local, while graduates from outside the area will be attracted to relocate here to take advantage of the higher-paying positions and to raise their families in Riverside County.