



General Manager

Brian C. Wright

Executive Leadership Team

Joe Horvath, Electric Utility Director/ AGM

Shanna Kuhlemier, District Clerk

Steven Poncelet, PIO & Strategic Affairs Director

Michael Salmon, Chief Financial Officer

Board of Directors

Joseph Aguera

Jeff Bender

Christa Finn

Tony Laliotis

Kim Harris

Regular Broadband Committee Meeting Thursday December 16, 2021 at 3:30 pm Agenda

As permitted by State of California Executive Order (EO) N-29-20, the Truckee Donner Public Utility District Board meeting room will not be accessible to the public. Members of the Broadband Committee will be participating from separate remote locations.

Public comment will be accepted via email at reginacooley@tdpud.org and via Zoom on any item on the agenda until public comment on each item is closed. For members of the public that would like to view committee meetings please register here:

https://us02web.zoom.us/webinar/register/WN_2gfOODuKTy6jVt8ZhwBdCg

1. Call to order
2. Roll Call
3. Public Comment – This is time set aside for the public to address the Board on any matter not on the agenda. Testimony related to any agenda item should be addressed at the time that that item is considered.

(The public may comment on any subject that is not on the agenda. Each speaker will be limited to three minutes, but speaker time may be reduced at the discretion of the Board President if there are a large number of speakers on any given subject.)

Old Business

4. Approve the Minutes of November 18, 2021 Broadband Committee Meeting.

New Business

5. Continue Consideration to Adopt of Resolution 2021-02, Resolving a Local Emergency and Authorizing Remote Teleconference Meetings of the Broadband Committee for the Period December 16, 2021 to January 15, 2021 pursuant to the Brown Act Provisions and AB361. And, adoption of a new meeting schedule.
 - a) Make certain findings, including but not limited to, meeting in person would present imminent risks to the health or safety of attendees, as set forth in Resolution 2021-02 which defines the provisions of AB361 and authorizes remote teleconference meetings for the next thirty (30) days of the initial or subsequent resolution to continue to allow the Broadband Committee to meet remotely via teleconference, as allowed under AB361 and in compliance with the Brown Act Provisions for the period December 16, 2021 to



American Public Power Association

11570 Donner Pass Road, Truckee, CA 96161- Phone 530-587-3896- www.tdpud.org



District Transparency Certificate of Excellence

January 15, 2021.

b) Adopt an updated meeting schedule

6. Review Broadband Committee goals, Objectives, and timeline.
7. Informational update from working groups.
 - A. Supply side
 - B. Demand side
 - C. Benchmarking/Funding
8. Review action items and timeline.

ADJOURNMENT

The agenda is available for review at the TDPUD administrative office and the District's internet website. Posted on Friday December 10, 2021.

Regina Cooley

A copy of the agenda packet is available for public review, during normal business hours, at the district administrative office located at 11570 Donner Pass Road. Public participation is encouraged. The meeting location is accessible to people with disabilities. Every reasonable effort will be made to accommodate participation of the disabled in all of the Districts public meetings. If particular accommodations for the disabled are needed (i.e. disability-related aids, or other services), please contact Regina Cooley at (530) 582-3913 or ReginaCooley@tdpud.org, at least 24 hours in advance of the meeting.

Any person with a disability may submit a request for reasonable modification or accommodation to the above-described means for accessing and offering comment at the meeting to Regina Cooley at (530) 582-3913 or ReginaCooley@tdpud.org who will swiftly resolve such request.



AGENDA ITEM # 4

MEETING DATE: December 16, 2021
TO: Broadband Committee
FROM: Regina Cooley, Contract Administrator
SUBJECT: Approval of the November 18, 2021 Meeting Minutes



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**Regular Broadband Committee Meeting
Thursday September 23, 2021 at 3:00 pm
Minutes**

1. Call to order – Meeting was called to order by Steven Poncelet at 3:00 p.m.
2. Roll Call –Mark Simon Featherstone, Tim Chase, Penelope “Penny” Morris, Dan Dickerman, Bjorn Book-Larsson, Michael J. Wolf, Serita K Cox, John Paul, & Judy Price.

EMPLOYEES PRESENT: Steven Poncelet, Regina Cooley, Shanna Kuhlemier

3. Public Comment – None.

URGENT BUSINESS

4. A motion was made by Committee Member Book-Larsson and seconded by Committee Member Wolf, nominating Judy Price to be the Committee Chairperson and Serita Cox as the Vice Chair, and approving Resolution 2021-01, Resolving a Local Emergency and Authorizing Remote Teleconference Meetings of the Broadband Committee for the Period November 18, 2021 to December 18, 2021.

The motion passed via roll call vote:

Ayes: Mark Simon Featherstone, Tim Chase, Penelope “Penny” Morris, Dan Dickerman, Bjorn Book-Larsson, Michael J. Wolf, Serita K Cox, John Paul, & Judy Price

Noes: None

Abstain: None

Absent: None

OLD BUSINESS

5. A motion was made by Committee Member Chase, and seconded by Committee Member wolf to approve the Minutes of September 23, 2021 Broadband Committee Meeting.

The motion passed via roll call vote:

Ayes: Mark Simon Featherstone, Tim Chase, Penelope “Penny” Morris, Dan Dickerman, Bjorn Book-Larsson, Michael J. Wolf, Serita K Cox, John Paul, & Judy Price



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Noes: None

Abstain: None

Absent: None

6. Informative Deliverables:
 - a) Broadband Map:
 - b) Socio Economic Information:
 - c) Assembly Bill 14 & Senate Bill 4.
 - d) Similar Projects

General discussion of how the deliverables would be applied to the committee were discussed.

NEW BUSINESS

7. Reviewed Committee Goals and Objectives – The group had a general review of the overall committee goals and objectives. Reconfirming that the goals and objectives set at the September 23, 2021, meeting.
8. Discussion of Initial Broadband Committee Work Plan – Through discussion general consensus was made that the group should break into three small sub-groups to work in the most efficient manner possible. The committee established that they would like to have a deliverable to the Board of Directors by the March 2, 2022, Board Meeting.

The sub-groups created are as follows:

- Demand Group - Dan Dickerman, Serita K Cox, & John Paul.
- Supply Group - Dan Dickerman, Bjorn Book-Larsson, Michael J. Wolf, & Judy Price.
- Benchmark Group - Mark Simon Featherstone, Penny Morris, Michael J. Wolf, & John Paul.

9. Monthly Reporting to the TDPUD Board of Directors.
10. Review Meeting Actions and Next Steps.

ADJOURNMENT – 5:26 p.m.



MEETING DATE: December 16, 2021

TO: Broadband Committee

FROM: Regina Cooley, Contract Administrator

SUBJECT: Consideration to Adopt of Resolution 2021-02, Resolving a Local Emergency and Authorizing Remote Teleconference Meetings of the Broadband Committee for the Period December 16, 2021 to January 15, 2021 pursuant to the Brown Act Provisions and AB361. And, adoption of a new meeting schedule.

RECOMMENDATION:

- a) Make certain findings, including but not limited to, meeting in person would present imminent risks to the health or safety of attendees, as set forth in Resolution 2021-02 which defines the provisions of AB361 and authorizes remote teleconference meetings for the next thirty (30) days of the initial or subsequent resolution to continue to allow the Broadband Committee to meet remotely via teleconference, as allowed under AB361 and in compliance with the Brown Act Provisions for the period December 16, 2021 to January 15, 2021.
- b) Adopt an updated meeting schedule

BACKGROUND:

Governor Newsom declared a State of Emergency on March 4, 2020 in response to the COVID-19 pandemic. Executive Order N-29-20, signed on March 17, 2020, suspended certain requirements of the Brown Act by granting public agencies the ability to conduct meetings via teleconference or electronic means while providing member of the public options to observe and provide public comment during the course of the meeting without physically attending. Executive Order N-08-21, rescinded these temporary Brown Act measures effective September 30, 2021.

Whereas, Assembly Bill 361 was passed on September 16, 2021, and is effective from October 1, 2021 until January 1, 2024, providing local agencies the ability to meet remotely during proclaimed state emergencies as defined in CA GOVT Code 8625, as defined when state officials have imposed or recommended measures to promote social distancing. Consistent with the requirements of AB 361, the District or Committee must make certain findings, which are set forth in Resolution 2021-02, defining the provisions of AB361 which

defines the provisions of AB 361 and authorized remote teleconference meetings for the next thirty (30) days. A subsequent resolution must be adopted no later than thirty (30) days of adoption of the initial or subsequent resolution to continue to allow the District or Committee to meet remotely via teleconference, as such staff is also recommending the committee consider adopting a new meeting schedule through March of 2022.

These items are in support of the following objectives and goals identified by the District.

1.05.030 Goals:

5. Developing an inclusive culture drives organizational integration and success.

FISCAL IMPACT:

There is no fiscal impact associated with approving Resolution 2021-02.

ATTACHMENT:

1. Resolution 2021-02.
2. Calendar through March 2022



Resolution No. 2021 - 02

A Resolution of the Broadband Committee of the Truckee Donner Public Utility District Authorizing Remote Teleconference Meetings of the Broadband Committee for the Period of December 16, 2021 to January 15, 2021 pursuant to the Brown Act Provisions and AB361

WHEREAS, the Truckee Donner Public Utility District is committed to preserving and nurturing the public access and participation in meetings of the District; and

WHEREAS, all meetings of the District's legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 et al), so that any member of the public may attend, participate, and watch the District's legislative bodies conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the District's boundaries, caused by natural, technological, or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, such conditions now exist in the District, specifically, the State of Emergency declared by Governor Newsom on March 4, 202, due to COVID-19 and

WHEREAS, the Broadband does hereby find that the increase in SARS-CoV-2 Delta Variant has caused, and will continue to cause, conditions of peril to the safety of persons within the District that are likely to be beyond the control of services, personnel, equipment, and facilities of the District, and desires to proclaim a local emergency and ratify the proclamation of state of emergency by the Governor of the State of California; and

WHEREAS, as a consequence of the local emergency, the Broadband Committee does hereby find that the Broadband Committee shall conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

WHEREAS, the Broadband Committee enacts virtual meeting protocols on December 16, 2021, which include options for public participation.

NOW THEREFORE BE IT RESOLVED BY THE BROADBAND COMMITTEE OF THE TRUCKEE DONNER PUBLIC UTILITY DISTRICT THAT:

1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.
2. Ratification of Governor's Proclamation of a State of Emergency. The Broadband Committee hereby ratifies the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020.
3. Remote Teleconference Meetings. The Broadband Committee is hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.
4. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) December 18, 2021, or such time the Broadband Committee adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED by the Broadband Committee at a meeting duly called and held within the District on December 16, 2021 by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

TRUCKEE DONNER PUBLIC UTILITY DISTRICT

By _____
Chair – Judy Price

ATTEST:

Regina Cooley, Contract Administrator

December

2021

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4
5	6	7	8	9 8AM: Deadline for Agenda Topics	10 Agenda Posting	11
12	13	14	15	16 Broadband Committee Meeting 3:30-5:30 Consider Res. 2021-02	17	18 Resolution 2021-01 Expires
19	20	21	22	23	24	25
26	27	28	29	30	31	

January

2022

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4	5	6 8AM: Deadline for Agenda Topics	7 Agenda Posting	8
9	10	11	12	13 Broadband Committee Meeting 3:30-5:30 Consider Res. 2022-01	14	15 If Passed – Resolution 2021-02 expires
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

February

2022

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3 8AM: Deadline for Agenda Topics	4 Agenda Posting	5
6	7	8	9	10 Broadband Committee Meeting 3:30-5:30 Consider Res. 2022-02	11	12 If Passed – Resolution 2022-01 expires
13	14	15	16	17	18	19
20	21	22	23	24 Special Meeting? Will Discuss at December meeting	25	26
27	28					

March

2022

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2 TDPUD Board of Directors Board Meeting	3	4	5
6	7	8	9	10	11	12 If Passed – Resolution 2022-02 expires
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		