



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 February 10, 2022 at 3:30 pm Agenda

As permitted by Government Code Section 54953(e), which allows local agencies to hold virtual meetings during a proclaimed emergency where in-person meetings would present imminent risks to attendees, the February 2, 2022 Board room will not be physically accessible to the public.

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_bETy2Pw-R1Ktsn5zIWSs_Q

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 January 13, 2022 Broadband Committee Meeting.

Workshop

5. Broadband Committee Board Presentation.

New Business

6. Continue Consideration to Adopt of Resolution 2022-02, Resolving a Local Emergency and Authorizing Remote Teleconference Meetings of the Broadband Committee for the Period February 10, 2022, to March 12, 2022, 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 2022-02



American Public Power Association

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



District Transparency Certificate of Excellence

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 February 10, 2022, to March 12, 2022.

7. 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 February 4, 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.



MEETING DATE: February 10, 2022
TO: Broadband Committee
FROM: Regina Cooley, Contract Administrator
SUBJECT: Approval of the January 13, 2022 Meeting Minutes



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**Regular Broadband Committee Meeting
Thursday January 13, 2022 at 3:30 pm
Minutes**

1. Call to order
2. Roll Call - Dan Dickerman, Mark Simon. Featherstone, Tim Chase, Bjorn Book-Larsson, Serita K Cox. , John Paul, Judy Price
3. Public Comment – Rob Peasegood provided community input in both a verbal and written format. Written comment available upon request.

Old Business

4. The Minutes of December 16, 2021 Broadband Committee Meeting were approved via consensus.

New Business

5. A motion was made by Committee Member Dan Dickerman and seconded by Committee Member Serita Cox to:
 - 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 2022-01 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 January 13, 2022 – February 12, 2022.

The motion passed via roll call vote:

Ayes: Dan Dickerman, Mark Simon. Featherstone, Tim Chase, Bjorn Book-Larsson, Serita K Cox. , John Paul, Judy Price

Noes: None

Abstain: None

Absent: Penny Morris & Michael Wolf

6. Informational update and presentations from working groups (presentation materials available upon request):
 - A. Supply side



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- B. Demand side
 - C. Benchmarking/Funding
7. During the collaborative discussion regarding draft presentation for TDPUD Board of Directors:
 - a) A new sub-group was formed to work on finalizing a combined presentation deck. This group will work together to merge the subcommittees presentation materials into one presentation deck.
 - b) A new sub-group was formed that outlines who the speakers will be at the March TDPUD Board of Directors Meeting.
 8. At this time no additional meetings are needed, continue to reassess at each meeting.
 9. Review action items and timeline.
 - a) The Supply Group will have their presentation materials to Serita Cox by January 22, 2022 so she can merge all the sub-group materials.
 - b) Present a final draft at the February 10, 2022 Committee meeting.

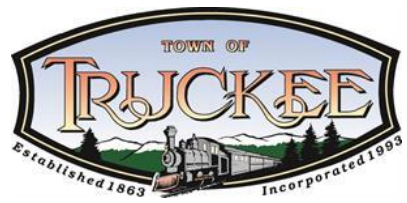
ADJOURNMENT

The agenda is available for review at the TDPUD administrative office and the District's internet website. Posted on Friday January 7, 2022.

Regina Cooley

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Truckee Community Broadband Broadband for All

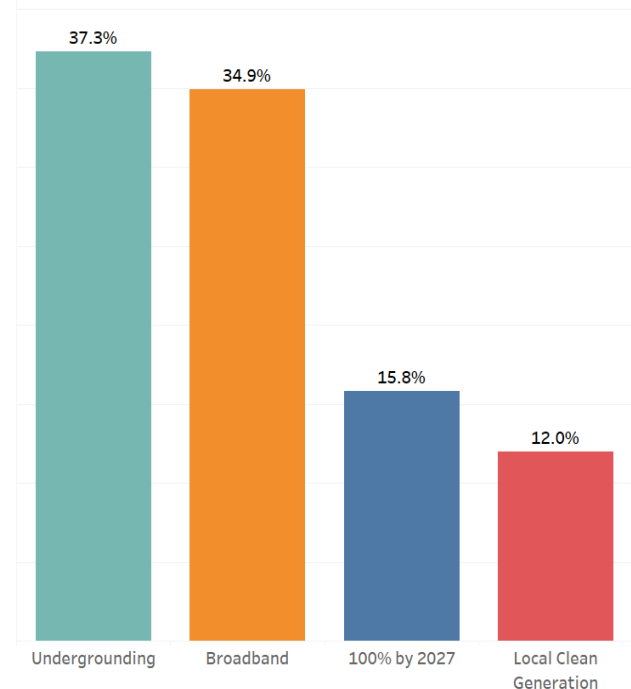
*TPUD Broadband Committee Recommendations
February, 2022*

Meeting our Community Priorities

TDPUD Broadband Committee

- Our Truckee Community wants the TDPUD to prioritize broadband
- This Committee has come together to inform the Board on the NEED, OPTIONS, and RECOMMENDATIONS for ensuring Broadband priorities are met
- **Goals of Broadband Committee:**
 1. Identify the level of broadband the community requires
 2. Identify key stakeholders, potential partners, and local resources
 3. Develop a scope of work for a feasibility study
 4. Identify options for a potential organizational structure
 5. Identify funding opportunities

Which of the four initiatives is your first choice for prioritizing PUD resources?



Committee Recommendations

Act Now to Maximize Benefit for ALL Truckee

The question isn't whether to act, but rather how to do so in the most equitable, beneficial way.

Broadband is a utility necessary for the well-being, economic growth, and safety of ALL Truckee.

Truckee PUD is uniquely positioned to develop a town-wide infrastructure because of its existing assets (i.e. poles, conduits, customer base).

TRUCKEE COMMUNITY NEED

State of Truckee Broadband Access

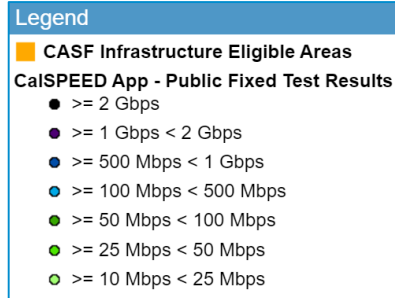
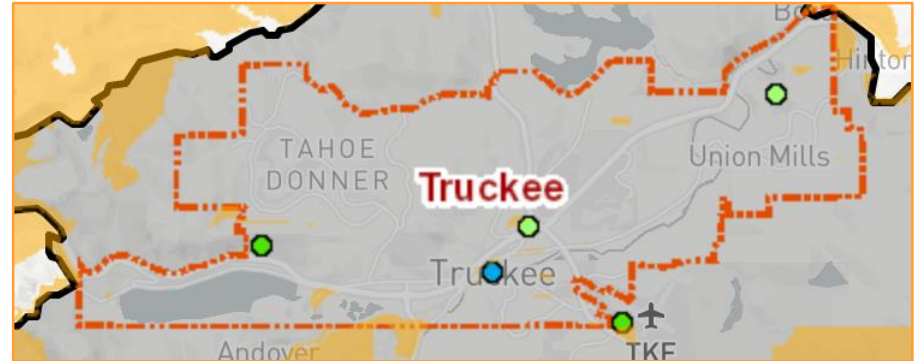
What is Community Broadband?

- Broadband in Truckee is a community issue involving the needs of local residents, second homeowners and tourists, local businesses, our town institutions and infrastructure
- According to the FCC, resident requirements for household with 2 more devices using more than one high demand application (i.e. streaming video, video conferencing, gaming, telecommuting) is 25 Mbps down minimum ***Note- This is an old standard from 2015, Congress is working on a min 100Mbps minimum requirement*
- For businesses, generally it is 10-15 Mbps per employee or user (i.e. coffee shop customers on WiFi) is the minimum required equating to 1 Gbps symmetric, but usually 5-10 Gbps are necessary
- As distance learning, video streaming, video conferencing and telecommuting increase, household needs will require 1 Gbps up/down speeds
- Within 5-10 years, many broadband planners anticipate that 10 Gbps up/down will be the required norm for all (households and businesses)

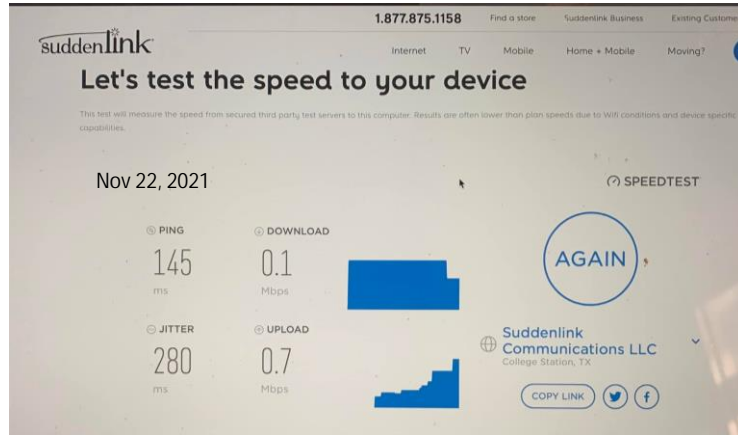
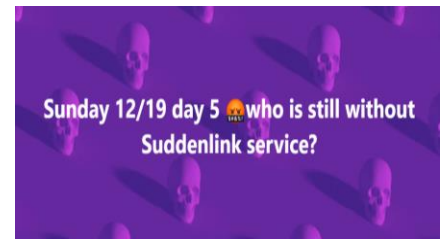
State of Truckee Broadband Access

Barely Delivering

- In residential neighborhoods of Truckee, public fixed test results show service providers are barely delivering minimum speeds
- This is without strains to the system (i.e. holidays, pandemic with distance learning and increased telecommuting)
- Reality of day-to-day connectivity is far worse



Truckee Broadband Reality Check



Ilya Davi
There has been an ongoing outage in Tahoe Donner.
It's not completely out but we've been losing somewhere between 25-50 % of the signal. If I call in to suddenlink there is no eta to repair. File an FCC complaint someone will reach out to you.
<https://consumercomplaints.fcc.gov/.../articles/115002206106>

Tammy Falcone Inis
April 23, 2020 · 🌐
Any insider tips on how to get action from Suddenlink? We've had no internet for three days, wires are laying in the street, they were suppose to come yesterday between 10 am and 8 pm, nice time frame huh, and never even showed up anyway!! Next to impossible to get a human on the phone. 🙄
1 15 Comments

Matt Ledna
Patiently waiting for Elon to launch a few more satellites to complete coverage of StarLink. I will celebrate the day that I can dump SuddenLink forever.
Like · Reply · 5w

Trudy Nygren
In Tahoe donner- we have lost service part of nearly every day for 2 weeks!
Like · Reply · 5w

Shannon Fraser
September 10, 2020 · 🌐
Hi, sorry to bother, but in need of some advice. I'm having internet issues, going on and off, and mostly off this week (way more than usual), I have Suddenlink, & they cannot make a service call until the middle of next week... I'm a student at Sierra College that lives here in Truckee. Everything is of course online, even books... I'm getting to the point where I'm not going to be able to continue classes with how often the internet is out. 🙄 I need to try to figure out a ... See more
7 38 Comments
Like

Chi-Lan Tran
November 29, 2021 · 🌐
Has anyone else in Truckee / Tahoe Donner been experiencing a Suddenlink outage for almost two weeks? I've been trying to contact their customer service helpline and they won't take action because "they are still fixing the outage". Wondering if this is a more widespread problem or if it's just my line.

What is Broadband for All?

Community Broadband



Truckee Community Demand

Residents: Reliable, Affordable

- 16,474 residents as of 2019
- 23% earn less than \$50,000 per year
- Suddenlink Internet starts at \$89.99 monthly plus taxes/fees
- Current availability is below minimum standards, yet demand is ever increasing as households multiply and individual household broadband demands increase
- Distance learning
- Home office / telework
- Communications (cellular offloading to WiFi)
- Entertainment (streaming media)
- Home security
- Smart home



Case example Over 4,000 Truckee K-12 students have had to go to distance learning during the pandemic and weather events. Many use cellular networks via smartphones and hotspots to get online. This was not always because they lacked Internet at home, but also because their home Internet was insufficient.

Truckee Community Demand

Tourists: Flex Up to Meet Peaks

- 225,000 tourists visit Truckee annually spending ~\$150 Million, supporting ~1,500 jobs and generating ~\$5.6 Million in local taxes
- Tourists and second-home owners tend to be more affluent and come with their own suite of WiFi-enabled equipment and toys
- Current availability drops when tourists and second-home owners flock in, but they expect service equivalency to what they have at their urban and suburban homes
- Communications (cellular offloading to WiFi)
- Entertainment (streaming media)
- Distance learning
- Remote work/telework
- Home security
- Smart home

Sources: Dean Runyan Associates study, 2017



Case example On a holiday weekend, the population of Truckee exponentially increases the number of people online, all demanding above what is currently being delivered in residential neighborhoods.

Truckee Community Demand

Businesses: Core to their Existence

- 1,056 businesses in Truckee employing thousands of residents, and providing \$4.9 Million in local sales tax revenue
- Ever increasing dependence on the Internet, cloud services, and constant monitoring
- Point of Sale (POS) systems
- Reservation systems
- Banking and transaction management
- Inventory management
- Communications (cellular WiFi offloading)
- Communications (Zoom, MS Teams, etc)
- Community WiFi Hub
- Security
- eCommerce
- Cloud storage



Case example On any given business day, Wild Cherries needs the Internet for POS, inventory management, scheduling employees, banking and transaction management, communications, and as a community WiFi hub for the customers

Truckee Community Demand

Community Anchors: Increasing Need

- Schools, libraries, healthcare providers, community colleges and vocational centers, public media, public housing, and community non-profits
- Ever increasing dependence on the Internet, cloud services, and live (real-time) for critical community needs of health, education, and communications
- Telehealth
- Live diagnostics and surgeries
- Distance learning hubs
- Communications (cellular WiFi offloading)
- Communications (Zoom, MS Teams, etc)
- Community WiFi hubs
- Cloud services and storage
- Security



Case example Tahoe Forest Hospital touts that telemedicine offers state-of-the-art cancer care to rural areas (Nov 2017 Chemotherapy Foundation Symposium in New York). However, while the hospital has dedicated fiber, their patients have “five days of no Internet”

Truckee Community Demand

Safety: Wildfires & Life Emergencies

- In 2021 the Caldor Fire destroyed 782 homes, 18 businesses in and around the Tahoe Basin
- The cost of fighting the Caldor Fire is \$269.5 Million, not counting property damage
- With ever increasing wildfire risks, environmental events (i.e. snowstorms, earthquakes, floods) effective real-time monitoring and communications is necessary to save lives and properties in the Tahoe Basin
- Intelligent connected technologies (i.e. thermal and chemical sensors)
- Drone patrols
- Artificial intelligence
- Emergency communications
- Emergency broadcasts (i.e. reverse 911, Nixle alerts)



Case example In 2021, California experienced 8,619 wildfires burning 2,569,009 acres which is almost triple the number of fires and more than 20 times the acreage of the five-year average

Truckee Community Demand

Utilities: Power Reliability Mgmt.

- Smart Grid technology can help better manage our peaks of visitors and usage driving our power loads
- Better power delivery and management is possible once reliable Internet links every utility customer for two-way communications
- Ever increasing intermittent, high demand load management will be needed (i.e. smart car charging, visitor peaks)
- Minimize brown-out and black-outs through automatic power reductions – beyond one-way smart meters
- Requires symmetrical fiber optic connections

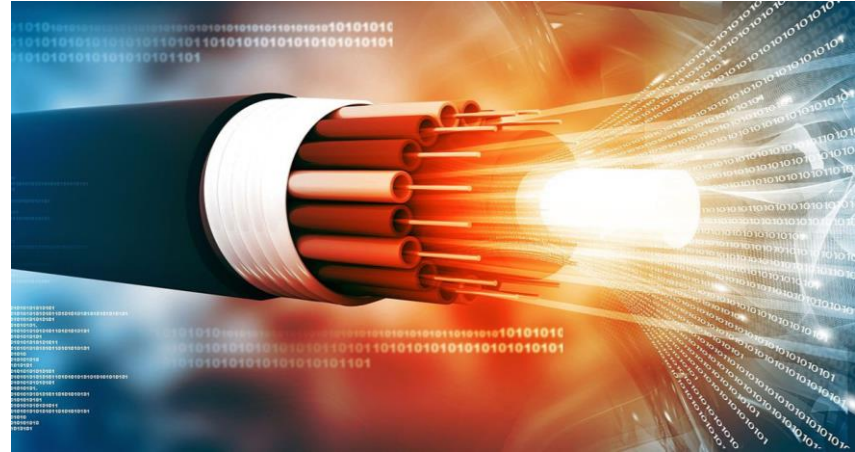


Case example In addition to utilizing the network to deliver the world's fastest internet and other fiber optic services, Chattanooga's fiber to the home network also serves as the communications backbone for a smart grid that has delivered almost \$2.7 Billion of value in a decade including preventing 44,000 customers from experiencing power outages for hours or days during tornadoes and storms.

Truckee Community Demand

ISPs: Shared Fiber Backbone

- Each ISP (cable, fiber, DSL, cellular) is operating completely independently which makes Truckee an expensive market to serve
- Every private provider has a huge infrastructure expense which makes it harder for them to expand, more expensive for them to upgrade
- With monopolies in place, Truckee customers suffer since there is no incentive to improve
- If we unify the backbone fiber (the universal piece) and take burden off of ISPs, it will allow for increased competition and more consumer choice
- Truckee PUD has existing assets to make this happen



Case example SiFi Networks builds and operates open access fiber networks delivering 10 gig enabled networks to homes and businesses and smart grid services with a focus on closing the digital divide and fair access to everyone.

Imagine Access for ALL Truckee

Truckee Community Broadband



- Reliable
- Affordable
- 10Gig symmetrical



- Rural but connected to cutting edge medicine, education, supports



- Shared backbone
- Decreased ISP cost
- Increased consumer choice



- Flex to peak demand
- Similar experience to what they get at home in urban / suburban



- Early, safe warning systems
- Effective communications
- Emergency broadcasting



- Always On
- Fast
- Core to their success



- Effective power mgmt
- Reduce black outs
- Equity in access

BUSINESS MODEL OPTIONS

Broadband Business Benchmarks

Potential Business Models

- 1 TDPUD Ownership Model**

TDPUD builds and maintains fiber optic network, uses it for Smart Grid technology, and (as a separate entity) offers internet access services directly to customers. Leases fiber access for Smart City technologies to Nevada/Placer Counties and Town of Truckee.
- 2 TDPUD Open Access Model**

TDPUD builds and maintains fiber optic network, uses it for Smart Grid technology, and brings on multiple ISPs to offer internet access services. Leases fiber access for Smart City technologies to Nevada/Placer Counties and Town of Truckee.
- 3 Private/Public Partnership Model**

TDPUD jointly builds and maintains fiber optic network with an ISP. TDPUD uses it for Smart Grid technology. ISP offers internet access services directly to customers. One or both entities lease fiber access for Smart City technologies to Nevada/Placer Counties and Town of Truckee.
- 4 ISP Ownership Model**

ISP builds and maintains fiber optic network and offers internet services directly to customers – retail or open access wholesale. Leases fiber access to TDPUD for Smart Grid Technology. Leases fiber access for Smart City technologies to Nevada/Placer Counties and Town of Truckee.

Broadband Business Benchmarks

Potential Business Models

	Model Type	Overview	Example	Funding	Time to Build
1	Ownership Model	Community owned. PUD identified need and utilized govt grants to fund infrastructure build outs	Sandy, OR Chattanooga, TN	Federal funding for smart grid build outs	2-3 years (with expectation of using existing poles)
2	Open Access Partnership	Currently offered to select businesses. Partnered with a few different ISPs. Developed through 2 consultation rounds	Jefferson, WA Ammon, ID	Federal funding for open access infrastructure.	Phased: low-income neighborhoods w high needs first. Expansion based on funding availability.
3	Public/Private	Partnership with private entity which owns total process but could be offered to PUD clients	Yuba City SiFi Network	Privately held funding with corporate entity	2-3 years (with expectation of using existing poles)
4	Co-op / ISP	Co-owned by service users and ISP	Plumas Sierra Telecommunications	Grant funding	2-3 years (with expectation of using existing poles)

Broadband Business Models

Ownership Model

SANDY, OR

- Network started in 2002, upgraded to fiber in 2014
- Fiber optic network to home infrastructure allows for quick response
- Infrastructure designed with fail-safe measures in place including redundant fiber paths out of Sandy to provide an incredibly reliable connection
- Able to meet the 2020 quick shift to online work and learning
- Continual revision of continuity plans for how Sandy responds to events and disasters in order to prevent or minimize damage to service and network

CHATTANOOGA, TN

- Launched in 2009 and leaped to national attention in 2010 when Chattanooga became “The Gig City” offering 1Gig residential internet speeds, the fastest residential speeds in the country
- In 2015, first in the world to offer 10Gig to every home and business in community
- One of the nation’s smartest smart grids. Has delivered almost \$2.7 Billion of value in a decade including preventing 44,000 customers from experiencing power outages for hours or days during tornadoes and storms.
- Awarded \$111 Million in federal stimulus from DOE for expediting build and implementation of smart grid

Broadband Business Models

Open Access Model

JEFFERSON, WA

- Fiber network built 2013. PUD currently has ~50 miles of fiber across the county.
- Most of the fiber serves internal PUD needs, connecting facilities and monitoring equipment
- Because PUDs are limited to providing wholesale and not direct access to its network, few businesses and resident have access.
- Very phased approach: started with low income and went after expansion opportunities based on grant funding
- Partnered with ISPs to provide access

AMMON, ID

- PUD built network and all ISP providers pay a certain amount per month to cover backhaul costs
- EntryPoint Networks is the company that consulted with Ammon PUD and is currently working with Chico
- Third party ISPs

Broadband Business Models

Public / Private Model

Yuba City, CA

- SiFi Network partnership with city “fibercity network”
- SiFi Network projects focus on closing the digital divide and providing access to all residents and businesses
- SiFi Network funds and constructs network to meet current and future needs
- 10Gig enabled. Future proof bandwidth and connectivity
- Privately owned open access network



Broadband Business Models

Coop / ISP Model

Plumas Sierra Telecommunications

- Started ~10 years ago with wireless internet service
- Electrical coop where service users own the network
- NOTE: Broadband network is a separate entity for the rest of Plumas Sierra telecom business
- Fiber funding through federal infrastructure grants
- Currently hold contract for enterprise connectivity within existing infrastructure
- NO home connection currently and none planned



Broadband Business Models

Case Example Findings

- There is a **significant and growing need** for broadband access and **PUDs nationwide are responding** by providing broadband solutions
- **Every community is different** and has deployed solutions based on their community make-up, existing infrastructure, ISPs, and available funding
- **Priority** for other PUDs has been and continues to be focused on **low income resident needs**. PUDs provide subsidized access through digital divide funding
- Every PUD case example started by **identifying the community need for broadband as a utility**



EXISTING ASSETS ASSESSMENT

Existing Assets

TDPUD 3 Types of Infrastructure

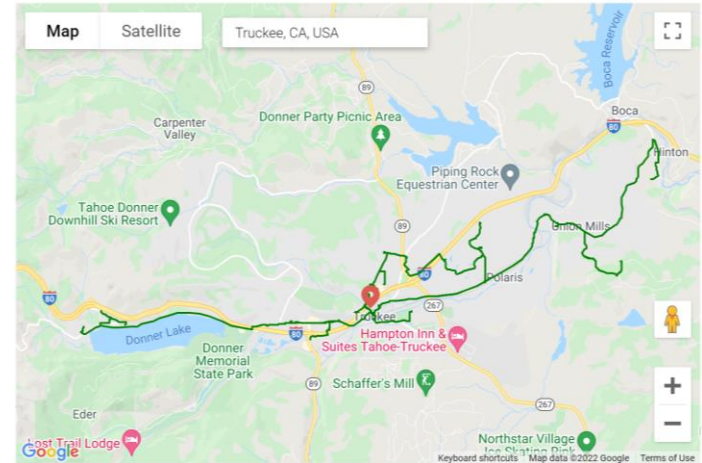
- **Long range regional fibers:** that span from Sacramento to Reno which permit POP (points-of-presence) interconnectivity to interconnect with telco grids and ISPs
- **Medium range fiber elements:** 58.5 miles of existing fiber currently used to connect TDPUD's facilities in and around Truckee and the north lake region with 56 additional miles of fiber planned over the next 5 years
- **Datacenter rack equipment and power backup systems:** suitable for server hosting.
- *To Consider –*
 - *Is there an opportunity to acquire infrastructure from other providers or carriers?*



Existing Assets

Plumas Sierra Relationship

- Team met January, 2022 with Plumas Sierra
- PST has been in a “trial” public/private partnership with TDPUD where PST has focused on “low hanging fruit” ISP customers that already have fiber to premises or can pay for the fiber trenching to interconnect (i.e. hospital, HOAs, TDPUD)
- PST is acting as the ISP for the connected customers, using the TDPUD existing network, plus additional interconnection at the premise edges
- Small staff although 24/7 does exist for critical customers like the hospital or TDPUD
- Opportunistic relationship where Plumas Sierra is not actively marketing their services or seeking to provide Broadband for All solutions



*Pricing Not Broadband for All with fiber only
50Mbps/10Mbps starting at \$60/mo. Full Gig Fiber
service at \$190/mo or more (if business plan and
SLAs) PLUS trenching cost (\$2000 - \$200,000
depending on customer location)*

Infrastructure Gaps

New Elements Required

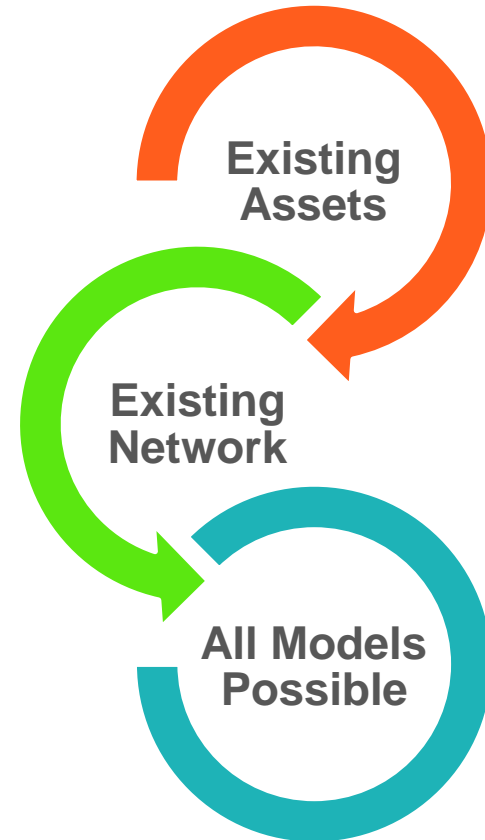
- Telco grade BGP4 routing and switching gear (Brocade/Ciena-style backend systems) that can act as the network backbone for local ISPs and provision subscription circuits
- Last mile connectivity to the majority of the homes and businesses in Truckee (i.e. fiber, cable, microwave or campus-style 5G)
- 24/7 customer support and respond with staff trained in telco/ISP operations
- *To Consider –*
 - *What are the org and ops needs to get TDPUD from here to “to be” solution*



Achieving Community Broadband

TDPUD Favorably Positioned

1. **OWNERSHIP and EXPERIENCE:** great set of core infrastructure; current partnership with Plumas has been a good initial experiment albeit restrictive re: growth potential
2. **EXISTING NETWORK:** existing network could potentially become the backbone for either a fiber connected or a 5G-Enterprise-Campus style network to reach all residents and businesses with air vs trenching options
3. **ALL BUSINESS MODELS:** all models are possible for general community access and a variety of last mile technology options exist



BROADBAND IN TRUCKEE: RECOMMENDATIONS

Committee Recommendations

Broadband for All through Open Access TDPUD Model

WHY BROADBAND IN TRUCKEE MATTERS?

Existing broadband options in Truckee do not meet current need, let alone anticipated future demand.

WHY TDPUD SHOULD TAKE A LEADERSHIP ROLE?

Broadband is a utility and TDPUD should treat it as such. TDPUD has an existing suite of assets that can serve as a foundation from which to achieve Broadband for All. TDPUD is not limited in business models or infrastructure solutions to choose from. All should be investigated.

BUT WHAT ABOUT EXISTING SERVICE PROVIDERS?

Partnerships are potentially feasible and should be investigated. However, the fate of Internet access in Truckee should not rest on the vagaries of corporations who choose to service our town or not based on their own shareholders goals. Rather, it should be the Town's responsibility through its public utility to ensure that necessary and affordable access exists to meet current and future needs of all residents, tourists, businesses, anchor institutions, and town operations.

***In 2016, the UN declared access to the Internet a basic human right
It's 2022, time for Truckee to embrace Community Broadband***

Committee Recommendations

Suggested Next Steps

1. Agree that broadband is a utility and as such that it is a defacto responsibility of TDPUD
2. Encourage Truckee resident and business participation in the Nevada County Broadband survey
3. Engage consultants in developing a strategic broadband plan for the entire Truckee community. Consultant must have PUD, rural community, funding, and broadband business model experience
4. Immediately engage consultants in understanding funding availability from the county, regional, state and federal levels for planning, engineering, design, and implementation.
5. Engage Town of Truckee, Nevada County and Placer County in collaborative planning
6. Build partnerships with multiple ISPs; both new and existing
7. Utilize existing resources such as the Fiber Broadband Association toolkit. Attend the EUCI Broadband Deployment Essentials for Electric Cooperatives and Municipal Utilities conference Feb 2 (online)

TRUCKEE

Community Broadband is OUR FUTURE





MEETING DATE: February 3, 2022

TO: Broadband Committee

FROM: Regina Cooley, Contract Administrator

SUBJECT: Consideration to Adopt of Resolution 2022-02, Resolving a Local Emergency and Authorizing Remote Teleconference Meetings of the Broadband Committee for the Period February 10, 2022, to March 12, 2022, pursuant to the Brown Act Provisions and AB361.

RECOMMENDATION:

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 2022-02 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 February 10, 2022, to March 12, 2022.

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 2022-02, 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.

This item is 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 2022-02.

ATTACHMENT:

1. Resolution 2022-02.



Resolution No. 2022 - 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 February 10, 2022, to March 12, 2022, 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, 2022, 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 February 10, 2022, 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) March 12, 2022, 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 February 10, 2022, by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

TRUCKEE DONNER PUBLIC UTILITY DISTRICT

By _____
Vice Chair – Serita Cox

ATTEST:

Regina Cooley, Contract Administrator