Department of Information Technology

DATE: February 6, 2023

TO: Honorable Mayor and City Council

FROM: Phillip Leclair, Chief Information Officer

RE: **REMOTE PUBLIC COMMENT AT CITY LEGISLATIVE BODIES**

APPROVAL OF IN-PERSON AND REMOTE PUBLIC COMMENT PARTICIPATION AT PUBLIC MEETINGS OF THE CITY COUNCIL, COUNCIL STANDING COMMITTEES, AND SPECIFIED CITY LEGISLATIVE BODIES THAT MEET IN THE CITY COUNCIL CHAMBER (Dept. of Information Technology)
Recommendation: It is recommended that the City Council:
(1)   Find that the proposed action in the agenda report is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA guidelines Section 15061(b)(3)(Common Sense Exemption); and
(2)   Approve in-person and remote public comment participation at public meetings of the City Council, Economic Development and Technology Committee, Finance Committee, Legislative Policy Committee, Municipal Services Committee, Public Safety Committee, Community Police Oversight Commission, Design Commission, and Planning Commission, for meetings that occur in the City Council Chamber, effective no earlier than February 27, 2023.
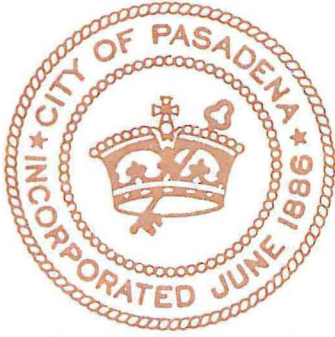
On January 31, 2023, staff presented information to the Economic Development and Technology Committee (EdTech) on options to allow remote public comment at City meetings in addition to in-person meeting participation. EdTech considered various options and levels of support required for those meetings conducted within the Council Chamber, as well as those meetings conducted at other City facilities and meeting spaces. It was noted that due to the complexity of meeting support and capacity for in-person meeting participation, the Council Chamber serves as an ideal meeting space to accommodate both in-person public participation and remote public comment due to its size, supporting technology, and location. Following discussion, the EdTech Committee unanimously recommended approval of allowing in-person and remote public comment meeting participation for the following legislative bodies that meet in the Council Chamber:

- City Council
- Economic Development and Technology Committee
- Finance Committee
- Legislative Policy Committee

- Municipal Services Committee
- Public Safety Committee
- Community Police Oversight Commission
- Design Commission
- Planning Commission

On occasion, meetings of other legislative bodies may be scheduled in the Council Chamber to allow for remote public comment when there is a high level of public interest anticipated on the agenda topic.

It was further agreed by the EdTech Committee that the start date for remote public comment would occur no earlier than February 27, 2023 to allow City staff sufficient time to make the necessary preparations and adjustments to support this type of public participation in the City Council Chamber.

Agenda Report

February 6, 2023

TO: Honorable Mayor and City Council

THROUGH: Economic Development & Technology Committee (January 31, 2023)

FROM: Department of Information Technology

SUBJECT: **PROVIDE DIRECTION FOR REMOTE PUBLIC COMMENT AT PUBLIC MEETINGS OF CITY LEGISLATIVE BODIES**

RECOMMENDATION:

It is recommended that the City Council:

1. Find that the proposed action in the agenda report is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA guidelines Section 15061(b)(3) (Common Sense Exemption); and
2. Provide direction to staff for remote public comment at public meetings of City legislative bodies.

BACKGROUND:

On November 21, 2022, the City Council provided direction to staff to resume in-person public meetings of all City legislative bodies. The first in-person public meeting of the City Council occurred on January 9, 2023. All other City legislative bodies have also resumed in-person meetings.

The Council referred the topic of remote public comment to be discussed further at the Economic Development & Technology Committee. Multiple methods are available for the public to provide comment for all City legislative bodies, including in-person comments, email, and written correspondence. Instructions for providing comments are published in each Agenda.

The remainder of this report provides background information and staff recommendations on remote public comment.

Summary of prior efforts to support remote public comment

During the COVID pandemic when in-person meetings were suspended, staff acquired new technology, skills, and capabilities to host remote meetings for members of the body and the public. While the remote meetings appear to the public as seamless and easy to manage, in practice, there are many challenges, resources and costs to remote meetings. As an example, the following capabilities and support needs were added to support remote meetings of the City Council:

Added capabilities:
- Integration of Council Chamber audio visual technology with virtual meeting technology to simultaneously support both in-person and remote capabilities
- Virtual meeting software licenses
- Live language translation
- Closed captioning
- Recording
- Presentation management
- Online Speaker Card queueing and management
- Support for members of the body and the public in real-time with varying technical capabilities
- Real-time troubleshooting of equipment challenges, telephone, and internet connectivity issues.

Added staffing resources:

- Two Department of Information Technology (DoIT) technicians
- Two City Clerk staff
- Contract sound engineer

During the formulation of the FY 2023 operating budget, staff performed a cost study to include the incremental cost to support remote meetings of the Council on a temporary basis. The estimated costs were approximately $200,000 to support remote meetings of the Council, which included the capabilities and staff resource costs as previously described.

Resuming remote public comment permanently will require sustained technology investment in the capabilities required for remote meetings and a dedicated team responsible to provide a consistent and reliable service. Staff updated the estimated ongoing costs to permanently sustain the level of support that was provided during the pandemic. See table below:

1. Remote public comment at City Council meetings within the Council Chamber	2. Remote public comment for those bodies meeting within the Council Chamber	3. Remote public comment for all bodies from multiple locations
Estimated Cost: $250,000 Annually	Estimated Cost: $300,000 Annually	Estimated Cost: $700,000 Annually $200,000 One-time Technology Upgrades
Ready to Implement	Ready to Implement	Available CY 2023

Cost Assumptions

To create a consistent and supportable service for remote public comment meetings, a dedicated team of at least 2.0 full-time staff will be required to manage all the technical support needs during and between remote meetings along with the costs previously mentioned to support the additional capabilities needed for integration with remote meetings. Additional support will be needed from the City Clerk or from the department staff that support the legislative body. As additional meetings are scheduled in the Council Chamber, or as remote meetings are required in other locations, the estimated costs and size of the dedicated support team will increase.

Live Public Comment Metrics

Staff also reviewed the amount of live public comment over the period of April 2022 through September 2022 for all bodies to consider the need to offer remote public comment. Below are the results for each body, with partial statistics for January 2023 (up through January 26) for those bodies meeting in the Council Chamber:

Body	Total # of Public Speakers						
	April 2022	May 2022	June 2022	July 2022	Aug 2022	Sept 2022	Jan* 2023
City Council	158	66	30	72	91	79	31
Council Committees							
EdTech	0	4	7	0	8	0	0
Finance	2	0	7	0	0	2	0
Legislative Policy	1	0	3	0	0	0	0
Municipal Services	1	3	0	6	5	29	17
Public Safety	0	20	2	7	7	3	0
Commissions							
Accessibility & Disability	0	0	0	0	1	0	-
Arts & Culture	0	0	0	0	0	3	-

Body	Total # of Public Speakers						
	April 2022	May 2022	June 2022	July 2022	Aug 2022	Sept 2022	Jan* 2023
Board of Zoning Appeals	0	0	0	0	0	0	-
Code Enforcement	0	0	0	0	0	0	-
Commission on the Status of Women	0	0	0	0	0	0	-
Community Police Oversight	8	13	3	1	0	8	0
Design	6	20	1	2	9	7	1
Environmental Advisory	0	9	0	1	0	0	-
Hearing Officer	0	1	0	1	36	0	-
Historic Preservation	0	11	3	7	0	6	-
Human Relations	0	0	0	0	0	0	-
Human Services	0	0	0	0	1	0	-
Library	0	0	0	0	0	1	-
Northwest	0	0	0	1	0	0	-
Planning	40	14	29	72	17	6	5
Old Pas Parking Meter Zone Advisory	0	0	0	0	0	0	-
Recreation & Parks	0	1	0	0	3	0	-
Senior	0	0	0	0	0	1	-
South Lake Parking Place	0	0	0	0	0	0	-
Transportation Advisory	3	0	14	5	22	5	-
Urban Forestry Advisory	0	0	2	2	0	5	-
Committees & Advisory Bodies							
Deferred Compensation Committee	0	0	0	0	0	0	-
Early Childhood Development & Early Learning Task Force	0	0	0	0	0	0	-
Fire & Police Retirement	0	0	0	0	0	0	-
Hahamongna Watershed Park Advisory	0	1	0	0	0	3	-

* January 2023 statistics are through January 26, 2023 only. City Council and EdTech Committee meetings are scheduled January 30 and January 31, respectively. January statistics are included only for the nine legislative bodies regularly meeting in the Council Chamber.

Staff Recommendations

Staff recommends limiting remote public comment to the City Hall Council Chamber. The Council Chamber is the only facility equipped to support both an in-person and remote meeting experience. Limiting remote meeting services to this one location will minimize the technology investment required in other locations and narrow the size of the dedicated technical support team.

Staff also recommends allowing remote public comment only for those legislative bodies scheduled in the Council Chamber that maintain active public comment, or as directed by the Council, including:

1. City Council
2. Municipal Services Committee
3. Public Safety Committee
4. Planning Commission
5. Design Commission
6. Community Police Oversight Committee

On occasion, the Council or staff may request a special meeting of any other legislative body to be scheduled in the Council Chamber to allow for remote public comment when there is a high level of public interest anticipated on the agenda topic.

Staff requests the Council consider these recommendations or any variation to provide direction to staff.
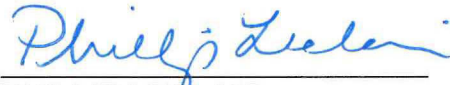

ENVIRONMENTAL ANALYSIS:

This action is exempt from the CEQA pursuant to State CEQA Guidelines Section 15061 (b)(3), the Common Sense Exemption (formerly the general rule) that CEQA applies only to projects which have the potential for causing a significant effect on the environment.

FISCAL IMPACT:

Supporting remote public comment will require technical and department staff support that could range between $250,000 to $700,000 annually as described in this report.

Respectfully submitted,

PHILLIP LECLAIR
Chief Information Officer
Department of Information Technology

Approved by:

MIGUEL MÁRQUEZ
City Manager