

**From:** [Jennifer Torres](#)  
**To:** [Jennifer Torres](#)  
**Subject:** FW: Updated Electronic Communications policy - Part of Tonight's Meeting 10/25  
**Date:** Wednesday, October 25, 2023 3:48:54 PM

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----- Forwarded message -----

From: **Rita Comes** <[REDACTED]>  
Date: Wed, Oct 25, 2023 at 3:11 PM  
Subject: Updated Electronic Communications policy - Part of Tonight's Meeting 10/25  
To: Judith Hasko <[jhasko@portolavalley.net](mailto:jhasko@portolavalley.net)>, Mary Hufty <[mhufty@portolavalley.net](mailto:mhufty@portolavalley.net)>, Sarah Wernikoff <[swernikoff@portolavalley.net](mailto:swernikoff@portolavalley.net)>, Jeff Aalfs <[jaalfs@portolavalley.net](mailto:jaalfs@portolavalley.net)>, <[ctaylor@portolavalley.net](mailto:ctaylor@portolavalley.net)>

To the Council Members of Portola Valley

Greetings

Thank you for perusing an Updated Electronic Communications policy for the Town of Portola Valley. I hope that this new policy, when implemented, is under regular review so that it does not become outdated. The Town has had two previous policies on this subject passed in 2009 and 2010. I noticed in the last Portola Valley Town Council Meeting where this new policy was discussed, the 2009 policy showed a signed copy, but the 2010 policy did not show a signed copy in the packet that was presented. How are these policies shared with Council Members/Commissioners and Committee members? Who in the Town of Portola Valley is responsible for monitoring the use and understanding of these policies by the intended audience?

Having an updated electronics and communications policy is very important, especially in a Town that is full of residents that are responsible for many of the great historic updates in electronic communication in the world. How are our Town Meetings managed in this area? Is it by the [Brown Act](#), the [Bagley-Keen Open Meeting Act](#) (2017), or [AB992](#) (Signed 2020)?

The Governor of California, Gavin Newsom signed into law, 2020, a communications policy that discusses how and where Town communications should and could be shared by individuals in town government [AB992](#). AB 992, which amends Government Code section 54952.2, clarifies what kind of communications a public

official may have via social media and what kind of communications are prohibited.

There have also been a few recent incidents in Portola Valley that have forced these policies to be updated at this time:

- when a council member shared their computer screen during a Wildfire Committee Meeting andunwittingly showed a private ongoing chat with other members of that Committee and public during the meeting. Because of this incident – a pending lawsuit against the Town of Portola Valley caused the Town to agree to an updated policy change.
- the other incident is when another Council Member discussed an issue on the PV Forum (a selective private chat group) an item that was to be voted on by the Town Council and named a private resident and implied information about this private resident.

Some Towns, such as [Palm Desert](#), have taken their Technology Usage and Electronic Communications Policies one step further than AB992, I hope that our Town can form a consensus and come to an agreement on a new policy that can be reviewed on a regular basis so that it does not become outdated as the technology of communication advances.

Thank you for your time on clearing up this pressing and important policy.

Rita Comes Whitney  
Westridge Drive