



STAFF REPORT

City Council

Meeting Date:

5/19/2026

Staff Report Number:

26-086-CC

Regular Business:

Consider and adopt a resolution establishing a Disruption of Remote Access During Public Open Meetings of City Council Policy

Recommendation

Staff recommends the City Council adopt a resolution (Attachment A) establishing policy (Attachment A, Exhibit A) that will provide steps on how to address telephonic or internet service connection disruption during public open meetings of City Council.

Policy Issues

In 2025, Senate Bill (SB) 707 amended the Brown Act to require all “eligible legislative bodies” to comply with additional meeting requirements for public open meetings to be accessible for public viewing and participation. The City meets the statutory definition under SB 707 to be an “eligible legislative body” because the City population exceeds 30,000 residents. As an “eligible legislative body”, the City must establish policy on how to address disruption of telephonic or internet service connection that occurs during a public open meeting of City Council by July 1, 2026.

The full text of SB 707 can be found on the California Legislative Information website (Attachment B).

Background

On Oct. 3, 2025, the Governor signed SB 707 into law with the intent to strengthen open meeting laws, promoting governmental transparency, and increasing public participation during local government meetings. Among the various SB 707 requirements, all “eligible legislative bodies” are required to offer remote public access to open public meetings by either

1. Two-way telephonic service or
2. Two-way audiovisual platforms.

The City already complies with the SB 707 requirement of conducting City Council open session meetings in a hybrid format via Zoom. Additionally, to ensure public access and participation, SB 707 requires all “eligible legislative bodies” to establish a policy on how to address disruption of telephonic or internet service connection that occurs during public open meetings. The City Council is the City’s only “eligible legislative body” for purposes of this policy.

Analysis

By July 1, 2026, the City will need to formally adopt a policy that establishes the City's procedures on how to address disruption of remote public access to open session meetings of City Council. Staff prepared a policy for purposes to comply with the new Brown Act provisions, and the policy meets the statutory requirements under SB 707. Specifically, the policy outlines the procedural steps for City Council to follow if the hybrid Zoom platform is disrupted which will include City Council to decide whether to adjourn the open session or recess from open session for one hour or until remote access services are restored. If remote access services cannot be restored within one hour and City Council intends to continue with open session, then City Council must conduct a roll-call vote confirming that good faith efforts were made and that the public interest in continuing the meeting outweighs the need for remote access (Government Code Section 54953.4(b)(1)).

Members of the public will still be able to view City Council meetings using any of the resources listed below if the hybrid Zoom platform services cannot be restored, however, such resources do not constitute as a two-way telephonic or two-way audiovisual platform as required by SB 707:

- Channel 76 (Uverse channel 99)
- Web stream
- Meeting in-person location

Upon adoption, the requirements under the policy would take effect immediately.

Impact on City Resources

There is no direct impact on City resources associated with the action in this staff report.

Environmental Review

This action is not a project within the meaning of the California Environmental Quality Act (CEQA) Guidelines §§15378 and 15061(b)(3) as it will not result in any direct or indirect physical change in the environment.

Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

Attachments

- A. Resolution
- B. Hyperlink – full text of SB 707:
https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=202520260SB707

Report prepared by:

Judi A. Herren, Assistant to the City Manager/ City Clerk

Staff Report #: 26-086-CC

Report reviewed by:
Stephen Stolte, Assistant City Manager

RESOLUTION NO. XXXX**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
ADOPTING CITY COUNCIL POLICY CC-26-031 DISRUPTION OF REMOTE
ACCESS DURING PUBLIC OPEN MEETINGS OF CITY COUNCIL**

WHEREAS, pursuant to Senate Bill 707, Government Code Section 54953.4 requires that, beginning July 1, 2026, eligible legislative bodies provide members of the public an opportunity to attend open and public meetings through a two-way telephonic service or a two-way audiovisual platform, subject to the exceptions stated in that section;

WHEREAS, Government Code Section 54953.4, subdivision (b)(1)(A)(i)(I)(ib), requires an eligible legislative body, on or before July 1, 2026, to approve at a noticed public meeting in open session a policy addressing disruption of telephonic or internet service occurring during meetings where remote access is required;

WHEREAS, Government Code Section 54953.4, subdivision (b)(1)(A)(i)(I)(ib)-(lc), establishes requirements for recessing and reconvening a meeting and for making good faith efforts to restore service if a disruption prevents members of the public from attending or observing the meeting remotely;

WHEREAS, the City Council is the City's only "eligible legislative body" for purposes of Government Code Section 54953.4; and

WHEREAS, the City Council desires to adopt a policy that implements, and does not expand upon, the requirements of Government Code Section 54953.4.

NOW, THEREFORE BE IT RESOLVED, that the City of Menlo Park, acting by and through its City Council, having considered and been fully advised in the matter and good cause appearing therefore do hereby as follows:

Section 1. The recitals above are true and correct and incorporated into the body of this Resolution by reference.

Section 2. The City Council adopts the Disruption of Remote Access During Public Open Meetings of City Council attached hereto as Exhibit A.

Section 3. This resolution implements Government Code Section 54953.4. It does not create rights beyond those required by state law and does not expand the obligations imposed by that section.

Section 4. This resolution takes effect immediately upon adoption.

Section 5. The City Council hereby declares every section, paragraph, sentence, cause, and phrase of this resolution is severable. If any section, paragraph, sentence, clause, or phrase of this resolution is for any reason found to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining sections, paragraphs, sentences, clauses or phrases.

Section 6. The City Clerk shall attest and certify to the adoption of this resolution.

I, Judi A. Herren, City Clerk of Menlo Park, do hereby certify that the above and foregoing City Council Resolution was duly and regularly passed and adopted at a meeting by said City Council on the nineteenth day of May, 2026, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this ___ day of May, 2026.

Judi A. Herren, City Clerk

Exhibits:

A. Disruption of Remote Access During Public Open Meetings of City Council policy

DISRUPTION OF REMOTE ACCESS DURING PUBLIC OPEN MEETINGS OF CITY COUNCIL

City Council Policy #CC-26-031

Proposed May 19, 2026



Purpose
The purpose of this policy is to establish procedures for responding to disruption(s) of telephonic or internet services that provide two-way remote access for the public to attend and participate during public open meetings of City Council. Pursuant to Government Code Section 54953.4, the City Council adopts this policy to ensure statutory compliance, transparency, public access, and government operation during technological disruptions of a public open meeting of City Council.
Background
Senate Bill 707 (2025) (SB 707) requires all “eligible legislative bodies” to offer remote public access to City Council meetings by either (1) two-way telephonic service or (2) two-way audiovisual platforms. Under the statutory definition provided in SB 707, the City of Menlo Park is an “eligible legislative body” and is required to adopt, on or before July 1, 2026, a policy on how to address telephonic or internet service connection disruption that inhibits the public from accessing or observing a public open meeting of City Council.
Definitions
For purposes of this policy: • “Disruption” means any failure, outage, or other interruption in the City’s telephonic or internet service that prevents members of the public from attending or observing in public open meetings of City Council. • “Remote Access Services” means the two-way telephonic service and/or two-way audiovisual platform used to provide real-time remote public attendance and observation of public open meetings of City Council.
Applicability
This policy applies to all open and public meetings of City Council at which remote public access is required per Government Code Section 54953.4(b)(1)(A)(i)(I)(ia) but does not apply in those circumstances where the Brown Act provides that remote public access is not required.
Disruption procedures
5.1. Response to Disruption of Remote Access Services If Remote Access Services are disrupted during a public open meeting of City Council, then the following steps must take place: A. City Council shall immediately announce the disruption to the public; B. City Council must either adjourn the open session or recess from open session for at least one (1) hour to make a good faith effort to restore the Remote Access Services; C. During recess, City Council may meet in closed session as permitted by Government Code Section 54953.4; D. If following recess of the meeting, Remote Access Services have not been restored within (1) hour, then City Council may reconvene the meeting if it adopts, by rollcall vote, a finding that it made good faith efforts to restore the Remote Access Services and that the public interest in continuing the meeting outweighs the public interest in remote public access. 5.2. Efforts to Restore Remote Access Services City Council shall make good faith efforts to restore Remote Access Services, which may include: 1. Troubleshooting platform or teleconferencing software; 2. Resetting or replacing audiovisual equipment; 3. Attempting alternative connection methods; 4. Contacting necessary support staff or service providers; or 5. Switching to back-up equipment or platforms, if available. Pursuant to the Recordkeeping section of this policy, the City Clerk shall make a record and enter into the meeting minutes the disruption and restoration efforts undertaken by City Council.
Reconvene open session
6.1. Timing Open session may reconvene upon restoration of Remote Access Services, or if after one (1) hour has elapsed from the time of disruption, or the finding required by Section 6.3. of this policy has been adopted by the City Council.

DISRUPTION OF REMOTE ACCESS DURING PUBLIC OPEN MEETINGS OF CITY COUNCIL

City Council Policy #CC-26-031

Adopted May 19, 2026

Resolution No. XXXX

2

6.2. Restoration of Remote Access Services

If Remote Access Services have been restored after one (1) hour, the City Council may reconvene the meeting in open session as normal.

6.3. Inability to Restore Remote Access Services

If Remote Access Services have not been restored after one (1) hour, the City Council may reconvene the meeting in open session only after the following, or a substantially similar, finding is adopted by a rollcall vote of the City Council:

“The City Council of the City of Menlo Park has made good faith efforts to restore telephonic or internet service in accordance with its adopted policy and the public interest in continuing the meeting outweighs the public interest in remote public access.”

Recordkeeping

If Remote Access Services were disrupted, then the city clerk shall make a record and enter into the meeting minutes the following:

1. The nature and time of the disruption;
2. Whether open session was adjourned or the City Council complied to the procedures pursuant to Section 5.1;
3. The restoration efforts undertaken;
4. The time the meeting was reconvened (if applicable); and
5. The finding adopted pursuant to Section 6.3 (if applicable).

Review and updates

Per Government Code Section 54953.4, this policy may be amended by the City Council of the City of Menlo Park at a noticed public meeting in open session, but not on the consent calendar.

Procedure history

Action	Date	Notes
Policy adoption	May 19, 2026	Resolution No. XXXX