RESOLUTION NO. .

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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RESOLUTION APPROVING A POLICY REGARDING TELEPHONE OR INTERNET SERVICE DISRUPTION OF REMOTE ACCESS DURING BOARD OF SUPERVISORS MEETINGS SUBJECT TO THE RALPH M. BROWN ACT

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, in 2025, the California Legislature passed, and the Governor signed, Senate Bill 707 ("SB 707") related to local legislative body meetings held pursuant to the Ralph M. Brown Act (Government Code sections 54950, et seq.) ("Brown Act"); and

WHEREAS, pursuant to SB 707, a meeting held by an "eligible legislative body" that is subject to the Brown Act, including this Board, must, subject to certain exceptions, provide an opportunity for members of the public to participate in the meeting via a two-way telephonic service or a two-way audiovisual platform; and

WHEREAS, SB 707 further requires that, on or before July 1, 2026, this Board adopt a policy regarding efforts to restore remote participation service after a disruption of telephonic or internet service that occurs during its meetings that are subject to the Brown Act; and

WHEREAS, this Board desires to adopt a policy regarding telephone or internet service disruption of remote access during its meetings, consistent with the requirements of Government Code section 54953.4; and

WHEREAS, this policy does not apply to teleconference meetings during a proclaimed state of emergency or local emergency, as defined in Government Code section 54953.8.2(e), nor to meetings where at least one Board member is participating remotely for "just cause," as defined in Government Code section 54953.8.3(c); and

WHEREAS, pursuant to Government Code section 54953.4(b)(1)(A)(i)(II), this policy also does not apply to a meeting of the Board held to do any of the following:

(1) Attend a judicial or administrative proceeding to which the County is a party; and

(2) Inspect real or personal property provided that the topic of the meeting is limited to items directly related to the real or personal property; and

(3) Meet with elected or appointed officials of the United States or the State of California, solely to discuss a legislative or regulatory issue affecting the County of San Mateo and over which the federal or state officials have jurisdiction; and

(4) Meet in or near a facility owned by the County, provided that the topic of the meeting is limited to items directly related to the facility; and/or

(5) Meet in an emergency situation pursuant to Government Code section 54956.5.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that, if a disruption of telephonic or internet service at the meeting location that prevents members of the public from attending or observing the meeting via the two-way telephonic service or two-way audiovisual platform occurs during a meeting of the Board that is subject to the Brown Act, as provided in Government Code section 54953.4(b)(1):

1. The Board shall recess the open session of the meeting; and

2. The Board shall, as soon as practicable, make a good faith attempt to restore the telephonic or internet service; including the following:

    a. A designee from the San Mateo County Technology Services Department (TSD) will communicate with Board staff to notify the Board about the service disruption.

    b. TSD will contact the San Mateo County Department of Public Works (DPW) and TSD and DPW staff, as appropriate and depending on the circumstances, will work to determine the origin of the service disruption and will contact any third parties deemed appropriate to assist in addressing the disruption, if needed.

    c. The appropriate department(s) and staff will make good faith efforts to restore the service.

3. The Board shall not reconvene the open session of the meeting until at least one hour following the disruption, or until telephonic or internet service is

restored, whichever is earlier.

4. One hour after notification to the Board of the service disruption, a designee of the appropriate department(s) will report in open session about the origin of the service disruption, the good faith efforts made to restore the service, and prospects for restoring the service.

5. The Board may meet in closed session during the effort to restore the telephonic or internet service.

BE IT FURTHER RESOLVED that, after the expiration of at least one hour, if telephonic or internet service has not been restored, the Board shall reconvene in open session, and the County Executive/Clerk of the Board, and/or designee, shall report on the status of staff's efforts to restore remote access services, including receiving a statement from a designee of the appropriate department(s) about their good faith efforts to restore the telephonic or internet service, and the Board may then take appropriate action, including any of the following:

a. Adjourn the meeting

b. Recess again to allow staff additional time to make further good faith efforts to restore remote access services; or

c. Resume the open session portion of the meeting by adopting, by a majority rollcall vote, a finding that good faith efforts to restore the telephonic or internet service have been made in accordance with this policy and that the public

interest in continuing the open session portion of the meeting outweighs the public interest in remote public access.

Upon adoption of the finding in (c), above, the Board may resume the open session portion of the meeting notwithstanding that remote access services have yet to be restored.

BE IT FURTHER RESOLVED that, this policy may be amended by this Board by action taken at a regular meeting on the regular agenda.

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