

MENDOCINO COUNTY POLICY #63	DISRUPTION OF REMOTE ACCESS DURING RALPH M. BROWN ACT MEETINGS
ADOPTED: May 19, 2026	ADOPTED BY: Minute Order

A. Intent

The intent of this policy is to describe the procedures the Mendocino County Board of Supervisors shall follow in the event of a telephonic or internet service disruption that prevents remote access to a Ralph M. Brown Act meeting, consistent with the requirements of Government Code section 54953.4.

B. Background

In 2025, the California Legislature passed, and the Governor signed, Senate Bill 707 related to open meetings held pursuant to the Ralph M. Brown Act. (Government Code sections 54950, et seq.). Effective July 1, 2026, a meeting held by an “eligible legislative body,” as defined, must include an opportunity for members of the public to attend via a two-way telephonic service or a two-way audiovisual platform, with certain exceptions. The law provides that the open session of any such meeting must recess should any disruption of telephonic or internet service occur, that the meeting may continue in closed session during this recess, that the eligible legislative body must make a good faith effort to restore telephonic or internet service in accordance with an adopted policy for a minimum of one hour, and that the legislative body may thereafter reconvene into open session even if telephonic or internet service is not restored upon making certain findings. The Mendocino County Board of Supervisors is an “eligible legislative body” as defined in Senate Bill 707.

C. Purpose

The purpose of this policy is to establish the policy required by Government Code section 54953.4 for the Mendocino County Board of Supervisors. This policy applies to all meetings of the Board for which public attendance via a two-way telephonic service or a two-way audiovisual platform is provided in accordance with Section 54953.4, subdivision (b)(1).

D. Definitions

“Board” means the Mendocino County Board of Supervisors.

“Meeting” shall have the meaning stated in Government Code section 54952.2(a).

“Two-way audiovisual platform” shall have the meaning stated in Government Code section 54953.4(e)(3).

“Two-way telephonic service” shall have the meaning stated in Government Code section 54953.4(e)(3).

E. Disruption of Remote Access

The Clerk of the Board, or designee (Clerk) shall continuously monitor the meeting to ensure that remote access required by Government Code section 54953.4 is functional. This monitoring, at minimum, shall require that at least one device be present and visible to the Clerk that shows the continuous operation of the tools that allow for remote access, such as a live feed of the webcast.

Immediately upon the occurrence of any disruption to remote access, the Clerk shall notify the

Chair of the Board, and the Chair shall stop the proceedings and announce that remote access has been disrupted and proceedings must pause. The Chair, at their discretion, may wait for a brief period of time, during which no discussion or action may occur, to determine if remote access can be re-established. If remote access cannot be re-established after this brief period of time, the Chair shall announce that open session is in recess. During such recess, the eligible legislative body, directly or through a designee, must make good faith effort, as described below, for a minimum of one hour to restore telephonic or internet service to restore remote access. During an open session recess required due to remote access disruption, the Board may opt to meet in closed session for any item properly agendaized for closed session discussion at that meeting.

During the open session recess, including while any closed session is occurring, the Clerk shall continuously work to reestablish remote access. Efforts to restore the service shall include all of the following, at a minimum:

- Restarting any services and tools used to facilitate remote access, including any computers used to access those services and tools.
- Checking any physical network and electrical connections that may be responsible for the disruption.
- Reviewing the service status of any service or tool used to facilitate remote access, typically through a service status tool hosted by the service or tool.
- Resetting local network connections.
- Contacting technical support for the services or tools used to facilitate remote access, or the service provider of any communication or electrical service that has been disrupted, as applicable.
- Exploring viability of cellular-based network substitute in the event that the local network is down, but cell towers are still active.

F. Meeting Resumption Following Remote Access Restoration

Upon the restoration of the telephonic or internet service and related tools necessary for remote access, remote access shall be immediately restored. The Clerk shall announce to anyone attending the meeting remotely that service has been restored.

If the Board is currently in closed session, the Clerk shall announce to remote attendees that the Board is currently in closed session and that the open session will resume immediately after the closed session is concluded. If the Board is not then in closed session, the Clerk shall announce to remote attendees that the open session will resume immediately when a quorum is reestablished in the Board meeting room.

If the Board met in closed session during the disruption, as the first order of business in resuming open session, the Board shall announce any actions taken during that closed session as otherwise required pursuant to the Ralph M. Brown Act.

G. Meeting Resumption If Remote Access is Not Restored

If efforts taken in accordance with this policy to restore remote access are unsuccessful, the Board may reconvene into open session at any time after the minimum of one hour has elapsed.

In order to reconvene without remote access, the Board chair shall do each of the following:

1. Announce that remote access was unable to be restored despite good faith efforts having been made in accordance with this policy for no less than one hour.

2. Describe the efforts the Clerk took to restore service in accordance with this policy.
3. State that Government Code section 54953.4 and this policy allow the Board to resume open session without remote access upon making both of the following findings by rollcall vote:
 - (1) That good faith efforts to restore the telephonic or internet service have been made in accordance with this policy; and
 - (2) That the public interest in continuing the meeting outweighs the public interest in remote public access.

Thereafter, any member of the Board may move to adopt these findings and resume the open session of the meeting. The Board shall take a roll call vote on such a motion. If the motion passes by majority vote (i.e., at least three affirmative votes), the open session of the meeting may resume in accordance with the posted agenda. If no motion is made, or should the motion not pass, the open session must immediately end. Prior to hearing any open session items, if the Board met in closed session during the recess, the Board shall announce any action taken during closed session as otherwise required by the Ralph M. Brown Act.