

## **Policy: Disruption of Internet Service or Two-Way Remote Access Technology During Public Meetings**

### **1. Background**

Senate Bill 707 (2025) amended the Brown Act to require eligible legislative bodies to adopt, on or before July 1, 2026, a policy addressing how the agency will respond to disruptions in two-way remote access telephonic or internet services that prevent members of the public from listening and speaking while participating at a meeting remotely. This policy is adopted to comply with that requirement and to ensure continuity of public participation during two-way remote access technical disruptions.

### **2. Purpose**

This policy establishes procedures for responding to a disruption in the telephonic or internet services that provide two-way remote public access to meetings of the City of Pomona City Council, as required by the Brown Act (Gov. Code § 54953.4). The policy ensures transparency, public participation, and continuity of government during two-way remote access technology disruptions.

### **3. Definitions**

For purposes of this policy:

- “Disruption” means any failure, outage, or other interruption that prevents members of the public from listening and speaking while participating at the meeting via these remote access services.
- “Remote access services” means City-approved two-way telephonic service and/or two-way audiovisual platform such as video conferencing systems used to provide real-time remote public participation of meetings.

### **4. Applicability**

This policy applies to all open and public meetings of the City Council at which remote public participation is offered or required under the Brown Act. This policy does not apply to one-way television broadcasts including Public Educational Governmental (PEG) Access Channel 1301 or Channel 29 or one-way Internet streams of City Council meetings. The meeting may carry on if one or more one-way services are disrupted, so long as two-way remote public access is functioning.

## **5. Procedures in the Event of a Service Disruption**

### **5.1. Response to Service Disruption**

If the Presiding Officer or Clerk becomes aware of a disruption to the agency's remote two-way access services that prevents members of the public from listening and speaking at the meeting remotely:

1. The Presiding Officer or Clerk shall immediately announce the remote access service disruption to the public.
2. The Presiding Officer shall then call for a recess of the open session or convene the legislative body into closed session, consistent with the Brown Act.
3. Staff shall begin efforts to diagnose and restore the disrupted service.
4. The meeting shall remain in recess for at least one hour or until service is restored, whichever is sooner. The recess period may be extended if restoration efforts are ongoing.

### **5.2. Efforts to Restore Service**

The agency shall make good faith efforts to restore remote two-way access services, which may include:

- Troubleshooting platform or teleconferencing software
- Resetting or replacing audiovisual equipment
- Attempting alternative connection methods
- Contacting necessary support staff or service providers
- Switching to back-up equipment or platforms, if available

The City Clerk shall document the restoration efforts undertaken.

## **6. Reconvening the Open Session**

### **6.1. Timing**

The open session may be reconvened after at least one hour has elapsed from the time of two-way remote access service disruption or as soon as service is restored, whichever occurs earlier.

### **6.2. If Service Is Restored**

If the two-way remote access service is restored before or at the time the meeting reconvenes, the meeting shall continue as normal.

### **6.3. If Service Is Not Restored**

## Exhibit A: Policy

If two-way remote access service has not been restored after one hour, the City Council may reconvene and:

1. Adjourn the meeting; or
2. Continue the meeting in open session by adopting, by roll call vote, the following, or a substantially similar, finding:

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

Upon adoption of the finding, the legislative body may continue the open session despite the fact that two-way remote access services have not been restored.

### **7. Recordkeeping**

The Clerk shall enter a brief statement into the meeting minutes, including the following:

- The nature and time of the disruption
- The restoration efforts undertaken
- The time the meeting was reconvened (if applicable)
- Any finding adopted pursuant to Section 6.3

### **8. Review and Updates**

This policy may be amended by the City Council at a noticed public meeting in open session, not on the consent calendar.