



DATE: May 19, 2026

TO: Mayor and City Council

FROM: City Clerk and City Attorney

SUBJECT: Disruption of Telephonic or Internet Service Policy: Adopt a Resolution Approving a Policy Addressing Disruption of Telephonic or Internet Service During Public Meetings Pursuant to Government Code Section 54953.4; and Determining that the Action Is Not Subject to Environmental Review.

RECOMMENDATION

That the City Council adopts a Resolution (Attachment II) approving the “Disruption of Telephonic or Internet Service During Public Meetings” policy in accordance with Government Code Section 54953.4, as amended by Senate Bill 707 in 2025.

SUMMARY

The California Legislature enacted Senate Bill 707 (SB 707) in 2025, amending the Ralph M. Brown Act to establish additional requirements related to remote participation and accessibility during public meetings conducted using telephonic or internet-based platforms. Among the new requirements, Government Code Section 54953.4(b)(1)(A) requires eligible legislative bodies, to provide two-way remote public access to meetings and to adopt formal policies addressing disruption of telephonic or internet services during meetings. These provisions go into effect July 1, 2026, and require adoption of a policy (Exhibit A of the Resolution) at a public hearing prior to that date.

The City of Hayward currently conducts hybrid City Council meetings, allowing both in-person and two-way remote public participation, consistent with SB 707 requirements. In order to comply with State law, the City must formalize procedures for addressing disruptions in two-way remote public access.

Adoption of the proposed policy will not only ensure compliance with State law, but will support transparency in public meetings, and provide operational guidance for City Council meetings conducted with remote participation capabilities.

FISCAL IMPACT

There is no fiscal impact associated with this report.

BACKGROUND

The Ralph M. Brown Act (Government Code Section 54950 et seq.) establishes requirements for open and public meetings of local legislative bodies. Over recent years, the Legislature has continued to modernize Brown Act provisions to address remote participation technologies and public access requirements.

In 2025, SB 707 amended various sections of the Brown Act to update teleconferencing and accessibility requirements applicable to local agencies conducting meetings with remote participation options. As part of these amendments, Government Code Section 54953.4 requires legislative bodies, such as the Hayward City Council, to adopt a formal policy addressing disruptions to telephonic or internet service during public meetings.

Specifically, Government Code Section 54953.4(b)(1)(A) requires legislative bodies to adopt the policy at a noticed public meeting in open session and not on the consent calendar. The policy must include procedures addressing:

- Recessing and reconvening meetings when disruptions occur;
- Efforts the legislative body will make to restore telephonic or internet service; and
- Procedures for continuing meetings when service cannot be restored despite good faith efforts.

State law further requires that when a disruption prevents the public from observing or participating through a two-way telephonic or audiovisual platform, the legislative body must recess the open session for at least one hour and make a good faith effort to restore service. The legislative body may not reconvene open session until at least one hour has passed or service has been restored, whichever occurs first.

If service has not been restored upon reconvening, the legislative body must make findings by roll call vote that:

1. Good faith efforts to restore service have been made; and
2. The public interest in continuing the meeting outweighs the public interest in remote public access.

The provisions of Government Code Section 54953.4 related to technology disruption policies apply only to meetings of the City Council and do not extend to Council-appointed commissions or Council standing advisory committees. Additionally, the statutory requirements relate to disruptions affecting two-way remote public participation platforms and do not apply to interruptions involving one-way television broadcasting on Channel 15 or internet livestreaming platforms such as YouTube, which are supplemental viewing platforms and do not provide the required two-way public participation functionality.

DISCUSSION

The City of Hayward currently conducts hybrid City Council meetings, allowing both in-person and two-way remote public participation, consistent with SB 707 requirements. In order to comply with State law, the City must formalize procedures for addressing disruptions in two-way remote public access. Adoption of the proposed policy will not only ensure compliance with State law, but will support transparency in public meetings, and provide operational guidance for City Council meetings conducted with remote participation capabilities.

This action is not a "Project" as defined under Section 15378 of the California Environmental Quality Act (CEQA) Guidelines because it involves adoption of administrative procedures related to the conduct of public meetings and has no potential for resulting in either a direct or reasonably foreseeable indirect physical change in the environment. Consequently, no environmental review is required for this action.

STRATEGIC ROADMAP

The agenda item is a routine operational item

PUBLIC CONTACT

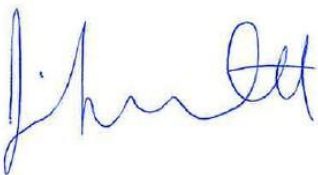
The City Council meeting agenda was posted on the City's official-notice bulletin board at City Hall, and at the Hayward Downtown Library. In addition, the agenda was posted on the City's website – Meeting & Agenda Center - [CITY OF HAYWARD - Calendar](#) and was distributed to City Council meeting agenda subscribers via the Active Campaign platform.

NEXT STEPS

If the City Council adopts the proposed resolution, staff will implement the adopted policy for City Council meetings; coordinate with the City Attorney's Office and technology support staff regarding implementation procedures and operational protocols; and update applicable meeting administration procedures and training materials.

Prepared and Recommended by: Miriam Lens, City Clerk
Michael Lawson, City Attorney
Michael Vigilia, Senior Assistant City Attorney

Approved by:



Jennifer Ott, City Manager