

Contra Costa County Board of Supervisors
Policy on Disruption of Telephonic or Internet Service During Meetings of the
Board of Supervisors

Section 1. 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 Contra Costa County Board of Supervisors, as required by the Brown Act. (Government Code section 54953.4.)

Section 2. Definitions.

For purposes of this Policy, the following words and phrases are defined as follows:

- (a) “**Board**” means the Contra Costa County Board of Supervisors.
- (b) “**Chair**” means the acting chair of the Contra Costa County Board of Supervisors.
- (c) “**Service Disruption**” means any failure, outage, or other interruption to the County’s remote access services that prevents members of the public from participating in a Board meeting through the remote access service.
- (d) “**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 Board meetings.
- (e) “**Two-way audiovisual platform**” shall have the meaning stated in Government Code section 54953.4(e)(3).
- (f) “**Two-way telephonic service**” shall have the meaning stated in Government Code section 54953.4(e)(4).
- (g) “**Brown Act**” means the Ralph M. Brown Act.

Section 3. Application.

This policy applies to all open and public meetings of the Board at which remote public access is required under the Brown Act.

Section 4. Remote Public Access.

- (a) When remote public access is required under the Brown Act, the Board shall provide members of the public with an opportunity to attend and participate in the meeting using a two-

way audiovisual platform or a two-way telephonic service, provided that adequate telephonic or internet service is operational at the meeting location.

(b) If adequate telephonic or internet service is not operational at the meeting location, the Board is not required to provide remote access. If adequate telephonic or internet service is operational for only a portion of the meeting, the Board will provide remote access during that portion of the meeting.

(c) Members of the public participating remotely shall be provided the same time allotment to provide public comment as members of the public attending in person.

Section 5. Service Disruptions.

If the Chair becomes aware of a service disruption:

(a) The Chair shall promptly announce that there is a service disruption.

(b) The Chair shall call for a recess of the open session and may convene the Board in an authorized closed session. The recess shall last for one hour or until service is restored, whichever is earlier.

(c) During the recess, County staff shall make a good faith effort to diagnose and restore the disrupted service. These efforts may include, but are not limited to:

- Restarting any services, tools, programs, or devices used to facilitate remote access;
- Attempting to access the service, tool, or program from another device;
- Contacting technical support for the services, tools, programs, or devices used to facilitate remote access;
- Resetting local network connections;
- Using back-up equipment or platforms, if available;
- Checking any physical network and electrical connections that may be responsible for the disruption; and
- 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.

Section 6. Reconvening the Open Session if Service Was Restored.

If service is restored within one hour of the start of the recess:

(a) The Chair shall reconvene the meeting and the meeting will resume.

(b) The Clerk of the Board, or designee, shall announce to anyone attending the meeting remotely that service has been restored.

(c) Before 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 if required by the Brown Act.

Section 7. Reconvening in Open Session if Service Was Not Restored.

After the expiration of one hour, if service has not been restored, the Chair shall report on the status of staff's efforts to restore remote access services, and the Board may reconvene to:

(a) Adjourn the meeting;

(b) Resume the meeting, with the Chair stating that Government Code section 54953.4 and this policy allow the Board to resume in open session without remote access by making the following or a substantially similar finding:

“The County 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.”

Thereafter, any member of the Board may move to adopt this finding and resume the open session of the meeting. The Board shall take a roll call vote on this motion. If the motion passes by majority vote, the open session of the meeting may resume in accordance with the posted agenda. If no motion is made, or if the motion does not pass, the open session must immediately end. Before 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 if required by the Brown Act.

Section 8. Recordkeeping.

The Clerk of the Board, or designee, shall enter the following information into the meeting minutes:

- The nature and time of the service disruption;
- A brief description of the efforts made to restore service;
- The time the meeting was reconvened (if applicable); and
- Any finding adopted pursuant to Section 7.