

RESOLUTION NO. 6880

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UPLAND, CALIFORNIA APPROVING A TECHNOLOGY DISRUPTION POLICY ADDRESSING HOW THE CITY WILL RESPOND TO DISRUPTIONS IN TELEPHONIC OR INTERNET SERVICE THAT PREVENT MEMBERS OF THE PUBLIC FROM ATTENDING OR OBSERVING A MEETING REMOTELY; AS REQUIRED BY SENATE BILL 707 (SB 707)

WHEREAS, On October 3, 2025, Governor Newsom signed into law Senate Bill 707 (SB 707), which amended the Brown Act. Among the various new requirements under SB 707, all qualified legislative bodies must now offer hybrid meetings (through a two-way phone or video platform); and

WHEREAS, SB 707 requires the City to formally adopt a policy, on or before July 1, 2026, that establishes the procedure for recessing and reconvening a meeting in the event of disruption of remote participation and the efforts that the City Council and staff shall make to attempt to restore the service.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF UPLAND AS FOLLOWS:

SECTION 1. The above recitals are true and correct and are incorporated herein by this reference.

SECTION 2. The City Council does hereby adopt the Technology Disruption Policy, attached hereto as Exhibit A and incorporated herein by this reference.

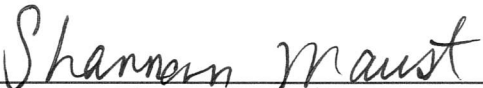
SECTION 4. Compliance with California Environmental Quality Act. The City Council finds that this Resolution is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Further, if the activity is deemed a project this City Council finds that this Resolution is exempt pursuant to Section 15061(b)(3) of the State CEQA Guidelines.

SECTION 6. Certification. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

SECTION 7. Severability. If any section, subsection, subdivision, sentence, or clause or phrase in this Resolution or any part thereof is for any reason held to be unconstitutional, invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Resolution or any part thereof. The City Council hereby declares that it would have adopted each section irrespective of the fact that any one or more subsections, subdivisions, sentences, clauses, or phrases are declared unconstitutional, invalid, or ineffective.

SECTION 8. Effective Date. This Resolution shall become effective July 1, 2026.

PASSED, APPROVED and ADOPTED this 26th day of May, 2026.



Shannan Maust, Mayor Pro Tem

I, Keri Johnson, City Clerk of the City of Upland, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council held on the 26th day of May, 2026, by the following vote:

AYES: Mayor Pro Tem Maust, Councilmembers Breitling, Garcia, Zuniga
NOES: None
ABSENT: Mayor Velto
ABSTAINED: None

ATTEST:



Keri Johnson, City Clerk



City of Upland

Technology Disruption Policy Required by SB 707

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 City will respond to disruptions in telephonic or internet service that prevent members of the public from attending or observing a meeting remotely.

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 Upland City Council, as required by the Brown Act (Gov. Code § 54953.4). The policy ensures transparency, public participation, and continuity of government during technology disruptions.

POLICY

1. Definitions

For purposes of this policy:

- a. "Service Disruption" means any failure, outage, or other interruption to the agency's remote access services that prevents members of the public from participating in a City Council meeting through the remote access service.
- b. "Disrupting" means engaging in behavior during a meeting of the City Council that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting and includes, but is not limited to one of the following:
 - c. A failure to comply with reasonable and lawful regulations adopted by the City Council of the City of Upland
 - d. Engaging in behavior that constitutes use of force or a true threat of force.
- e. "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 meetings.
- f. "Two-way audiovisual platform" means an online platform that provides participants with the ability to participate in a meeting via both an interactive video conference and a two-way telephonic service.
- g. "Two-way telephonic service" means a telephone service that does not require internet access and allows participants to dial a telephone number to listen and verbally participate.
- h. "True threat of force" means a threat that has sufficient indicia of intent and seriousness, that a reasonable observer would perceive it to be an actual threat to use force by the person making the threat.

2. Applicability

This policy applies to all open and public meetings of the City Council at which remote public participation is required under the Brown Act. Consistent with the Brown Act, this policy shall not apply to the following meetings:

- a. Meetings held to attend a judicial or administrative proceeding to which the City of Upland is a party.
- b. Meetings held to inspect real or personal property provided that the topic of the meeting is limited to items directly related to the real or personal property.
- c. Meetings held to 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 City of Upland and over which the federal or state



officials have jurisdiction.

- d. Meetings held to meet in or nearby a facility owned by the City of Upland, provided that the topic of the meeting is limited to items directly related to the facility.
- e. Meetings held in an emergency situation pursuant to Government Code section 54956.5.

3. Remote Public Access Generally

When remote public access is required under the Brown Act, the City Council 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.

If adequate telephonic or internet service is not operational at the meeting location, the City Council shall not be required to provide remote access. If adequate telephonic or internet service is operational for only a portion of the meeting, the City Council shall provide remote access during that portion of the meeting.

If a two-way audiovisual platform is used, the City Council shall:

- a. Publicly post and provide a call-in option as well; and
- b. Activate any automatic captioning function that is available in the audiovisual platform.

If a two-way audiovisual platform is not provided, the City Council shall provide a two-way telephonic service.

Members of the public participating remotely shall be provided the same opportunity to provide public comment as members of the public attending in person, including the same time allotment.

4. Response to Service Disruption

If the Mayor or City Clerk becomes aware of a service disruption:

- a. The Mayor or City Clerk shall immediately announce the service disruption to the public.
- b. The Mayor shall call for a recess of the open session and may convene the legislative body in an authorized closed session, consistent with the Brown Act. The recess shall last for one hour or until service is restored, whichever is earlier.
- c. During the recess, City of Upland staff shall make a good faith effort to diagnose and restore the disrupted service.

5. Reconvening the Open Session

After the expiration of the hour, if service has not been restored, the Mayor or City Clerk shall report on the status of staff's efforts to restore remote access services, and the City Council may reconvene to:

- a. Adjourn the meeting;
- b. Extend the recess to allow staff more time to make a good faith effort to restore remote access services; or
- c. Continue the open session portion of the meeting by adopting, by roll call vote, the following or a substantially similar finding:

"The City of Upland 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."

6. Recordkeeping

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

- The nature and time of the service disruption;
- The time the meeting was reconvened (if applicable);



- Any finding adopted pursuant to Section 5.

7. Response to Members of the Public Disrupting a Meeting

If the Mayor or City Clerk becomes aware of a member of the public who is attending the meeting through remote access services and is disrupting the meeting or otherwise preventing other members of the public from attending or observing the meeting remotely or in-person:

- a. The Mayor or City Clerk shall warn the person who is participating through remote access services that he or she is disrupting the meeting and his or her failure to cease that behavior may result in his or her removal.
- b. If the person to whom the Mayor gave the above warning persists in disrupting the meeting, the Mayor shall order staff to:
 - i. mute or otherwise limit the individual's ability to disrupt the meeting, while allowing the individual to continue to observe and attend the meeting; or
 - ii. remove the individual from the meeting if paragraph (a) does not address the disrupting behavior or is not available using the remote access service.

8. Review and Updates

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