



Folsom City Council Staff Report

MEETING DATE:	9/8/2026
AGENDA SECTION:	Consent Calendar
ITEM TITLE:	Resolution No. 11691 – A Resolution Approving a Policy for Remote Participation in City Council Meetings in Compliance with Senate Bill 707
FROM:	City Clerk's Department City Attorney's Office

RECOMMENDATION / CITY COUNCIL ACTION

Staff recommends that the City Council approve Resolution No. 11691 - A Resolution Approving a Policy for Remote Participation in City Council Meetings in Compliance with Senate Bill 707.

BACKGROUND / ISSUE

The Ralph M. Brown Act (Government Code Sections 54950–54963) is California's foundational open meetings law, guaranteeing the public's right to observe and participate in the deliberations of local legislative bodies. The Brown Act has long required that meetings of the City Council be held at a physical location open to the public, with public comment opportunities.

In October 2025, Governor Newsom signed Senate Bill 707 (SB 707) to address remote participation for "eligible legislative bodies" (which includes the Folsom City Council). Under the new law, cities are now required to provide a "hybrid" meeting format that allows the public to actively participate via two-way telephonic or audiovisual platforms in addition to traditional in-person participation.

POLICY / RULE

Government Code Section 54953.4, which was added by SB 707, provides the legal framework for the proposed policy. The statute requires a local agency's legislative body to allow members

of the public to participate remotely using a two-way telephonic or audiovisual platform. The statute also requires eligible legislative bodies like the City of Folsom to take the following actions in open session, not on the consent calendar:

1. Adopt a written policy governing remote public participation, approved by the legislative body by a majority vote;
2. Include in the policy the means by which the public may remotely address the legislative body and the procedures for recessing and reconvening a meeting in the event of disruption of telephonic or internet service during a meeting of the legislative body and the efforts that must be taken to attempt to restore the service;
3. Post the policy on the agency's website;
4. Include in each meeting agenda: (1) the physical address of the meeting location; and (2) instructions and links for accessing the telephonic and/or audiovisual platform;
5. Provide access to the remote participation platform without requiring payment or subscription fees by members of the public;
6. Ensure that the platform allows two-way communication so that members of the public can provide public comment;
7. Apply public comment time limits equally to in-person and remote participants;
8. Make good-faith efforts to restore service if a technology failure prevents remote public access, including a one-hour recess before reconvening open session; and
9. Adopt specified findings by roll call vote before resuming open session if remote access cannot be restored after a technology failure.

ANALYSIS

Overview of the Proposed Policy

The proposed City of Folsom Policy for Remote Public Participation in City Council Meetings has been prepared by the City Clerk's Department in consultation with the City Attorney's Office. The policy is structured to satisfy the requirements of Government Code Section 54953.4 and SB 707 and to establish clear procedures for the City Clerk's office to administer hybrid meetings. The key provisions of the policy are summarized below.

Remote Access and Platform Requirements

The policy requires the City to provide a two-way telephonic and/or audiovisual platform that enables members of the public to address the Council during public comment periods. Consistent with SB 707, use of the platform will be free of charge to participants. Access instructions and links will be included on every meeting agenda and posted on the City's website, ensuring that members of the public can readily locate and use the remote access option.

Public Comment Procedures

The policy establishes equitable procedures for public comment by both in-person and remote participants:

1. Time limits for public comment (typically three minutes per speaker) apply equally to in-person and remote speakers, consistent with the requirements of Section 54953 and Section 54954.3.
2. Remote participants wishing to address the Council will use the 'raise hand' or equivalent feature of the platform. The City Clerk or designee will monitor the platform queue and recognize speakers in order received.
3. The presiding officer or City Clerk will alternate between in-person and remote speakers where feasible, ensuring equitable access regardless of the method of participation.

Disruption Management and Platform Controls

The policy establishes a progressive discipline protocol for disruptive conduct, applicable equally to in-person and remote participants. The protocol provides for:

1. A first warning identifying the disruptive behavior and requesting compliance;
2. A final warning advising that continued disruption will result in removal or disconnection; and
3. Removal (for in-person participants) or disconnection (for remote participants), with no permission to rejoin for the remainder of the meeting.

The policy also authorizes the presiding officer to bypass the warning process and proceed to immediate removal or disconnection in cases involving threats of violence, imminent threats to public safety, severe or pervasive disruption, or repeat offenders previously provided a second warning or removed.

The City Clerk or designee is authorized to mute remote participants not recognized to speak and to disable video for participants displaying inappropriate visual content. These controls must be applied uniformly and without regard to viewpoint, consistent with constitutional protections for public comment.

Technology Failure and Meeting Continuity

The policy addresses the statutory requirements of SB 707 regarding equipment and/or technology failures.

If a disruption of telephonic or internet service occurs during the meeting, the City Council shall recess the open session of the meeting and make a good faith attempt to restore the service. The City Council may meet in closed session during this period. The City Council shall not reconvene the open session of the meeting until at least one hour following the disruption, or until telephonic or internet service is restored, whichever is earlier.

Upon reconvening the open session, if telephonic or internet service has not been restored, the City Council shall – before continuing the meeting - adopt a finding by rollcall vote that good faith efforts to restore the telephonic or internet service have been made and that the public interest in continuing the meeting outweighs the public interest in remote public access. If such a finding is not made, the meeting must be adjourned.

Technical difficulties affecting only an individual participant's personal equipment will not require suspension of the meeting. An individual disconnected during their comment due to their own technical difficulties will be given an opportunity to reconnect and complete their allotted comment time.

Compatibility with In-Person Participation

The policy expressly preserves and protects the public's right to attend and participate in City Council meetings in person. Remote participation is offered as an additional option to expand access; it does not diminish or replace the opportunity for in-person attendance. The public comment and disruption management procedures apply equally to in-person and remote participation.

FINANCIAL IMPACT

There is no financial impact associated with the adoption of this policy. However, implementing the remote access requirements of SB 707 – particularly with an eye towards avoiding technical failures - requires an update to the Council Chambers’ audiovisual equipment. City staff has been working with Sacramento Metro Cable Commission staff to utilize PEG grant funds for the necessary upgrades to avoid impacts to the City’s General Fund.

ATTACHMENTS

1. Resolution No. 11691 - A Resolution Approving a Policy for Remote Participation in City Council Meetings in Compliance with Senate Bill 707
2. City of Folsom Policy for Remote Participation in City Council Meetings

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Attachment 1

RESOLUTION NO. 11691

A RESOLUTION APPROVING A POLICY FOR REMOTE PUBLIC PARTICIPATION IN CITY COUNCIL MEETINGS IN COMPLIANCE WITH SENATE BILL 707

WHEREAS, the Ralph M. Brown Act (Government Code Sections 54950–54963) ensures the public's right to observe and participate in the deliberations of local legislative bodies; and

WHEREAS, in October 2025, Governor Newsom signed Senate Bill 707 (SB 707), mandating that eligible legislative bodies provide a hybrid meeting format for the public, allowing for both in-person and remote participation via two-way telephonic or audiovisual platforms; and

WHEREAS, the City of Folsom remains committed to transparency, accessibility, and expanding opportunities for public engagement while maintaining the orderly conduct of public meetings; and

WHEREAS, staff has developed a policy to satisfy the requirements of Government Code Section 54953.4, as added by SB 707; and

WHEREAS, this policy establishes equitable procedures for public comment, ensuring that remote and in-person participants are granted equal time limits and access to be heard by the City Council; and

WHEREAS, the policy includes a progressive discipline protocol to manage disruptive conduct by in-person or remote participants and specific "good-faith" restoration procedures that apply in the event of a technology failure, as required by state law; and

WHEREAS, the adoption of this policy does not diminish the public's right to attend meetings in person, but rather offers remote participation as an additional option to enhance accessibility for all members of the community.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Folsom that:

1. Adoption. The City Council hereby approves and adopts the "City of Folsom Policy for Remote Public Participation in City Council Meetings."
2. Effective Date. This policy shall take effect immediately.
3. Implementation. The City Clerk is authorized to implement the administrative procedures and technical controls necessary to conduct hybrid meetings in accordance with this policy and the Brown Act.
4. Public Notice. The City Clerk shall ensure that all meeting agendas and the City's website provide clear instructions for remote public access in compliance with the provisions of this policy and the Brown Act.

PASSED AND ADOPTED this 8th day of September 2026, by the following roll-call vote:

AYES: Councilmember(s):

NOES: Councilmember(s):

ABSENT: Councilmember(s):

ABSTAIN: Councilmember(s):

Justin Raithel, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

Attachment 2

City of Folsom Policy for Remote Public Participation in City Council Meetings

Effective Date: [date adopted]

Authority: California Government Code Section 54953.4

I. PURPOSE

This policy establishes procedures for remote public participation in City Council meetings in compliance with the requirements of SB 707 and to ensure transparency, accessibility, and the orderly conduct of meetings while providing expanded opportunities for public engagement.

II. GENERAL PROVISIONS

A. Remote Public Participation Authorized

Members of the public may participate remotely in City Council meetings through telephonic and/or audiovisual means as provided by this policy. Remote participation includes the ability to observe meetings and provide public comment without physically attending the meeting location.

B. In-Person Participation

Nothing in this policy shall be construed to limit or discourage in-person public participation. Members of the public may attend and participate in meetings at the physical meeting location.

III. REMOTE ACCESS METHODS

A. Remote Access Platform

1. The City shall provide remote public access via a two-way telephonic and/or audiovisual platform that allows members of the public to hear the meeting and address the Council.
2. The platform shall be accessible without requiring payment or subscription fees.
3. Instructions for accessing the telephonic and/or audiovisual platform shall be included on each meeting agenda and posted on the City's website.

B. Agenda Posting Requirements

Each agenda shall include:

1. The physical address of the primary meeting location
2. Instructions and links for accessing the telephonic and/or audiovisual remote participation platform

IV. PUBLIC COMMENT PROCEDURES

A. General Public Comment Rules

1. Public comment time limits shall apply equally to in-person and remote participants (typically 3 minutes per participant, unless modified by the Mayor or Council).
2. Participants may be requested to identify themselves by name before providing comments.
3. Public comments shall be directed to the Council and shall relate to matters within the Council's jurisdiction.
4. Comments shall be courteous and respectful; profanity, personal attacks, and threatening language are prohibited whether the participant is participating in-person or via remote access.

B. Remote Public Comment Process

1. **Remote Participants:**
 - a. Participants wishing to provide public comment shall use the "raise hand" or similar feature on the platform
 - b. The City Clerk or designee shall monitor the platform and recognize participants in the order received
 - c. Participants will be muted after their comments are concluded.

C. Order of Public Comment

1. All participants wanting to speak on an agenda item shall have the opportunity to do so, consistent with the terms of this policy.
2. The presiding officer or City Clerk may alternate between in-person and remote participants when feasible to ensure equitable access.
3. If there are no participants from one format (in-person or remote), all participants from the available format will be recognized.
4. The presiding officer retains discretion to adjust the order of participants to accommodate timing or technical issues.

V. DISRUPTION MANAGEMENT

A. Prohibited Conduct

The following conduct is prohibited and constitutes disruption of the meeting:

1. Using profane, threatening, abusive, or obscene language
2. Making personal attacks against Council members, staff, or members of the public
3. Speaking out of turn or refusing to yield when time has expired
4. Engaging in excessive or prolonged outbursts, such as clapping, yelling, chanting, or booing
5. Displaying visual images, screen sharing, or gestures that are obscene, harassing, or disruptive
6. Using virtual backgrounds or profile images that contain offensive or discriminatory content, or content that violates the terms of this policy
7. Playing music, videos, or other audio that disrupts the meeting
8. Repeatedly interrupting participants or the Council's deliberations
9. Impersonating another person or using false identification
10. Engaging in intentional technological disruption
11. Refusing to comply with meeting rules and procedures after warning

B. Progressive Discipline Protocol

The presiding officer shall use the following progressive approach when addressing disruptive behavior:

1. First Warning:

- a. Identify the disruptive behavior and the participant or group engaging in the disruptive behavior
- b. Request immediate compliance with meeting rules
- c. Explain that continued disruption will result in removal/disconnection

2. Second Warning (Final Warning):

- a. State that this is the final warning
- b. Advise that the next disruption will result in immediate removal or disconnection of the participant or group engaging in the disruptive behavior for the remainder of the meeting.
- c. Advise the participant that they may be immediately removed, without warning, if they have been warned, received a second warning, or removed at a previous meeting for similar conduct.

3. Removal/Disconnection:

- a. Order the immediate removal (for in-person participants) or disconnection (for remote participants) of the individual or group from the meeting
- b. The individual shall not be permitted to rejoin or reconnect for the remainder of the meeting

C. Immediate Removal or Disconnection

The presiding officer may skip the warning process and immediately order removal or disconnection without prior warning when:

1. The disruption involves threats of violence or actual violence
2. The conduct poses an immediate threat to public safety or order
3. The disruption is severe, pervasive, or prevents the meeting from proceeding
4. The individual has been warned or removed at a previous meeting for similar conduct

D. Muting and Video Controls

1. The City Clerk or designee may mute all participants except the person recognized to speak.
2. Participants who are not currently speaking may be required to keep their microphones muted.
3. The City Clerk or designee may disable video feed for participants displaying inappropriate visual content.
4. These controls shall be applied uniformly and not based on viewpoint.

VII. MEETING CONTINUITY

A. Technical Difficulties – City Equipment

1. If a disruption of telephonic or internet service occurs during the meeting, the City Council shall recess the open session of the meeting and make a good faith attempt to restore the service. The City Council may meet in closed session during this period. The City Council shall not reconvene the open session of the meeting until at least one hour following the disruption, or until a level of telephonic or internet service sufficient to allow remote participation via a two-way telephonic service or a two-way audiovisual platform is restored, whichever is earlier.
2. Upon reconvening the open session, if telephonic or internet service has not been restored, the City Council shall adopt a finding by rollcall vote that good faith efforts to restore the telephonic or internet service have been made and that the public interest in

continuing the meeting outweighs the public interest in remote public access. If the City Council does not adopt such a finding, the meeting shall be adjourned.

B. Technical Difficulties – Individual’s Equipment

1. If an individual is disconnected during their comment due to technical difficulties of their personal equipment, they will be given the opportunity to reconnect and complete their comment time.
2. Technical difficulties affecting solely individual participants shall not require the meeting to be continued or suspended.

VIII. IMPLEMENTATION AND REVIEW

A. Effective Date

This policy shall take effect upon approval by the City Council in Open Session.

B. Review / Amendments

This policy shall be reviewed and updated as necessary to ensure compliance with state law and best practices and may be amended by resolution of the City Council.

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Adopted by the City Council on [Date] by Resolution No. 11691

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and minimize paper use.*



CITY OF
FOLSOM
DISTINCTIVE BY NATURE