




February 2, 2026

To: Executive Committee

From: Darrell E. Johnson, Chief Executive Officer 

Subject: Updates to the Ralph M. Brown Act

Overview

SB 707 (Chapter 327, Statutes of 2025) was passed on October 3, 2025, amending the Ralph M. Brown Act (Government Code Section 54950 et seq.). These amendments began taking effect January 1, 2026, with notable changes related to public participation becoming effective on July 1, 2026. This report provides an overview of the changes impacting meetings held by the Orange County Transportation Authority and seeks direction regarding the adoption of a meeting disruption policy and teleconferencing options available to Board Members.

Recommendations

- A. Direct staff to return with an Orange County Transportation Authority Board of Directors Meeting Disruption Policy for consideration by the Orange County Transportation Authority Board of Directors.
- B. Provide direction to staff regarding the ability of Orange County Transportation Authority Board Members to use the “just cause” alternative teleconferencing method and return with a policy for Board of Directors consideration, if directed.

Background

SB 707 amends the Ralph M. Brown Act (Brown Act) by introducing new teleconferencing requirements, detailing eligibility rules for members of legislative bodies to participate remotely and enhanced accessibility for members of the public. The bill expands teleconferencing options and allows Board Members with disabilities to participate remotely as a reasonable accommodation without posting an agenda or providing public access to their location, consistent with recent Attorney General guidance. It preserves the traditional teleconferencing allowances that require public access at each remote site but also extends the “alternative teleconferencing” framework

introduced during the coronavirus pandemic. SB 707 allows for Board Members to participate in meetings remotely for just cause such as illness, medical needs, family care, or official travel, with limits on how many times this option may be used each year.

SB 707 also strengthens public accessibility requirements by requiring certain eligible legislative bodies to offer remote public comment via phone or video, provide closed captioning where available, maintain accessible meeting webpages, and translate agendas into languages spoken by at least 20 percent of the jurisdiction's limited English proficient population. SB 707 directly affects the Orange County Transportation Authority (OCTA) as its Board of Directors (Board) qualifies as an eligible legislative body.

Discussion

SB 707 will impact the manner in which OCTA conducts Board and committee meetings. An overview of these changes is provided below.

Remote Public Access and Participation

The Board qualifies as an "eligible legislative body" under SB 707, and, therefore, all OCTA Board and committee meetings are subject to the new public access and participation requirements. Beginning July 1, 2026, OCTA will be required to provide an opportunity for members of the public to attend OCTA Board and committee meetings and provide public comment through a two-way telephonic service or a two-way audiovisual platform, unless adequate telephonic or internet service is not operational at the meeting location. This requires OCTA to provide a means for members of the public to provide public comment remotely via a two-way audiovisual platform such as Zoom, which OCTA currently utilizes, or a call-in number. If an audiovisual platform like Zoom is used, automatic captioning will also be required if the platform provides that functionality. Based on prior experience utilizing audiovisual platforms for Board and committee meetings, staff plans to continue to utilize Zoom as the preferred platform for all meetings beginning July 1, 2026.

Board Meeting Disruption Policy

Prior to July 1, 2026, the Board must approve on the regular calendar, at a noticed public meeting, a policy regarding the disruption of telephonic or internet service. This policy must include the procedures for recessing and reconvening a meeting in the event of a disruption as well as the efforts OCTA will make to attempt to restore service. The policy must include the requirement that if a disruption of the internet/telephonic service prevents the public from attending or observing remotely, the Board must recess the open session meeting for at least one hour and make a good faith attempt to restore the service. The Board

may meet in closed session during this period. The Board cannot reconvene the open session of the meeting until the earlier of (1) at least one hour following the disruption or (2) until service is restored. If telephone/internet service has not been restored after good faith attempts have been made to restore the service for at least one hour, the Board can reconvene the meeting but must adopt a finding by rollcall vote that good faith efforts to restore the meeting were made in accordance with the policy and that the public interest in continuing the meeting outweighs the public interest in remote public access. With Board direction, staff will develop the Board Meeting Disruption Policy and return for final approval.

Translation, Interpretation, and Public Participation

SB 707 requires translation of agendas under specified criteria. This criteria includes English proficiency thresholds as determined by the most recent American Community Survey, for the populations served.

Staff has reviewed and, based on the criteria included in SB 707, OCTA is not required to translate the meeting agenda. While agenda translation is not a legal requirement for OCTA, it may be prudent to include information related to publicly available translation tools such as Google Translate or various artificial intelligence platforms on OCTA's website.

SB 707 also requires public agencies to reasonably assist any member of the public who wishes to translate a meeting or wishes to receive interpretation provided by another member of the public, so long as the interpretation does not disrupt the meeting. Reasonable assistance may include arranging space for interpreters at the meeting location, allowing extra time during the meeting for interpretation, or ensuring that participants may use personal equipment or reasonably access commercially available interpretation services. OCTA is not required to provide interpretation of meetings but may elect to at its discretion. Staff has evaluated these requirements and has developed a plan to reserve rows within the existing Board room for members of the public to provide their own interpretation services.

OCTA will also be required to provide a physical location for members of the public to post their own additional translations of the agenda in reasonable proximity to the physical location in which OCTA's meeting agendas are posted. OCTA's meeting agendas are posted on electronic boards visible from the Board meeting location. Staff will identify a location for a materials stand for the public to provide alternative translations for Board and committee meetings.

In addition to the above, SB 707 requires OCTA to encourage residents, including those in underrepresented communities and non-English-speaking communities, to participate in public meetings, including maintaining a system for electronically accepting and fulfilling requests for meeting agendas and

documents through email or through an integrated agenda management platform and maintaining an accessible internet webpage dedicated to public meetings that provides information about Board and committee meetings and the steps to participate. OCTA currently manages requests for meeting agendas through the OCTA Clerk of the Board email address (clerkoffice@octa.net) or the Clerk of the Board hotline at (714) 560-5676 and will begin updating the website to comply with SB 707 requirements.

Teleconferencing

SB 707 revises, recasts, and expands the teleconferencing options available under the Brown Act. Notably, SB 707 codifies a recent opinion issued by the California Attorney General permitting remote teleconferencing as a reasonable accommodation for a disabled member of a legislative body. To participate remotely under a reasonable accommodation, the Board Member is required to participate using both audio and video technology, unless their physical condition results in a need to participate off camera, and the member would be required to disclose whether anyone 18 years of age or older is present in the room along with the member's relationship to those individuals. The member's remote location would not have to be noticed on the agenda or accessible to the public.

The alternative teleconferencing provisions were also modified and expanded by SB 707, including teleconferencing for just cause and two new teleconferencing options for "eligible subsidiary bodies" and "eligible multijurisdictional bodies," which are defined in statute. For OCTA's purposes, only the just cause alternative teleconferencing would be an option for Board and committee meetings because the other teleconferencing options that apply to "eligible subsidiary bodies" and "eligible multijurisdictional bodies" as defined in SB 707, exclude elected officials and compensated Board Members, respectively, from being able to participate remotely unless their remote location is noticed and open to the public.

Traditional teleconferencing remains an option for Board Members to participate in Board and committee meetings from noticed locations that are accessible to the public. Staff is seeking direction on development of a just cause teleconferencing as an option. If the Board elects to implement a just cause provision, staff will return with a policy for Board consideration. SB 707 permits teleconferencing for just cause, under certain circumstances (1) a contagious illness, (2) a need related to a physical or mental condition, (3) travel on official business of OCTA or another state or local agency, (4) an immunocompromised family member, (5) a physical or family medical emergency, and (6) military service obligations.

There are several conditions for utilizing just cause. Under this teleconferencing method, a Board Member would be required to notify the Board or committee at the earliest possible opportunity, including at the start of a regular meeting, for the need to participate remotely for just cause. In order to be permitted to teleconference for just cause, a quorum of the Board or committee would be required to participate in person from the meeting location identified on the agenda. The meeting minutes would reflect the specific provision of law the member relied upon to participate remotely.

When participating remotely for just cause, the Board Member would be required to participate through both audio and visual technology at all times during the meeting. The Brown Act limits the number of meetings a Board Member may teleconference for just cause based upon the number of times the legislative body meets per month, which, as applied to OCTA, would be up to five Board meetings per year and up to two committee meetings per year for each committee on which the member serves. For example, a Board Member who serves on the Executive Committee and Transit Committee may teleconference for just cause up to five times per year for Board meetings, up to two times per year for Executive Committee meetings, and up to two times per year for Transit Committee meetings. With Board direction, staff will return to the Board with a policy for “just cause” teleconferencing.

Summary

A summary of recent amendments to the Brown Act that will impact Board and committee meetings is provided. Staff will return to the Board with further updates based upon Board direction.

Attachment

None.

Prepared by:



Andrea West
Clerk of the Board
(714) 560-5611

Approved by:



Jennifer L. Bergener
Deputy Chief Executive Officer
(714) 560-5462