

City of Palm Desert Staff Report

Meeting Date: April 23, 2026

Prepared By: Anthony J. Mejia, City Clerk

Department: City Clerk's Office

Subject: Update Regarding Senate Bill 707 Brown Act Compliance; Resolution Approving a Remote Access Service Disruption Policy; Ordinance Amending the Palm Desert Municipal Code Related to Public Conduct, Recording, and Disruptions During Meetings

Recommendation

1. Adopt a Resolution entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, ADOPTING A REMOTE ACCESS SERVICE DISRUPTION POLICY FOR BROWN ACT MEETINGS."
2. Introduce and Ordinance entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, AMENDING SECTION 2.36.270 OF THE PALM DESERT MUNICIPAL CODE REGARDING PUBLIC CONDUCT, RECORDING, AND DISRUPTION DURING CITY COUNCIL MEETINGS."

Executive Summary

Senate Bill 707 amended the Ralph M. Brown Act effective January 1, 2026, and imposed additional requirements on eligible legislative bodies effective July 1, 2026. The Palm Desert City Council is subject to those requirements.

This report provides an update on the City's implementation of SB 707 requirements related to public meeting access, teleconference procedures, website and agenda practices, public participation, and remote access disruption procedures. It also presents for adoption the City's Remote Access Service Disruption Policy, which SB 707 requires an eligible legislative body to approve in open session by July 1, 2026.

Palm Desert has already implemented the principal operational requirements, including two-way remote access with telephonic participation, equal public comment opportunity for remote participants, captioning, just-cause teleconference tracking, website posting practices, outreach, and voluntary Spanish agenda translation. The report also identifies additional implementation steps, including a direct subscription link for agenda and packet requests, posting available teleconference meeting locations on the public meeting webpage, and introducing an ordinance amending Palm Desert Municipal Code section 2.36.270 to address recording rights, disruptive conduct, removal, remote participation, and viewpoint-neutral enforcement during City Council meetings.

Need for Action

Senate Bill 707 amended the Ralph M. Brown Act and imposed additional requirements on eligible legislative bodies beginning July 1, 2026. The Palm Desert City Council is subject to those requirements. One of the required actions is adoption, at a noticed public meeting in open session, of a policy addressing disruption of telephonic or

internet-based remote access services during Brown Act meetings. In addition, the City is updating its written procedures and code provisions to align with current Brown Act requirements related to remote access, public participation, recordings, and meeting disruption standards.

Council action is needed at this time to formalize the City's compliance measures, adopt the required Remote Access Service Disruption Policy, and introduce an ordinance amending Palm Desert Municipal Code section 2.36.270 to address recording rights, disruptive conduct, removal, remote participation, and viewpoint-neutral enforcement during City Council meetings.

Background

On October 3, 2025, the Governor signed Senate Bill 707, which amended multiple provisions of the Ralph M. Brown Act. Among other things, Senate Bill 707:

- expanded and revised teleconference meeting rules;
- required additional remote public access measures for eligible legislative bodies;
- required an eligible legislative body to adopt a policy addressing disruption of telephonic or internet service during meetings;
- revised requirements related to website posting, public participation, translation, and accessibility; and
- clarified rules affecting recordings and disruptive conduct during meetings.

For purposes of Senate Bill 707, the Palm Desert City Council qualifies as an eligible legislative body. As a result, the City must comply not only with the general amendments that became effective January 1, 2026, but also with the additional eligible-legislative-body requirements that become operative July 1, 2026.

Remote Access and Public Participation

The City currently provides two-way remote access to City Council and other Brown Act meetings, including telephonic access and the ability for remote participants to provide live public comment. Remote participants receive the same public comment time as in-person speakers. The City's meeting materials include clear instructions for remote access and public participation.

The City also allows additional time for a speaker using a translator, consistent with Government Code section 54954.3.

Website, Agenda, and Public Meeting Information

The City posts regular and special meeting agendas and notices on the City website. The City's public meeting webpage includes a general explanation of the meeting process, instructions for public comment, a calendar of meeting dates, and access to agendas and agenda packet materials.

The City is also implementing a direct subscription link for members of the public who wish to request agendas and agenda packet materials electronically. This measure will further support the statutory requirement for electronically accepting and fulfilling such requests.

Language Access and Outreach

Based on the City's review of applicable demographic thresholds, Palm Desert does not meet the Senate Bill 707 threshold that would require translated agendas as a mandatory legal requirement (see Attachment 4, Applicable Language Analysis). Even so, the City has elected to continue translating agendas into Spanish for the City Council and other Brown Act bodies as an access measure.

The City's public meeting webpage includes translation functionality. In addition, the City conducts periodic outreach through English- and Spanish-language publications, including advertisements in the Desert Sun and La Prensa, to encourage broader public awareness of meeting participation opportunities.

Teleconference Compliance Administration

The City uses teleconference procedures, including the just-cause provisions authorized by the Brown Act. The City tracks member use of just-cause participation and includes the required minute elements for those meetings.

To support continuing compliance with Government Code section 54953.8, the City Clerk will maintain and make available a list of one or more meeting locations that may be available for meetings conducted under the Brown Act teleconference provisions and will post that information on the City's public meeting webpage.

Remote Access Service Disruption Policy

Government Code section 54953.4 requires an eligible legislative body, on or before July 1, 2026, to approve at a noticed public meeting in open session a policy addressing disruption of telephonic or internet services occurring during meetings subject to that section.

The attached resolution and Exhibit A establish the City's Remote Access Service Disruption Policy. Upon adoption, the City Clerk will implement the policy citywide for the City Council and all boards, commissions, committees, and task forces that are subject to the Brown Act.

Existing Municipal Code Language and Need for Update

Palm Desert Municipal Code section 2.36.270 has not been substantively updated since 1975. The current language provides that a person who engages in specified conduct, including handclapping, stamping of feet, whistling, yelling, using profane language, or similar demonstrations that disturb the peace and good order of the meeting, or who refuses to comply with the lawful orders of the presiding officer, is guilty of a misdemeanor and may be removed and arrested.

That language predates significant Brown Act and First Amendment developments governing public meeting conduct, recordings, and removal standards. The current code section does not expressly address the public's statutory right to record open meetings, does not address remote participants, and does not clearly tie enforcement to actual disruption of the orderly conduct of the meeting. It also uses older phrasing that is broader and less precise than current law supports.

The attached ordinance updates section 2.36.270 to reflect current Brown Act requirements and related case law by clarifying recording rights, defining disruptive conduct in functional terms tied to actual interference with the meeting, applying the

standards to both in-person and remote participation, and requiring content-neutral and viewpoint-neutral enforcement. Staff is bringing the ordinance forward at this time so the Municipal Code is consistent with the City's broader Senate Bill 707 implementation measures.

Emergency Meeting Posting Location

Government Code section 54956.5 requires specified emergency meeting records to be posted for at least 10 days in a public place as soon as possible after the meeting. To support consistent compliance, emergency meeting minutes, the notification list, the roll-call vote, and the action taken will be posted at the City's public notice posting location outside the Council Chamber doors for the period required by law.

Compliance Status Summary

Based on staff's review, the City has completed the principal Senate Bill 707 implementation items, including:

- website posting of regular and special meeting notices and agendas;
- two-way remote access and telephonic participation;
- equal public comment opportunity for remote participants;
- teleconference just-cause tracking and minute documentation;
- translator time practices;
- captioning for remote access platforms;
- public meeting webpage access and public participation instructions;
- voluntary Spanish agenda translation; and
- public outreach through English- and Spanish-language publications.

The principal actions required at this time are adoption of the Remote Access Service Disruption Policy and introduction of the ordinance amending Palm Desert Municipal Code section 2.36.270. The remaining administrative implementation items described in this report are being completed as part of ongoing compliance.

Environmental Review

This action is not a project under the California Environmental Quality Act because it is an administrative activity that will not result in a direct or reasonably foreseeable indirect physical change in the environment. (14 Cal. Code Regs. §§ 15061(b)(3).)

Legal Review

This report has been reviewed by the City Attorney's Office.

Financial Impact

There is no significant fiscal impact associated with receiving and filing this update or adopting the attached policy. Existing staff and meeting technology resources will be used to administer the policy and related implementation measures.

Attachments

1. Draft Ordinance

2. Draft Resolution
3. Exhibit A – Remote Access Service Disruption Policy for Brown Act Meetings
4. Memo – Applicable Language Analysis

Conflict of Interest Awareness Checklist

Note: *This checklist is informational only and does not constitute a legal determination. Each Councilmember remains responsible for identifying, disclosing, and evaluating any disqualifying interests under the Political Reform Act and applicable FPPC regulations.*

1. Site-Specific Property Interest

Does this item involve a project site or other identifiable real property?

Yes

No

If yes, identify the project site:

Councilmembers should consider whether they own, lease, or hold interests in real property within 1,000 feet of the project site. (Gov. Code § 87103(b); FPPC Reg. 18702.2).

2. SB 1439 / Gov. Code § 84308 Applicability (Campaign Contributions)

Does this item involve a license, permit, other entitlement for use, or a contract or franchise agreement that is not competitively bid, a labor agreement, or a personal employment contract?

Yes

No

If yes, identify the applicant(s), appellant(s), party, or participant(s):

Councilmembers should review campaign contributions received within the prior 12 months from parties or participants to the proceeding and must not accept contributions over \$500 from those parties for 12 months following the final decision. (Gov. Code § 84308).