

Bay Area Air District Board Meeting Broadcast Technology Disruption Policy

1. Purpose

The purpose of this policy is to preserve public access and participation to the extent feasible during meetings of the Board of Directors and Board committees in the event disruptions in telephonic and/or internet service occur. This policy implements the requirements of Section 54953.4(b)(1)(A)(i)(I)(ib) of the California Government Code.

2. Applicability

This Policy applies to all Board of Directors and Board committee meetings for which telephonic and/or internet access is required under Government Code Section 54953.4(b)(1)(A)(i)(I).

3. Definition of Technology Disruption

A "technology disruption" occurs when the public is unable to attend and observe a meeting remotely through the telephonic and/or internet access services provided.

4. Roles and Responsibilities

The following persons/entities have the responsibilities listed below under this policy.

4.1 BAHA/MTC Shared Services:

- a. Operates all meeting technology systems.
- b. Monitors system functionality in real time.
- c. Leads troubleshooting and restoration efforts.
- d. Maintains reasonable backup capability, such as dial-in audio redundancy or equivalent, to support timely restoration of public access.

4.2 Clerk of the Boards:

- a. Confirms the existence and scope of a disruption with BAHA/MTC Shared Services.
- b. Advises the Chair regarding required actions under this policy.

4.3 Board/Committee Chair:

- a. Announces the disruption on the record.

- b. Determines whether to recess, reconvene, continue, or adjourn the meeting based on staff input and legal requirements.

5. Procedure During a Technology Disruption

In the event of a technology disruption, the Board/Committee and supporting staff will take the following steps to preserve public access and participation to the extent feasible, consistent with the needs to complete the Board/Committee business at hand.

5.1 Immediate Action

- a. Upon identification of the disruption, BAHA/MTC Shared Services shall immediately notify the Clerk.
- b. Upon notification from BAHA/MTC Shared Services, or upon identification of the disruption by other means, the Clerk shall promptly inform the Chair.
- c. Upon notification from the Clerk, or upon identification of the disruption by other means, the Chair shall announce the disruption on the record and shall temporarily pause the proceedings to allow for an initial assessment of the disruption.

5.2 Initial Assessment of the Disruption

- a. BAHA/MTC Shared Services shall investigate the cause of the disruption to assess whether it can be promptly remedied.
- b. If BAHA/MTC Shared Services can promptly remedy the disruption, it shall do so, and the meeting may continue once public telephonic and/or internet access to the meeting are restored.
- c. If BAHA/MTC Shared Services determine that the disruption cannot promptly be remedied, it shall report that determination to the Clerk, who shall report it to the Chair.

5.3 Procedures in the Event of Extended Disruption

- a. If public telephonic and/or internet access cannot be restored promptly, the Chair shall either (i) with the consent of the body, take up any closed session matters on the meeting agenda; or (ii) recess the meeting. The Board/Committee may not hear or discuss any open session items unless public telephonic and/or internet access have been restored or the Board/Committee has made the findings specified in Section 5.4(b) below.

- b. BAHA/MTC Shared Services shall work to restore public telephonic and/or internet access to the meeting using primary and backup systems.

5.4 Reconvening After Extended Disruption:

- a. If public telephonic and/or internet access has not been restored after at least one hour of restoration efforts, the Chair may call the Board/Committee back into open session to discuss whether to continue the open session meeting agenda without full telephonic and/or internet access.
- b. The Board/Committee may continue the open session meeting agenda without full telephonic and/or internet access if and only if the Board/Committee adopts findings, by rollcall vote, that:
 - i. Good faith efforts to restore service have been made in accordance with this policy for at least one hour; and,
 - ii. The public interest in continuing the meeting outweighs the public interest in remote public access.
- c. If the Board/Committee does not make the findings specified in Section 5.4(b) above, it may only (i) take up closed session items; (ii) recess to wait for public telephonic and/or internet access to be restored; or (iii) adjourn the meeting.

6. Documentation

The Clerk shall document the following information in the meeting minutes:

- The nature of the disruption.
- The time the disruption began and ended.
- The actions taken, including any recess, reconvening, rollcall vote, or adjournment.