

AGENDA ITEM 1 H  
Consent Item

**MEMORANDUM**

**DATE:** February 5, 2026

**TO:** El Dorado County Transit Authority

**FROM:** Megan Wilcher, Secretary to the Board/Administrative Coordinator

**SUBJECT:** Teleconferencing in Accordance With the 2026 Brown Act Changes Under Senate Bill 707

**REQUESTED ACTION:**

**BY MOTION,**

**Adopt Resolution No. 26-05 Authorizing the Use of Teleconferencing for Board of Directors and Transit Advisory Committee Meetings**

**BACKGROUND**

Senate Bill 707 (SB 707) was signed into law by the Governor of California on October 25, 2025 and went into effect on January 1, 2026, making numerous changes to the Brown Act, some of which impact the El Dorado County Transit Authority (El Dorado Transit) and some of which do not. Many of the new provisions apply only to “eligible legislative bodies” and “eligible multijurisdictional bodies,” which are not subject to the same requirements despite the use of the term “eligible”. An “eligible multijurisdictional body” is defined to include a joint powers authority in Government Code Section 54953.8.7(b)(2)(B). The impact of SB 707 on El Dorado Transit is further discussed below. All section references are to the Government Code.

**DISCUSSION**

*Teleconferencing.* Sections 54953 and 54953.8, subject all teleconferencing flexibility to the same set of basic rules, most of which are procedural and technical requirements that staff is responsible for handling. Among other helpful revisions, the new law:

- Expands the teleconferencing flexibility during state-declared emergencies to include local emergencies (Section 54953.8.20); and
- Extends the sunset on teleconferencing flexibility provisions for just cause and emergency circumstances through December 31, 2029 (Section 54953.8.3).

SB 707 now includes a definition for an “eligible multijurisdictional body”, which includes a joint powers entity as noted above. Going forward, to conduct a teleconferenced meeting, in addition to complying with the requirements set forth in Sections 54953 and 54953.8, the following requirements are set forth in Section 54953.8.7:

- (1) The eligible multijurisdictional body has adopted a resolution that authorizes the eligible multijurisdictional body to use teleconferencing pursuant to this section at a regular meeting in open session.
- (2) At least a quorum of the members of the eligible multijurisdictional body shall participate from one or more physical locations that are open to the public and within the boundaries of the territory over which the local agency exercises jurisdiction.

Further and importantly for each Board member, Section 54953.8.7 imposes requirements on the individual member, as follows:

- (1) A member of the eligible multijurisdictional body may participate from a remote location provided that:
  - The eligible multijurisdictional body identifies each member of the eligible multijurisdictional body who plans to participate remotely in the agenda.
  - The member shall participate through both audio and visual technology.
- (2) A member of the eligible multijurisdictional body shall not participate in a meeting remotely pursuant to this section, unless the location from which the member participates is more than 20 miles each way from any physical location of the meeting described in paragraph (2).

These new requirements are effective January 1, 2026 through December 31, 2029 unless revised.

In addition, SB 707 requires Americans with Disabilities Act (ADA) access by authorizing remote participation of a Board member as a reasonable accommodation (and treats it as in-person attendance for quorum purposes) if both of the following are met:

- (1) Member participates through audio and video – except any member with a disability may participate only through audio (no video) if “a physical condition related to their disability results in a need to participate off camera.”
- (2) At the meeting, and before any action is taken, member discloses (a) whether any individuals 18 or older are in the room at the remote location; and (b) the “general nature” of their relationship with the individuals.

With regard to just cause and emergency circumstances, now in Section 54953.8.3, SB 707 makes the following changes:

- (1) Removes the requirement for the legislative body to approve each instance a member of the legislative body wants to use teleconferencing flexibility for emergency circumstances, and applies the same rules for just cause and emergency circumstances;
- (2) Adds language that provides just cause flexibility should not limit the ability of a legislative body to use another teleconferencing flexibility provision; and
- (3) Requires that the minutes for the meeting identify the specific provision that each member relied upon to participate remotely.

The number of meetings in which a Board member may rely on either just cause or emergency circumstances remains unchanged. For both the Board of Directors and the Transit Advisory Committee, this limit is two meetings, as each body meets once per month or less. (Section 54953.8.3)

*Miscellaneous*

*Social Media.* Existing law allows board members to engage in separate conversations or communications outside of a meeting using social media for specified purposes, provided, among other things, that a majority of the members do not use the platform to discuss business of a specific nature within the subject matter jurisdiction of the legislative body. This bill in Section 54952.2 makes this exception indefinite.

*Disruptive Public.* Clarifies that the existing authority of a legislative body or its presiding officer to remove or limit participation by individuals or groups of persons who engage in behavior that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting, including existing limitations upon that authority, applies to members of the public participating in a meeting via a two-way telephonic service or a two-way audiovisual platform, as specified. Sections 54957.95 and 54957.96

**EL DORADO COUNTY TRANSIT AUTHORITY  
RESOLUTION NO. 26-05**

**RESOLUTION OF THE BOARD OF DIRECTORS OF  
THE EL DORADO COUNTY TRANSIT AUTHORITY  
AUTHORIZING THE USE OF TELECONFERENCING FOR MEETINGS**

**WHEREAS**, the Ralph M. Brown Act, California’s open meeting law, governs the conduct of public meetings by governmental bodies and Senate Bill 707, enacted by the legislature and signed into law by Governor Newsom made certain changes to the Brown Act effective January 1, 2026; and

**WHEREAS**, for many years the law has allowed virtual attendance at meetings through teleconferencing in specified instances and with adherence to detailed procedures; and

**WHEREAS**, among recent revisions to the law is a requirement in Government Code section 54953.8.7 that the board of a multijurisdictional body such as the El Dorado County Transit Authority adopt a resolution authorizing the use of teleconferencing for meetings.

**NOW, THEREFORE BE IT RESOLVED** that the Board of Directors adopts this resolution to specifically authorize members of the Board of Directors and Transit Advisory Committee to use teleconferencing.

**PASSED AND ADOPTED BY THE GOVERNING BOARD OF THE EL DORADO COUNTY TRANSIT AUTHORITY** at a regular meeting of said Board held on the 5<sup>th</sup> day of February 2026, by the following vote of said Board:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
El Dorado County Transit Authority Chairperson

ATTEST:

\_\_\_\_\_  
Megan Wilcher, Secretary to the Board