2025-2026 Santa Clara County Civil Grand Jury

Convenience vs. Compliance:

Brown Act risks in Cupertino's meeting practices

May 4, 2026

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SUMMARY

The Ralph M. Brown Act (Brown Act) is California's cornerstone open-meeting law, designed to ensure transparency, accountability, and meaningful public participation in local government decision-making. While the Brown Act permits the use of teleconferencing by city council members, participation is subject to specific statutory safeguards intended to preserve the public's right to observe and participate in meetings of elected officials.

During the 2025 calendar year, the City of Cupertino (Cupertino) made frequent use of teleconferencing for city council meetings. This practice, driven in part by regular travel by one council member, raised concerns about Cupertino's use of the Brown Act's teleconferencing requirements and its interpretation of what occurs when a council member participating via teleconferencing disconnects from a meeting.

The 2025-26 Santa Clara County Civil Grand Jury (Civil Grand Jury) investigated Cupertino's teleconferencing practices and assessed the practical consequences of Cupertino's policy of terminating meetings when a teleconferencing council member leaves, even when a lawful quorum remains present within the city's jurisdiction.

Cupertino's current approach undermines public access, is inconsistent with the statutory framework of the Brown Act, and places the convenience of the teleconferencing council member above the rights of the public. The report concludes that Cupertino has viable alternatives available that would preserve transparency, protect public participation, and prevent the disruption or weaponization of council meetings.

BACKGROUND

The Brown Act: Conducting The Public's Business in Public

The Ralph M. Brown Act, enacted in 1953, is California's open-meeting law for local government bodies. It requires that legislative bodies such as city councils, county boards, commissions, and committees conduct their meetings openly and transparently so the public can remain informed and participate in government decision-making. The Brown Act is codified by California Government Code sections 54950–54963.

In the early 1950s, there were growing concerns that some local officials were making decisions in secret. Assembly Member Ralph M. Brown wrote the Brown Act in response to newspaper investigations revealing that "backroom deals" and informal gatherings were shaping policy before public meetings occurred. The legislation established the public's "right to know" as a cornerstone of California's democratic governance. Government Code section 54950, in part, states:

> "The people of this State do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created."

The Brown Act continues to promote transparency and accountability in local government, strengthen public trust, and empower residents. In an era of digital meetings and social media, its principles remain vital—balancing efficient government operations with the public's fundamental right to observe and participate in decision-making.

Required Training and Remedies

California law requires that members of local legislative bodies receive at least two hours of ethics training, including training on the Brown Act, every two years. (AB 1234, Stats. 2005, ch. 700). Training must be completed within one year of taking office and refreshed every two years thereafter. According to Cupertino records and as of the time of this report, Cupertino conducted the required council training for members in December 2025.

California law also lays out both civil and criminal remedies for violations of the Brown Act at Government Code sections 54959, 54960(a), 54960.1, and 54960.2. For instance, the district attorney or any interested person may seek injunctive or declaratory relief (civil), or a court order compelling compliance to stop or prevent violations of the Brown Act. Individual members of a

legislative body who intentionally deprive the public of information can be subject to misdemeanor criminal charges.

Brown Act in a Digital Era

During the COVID-19 shutdown, many local government meetings became virtual, and the State of California created emergency guidelines to enable public participation. Since then, many cities, including Cupertino, have continued to provide online links to city council meetings that the public can access, giving members of the public the ability to participate virtually. Cupertino provides several such options. In addition, Cupertino council members who are not able to be at City Hall for a scheduled meeting can participate and vote virtually using teleconferencing under the Brown Act.

Revisions to the Brown Act, which took effect in 2026, did not change teleconferencing requirements as described in this report.

METHODOLOGY

The Civil Grand Jury conducted a comprehensive investigation into Cupertino's interpretation and application of provisions of the Brown Act regarding teleconferencing by council members. The investigation included research and review of relevant provisions of the Brown Act and Government Code. Additionally, the investigation included interviews with Cupertino council members, past and present city officials; a review of all Cupertino council meeting agendas in 2025; a review of numerous emails, city and council policies, city council meetings, training materials, practices employed by other public entities in Santa Clara County; and additional documents supporting the findings and recommendations in this report.

The investigation focused on 1) Cupertino's compliance with the teleconferencing requirements of the Brown Act when council members participate by teleconference, and 2) challenges created by Cupertino's interpretation of what happens when a council member participating via teleconferencing leaves the meeting.

INVESTIGATION

How This Investigation Started

The Civil Grand Jury received complaints about a council member who traveled frequently and used teleconferencing to attend council meetings. Also, complaints were received about an alleged deliberate disruption to a city council meeting by the same member. In addition, a resident unrelated to the complaints addressed the city council at its June 3, 2025, meeting, alleging violations of the Brown Act's teleconferencing provisions.

Teleconferencing Rules

When teleconferencing is used by a council member, the Brown Act (Appendix A) sets specific conditions:

- Each teleconference location must be open to the public and equipped for participation in real time.
- Members of the public must be able to hear, see, and address the legislative body as if all members were physically present.
- Each teleconference location must be identified in the meeting notice and agenda.
- Each teleconference location must be accessible to the public.
- The meeting agenda must be posted at each teleconference location 72 hours in advance of a regular meeting or 24 hours in advance of a special meeting.
- All votes must be taken by roll call.
- At least a quorum of the legislative body must participate from locations within its jurisdiction.
- The teleconferenced meeting shall be conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the body.

These rules prevent attendance via teleconferencing from undermining transparency and ensure that technological convenience does not come at the expense of the public's right to observe and participate equally.

Cupertino: Frequency and Process

Teleconferencing is used frequently in Cupertino. This is largely because one council member travels regularly for personal business.

During 2025, teleconferencing was used at 14 regular or special Cupertino City Council meetings. This accounts for one-third of all city council meetings that year. In one case, two council members participated using teleconferencing during the same meeting from different teleconferencing locations.

When council members in Cupertino intend to teleconference for a scheduled public meeting, they first notify the City Clerk and provide the location and address where they plan to participate.

Before the meeting, the City Clerk sends an email to the council member stating that it is required that the teleconferencing location be listed on the meeting agenda, that the agenda be posted at the location where teleconferencing participation occurs, that the location be open to members of the public, and that all votes taken will be by roll call. The email sent from the clerk's office also advises members who are participating from a hotel to provide the hotel front desk with an agenda, information about how to contact the teleconferencing participant, and the location where the meeting will be held.

In general, Cupertino relies on the teleconferencing council members to ensure that the location from which they are participating is publicly accessible and the agenda has been appropriately posted.

City council meeting agendas in 2025 routinely provided a teleconferencing location when a council member was teleconferencing. However, the information provided was not consistent.

On 10 occasions, the agenda provided only the name and address of a hotel without any details about the precise location of the meeting. This would require members of the public at the teleconferencing location to know that they are expected to go to the hotel front desk and ask for the council member. In only three cases did the agenda provide a more specific location, such as the lobby. And in two cases, the name of a facility was not included, only an address. (Appendix B).

It is clear from City records obtained by the Civil Grand Jury that meeting attendees were directed to ask the hotel staff for a specific guest room for at least one meeting where the agenda was posted in the hotel lobby. Requiring a member of the public to go to a council member's private room is not in keeping with the spirit of the Brown Act. Further, if the hotel requires its guests to use room keys to access the elevator, as many do, private rooms are not accessible to the public as required by the Brown Act.

In two cases, the location has been an airport, raising questions about whether the public could access a departures terminal without a ticket. Further, simply stating "Terminal 3" and

"departures" would require a member of the public to wander the area looking for the council member.

Cupertino has no formal, documented process to verify that Brown Act requirements for teleconferencing have been met. Nor does it provide written guidance to council members about appropriate locations for teleconferencing.

The absence of verification creates a risk that meetings involving teleconferencing do not comply with statutory requirements under the Brown Act.

What Other Governmental Entities Do

Other governmental entities within Santa Clara County have established methods to ensure compliance with the Brown Act's teleconferencing rules. Further, several cities include information about teleconferencing rules in their city council procedures manuals or handbooks. Cupertino's City Council Procedures Manual as revised in March of 2025 makes no mention of the teleconferencing rules.

By contrast, for the County of Santa Clara, agendas for the Board of Supervisors include the specific publicly accessible location from which a member is teleconferencing. For example, the agenda from the August 26, 2025, meeting, on page four, indicates that one member of the Board of Supervisors is teleconferencing from "the lounge area located on the second floor of the Hilton Minneapolis, 1001 Marquette Avenue South, Minneapolis, MN 55403." This supports the intent of the Brown Act requirement that members participate from publicly accessible locations. Simply providing the name and address of a hotel is insufficient.

For the City of Los Altos, section 11.13 of the City Council Norms and Procedures (adopted 1/28/2025) details the process for teleconferencing. When council members participate by teleconference, they are asked by the mayor or vice mayor to confirm that their location was properly noticed, that the location is publicly accessible, and whether anyone is present besides the member.

For the City of Palo Alto, section 2.3 of Part I of the City Council Procedures and Protocol Handbook also provides information about standard teleconferencing procedures for council members, including requirements about posting agendas at the location and ensuring accessibility, noting that private residences and hotel rooms must remain fully open and accessible throughout the meeting, without requiring identification or registration.

City of Palo Alto council members must provide notice to the City Clerk five days prior to publication of the agenda of their intent to participate via teleconference and the address of their

location. The council member must state at the beginning of the meeting that agenda posting requirements were met, that the location is publicly accessible, and must describe the location. Under Palo Alto rules, teleconferencing attendance is permitted no more than five times a year for full council meetings.

The City of San José website includes a page about teleconferencing requirements for city commissioners and boards. It lists the applicable Brown Act rules, making it easy for members of the public to hold government accountable, and spells out the responsibilities of city commissioners, board members, and commission secretaries.

The City of San José webpage includes an "affidavit for agenda posting for board/commission meeting" to be signed by the teleconference participant under penalty of perjury (City of San José, n.d.). The participant's declaration includes a section detailing where and when the agenda was posted 72 hours in advance, that the participant confirmed with facility staff that the location was accessible, and that the meeting will be open to the public and have technology allowing the public to participate. The affidavit is easily downloaded and could serve as a template for other jurisdictions to adopt as needed.

When a Council Member Participating via Teleconferencing Leaves a Meeting

Cupertino has employed an interpretation of what should happen if a council member participating via teleconferencing must leave due to a scheduling conflict or technical issues, or decides to terminate their connection for any other reason. In Cupertino's view, when this happens, the city council meeting must end.

This occurred at least three times in 2025. In two instances, the council member had to catch a plane. The third instance occurred on December 2, 2025, after the council member objected to appointing negotiators during a study session on a housing project and said the issue was not properly noticed under the Brown Act. The interim City Attorney advised that the public had been given appropriate notice and the meeting could proceed.

The council member then stated at that point, he would have to leave the meeting and the meeting would conclude. It was clear the council member understood that if he left, the council could not proceed, given Cupertino's interpretation of the Brown Act teleconferencing rules. His decision to end his connection created controversy in the community and on the council. The council member subsequently issued an apology for leaving the meeting in protest (Melecio-Zambrano, 2025).

Concerns with Cupertino's Approach

Cupertino's current approach to teleconferencing participation prioritizes convenience for the teleconferencing participant over the public's statutory rights. The meeting ends when the teleconferencing participant leaves.

As implemented, these practices fail to ensure the access, transparency, and continuity required by the Brown Act and create a structural vulnerability in the meeting process. Specifically, as demonstrated on December 2, 2025, Cupertino allows a teleconferencing member to effectively end a public meeting simply by disconnecting, thereby enabling Cupertino's interpretation of the Brown Act to be weaponized—intentionally or not.

Quorum and the Brown Act

To understand why Cupertino's interpretation of teleconferencing rules is flawed, it is important to first understand the notion of a required quorum.

Cupertino is a general law city governed by a five-member city council. Under California Government Code section 36810, "[a] majority of the council constitutes a quorum for the transaction of business." For a five-member council, a quorum is three members.

This quorum requirement determines whether the city council may lawfully conduct city business and is independent of whether one or more members participate via teleconferencing.

The Brown Act does not independently define quorum; instead, it relies on a definition of quorum from other applicable laws. It defines a "meeting" as "any congregation of a majority of the members of a legislative body at the same time and place to hear, discuss, deliberate, or take action on any item of business" (Cal. Gov. Code §54952.2(a)).

Accordingly, for Brown Act purposes, in Cupertino, three council members meeting within the jurisdiction of Cupertino constitute a meeting.

Teleconferencing and the "Quorum Within the Jurisdiction" Requirement

The Brown Act requires that all meetings of the legislative body of a local agency be open and public (Cal. Gov. Code §54953). A quorum of the legislative body is required for the transaction of business by a legislative body. The Brown Act incorporates the concept that a quorum must be present for a legislative body to take official action (Cal. Gov. Code §54952). Under the Brown Act's teleconferencing framework, California Government Code section 54953(b)(3) requires: "During the teleconference, at least a quorum of the members of the legislative body shall

participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction …"

This provision requires that a quorum be physically present in the geographic boundaries over which the governing body has jurisdiction when teleconferencing is used. It does not require that all members, or any specific teleconferencing member, remain connected for the duration of the meeting. Under teleconferencing rules, a quorum is satisfied as long as a quorum remains participating from within the jurisdiction.

Under the Brown Act teleconference rules, the only constraint on the quorum requirement is that a quorum exists within the geographic boundaries of the jurisdiction. If that occurs, a quorum is maintained. If a quorum is maintained, the body can conduct business. The Civil Grand Jury reviewed all 14 instances in which a Cupertino council member participated via teleconferencing and during those meetings, a quorum remained in the jurisdiction. Despite the quorum, Cupertino terminated meetings at least three times when the teleconferencing council member disconnected from the meeting. Cupertino's practice of terminating a meeting upon the disconnection of a teleconference participant elevates teleconferencing participation above the statutory quorum requirements established by Government Code sections 36810, 54952.2(a), and 54953(b)(3), effectively creating a non-statutory condition for the continuation of a meeting.

Further, terminating a meeting without necessity may unlawfully curtail public comment, interrupt deliberation on agendized items, force delays in city business, and undermine the transparency and openness required by the Brown Act.

Allowing a single teleconferencing council member to terminate a duly convened meeting, as occurred on December 2, 2025, simply by disconnecting, effectively weaponizes the Brown Act, granting one individual unilateral control over the continuation of public business despite the presence of a lawful quorum. This practice elevates the convenience of the teleconferencing member over the public's right to transparency and participation. It also creates a mechanism by which a member can intentionally halt discussion, block votes, or disrupt the public's business. Nothing in the statute requires the automatic termination of a public meeting when a teleconferencing participant voluntarily leaves the meeting.

How Cupertino Attempts to Solve the Problem but Creates a New One

Putting teleconferencing aside for the moment, Cupertino provides several ways for residents to participate in its council meetings. Residents can attend in person or online via Zoom, tune in to Comcast channel 26 or AT&T channel 99, or watch a live stream on either Cupertino's website or its YouTube channel. To speak at a council meeting, residents participating in person can submit a speaker's card. Those attending remotely can call a specific telephone number, enter the webinar

number and follow a process to speak, or raise their hand on Zoom. No advance notice to the city is required to attend or speak at council meetings via these methods.

In fact, Cupertino's agenda language does not require a speaker to provide advance notice to speak. The agenda states, "Speakers are requested to complete a Speaker Card. While completion of Speaker Cards is voluntary, it is helpful for the purposes of ensuring that all speakers are called on." (Appendix C).

In January, in reaction to the termination of the December 2, 2025, meeting, Cupertino adjusted its council agenda language to add a new section about accessing meetings from a teleconference location. Speakers are now "required to notify the City Clerk via email … prior to noon on the date of the meeting during which they plan to participate and comment from the teleconferencing location to ensure the City Clerk is prepared to accept their comment." (Appendix C).

This new requirement is inconsistent with the practices for attending and speaking at council meetings in Cupertino.

The agenda goes on to state that if the teleconferencing device at the location malfunctions, impeding access to the meeting, the speaker can participate via other options outlined in the agenda. However, this solution creates new problems. If the teleconferencing location is not in the United States, suggesting that a member of the public log on to a livestream, register for Zoom, or call in by telephone presents other problems. It may require an international calling plan, for example, or involve paying for Wi-Fi access.

The new approach does not provide the same ease of access that members of the public experience when attending within the jurisdiction of Cupertino. In fact, it creates a two-tiered system that is not in keeping with the spirit of the Brown Act, i.e., anyone who wants to speak from a teleconferencing location must provide at least five hours' advance notice, while those who wish to speak at a city council meeting in Cupertino can simply show up. (Appendix C).

Prioritizing the Public - What Cupertino Should Do

The Brown Act does not state that teleconferencing is required when a council member is unable to attend due to personal business. Government Code section 54953(b)(1) provides that a legislative body "may use teleconferencing" in connection with a meeting. Cupertino could choose not to allow teleconferencing to accommodate council members' personal travel.

If Cupertino is concerned that members of the public attending from a teleconferencing location may be disadvantaged if a council meeting continues after the departure of the teleconferencing council member, that concern can be addressed without terminating the meeting.

The issue could be resolved by requiring that any approved teleconferencing location remain publicly accessible and functional for the duration of the meeting, regardless of whether the participating council member is present.

Teleconferencing participation should be permitted only from locations that are genuinely accessible to the public. Public access to the meeting must not depend solely on the personal technology, equipment, or continued presence of the council member.

Accordingly, teleconferencing locations should be limited to bona fide public meeting spaces, such as hotel business centers or conference rooms, and should exclude private or restricted spaces where public access is limited, such as hotel rooms, airport lounges beyond security gates, and vehicles.

The approach that should not be available is to require that a council meeting end when the teleconferencing council member leaves.

Finally, Cupertino's use of the teleconference exception is predominantly to accommodate a specific council member's personal business travel. Unless teleconferencing participation is required by official city business, the cost of securing and maintaining a compliant public meeting location should be borne by the participating council member.

CONCLUSION

Cupertino's interpretation and implementation of the Brown Act's teleconferencing rules prioritize the convenience of the council member above the rights of the public. Cupertino relies on the teleconferencing participant to self-certify compliance with teleconferencing requirements. Further, Cupertino provides inconsistent and sometimes vague agenda descriptions of the teleconference location. This approach diminishes and frustrates public access and permits participation from locations that are not easily accessible.

Most critically, Cupertino's policy of ending meetings when a teleconferencing participant disconnects grants that individual disproportionate control over the continuation of public business, even when a lawful quorum remains present within Cupertino. This approach reverses the Brown Act's intent, placing a council member's schedule, technology, or convenience over the rights of the public.

FINDINGS AND RECOMMENDATIONS

Finding 1

Cupertino's practice of ending a meeting if a teleconference participant disconnects disrupts meetings, creates needless delays, and prioritizes the convenience of council members over the public's right to access.

Recommendation 1a

Cupertino should continue its meetings when a teleconferencing member leaves the meeting, and a quorum remains in its jurisdiction. Cupertino should adopt and incorporate this into the City Council Procedures Manual.

This recommendation should be implemented by December 15, 2026.

Recommendation 1b

Because teleconferencing is optional and Cupertino interprets the requirements in a manner that promotes council members' self-interest, Cupertino should determine whether the optional use of teleconferencing under these circumstances is consistent with its responsibilities to its constituents.

This recommendation should be implemented by December 15, 2026.

Recommendation 1c

Whenever teleconferencing is utilized, Cupertino should ensure that access at the teleconference location is maintained for the duration of the meeting, regardless of the council members' attendance. Cupertino should adopt and incorporate this into the City Council Procedures Manual.

This recommendation should be implemented by December 15, 2026.

Finding 2

Cupertino's process for ensuring that all policies, staff, and council members comply with the requirements for teleconferencing does not promote accountability with the Brown Act.

Recommendation 2

Cupertino should adopt formal, written teleconferencing procedures and verification processes to ensure compliance with all Brown Act requirements, including:

- Standard agenda language identifying precise teleconference location and its accessibility to the public;

- On-the-record confirmation of compliance at the start of all meetings subject to the Brown Act;
- Documented verification confirming that teleconference locations meet public access and that the agenda was posted in a timely and appropriate manner.

This recommendation should be implemented by December 15, 2026.

Finding 3

Cupertino's practice of permitting teleconferencing from locations that are not meaningfully accessible to the public, including private or restricted spaces, is inconsistent with the purpose and intent of the Brown Act.

Recommendation 3

Cupertino should provide written guidance to council members and any relevant staff about appropriate teleconferencing locations that are genuinely and meaningfully accessible to the public for the duration of the meeting. The guidance should also list prohibited locations such as private or restricted spaces, including private hotel rooms, airport lounges beyond security checkpoints, vehicles, or other locations requiring special access.

This recommendation should be implemented by December 15, 2026.

Finding 4

Cupertino's practice of automatically terminating city council meetings when a teleconferencing council member disconnects fundamentally prioritizes the convenience of the councilmember above the public and provides a mechanism to weaponize the practice for strategic gain, as was the case on December 2, 2025.

Recommendation 4

Cupertino should amend its City Council Procedures Manual to clarify that:

- Quorum requirements are governed by applicable law and are independent of teleconferencing participation;
- Teleconferencing is a discretionary accommodation subject to conditions that protect public rights.

This recommendation should be implemented by December 15, 2026.

REQUIRED RESPONSES

Pursuant to California Penal Code section 933(b) et seq. and California Penal Code section 933.05, the 2025-2026 Santa Clara County Civil Grand Jury requests responses from the following governing body:

Responding Agency	Findings	Recommendations
The City of Cupertino	1, 2, 3, 4	1a, 1b, 1c, 2, 3, 4

APPENDIX A: California Government Code Section 54953

54953.

(a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.

(b)

(1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all otherwise applicable requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. If the legislative body of a local agency elects to use teleconferencing, the legislative body of a local agency shall comply with all of the following:

(A) All votes taken during a teleconferenced meeting shall be by rollcall.

(B) The teleconferenced meetings shall be conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency.

(C) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.

(D) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as expressly provided in this chapter.

(4) The teleconferencing requirements of this subdivision shall not apply to remote participation described in subdivision (c).

(c)

(1) Nothing in this chapter shall be construed to prohibit a member of a legislative body with a disability from participating in any meeting of the legislative body by remote participation as a reasonable accommodation pursuant to any applicable law.

(2) A member of a legislative body participating in a meeting by remote participation pursuant to this subdivision shall do both of the following:

(A) The member shall participate through both audio and visual technology, except that any member with a disability, as defined in Section 12102 of Title 42 of the United States Code, may participate only through audio technology if a physical condition related to their disability results in a need to participate off camera.

(B) The member shall disclose at the meeting before any action is taken, whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the member's relationship with any of those individuals.

(3) Remote participation under this subdivision shall be treated as in-person attendance at the physical meeting location for all purposes, including any requirement that a quorum of the legislative body participate from any particular location. The provisions of subdivision (b) and Sections 54953.8 to 54953.8.7, inclusive, shall not apply to remote participation under this subdivision.

(d)

(1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3)

(A) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of either of the following during the open meeting in which the final action is to be taken:

(i) A local agency executive, as defined in subdivision (d) of Section 3511.1.

(ii) A department head or other similar administrative officer of the local agency.

(B) This paragraph shall not affect the public's right under the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(e) For purposes of this section, both of the following definitions apply:

(1) "Disability" means a physical disability or a mental disability as those terms are defined in Section 12926 and used in Section 12926.1, or a disability as defined in Section 12102 of Title 42 of the United States Code.

(2)

(A) "Teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both.

(B) Notwithstanding subparagraph (A), "teleconference" does not include one or more members watching or listening to a meeting via webcasting or any other similar electronic medium that does not permit members to interactively speak, discuss, or deliberate on matters.

(3) "Remote participation" means participation in a meeting by teleconference at a location other than any physical meeting location designated in the notice of the meeting.

(Amended (as amended by Stats. 2023, Ch. 534, Sec. 2) by Stats. 2025, Ch. 327, Sec. 4. (SB 707) Effective January 1, 2026.)

APPENDIX B: 2025 Cupertino City Council Meetings Using Teleconferencing

City Council Meetings in 2025 During Which Teleconferencing Was Used

This table includes all days when the Cupertino City Council held special or regular meetings. Because a portion of untelevised closed meetings include public commentary, the table also includes days when both open and closed meetings were held. Links have been added to each date for easy reference to the Cupertino meeting website.

During the year, the city council held meetings on 42 days. Of those, 14 (or one-third of the total) had at least one council member attend by teleconferencing.

Day	Council Member	Location as Listed on Agenda
2/3/25	Wang	200 Hi Cir N, Horseshoe Bay, TX 78657
2/12/25	Wang	Newark Airport, Terminal C, Departures, 3 Brewster Road, Newark Airport, NJ, 07114
2/19/25	Wang	Leela Gurgagon National Highway 8, Ambience Island, DLF Phase 3, Sector 24, Gurugram, Haryana 122002, India
5/6/25	Wang	Dubai Airport 7947+MP Dubai - United Arab Emirates, Terminal 3, Departures
5/15/25	Wang	Sheraton Stockholm, Tegelbacken 6, 101 23, 101 23 Stockholm, Sweden, Hotel Lobby
5/28/25	Wang	The Wynn Hotel, Tower Suites Lobby, 3131 Las Vegas Blvd S, Las Vegas, NV 8910
6/17/25	Wang	Burlington Marriott Lobby, 1 Burlington Mall Rd, Burlington, MA 01803
6/17/25	Fruen	Via Nemorense 15, 00199 Roma RM, Italy
7/15/25	Wang	JW Marriott Sahar, IA Project Road, Chhatrapati Shivaji International Airport, Andheri, Mumbai, India, 400099
10/7/25	Wang	Courtyard Marriott, 1803 Porter Street, Baltimore, Maryland 21230
10/13/25	Wang	The Venetian Hotel, 3355 S Las Vegas Blvd, Las Vegas, NV 89109
11/4/25	Wang	The W Hotel, 3940 S Las Vegas Blvd W, Las Vegas, NV 89119
12/1/25	Wang	Wynn Resort, 3131 Las Vegas Blvd S, Las Vegas, NV 89109
12/2/25	Wang	Wynn Resort, 3131 Las Vegas Blvd S, Las Vegas, NV 89109
12/16/25	Wang	Renaissance Shihlin Taipei Hotel, No. 8, Lane 470, Section 5, Zhongshan N Rd, Shilin District, Taipei City, Taiwan 11141

APPENDIX C: New Teleconferencing Rules for 2026 in Cupertino

Text of Revised Teleconferencing Rules as specified in the Agenda for the January 21, 2026, meeting:

> **D. Online via the teleconferencing device (Audio and Video) being used to provide access to the meeting from a remote Teleconference Location noticed pursuant to Gov. Code 54953(b)(2), which location, if noticed, would be stated on the cover page of this agenda.**
> **a) Speakers are required to notify the City Clerk via email to cityclerk@cupertino.gov prior to noon on the date of the meeting during which they plan to participate and comment from the remote location noticed to ensure the City Clerk is prepared to accept their comment.**
> **b) If the teleconferencing device malfunctions impeding access to the meeting from the remote location, the speaker may alternatively participate via the other options for remote participation provided above.**

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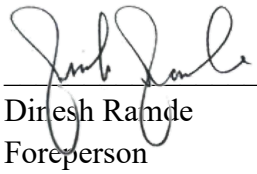
This report was **ADOPTED** by the 2025-2026 Santa Clara County Civil Grand Jury on this 4th day of May, 2026.



Diresh Ramde
Foreperson