

ADMINISTRATIVE POLICY

POLICY NO.	402
TITLE	Social Media
DATE	July 22, 2013
APPROVED/REVISED	September 9, 2013

1.0 BACKGROUND

The goal of the City's social media channels is to provide information of interest to the community about City services, issues, news, programs and activities. The social media sites are administered by the City of San Gabriel, but the content on the sites may not be entirely posted by the City. The City reserves the right to remove any content from its social media sites at any time.

2.0 POLICY

Using social media technologies can help government entities engage citizens and make government more open and transparent. The City of San Gabriel highly encourages the use of social media tools to enhance their mission and engage their constituencies. By following agency expectations for the responsible use of social media, City employees should be allowed to access social media for professional or personal use while remaining accountable to the proper use of social media.

Use of social media technology shall conform to the policies, protocols and procedures contained, or referenced, herein.

2.1 Definitions

For purposes of this policy, the following definitions shall apply:

- A. **City Social Media Site:** Any Social Media Site that any City employee establishes manages or maintains, or causes to be established managed or maintained, on behalf of the City, to serve the public, regardless of whether or not the City owns the servers, equipment, network or software platform on which such site resides.
- B. **Content:** Any information, data text, music, sound, photographs, graphics, video, messages, or other material posted on a City Social Media Site.
- C. **Social Media Site:** A website containing Content designed to be disseminated through social interaction, which allows for the creation and exchange of user-generated Content. Examples of Social media sites include Facebook, Twitter, Instagram, Pinterest, YouTube, LinkedIn or Flickr.
- D. **User:** Any member of the public using a City Social Media Site.
- E. **Obscenity:** Any communication, picture, image, graphic, or other matter that the average San Gabriel citizen, applying contemporary standards, would find,

taking the material as a whole, appeals to prurient interest whether it depicts or describes, in a patently offensive way, sexual conduct.

3.0 PROCEDURES

- 3.1 The City's official website at www.sangabrielcity.com will remain the City's primary means of internet communication.
- 3.2 The establishment of City social media sites is subject to approval by the City Manager or his/her designees. Upon approval, City social media sites shall bear the name and/or official logo of the City.
- 3.3 City social media sites shall clearly state that such sites are maintained by the City and that the sites' users must comply with the City's social media policy.
- 3.4 Wherever possible, City social media sites shall link back to the City's official website for forms, documents, online services and other information necessary to conduct business with the City of San Gabriel.
- 3.5 The City shall use social media sites as consistently as possible and in conjunction with other established City communication tools.
- 3.6 The City Manager's communications staff will monitor all content on City Social media sites to ensure adherence to both the City's social medial policy and the interest and goals of the City of San Gabriel.
- 3.7 City social media sites shall be managed in a manner consistent with the Brown Act. Members of the City Council and City Commissions shall not respond to any published postings, or use the site or any form of electronic communication to respond to, blog or engage in serial meetings, or otherwise discuss, deliberate, or express opinions on any issue within the subject matter jurisdiction of the body.
- 3.8 The City reserves the right to suspend or terminate any City social media site at any time without notice.
- 3.9 City social media sites shall comply with usage rules and regulations required by the site provider, including privacy policies.
- 3.10 The City's social media policy shall be displayed to users or made available by hyperlink on the City's website.
- 3.11 City social media sites shall adhere to applicable federal, state and local laws, regulations, and policies.
- 3.12 City social media sites are subject to the California Public Records Act. Any content maintained on a City social media site that is related to City business, including a list of subscribers, posted communication, and communication submitted for posting, may be considered a public record and subject to public disclosure.

- 3.13 Employees representing the City on City social media sites shall conduct themselves at all times as a professional representative of the City and in accordance with all City policies.
- 3.14 Comments on topics or issues not pertaining to matters of the City or otherwise within the direct jurisdictional purview of the City of San Gabriel may be restricted or removed.
- 3.15 All City social media sites shall utilize authorized City contact information for account set-up, monitoring and access. The use of personal email accounts or phone numbers by any City employee is not allowed for the purpose of setting-up, monitoring, or accessing a City Social Media Site.
- 3.16 City social media sites may contain content, including but not limited to, advertisements or hyperlinks over which the City has no control. The City does not endorse any hyperlink or advertisement placed on City Social media sites by the Social media sites' owners, vendors, or partners.
- 3.17 The City reserves the right to change, modify, or amend all or part of this policy at any time.

4.0 CONTENT GUIDELINES

The content of City social media sites includes, but is not limited to, information, photographs, videos, and hyperlinks.

- 4.1 The City shall have full permission and rights to any content posted by the City, including photographs and videos.
- 4.2 Any employee authorized to post items on any of the City's social media sites shall review, be familiar with, and comply with the social Media Site's use policies and terms and conditions.
- 4.3 Any employee authorized to post items on any of the City's social media sites shall not express his or her own personal views or concerns through such postings.
- 4.4 Postings must contain information that is freely available to the public and not be confidential as defined by any City policy or state or federal law;
- 4.5 Postings to City social media sites shall not contain any of the following:
 - A. Posts or comments that are false, misleading or deceptive;
 - B. Comments that are not topically related to the particular posting being commented upon;
 - C. Comments in support of, or opposition to, political campaigns, candidates or ballot measures;

- D. Content that that implies or declares an endorsement by the City of San Gabriel of any goods, services, or activities;
- E. Profane language or content;
- F. Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status with regard to public assistance, national origin, physical or mental disability or sexual orientation, as well as any other category protected by federal, state, or local laws;
- G. Contains any obscenity, or sexual content or links to sexual content of any kind Solicitations of commerce, including but not limited to advertising of any business or product for sale; except as expressly provided for on City web-site, social media sites, and/or blogs;
- H. Images not suitable for viewing by persons of all ages;
- I. Conduct or encouragement of illegal goods, services or activities;
- J. Information that may tend to compromise the safety or security of the public or public systems; or
- K. Content that violates a legal ownership interest of any other party.

The Conditions of Use shall be displayed to users or made available by hyperlink on all City Social media sites. Any content removed based on these guidelines must be retained, including the time, date and identity of the poster, when available.

- 4.6 The City reserves the right to implement or remove any functionality of its social media sites, when deemed appropriate by the City Manager to be inconsistent with the City's goals. This includes, but is not limited to, information, articles, pictures, videos or any other form of communication that is posted on a City social media Site.
- 4.7 Except as expressly provided in this Policy, accessing any social media sites shall comply with all applicable City policies pertaining to communications and the use of the internet by employees, including e-mail content.

5.0 CONDITIONS OF USE FOR CITY SOCIAL MEDIA SITES

To ensure social media sites are a safe and productive place, the following conditions of use should be followed:

- 5.1 **Purpose.** The City of San Gabriel has the right to set and enforce rules and regulations for use of City social media sites. The City has established these Conditions of Use in order to provide City social media sites for use by the public on a fair and equitable basis. City Social media sites are not traditional public forums.
- 5.2 **Agreement to Conditions of Use.** By accessing, participating in or using any City Social media sites, user agrees to abide by these Conditions of Use.
- 5.3 **User-created Content.** All user-created content is the sole responsibility of the user creating such Content. This means that each user, and not the City, is entirely responsible for all content that he or she uploads, posts, emails, or otherwise transmits via City social media sites. The City does not guarantee the accuracy, integrity, or quality of such Content. Content posted by a user on any City social media Site

reflects the opinion of the user only, and publication of any Content does not imply endorsement of or agreement by, the City, nor does such Content necessarily reflect the opinions or policies of the City.

5.4 Improper Use

No user may use a City social media site to:

- A. Violate any applicable federal, state or local law, including but not limited to the Electronic Communications Privacy Act of 1986;
- B. Harm minors in any way;
- C. Upload, post, e-mail, or otherwise transmit any material that contains software viruses or any other computer documents, files or programs designed to interrupt, damage, destroy, or limit the functionality of any computer software or hardware or telecommunications equipment;
- D. Impersonate any person or entity, including, but not limited to, a City staff member or elected official, or falsely state or otherwise misrepresent his or her affiliation with a person or entity;
- E. Falsify headers or otherwise manipulate identifiers in order to disguise the origin of any Content transmitted through City social media sites;
- F. Interfere with or disrupt City social media sites, or disobey any requirements, procedures, policies or regulations of networks connected to City social media sites, or use City social media sites in any way that could damage, disable, overburden or impair City social media sites;
- G. Stalk or harass any person or;
- H. Collect or store personal data about any other user without express permission.

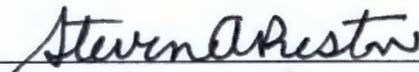
Any Content posted to any City social media site is subject to the terms of use of the moderator of that website. If any Content violates such terms of use, the City may report the Content to the moderator of the website, and request that the Content be deleted.

If the moderator of the website does not timely delete content that is in violation of its terms of use, or if the website is owned and operated by the city, the following inappropriate forms of Content may be removed by the City:

- i. Profane, obscene or pornographic content and/or language;
- ii. Content that promotes, fosters or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, sexual orientation, or natural origin;
- iii. Threats to any person or organization;
- iv. Solicitation of commerce, including but not limited to advertising of any business or product for sale; except as expressly provided for on City Web site, Social media sites, and/or blogs;
- v. Conduct in violation of any federal, state or local law; or
- vi. Conduct in violation of the terms of use of any website moderator.

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- iv. Solicitation of commerce, including but not limited to advertising of any business or product for sale; except as expressly provided for on City Web site, Social media sites, and/or blogs;
 - v. Conduct in violation of any federal, state or local law; or
 - vi. Conduct in violation of the terms of use of any website moderator.
- 5.5 **Termination or Suspension of Access.** The City has the right to terminate or suspend any User's access to City social media sites immediately, without prior notice or a hearing, if such User violates any of these conditions.
- 5.6 **Compliance with Law.** Any violations of applicable federal, state or local laws or regulations will be prosecuted. Illegal activity will be reported to proper legal authorities.
- 5.7 **Privacy.** Content posted on City social media sites is not private and may be disclosed by the City at any time.
- 5.8 **Entire Agreement, Severability or Waiver.** These Conditions of Use comprise the entire agreement between user and the City regarding the use of City social media sites. If any portion of these Conditions of Use is found to be unenforceable, the remainder will be in full force and effect. Failure on behalf of the City to enforce any of these Conditions shall not be considered a waiver.

REVIEWED AND APPROVED BY



Steven A. Preston
City Manager



Robert L. Kress
City Attorney

Attachments:

None