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## City of Solvang **SOCIAL MEDIA POLICY**

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### Ownership

All social media communications composed, sent, or received on City equipment are and remain the property of the City. While the City's social media sites are administered by the City, the content on the sites is not entirely controlled by the City.

The City's social media sites may be subject to California's civil discovery statutes and the California Public Records Act.

Any content maintained in a social media format that is related to City business may be a public record. Wherever possible, such sites must clearly indicate that any articles and any other content posted or submitted for posting may be or are subject to public disclosure upon request. However, confidential information, such as those relating to litigation or potential litigation, personnel, attorney-client communication, closed session labor negotiations, or information relating to confidential real estate negotiations, and copyrighted or proprietary information shall not be posted.

All requests for public records, through the City's social media sites, shall immediately be referred to the City Clerk's Office for handling.

California law and relevant City records retention schedules apply to the City's social media formats and social media content.

### General Policy

1.) "Social media" refers to activities that integrate technology, social interaction and content creation. This media allows people to generate, organize, share, edit and comment on web content. Examples of social media include, but are not limited to, Facebook, Instagram, Twitter, LinkedIn, YouTube, Blogs, Really Simple Syndication ("RSS"), and Flickr.

- 2.) "User" refers to users, content contributors, visitors, posters, and commentators.
- 3.) All City social media sites will be subject to approval by the City Council. The City reserves the right to terminate any social media site at any time without notice. The City reserves the right to change, modify, or amend all or part of this Policy at any time.
- 4.) City social media sites shall make clear to the extent possible:
  - a. Sites maintained by the City follow this Social Media Policy.
  - b. Sharing, liking or retweeting a post or link on the City's social media sites shall not constitute an endorsement or official position of the City.
  - c. Links or advertisements placed on the City's social media sites shall not constitute an endorsement by the City.
- 5.) Wherever possible, use of City social media sites must comply with all appropriate City policies and procedures, including but not limited to:
  - a. Electronic Communications Policy.
  - b. Administrative Policy and Procedures Manual.
  - c. Employee Handbook.
  - d. Council policies, including records retention policies.
  - e. City Conflict of Interest Code.
- 6.) The City's website ([www.CityofSolvang.com](http://www.CityofSolvang.com)) will remain the City's primary and predominant internet presence.
- 7.) When appropriate, content posted to the City's social media sites must be made available on the City's website.
- 8.) When appropriate, content posted to City social media sites must contain hyperlinks directing users back to the City's official website for in-depth information, forms, documents, or online services necessary to conduct business with the City.
- 9.) All content posted by others to the City's social media sites shall be monitored. The following forms of content will not be allowed and must be removed as soon as possible:
  - a. Profane language or content;
  - b. Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability, sexual orientation or any other basis protected by state or federal law;
  - c. Sexual content;
  - d. Solicitations of commerce and other purely commercial speech;
  - e. Conduct or encouragement of illegal activity;
  - f. Content in support of or opposition to political campaigns or ballot measures;
  - g. Information that may compromise the safety or security of the public, public systems, or employees;
  - h. Content that violates a legal ownership interest of any other party;

- i. Any link or direction to another site that contains content referenced by the foregoing restrictions.
- 10.) For blogs and forums, the following disclaimers must be stated on the City's main webpage:
- a. The City is not responsible for the accuracy of any information posted on affiliated blogs, forums and/or forwarded or otherwise redistributed content.
  - b. Unless expressly authorized, the information posted is the personal opinion of the user and does not constitute an official position of the City.

This Policy does not govern or regulate the use of social media sites by City employees or the privacy rights associated therewith. The policy governing use of social media sites shall be located in the Employee Handbook.

## User Requirements

1.) Users shall connect to, and exchange information with, only those Social Media web sites that have been authorized by agency management in accordance with the requirements within this and other agency and City policies.

2.) Users shall minimize their use of "other than government" sections of the Social Media web sites.

3.) Users shall not post or release proprietary, confidential, sensitive, personally identifiable information (PII), or other city government Intellectual Property on Social Media web sites.

4.) Users who connect to Social Media web sites through City information assets, who speak officially on behalf of the City agency or the City, or who may be perceived as speaking on behalf of an agency or the City, are subject to all agency and City requirements addressing prohibited or inappropriate behavior in the workplace, including acceptable use policies, user agreements, sexual harassment policies, etc.

5.) Users shall not speak in Social Media web sites or other on-line forums on behalf of an agency, unless specifically authorized by the agency head or the agency's Public Information Office. Users may not speak on behalf of the City unless specifically authorized by the Mayor.

6.) Users who are authorized to speak on behalf of the agency or City shall identify themselves by: 1) Full Name; 2) Title; 3) Agency; and 4) Contact Information, when posting or exchanging information on Social Media forums, and shall address issues only within the scope of their specific authorization.

7.) Users who are not authorized to speak on behalf of the agency or City shall clarify that the information is being presented on their own behalf and that it does not represent the position of the City or an agency.

8.) Users shall not utilize tools or techniques to spoof, masquerade, or assume any identity or credentials except for legitimate law enforcement purposes, or for other legitimate City purposes as defined in agency policy.

9.) Users of the City's social media sites must also be notified that:

- a. Content posted by a user on any City social media site is the opinion of the user only, and the publication of content does not imply endorsement of, or agreement by, the City, nor does such content necessarily reflect the opinions or policies of the City.
- b. The City reserves the right to restrict or remove any content that is deemed in violation of this Policy or any applicable law. Notwithstanding the foregoing, the City is not obligated to take such actions, and the City disclaims any and all responsibility and liability for any materials that the City deems inappropriate for posting, which cannot be removed in an expeditious and otherwise timely manner.
- c. By posting content, users agree to indemnify the City, its officers and employees from and against all liabilities, judgments, damages, and costs (including attorney's fees) incurred by any of them which arise out of or are related to content posted by users. If a user does not agree to these terms, the individual should not use the City's social media sites.
- d. The City does not guarantee the authenticity, accuracy, appropriateness nor the security of external links, websites or content linked thereto.

10.) The above content guidelines and disclaimers ("Terms of Use") must be displayed to users or made available by hyperlink. Any content removed based on these guidelines must be retained, including the time, date and identity of the poster in accordance with the City's policy on the retention of such information.

11.) The Public Information Officer (PIO) or other designee shall be responsible to post and monitor content on social media sites to ensure adherence to both the City's Social Media Policy and the interest and goals of the City.

- a. All content on City social media sites shall be reviewed, approved, and administered under the authority of the PIO or designee.
- b. The PIO or designee may develop guidelines regarding content on City social media sites.
- c. All City or department active social media sites shall be made known to the PIO or designee.
- d. Content must pertain to City-sponsored or City-endorsed programs, services, and events.
- e. The City shall not post content relating to candidate or ballot measure candidacy on its social media sites.
- f. City social media sites shall not be the primary tool for disseminating emergency information.

12.) City social media sites shall be managed consistent with the Brown Act. Members of the City Council and City advisory bodies shall not like, share, retweet or otherwise respond to any published postings, or from using such a site to respond to, blog, engage in serial meetings, or otherwise discuss, deliberate, or express opinions on any issue within the subject matter jurisdiction of the body.