



A.R. Number:	2019-001
Original Date:	November 14, 2019
Revised Date:	N/A
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**City of Orinda
ADMINISTRATIVE REGULATIONS**

Subject: SOCIAL MEDIA POLICY

PURPOSE: This Policy establishes guidelines for the use of Social Media as a means of conveying information about the City, including its events and activities. The City has a strong interest in regulating what is posted on its behalf on Social Media.

DEFINITIONS: “Elected/appointed City officials” means City Councilmembers and people appointed by the Council to serve on an advisory body (e.g., commission, committee, task force).

“Social Media” means publicly accessible technologies used to publish and/or share information using the Internet. Examples of Social Media include: Facebook, blogs, OpenGov, YouTube, Twitter, LinkedIn, Instagram, Pinterest, Nixle, and Nextdoor.

“City Social Media Account” means an account on Social Media authorized by the City as described in this policy.

“Post” means the addition of information or any kind (e.g., text, links, photos, videos) to Social Media.

“Public Comment” means a Post made in connection with a City Social Media Account by anyone other than an authorized member of City staff.

STAFF

AUTHORITY: City staff shall operate City Social Media Accounts and Post items on behalf of the City to Social Media only as authorized by the City Manager or his/her designee(s). The City Manager or his/her designee(s) will maintain a list of all authorized City Social Media Accounts, including the log-in information and staff/department(s) authorized to Post to those accounts.

ELECTED & APPOINTED

CITY OFFICIALS: Elected/appointed City officials will not Post items on behalf of the City to Social Media. If elected/appointed City officials have their own personal Social Media accounts, the City recognizes that they may elect, in their personal capacity, to Post items relevant to City business. In such situations, the City’s existing rules and practices provide that elected/appointed City officials shall make clear that they are speaking for themselves only, not for the City or for their elected/appointed body. Likewise, consistent with Orinda Municipal Code section 2.08.080 (Internal relations), Elected/appointed City officials may ask limited questions of City staff to obtain information, but interactions with staff beyond such questions should be directed to the City Manager.



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Elected/appointed City officials shall individually ensure they comply with all applicable laws (e.g., free speech laws, the Brown Act, public records laws, Orinda Municipal Code, etc.). For example, elected/appointed City officials should be careful not to use Social Media (e.g., “post” “like” “share” “retweet”) in a manner that could constitute an improper serial meeting or otherwise violate the Brown Act.

GENERAL GUIDELINES:

Staff shall follow these general guidelines when Posting items to Social Media and/or operating the City’s Social Media Accounts:

1. Limit Posts to dissemination of information about the City.
2. Make clear when a Social Media Account is operated by the City.
3. The City’s website (www.cityoforinda.org) shall remain its primary Internet presence. Posts shall link to the City’s website for detail (e.g., forms, documents, announcements).
4. Posts shall supplement, not replace, legally required notices and standard methods of communication.
5. Posts must be professional, respectful, and factual.
6. Posts shall not contain sensitive personal information.
7. Ensure all necessary permissions have been obtained for Post (e.g., photos).
8. Regularly visit and maintain all authorized City Social Media Accounts.
9. Promptly close any City Social Media Accounts that are no longer needed/active.

PUBLIC COMMENTS:

To the maximum extent feasible, staff shall configure City Social Media Accounts to disable/disallow all Public Comment, including in response to Posts by the City. Such City Social Media Accounts shall not be public forums.

If disabling/disallowing all Public Comment is not feasible, the City will consider its Social Media Accounts to be limited public forums moderated by staff. Public Comments containing any of the following inappropriate forms of content shall not be permitted in connection with a City Social Media Account and are subject to removal and/or restriction by the City:

1. Content unrelated to the City
2. Violent and/or pornographic content
3. Content promoting discrimination on the basis of race, creed, color, age, religion, sexual orientation, gender, or national origin
4. Content threatening any person or entity with violence



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5. Solicitations of commerce, including but not limited to advertising of any business or product for sale
6. Violations of any law and/or promotion of illegal activity
7. Content compromising public safety or security
8. Content supporting or opposing any political candidate or campaign, including ballot measures

City staff shall obtain authorization from the City Manager, in consultation with the City Attorney, before removing and/or restricting Public Comment based on these guidelines. Any Public Comment removed based on these guidelines shall be retained in a manner consistent with the City's document retention policy.

Any Public Comment posted in connection with a City Social Media Account is the opinion of the commenter or poster. The presence of that content in connection with a City Social Media Account shall in no way imply City endorsement of, or agreement with, the content. City staff generally will not Post responses to Public Comments.

**NO LIABILITY/
GUARANTEE:**

The City operates its Social Media Accounts as a public service to provide information about the City. The City assumes no liability for any inaccuracies its Social Media Accounts may contain and does not guarantee its Social Media Accounts will be uninterrupted, permanent or error-free. All users of Social Media should review and understand all applicable privacy and other policies, including those established by third parties.

DISCLOSURE:

This policy shall be available on the City's website and from the City Clerk.

RECORDS:

All Posts associated with City Social Media Accounts shall be treated as public records subject to public disclosure under the California Public Records Act. City staff should consult with the City Clerk and City Attorney for guidance regarding current requirements governing records retention and disclosure.

REVISIONS:

This policy may be revised by the City Manager at any time.

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Approved by: _____

Steve Soloman, City Manager

Date: _____

11/15/13