



Local Agency Formation Commission of Napa County
Subdivision of the State of California

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October 3, 2011
Agenda Item No. 7a (Action)

September 26, 2011

TO: Local Agency Formation Commission

FROM: Ad Hoc Committee on Policies and Procedures (Luce, Rodeno, and Simonds)

SUBJECT: Adoption of Policy on Social Media Use

The Commission will review a draft policy prescribing the use of social media tools in proactively communicating agency activities to the public. The draft policy includes authorizing and establishing specific standards with respect to utilizing Facebook and Twitter. The draft policy is being presented to the Commission for adoption.

Local Agency Formation Commissions (LAFCOs) are political subdivisions of the State of California located in all 58 counties in California. LAFCOs are responsible for regulating the formation and development of local governmental agencies under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (“CKH”). LAFCOs inform their regulatory responsibilities through various regional planning activities, namely designating spheres of influence for all cities and special districts. CKH directs LAFCOs to establish written policies and procedures and exercise all of their delegated powers in a manner consistent with those policies and procedures. CKH also directs LAFCOs to actively engage citizens in considering the current and future needs of local communities. This includes requiring LAFCOs to maintain an internet website to help ensure pertinent agency information is readily available to the public. Further, subsequent to CKH’s enactment in January 1, 2001, advances in internet-based programs have significantly expanded the type and scope of social media tools available in engaging the public. Several of the new social medial tools or sites – specifically Facebook and Twitter – are now commonly used to promote government information and services to a continuously increasing audience.

A. Background

LAFCO of Napa County (“Commission”) principally relies on its website to disseminate information to the public concerning current and pending agency activities. Towards this end, the website was comprehensively updated in 2009 by Planeteria (Santa Rosa) to include more user-friendly layouts as well as incorporate certain interactive features, such as an internal search site and online forms. Other interactive features added more recently to the website include on-demand video recordings of Commission meetings. Information disseminated through the website is complemented by more traditional outreach efforts that continue to be employed, albeit in a secondary role to the website. This includes in order of frequency sending e-mails to self-registered groups, making presentations at local agency and community meetings, and publishing announcements or notices in the newspaper.

Lewis Chilton, Vice Chair
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Joan Bennett, Commissioner
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Bill Dodd, Chair
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Brad Wagenknecht, Commissioner
County of Napa Supervisor, 1st District

Mark Luce, Alternate Commissioner
County of Napa Supervisor, 2nd District

Brian J. Kelly, Commissioner
Representative of the General Public

Gregory Rodeno, Alternate Commissioner
Representative of the General Public

Keene Simonds
Executive Officer

B. Discussion

The Ad Hoc Committee on Policies and Procedures (“Committee”), consistent with its directive to review and make related recommendations, believes the Commission’s public outreach efforts would be measurably enhanced by making use of social media sites. With this in mind, the Committee has prepared a draft policy on social media use for Commission consideration. The Committee has designed the draft policy with assistance from Counsel to incorporate two distinct components: (a) establish general standards in making use of social medial sites to enhance communication with the public and (b) authorize specific protocols with respect to using Facebook and Twitter. The draft policy, importantly, borrows passages in the County of Napa’s own recently adopted policy on social media use while tailored to address the Commission’s own unique interests as a relatively small governmental agency; the latter being an important distinction, among other reasons, in ensuring appropriate monitoring is continuous.

Key provisions included in the draft policy on social media use are summarized below.

- The Executive Officer will be solely responsible for implementation. This includes maintaining all user accounts and associated passwords for the social media sites *authorized* by the Commission (emphasis added).
- The Executive Officer or designee will be responsible for regularly monitoring the Commission’s social media sites to ensure appropriate content standards are maintained. Prohibitive comments necessitating removal are outlined under Section VII/C of the draft policy.
- Implementation will be done in conjunction with all related administrative policies adopted directly by the Commission or applicable through its staff support services agreement with the County. Pertinent examples of the latter include County policies covering information technology and security use as well as harassment and discrimination matters.
- The Commission shall exercise discretion in deferring to its own written policies on social media use if a conflict emerges with respect to County policies.
- The Commission authorizes staff to establish and manage Facebook and Twitter social media accounts in communicating agency activities with the public subject to specified standards and protocols as outlined in Section X of the draft policy.

C. Analysis

The Committee believes the draft policy on social media use establishes appropriate guidelines in improving the Commission’s efforts to proactively engage the public relating to agency activities; a desired goal given most agency activities have been performed in the past with little or no direct input from the public. The draft policy specifically authorizes the use of Facebook and Twitter in engaging the public and establishes measured standards to control the inherent conversational manner of these sites to maintain proper professional

standards. Markedly, Facebook and Twitter provide the Commission with two distinctive and complementary tools in enhancing communication with the public that ultimately can be used to redirect users to visit the agency's website for more detailed information. Specifically, Facebook allows the Commission to maintain an ongoing public forum in disseminating a broad range of agency information to the public while providing for two-way conversations through comment postings. Twitter allows the Commission, conversely, to provide instant and brief notifications concerning specific agency activities, such as notices of review, special meetings, and news releases.

The Committee recognizes irrespective of the preceding comments there are unique challenges for the Commission in using social media sites meriting special consideration. The most pertinent challenge, arguably, involves the Commission's desire to use social media sites to actively engage the public while potentially needing to censor comments that are deemed inappropriate without violating freedom of speech rights. The Committee believes the best approach in addressing this challenge is to simply accept inappropriate postings will occur and should be allowed to remain without deletion unless the content is explicitly prohibited under policy (i.e., profanity, physical threats, sexual language, etc.). This approach will presumably allow most inappropriate comments to remain, but will help remove the most egregious posts while avoiding freedom of speech missteps. This approach will also place a premium on staff to correct misinformation on social media sites in an even-toned and timely manner, allowing users to evaluate the information as presented.

D. Alternatives for Commission Action

The following two actions are available for Commission consideration with respect to considering the proposed draft policy.

Alternative One: Approve by motion the attached draft policy with or without modifications as specified.

Alternative Two: Continue consideration of the draft policy to a future meeting while providing additional direction to the Committee as needed.

E. Recommendation

The Committee recommends Alternative One as outlined in the preceding section.

F. Procedures for Consideration

The following procedures are recommended with respect to the Commission's consideration of this item:

- 1) Receive verbal report from the Committee;
- 2) Invite public comment; and
- 3) Discuss item and consider action on recommendation.

Respectfully submitted on behalf of the Committee,

Keene Simonds
Executive Officer

Attachment:

- 1) Draft Policy on Social Media Policy



LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

Policy on Social Media Use

Adopted: *****

I. Background

The Cortese-Knox-Hertzberg Local Government Reorganization (“CKH”) Act of 2000, pursuant to California Government Code Section 56300, directs the Commission to exercise its regulatory and planning responsibilities consistent with its written policies and procedures. The Commission is also directed under subsection (f) to maintain an internet website to ensure pertinent agency information is readily available to the public; a provision consistent with a key premise underlying CKH for commissions to improve engagement with citizens in their respective jurisdictions. Further, subsequent to CKH’s enactment in January 1, 2001, advances in internet-based programs have significantly expanded the type and scope of social media tools available in engaging the public. Several of the new social medial tools or sites are now commonly used by public agencies to promote government information and services to a continually increasing audience.

II. Purpose

The purpose of this policy is to provide clear and concise direction to Commission staff regarding the appropriate use of authorized social media sites in disseminating information to the public. This includes establishing standards and protocols in managing authorized social media sites to help ensure appropriate decorum is continuously maintained in communicating with the public.

III. Policy Statement

The Commission shall use authorized social media sites to maintain and enhance effective communication with Napa County agencies and all members of the public. This policy shall be reviewed on a regular basis to ensure consistency with industry practices.

IV. Administration

- A) The Executive Officer shall be responsible for maintaining user accounts and passwords for all social media sites authorized by the Commission for use by staff. The Executive Officer or designee will be responsible for posting, monitoring, and removing content consistent with this policy.
- B) This policy shall be implemented in conjunction with all related administrative policies adopted by the Commission or as applicable through the Commission’s contract with the County of Napa for staff support services. This includes, but is not limited to, complying with the County’s policies concerning the use of computers pursuant to County Policy Manual Section 31A.

- C) The Commission shall exercise discretion in reconciling inconsistencies or conflicts between Commission and County policies as it relates to the use of social media sites.

V. Compatibility with Website

- A) The Commission's website (<http://napa.lafco.ca.gov>) shall continue to serve as the agency's primary and predominant internet presence. Towards this end, whenever possible, content posted on the Commission's social media sites will also be made available on the agency website.
- B) Content published by staff on the Commission's social media sites shall not be offered in lieu of information on the agency's website. The Commission's social media sites shall all contain hyperlinks to the agency's website.

VI. Records Retention

- A) Posts published by staff on the Commission's social media sites will be archived and managed in accordance with the agency's Records Retention Policy.
- B) Posts published by visitors on the Commission's social media sites are deemed transitory in nature and are not considered records under CKH.

VII. Disclaimer Notice

- A) The Commission's social media sites shall all include a disclaimer notice informing visitors that all postings must comply with content standards as they are outlined in Section VIII.C. This include advising visitors that the Commission disclaims responsibility and liability for any materials the agency deems inappropriate for posting that cannot be removed in an expeditious and otherwise timely manner.

VIII. General Content Standards

- A) The Executive Officer or designee shall regularly monitor the Commission's social media sites to ensure content standards as established in this policy are continually maintained.
- B) The Commission's social media sites shall notify visitors the intended purposes of the sites are to facilitate communication between the Commission and the public. Sites must provide clear statements of the discussion topics introduced for public comments so that the public is aware of the limited nature of the discussion and that inappropriate posts are subject to removal.

C) The Executive Officer or designee shall remove any postings, comments, or other communications on its social media sites that are deemed inappropriate if any of the following forms of content are present:

- (1) Profane language or content;
- (2) Content promoting, fostering, or perpetuating discrimination on the basis of race, creed, color, age, religion, gender, sexual orientation, marital status, status with regard to public assistance, national origin, genetic information, or physical or mental disability;
- (3) Sexual content or hyperlinks to sexual content;
- (4) Comments in support of or opposition to political campaigns or ballot measures;
- (5) Solicitations of commerce;
- (6) Conduct or encouragement of illegal activity;
- (7) Information that may compromise the safety or security of the public or public infrastructure; and
- (8) Content violating a legal ownership interest of any other party.

IX. Authorized Social Media Sites

A) The social media sites authorized by the Commission for use by staff are identified by their short-term designation below and corresponding address.

- (1) Facebook / <http://facebook.com>
- (2) Twitter / <http://twitter.com>

X. Specific Standards and Protocols for Authorized Social Media Sites

A) Facebook

- (1) The Executive Officer shall hold and maintain the Commission's Facebook account. Account information, including the password, will be kept by the Executive Officer and registered to his or her work e-mail address.
- (2) The Commission will have only one Facebook account.
- (3) Postings and all related applications, including "likes," will not be added to the Commission's Facebook page(s) without the approval of the Executive Officer or designee.
- (4) The Commission's Facebook page(s) will be described as "government" and depict the agency's adopted logo and mission statement in the introduction box. The following description will be included on each Facebook page:

“This is an official Facebook page of LAFCO of Napa County. More information about LAFCO is available on our agency’s website, <http://napa.lafco.ca.gov>. This page is intended to facilitate broad and enhanced communication between LAFCO and the public and compliment and direct visitors to the agency website.”

- (5) The Executive Officer will determine when to turn on the comment option on the Facebook page(s). If comments are allowed, the Facebook page(s) shall include the following disclaimer on content:

“Comments posted to this page will be monitored and inappropriate content will be removed as soon as possible consistent with the agency’s Policy on Social Media Use [hyperlink to view policy included]. LAFCO disclaims responsibility and liability for any inappropriate postings that cannot be removed in an expeditious and otherwise timely manner.”

- (6) The Executive Officer or designee shall monitor comments on the Facebook page(s) no less than once a week. If monitoring is not available, the Executive Officer or designee shall turn off the comment option.
- (7) The Executive Officer or designee may add photographs or videos to the Facebook page(s). However, all postings of photographs or videos of the public must be accompanied by written waivers of the affected individuals.
- (8) Visitors to the Facebook page(s) shall not be allowed to post photographs, videos, or hyperlinks. Notification will be provided through a disclaimer.

B) Twitter

- (1) The Executive Officer shall hold and maintain the Commission’s Twitter account. Account information, including the password, will be kept by the Executive Officer and registered to his or her work e-mail address.
- (2) The Commission will have only one Twitter account.
- (3) Postings and retweets will not be added to the Commission’s Twitter page without the approval of the Executive Officer or designee.
- (4) The Commission’s biography summary on its Twitter page will include a hyperlink to the agency’s website along with the following disclaimer:

“This is an official Twitter page of LAFCO of Napa County. More information about LAFCO is available on our agency’s website, <http://napa.lafco.ca.gov>. This page is intended to facilitate specific and enhanced communication between LAFCO and the public by immediately disseminating interesting and important information.”

- (5) Postings and retweets shall be relevant, timely, and informative. Postings shall also remain professional and incorporate proper grammar and avoid the use of jargon or abbreviations.