

RESOLUTION NO. 21-1419

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
BLACK DIAMOND, KING COUNTY, WASHINGTON,
AMENDING THE CITY COUNCIL RULES OF PROCEDURE
TO INCLUDE A SOCIAL MEDIA POLICY.**

WHEREAS, RCW 35A.11.020 empowers the legislative bodies of noncharter code cities, such as the City of Black Diamond, to organize and regulate their own internal affairs pursuant to rules adopted by the body; and

WHEREAS, the Black Diamond City Council has established certain rules of conduct known as the Rules of Procedure of the City Council of the City of Black Diamond, Washington ("Council Rules"), last amended by Resolution No. 19-1320; and

WHEREAS, the City Council acknowledges the growing role of social media in enabling Councilmembers to communicate with their constituents concerning City programs, projects, events, and other matters pertaining to City government and the business of the Council; and

WHEREAS, the City Council believes that Councilmembers who choose to communicate through social media in their official capacities as elected officials should observe best practices that both support the City's mission and encourage compliance with state law; and

WHEREAS, the City Council desires to amend the Council Rules to incorporate an official social media policy setting forth agreed-upon standards and guidelines for Councilmembers to follow when using any official, City-sponsored social media account; and

WHEREAS, the City Council believes the attached City Council Social Media Policy will encourage community interaction, enhance the flow of information to residents, comply with applicable legal requirements, and maintain appropriate distinctions between personal and official social media accounts;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. Section 19 of the Rules of Procedure of the City Council of the City of Black Diamond ("Council Rules") is hereby amended to add a new Rule 19.3, entitled "Social Media Usage by Councilmembers" as shown on pages 1 through 4 of Exhibit A hereto.

Section 2. The City of Black Diamond Social Media Posting Guidelines and Moderation Policy (“Citywide Posting Guidelines”) are shown on pages 5 through 6 of Exhibit A hereto but shall not constitute a new section of the Council Rules. Rather, the Citywide Posting Guidelines are included in Exhibit A merely for convenient reference. The Citywide Posting Guidelines apply to all official City social media accounts, including those established by City administrative departments under the authority of the Mayor. The Citywide Posting Guidelines are administered by the City Clerk and IT personnel and shall be available for review on the City website and by link to all official City social media accounts. Although the Citywide Posting Guidelines serve as an important point of reference for City Council social media usage, they shall not be published as part of the revised Council Rules. Instead, a cross-reference to the Citywide Posting Guidelines is included in new Rule 19.3.7.

Section 3. All other sections of the Council Rules are unchanged and shall remain in full force and effect.

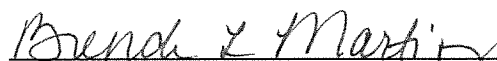
**PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND,
WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 20TH DAY OF MAY, 2021.**

CITY OF BLACK DIAMOND:



Carol Benson, Mayor

Attest:



Brenda L. Martinez, City Clerk

City Council Social Media Policy

(to be adopted as Rule 19.3 of the City Council Rules of Procedure)

19.3 Social Media Usage by Councilmembers

- 19.3.1 These rules establish a formal process for the use of social media by individual City Councilmembers in their capacity as elected or appointed officials. "Social media" refers to Facebook, Instagram, Twitter, Snapchat, Nextdoor, YouTube, and other similar internet-enabled platforms that enable the sharing of text, pictures, video, audio, and other content with a broad segment of the public who subscribes to or engages on that platform. Social media provides Councilmembers a valuable and convenient tool for informing and communicating with their constituents and members of the broader community. When used in accordance with City policy, social media enables Councilmembers to showcase their diligent and conscientious service to residents and improve public trust and confidence in City governance.
- 19.3.2 Official Councilmember Social Media Accounts. "Official" social media accounts are those accounts that are created by the City for use by individual City Councilmembers while they hold elected office. Councilmembers' official social media accounts are not to be used for posting about personal matters that are unrelated to City events, functions, programs, projects, services, policies, or issues.
- 19.3.3 Councilmembers who desire to have an Official social media account must contact the City Clerk and/or IT Manager to set up the account. If a Councilmember has a pre-existing account used for official City purposes, the login credentials and passwords shall be provided to the City Clerk and IT Manager. The login credentials and passwords for all official Councilmember accounts shall be maintained in the records of the City Clerk and IT Manager to facilitate access for public records retention, transfer of accounts (if a Councilmember's status as a member of the City Council changes), and any necessary content moderation per the City's Social Media Posting Guidelines and Moderation Policy. Official Councilmember accounts shall follow a standard naming convention, such as "@CMJonesBD" or similar format. During account setup, the City Clerk shall work with the Councilmember to determine appropriate account names, consistent with each social media platform's requirements or limitations.

- 19.3.4 Whenever technologically practicable, Councilmembers shall use and manage their Official social media accounts using their City-issued electronic devices rather than their personal devices. Councilmembers must avoid removing or altering any content on their Official social media accounts until it has been properly archived using the City's current social media archival software to ensure compliance with public records retention and disclosure laws.
- 19.3.5 It is acknowledged and accepted that Councilmembers may use their Official social media accounts to publicize City events, activities, and projects, and to discuss matters of public concern with constituents. Councilmembers may use social media to engage with residents on issues that are important for effective representation. However, Councilmembers must adhere to the City's Social Media Posting Guidelines and Moderation Policy.
- 19.3.6 Personal Social Media Accounts. "Personal" social media accounts are those accounts created by Councilmembers in their personal capacity without City sponsorship, maintenance, administration, or other involvement, and are used strictly for matters relating to personal, family, or commercial business unrelated to City events, functions, programs, projects, services, policies, or issues. Councilmembers must avoid posting anything related to City business on their personal social media accounts. Personal social media accounts must also avoid the following:
- a. Use of any City of Black Diamond email addresses as a point of contact or for account registration.
 - b. Identification of the account holder as a current member of the Black Diamond City Council, either in the username or handle.
 - c. Use of the City logo, seal, letterhead, or other official City marks.
 - d. Use of City Hall contact information (address, phone number, etc.) or links to City web pages or accounts in the account description or banner, unless used strictly as needed to redirect residents to an official City of Black Diamond website or social media account.
- 19.3.7 Councilmembers must include the following disclaimer, or a link thereto, in the biographical or "About" section of all of their Official City of Black Diamond social media accounts:

The comments expressed on this page reflect the views of the author and may not reflect the opinions or official positions of the City of Black Diamond or

the City Council as a whole. Additionally, other Councilmembers may be unable to respond to communications on this page due to the limitations of the Open Public Meetings Act, which precludes a quorum of Councilmembers from conducting discussions of City business outside of a properly noticed public meeting.

This social media site is hosted by one or more third parties. All users of this social media site are subject to this site's terms of service and its own privacy and moderation policies. The City of Black Diamond has no control over the moderation or privacy policies of third-party social media sites. Nor does the City have any control over commercial advertisements or other posts that may appear on this site. The City has created and maintains its social media accounts as a public service to provide information about City programs, services, projects, issues, events, and activities, and for City Councilmembers to communicate with their constituents regarding City-related matters. The City assumes no liability for any inaccuracies this social media site may contain and does not guarantee that posts to this account will be free of errors.

All comments posted to City social media accounts must be related to discussion of City programs, services, projects, issues, events, and activities, and may be subject to public disclosure under the state Public Records Act. Communications made through social media will in no way constitute a legal or official notice or comment to the City or City officials for any purpose.

The account is intended to convey content that is appropriate for all ages. The City reserves the right to make a record of any comment or post that violates City Social Media Posting Guidelines, and then hide the comment/post if necessary. The City's Moderation Policy, including the Social Media Posting Guidelines, can be found at the following link:

[link]

- 19.3.8 If a Councilmember receives comments regarding City government business on his/her Personal social media account, the commenter should be directed to visit the City's website or other Official social media account where the comments may be properly received and recorded. Councilmembers should refrain from using City-issued devices to access or manage Personal social media accounts.
- 19.3.9 Comments made on social media by multiple Councilmembers regarding the same matter or issue of City business are subject to Open Public Meetings Act requirements. Under no circumstances may a Councilmember respond to or comment on a social media post if he or she would be the fourth Councilmember to post on that issue or

subject matter, regardless of whether all Councilmember comments or responses on that issue or subject matter appear in the same social media thread or page.

- 19.3.10 Councilmembers shall refrain from posting content that personally disparages or attacks the character of other Councilmembers or City officials or employees. However, professional criticism and civil expressions of disagreement on policy grounds are not a violation of this policy.

City of Black Diamond Social Media Posting Guidelines and Moderation Policy

- A. Moderation Policy. The intended purpose of the account is to serve as a mechanism for communication between the City and members of the public. All comments are reviewed after posting. Comments will not be edited by the City or its staff, but the City reserves the right to restrict or remove any content that is deemed in violation of this policy or any applicable law. A copy of all restricted or removed content will be preserved pursuant to applicable state record-retention and public-disclosure laws.
- B. Posting Guidelines. Posts and comments containing any of the following forms of content are deemed inappropriate and in violation of this policy:
1. Comments that clearly violate the site's terms of service
 2. Comments deemed potentially libelous
 3. Comments not topically related to the particular social media post or article being commented upon
 4. Comments inciting violence or directing hatred or harassment toward any individual or group
 5. Comments in support of or opposition to political campaigns or ballot measures
 6. Profane language or content
 7. Obscene or explicit comments
 8. Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, gender identity, sexual orientation, marital status, political affiliation, or status with regard to public assistance or physical or mental disability
 9. Sexual content or links to sexual content
 10. Advertisements, business solicitations, commercial promotions, or spam
 11. Personal attacks, insults, or threatening language
 12. Private, personal information published without consent
 13. Conduct that suggests or encourages illegal activity
 14. Information that may tend to compromise the safety or security of the public or public system
 15. Comments that embed images from external sources
 16. Plagiarized material, or material that violates intellectual property rights
 17. Comments that violate any law

Please be advised that if you post materials, you participate at your own risk, taking personal responsibility for your comments, your username, and any information provided.

Any content removed based on these guidelines will be retained, including the time, date, and identity of the poster, if available. The City will approach the use of social media tools as consistently as possible and without favor.

The appearance of external links on this site does not constitute official endorsement on behalf of the City of Black Diamond.

Communications made or directed through social media will in no way constitute a legal or official notice or comment to the City or any official or employee of the City for any purpose.

If you have questions or need additional information, please contact the City at info@blackdiamondwa.gov.

- C. Copyright Policy. All information and materials generated by the City of Black Diamond and provided through City social media accounts are the property of the City. The City retains exclusive copyright on all text, graphic images, and other content that was produced by or for the City of Black Diamond and found on its website or social media accounts. Using text, photos, videos, or other content from City social media accounts and websites is prohibited without the express written permission of the City of Black Diamond.

If you are a copyright holder and you feel that your copyrighted material has been improperly used or posted on a City social media account, please notify the City at info@blackdiamondwa.gov with detailed information about the circumstances, so that your concerns may be reviewed and action taken, if appropriate.