

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIALTO,
CALIFORNIA, ADOPTING A SOCIAL MEDIA TERMS OF USE AND COMMENT
POLICY**

WHEREAS, the City of Rialto recognizes the value in using social media websites to broaden communication regarding government services and facilitate greater citizen engagement; and

WHEREAS, the City encourages the use of social media to further the goals of the City and its departments, where appropriate, through dissemination of information about the City's mission, meetings, activities and current issues to members of the public; and

WHEREAS, the purpose of the City’s Social Media Terms of Use and Comment Policy is to set forth the City’s goals, policies and procedures relating to the City’s presence on social media sites; and

WHEREAS, public input, an important part of transparent and open government, is encouraged on the City’s social media sites, provided users of the sites adhere to the Social Media Terms of Use and Comment Policy;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Rialto adopts the City of Rialto Social Media Terms of Use and Comment Policy attached hereto as Exhibit “A.”

PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2021.

DEBORAH ROBERTSON, Mayor

1 ATTEST:

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BARBARA A. McGEE, City Clerk
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8 APPROVED AS TO FORM:

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ERIC VAIL, Interim City Attorney
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1 STATE OF CALIFORNIA)
2 COUNTY OF SAN BERNARDINO) ss
3 CITY OF RIALTO)
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5 I, Barbara A. McGee, City Clerk of the City of Rialto, do hereby certify that the foregoing
6 Resolution No. _____ was duly passed and adopted at a regular meeting of the City Council of
7 the City of Rialto held on the _____ day of _____, 2021.
8

9 Upon motion of Council Member _____, seconded by Council Member
10 _____, the foregoing Resolution No. _____ was duly passed and adopted.
11

12 Vote on the Motion:

13 AYES:

14 NOES:

15 ABSTAIN:

16 ABSENT:
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18 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of
19 Rialto, this _____ day of _____, 2021.
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21 _____
22 Barbara A. McGee, City Clerk
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EXHIBIT A

City of Rialto Social Media Terms of Use and Comment Policy

The following policy shall be prominently posted on all City social media sites or made available through a prominently displayed hyperlink.

Definitions

1. “Social media” is a variety of online sources that allow people to communicate, share information, share photos, share videos, share audio, and exchange text and other multimedia files with others via some form of online or cellular network platform.
2. “City social media” means pages, services or feeds established and maintained by the City on behalf of the City, through which content of community interest is provided to the general public. City social media sites shall supplement, not replace, the City’s required notices and traditional methods of communication.

Terms of Use of City Social Media

1. The purpose of City social media is to communicate information of public interest about Rialto. The goal of posting is to provide information of interest to the Rialto community concerning the functions, activities, programs and goals of the City, and to facilitate the community’s ability to learn about and participate in city government. The City welcomes responses by the community via appropriate comment, email, letter, telephone call or appearance and comment during a City Council meeting.
2. This is an official social media site of the City of Rialto. This site is intended to serve as a mechanism for communication of information about the City, by the City, to the public.
3. Public comment that is appropriate and on topic is permitted and may be used by policy makers. By permitting use of the public comment feature, the City does not intend to create a general public forum, and all comments and posts must comply with this policy. The City reserves the right to determine whether comments will be allowed for a post.
4. “Posts” or postings” mean information, articles, pictures, videos and any other form of communication placed on a City social media site on behalf of the City.
5. The City responds to select comments posted on this site in a limited manner. Should you require more information or wish to discuss a topic with a City representative, please contact the City Clerk’s office directly. Requests for public records must be made directly to the City Clerk through the City website www.yourrialto.com/RecordsRequests. The City Clerk’s

office can be reached by phone at (909)820-2519.

6. Postings made by the public will be monitored. The City reserves the right to reject any post it deems to be objectionable. Following are examples of materials that are prohibited and that will be removed from the City's Social Media:
 - a. Comments not topically related;
 - b. Profane language or content;
 - c. Content that promotes, fosters, or perpetuates discrimination or harassment on the basis of race, color, national origin, religious creed, ancestry, physical or mental disability, medical condition, pregnancy, childbirth or related medical condition, age, sexual orientation, sex, gender identity, gender expression, genetic information, military or veteran status, marital status, or any other basis protected by applicable state or federal law;
 - d. Threats to any person or organization or encouragement of illegal activity;
 - e. Content containing personal information, such as home addresses, phone numbers, social security numbers, dates of birth or driver's license numbers;
 - f. Sexual content or links to sexual content;
 - g. Solicitations of commerce, including any advertising or business services or products for sale;
 - h. Conduct of encouragement of illegal activity;
 - i. Information that may tend to compromise the safety or security of the public or public systems;
 - j. Content that violates a legal ownership interest of any other party;
 - k. Content that violates any federal, state or local laws;;
 - l. Comments that violate the legal ownership interest of another party (copyright or trademark violations);
 - m. Content that contains confidential or proprietary information about the City, its employees or vendors;
 - n. Comments in support of or opposition to any political campaigns or ballot measures;
 - o. Information that promotes a specific religion or religious belief.
7. 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. The City reserves the right to remove any fans, followers, or subscribers that continuously violate this policy.
8. When you post to a City social media site, you are subject to the policies, rules and regulations (i.e. terms of use) of the host site as well as the City of Rialto. Information you share with or post to this site may be used by the owners of the host site for their own purposes. For more information, consult the host website's terms of use. Content appearing on this site may be subject to California public records laws and subject to disclosure by the City if requested. Every comment or posting made to this site is a public record, and may be disseminated, reproduced, or copied by the City or any other person without any further action by the poster or without notice by the City of such. You agree by posting to this site that you have no reasonable expectation of privacy as to such posts or comments.
9. Pursuant to the requirements of the service provider, this website may contain content, including,

but not limited to, advertisements and hyperlinks over which the City has no control. The City does not endorse any hyperlink or advertisement or content therein placed on this City social media site by the site's owners, vendors, or partners.

10. Social media postings are made in real time and may inadvertently contain errors or omissions. The City of Rialto is not responsible for any delays, errors, or omissions arising out of your use of the site or with respect to the material contained on the site, including, without limitation, any material posted on the site.
11. The City of Rialto is neither responsible nor liable for any viruses or other contamination of your computer system.
12. By proceeding to use the City's social media site, you hereby agree to these Terms of Use.

Comment Policy

1. Comments, articles, topics and submittals containing the following forms of content are not allowed on City social media platforms:
 - a. Personal attacks of any kind;
 - b. Content that bullies, intimidates, or harasses any user;
 - c. Comments not topically related;
 - d. Profane language or content;
 - e. Content that promotes, fosters, or perpetuates discrimination or harassment on the basis of race, color, national origin, religious creed, ancestry, physical or mental disability, medical condition, pregnancy, childbirth or related medical condition, age, sexual orientation, sex, gender identity, gender expression, genetic information, military or veteran status, marital status, or any other basis protected by applicable state or federal law;
 - f. Threats to any person or organization or encouragement of illegal activity;
 - g. Content containing personal information, such as home addresses, phone numbers, social security numbers, dates of birth or driver's license numbers;
 - h. Sexual content or links to sexual content;
 - i. Solicitations of commerce, including any advertising or business services or products for sale;
 - j. Conduct of encouragement of illegal activity;
 - k. Information that may tend to compromise the safety or security of the public or public systems;
 - l. Content that violates a legal ownership interest of any other party;
 - m. Content that contains confidential or proprietary information about the City, its employees or vendors;
 - n. Content that violates any federal, state or local laws;
 - o. Comments that violate the legal ownership interest of another party (copyright or trademark violations);
 - p. Comments in support of or opposition to any political campaigns or ballot measures;
 - q. Information that promotes a specific religion or religious belief.

2. The City reserves the right to remove any fans, followers, or subscribers that continuously violate this policy.
3. Comments must be related to the posted topic. This site is not meant for comments that do not directly relate to the purpose or topic of the site or for service complaints. For general comments, or communication concerning a department, please contact the department by phone, email or in person.
4. Statements or posts that constitute libel, slander and or defamation are prohibited; however, the City is not responsible for determining the truth or veracity of any statement made or comment posted by users of a City site or page.
5. Comments submitted to this site are monitored. The City reserves the right to remove or restrict any content that is deemed in violation of this Social Media Policy or any applicable law.
6. The City of Rialto disclaims any and all responsibility and liability for any materials posted or submitted by users of the City's social media sites.
7. The City of Rialto reserves the right to implement or remove any functionality of its social media sites, when deemed appropriate by the Content Managers. Content Manager refers to any person who establishes, creates and/or posts content on behalf of the City on a City social media site. This includes, but is not limited to, blocking specific persons from submitting comments, tweets, or replies; removing comments; turning off comments; removing information, articles, pictures, videos, or any other form of communication that is posted on a City social media site when it does not conform to the site's guidelines and/or terms of use, or the City's Social Media Policy.
8. A comment posted by a member of the public on any City social media site is the opinion of the commenter only. Publication of a comment does not imply endorsement of or agreement by the City of Rialto, nor do such comments necessarily reflects the opinions or policies of the City of Rialto.
9. 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 of Rialto is not obligated to take such actions, and disclaims any and all responsibility and liability for any materials posted by a member of the public.
10. By posting a comment, you agree to indemnify the City of Rialto, 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.
11. By proceeding to use the City's social media site, you hereby agree to this Comment Policy. If you do not agree to these terms, you should not use the City of Rialto's social media sites as a violation of these terms may lead to legal liability.