

CITY OF HERCULES SOCIAL MEDIA POLICY
Administrative Policy #93

PURPOSE

This Social Media Policy establishes definitions, authority, guidelines, and other rules governing the operation of the Social Media Accounts used by the City of Hercules to ensure that (1) members of the public have timely, useful, truthful, and important information regarding the City’s mission, meetings, current issues, programs, projects, services, and events, and (2) City staff and the public adhere to rules for Social Media Accounts that serve the foregoing purpose.

DEFINITIONS

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

“City” means the City of Hercules.

“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).

“Post” means the addition of information of 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.

“Social Media” means publicly accessible technologies used to publish and/or share information using the Internet. Examples of Social Media include, but are not limited to, the following: Facebook, X, Bluesky, Threads, Instagram, Snapchat, YouTube, LinkedIn, and Nextdoor.

“Staff” or “City Staff” means the City Manager and all City employees, heads of City Departments, officers, volunteers, interns, and any consultants, providers, and contractors acting in an official capacity and when communicating with the public on behalf of the City on City Social Media Accounts.

“User” means any individual or entity interacting with a City Social Media Account via Public Comment.

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 their designee(s). The City Manager or their designee(s) will maintain a list of all authorized City Social Media Accounts, including the log-in information and the staff/department(s) authorized to Post to those accounts. The City Manager or

their designee(s) will publish and maintain a list of the City's Social Media Accounts on the City's website.

ELECTED/APPOINTED CITY OFFICIALS

Elected/Appointed City Officials will not Post items on behalf of the City to any City Social Media Account. If Elected/Appointed City Officials have their own Social Media accounts, the City recognizes that they may elect, in their individual 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, not for the City or for their elected/appointed body. Elected/Appointed City Officials must use the following disclaimer on any personal Social Media account: "This is the personal page of [Name of Elected/Appointed City Official]. The views expressed are strictly my own and do not represent the views of the City of Hercules."

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

GENERAL GUIDELINES

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

1. The City's official website at <https://www.herculesca.gov/> will remain the City's primary online presence. The City will use official City Social Media Accounts as communication tools to disseminate accurate, direct information about City government to the public. Whenever necessary, Posts on City Social Media Accounts should contain hyperlinks directly users back to the City's official website.
2. The City reserves the right to terminate any City Social Media Account at any time without notice. The City should regularly maintain all City Social Media Accounts and should promptly close any City Social Media Account that is no longer needed or maintained.
3. All City Social Media Accounts shall adhere to applicable federal, state, and local laws, regulations, and policies.
4. Make clear when a City Social Media Account is operated by the City. City Social Media Accounts should include the name of the City and/or its official logo.
5. Ensure this Social Media Policy is displayed on all City Social Media Accounts or made available by hyperlink.
6. Limit Posts to dissemination of information about the City (e.g., City-sponsored or City-endorsed programs, services, and events). Content may include information, graphics, photographs, videos, and hyperlinks.
7. Posts will supplement, not replace, legally required notices and standard methods of communication. The City will not accept via Social Media any statutory notices required to be given to the City by any law, regulation or contract. All such notices shall be

provided and delivered to the City in the manner described by applicable law, regulation or contract.

8. Posts must contain information that is freely available to the public and cannot be confidential as defined by any federal, state, and local laws, regulations, and policies.
9. Posts must be professional, respectful, and factual.
10. Posts may not contain any personal information, except for the names or City-issued email addresses of Staff whose job duties include being available for contact by the public.
11. Staff should consider the audience when developing messaging, determining language, images and structuring content for Posts.
12. Ensure all necessary permissions have been obtained for a Post (e.g., permission to publish photos with consent of individual).
13. Comply with usage rules and regulations required by third party providers of City Social Media Accounts, including privacy policies.
14. Comply with all applicable City policies pertaining to communications and the use of the internet or artificial intelligence by employees, including email content.

CONTENT GUIDELINES FOR PUBLIC COMMENTS

The City's Social Media Accounts are considered limited public forums moderated by City Staff. The City's Social Media Accounts shall include the following disclaimer: "Please note that the City of Hercules does not endorse the comments or opinions provided by users of or visitors to this site."

Public Comments must be related to matters within the authority or jurisdiction of the City. 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 or official City business.
2. Violent, profane and/or offensive content.
3. Sexual content or language containing sexual content.
4. Harassing or threatening content.
5. Content promoting, fostering, or perpetuating discrimination on the basis of race, creed, color, age, religion, marital status, mental or physical disability, sexual orientation, gender, or national origin, or any other classes protected under federal, state, or local law.
6. Solicitations of commerce, including but not limited to advertising of any business or product for sale.
7. Violations of any law and/or promotion of illegal activity.
8. Content compromising public safety or security.
9. Identical or duplicate comments by the same user or multiple users under the same Post.
10. Disclosure of confidential, sensitive, or proprietary information.
11. Content that violates a legal ownership interest of any other party.
12. Private or personal information posted without consent.
13. Reproduced or borrowed content that reasonably appears to violate third party rights, intellectual property rights, copyright law, trademark law, or any other provision of law.
14. Content that poses a threat to the City's technology system or its security.

Any Public Comment posted to a City Social Media Account is the opinion of the commenter, not the City. The presence of that content in connection with a City Social Media Account, or the use of the “like” or comment feature shall not imply City endorsement of, or agreement with, any such content. Three or more Posts or Public Comments made in violation of this Policy may result in the City eliminating or removing the User’s ability to make further Posts or Public Comments.

Any Post or Public Comment on a City Social Media Account constitutes acceptance of these Terms of Use and any terms of use established by the applicable social media platform. While the City has the authority and ability to hide or remove a comment, post, photo, etc., this is not the City’s preference and should only be done in a manner consistent with this Policy.

CRISIS / EMERGENCY SITUATIONS

As a crisis or emergency begins to emerge, it is critical that City Staff and Elected/Appointed City Officials are aware of and follow best practices during an incident and understand the importance of only posting verified communication on all platforms, whether official or personal. The City will take the lead in posting information on the City’s website as the primary source to share information about any incident. City Social Media Accounts are not the primary tool used for disseminating emergency information.

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. The City’s Social Media Accounts 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 placed on City Social Media Accounts by anyone other than the City.

RECORDS

All Posts and Public Comments associated with the City’s Social Media Accounts shall be treated as public records subject to public disclosure under any public record laws, including the California Public Records Act. Any content maintained on a City Social Media Account that is related to the City’s business, including but not limited to, Posts, Public Comments, information about subscribers/followers, private messages, or any other posted communication, may be considered a public record and subject to public disclosure. City Staff should consult with the City Clerk and the City Attorney for guidance regarding current requirements governing record retention and disclosure.

POLICY REVISIONS & RESERVED RIGHTS

This Policy maybe revised by the City Manager at any time. The City reserves the right to terminate any City Social Media Account at any time without notice. The City also reserves the right to implement or remove any functionality of its City Social Media Accounts at any time without notice.

Signed by:

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Dante Hall, City Manager

11/19/2025

Date

Original Date: September 17, 2025

Revision Date: