

RESOLUTION NO. R 703-2022

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLINSVILLE, TEXAS, APPROVING AND ADOPTING THE CITY OF COLLINSVILLE POLICY FOR ELECTED OFFICIALS AND APPOINTED BOARDS, COMMISSIONS, AND COMMITTEES USING PERSONAL OR PROFESSIONAL SOCIAL MEDIA PLATFORMS; PROVIDING FOR THE INCORPORATION OF PREMISES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Collinsville desires to provide for a social media policy for the City of Collinsville's elected officials and appointed board, commission, and committee members; and

WHEREAS, the City Council finds it to be in the best interest of the City to implement such a policy.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLLINSVILLE, TEXAS THAT:

SECTION 1. The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

SECTION 2. The City Council does hereby approve and adopt the City of Collinsville Policy for Elected Officials and Appointed Boards, Commissions, and Committees Using Personal or Professional Social Media Platforms, attached hereto and incorporated herein as Exhibit "A" for all purposes.

SECTION 3. This Resolution shall become effective immediately upon its passage and approval.

PASSED AND APPROVED on this the 28th day of March 2022.

City of Collinsville, Texas

By: Derek Kays
Derek Kays, Mayor

Attest:

Deborah Hale
Deborah Hale, City Secretary



Approved as to Form:

Patricia Adams, City Attorney

EXHIBIT A

City of Collinsville Policy for Elected Officials and Appointed Boards, Commissions and Committees Using Personal or Professional Social Media Platforms

While elected officials and City Council-appointed board, committee and commission members may maintain and use personal web pages and websites, blogs, and social networking sites, elected/appointed officials should keep their status in mind with regard to the content of any postings on those sites.

The City's image as a professional organization is critical to maintaining the respect of its constituents. Although the City recognizes that elected and appointed officials (hereafter referred to collectively as "officials") may choose to express themselves by posting personal information upon social media platforms or by making comments on sites hosted by other persons, groups or organizations, by accepting the responsibilities of public service, officials likewise have a duty to the City of Collinsville and its operations.

If an official conducts any City business or communication as an official from a personal account, professional account, or an account created for a board/committee/commission, officials should assume that City-related communications will be considered a public record subject to the Texas Public Information Act.

Professional and Personal Conduct Standards

1. All officials are expected to conduct themselves in a manner consistent with the City's policies and standards of conduct.
2. It is anticipated that from time to time, officials will have access to information that is considered privileged or confidential under Texas State law. Such information is typically considered an exception to the public records law and may have specific penalties for inappropriate disclosure. By way of example, such information may include, but is not limited to, certain personnel information, non-public information from criminal investigations, and business trade secrets. Officials must not reveal any confidential or privileged information about the City, its constituents, its employees, or its contractors. Officials must be particularly careful to protect against the inadvertent disclosure of confidential or privileged information.
3. Officials are encouraged to be honest and accurate when posting information or news, and should quickly correct any mistakes, misstatements, and/or factual errors in content upon discovery. Officials should not post or share information known to be false about the City, its employees, constituents, other public officials, suppliers, vendors, or contractors.
4. Unless the official has been designated to serve as a spokesperson, officials should never represent themselves as a spokesperson for the City Council, a City board or committee, the City administration, or any City department.

5. Officials are expressly prohibited from using personal or professional social media to engage in any activity or conduct that violates federal, state, or local law on behalf of the City of Collinsville. Officials are also prohibited from using professional social media accounts to circumvent election or campaign requirements, to campaign for re-election, or endorse other candidates for public office.

Social media content created by elected and appointed officials may be subject to the standards and requirements of the Texas Public Information Act and the City's records retention policy. Specific inquiries should be directed to the City Administrator.

6. Officials are subject to the Texas Open Meetings Act. As an example, officials should be mindful that posting content regarding City-related matters could inadvertently result in the violation of the Open Meetings Law if enough other public officials engage on the post, resulting in a quorum. If this occurs, the online conversation should immediately cease with no further posts by the officials and the City Clerk should be notified accordingly.
7. Officials are prohibited from using social media to engage in any activity that constitutes a conflict of interest with their elected or appointed duties to the City.

Additional Best Practices and Guidelines for Elected and Appointed Officials

The following best practices and guidelines are strongly recommended to ensure that the personal and professional use of social media by elected and appointed officials is done so in a responsible manner.

1. Officials are encouraged to exercise caution with respect to comments they post, particularly those concerning the City and the business of the City.
2. Officials are strongly encouraged to consider the potential impact of social media statements prior to posting. The City strives to be professional in its operations and processes. Posts that express favoritism and/or bias for or against any individual or group of individuals (e.g., based upon race, gender, national origin, sexual orientation, political affiliation, etc.), reflect poorly on the public official, as well as the City and its residents. Further, comments suggesting such treatment can expose the City to liability and legal costs.
3. Officials should be mindful that members of the public who may appear before the City Council as well as boards, commissions, or committees come from all walks of life. Public comments, in any forum – including on social media accounts – that contain racial slurs, profane language, or acronyms for profane language, express bigotry toward a group based on race, religion, national origin, sexual orientation, gender, gender identity, or any other legally protected classification may be considered conduct contrary to professional standards that shows an unfitness to discharge continuing obligations to the City and its residents. Violations of this policy will subject officials to their respective board, commission, or committee bylaws'

procedures for failure to adhere to City policies. Depending on the applicable bylaws, officials may be subject to a public hearing and removal from office. Additionally, violations of this policy will be considered if reappointment to a City board, commission, or committee is sought.

4. Officials should consider whether liking, sharing, retweeting, or commenting on any social media posts could be perceived as an endorsement of or about the City, its employees, constituents, other public officials, suppliers, vendors, or contractors.
5. Officials should refrain from using social media accounts to communicate with City employees about City-related matters as this creates a public record on employees' personal accounts that must be retained per the Texas Public Information Act.
6. Officials should be cautious in using official City-provided photographs on personal social media sites. Officials choosing to use official City-provided photographs and identifying themselves as City officials on personal social media sites should provide appropriate attribution to the City.