



CITY OF SNOHOMISH

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NOTICE OF SPECIAL MEETING

SNOHOMISH CITY COUNCIL

in the
George Gilbertson Boardroom
1601 Avenue D

TUESDAY
February 20, 2018
5:00 p.m.

NOTE
TIME CHANGE

WORKSHOP AGENDA

- 5:00 1. **CALL TO ORDER**
2. **PRESENTATION** – Social Media Best Practices (See Attached) (P.3)
- 5:55 3. **ADJOURN**

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SOCIAL MEDIA IN GOVERNMENT

Best Practice Guidelines

Social Media Policy

- ▶ 3 types for council review
 - City staff, internal procedure
 - Setting up sites, disseminating information, monitoring or removing content, records retention, prohibited content
 - Elected Official best practice guidelines
 - Remainder of presentation
 - Visitor terms and conditions
 - Prohibited content, links policy, Copyright policy, Disclaimer for PRA, contact information

Elected Officials

- ▶ Types of speech on Social Media
 - Private citizen → retains first amendment rights
 - No City Business
 - Public official → does not have full first amendment rights, speaking from public official stand point (Kennedy v. Bremerton School District, 9th CIR, 2017)
 - Does the public have access to your platform (i.e. councilmember X)? Who does it look like is talking? (City or citizen)
 - Public official is a hired or elected person acting within the scope of their job

Forum

- ▶ Types of Forums
 - Traditional or “open public forum” – Sidewalk/ park
 - Limited – City Council Meetings
 - Closed – City Hall lobby

Best Practice Considerations

- ▶ **Public Records Act**
 - Identifying the records. Retention. Disclaimer. Deleted content.
- ▶ **OPMA/Appearance of Fairness**
 - Avoid Friending other elected, Consider pre-approved posts, quasi-judicial
- ▶ **First Amendment**
 - Open public forum vs. limited public forum, non-discrimination, equal access

PUBLIC RECORDS ACT (PRA)

Best Practice Guidelines

- ▶ **Public Content**
 - Whether posted by you or a visitor; subscriber/follower information lists are also public
- ▶ **Disclaimer**
 - Need a disclaimer on profile/page etc. that posts/threads etc. are public record
- ▶ **Retention/Archiving**
 - Contact Debbie Burton for assistance
- ▶ **Deleted Comments**
 - Date, content of the post, poster, reason for deletion in accordance with guidelines

OPEN PUBLIC MEETINGS

ACT/Appearance of Fairness

Best Practice Guidelines

- ▶ Quorum
 - Just say No: Friending/liking/following etc., Beware of threads – OPMA penalties could extend to Social Media Use (voiding action etc.)
- ▶ Pre-approved posts
 - Option for moderation

First Amendment

Best Practice Guidelines

- ▶ **Open Public Forum**
 - Allows for broad protections of commentators, the site can turn into an open forum if not limited
- ▶ **Designation of limited Public Forums**
 - Create the page a limited forum, follow the policy best practice to avoid opening it up. Allows for limiting comments to on-topic
- ▶ **Non-discrimination**
 - In limited can prevent certain content but once content has been opened can't viewpoint discriminate
- ▶ **Equal Access**
 - Avoid use of limited sites in official capacity – subscription services, Nextdoor etc.

Take Away

A Mental Checklist

- ▶ Personal and Official page are separate
 - ▶ Does this pertain to my life as a citizen in Snohomish = Personal; Does this involve my elected responsibilities = official
- ▶ Follow Moderation recommendations
- ▶ Remember Public Records and OPMA issues apply as if this were email
- ▶ Contact staff with specific issues or scenarios if you need more clarity

Questions?

