

ROLL CALL		
VOTING:		
	YES	NO
Mayor Brent Winder	[]	[]
Council Member Ben Hillyard	[X]	[]
Council member Brian Hutchings	[X]	[]
Council member Dorel Kynaston	[X]	[]
Council member Janet Lunt	[X]	[]
Council member Kari Malkovich	Absent	[]

I move that this Resolution be adopted.

[Signature]
 City Council Member *Lunt*

I second the foregoing motion.

[Signature]
 City Council Member *Hutchings*

RESOLUTION NO. 2024-22
A RESOLUTION OF WOODLAND HILLS CITY ADOPTING A
SOCIAL MEDIA POLICY

WHEREAS, the Council desires to adopt a social media policy to establish terms of use for its social media platforms, ensure compliance with the Political Activities of Public Entities Act (the "Act"), and otherwise ensure that Woodland Hills City social media accounts are used appropriately for governmental purposes; and

WHEREAS, the Council has determined that the social media policy attached to this resolution will serve the best interests of Woodland Hills City and the public.

NOW, THEREFORE, IT IS HEREBY RESOLVED by Woodland Hills City Council that:

1. Woodland Hills City webpage (www.woodlandhills-ut.gov) and Woodland Hills City Facebook page ([https://www.facebook.com/Woodland Hills City Council](https://www.facebook.com/WoodlandHillsCityCouncil)) are approved as official Woodland Hills City social media accounts.
2. *Council Member Janet Lunt* is designated as the administrator for each of the official social media platforms of Woodland Hills City Council.
3. The Appeal Authority for Woodland Hills City is designated as the appeal authority for the purposes of the social media policy; and
4. The social media policy will be posted to the Woodland Hills City website.

APPROVED AND ADOPTED on this 11th day of June, 2024.

By: *[Signature]*
 Brent T. Winder, Mayor

Attested:

[Signature]
 Jody Stones, City Recorder



WOODLAND HILLS CITY COUNCIL
SOCIAL MEDIA POLICY
Adopted

SECTION I – DEFINITIONS

The following definitions will apply for the purposes of this policy:

1. “Appeal authority” means the person designated by the City Council to hear appeals under this policy, provided that the appeal authority may not be a moderator.
2. “Comments or Posts” means any comment, photo, link, or other material posted to a section of a social media account.
3. “
4. “Council” means Woodland Hills City Council.
5. “Egregious violation” means a comment made to a Woodland Hills City social media account that expressly or impliedly threatens the safety of the public or an individual.
6. “GRAMA” means the Government Records and Management Access Act, Title 63G, Chapter 2 of the Utah Code, or applicable successor statute.
7. “Mayor” means the Mayor of Woodland Hills City.
8. “Moderator” means the person the City Council has authorized to administer and moderate a social media account.
9. “Personnel” means:
 - a. Any member of the City Council.
 - b. Any member of a Woodland Hills City board, commission, or committee;
 - c. Any employee, contractor, or other agent duly authorized to carry out official Woodland Hills City business; and
 - d. Any volunteer engaged in official Woodland Hills City business.
10. “Policy” means this social media policy.
11. “Social Media Account” means any platform that enables users to create and share content or to participate in social media, networking, or discussion, including but not limited to social media and social networking services, web feeds, blogs, wikis, photo sharing, podcasting, social bookmarking, mashups, widgets, virtual worlds, and micro-blogs.
12. “Terms” means the terms of use set forth in Section V of this policy.

13. "User" means any person or entity who uses a Woodland Hills City social media account.

SECTION II – PURPOSE

Woodland Hills City has the discretion to use social media accounts to provide pertinent public information to Woodland Hills City residents and other interested members of the general public.

SECTION III – SCOPE

1. Applicability: This Policy applies to all circumstances where a social media account is owned, controlled, or otherwise managed by Woodland Hills City, through its personnel, or any of its departments, divisions, committees, commissions, or boards, including but not limited to any social media account used by an elected official to conduct Woodland Hills City business.
2. Exclusions: Except as provided in Article XII, this Policy does not apply to purely personal social media accounts owned or controlled by Woodland Hills City personnel in their personal and private capacity, including but not limited to any campaign election or re-election account owned and controlled by a campaign election or re-election committee or person campaigning for public office.

SECTION IV – COUNCIL APPROVAL REQUIRED

The Council must approve all official Woodland Hills City social media accounts before the accounts are created and operated. In approving a social media account, the Council will direct how the social media account is to be published and administered. The Council may also determine, at any time, whether public comments are allowed on a Woodland Hills City social media account, even after a social media account has been created and placed into operation. If the Council allows public comments, it will designate a moderator for the social media account. The Council may also close a Woodland Hills City social media account at any time without notice.

SECTION V – TERMS OF USE

The following terms and conditions will apply to all social media accounts where the Council has authorized public comments.

1. General: Woodland Hills City's social media accounts are intended to promote healthy and non-abusive public discourse and will exhibit a level of decorum that is conducive to orderly government.
2. No Discrimination: Woodland Hills City will not discriminate based on viewpoint, nor because a comment is posted anonymously or expresses disagreement with Woodland Hills City' action, policy, custom, or practice. Such content will not be flagged, minimized, or removed, and no user will be blocked, so long as the content complies with the terms of use outlined in this policy.
3. Acceptance of Terms: Users who access or use a Woodland Hills City social media account accept and agree to follow, without limitation:

- a. The Terms;

- b. Any terms of use required by the social media platform provider, over whose terms of use, content, commercial advertisements, or other postings Woodland Hills City has no control; and
 - c. Woodland Hills City's right to modify the Terms and this policy without notice, which changes will become effective upon their posting to the applicable social media account.
4. Comments and Posts: Comments and posts must relate to discussion of Woodland Hills City programs, services, projects, issues, events, or activities. Neither Woodland Hills City nor its personnel will edit comments or posts to the official Woodland Hills City social media accounts. However, Woodland Hills City will hide or remove comments or posts that do not relate to Woodland Hills City business or that:
- a. Promote, foster, or perpetuate discrimination based on race, creed, color, age, religion, gender, marital status, national origin, physical or mental disability, sexual orientation, gender identity, or that otherwise encourages discrimination in violation of applicable laws, regulations, ordinances, or policies;
 - b. Include slanderous or defamatory attacks, whether directly or intimated, against any person, including but not limited to Woodland Hills City personnel;
 - c. Threatening, harassing, obscene, indecent, or profane language or content;
 - d. Include obscene or sexual content, or links to obscene or sexual content, including indecent or pornographic material;
 - e. Solicit commerce or advertisements including promotions or endorsements;
 - f. Promote or condone illegal conduct or activity;
 - g. Are spam that includes links to external online sites;
 - h. Violate a legal ownership interest of any person, including improper use of a trademark or copyrighted material;
 - i. Promote, endorse, or oppose the candidacy of any person, petition, or referendum or otherwise violate applicable laws and regulations, including but not limited to the Political Activities of Public Entities Act, Utah Code Ann. § 20A-11-1201, et seq.;
 - j. Include fraudulent, deceptive, or misleading information;
 - k. May compromise the safety or security of the public or public systems;

- l. Disclose private, protected, or confidential material as defined by state or federal laws and regulations or Woodland Hills City ordinance or policy; or
- m. Include advertisements for any purpose.

5. Use of Photographs:

- a. Woodland Hills City will not post photographs on its social media sites for which it does not have the copyright or the owner's permission to use.
- b. For photographs involving one minor, permission must be obtained from the minor's parent or guardian before the photograph may be posted to a Woodland Hills City social media site if permission is not needed for photographs of multiple children taken at a public event.

6. Violations of Terms: Moderators will adhere to the following when hiding or removing comments or posts that violate the terms:

- a. When a user has violated the terms, the moderator will contact the social media user through direct messaging or other available means, describe the violation, and request voluntary removal or edit of the comment(s) or post(s).
- b. If the user fails to voluntarily remove or edit the comment(s) or post(s), the moderator may minimize or hide the comment or post.
- c. Before hiding or removing a comment or post, a copy must be retained (e.g., through a screenshot, etc.) by the moderator.
- d. If a comment or post is hidden or removed, the moderator must notify the user through a direct message or other means that include (i) a copy of the comment or post in question, (ii) an explanation as to why the comment or post violates this policy, and (iii) an explanation of the user may appeal the moderator's decision pursuant to paragraph 9 of this Section, including the appeal authority's email address.

7. Blocking and Reinstating Users:

- a. Except as otherwise provided in paragraph 7, below, if a user is determined to have violated the terms on three separate occasions, the moderator will block the user from making public comments or posts on all applicable Woodland Hills City social media accounts by notifying the user through direct message or other available means that:
 - i. They have been blocked pursuant to this policy;
 - ii. An explanation for why the user has been blocked, including a reference to the user's applicable prior violations; and

- iii. An explanation that the user may appeal Woodland Hills City's decision to block the user by sending an email within five business days to the appeal authority that explains in reasonable detail the user's reasons for why the decision to block the user is improper; and
 - iv. The appeal authority's email address.
 - b. Except as otherwise provided by this policy, a user who has been blocked may submit a written request to the moderator requesting reinstatement after a period of one year has expired from the date the user was blocked or, if appealed, the date the decision to block the user was upheld. The moderator will approve the request if (i) the moderator has reason to believe the user will abide by the terms, and (ii) the user signs a written statement (a) agreeing to abide by the terms and (b) acknowledging that subsequent violations of the terms could result in a permanent ban that prohibits the user from participating at any future time in applicable Woodland Hills City social media accounts. If the moderator denies the user's request, the moderator will provide a written explanation for the basis of the denial pursuant to the process in paragraph 6(a). A user may appeal a denial to the appeal authority pursuant to the process in paragraph 6(a)(iii).
 - c. If a user is reinstated under paragraph 6(b) and is subsequently found to have any further violation of the terms, even if on one occurrence, the moderator will block the user from all applicable social media accounts. The moderator will follow the notice process in paragraph 6(a) to notify the user that the user has been blocked. Users blocked under paragraph 6(c) may appeal pursuant to the process set forth in paragraph 6(a)(iii). A user blocked under this paragraph 6(c) may request reinstatement pursuant to the process in paragraph 6(b) after a period of three years following the date the user was blocked or, if appealed, the date the action was upheld.
8. Egregious Violations: A moderator will immediately remove all comments or posts that constitute an egregious violation and may, at the moderator's discretion, immediately block the user from future comments or posts for such an egregious violation, subject to providing the user notice in accordance with the process set forth in paragraph 6(a).
9. Appeals: A user may appeal a decision issued by the moderator under this Section by sending an email to the appeal authority that contains the complete decision the moderator issued under this Section and explains in reasonable detail the user's reasons for why the moderator's decision is not supported by this policy. A user filing an appeal must do so within five business days of the date the user receives notice of an action taken by the moderator under paragraphs 6(d) or 7(a) of this Section. The appeal authority's review of an appeal will be limited to the user's comments or actions in question, the moderator's decision, the terms, and the user's appeal, provided that the appeal authority may, in their discretion, ask the moderator to prepare a response that corresponds directly to the user's appeal. The user filing an appeal bears the burden of proof and must show by a

preponderance of the evidence that the moderator's decision violates the terms. If the appeal authority does not uphold the moderator's actions, the appeal authority will order that a comment or post be restored to public view or that the user be reinstated. The appeal authority will issue a written decision and notify the user of the decision via email as soon as is reasonably practicable. The appeal authority's decision will explain the appeal authority's reasons for granting or denying the appeal. All decisions by the appeal authority will constitute a final agency action under Utah Code Ann. § 63G-4-401, or applicable successor statute.

10. Posting of Policy: All sections of Woodland Hills City's social media accounts that allow comments or posts will include a link to this policy and a link to Woodland Hills City website for original content, forms, documents, and other information.
11. Social Media Use by Personnel: Woodland Hills City personnel should not use personal social network accounts, user IDs, or email accounts when commenting in their official capacity on Woodland Hills City social media accounts or when otherwise conducting official Woodland Hills City business on non-Woodland Hills City social media accounts. Any personnel representing Woodland Hills City on any social media account will conduct themselves at all times as a representative of Woodland Hills City and in a professional manner, exhibits proper decorum, complies with the provisions of paragraph 4, and is otherwise conducive to orderly government. Conversely, Woodland Hills City personnel should not use their Woodland Hills City user IDs or Woodland Hills City email accounts when acting in their capacity on non-Woodland Hills City social media accounts or otherwise conducting personal business.

SECTION VI – GRAMA

Comments posted to Woodland Hills City's official social media accounts are considered public records subject to public disclosure under GRAMA to the extent they do not contain information that discloses private, protected, or confidential material or information.

SECTION VII – SECURITY

Woodland Hills City will take all reasonable steps to ensure that its social media accounts are secure from accidental or intentional attacks. Passwords should be adequately complex to prevent cyberattacks and should not be sent through email. If a cyberattack is suspected on a social media account, the moderator will immediately notify the Council and all applicable personnel.

SECTION VIII – ENFORCEMENT

Any Woodland Hills City personnel found to have knowingly violated this policy may be subject to disciplinary action pursuant to all applicable laws, regulations, ordinances, and policies.

SECTION IX – DISCLAIMERS

Moderators will post in a prominent location on all Woodland Hills City social media accounts a link to this policy, the language in Section VI(1) of this policy, and the following disclaimers:

1. Opinions Expressed Are Not Necessarily Those of Woodland Hills City: Comments posted by users on Woodland Hills City's social media accounts are

the opinion of the user and do not necessarily reflect the opinion or policy of Woodland Hills City or its elected officials, personnel, agents, commissions, boards, or committees.

2. No Guarantee of Accurateness: Woodland Hills City does not guarantee the completeness or accuracy of any information posted on its social media accounts.
3. No Liability: Neither Woodland Hills City nor its personnel are liable for any injury or damages resulting from viewing, distributing, or copying materials posted to Woodland Hills City's social media accounts, including without limitation, liability for indirect, special, incidental, or consequential damages.
4. No Legal Notice: Comments made to Woodland Hills City's social media accounts do not constitute legal notice official notice or comment by Woodland Hills City or its personnel and will not be regarded as a request for Woodland Hills City to provide service or take any action. If a dangerous condition exists, users are advised to contact the Utah County Sheriff's, Woodland Hills Fire Department, the applicable public utility, or other relevant department or personnel.
5. No Response Required: Comments posted to Woodland Hills City's social media accounts do not require responses from Woodland Hills City or its personnel.
6. Outside Links: Woodland Hills City's social media accounts may contain links to websites and other accounts that Woodland Hills City and its personnel do not own or control. Woodland Hills City is not responsible for any content that appears on those websites or accounts and provides links to those websites and accounts for convenience only.
7. Compliance with Social Media Policy Required: All users must comply with Woodland Hills City's social media policy as an express condition of their participation in Woodland Hills City's social media accounts. Woodland Hills City reserves the right to hide, remove, mute, or delete information posted by a user that violates the terms. Repeated or egregious violations of Woodland Hills City's social media policy may result in denial of access to all applicable Woodland Hills City social media accounts. All threats to public safety or persons will be immediately removed and reported to the applicable public safety authorities.

ARTICLE X – WOODLAND HILLS CITY LOGO

1. Use of Logo for External Communications: To the extent possible, Woodland Hills City logo will be used on all external communications, including but not limited to letters, newsletters, press releases, invitations, flyers, posters, signage, websites, social media pages, and any item requiring a symbol of identity.
2. Use of Logo by Outside Entities: Woodland Hills City logo may not be used by any outside entity without the Council's prior written consent.
3. Changes to Logo: Woodland Hills City logo may not be altered in any way without the Council's prior written consent.

ARTICLE XI – EDUCATION

The mayor or his designee will ensure that those personnel who work with social media understand this policy.

ARTICLE XII – SEPARATION OF WOODLAND HILLS CITY SOCIAL MEDIA ACCOUNTS FROM PRIVATE ACCOUNTS

Woodland Hills City personnel are prohibited from using personal social media accounts to conduct official Woodland Hills City business.