

## **RESOLUTION NO. 2024-25R**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKPORT, TEXAS, SUPPORTING THE ESTABLISHMENT OF A SOCIAL MEDIA POLICY AND MEETING THE REQUIREMENTS OF SB1893 PROHIBITING THE USE OF TIKTOK ON GOVERNMENT-ISSUED DEVICES.**

**WHEREAS**, the City of Rockport recognizes the importance of maintaining a clear and consistent social media policy that supports transparency, communication, and community engagement while protecting the integrity and security of City operations; and

**WHEREAS**, SB1893 was passed by the Texas Legislature, mandating the prohibition of TikTok on government-issued devices due to concerns about privacy, data security, and the protection of sensitive information; and

**WHEREAS**, the City of Rockport is committed to ensuring that all City staff and officials adhere to state-mandated regulations, including the prohibition of TikTok, in order to safeguard City data and systems from potential security threats; and

**WHEREAS**, this Resolution will further outline the City's compliance with SB1893, prohibit the use of TikTok on all City-owned devices and networks, and provide guidelines for responsible social media use in accordance with best practices and state law; and

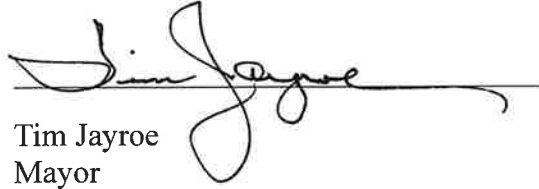
**WHEREAS**, the Social Media Policy will establish clear rules and guidelines for the responsible use of the City's social media accounts, ensuring that all communication aligns with the City's values and goals while complying with legal and security requirements.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Rockport, Texas:

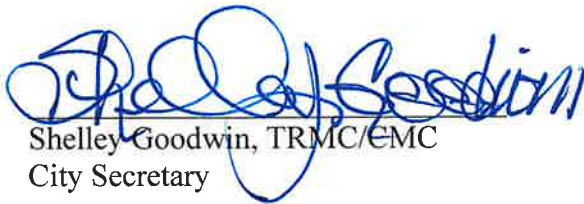
1. The City Council formally supports the development and implementation of a comprehensive Social Media Policy that fosters transparency and responsible communication while ensuring the security of City data and compliance with state law.
2. In accordance with SB1893, the use of TikTok on all City-issued devices and networks is hereby prohibited to protect sensitive City information and ensure compliance with Texas state law.
3. All City employees, officials, and contractors working with the City's social media accounts are required to comply with the provisions of this policy and ensure their adherence to the prohibition of TikTok on any City-owned devices.
4. The City Manager and IT department shall oversee the enforcement of this policy and take necessary actions to ensure that City devices and networks are protected from unauthorized social media use and potential data breaches.

5. The City Secretary is directed to provide a copy of this Resolution to all City departments, post this information on the City website, and distribute it as needed to ensure compliance and awareness of the new regulations.

**PASSED AND APPROVED** by the City Council of the City of Rockport, Texas, on this 22<sup>nd</sup> day of October, 2024



Tim Jayroe  
Mayor



Shelley Goodwin, TRMC/EMC  
City Secretary

## **City of Rockport Social Media Policy**

### **PURPOSE**

The purpose of this policy is to ensure the proper, effective and best-informed use of social media platforms by City of Rockport employees and volunteers for work purposes. This policy provides guidance for how the City communicates to employees, residents, visitors, businesses and various audiences through social media platforms. This policy also provides guiding principles for use of City social media accounts.

### **OVERVIEW**

- All City social networking moderators shall be trained regarding the terms of this City of Rockport policy, including their responsibilities to review content submitted for posting to ensure compliance with the policy.
- All current and future social networking sites shall clearly indicate they are maintained by the City of Rockport and shall have City of Rockport contact information prominently displayed.
- Where appropriate, City IT security policies shall apply to all social networking sites and articles.
- Employees representing the City government via social media outlets must conduct themselves at all times as a representative of the City and in accordance with all human[REDACTED]resource policies. See Attachment C-Employee Guidance for Participating in Social Networking.
- Employees found in violation of this policy may be subject to disciplinary action, up to and including termination of employment.

### **POLICY**

City departments may utilize social media platforms to enhance communication, collaboration, and information exchange in support of City business objectives. Employees have the responsibility to use these resources in an efficient, effective, inclusive, ethical and lawful manner that respects everyone at all times. Social media supports the vision of the City by providing employees, residents, visitors, businesses, and other audiences with options to connect and interact with City government using the most commonly available technologies.

The City Manager or designee shall approve what social media platforms may be suitable for use by the City and its departments. The City Manager or designee will provide departments with best practices for using various social media platforms to achieve their goals. The City Secretary shall ensure that social media records are maintained in compliance with relevant state and local records management laws.

Policy Applies To: Current Temporary Employees, Current Full-Time Employees, Current Volunteers, Current Part-Time Employees, Current Grant-Funded Employees, Current Paid and Unpaid Interns, Police Academy Trainees, Current Contract Employees, Internal Applicants

Policy Does Not Apply To: External Applicants

## **DEFINITIONS**

**Blog:** A web-based forum with regular entries of commentary, descriptions of events or other materials where the blog host posts material on the website.

**City Employee:** Any employee (including appointees, regular full- and part-time, contract, and temporary employees) of any City department or agency.

**City Social Media Account:** An official City of Rockport account on a Social Media Platform created to conduct City business and is managed by City staff authorized to do so as part of an employee's job.

**City Social Media Content:** The information posted on or shared by a City employee (or authorized representative) on a City Social Media Account to provide general information or promote a City event, program, or service.

**City Social Media Content Moderation:** The practice of monitoring a City Social Media Account for comments, notifications and direct messages from the public to provide a timely response from City staff and ensure active respectful and lawful communications.

**Direct Messaging:** The capability on some Social Media Platforms to communicate privately with followers by direct message (DM).

**Forum Type:** City social media accounts should be created as designated/limited forums. Designated/limited forums are public property open for expressive activity in which people, messages or comments may not be blocked or deleted based on viewpoint; comments may be hidden if they meet conditions included in Governance and Authority.

**Public Engagement Platforms:** Third-party websites and applications that allow administrators to obtain public feedback digitally, encouraging civic participation and community dialogue (example: SurveyMonkey, etc.). Public Engagement Platforms are used to gather community feedback and manage online stakeholder engagement processes

**Record:** Recorded information regardless of medium or characteristics; Any paper, book, microfilm, card, magnetic tape, disk, map or any copy or electronic record that has been created or received by the City and has been used by the City as evidence of its activities or because of the information contained. Records include databases, electronic recordkeeping systems and a collection of related data fields to include Social Media, SharePoint collaboration sites, Direct Messaging and Text Messaging.

**Social Media:** Social Media refers to World Wide Web websites that emphasize user-generated content, usability (ease of use, even by non-experts), participatory culture and interoperability (website can work well with other products, systems and devices) for end users. These are umbrella terms that encompass the various websites that integrate technology, social interaction, and content creation, including blogs, wikis, photo and video sharing, podcasts, social networks, mashups and virtual worlds.

**Social Media Platforms:** Third-party websites and applications that allow for the creation of user accounts, content and interaction around a post, event, group or other area of interest (Facebook, Twitter, Instagram, etc.).

Social Media Platforms are used as a communications tool to maximize public views for general awareness, emergency alerts, promotions and advertising campaigns.

## **POLICY GUIDELINES**

### **SCOPE**

- A. This directive applies to the employees of all departments within the City who use social media for work purposes. This directive is to be read by all City employees who access City social media accounts, use the City's data assets, computer systems and networks.
- B. This directive does not apply to law enforcement personnel acting in an undercover capacity for the purpose of a criminal investigation.

### **RELEVANT TECHNOLOGIES**

- C. This directive includes (but is not limited to) the following specific examples:
  - a. Blogs: Blogger, WordPress,
  - b. X, Facebook, LinkedIn, Instagram, Pinterest, Periscope, Snapchat, Nextdoor,
  - c. Reddit,
  - d. Flickr,
  - e. YouTube, Vimeo

### **OWNERSHIP**

All City social media accounts and their content are the property of the City of Rockport. The City, rather than departments or City social media account administrators, owns City social media accounts and City social media content.

## RECORDS

- A. Data on City social media accounts are subject to the Texas Open Records/Meetings Act.
- B. Records shall be maintained in accordance with the legal requirements for the retention and disposition of the records based on the City's Records Management Program with Achieve Social.
- C. The City, through the Information Technology Office or City Manager or designee or City Secretary, may choose to contract with a third- party vendor to assist with records retention and Open Records Requests (ORR) on behalf of City departments. This includes stories or other temporary posts that are designed to disappear within a set period of time may require additional steps to ensure the content is preserved for records retention purposes.
- D. Texas State Law and relevant City records retention schedules apply to social media formats and social media content. Unless otherwise addressed in a specific social media standards document, the department maintaining an account shall preserve records required to be maintained pursuant to a relevant records retention schedule for the required retention period on a City server or City-wide third-party vendor for archiving in a format that preserves the integrity of the original record and is easily accessible. Appropriate retention formats for specific social media tools are detailed in the Texas State Library Local Government Bulletins.

## PRIVACY AND SECURITY

The City's Department Directors should monitor content before it is posted on all social media platforms and accounts, and may hide any content that it deems, to violate any law, City policy or is otherwise an inappropriate comment as defined herein. **Social media platforms are not a secure means of communication. Users do not have an expectation of privacy under this policy.**

## ENFORCEMENT

The City Manager (CO), City Manager's Office (CMO), City Secretary (CS), and Information Technology (IT) shall have authority to interpret and apply this policy. Any unique requests not covered by this policy may be reviewed and considered by CO, CMO, CS, or IT on a case-by-case basis. This policy may be modified or amended at any time, if it has been through a formal review and approval process conducted by the CO, CMO, CS, and IT. The City Secretary shall provide notice of any such modifications or amendments and ensure a current version is posted in a publicized location where all authorized individuals may access it.

## GOVERNANCE AND AUTHORITY

- A. City social media accounts should serve the purpose of providing City employees, residents, visitors, businesses and other audiences with information about City events, programs, activities and issues or providing individuals and organizations with appropriate information about the City.
- B. Each City of Rockport social networking site shall include an introductory statement which clearly specifies the purpose and topical scope of the blog and social network site. Where possible, social networking sites should link back to the official City of Rockport website for forms, documents and other information.
- C. Those requesting access to maintain or manage a City social media account must have a more than basic knowledge or understanding of social media platforms and content creation.
- D. City Manager's Designee and City Secretary shall retain administrative privileges on all City of Rockport social media accounts.
- E. Departments shall work directly with the social media platform to attempt to regain control over profiles for which a password is not known. City Manager or designee, and City Secretary shall remove access immediately once an individual, who has access to a social media platform, changes job or separates from the City.
- F. A City department that creates a City social media account that permits interactivity and comments must include a link to a City webpage that lays out the City's social media terms of service outlined in this policy. Statements on the page will include:
  - a. The reasons for which comments may be hidden or restricted from public view, but not deleted.
  - b. That comments posted by others to City social media accounts do not necessarily reflect the views or position of the City.
  - c. Notice to readers that "follows" from City social media accounts do not reflect endorsements.
- A. City Departments should not create private, closed or secret groups. Official City blogs may be written by a department director or designee on behalf of the department as a whole, not from an employee's personal viewpoint. Blogs should reside on the department's webpage rather than on a third-party website. City Manager's Office and City Secretary should be consulted before creating a blog.
- G. The department's designated employee should confirm City social media content moderation is regularly occurring to ensure that accounts are active, that content is engaging, and that content posted in violation of this policy is handled appropriately. City

Secretary and City Manager or designee must retain administrative privileges on their department account.

- a. For purposes of this policy, “active” refers to a page and department’s maintaining a goal of posting at least three times weekly for Facebook, five for X and one for Instagram; and “engaging” refers to views, reach, and interaction with the posts.

J. Staff contributing to City social media accounts, whether as an administrator, content creator, or moderator, will follow these guidelines:

- a. Be aware that what is posted will not only reflect on the individual and department, but also on the Elected Officials and employees of the City; using caution and care so that no use of social media results in damage to the organization or reputation of anyone within the City of Rockport.
- b. Under no circumstance should users be blocked from City social media accounts by anyone other than the City Manager’s Designee or City Secretary. If suspicious activity is noted, staff should report it directly to the social media platform and to the City Manager or designee or City Secretary. The City Manager or designee or City Secretary, after investigating the facts, may block users only in egregious situations where repetitive sending of any of the following is not reasonably controllable by hiding the material: obscene or pornographic material, threats to any person, profane or abusive language, advertising for a commercial entity, product, or service, or responses which are outside the scope or purpose of the account. Any person who has been blocked from a City social media account may appeal this decision in writing to the City Manager within ten (10) days of the date on which they were blocked.
- c. Carefully consider the information you are sharing, as it is widely accessible. All content (both published and deleted/modified) is subject to open records requests. When editing a posting on Social Media, place a note on the original post “Thank you for catching our error, the corrected post will be uploaded as soon as possible”. The edited post will be added to the same post.
- d. Before posting or scheduling City social media content, confirm all information shared is accurate, timely, and relevant.
- e. Content posted to a City social media account should be informed by the City Social Media Playbook and visual content should be appropriate to the subject matter and, if applicable, consistent with the City’s graphic standards/branding guidelines.
- f. Content posted should reflect the City of Rockport Core Values of integrity, collaboration, excellence, respect, and service.
- g. Once social media posts are published, they become a public record and should not be deleted; this applies to both the City content and any public comments received, even those



which may be hidden from view The City, including social media account administrators and content creators are subject to State and Federal record retention laws.

- h. If the City's contracted vendor cannot archive messages on a particular platform, content creators should save a screenshot of the communication to be retained on a City system.
- i. If public comments are enabled and/or inherent to the social media platform, departments shall monitor public comments and respond with facts to those comments that may cause misinformation. Comments that are profane or obscene shall be immediately brought to the attention of that social media platform's administration for review and can be hidden if they are Inappropriate Comments as defined herein.
- j. Some social media platforms include features that allow an administrator to hide comments from public view. Hiding comments is only permitted if the comment is an Inappropriate Comment as defined herein. For purposes of this City of Rockport Social Media Policy an Inappropriate Comment is defined as a comment which meets one of the following
  - i. Comments that are not related to the post topic;
  - ii. Content that could reasonably be believed to compromise our computer systems;
  - iii. Violates the Social Media Platform's terms of service;
  - iv. Contains information about official City business that is legally deemed confidential and should not contain:
    - o Profane, sexual, pornographic or obscene comments or submissions;
    - o Comments that are racist, sexist, homophobic, transphobic or otherwise discriminatory based on a protected class as per Title VI, Civil Rights Act of 1964, and any amendments thereto;
  - v. Include information that may compromise the safety or security of the public, city staff or public systems;
  - vii. Solicitations of commerce and advertisements are not allowed. This includes promotion or endorsement of any financial, commercial or nongovernmental agency;
  - viii. Comments that suggest or encourage violence or illegal activity or threaten any person; or
  - ix. Content that violates a legal ownership interest of any other party.
- k. Respond to comments or messages promptly, especially if a question is asked. Use discretion when engaging with unsolicited and/or controversial content and ensure the City's response is professional and neutral, using only appropriate language that is not foul, derogatory, disrespectful, inaccurate, threatening or considered harassment. Avoid

inserting opinions in a comment thread and be respectful when a response is necessary to clarify information.

- l. A City employee posting on a City social media account makes posts representative of the City. Refrain from the expression of personal opinions or positions regarding policies, programs, or practices of other public agencies, political organizations, private companies, or non-profit groups.
- m. Refrain from the expression of personal positions regarding City employees, policies, programs or practices, and opinions of other public agencies, political organizations, private companies or non-profit groups.
- n. Ensure comments do not violate the City's privacy, confidentiality, or legal guidelines for external communication. Never comment on anything related to legal matters, litigation, or any associated parties without the appropriate approvals, and be mindful of "no contact" periods for contract awards or Governance and Authority, Continued requests for services. Do not provide information related to pending business decisions that would compromise negotiations or including such as part of content added to an account.
- o. Information that is proprietary, attorney-client privileged, subject to state or federal privacy laws, and information not subject to disclosure under the Texas Public Information Act should NOT be posted on a City social media account. Any questions concerning this standard should be directed to the City Manager, City Manager designee, City Secretary, or City Attorney.
- p. Content is compliant with Texas Election Code and City ethics rules.
- q. Do not direct any users to websites which are not viable, ethical, legal and moral or websites that would violate any administrative directives such as those for; fraud, waste, or abuse; or outside employment.
- r. Images, text, video, audio, etc. used on social media accounts must comply with U.S. Copyright Law.
- t. Nextdoor is subject to additional guidelines and best practices.
- u. Any content produced and posted to a City account from a personal device is considered public information. This content must be retained in accordance with departmental record retention policies. Destroying public information is a criminal offense.
- u. Each department with an active social media page or profile shall create a policy for sharing content from a non-City related social media page, but this does not prevent city leadership, at the direction of the CMO or City Manager or designee or City Secretary from posting pertinent information no matter the subject or rejecting content as appropriate.

- i. For the purposes of this policy, the City of Rockport – City Government Facebook page, and other Social Media pages shall only share content from a non-city page if the content being shared is the result of a partnership with the city and that entity.
- ii. **Rockport/Fulton Convention and Visitor Bureau (CVB)** a City of Rockport branding initiative. Its purpose is to ensure the long-term viability of Rockport by promoting it as a single destination to Shop, Dine, Drink & Stay. The CVB Facebook and Instagram accounts share content directly related to businesses located on or events happening in the City. We share content from other City departments' social media accounts as they relate to the CVB. We will share content from a non-City page if the content being shared is the result of a partnership with the City or the CVB, or at the City's sole discretion, of interest to CVB's target audience to encourage engagement. Partners include but are not limited to those recipients who receive Hotel Occupancy Tax Funding. The CVB may share community event information that, at its sole discretion, is deemed to draw people to Rockport and that may encourage them to visit the CVB.
- v. **Rockport Police:** The use of social media for the specific purpose of assisting the Department and its personnel in community outreach, problem solving, investigation, crime prevention, and/or other Department related objectives may be done only with prior written authorization by the Chief of Police or his designee. Members who do not traditionally utilize the departments' social media shall obtain permission from the Chief of Police, or his/her designee, prior to engaging in such activity. We will share content from a non-City page if the content being shared is the result of a partnership with the City or the Department, or at the City's sole discretion.
- w. **Parks and Recreation:** At various times, the Parks and Recreation Department partners with businesses, other City departments, event sponsors, and event vendors. Via our social media channels, we will share information directly related to the event or other information that, at the City's sole discretion, will encourage engagement and attract locals and visitors to the event. We will share content from a non-City page if the content being shared is the result of a partnership with the City or the Parks Department, or at the City's sole discretion, of interest to Park and Recreations target audience to encourage engagement.
- x. **Visit Rockport:** For the purposes of this policy, the Visit Rockport Facebook page, X account, Instagram account, Pinterest account, LinkedIn account, and YouTube channel; managed by the staff at Visit Rockport, shall only share content from non-city accounts that are deemed timely, relevant, appropriate, and engaging by the marketing team at the Visit Rockport for the specific followership of each social media platform.

## **ROLES & RESPONSIBILITIES CITY ATTORNEY**

- A. Provide guidance on laws relating to the rights of persons placing content on the city's social media sites.
- B. Provide compliance with the Texas Public Information Act, Texas Election Code and City ethics rules.

#### **CITY MANAGER OR DESIGNEE OR CITY SECRETARY**

- A. Create and maintain a list of all City-approved social media platforms and City social media accounts.
- B. Review and approve or deny new platforms to be added to the approved list of social media platforms.
- C. Review and approve or deny the creation of new City social media accounts to be added to the approved list, including user account names to ensure they are consistent with City-approved naming conventions.
- D. Notify and remove any social media platform or account from the approved list if it fails to meet the purposes of the City.
- E. Submit access changes to IT.
- F. Act as an administrator on all City social media accounts.
- G. Act as a consultant on social media strategy and content.

#### **DEPARTMENTS**

- A. Responsible for the social media content posted by their department and City social media content moderation.
- B. Work with City Manager or designee or City Secretary and IT to maintain list of which employees have access to social media platforms for work purposes (does not apply to law enforcement agencies conducting a criminal investigation).
- C. Cooperate with the City Secretary to ensure that all social media postings comply with state and local records management laws.
- D. Department Directors and the City Manager or designee or City Secretary are responsible for ensuring employees adhere to this policy when creating and managing City social media accounts. Each department's communications or marketing officer or other designated staff are responsible for carrying out the procedures outlined in this policy.

- E. Review and verify all approved social media accounts and authorized users at least annually to ensure business need and conformance with City Directives.
- F. Submit access changes to IT and the City Manager or designee or City Secretary.
- G. Provide oversight of users and all utilized social media platforms in accordance with City policies.
- H. Responsible for any disciplinary action taken against employees who violate this Directive.

## **EMPLOYEES**

- A. Follow the process within this policy and any subsequent guidance or directives.

## **HUMAN RESOURCES**

- A. Provide guidance, as required, to City departments regarding appropriate disciplinary action to be taken against employees who violate this directive.

## **INFORMATION TECHNOLOGY (IT)**

- A. Coordinate with City Manager or designee or City Secretary to ensure that all approved platforms conform to City policies, especially in view of technology security and risk.
- B. Provide a means by which to maintain and control social media account access by City departments.
- C. Independently approve or deny social media access requests that are unrelated to an employee's job duties or work purposes.
- D. Help maintain the department's list of social media accounts and authorized users and passwords.

## **CITY SECRETARY (RECORDS MANAGEMENT AND PUBLIC INFORMATION OFFICER)**

- A. Ensure that departments maintain and comply with state and local records management laws.
- B. Assist departments using social media platforms to comply with state and local records management laws.

- C. Coordinate removal with City Manager and IT of any social media platform from the approved list if it fails to meet City standards for security and risk.
- D. Maintain records of all their City social media accounts including account name, platform address, user IDs and passwords.

**SOCIAL MEDIA DISCLAIMER (to be placed on our website and city-sponsored social media pages)**

Welcome to a social media page managed by the City of Rockport. This policy provides guidance for how the City communicates to employees, residents, visitors, businesses, and various audiences through social media platforms. This site welcomes respectful and appropriate comments and posts. The City of Rockport adopted a Social Media Policy to ensure the proper, effective, and best-informed use of social media platforms by City of Rockport employees and volunteers for work purposes. This policy also provides guiding principles for use of City social media accounts. All content, comments and replies are subject to the Texas Public Information Act and are considered public information under state law and may be disclosed in response to a request for information from any member of the public.

Comments posted by others to the City's social media accounts don't necessarily reflect the views or position of the City. "Follows" from a City social media account does not reflect endorsements. The City of Rockport's social media accounts are designated/limited forums.

In addition to each social media channel's Content Code of Conduct, the City Manager or designee or City Secretary reserves the right to use its discretion to enforce the rules contained in this policy. We highly encourage the public to be mindful of the content and comments they post. Any of the following content and comments are subject to being hidden or removed:

- Comments or videos that are not related to the post topic;
- Content that violates the Social Media Platform's terms of service;
- Information about official city business that is legally deemed confidential and should not be made public;
- Profane, sexual, pornographic or obscene comments or submissions;
- Discriminatory comments regarding race, ethnicity, religion, gender, gender identity, disability, sexual orientation, political beliefs, or any other form of discrimination directed toward a person, people, or group based on a protected class as per Title VI, Civil Rights Law;
- Attacks on specific groups or any comments meant to harass, threaten, or abuse an individual;

- Information that may compromise the safety or security of the public or public systems;
- Solicitations of commerce and advertisements. This includes promotion or endorsement of any financial, commercial, or non-governmental agency;
- Political advocacy or commentary;
- Comments that suggest or encourage violence, illegal activity, or threaten any person;
- Content that violates a legal ownership interest of any other party;
- Content that includes personally identifiable information within their comments, including addresses, telephone numbers or email addresses;
- Spam, link baiting or files containing viruses that could damage the operation of other people's computers or mobile devices; or
- Information that may tend to compromise the safety or security of the public or public systems.

## **PROHIBITED SOCIAL MEDIA PLATFORMS**

TikTok, any successor application or service developed or provided by Byte Dance Limited or an entity owned by ByteDance limited, or any social media application or service specified by proclamation of the Governor under Texas Government Code Section 620.005 ("Covered Apps") shall be prohibited on any device owned or leased by the City, except as provided herein. Further, such applications shall be removed from any device owned or leased by the City, except as provided herein.

Covered Apps may be installed and used on City owned or leased devices for providing law enforcement or developing and implementing information security measures. However, such use shall take all necessary measure to mitigate risks posed by the Covered Apps and such measures to mitigate risk shall be documented and retained forwarded to the City Secretary quarterly.