

RESOLUTION NO. 5203

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD
APPROVING A PAPERLESS AGENDA PACKET TERMS AND USE POLICY FOR
ELECTED OFFICIALS**

WHEREAS, the City of Soledad has undertaken a paperless agenda packet program; and

WHEREAS, this program will result in a financial savings to the City and reduce the amount of paper consumed by the City; and

WHEREAS, the use of tablet devices by elected officials for the paperless agenda packet requires that a clear policy on the terms of use and responsibility for the tablet device is adopted; and

WHEREAS, said policy contains provisions for the open and transparent use of the device in accordance with state and local laws.

NOW THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of Soledad that the City of Soledad Paperless Agenda Packet Terms and Use Policy for Elected Officials, attached hereto, a copy of which is attached hereto as **Exhibit A** and by this reference incorporated herein, is hereby approved and adopted.

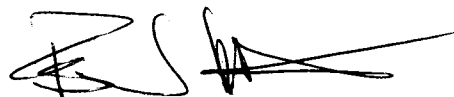
PASSED AND ADOPTED by the City Council of the City of Soledad at a regular meeting duly held on the 6th day of July, 2016, by the following vote:

AYES, and in favor thereof, Councilmembers: Mayor Pro Tem Alejandro Chavez, Patricia D. Stephens, Christopher K. Bourke, Richard Perez and Mayor Fred J. Ledesma

NOES, Councilmembers: None

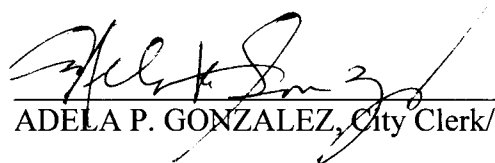
ABSTAIN, Councilmembers: None

ABSENT, Councilmembers: None



FRED J. LEDESMA, Mayor

ATTEST:



ADELA P. GONZALEZ, City Clerk/





City of Soledad

Paperless Agenda Packet Terms and Use Policy for Elected Officials

Purpose

The City of Soledad continually strives for efficiency, sustainability, and transparency in City operations. Technology is a key component in achieving these goals. The use of tablet devices for elected officials will save considerable resources, both environmentally and financially.

The use of such devices must be in accordance with local and state laws and regulations in order to protect the public's trust and operate in an open and transparent manner. This policy applies to the Mayor and City Council and clearly defines the procedures and parameters for safe, secure, and effective use of the device.

Use of Device

1. The City will procure the tablet devices for the Mayor and City Councilmembers only.
2. The intended uses of the tablets are: 1) paperless meeting packet, 2) receiving and sending City e-mail, 3) camera and video for City business, 4) internet access for City business. The tablet is not intended as a portable desktop for City business and will not be linked to the City network.
3. The City will issue tablets and accessories to the Mayor and City Council ("Elected Officials").
4. Elected Officials must return the tablet and any City-purchased accessories on their last day of service.
5. Each Elected Official is responsible for the general care of the tablet that he or she has been issued, and shall protect it from damage. Tablets must remain free of any writing, drawing, stickers or labels that are not the property of the City. Only a clean, soft cloth should be used to clean the screen. Tablets that malfunction or are damaged must be reported to the City Manager/City Clerk. The City will be responsible for repairing tablets that malfunction.
6. Elected Officials should report immediately to the City Manager/City Clerk if the tablet has been damaged. Damage includes, but is not limited to, broken screens, cracked plastic pieces, and inoperability. If the cost to repair the tablet exceeds the cost of

purchasing a new device, the City shall pay the full replacement value provided that the tablet was used and maintained in accordance with this policy. If the tablet was not used or maintained in accordance with this policy, the replacement tablet will become the responsibility of the Elected Official.

7. If a tablet is stolen or lost, the Elected Official shall immediately report that fact to the City Manager/City Clerk. For a lost tablet, the Elected Official must pay the full replacement value.
8. Tablets will be password protected. Elected Officials are responsible for maintaining adequate and secure passwords for the tablet. Passwords shall be kept confidential. If an Elected Official is “locked out” of the tablet and the device cannot be unlocked, the memory may need to be erased to restore and reset the device. Every six months, when the Elected Official change their network password, they must also change the corresponding password in the e-mail settings on the tablet.
9. From time to time, the City may add or upgrade software applications for use by Elected Officials such that they may be required to check in their tablets with the City Manager/City Clerk for periodic updates and syncing. Any software, e-mail messages, documents or data downloaded onto a City-issued device becomes the property of the City and may only be used in ways that are consistent with applicable licenses, trademarks or copyrights. If technical difficulties occur or illegal software is discovered, the tablet will be reset, which may result in the loss of data or documents. The City does not accept responsibility for the loss of any software or documents deleted due to a re-format and re-image.
10. The tablets are wireless devices that require over the air access to download the agenda packets, send and receive e-mail and access the internet. Safeguards will be in place for security of the wireless access and security of the device. Localized, secure wireless service will be made available for downloading at specific locations. Device security will be provided by locator software that includes the ability to wipe the memory of the device remotely. If the device is lost or stolen and the memory must be cleared, all data will be deleted.

Limitations on Use

1. The tablet is a stand-alone electronic device to be used for the designated purposes in this policy. The tablet may not be connected to the City network or other devices.

2. The City will provide wireless access for the tablet in City Hall and Council Chambers. Use of wireless connections in other locations is at the discretion of the hosting party.
3. Elected officials shall not use the tablets for personal business or any other purpose not related to City business.
4. Elected Officials shall not use the City issued tablets to deliberately propagate any virus or other hostile computer program or file, to disable or overload any computer system or network, or to circumvent any system intended to protect the privacy or security of another user.
5. The tablet is a City-owned device. Elected Officials will not have access to iTunes or similar application stores. Prohibited content will be blocked. The City's I.T. provider is responsible for updating the apps on the tablet. All apps will remain the property of the City and may be accessed, altered or removed by the City at anytime.
6. The City does not accept responsibility for loss of any information or data stored on the City-owned device. The City may add or remove applications or software from the device at its discretion. Devices may be remotely backed up, stored or wiped at the City's discretion for security or technological necessity. The City retains ownership of any access to any data that is backed up from the tablet.
7. Use of a City-issued tablet is considered to be use of public resources. Therefore City-issued tablets may not be used for campaign activities, personal purposes or other purposes not authorized by law, and doing so could result in serious consequences, possibly including a \$ 1,000 per day fine or prosecution for a felony should the extent of a public officer's personal use of the public resources be so extensive that it becomes "embezzlement".

General Policies

1. Upon full implementation, the City Manager/City Clerk will cease to print agenda packets in hard copy (except for the public binder packet); Elected Officials may still print hard copies of certain agenda reports or packet materials at their own expense.
2. The City Manager/City Clerk department will serve as the primary staff support for the general use of the device and the applications. The City Manager/City Clerk will provide procurement services and technical support to users. The City's I.T. provider will provide training to Elected Officials on the use and care of the tablet.

3. The replacement schedule for the device and peripherals is 4 years. Any replacement or upgrade prior to that time will be paid from the user's office budget.
4. Users will be notified by email when the agenda packet is available for download. The packet may be downloaded from any location where the user has a wireless connection.
5. The City's I.T. provider will manage the wireless network and device security for the tablets.
6. Elected Officials will be required to sign the certification statement attached acknowledging the understanding of and compliance with this policy.

Legal and Regulatory Policies

1. Elected Officials shall not use the tablets in any way as to violate the public meeting requirements of the Brown Act.
2. In the use of City-issued electronic devices and the Internet, Elected Officials shall use the device in a lawful, ethical, and professional manner and are prohibited from engaging in activities such as threats, slander, and libel, (including any access of pornographic materials), political endorsements, and private, for profit activities.
3. Users shall make all necessary and reasonable efforts to protect the confidentiality of information which is placed in their control or care to avoid the likelihood of transmission of confidential information to unauthorized recipients.
4. City records, whether paper or electronic, are governed by the public disclosure requirements of the Public Records Act. The tablet, Internet and e-mail access provided are tools for conducting City business. Thus, use of such tools by Elected Officials will be solely for City business related purposes. All of the City's computer systems, including the tablet, are considered to be public property. All documents, data, files and e-mail messages created, received, stored in, or sent from any City tablet are considered public records, subject to disclosure to the public pursuant to the California Public Records Act (with only limited exceptions), and are considered the property of the City of Soledad.
5. During meetings of the legislative body, Elected Officials shall refrain from using the tablet or any other electronic device, to send or exchange facts about or engage in discussions regarding City issues via electronic communication including e-mail, text,

chat rooms, news groups, on-line forums, blogs, or twitter feeds with any other member of the legislative body or staff. This prohibition does not apply to e-mail or text messages from family members or family caregivers or other urgent personal business unrelated to City business. Users wishing to respond to such a message shall do so during a recess or shall excuse themselves from the meeting to respond to such a communication in a manner that does not disrupt the meeting.

6. Elected Officials may not use personal e-mail accounts on any device in the conduct of City business.

City of Soledad

Paperless Agenda Packet Terms and Use Policy for Elected Officials

Certification Statement

I, the undersigned elected official of the City of Soledad, have been provided with a copy of the duly adopted policy and understand its contents fully. I accept and understand the terms of the policy and agree to abide by all terms contained therein.

I do hereby acknowledge that I have been provided a tablet and specific accessories for use in performing my duties as an elected official of the City of Soledad.

I also understand that the primary use of the tablet is intended for receiving paperless agenda packets, receiving and sending e-mail through my City issued e-mail account, internet access on accordance with City policy, and the use of the camera. The City of Soledad City Manager/City Clerk Department and the City's I.T. provider will only provide support for these functions.

I agree to return the City-issued tablet at the conclusion of my term as an elected official with the City of Soledad. I also agree that I will replace the tablet should I lose or damage the City-issued equipment.

Name (Print)

Signature

Date

Tablet Serial Number

Adopted 7-6-16
Resolution No. 5203