



CITY OF LODI COUNCIL COMMUNICATION

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AGENDA TITLE: Presentation Regarding City's Internet Website Policy (ISD)
MEETING DATE: July 17, 2007
PREPARED BY: Deputy City Manager

RECOMMENDED ACTION: Comment on the proposed City of Lodi Internet Website Policies document.

BACKGROUND INFORMATION: The City has maintained one or more Internet Websites for the past 11 years, including www.lodi.gov, www.hutchinsstreetsquare.com, and www.lodielectric.com. All of these sites are "owned" by the City of Lodi, which is ultimately responsible for their content. The central purpose of these Websites is to "advance the public's health, safety and welfare by providing information for and interacting with Lodi residents, businesses, and visitors."

The City's Websites have become popular venues for obtaining documents, downloading official forms, viewing the City Council meeting Webcasts, previewing meeting agendas and minutes, accessing resources such as Mapguide and public documents, viewing current job openings, accessing the Municipal Code, and obtaining election information. The sites have also become valuable marketing tools in the City's efforts to promote tourism and economic development.

The City's homepage receives an average of 2,000 unique visits per day.

Lodi's Electric Utility and Community Center (Hutchins Street Square) also maintain individual Websites. The public may browse current events, purchase performance tickets, get electric rate information, and report a problem with a street light, among other things, at these sites.

Over the years the City has not had an official Website policy in place, but has instead made decisions concerning its Internet properties on an ad hoc basis. Staff believes the City needs to formalize and post the policies governing its Websites. The proposed policy document includes Disclosure, Privacy, External Link, and Calendar policies in addition to a "legal notice." It is the intent of staff to post the City's Internet Website policies on the various City Websites, once approved by Council.

The City regularly receives requests from third parties to include hyperlinks to external Websites. In the past the City has largely declined such requests on the premise that the City cannot control the content of these sites. In addition, should it begin the practice, the City might not be able to refuse links it deems inappropriate. Featuring an external link may also imply approval, endorsement or sponsorship of that site, which would be unintentional but unavoidable. Managing these links would also contribute to the ongoing burden of site maintenance.

Accordingly, staff is recommending that the City on July 18, 2007 adopt a no-link policy affecting all commercial and non-profit sites, with the exception of those that provide software to make the Website more accessible and functional to visitors. Links to governmental sites and city-funded entities that

APPROVED: _____
Blair King, City Manager

provide services on the city's behalf, such as the Lodi Conference and Visitors Bureau, would be permitted.

California cities have myriad Website policies. Some cities allow limited links, such as those permitted in the proposed policy. Others provide links through paid sponsorships, and some cities have less-restrictive policies that allow links to private utilities, museums and nonprofits.

FISCAL IMPACT: None.

FUNDING: N/A

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JK/SM/JH

City of Lodi Internet Website Policies

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Purpose

The purpose of the City of Lodi's Website is to advance the public's health, safety and welfare by providing information for and interacting with Lodi residents, businesses, and visitors. This policy is applicable to the City Website which is defined as any internet or intranet web page which represents itself as the City or any of its departments.

Disclosure Policy

The following Disclosure Policy explains the City of Lodi's (City) policy regarding any information that may be acquired when visiting the City's official website www.Lodi.gov, www.ci.loDi.ca.us, www.hutchinsstreetsquare.com, and www.lodielectric.com (each domain, alone and collectively, is considered the City website, which may expand or change from time to time). By using the City website, you agree, without limitation or qualification, to be bound by this Disclosure Policy or any other privacy or data collection policy applicable to any individual City website. This disclosure makes no warranties or representations for any websites that are not one of the aforementioned domains.

- 1) The City's web servers are maintained to provide public access to City information via the Internet. The City's web services and the content of its web servers and databases are updated on a continual basis. While the City attempts to keep its web information accurate and timely, the City neither warrants nor makes representations or endorsements as to the quality, content, accuracy, or completeness of the information, text, graphics, hyperlinks, and other items contained on this server or any other server. Site materials have been compiled from a variety of sources, and are subject to change without notice from the City as a result of updates and corrections. To the extent permitted by law, commercial use of web materials is prohibited without the written permission of the City.
- 2) The City does not warrant that the functions contained in the materials will be uninterrupted or error-free, or that defects will be promptly corrected.
- 3) All service marks and trademarks mentioned herein are the property of their respective owners. The City retains copyright on all text, graphic images, and other content. This means that you may not do the following, unless you have

written permission from the City:

- a) modify and/or re-use text, images or other web content from a City server,
 - b) distribute the City's web content, and
 - c) "mirror" the City's information on a non-City server.
- 4) Some of the hyperlinks on this and subsequent pages may lead to resources outside the City. The presence of these hyperlinks should not be construed as an endorsement by the City of these sites or their content. The City is not responsible for the content or the privacy policies of any such external hyperlink.
 - 5) Communications made through e-mail and messaging systems shall in no way be deemed to constitute legal notice to the City or any of its agencies, officers, employees, agents, or representatives, with respect to any existing or potential claim or cause of action against the City or any of its agencies, officers, employees, agents, or representatives, where notice to the City is required by any federal, state or local laws, rules, or regulations.
 - 6) The City of Lodi is committed to compliance with the Americans with Disabilities Act (ADA). Reasonable accommodations, including equal access to communications, will be provided upon request. Requests for reasonable accommodations, with regard to equal access to communications, should be directed to the City of Lodi Information Systems Help Desk at (209) 333-5560, between 8 a.m. and 12 noon, and 1 p.m. and 5 p.m. Monday through Friday.
 - 7) The City is neither responsible nor liable for any viruses or other contamination of your system, nor for any delays, inaccuracies, errors or omissions arising out of your use of the site or with respect to the material contained on the site, including without limitation, any material posted on the site. This site and all materials contained on it are distributed and transmitted "as is" without warranties of any kind, either express or implied, including without limitation, warranties of title or implied warranties of merchantability or fitness for a particular purpose. The City is not responsible for any special, indirect, incidental or consequential damages that may arise from the use of, or the inability to use, the site and/or the materials contained on the site whether the materials contained on the site are provided by the City, or a third party.
 - 8) The City website employs industry-standard methods to monitor network traffic to identify unauthorized attempts to upload or change information or otherwise cause damage. The City uses reasonable precautions to keep the personal information disclosed to the City secure.
 - 9) The City website is coordinated and maintained by the Administrative Services Department of the City. Web content is produced by each department and division within the City. The Information Systems Division of the Administrative Services Department may be contacted by mail at PO Box 3006, Lodi, California 95241-1910, by telephone at (209) 333-5560, or by e-mail at WebHelp@Lodi.gov.

Privacy Policy

The following Privacy Policy explains the City of Lodi's (City) policy regarding any information you may supply to us when visiting the City's official website www.Lodi.gov, www.ci.lodi.ca.us, www.hutchinsstreetsquare.com, and www.lodielectric.com (each domain, alone and collectively, is considered the City website, which may expand or change from time to time). By using the City site, you agree, without limitation or qualification, to be bound by this Privacy Policy or any other disclosure or data collection policy applicable to any individual City website. This disclosure makes no warranties or representations for any websites that are not one of the aforementioned domains.

- 1) On certain occasions, the public has opportunities to share personal information online with the City in order to facilitate better correspondence and service. This information includes but is not limited to e-mail addresses, responses to surveys, registering for services and new services to be created. The City of Lodi will not sell any information provided through this website. Nevertheless, information received by the City online is a public record [except Lodi Public Library patron registration and circulation records are exempt (Sec. 6254 & 6267)] and may be subject to disclosure under the provisions of the California Public Records Act (Gov't. Code § 6250 et seq.). Credit card information will not be disclosed.
- 2) The City only requires the personal information necessary in order to provide effective service. At times you may be offered an opportunity to provide the City with additional information on a voluntary basis, this additional information enables the City to provide you with improved service.
- 3) Using e-mail addresses provided at registration or otherwise, users are giving the City permission to periodically send out e-mail newsletters and promotional email to our users about website updates, and product and service information offered by the City. Lodi Public Library registered borrowers will receive library information and newsletters electronically only if they give written permission at the time of registration or on a subsequent visit to the library.
- 4) Users may indicate that they do not wish to receive e-mail information from the City. Upon request, the City will remove users, and their information, from the City database or permit them to elect not to receive any further e-mail newsletters or contact.
- 5) The City encourages parents to go on-line with their children. One of the City services on-line is to provide educational information about Lodi; therefore, children are not restricted from visiting the City site. The City urges children to get permission from their parents or guardians before giving any information online.
- 6) The City website employs industry-standard methods to monitor network traffic to identify unauthorized attempts to upload or change information or otherwise cause damage. The City uses reasonable precautions to keep the personal information disclosed to the City secure.

- 7) The City makes reasonable efforts to protect the personal information shared with us. For example, if you make an online purchase with the City, your credit card number and personal information is encrypted to protect this information while it is being transmitted. The City limits access to your personal information to only those employees who need it to perform the service requested.
- 8) The City website is coordinated and maintained by the Administrative Services Department of the City. Site content is produced by each department and division within the City. The Information Systems Division of the Administrative Services Department may be contacted by mail at P.O. Box 3006, Lodi, California 95241-1910, by telephone at (209) 333-5560, or by e-mail at WebHelp@Lodi.gov.

External Link Policy

The City of Lodi does not permit the establishment of links to external sites belonging to commercial or non-profit organizations, with the exception of those sites that provide tools to make the city Website more accessible. Links to other governmental agencies and city-funded entities that provide services on the city's behalf are permitted. The Lodi Public Library may carry external links as approved by the Library Services Director.

City Calendar

The City Calendar is a service offered to website visitors as part of the main City website. The purpose of the City Calendar is to provide a central location for website visitors to easily find information, dates and times of City meetings, Holidays, City Sponsored or Co-Sponsored Festivals and Events, Parks & Recreation Department Activities and Library Department Programs and Events.

The City Calendar is designed to be a service to website visitors. The City Calendar is not a public forum or community calendar. The calendar is specifically for the use of City Staff to post events that are in direct support of staff's respective department's mission statement. Calendar items are considered website content and thus subject to approval of the Information Systems Manager, or his designee, with dispute resolution resting with the City Manager.

From time to time, categories may be added or deleted as City Staff finds and identifies new Calendar item categories or finds that existing categories are obsolete. To the best of the ability of City Staff, calendar items are correct and timely. However, the City Calendar is not intended to serve as official notice of meetings or events. Users should confirm information regarding events with the posting department.

Legal Notice

Exclusive Use: The City of Lodi website and web servers are maintained for the exclusive use of the City to communicate matters of general public interest using the Internet. While the City attempts to keep its website accurate and timely, the City neither warrants nor makes representations or endorsements as to the accuracy,

quality, content or completeness of the content on the website. Web content is subject to change without notice from the City as a result of updates and corrections.

No person or entity may do any of the following without written permission from the City Manager of the City of Lodi:

- (a) modify and/or reuse text, images or other web content from the City's website
- (b) distribute the City's web content
- (c) "mirror" the City's information on a non-City server

Accessibility: The City of Lodi is committed to upholding the Americans with Disabilities Act (ADA). Reasonable accommodations regarding equal access to information will be provided upon request to the City of Lodi Administrative Services at (209) 333-6700, Monday through Friday from 8 am to 5 pm. Although the City's website content meets certain accessibility standards, the City cannot claim that its website fully meets either ADA or Section 508 accessibility standards.

Hyperlinks (Links): Some of the links made available to you through the City of Lodi's website will allow you to leave the City's site. Please be aware that the Internet sites available through these links, and the materials that you may find at those sites are not provided by, endorsed by or are under the control of the City. Therefore, the City cannot and does not make any representation to you about these sites or the materials available on the sites. The fact that you may be able to access these additional sites from the City's website is not an endorsement or recommendation to you by the City of any of these sites or any material found there. The City is providing these links only as a convenience to you, and your access to these additional sites is done at your own risk.

Commercial Use: To the extent permitted by the Public Records Act and otherwise legally permissible, commercial use of the City of Lodi materials, content and information is explicitly prohibited without the written permission of the City. All branding and trademarks mentioned herein are the property of their respective owners.

Copyright: The City retains copyright and trademark on all text, graphic images, and other content, unless otherwise noted. The City Seal is a trademark of the City of Lodi. The City of Lodi retains all intellectual property rights including copyrights on all text, graphic images and other content. This means that the following acts or activities are prohibited without prior written permission from the City of Lodi:

- (a) modify and/or re-use text, images or other web content from a City server
- (b) distribute the City's web content
- (c) "mirror" the City's information on a non-City server

Legal Notice/Public Comment: Communications made using electronic mail (e-mail), including mail to: links, and messaging systems shall in no way be deemed to constitute public comment or legal notice to the City of Lodi or any of its agencies, officers, employees, agents, or representatives, with respect to any existing or potential claim or cause of action regarding the City or any of its agencies, officers, employees, agents or representatives, where notice to the City is required by any federal, state or local laws, rules, or regulations.

Warranties: The City of Lodi website and all materials contained therein are distributed and transmitted "as is" without warranties of any kind, either express or

implied, including without limitation, warranties of title or implied warranties of fitness for a particular purpose. The City is neither responsible nor liable for any viruses or contaminations of a web visitor's hardware, software, peripherals, or properties nor for any delays, inaccuracies, errors, or omissions resulting from use of or with respect to the material contained on its website, including without limitation but not limited to, any material posted on or linked to or from the City of Lodi website. The City is not responsible for any special, indirect, incidental or consequential damages that may arise from the use of, or the inability to use the site and/or the materials contained on the site whether the materials contained on the site are provided by the City of Lodi, or a third party.

Reviewed and updated July 12, 2007