RESOLUTION NO. 2018 – 08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELL ADOPTING A POLICY FOR ELECTRONIC DEVICE USAGE FOR ELECTED OFFICIALS MARKED AS EXHIBIT “A” ELECTRONIC DEVICES USE POLICY

WHEREAS, electronic devices have become essential tools to conduct business; and

WHEREAS, the use of electronic devices will assist Council Members in the performance of their duties and improve service to the public; and

WHEREAS, it is important to have clear policies detailing the guidelines for appropriate usage of electronic devices for elected officials; and

WHEREAS, the City providing city-owned electronic devices to Council Members, it will make it practical for staff to manage and disclose information if a Public Records Act request is ever submitted; and

WHEREAS, on January 24, 2018 the City Council reviewed the draft Electronic Device Use Policy and directed staff to proceed with the final policy for adoption.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Bell does hereby adopt the attached Electronic Device Use Policy, marked as Exhibit “A”, as the official policy regulating the usage of all electronic devices owned by the City of Bell.

PASSED, APPROVED, AND ADOPTED this 14th day of February, 2018.

[Signature]
Fidencio Joel Gallardo, Mayor

APPROVED AS TO FORM:

[Signature]
David Alesh [illegible], City Attorney
CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, Angela Bustamante, City Clerk of the City of Bell, hereby attest to and certify that the foregoing resolution is the original resolution adopted by the Bell City Council at its regular meeting held on the 14th day of February, 2018, by the following vote:

AYES: Councilmembers Romero, Saleh, Valencia, and Mayor Gallardo

NOES: Vice-Mayor Quintana

ABSENT: None

ABSTAIN: None

Angela Bustamante, City Clerk
EXHIBIT A

City of Bell
Administrative Policies
Approved by: Bell City Council

SUBJECT: ELECTRONIC DEVICE USE POLICY

Purpose

The use of electronic devices will assist Council Members in the efficient performance of their duties and improve service to the public. The electronic devices herein referred to are extremely versatile tools that can be used for a variety of applications including web access, email correspondence, calendar management, meeting notes, presentations, managing City Council packets, field data collection, etc. The City of Bell recognizes the benefits of using electronic devices, including greater efficiency, increased productivity, and innovation. For the purposes of this policy, “electronic devices” are defined to include cellular phones, laptops, notebooks, tablets, and any other electronic device capable of displaying data or images.

The City of Bell is pleased to make electronic devices available to all Council Members who desire to use these devices to enhance their work performance.

Use Policy

All electronic devices remain property of the City of Bell. The City reserves the right to retain ownership of any applications provided or paid for by the City. The City also reserves the right to inspect any City-owned electronic device to ensure compliance with the City’s technology use policies.

Acceptable Use:

The electronic device, Internet and email access provided are tools for conducting City business. Thus, the Council’s use of such tools will be solely for City business-related purposes.

All information on the electronic devices is considered to be public property. All documents, files and email messages created, received, stored in, or sent from any City-provided electronic device are considered public records, subject to disclosure to the public pursuant to the California Public Records Act, and are considered the property of the City of Bell.
User Responsibilities:

**Accessories and Applications**
- A protective cover/case must be used at all times. The City will purchase several options from which Council Members may choose. Colors will be limited to what is on hand.
- The City will pay for any work-related applications.

**Caring for the Electronic Device**
- Council Members shall keep each electronic device in a protective cover/case at all times.
- The electronic device screen is made of glass and therefore is subject to cracking and breaking if misused. Never place heavy objects (books, laptops, etc.) on top of the electronic device.
- Only a soft cloth or approved laptop screen cleaning solution is to be used to clean the screen.
- Do not remove the City ID tag or add stickers or wraps to the electronic device.
- Do not subject the electronic device to extreme heat or cold. Do not store the device in a vehicle.
- The password(s) should not be shared with anyone other than IT, as the security of the electronic device remains the City's responsibility.

**Lost, Damaged, or Stolen Electronic Devices**
- If the electronic device is lost, stolen, or damaged, the IT Department must be notified immediately. The Council Member may be responsible for the cost of replacing the electronic device that is lost, stolen, or damaged.

**Compliance with Brown Act and Public Records Act**
- The use of electronic devices by the City Council is subject to the Ralph M. Brown Act during the public meeting of the body and shall be limited as prescribed in this policy and applicable law.
- Council Members subject to the Brown Act may not use electronic devices at public meetings of the body in any manner or for any purpose prohibited by law or City policy. In particular, but without limitation, electronic communications and data services may not be used at public meetings by City legislative body members in any of the following ways:
  - In violation of the requirements of the Brown Act, such as by sharing communications among the legislative body privately and separate from the public discussion at the meeting.
  - In violation of due process rights of interested parties at adjudicatory hearings, such as by consideration of information not a part of the hearing record, or by use of an electronic communications or data device so as to result in inattention to the record and/or proceedings before the body.
- All writings related to City business (documents, emails, etc.) that are produced, received, or stored on electronic communications and data services are subject to release under the Public Records Act, including records on devices owned by the employee.

**Return of Device**

Each Council Member should return the electronic devices issued to him/her to the City Clerk.
or City Manager when the individual completes his/her term with the City of Bell. Upon return of the electronic device to the City, and following the preparation of any appropriate backup files, the device will be wiped clean of any and all information.

Compliance with Policy

The City reserves the right to inspect any and all files stored on the electronic devices that are property of the City in order to ensure compliance with this policy.

CITY OF BELL

ELECTRONIC DEVICE USE POLICY

Acknowledgement

I, ____________________________, have been provided a copy of the City of Bell's Electronic Device Use Policy. I understand the terms of the policy and agree to abide by all terms contained therein.

Name and Title ____________________________ Signature ____________________________ Date ____________________________