June 14, 2011

The Honorable City Council
Attention: Policy & Services Committee
Palo Alto, California

Discussion and Recommendation for Approval of an Electronic Packet for Council

As directed by the City Council, the City Clerk has taken the lead in identifying technology solutions that help Council processes be more efficient, and to achieve cost savings. In conjunction with the City Manager, the City Attorney, the Information Technology Division, and the Administrative Services Director, staff has explored moving toward a paperless packet for the City Council. Beginning last fall, the City Manager and his department along with the City Clerk department piloted a program to receive the Council packet electronically on iPads.

BACKGROUND
Staff produces weekly packets for the upcoming City Council Meetings. These packets can be anywhere from a couple hundred pages to over 1,000 pages and are produced approximately 46 times a year. Each packet is copied 22 times and distributed to Council, the Libraries, and the public in the Chambers.

In an effort to reduce the amount of paper used and increase efficiency, Staff is proposing options for Council to receive their packets electronically. Mayor Espinosa noted the goal of producing electronic packets in his 2011 State of the City Address. Distributing the packet to Council Members electronically fits into the City’s overall sustainability goals through the reduction of paper use and other resources used to distribute the packet.

The current process is to produce a total of 22 packets:

- Nine for Council
- Six for the public in the Chambers
- Three for the libraries
- Two for media (KZSU, Palo Alto Weekly)
- One for Staff
- One for the City Clerk

Once the packets are complete they are delivered via City vehicle to the Council Member’s homes and the libraries in a special delivery that evening. The current annual cost for printing and delivering paper packets is $29,810 (Attachment A: Year 1, Quarter 4).
The Finance Committee had the following Motion regarding iPads on May 24, 2011. The excerpted minutes are Attachment B.

**MOTION:** Vice Mayor Yeh moved, seconded by Chair Scharff to not expend City funds on the iPad in Fiscal Year 2012.

**MOTION FAILED:** 2 - 2 Scharff, Yeh yes - Schmid, Shepherd no

Recently there was a City Clerk listserv question circulated regarding paperless agenda packets utilizing iPads. Some Cities such as Mountain View, Redwood City, Moreno Valley, Portola Valley, Sacramento, Corona, Huntington Beach, Livermore, and Sacramento have all switched to distributing their packets through iPads and report successful transitions.

**ELECTRONIC PACKETS**

If the Policy and Services Committee recommendation is to direct Staff to distribute the packets electronically, Staff would only distribute 11 paper packets:

- Six for the public in the Chambers
- Four for the libraries (increased for Downtown Library reopening)
- One for KZSU

The paper packets should still be completed for the public and the libraries to comply with the Americans with Disabilities Act. Additional paper packets may still be provided by request for a charge of $35.00 per packet per the Municipal Fee Schedule. Staff actively encourages members of the public to access the packet on-line and subscribe to the agenda notification program, GovDelivery (http://www.cityofpaloalto.org/knowzone/agendas/council.asp).

If Council directs Staff to proceed with the implementation of the electronic packet, Staff would notify Council via email when their packet is ready each week. Council Members would then download the packet to their electronic device. The process Staff has been testing for iPads includes the use of Dropbox and Goodreader. Dropbox is a cloud-based program to which Staff uploads the packet each week. Goodreader is one of many reader programs that can be purchased to pull the packet out of Dropbox and onto the iPad for reading. Staff uses Goodreader because it has the functionality we believe Council would want: the ability to highlight text, save annotations to the document, bookmark pages, and search for text.

**FINANCIAL**

Administrative Services Staff prepared a cost analysis showing the current cost of producing and delivering paper packets versus the distribution of an electronic packet to Council using the Apple iPad as the electronic distribution device (See Summary in Figure 1). An electronic packet can be read on just about any type of computer or e-reader. The City Manager’s Office and the City Clerk’s Office began a pilot program using the iPad to test the electronic process for packets in the fall of 2010.
Figure 1

<table>
<thead>
<tr>
<th>Post-iPad Annual Cost Estimate</th>
<th>Printing Costs</th>
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<tbody>
<tr>
<td>11 packet copies per week for 46 weeks (marginal cost only)</td>
<td>$ 11,506</td>
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<td>Monthly selected document printing</td>
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<td>Subtotal Printing Costs</td>
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<td>Delivery costs</td>
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<td>iPad equipment Costs, annualized</td>
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<td>Cost of wiring Dais for iPads, annualized</td>
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<tr>
<td>iPad annual data plan costs</td>
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<tr>
<td>Total Costs of iPads and Packets</td>
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<table>
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<th>Current Annual Cost Estimate</th>
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<tr>
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<tr>
<td>Total</td>
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<td>Annual Savings with iPads</td>
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The cost analysis indicates that if the City purchased iPads for Council and paid for the monthly data plan, the City would break even in the first year. Over the expected three-year life span of the devices the City would save approximately $27,500.

The budget savings would include dramatically reduced printing costs as the number of packets printed is reduced from 22 to 11. The savings would also include the elimination of the delivery costs as the 11 packets would be delivered to the libraries with the regularly scheduled deliveries the morning after they are printed instead of a special delivery as is the current practice. There still will periodically be a need for delivery to Council Members when there are large documents such as plans and EIR’s, but these are assumed to be deliverable during normal business hours, not requiring overtime.

POLICY DECISIONS

Staff is recommending Council review the following options:

OPTION A
City Purchases 9 iPads for the Council Members to receive and read the packets. The City installs the appropriate applications, pays for the monthly data services fees, and provides all maintenance and service. Council Members will return the devices to the City when they leave office. Option A will cost the City approximately $16,942 at onset of the project, and $61,419 over the life of the devices (3 years). The annual savings for the City in year one will be
approximately $9,333, and over the life of the devices will be $28,000. This option allows City Staff to offer training for Council Members because the process will be consistent. The City will be able to maintain City owned devices. Staff would be able to monitor the devices for needed updates and repairs. Staff would be able to provide a backup device in the event one is needed. Program functions associated with the iPad would include the ability to highlight text, save annotations to the document, bookmark pages, and search for text. The City Clerk’s Office would work with the IT department to design a training program for Council Members. Council Members would follow City Policy 1-08, the Employee Telephone, Cellular Phone, and Wireless Device Use Policy (Attachment C) and City Policy 1-40, the Employee Computer Use Policy: Passwords, Internet, Intranet, E-Mail, and Information Resources Policy (Attachment D).

**OPTION B**
Council Members purchase and use their own electronic reading devices. The City would purchase any applications required to allow the Council Member to read the packet on their device. The City could choose to pay any applicable monthly fees incurred by the Council Member to receive the packet. These charges would fluctuate based upon the Council Members having either wi-fi or 3G access. Staff would support the accessibility of the electronic packet.

**OPTION C**
Council Members purchase and use their own electronic reading devices and pay all fees associated with the packet. The City would provide an electronic copy of the packet to Council Members to download into the device of their preference. There is no quantifiable cost associated with this option for the City.

Council Members who do not wish to receive an electronic packet may still have a paper packet delivered.

Staff respectfully requests the Policy and Services Committee to provide direction to Staff regarding paperless packets.

**LEGAL**
As part of increased use of electronic devices during council meetings, the Clerk noted that some cities have chosen to adopt policies addressing potential issues associated with such use, and reviewed and discussed these policies with the City Attorney’s Office. The City Attorney provided the following assessment for the Committee’s consideration:

The Council currently does not have a policy addressing Council Members’ use of electronic communications such as text messaging during meetings. The Brown Act does not specifically prohibit text messaging or similar communications during meetings and there is no definitive case law on the subject. However,
because using electronic devices during meetings has the potential to create an appearance that officials are either not paying attention or are engaged in communications to which the public is not privy to about an item on the agenda, the Council may want to consider whether a policy regulating use during meetings is appropriate.

There are two primary legal issues related to use of electronic devices during meetings. First, while the Brown Act does not specifically prohibit text messaging or other electronic communications, communication that is used to develop a collective concurrence is prohibited. Thus, text messages or e-mails among members during meetings on a matter within the Council’s purview create the risk of a collective concurrence and Brown Act violation. Second, these types of communications are particularly problematic during adjudicative proceedings because the potential to communicate and receive evidence that other members or parties to the proceeding do not see could raise due process concerns.

Cities handle electronic communication during meetings in a variety of different ways. Several have not adopted a policy and leave the use of electronic devices during meetings to the discretion of individual council members. A few cities have adopted policies banning all electronic communication during meetings (with limited exceptions for family emergencies). For example, the City of Saratoga has a policy that provides:

**Use of E-Communication during Meetings.** City Council members shall not use E-Communication at any time during a meeting of the City Council at which he or she is in attendance. No Commissioner may use E-Communication at any time during a meeting of the Commission of which he or she is a member at which he or she is in attendance. The foregoing limitation shall not apply to the receipt of telephone calls or text messages from family members in the event of an urgent family matter; a Council member or Commissioner wishing to respond to such a message during the meeting shall do so during a recess or shall excuse him or herself from the meeting to place the return call or text in a manner that does not disrupt the meeting.

Policy revisions are not legally required; as long as Council Members ensure that their communications do not violate the Brown Act or the due process rights of parties to quasi-judicial proceedings, the legal standard is met. Whether to require new standards of conduct that go above this legal “floor” is a policy decision for the Council.
ATTACHMENTS:

- Attachment A-Summary Cashflow (PDF)
- Attachment B-Excerpt Minutes (PDF)
- Attachment C- Policy 1-08 (PDF)
- Attachment D- Policy 1-40 (PDF)

Department Head: Donna Grider, City Clerk
### SUMMARY, QUARTERLY CASHFLOW BEFORE AND AFTER IPAD PURCHASE AND USAGE

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<thead>
<tr>
<th>Q1</th>
<th>Q2</th>
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<th>Q4</th>
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#### Marginal Cumulative Savings ("BEFORE" minus "AFTER") minus
- Q1: ($9,529) - ($6,159) = ($2,370)
- Q2: ($580) - ($3,950) = ($3,470)
- Q3: $7,320 - $10,689 = ($3,369)
- Q4: $14,059 - $20,798 = ($6,739)
- Q5: $24,168 - $27,538 = ($3,370)

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**MOTION:** Vice Mayor Yeh moved, seconded by Chair Scharff to tentatively approve the Council budget with the detail that there would not be an expenditure of City funds on the iPad in Fiscal Year 2012.

City Manager, James Keene stated there were two parts to the iPad expenditure; 1) the purchase or acquisition cost and 2) the ongoing monthly service charge.

Vice Mayor Yeh stated his understanding was with Wi-Fi there would not be a need for a data plan on a monthly basis to be able to access the online services.

Mr. Perez stated the concern would be the interruption of Wi-Fi if the system has an issue or the abundance of Wi-Fi equipment in use in the Council Chambers during a given meeting; the City had procured a few iPads for test purposes.

Chair Scharff asked for confirmation there was a Wi-Fi connection in the Council Chambers.

Mr. Perez stated that was correct; there were both secured and public accesses.

Chair Scharff stated when the Council received their packets it would not be the night of the meeting. He asked why would Council need to access the Wi-Fi while in the Council Chambers. He stated once the packet was released it could be downloaded to the device of choice. Therefore, he was uncertain as to why there needed to be a 3G connection at a cost of $5,000 as a back-up to Wi-Fi.

Mr. Keene stated the assumption by Staff was the Council would access the packet from their chosen device in different locations and there was the ability to instantaneously update the packet if there was a supplemental.

Chair Scharff argued no matter when a supplemental was received the user would still need to click on a link and download the item which could be done utilizing Wi-Fi. He stated the question was why would you want the City to pay for an item that could be perceived by the community as abuse of City funds.

Mr. Keene stated that seemed to be more of a political policy question for the full Council.

Chair Scharff stated the technical question was whether it was needed or not and then there was the policy issue.

Mr. Keene stated there were times where Wi-Fi was unavailable when he was working and the 3G would be an available back-up.

Assistant City Manager, Pamela Antil stated in her residence there were 3 iPads, 1 with 3G service and that one downloads items quickly, it is usable on an airplane or in the car, when the iPad was not configured with the 3G the service was slow and the user needed to search for Wi-Fi service.

Chair Scharff stated the Wi-Fi service in his residence was faster than the 3G he had on his personal iPad therefore he did not see the importance of the extra cost to the City. He clarified if Council was utilizing
the device for City business as it was intended, which was downloading and reviewing the Council packet, the Wi-Fi service was more than sufficient.

Vice Mayor Yeh stated the conversation was being driven away from the Council budget into political commentary. He stated his preference was to proceed slowly in terms of increasing the costs as it related to supporting the City Council. He felt the issue was he was uncertain as to whether the full Council would be accepting of the iPad. He noted the proposed information indicated a $4,000 per Council Member cost and assuming the maximum was a $35,000 cost for the entire Council. If a Council Member opted into the iPad process, the Wi-Fi level should be tested for adequacy before determining the monthly plan was necessary.

Mr. Keene clarified the $4,000 cost was for the full Council not an individual cost. The 3G cost was based on $30.00 per month. He noted in one month the cost of creating a paper packet with Staff time and delivery was higher than a full year of 3G service.

Council Member Shepherd stated she had heard there was an expectation for individual Council Members to purchase their own iPad device which she was uncertain she agreed with that policy. She felt the decision should be with the full Council. The $30 monthly service fee it was not a large amount the other option was not having access to your email for the entire day. She recommended the item be continued to the full Council unless the recommendation from Staff was for the Finance Committee to make a decision regarding the iPad.

Vice Mayor Yeh stated it was not a Staff recommendation although he included it in the Motion.

Council Member Shepherd stated she would not be supporting the Motion for the purposes of the iPad.

Council Member Schmid stated he did not feel any Council Member should pay a fee for access to information. He stated if there was a hint that Council Members, as a representative of the public, needed to buy in to information he would vote against it.

Chair Scharff stated in terms of the iPad, why would there be a determined use of that specific device.

Mr. Keene stated it was possible to use different types of devices. He noted there needed to be standardized software or platform used to distribute the information.

Mr. Perez stated there was no Staff recommendation for iPads at this time.

Vice Mayor Yeh stated Chair Scharff had split the Motion into two separate questions; 1) tentative approval of the City Council budget and 2) the issue of iPads.

**MOTION:** Vice Mayor Yeh moved, seconded by Chair Scharff to tentatively approve the City Council budget.

**MOTION PASSED:** 4-0

FIN 05/24/11
Vice Mayor Yeh stated his concerns with all Council Members preferring an electronic interface. The question was in the future if someone chose not to have an electronic device, would there be an option to receive a paper packet.

Mr. Keene stated his understanding was the City Clerk’s department would produce paper packets.

Vice Mayor Yeh stated for purposes of public access there needed to be paper copies available.

Mr. Keene stated there were and would continue to be paper packets available at the City libraries. The policy question was how much access to information, in what formats, and how much of that would the City underwrite.

Vice Mayor Yeh stated that was where he saw the iPad item as a choice and if Council Members chose that type of an interface that was the basis where his discomfort arose. It was not mandatory for City Council Members to interface electronically and therefore the basis for the Motion was if it was a choice it should not involve City funds.

Council Member Schmid stated his basic belief was good information was key to good decisions by the Council. He felt valid questions had been raised regarding the electronic access, especially the search options available on the City website. If the City was moving in that direction he was in favor of a budget that assisted the City prepare for a transition where search ability in an electronic format was as good as what could be done in a paper format.

Chair Scharff stated the first issue was if the City supplied iPads. The lifespan of the device was 3 to 4 years at most. The second issue was Wi-Fi and was it necessary to have 3G or should there be a slow move to determine the need.

**MOTION:** Vice Mayor Yeh moved, seconded by Chair Scharff to not expend City funds on the iPad in Fiscal Year 2012.

**MOTION FAILED:** 2 – 2 Scharff, Yeh yes
POLICY AND PROCEDURES 1-08/ASD
Revised: April 2011

EMPLOYEE TELEPHONE, CELLULAR PHONE, AND WIRELESS DEVICE USE POLICY

POLICY STATEMENT

City telephones are to be used to transact City business. Personal use of City telephones, cellular phones, and other wireless devices is discouraged and employees must accept the financial responsibility for non-City calls.

Personal use of such City devices is prohibited. Use of personally-owned wireless devices shall not interfere or cause distraction from work.

The City reserves the right to monitor and review any and all billing statements, data, information, files, pictures, and other communications stored in or sent to or from cellular phones and wireless devices owned or supplied by the City. Employees should not have an expectation of privacy or confidentiality in using these resources.

The City desires to protect the well-being of City employees and to preserve the City's human and economic resources by minimizing losses due to motor vehicle, City maintenance or construction equipment accidents and injuries resulting from the use of cellular phones and wireless devices during the course and scope of employment.

Users with personal devices capable of accessing the City's network (e-mail, etc.), must lock their devices using a password to minimize unauthorized access risk to the City' systems.

To ensure that City telephones are properly used by City employees, the following use policy for telephones, cellular phones, and other wireless devices (collectively referred to in this policy as "phones") is established.

GENERAL PROCEDURE FOR ALL PHONES AND ELECTRONIC DEVICES

1. As a general rule, the regular work time of employees should not be used for non-City calls or communications such as text messages, internet usage, or similar uses on City or personal electronic devices. If the need arises for an employee to make a non-City call or electronic communication, judgment should be used by the employee so that the communication occurs at a time when it does not interfere, cause distraction from or otherwise occupy time instead of work. Such communications should be brief and infrequent. Incoming personal calls or other electronic communications on personal or City phones shall not interfere with or cause distraction from work and are discouraged. The immediate supervisor has the authority and responsibility to exercise judgment in this matter. If a call, any type of message, or other communication is placed on a City phone for personal, non-City purposes, the employee violates City policy. Reimbursement to the City for the cost of the call, message, or communication shall not
excuse noncompliance with this policy. Department heads may authorize uses of cellular
phones or other wireless devices made to communicate work schedule changes,
emergency situations or other work-related information which have a business use and
are not considered personal uses under this policy.

2. If a call, any type of message, or other communication is placed on a City phone
for non-City purposes, the employee is expected to make the call collect, bill the call to a
personal credit card or reimburse the City for the amount of the call.

3. Review of Bills and Reimbursement to City. All employees shall review City
phone bills, highlight, and initial any personal calls. If the employee has no personal
calls, the employee shall note that fact on the bill. Employees with personal calls shall
timely reimburse the City for those calls at the rate stated on the bill for land.

Departments/divisions who receive phone bills are responsible for distributing or
otherwise making bills available for employee review, and for maintaining records of
bills reviewed, highlighted, and initialed by employees.

Reimbursement to the City for personal telephone calls is to be made to Revenue
Collections on the “Telephone Use Reimbursement” form (City of Palo Alto Stores Item
02916) attached to this policy. Payments can be made using cash, check or credit card
and must be hand-carried to Revenue Collections and not routed through the City mail.
Departments are encouraged to develop procedures for aggregating payments for
individual monthly bills to minimize the volume of payments to Revenue Collections.

4. Employees have no expectation of privacy or confidentiality in using City phones.
Data, information, files, pictures and other communications stored in, or sent to or from
cellular phones and other wireless devices owned or supplied by the City are the property
of the City. The City reserves the right to monitor and review any and all data,
information, files, pictures, and other communications stored in, or sent to or from
cellular phones and other wireless devices owned or supplied by the City.

5. Without any prior showing of cause or suspicion of misconduct, supervisors or IT
staff may periodically review phone reports to determine if an employee is utilizing his or
her City phone(s) appropriately.

6. Phone bills may be public records subject to disclosure under the California
Public Records Act.

7. Each department head has the full responsibility for administering this policy
within his/her department.
CELLULAR PHONE AND WIRELESS DEVICE PROCEDURES

In addition to the requirements listed above, use of City or personal cellular phones and wireless devices while on City time and/or provided by the City shall be subject to the following requirements:

A. **Eligibility for City Cellular Phone or Wireless Device**

Department Directors may recommend the provision of a City cellular phone or wireless device to an employee. This capability will be provided on an "as needed" basis and is a revocable privilege.

B. **General Policy**

1. Employees who have been provided City cellular phones or other wireless devices are responsible for use and shall not allow others to use the devices except in instances of specific authorization.
2. Directory Assistance (411) should only be used after first attempting to information on the internet. Free websites such as, www.411.com can be used instead.
3. New phone line request must be submitted by a supervisor or manager to the helpdesk at x2211 or email at; its.helpdesk@cityofpaloalto.org. IT will determine with the requestor the needs of the request and implement an appropriate solution.

C. **Hands Free Policy**

1. Effective July, 1 2008, California Vehicle Code section 23123 prohibits adult drivers from using a cellular phone while operating a motor vehicle unless the cellular phone is specifically configured to allow hands-free listening and talking, and the cellular phone is used in that manner while operating the motor vehicle.
2. Vehicle Code section 23123.5 prohibits drivers from writing, sending, or reading text-based communications while driving. Text based communications include but are not limited to text messages, instant messages, and electronic mail.
3. All employees operating City or personal vehicles within the course and scope of their employment shall comply with the provisions of California Vehicle Code sections 23123, 23123.5 and 23124, as may be amended from time to time, and which are incorporated herein by this reference as though set forth at length.
4. All employees operating City or personal vehicles within the course and scope of their employment shall additionally refrain from internet use or any other uses of personal or City owned or supplied cellular phones or wireless devices that are not hands-free.

5. Use of any cellular phone or other wireless device (including hands-free devices) is prohibited while sitting at the controls of or while operating motorized maintenance or construction equipment.

6. All employees are permitted to use cellular phones to summon emergency assistance. Sworn public safety employees are permitted limited use of cellular phones in the course of their duties. When responding to a call, the non-driving Firefighter/Paramedic may use a cellular phone to coordinate a response. When on Patrol, a Police Officer may use a cellular telephone in the hands free mode only.

D. IMAP and Non-Supported Devices

1. IMAP provides a means for transferring e-mail messages and other information from a server to allow an individual remote access to his or her e-mail messages, contact information and calendar. Some cellular phones and other devices can use IMAP to download information such as e-mails. A City employee with a personal cellular phone owns a non-supported device. If an employee wants access to his or her City e-mails and other information via IMAP on the non-supported device, the employee must comply with the requirements of this section.

2. An employee desiring IMAP access from a non-supported device must register with the Helpdesk for IMAP access. Registration requires an employee’s name and information about the device(s) the employee will use to connect via IMAP. To connect via IMAP, A registered employee is required to ensure the security of his/her device(s) by:

   a. Enabling the device locking feature so that use of the device and access to its contents are password protected. By implementing the device locking function an employee will both protect his or her personal information stored on the device, and protect the connection the device represents to the City’s Microsoft Exchange Server. Employees connecting personal phones via IMAP must set their devices to utilize the locking feature when not in use.

   b. Immediately reporting to the Helpdesk at (650) 329-2211 any loss or theft of a device.
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c. Immediately reporting to the Helpdesk if a device used for IMAP access becomes infected with any type of virus. The City requires that an employee with an infected device immediately disable the IMAP account. The employee must clear and reset the device to ensure the removal of any and all viruses before the Helpdesk will reactivate an employee’s IMAP access.

3. Personal devices are not supported by the IT Division beyond assistance with IMAP services. The employee using a non-supported device is responsible for configuring his or her own device.

Note: Questions regarding this policy should be referred to the Administrative Services Department or IT Department, as appropriate.

Attachment: Telephone Use Replacement Form, CPA Stores #02916
EMPLOYEE COMPUTER USE POLICY: PASSWORDS, INTERNET, INTRANET, E-MAIL AND INFORMATION RESOURCES

POLICY STATEMENT

Computers are essential research and communications resources provided to City of Palo Alto (CPA) employees for uses related to municipal business. The intent of this policy is to ensure the responsible and acceptable use of computers, and their applications, consistent with municipal policies, all applicable laws and the individual user’s job responsibilities; and to establish basic guidelines specifically for appropriate use of the Internet, Intranet and e-mail.

This policy applies to all employees, contractors, volunteers and other individuals who have computer access through the CPA. Each individual user is responsible for the appropriate use of this resource as described in this document.

The CPA reserves the right to review any and all data, information or computer files stored in or sent to or from computers owned or supplied by the CPA. This includes any type of Internet, e-mail or subscription service.

Individual users should be aware that the CPA has no control over the content of the Internet. Therefore the City is not responsible for the validity of the information available on the Internet or the use of offensive material.

The CPA City Manager, or his designee, has the right to change this policy at any time with notice. Any questions about the Computer Use Policy should be directed to the Administrative Services Department.

PROCEDURE

A. Eligibility

Department Directors may recommend computer access for employees. This capability will be provided on an “as needed” basis and is a revocable privilege.

B. General Policy for Passwords

The purpose of this password use policy is to enhance the security of City computer systems through the appropriate use of passwords within the City of Palo Alto. Additionally, this policy will ensure that City employees and other individuals using computers and accounts controlled by the City of Palo Alto follow appropriate password procedures when using City computer systems. Implementation of this policy shall be the
responsibility of every individual using computers, systems, and applications within the City of Palo Alto.

1. **Confidentiality**
   Passwords shall be private information and shall not be shared. All use of the user ID (or file associated with it) is assumed to be performed by the person assigned to that user ID. Each individual is responsible for safeguarding his/her user ID.

2. **Passwords Shall Consist of:**
   a. 6-8 characters.
   b. At least two alphabetic and one numeric character.
   c. Shall be significantly different from previous passwords.

3. **Passwords Shall Not:**
   a. Be the same as the user ID.
   b. Be the employee’s date of birth.
   c. Start or end with the initials of the person issued the user ID.
   d. Include the first, middle, or last name of the person issued the user ID.
   e. Include information easily obtainable about the person using the password. This includes license plate, social security, telephone numbers, or street address.

4. **Password Changes Shall Occur When:**
   a. A newly activated user ID is first used.
   b. There is a belief that the password is compromised.
   c. An employee changes departments.
   d. Every six months when all passwords are renewed.

5. **Failure to Conform**
   Failure to conform to these restrictions may lead to suspension of user ID (loss of computer access privileges) or other action indicated by the City Manager or designee.

C. **General Policy for Internet Usage**

1. Only the CPA’s Internet provider may be used to access the Internet unless otherwise authorized in writing by the CPA City Manager or his designee.

2. Internet resources are to be used primarily to conduct CPA business. Only incidental and occasional personal use is permitted. Permitted personal uses
include reading and posting of City-related news items and classifieds for recycling of personal items on THE LOOP, the City’s Intranet.

3. Users must abide by copyright, contract, and any local, state and federal laws, and CPA administrative directives and policies.

4. Users shall not download or use any unlicensed commercial software.

5. The CPA staff is prohibited from downloading or installing on CPA computers any software from the Internet unless authorized by the IT Division.

6. Appropriate anti-virus software must be installed and operational before any Internet use is authorized. If a virus is detected, the Network Administrator and the user’s immediate supervisor should be notified immediately. In the event of a serious virus outbreak, any infected equipment may be disconnected from the Internet and the CPA’s other computer systems until the problem is resolved.

7. Users shall not share passwords for Internet access with any unauthorized person, nor obtain any other’s user’s password by unauthorized means. Users should not construe the use of passwords as an expectation of privacy.

8. The CPA may, at any time, without cause, use Internet monitoring software that restricts users from accessing inappropriate sites; log Internet usage by user; and create reports based on the information it logs. Users who have been provided with Internet access are responsible for Internet usage logged with their Internet login. Therefore users shall not allow others to use their account except through specific authorization.

9. There shall be no participation in web-based surveys without authorization from the Department Director.

D. Prohibited Activities

The following are specific examples of prohibited activities. An activity not listed here may still be a violation of other rules in this policy.

1. Any illegal, illicit, improper, unprofessional or unethical activity, or any activity that could reasonably be construed to be detrimental to the interests of the CPA, and/or in violation of City rules and policies.
2. Use of Internet resource for access to or distribution of sexually explicit or obscene material, child pornography, inappropriate text or graphic files.

3. Use of Internet resources for commercial use or profit, or in any unauthorized manner, with the exception of posting classified ads on THE LOOP, for recycling of personal items.

4. Personal use of Internet resources on other than an occasional or incidental basis.

5. Interference with another user’s legitimate access to CPA computer equipment.

6. Creation or distribution of a computer virus of any kind, regardless of whether any demonstrable harm results.

7. Alterations or enhancements to the CPA’s Web Pages without prior approval of the IT Division and/or Department head.

8. Installation of any modem on any CPA computer.

9. Any alteration, damage or deletion to any City data, files, or computer software, or any action causing the disruption of the City’s computer system or network.

10. Any unauthorized use of City owned software including unauthorized copying, transfer or reproduction.

E. General Policy for Intranet and E-mail use

1. Preface

The City considers e-mail as an important means of communication and recognizes the importance of proper e-mail content and speedy replies in conveying a professional image and delivering good customer service. Therefore, staff must be aware that their electronic communications by nature represent and reflect on the City as a government institution and shall ensure their messages do not harm or contradict the City’s reputation or obstruct its work in any way.
2. **Access**

E-mail addresses are assigned to personnel by completing the appropriate request form and forwarding it to the Information Technology Division for processing. City Internet addresses are created according to the following scheme:

firstname.lastname@cityofpaloalto.org

3. **E-mail content**

Write well-structured e-mails and use short, descriptive subjects. Signatures may include your name, job title, and city name, address and website address. Use of spell check is recommended prior to sending. Avoid unnecessary attachments or graphics since they require additional network capacity for delivery and storage. An alternative to using attachments is setting up links in the e-mail to a shared drive where the attachment resides.

4. **Maintenance**

Delete any e-mail messages no longer needed and set your e-mail client to empty ‘deleted items’ on closing. Archive e-mail messages frequently, and delete any files accumulated in Sent Items so your mailbox doesn’t fill up.

5. **Privacy**

E-mail users shall not expect privacy regarding any aspect of business or personal e-mail correspondence or computer usage. All e-mail messages that are created, received, transferred to or from, or maintained on a City computer system are the property of the City. The City has the right to monitor mail, however, no person shall review another’s individual e-mail without legal authorization. Works in-progress, or drafts, which are not subject to public disclosure, should be clearly marked in the body of the text as “private/confidential” before being sent. Electronic mail which contains confidential attorney-client information may not be disclosed to non-City personnel or to City personnel who do not have a business need to know without authorization of the City Attorney’s Office or the City Manager’s Office, or unless required by law.

6. **Retention**

Users shall delete unwanted e-mail periodically, in a manner consistent with the requirements of the California Public Records Act. If a user has reason to retain an
e-mail, the message should be printed, filed, archived and retained pursuant to the applicable department record retention policy. The Information Technology Division holds deleted messages for 7 days on tape backup.

7. **Extended Absence**

During periods of extended absences, staff with e-mail addresses should set up an "out of office" reply. The message should state the specific dates the employee will be away from the office and the name of a co-worker who can be contacted during the absence period.

8. **Viruses**

Staff should not open attachments in e-mails from senders unknown to them. Attachments can contain dangerous computer viruses. Anyone suspecting that they have a computer virus can call the Helpdesk for assistance.

9. **Prohibited Uses of E-mail**

In addition to the General Policies stated previously, prohibited uses of e-mail include, but are not limited to:


b. Transmittal of confidential information without first obtaining the authorization of the appropriate supervisor or department head.

c. Transmittal of attorney-client privileged information to non-employees or to non-authorized persons.

d. Initiating or forwarding chain e-mail.

e. Sending unsolicited non-city related e-mail.

f. Disguising staff identity name, or altering the From: line or any other indication of origin on e-mail.

g. Obtaining access to another person’s e-mail without legal authorization.

h. Sending material that is fraudulent, harassing, profane, obscene, intimidating, or otherwise unlawful or inappropriate.

i. Any use of the City e-mail system, which causes unreasonable disruption to City business or places the City computer system at risk in any manner.

10. **Web Access**
Access to Electronic Mail through Web client software is subject to the same policies and procedures as e-mail obtained via a desktop client.

11. **Issuance of Citywide E-mail**

Citywide e-mail is to be distributed only with prior Department Head approval.

While e-mail is a great tool for communications, the use of City Staff e-mail should be reserved only for business matters pertaining to all City employees. Employees are encouraged to make use of the News or Classified section of the LOOP instead of sending citywide e-mail. Only authorized City representatives are permitted to communicate with non-employees on behalf of the City via the City computer system. If an employee is unsure whether a communication is authorized it is the employee’s responsibility to make inquiry to his/her supervisor or to the City Manager as appropriate.

12. **Responding to Resident E-mail**

Every department is responsible for establishing a process for responding to e-mail messages from residents. Department heads are responsible for ensuring that departmental procedures are followed.

13. **Departmental Contacts**

The City telephone and department directory is published on the City’s Web pages to encourage and enhance communication with the community. In addition to the phone directory, an Internet e-mail directory is available. Generic mailboxes should be established for significant tasks likely to generate public interest and high volumes of e-mail. Processing of incoming Internet mail is the responsibility of the department’s designee and must conform to all e-mail policies and procedures.

14. **Council Communication from Residents**

Responses to Internet e-mail messages addressed to City Council are considered “written communication” and must be processed according to Palo Alto Municipal Code section 2.04.200 titled “City manager authorized to process council mail.” Residents’ e-mail messages addressed to the full Council (city.council@cityofpaloalto.org) or the Mayor are automatically forwarded to the City Manager and shall be included in the next Council packet (or Council members’ mail) with the notation that staff will respond, as appropriate. A copy of the staff response will be included in a subsequent Council packet.
15. Monitoring

The CPA has access to an Internet monitoring software package that could record all Internet traffic and record all time spent utilizing the Internet if warranted. Without any prior showing of cause or suspicion of misconduct, supervisors or IT staff may periodically review reports to determine if an employee is utilizing Internet access appropriately.

16. Violations

Inappropriate, unauthorized, or excessive work time spent utilizing the Internet and any violation of this policy may be cause for disciplinary action.

F. General Policy for Information Resources

1. Definition

Information resources in this document are meant to include any information in electronic or audio-visual format or any hardware or software that make possible the storage and use of such information. As example, included in this definition are electronic mail, local databases, externally accessed databases, CD-ROM, recorded magnetic media, photographs, and digitized information.

2. Policy

Any City employee who, without authorization, accesses, uses, destroys, alters, dismantles or disfigures the City’s information resources, properties or facilities, including those owned by third parties, thereby threatens the atmosphere of increased access and sharing of information, threatens the security and maintenance of records, and in light of the City's policy in this area, has engaged in unethical and unacceptable conduct, and is subject to discipline under the City's Merit System Rules and Regulations. Access to the networks and to the information technology environment at the City is a privilege and must be treated as such by all users of these systems.

The City characterizes as unethical and unacceptable, and just cause for taking disciplinary action up to and including termination, reduction in salary, reprimand, disciplinary probation or suspension, any activity through which an individual:

a. interferes with the intended use of the information resources;
b. seeks to gain or gains unauthorized access to information resources without authorization;

c. without authorization, destroys, alters, dismantles, disfigures, prevents rightful access to or otherwise interferes with the integrity of computer-based information and/or information resources;

d. without authorization invades the privacy of individuals or entities that are creators, authors, users, or subjects of information resources;

e. makes pre-emptive use of the system for personal gain;

f. uses information resources without proper authorization;

g. and releases confidential City or City employee information (except as required by the Public Records Act or other law) and without approval by a Department Head or their designee. This information includes, but is not limited to information contained in any of the City's computer systems, such as employee names, addresses and phone numbers.

Conduct such as that described in Section F could also constitute a violation of criminal law and could be cause for a criminal investigation and/or prosecution by appropriate authorities.