

**CITY OF SULTAN
WASHINGTON
RESOLUTION NO. 23-01**

**A RESOLUTION OF THE CITY OF SULTAN, WASHINGTON,
ADOPTING A POLICY ON TEXTING WITH A CITY OWNED
DEVICE**

WHEREAS, Technology and culture has changed to where a cell phone is used more for texting than it is used to make phone calls; and

WHEREAS, The City of Sultan acknowledges that this change exists and wishes to address it; and

WHEREAS, The City of Sultan issues employees cell phones to help with their roles and responsibilities; and

WHEREAS, The City of Sultan has issued cell phones to all city employees; and

WHEREAS, Each cell phone has the ability to text; and

WHEREAS, The service of texting is part of the monthly service to each cell phone; and

WHEREAS, The city of Sultan wishes to establish a policy that reflects the innovation with cell phones and the need to define how texting can be used with a city owned device; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SULTAN, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. Text Messaging Policy. The City Council hereby approves and adopts the policy, procedures, and guidelines establishing rules for the use of text messaging attached hereto as Exhibit A and incorporated herein by reference.

Section 2. Effective Date. This resolution shall take effect and be in force immediately upon its passage.

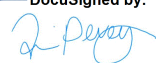
PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 9th DAY OF MARCH, 2023.

CITY OF SULTAN

DocuSigned by:


Russell Wiita, Mayor

ATTEST/AUTHENTICATED:

DocuSigned by:


Tami Pevey, City Clerk



CITY OF SULTAN

Text Messaging Policy

Presented March 9, 2023 via Resolution 23-01

PURPOSE:

The City of Sultan recognizes text messaging as an effective communication tool for City employees to send and receive transitory messages to facilitate City business in a convenient and timely manner. The purpose of this policy is to establish rules on the appropriate use and retention of text messages.

DEFINITIONS:

City business-relates to the conduct or the performance of the City of Sultan.

Transitory records-records created or received by the City which are typically or short-term, temporary informational use.

Text messaging-sending or receiving SMS, MMS, or iMessage messages.

SMS-Short message service is a service that allows for short text messages to be sent from one cell to another, or from the web to another cell phone.

MMS-Multimedia Messaging Service is a system that enables mobile phones to send and receive pictures and sound clips as well as text messages.

iMessage-Apple iMessage (Apple instant message) is an instant messenger service developed by Apple Inc. that allows end users to send texts, documents, photos, videos, locations, contact information and group messages over Wi-Fi, cell service networks to other iOS or OS X users.

DEPARTMENTS AFFECTED:

This policy shall apply to all City employees, and elected officials.

POLICY:

TEXT MESSAGING ONLY ALLOWED ON CITY-OWNED DEVICES

City employees are only allowed to send and receive transitory text messages related to City business on a City issued cell phone. Text messaging City business on a personally owned device is not allowed.

NATURE OF CONTENT ALLOWED IN TEXT MESSAGES

Text messaging should only be used to send messages of a "Transitory" nature. Messages relating to actions and outcomes of City business should be handled via email. No personal or exempt information shall be sent over text message, including but not limited to attorney-client privileged communication, social security numbers, credit card numbers and passwords.



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Below is a list of examples that show when text messaging can be used, and when it should not.

Allowed to text	Not allowed to text
I'll be late to the meeting.	I'll be late, but I think we should appoint "_____" to the XYZ committee.
I just sent you an email.	We need a decision on the preferred alternative for this "_____" public contract. What do you think?
Could you please call me?	Use the following language in the press release "Announcing...."
The Mayor is trying to get ahold of you.	The Mayor wants to know your thoughts on the City council proposal for "_____"
Can you pull the elected/appointed official out of this meeting?	We need to schedule a closed door meeting with so and so official and other board members for later today.
Can you cover me in today's meeting?	We need to meet with all the stakeholders about this issue.
I emailed you the draft, please review.	Use this language in the staff report: "_____"
We're out of paper clips	Office Depot has the best price on paper clips. I'll send you the link so you can buy some for us.
Please review the list of trees to be removed on the SharePoint site.	Please remove the hazardous tree at "_____"

DELETING TEXT MESSAGES OF PHONES

Employees shall delete transitory text messages from their City phone as soon as they are no longer needed.

RESPONDING TO PUBLIC RECORDS REQUESTS

Text messages are subject to public disclosure under the Public Records Act. If the City receives a public records request for any text message correspondence, the City Clerk's office will ask staff to produce any responsive text messages that exist on their City phones at the time of the request.

TEXTING WHILE DRIVING IS NOT ALLOWED

Employees must follow all laws regarding sending, reading or writing a text message while driving. If an employee receives a ticket for texting while driving, it is the employee's responsibility to resolve the ticket.



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EXCEPTIONS TO POLICY

EMERGENCY RESPONSE

Text messaging is an important method of communication for employees working in the field responding to an uncommon or major emergency and text messaging is allowed to relay important and time sensitive information. The retention period for these messages is six (6) years after the matter has been resolved/recovery completed and then records should be transferred to the State for appraisal.

To comply with these retention requirements, the City will use third-party archive software to retain and search for text messages. The text messages of the following City positions will be archived for a period of seven (7) years:

- Community Development Manager
- City Administrator
- Public Works Director
- Mayor

All other text messages sent or received by employees not listed above, that relate to emergency response and are not archived, must be saved for the length of their retention period. Employees should contact the City Clerk's Office if assistance is needed in complying with this policy.

ACCIDENTAL USE OR RECEIPT OF NON-TRANSITORY TEXT MESSAGES

Occasionally, an employee may accidentally send a non-transitory text message or may receive a non-transitory text message from another City employee or citizen. In these cases, the employee should retain the text and contact the City Clerk's Office regarding retaining the text message.