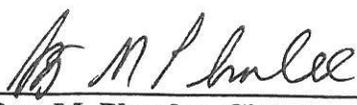


City of Los Alamitos

Administrative Regulation

Regulation:	7.2	
Title:	Internet Website and Privacy Policy	
Authority:	City Manager	
Date:	June 18, 2014	Bret M. Plumlee, City Manager
Revised:		

Purpose. The purpose of this Policy is to establish regulations for the development, operation, and administration of the City website and to ensure that the City website remains a non-public forum subject to the City's exclusive use and control. The purposes of the City's website are as follows:

- To provide a convenient and information-rich resource for residents, visitors, businesses, non-profit organizations, other public agencies, and schools to access their City government.
- To provide information and resources that contribute to the health, safety, and welfare of the citizens of, and visitors to, the City of Los Alamitos.
- To contribute to the improvement of City services, foster economic development, and enhance the sense of community within the City.
- To establish and strengthen long-term partnerships between the City and individuals and entities in the public and private sectors where such partnerships further the public health, safety, and welfare.
- To provide information about the City and its local services in a manner that is as manageable, efficient, and organized as possible. Information or External Links may be excluded from the City website where such additional information or External Links would create visual clutter and disorganization.

Policy. The City shall operate and maintain the City website as provided in this Policy.

Non-Public Forum Status. The City website is a non-public forum. While the City encourages the public to use the City website to access information and resources, the City expressly reserves the right to impose certain restrictions on the use of its website. The City website is reserved for the exclusive control of the City for the purposes of one-way communication to users of the City website. The City website shall not be used to facilitate a general debate, public discourse, or the free exchange of ideas.

Authority of City Manager. The City Manager or his designee shall have the authority and responsibility for the implementation of this Policy. The City Manager may also make interpretations on issues that are not clearly articulated or not included in this

Policy, so long as the City Manager's discretion is exercised in a manner consistent with the stated purposes of the City Website.

This Policy will be posted on the City website for review by the public at any time. Questions or comments regarding any subjects or issues addressed in this Policy may be directed to:

City of Los Alamitos
Attn: City Manager
3191 Katella Ave.
Los Alamitos, CA 90720
e-mail: bplumlee@cityoflosalamitos.org

Restrictions on Use of Materials. Except as provided herein, no material or information from this site may be copied, reproduced, republished, uploaded, posted, transmitted, or distributed except as authorized in this notice, expressly authorized within this site, or approved in writing by the City of Los Alamitos.

Copyright Notice. Unless a copyright is indicated, information on the City of Los Alamitos website is in the public domain and may be reproduced, published, or otherwise used with the City of Los Alamitos' permission. It is requested only that the City of Los Alamitos be cited as the source of the information and that any photo credits, graphics, or byline be similarly credited to the photographer, author, or City of Los Alamitos, as appropriate.

If a copyright is indicated on a photo, graphic, or any other material, permission to copy these materials must be obtained from the original source.

Using or modifying this site's materials and information for commercial or profit making purposes is prohibited and may violate the copyrights and/or other proprietary rights of the City of Los Alamitos or third parties.

The City of Los Alamitos respects the intellectual property of others and asks users to do the same. If it is believed that work has been copied in a way that constitutes copyright infringement, please provide the City of Los Alamitos' Designated Agent the following information: an electronic or physical signature of the person authorized to act on behalf of the owner of the copyright interest; a description of the copyrighted work that is claimed to have been infringed; a description of where the material that is claimed to have been infringed is located on the site; the address, telephone number and email address of the person making the claim; a statement by the person making the claim that there is a good faith belief that the disputed use is not authorized by the copyright owner, its agent, or the law; and, a statement by the person making the claim, made under the penalty of perjury under the laws of the State of California, that the above information in the Notice to the City of Los Alamitos is accurate and that the person making the claim is the copyright owner or authorized to act on the copyright owner's behalf.

The City of Los Alamitos' Designated Agent for Notice of claims of copyright infringement on its website is the City Manager, who can be reached as follows:

By mail:
City of Los Alamitos
3191 Katella Ave.
Los Alamitos, California 90720
Tel: 562-431-3538

This copyright notice does not pertain to information on websites other than the City of Los Alamitos website.

Third Party Materials. Some materials and information used on the City of Los Alamitos website were generated by third parties who have consented to the City's use or placement of such materials on this site. These materials are owned by those parties. Use of these third party materials for any purpose is prohibited. Persons seeking to use or modify third party materials for any purpose should contact the owner of such materials directly. These materials include icons and graphics used in links to other organizations' sites, as well as various items of general content.

Disclaimer of Endorsement. Reference in this site to any specific commercial product, process, or service by trade name, trademark, manufacturer or otherwise, does not constitute or imply an endorsement, recommendation, or favoring by the City of Los Alamitos. The views and opinions of the authors of documents published on the City of Los Alamitos website do not necessarily state or reflect the opinion of the City of Los Alamitos, and shall not be used for advertising or product endorsement purposes.

Information Disclaimer. Information provided on the City of Los Alamitos website is intended to allow the public immediate access to public information. While all attempts are made to provide accurate, current and reliable information we recognize the possibility of human and/or mechanical error. Therefore, the City of Los Alamitos, its employees, officers, and agencies expressly deny any warranty of the accuracy, reliability or timeliness of any information published by this system and shall not be held liable for any losses caused by reliance upon the accuracy, reliability or timeliness of such information. Any person who relies upon such information obtained from this system does so at his or her own risk.

Links to External Websites. Various external websites may be linked to the City website. Visitors to those sites may wish to check their privacy statements and be cautious about providing personally identifiable information. A link does not constitute an endorsement of content, viewpoint, policies, products or services of that website. Once a user follows a link to another website not maintained by the City of Los Alamitos, the user is subject to the terms and conditions of that website, including but not limited to its privacy policy.

Application for External Link. To request the addition of an External Link to the City website, the applicant shall send the relevant URL, address, website description and purpose, brief statement as to how the proposed website fulfills the purpose of the City

website, contact name, phone number and email address by email to bplumlee@cityoflsoalamitos.org.

The City has a legitimate interest in limiting persons or organizations that might be linked to the City website. The City may exercise discretion to ensure that the links to the City website are consistent with the purpose of the City website. Neither the City Website nor the External Links listed on the City website constitute a forum for expressive activity by members of the public.

Each proposed External Link on the City website shall be reviewed to determine its relevance and appropriateness to the purpose of the City website. The City Manager or his designee shall review the merits of the proposed External Link based upon the stated purposes of the City. A proposal for an External Link will not be denied based on the viewpoint espoused by the individual or entity.

The City website will not provide External Links to websites that:

- Promote or exhibit hate, bias, discrimination, pornography, libelous or otherwise defamatory content.
- Have a primary purpose of furthering the agenda of a political organization or a candidate running for office (regardless of the political viewpoint), or defeating any candidate for elective office.
- Violate any of the City's equal opportunity policies.
- Consist of personal home pages operated by individuals.

The City may provide External Links to certain private commercial sites that maintain and display government-related information which fulfills the purposes of the City website and which is not generally available through a governmental agency due to the cost of compiling, maintaining and/or displaying such information. To support the cost of compilation and maintenance of this information, these private commercial sites may include advertising or promotional material in the information display. Accordingly, External Links to such sites which contain this information, but also display commercial advertising or promotional material, may be included within the City website when the City Manager or his designee has made a good faith determination that: the City's independent replication of the information targeted for linkage is infeasible due to financial or other considerations; no non-commercial site provides the information targeted for linkage; and, the information targeted for linkage greatly enhances the usefulness of the City website and services it provides.

The City reserves the right to determine how and where External Links will appear on the City website.

Final Decision. The decision to post or not post content and/or links on the City website resides solely with the City Manager or his designee. The decision of the City Manager or his designee is final and binding. Under no circumstances will individuals or entities be entitled to compensation or damages in the event that the City Manager or his or her designee directs the City to include or exclude the content or link.

Disclaimer for External Links. The City of Los Alamitos website may contain hypertext links to other sites on the Internet. The City of Los Alamitos is not responsible for the content, quality, or accuracy of any off-site materials referenced or linked through the City of Los Alamitos website. By using the City of Los Alamitos website, the user acknowledges and accepts that the City of Los Alamitos is not responsible for any materials stored on other internet sites, nor it is liable for any inaccurate, defamatory, offensive, or illegal materials found on other internet sites, and that the risk of injury from viewing, hearing, downloading, or storing such materials rests entirely with the user.

Links from the City of Los Alamitos website to other sites on the internet do not constitute an endorsement of the City of Los Alamitos. These links are provided for informational purposes only. It is the responsibility of the user to evaluate the content, quality, and accuracy of materials or information obtained from other sites.

Disclaimer of Liability. The City of Los Alamitos shall not be held liable for any improper or incorrect use of the materials or information contained on this site and assumes no responsibility for any user's use of them. In no event shall the City of Los Alamitos be liable for any damages, whether direct, indirect, incidental, special, exemplary or consequential (including, but not limited to, business interruption or loss of use, data, or profits) regardless of cause, and on any theory of liability, whether in contract, strict liability or tort (including negligence or otherwise) arising in any way out of the use of this site or the materials and information contained on this site, even when advised of the possibility of such damage. This disclaimer of liability applies to any damages or injury, including but not limited to those caused by any failure of performance, error, omission, interruption, deletion, defect, delay, computer virus, communication line failure, theft or destruction of data, whether for breach of contract, tortious behavior, negligence, or under any other cause of action.

Users are encouraged to consult with appropriate and accredited professional advisors for advice concerning specific matters before making any decision, and the City of Los Alamitos disclaims any responsibility for positions taken by individuals or corporations in their individual cases or for any misunderstanding and losses, directly or indirectly, on the part of the users.

Disclaimer of Warranties/Accuracy and Use of Information. The materials in this site are provided "as is" and without warranties of any kind, express or implied. To the fullest extent permissible to applicable law, the City of Los Alamitos disclaims all warranties, expressed or implied, including but not limited to, implied warranties of merchantability, fitness for a particular purpose and title to any of the materials provided on this site. The City of Los Alamitos does not warrant that the functions contained in the materials will be uninterrupted or error-free, that defects will be corrected, or that this site or the server that hosts it are free of viruses or other harmful components. The City of Los Alamitos does not warrant or make any representations regarding the use or the results of the use of the materials in this site, or through links to other sites, in terms of their correctness,

accuracy, reliability or otherwise. The user (and not the City of Los Alamitos) assumes the entire cost of all necessary servicing, repair, or correction.

Changes are made periodically to many City documents, including Municipal Codes, Charter Sections, regulations, guidelines, and schedules. These changes may or may not be reflected in the materials or information present on the City of Los Alamitos' website. Additionally, because the site is frequently under development, materials and information may be deleted, modified or moved to a different part of the site without advance notice.

Exception to Disclaimers, if Applicable. Certain state laws do not allow limitations on implied warranties or the exclusion or limitation of certain damages. If these laws apply to you, some or all of the above disclaimers, exclusions, or limitations may not apply to you, and you might have additional rights.

Indemnification. To the extent permitted by applicable law, by using the City of Los Alamitos website, the user agrees to defend, indemnify, and hold harmless the City of Los Alamitos, its agencies, officers, employees, representatives, and agents from and against all claims and expenses, including attorneys' fees, arising out of the user's use of this site or materials and information contained on this site.

Notice to the City. Communications through the City website, by e-mail or otherwise, shall in no way be deemed to constitute legal notice to the City of Los Alamitos 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. No communication through the City website shall be deemed to constitute legal or official notice for any purpose.

Privacy Policy. The City of Los Alamitos is committed to providing the public with a convenient and secure online e-government experience. It is understood that personal information is entrusted to the City, and the need to protect that information is taken very seriously.

In order to protect users' privacy, the City of Los Alamitos will not share any personal information with any third party, except (1) in an aggregated, summary form; (2) to fulfill governmental, legal and regulatory obligations (including your obligations under the Terms and Conditions); (3) to process users' transactions on this website; or (4) pursuant to users' explicit authorization.

The City of Los Alamitos believes that the information collected from citizens should only be that which is necessary to provide the information or services sought by a requester, just as a person might provide such information when visiting City offices in person. The information collected is subject to the same controls and uses as that collected by governmental offices visited in person, again subject to the access and confidentiality provisions of the State of California and City of Los Alamitos laws and federal law.

What is personally identifiable information?

“Personally identifiable information” or “personal information” means any information relating to an identified or identifiable individual who is the subject of the information.

Personally identifiable information does not have to be provided.

Users do not have to provide personally identifiable information to visit the City of Los Alamitos website or to download information. The City may in the future request personally identifiable information from users in order to provide requested specialized services, but such information would be handled as it would be on an in-person visit to a government office.

Access to Personal Information. The City of Los Alamitos has information about individuals, or information which can be identified or associated with a particular individual retained in the public records. Access to this personally identifiable information in public records at state and local levels of government in California is controlled by California law. Information that is generally available under California law and not made confidential elsewhere under California or City of Los Alamitos or federal law may be posted for electronic access through the City of Los Alamitos website. California law recognizes many concerns people have with regard to public records that include information about them, including the right to correct inaccurate information. Consequently, persons concerned with regard to information about them should contact the custodian of the record, which typically is the state agency or other governmental entity that collects and maintains the information.

Public Disclosure. All information collected on our website will be treated the same as any written communication and is subject to the confidentiality and public disclosure provisions of applicable State of California and City of Los Alamitos laws and federal law.

Email Senders. Email messages sent to any City of Los Alamitos address will be treated the same as any other written communication. Email addresses obtained as a result of a request to the website will not be sold or given to private companies for marketing purposes. The information collected from email messages is subject to the disclosure, access, and confidentiality provisions of State and City of Los Alamitos laws and federal law. Email or other information requests sent to the website may be maintained in order to respond to the request, forward the request to the appropriate agency, communicate updates to the page that may be of interest to citizens, or provide Web designers with valuable customer feedback to assist in improving the site.

Electronic Form Filers. Any other information provided by users at the request of the City of Los Alamitos or an agency thereof, such as the completion and electronic filing of a form, will be considered to be voluntarily provided by the visitor and will be treated in the same manner as information provided in written form or in person during a visit to the agency.

Personal Information Collected. In order to use any web based payment service on the City's website, personal information necessary for us to complete the transaction will have to be provided. Users will be notified when personal information will have to be provided. If users choose not to provide personal information, the City will be unable to complete the transaction and the payment service will not be able to be used. The amount and type of personal information that is collected from users will depend on how a user decides to make a payment (e.g., credit card). The City may archive personal information for auditing, diagnostic, and user support purposes.

Disclosures to Credit and Bank Card Processing Providers. The City is required to provide select personal information (such as credit card number and account expiration date) to money transmission vendors to the extent necessary to process payment for services on the site.

Security. The City of Los Alamitos is committed to data security and the data quality of personally identifiable information that is either available from or collected by the website. Unfortunately, no information transmitted via the Internet is guaranteed to be completely secure due to the nature of the Internet. But every attempt is made to safeguard users' information from loss, misuse or alteration.

To prevent unauthorized access, maintain data accuracy, and ensure the appropriate use of information, physical, electronic and managerial procedures to protect personal information have been instituted. For example, only certain authorized City of Los Alamitos personnel have access to personal information, and this information is password protected. The City also uses firewalls and Secure Socket Layers, where appropriate. Further, outside companies may perform periodic security audits and intrusion detection systems may be used to guard against unauthorized access.

Changes to Privacy Policy. The City of Los Alamitos may change its privacy policy from time to time. It is the user's responsibility to periodically check back for amendments to the privacy statement.

Questions and Concerns. The City of Los Alamitos understands that users expect privacy in use of the Internet and makes every effort to address privacy concerns by instituting and maintaining stringent standards in protecting the information with which the City has been entrusted. It is the hope of City staff that this policy clarifies policies and procedures, but for any questions or concerns regarding the privacy policy or website practices, users are encouraged to email the City Manager at bplumlee@cityoflosalamitos.org.

Use of the City of Los Alamitos website constitutes acceptance of this Privacy Statement, meaning users expressly consent to use and disclosure of personally identifiable information in accordance with the terms of this Privacy Statement.