



CITY OF BANNING STAFF REPORT

TO: CITY COUNCIL

FROM: Elizabeth Gibbs, City Manager

PREPARED BY: Elizabeth Gibbs, City Manager

MEETING DATE: May 12, 2026

SUBJECT: Discussion and direction to staff on a draft Social Media Policy

RECOMMENDATION:

Discuss the draft social media policy as presented and provide direction to staff on any changes to the policy.

BACKGROUND:

Social media has become a primary channel through which local governments communicate with residents, disseminate public information, and engage the broader community. Platforms such as Facebook, X (formerly Twitter), Instagram, and YouTube offer municipalities an efficient, cost-effective means to share announcements, promote events, and respond to community inquiries in real time.

The City of Banning currently maintains a presence on several social media platforms to promote City services and provide timely public information. However, the City has not historically operated under a formal adopted, comprehensive policy governing the use of those platforms-either by City staff posting on behalf of the City, or by members of the public engaging with City-managed accounts.

The absence of a formal policy has created operational uncertainty regarding content moderation standards, account management authority, compliance with the Ralph M. Brown Act, California Public Records Act ("PRA") obligations, and the legal boundaries surrounding restricted speech on limited public forums. Courts, including the Ninth Circuit and the United States Supreme Court, have increasingly scrutinized municipal social media practices, particularly regarding content-based restrictions and the blocking of users. The adopted policy provides clear, viewpoint-neutral standards that align with applicable constitutional and statutory requirements.

The proposed Social Media Policy was developed by the City Attorney in coordination with the City Manager. It establishes a governance framework that addresses City-posted content, employee and official use, public engagement standards, content moderation criteria, Brown Act compliance, and public records considerations.

JUSTIFICATION:

Adoption of a formal Social Media Policy is warranted for the following reasons:

Legal Compliance and Risk Mitigation - municipal social media accounts that are open to public comment are increasingly treated as public forums subject to First Amendment protections. Without clear, consistently applied content standards, the City is exposed to claims of viewpoint discrimination and civil liability. The proposed Policy establishes the City's social media sites as "limited public forums" and sets forth content-neutral moderation criteria, consistent with the legal standards articulated by the

courts. The Policy also addresses Brown Act compliance obligations for members of City legislative bodies, reducing the risk of inadvertent serial meeting violations through social media interaction.

Operational Clarity and Accountability - The Policy designates the City Manager or authorized designee as the administrator of all City social media accounts and establishes a clear chain of authority for account creation, content publication, and moderation. This reduces the risk of unauthorized postings, ensures consistency in messaging, and protects the City's official communications from reputational harm.

Public Records Act Compliance - Content posted on City social media platforms may constitute a public record subject to disclosure under the California PRA. The Policy explicitly notifies users and City representatives of this obligation and establishes that communications through social media do not constitute official or legal notice to the City, ensuring residents utilize proper channels for time-sensitive matters.

Employee and Official Guidance - The Policy provides City employees, elected officials, and members of City boards and commissions with clear guidance regarding personal social media use involving City business, confidentiality obligations, and the prohibition on using City branding without authorization. This reduces ambiguity and supports consistent professional conduct.

Community Engagement Standards - The Policy establishes transparent, publicly available standards governing what content may be posted by the public on City-managed accounts, and the conditions under which content may be removed. This supports constructive, respectful community engagement while protecting the operational integrity of the City's communications platforms.

Comparator agencies throughout the Inland Empire and California have adopted similar social media policies as a municipal best practice. Adoption of this policy positions the City of Banning in alignment with those standards and reflects the City's commitment to transparent, lawful, and effective governance.

FISCAL IMPACT:

This item is for discussion and direction only. Adoption and implementation of the Social Media Policy is not anticipated to result in any direct fiscal impact to the City.

ATTACHMENTS:

1. [Draft - Banning_-_Social_Media_Policy_-_05.12.2026.pdf](#)