



CITY OF IRVINE WEBSITE POLICIES

PURPOSE:

The City of Irvine (“City”) created its official website (www.ci.irvine.ca.us and/or www.cityofirvine.org) (“website”) as a public service to provide information about City services, officials and attractions. The website is a supplement to, and not a replacement for, information available from City offices. The City reserves the right to determine what information shall and shall not be placed on the website. The website is a public information resource that gives a high level overview of the organizational mission, structure, and operation of the City.

The purpose of this policy is to ensure that the City of Irvine website does not become public fora or limited public fora (with the exception of the Community Calendar subweb), but rather is maintained for the exclusive use of the City of Irvine in communicating matters of general public interest.

CITY OF IRVINE WEBSITE MISSION:

- Provide access to material about City of Irvine services, programs and activities, City officials and staff, government issues and local government process, and public facilities;
- Encourage community members to participate in City government;
- Offer information in an effective and time-efficient manner;
- Gauge community satisfaction with City services and/or work programs; and
- Manage the links and material on the website to ensure that the City’s information is easily discernible.

PROVISIONS:

Accuracy

The City strives to present current and accurate information on its website but does not guarantee either the accuracy or currency of information posted on its website. In the

event of a difference between the information on the website and official information available at City offices, the official information shall prevail.

Public Disclosure

As a government agency, the City of Irvine is subject to California Public Record laws, California Government Code section 6250 *et seq.* California Government Code section 6250 finds and declares that access to information concerning the conduct of the people's business is a fundamental and necessary right of every person in this State. Any information provided to the City through the City's website is subject to the same laws as information provided to the City on paper. Therefore, all information collected on the City's website may become public record and subject to inspection by the public, unless exempted by law.

Personal Information and Measure "S"

The City of Irvine is highly sensitive to the privacy interests of its citizens and believes that the protection of those interests is one of its most important responsibilities. In acknowledgment of its obligations, the City will not request any more information than is necessary to provide the highest level of service. The City of Irvine does not collect personal information via the City website unless a user voluntarily provides it in connection with participation in a City service or activity that asks for or requires such information (i.e., sending an email, participating in a survey, or accessing a service). Personal information may include, but is not limited to, an individual's name, address, phone number, and email address. If a user chooses not to participate in one of these activities or services, that choice will not affect the user's ability to use all other features of the City's website.

Measure S, an initiative ordinance passed by City voters in 2008, protects the confidentiality of certain personal information provided to the City in particular situations. Unless protected by Measure S, Federal or State law, all personal information required or volunteered by a user on the City's Website may become a public record subject to inspection by the general public.

Unsubscribe

At any time while accessing the City's website, users may decline participation in any activity that asks for information (e.g., survey, email, ecommerce). Such choice will not affect the user's ability to use all other features of the City's website. If a user chooses to subscribe to or begins receiving information from a City email listserve, the user has the option to permanently unsubscribe from any City email list.

Public Notices

When the City places notices of items on its website, such as schedules for upcoming public meetings or hearings, it does so only to facilitate public access to such information, as a supplement to the legally required methods of posting notices.

Email to City Officers and Employees

Persons submitting email comments or questions to the City or to City officials or employees should be aware that the City cannot guarantee, nor does it represent that such communications will remain private or confidential. Similar to mailed or delivered comments, comments received via email may become subject to public disclosure under the California Public Records Act and/or part of the discovery procedure in a civil lawsuit.

Email Comments on Public Hearings

Comments on public hearing items that are submitted by email will become part of the official record of such proceedings. Persons wishing to comment on public hearing items should attend the public hearing and express themselves in person at the hearing, or if the notice of a particular hearing allows written comments, then comments may be submitted in that manner.

Minors

No application on the City of Irvine's website specifically solicits information from minors or seeks to determine whether the visitor is a minor. Consequently, visitors should be aware that the collection of personal information requested from or volunteered by children online or by email will be treated in the same manner as information given by an adult. This information may become a public record, and as such may be subject to public access. The City asks that parents guide their children when children are asked to provide personal information online.

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ACCESSIBILITY POLICY

It is the policy of the City of Irvine that information and services on this site are designed to be accessible to people with disabilities.

SECURITY STATEMENT

The City of Irvine is highly sensitive to the privacy and security interests of its citizens and believes that the protection of those interests is one of its most important responsibilities. The City uses firewalls and other security technology to prevent its computers from being accessed by unauthorized persons. During the course of a credit card transaction on the website, all information submitted by a user is stored on a secured server. To perform services involving a credit card transaction, the City must, of course, pass information about the transaction to a user's financial institution. The City

will take reasonable steps to avoid causing this information to be shared with any other third party. This information shall not be construed as warranting the security of information provided via the City's website.

NOTICE TO CITY

Communications made through the City of Irvine's website shall in no way be deemed to constitute legal or official notice to the City of Irvine, its agencies, officers, employees, representatives, or agents with respect to any existing, pending, or future claim or cause of action against the City of Irvine or any of its agencies, officers, employees, representatives, or agents where notice is required by federal, state, or local law. No communication to the City of Irvine made through the website shall be deemed to constitute legal or official notice for any purpose.

Materials and information on the City of Irvine's website are provided as a public service and intended to afford general guidelines on matters of public interest. Accordingly, the information in this site is not intended to serve as legal, accounting, tax or other professional advice. Except for the third party materials described below, the materials and information on this site were generated, compiled, or assembled at public expense and are freely available for non-commercial, non-profit making use, provided the user keeps intact all associated copyright, trademark, and other proprietary notices. The materials, graphic elements, images and information on the website may not be "mirrored" without the written permission of the City of Irvine Public Information Office.

PROHIBITIONS

Attempts to upload information or change information on the City of Irvine's website are strictly prohibited unless specifically authorized in writing by the City of Irvine Public Information Office. This prohibition does not apply to a user's submission of information via an on-line form created by the City of Irvine for that purpose.

JURISDICTION

These terms shall be governed by and construed in accordance with the laws of the State of California, without giving effect to any principles of conflict of laws. By accessing the City website, users agree that any action at law or equity arising out of or relating to the terms of this website policy shall be filed only in the state or federal court located in Los Angeles, California and users hereby consent and submit to the personal jurisdiction of such court for the purposes of litigating any such action. If any of these terms or provisions shall be deemed unlawful, void, or any reason unenforceable, then that term or provision shall be deemed severable from the remaining terms and provisions and shall not affect the validity and enforceability of any remaining terms and provisions. This is the entire agreement relating to the subject matter herein and shall not be modified except in writing and signed by all authorized parties.

DISCLAIMER OF ENDORSEMENT

Reference on the website 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 Irvine. The views and opinions of the authors of documents published on the City of Irvine's website do not necessarily state or reflect the opinion of the City of Irvine, and shall not be used for advertising or product endorsement purposes.

DISCLAIMER OF LIABILITY

THE CITY OF IRVINE SHALL NOT BE HELD LIABLE FOR ANY IMPROPER OR INCORRECT USE OF THE MATERIALS OR INFORMATION CONTAINED ON THE CITY WEBSITE AND ASSUMES NO RESPONSIBILITY FOR ANY USER'S USE OF THEM. IN NO EVENT SHALL THE CITY OF IRVINE 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 THE WEBSITE OR THE MATERIALS AND INFORMATION CONTAINED ON THE WEBSITE, EVEN IF 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, TORTUOUS BEHAVIOR, NEGLIGENCE, OR UNDER ANY OTHER CAUSE OF ACTION.

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 IRVINE 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. CITY OF IRVINE 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 MAKES IT FREE OF VIRUSES OR OTHER HARMFUL COMPONENTS. THE CITY OF IRVINE DOES NOT WARRANT OR MAKE ANY REPRESENTATIONS REGARDING THE USE OR THE RESULTS OF THE USE OF THE MATERIALS ON THE CITY WEBSITE, OR THROUGH LINKS TO OTHER SITES, IN TERMS OF THEIR CORRECTNESS, ACCURACY, RELIABILITY OR OTHERWISE. USER (AND NOT THE CITY

OF IRVINE) 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, AND THESE CHANGES MAY OR MAY NOT BE REFLECTED IN THE MATERIALS OR INFORMATION PRESENT ON THE CITY OF IRVINE'S WEBSITE. ADDITIONALLY, BECAUSE THE WEBSITE IS FREQUENTLY UNDER DEVELOPMENT, MATERIALS AND INFORMATION MAY BE DELETED, MODIFIED OR MOVED TO A DIFFERENT PART OF THE WEBSITE WITHOUT ADVANCE NOTICE.

INDEMNIFICATION

To the extent permitted by applicable law, by using the City of Irvine's website, the user agrees to indemnify, and hold harmless, the City of Irvine, 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.

IF YOU DO NOT AGREE TO OR UNDERSTAND ANY OR ALL OF THESE TERMS, PLEASE DO NOT USE THE CITY OF IRVINE'S WEBSITE.



EXTERNAL LINKING POLICY

External Links from City of Irvine Website

The City of Irvine permits the establishment of links to external websites on the City's official website solely in conformance with this administrative Website and Linking Policy ("Policy").

At its discretion, the City **may provide** links to external sites that fall into one of the following categories:

- Other governmental agencies (.gov domains);
- Other municipalities (official municipal .us domains or other official municipal websites);
- Private utilities that have a franchise from the City of Irvine by which the City regulates or monitors customer service issues, e.g. Southern California Edison, SoCal Gas, Irvine Ranch Water District, etc.;
- Public and nonprofit private, bona fide educational institutions as defined in by the U.S. Department of Education(.edu domains);
- U.S. Military (.mil domains);
- Museums, libraries, historical organizations and similar kinds of established, bona fide organizations that provide resources to residents and visitors, e.g. Irvine Historical Society;
- Nonprofit organizations that partner with the City of Irvine to meet the City's strategic or operational goals (.org domains).
- City-generated pages on social media websites, e.g. Facebook, Twitter;
- Entities that the City has an existing formal, contractual relationship with through direct funding, or co-partnership on programs.

The City of Irvine reserves the right to: (1) deny an External Link to any person, business or organization when it is determined, following review, that the entity or organization does not meet the criteria set forth in this policy; and/or (2) deny an External Link to any person, business or organization which fails to provide truthful information. Nothing in this Policy is intended, and this Policy shall not be interpreted, to transform the nature of the City's website into something other than a non-public forum.

Examples of the type of websites that the City's website **will not provide** an External Link to:

- Websites representing for-profit businesses (.com, .biz or any other commercial top-level domains);
- promoting or exhibiting hate, bias, discrimination, pornography; libelous or otherwise defamatory content;
- associated with, sponsored by or serving a candidate for elected office, any political party or organization supporting or seeking to defeat any candidate for elective office or any ballot proposal;
- associated with political organizations or other organizations advocating a position on a local, state or federal issue;
- furthering the agenda of a political organization or candidate running for office;
- furthering the non-charitable agenda of a labor union;
- violating any of the City's equal opportunity or norms and values policies;
- that are individual or personal home pages.

Removal of External Link from City Website

The City reserves the right to immediately and without notice to any person or organization: (1) remove any External Link if the nature of the organization or business to which the link relates no longer complies with the City's External Link Policy; (2) discontinue an External Link at any time if entity's website parallels any of the above examples of websites the City will not link to, or if there is incorrect information at any time; or (3) to revise this Policy without prior notice when to do so is deemed to be in the best interests of the City of Irvine.

Location and Appearance of External Links

The City reserves the right to determine how and where External Links will appear on its website; i.e., what page the link appears on and where the link is placed on the page.

Links to the City of Irvine's Website

Advance permission to link to the City's website is not necessary. However, the organization linking to the City of Irvine's website should understand that content and internal web links may change at any time without notice.

Entities and individuals shall not link to the City's website nor capture pages within frames and present the City's website content as its own, or otherwise misrepresent this website's content or misinform users about the origin or ownership of its content.