

Prepared by: Clerk's Office

RESOLUTION NO. 2018-12

A RESOLUTION OF THE CITY OF VENICE, FLORIDA ADOPTING AN INFORMATION TECHNOLOGY USAGE POLICY; SUPERSEDING RESOLUTION NO. 2009-04; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Venice City Council considers information technology resources to be city resources; and

WHEREAS, an information technology usage policy provides effective guidelines and rules to maintain these resources in a consistent, predictable, and reliable manner to serve the city as business communications tools.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA, as follows:

SECTION 1. The Information Technology Usage Policy attached hereto as Exhibit "A", is hereby adopted and incorporated by reference as though fully set out in this resolution.

SECTION 2. A copy of the Information Technology Usage Policy shall be maintained for public use, inspection and examination in the offices of the city clerk and the information systems department and will be provided to all users.

SECTION 3. This Resolution supersedes Resolution No. 2009-04.

SECTION 4. This Resolution shall take effect immediately upon its approval and adoption as required by law.

APPROVED AND ADOPTED AT A REGULAR MEETING OF THE VENICE CITY COUNCIL HELD ON THE 12TH DAY OF JUNE 2018.

John W. Holic, Mayor, City of Venice

ATTEST:

Lori Stelzer, MMC, City Clerk

I, Lori Stelzer, MMC, City Clerk of the City of Venice, Florida, a municipal corporation in Sarasota County, Florida, do hereby certify that the foregoing is a full and complete, true and correct copy of a Resolution duly adopted by the City Council of the City of Venice, Florida, at a meeting thereof duly convened and held on the 12th day of June 2018, a quorum being present.

WITNESS my hand and official seal of said City this 12th day of June 2018.

Lori Stelzer, MMC, City Clerk

(S E A L)

Approved as to form:

David Persson, City Attorney

EXHIBIT "A"

City of Venice Information Technology Usage Policy

The City of Venice considers Information Technology (IT) resources to be city resources. It shall be the policy of the city to maintain these resources in a consistent, predictable, and reliable manner to serve the city as business communication tools. All users of these IT resources are expected to conduct themselves in a responsible, efficient, professional, and ethical manner and in accordance with city policies, as well as federal, state, and local laws.

1. Purpose

The purpose of this policy is to define the appropriate use of the City of Venice computer and network resources. They apply to access to the Internet, the city network and the use of computer resources at any location, from any device. The city authorizes the use of computing and network resources by city employees and authorized contractors in connection with the transaction of official business of the city. All use must be consistent with the intent and requirements of all city policies and must be carried out in an ethical, legal, and responsible manner.

Users of the city IT resources should have no expectation of privacy while using city-owned or city-leased equipment. Information passing through or stored on city equipment can and will be monitored.

The city purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, the city does not have the right to reproduce such software for use beyond the licenses purchased by the city.

Employees may only use software on local area networks or on multiple machines according to the software license agreement. The city prohibits the illegal duplication of software and its related documentation.

2. Internet/Intranet Usage

The City-provided Internet access is for authorized users and for official use only. Employees, vendors, customers, or visitors are not permitted to connect their personal computers or devices to the City's network or to access the Internet except through an available public Internet access portal with the exception of presentations made during City Council and advisory board meetings.

Files should be downloaded from trusted sources only.

Virus scanning software is provided by IT for all City-owned devices to detect and inoculate known viruses residing on City computers. No employee should introduce or distribute any files suspected of being infected by a virus capable of being used for malicious purposes. Employees encountering or suspecting a virus must inform the IT department immediately and must prevent anyone from using the potentially infected device until the device has been checked and cleared by the IT department.

3. Prohibitions

- a. Electronic communication resources are limited. Employees should conserve these resources and must not deliberately perform actions that waste resources or monopolize them to the exclusion of other employees. This includes subscribing to web sites not directly related to job responsibilities, spending extensive time on the Internet, downloading non-work files and streaming audio and/or video.
- b. Staff must presuppose that all materials on the internet are copyrights and/or patented unless specific notices state otherwise. Downloading and storing copyright material on city equipment is prohibited.
- c. The use of technology resources for conducting personal business, consulting, commercial activities, religious causes, solicitations, political activity, or any activities not directly in connection with the transaction of official business of the city are prohibited.
- d. Internet usage will conform to all city policies and work rules, intentionally visiting “adult” or sexually-oriented web sites, sites associated with hate crimes, violence or others that create discomfort or harassment in the workplace and have no legitimate business value are prohibited.
- e. Accessing or attempting to access to the computer-based records or services that an official or employee does not have explicit authorization to utilize is prohibited.
- f. The use of technology resources for illegal or illicit activities is a violation of this policy.
- g. A violation of any software license agreement is prohibited.
- h. Downloading and/or installing software is prohibited, unless specifically authorized in writing by the Information Technology Director or their designee. Any downloaded software must only be used under the terms of its license. Furthermore, any material installed on computers must be scanned for viruses or other destructive code.
- i. City employees or any other persons may not install hardware or software that was not purchased by the city on city-owned computers.
- j. The city has designed internet access in such a way as to try to assure the safety and security of the city’s network. Any attempt to circumvent, disable, destroy or defeat any city security feature is a violation of this policy. Any employee other than Information Technology employees, disabling anti-virus, security, or remote access applications on any city-owned computing device including, but not limited to desktops, laptops, smartphones, and tablets, will be subject to a minimum suspension and up to and including termination.
- k. IT staff are exempt from these prohibitions in the course of their regular duties for the city.

4. Passwords

Regardless of the circumstances, individual passwords must never be shared or revealed to anyone besides the authorized user, or IT staff in the course of their duties for the city. To this end, passwords must not be documented or stored in a manner which can be accessed by others. Sharing your password with others may create a liability to you if anything detrimental happens under your sign on with access to the city network.

Information Technology has implemented a secure password initiative in which they will generate a password change on a regular basis.

5. Electronic Mail (E-mail)

E-mail is the electronic transfer of information, typically in the form of electronic messages, memoranda, and attached documents, from a sending party to one or more receiving parties by means of an intermediate telecommunications system. When creating e-mail messages, refrain from using caps, bold, underline, as this has been interpreted by the courts as being “reckless use”.

E-mail which is created or received by a city employee, council member, or members of advisory boards, committees and task forces (hereinafter referred to as “Users”) in connection with the transaction of official business of the city is a public record and is subject to inspection and/or copying in accordance with Chapter 119, Florida Statutes, unless expressly exempted by law. An e-mail created or received in connection with the transaction of official business of the city is also subject to applicable state retention laws and regulations and shall not be deleted or destroyed except in compliance with the State of Florida’s records retention schedule. Users must use official city e-mail accounts in connection with the transaction of official business of the city. Users are prohibited from using personal e-mail accounts in connection with the transaction of official business of the city. Any e-mail received by a user in their personal e-mail account in connection with the transaction of official business of the city shall be forwarded to their city e-mail account within 30 days of receipt for archival and retrieval purposes.

The Florida Statutes contain numerous specific exemptions to the access and inspection requirements of the Public Records Law. Users are responsible for ensuring that electronic public records which are exempt from access or inspection by statute are properly safeguarded. Confidential or exempt information shall be transmitted by e-mail only when necessary and after all appropriate safeguards have been taken to maintain the confidential or exempt nature of the information. The originator is responsible for advising the custodian that an e-mail may have confidential or exempt information (for e-mails prior to this policy being adopted). The city provides electronic mail services to Users. These systems are designed to facilitate communication with other employees and the public when such communication is part of a User’s job. All electronic communication systems and all communications and stored information transmitted, received or contained in the city’s information systems are the property of the city.

Users have no right of personal privacy in any material created, stored in, received, or sent over the official city e-mail system. The city reserves and may exercise the right, at any time and without prior notice or permission, to intercept, monitor, access, search, retrieve, record, copy, inspect, review, block, delete and/or disclose any material created, stored in, received, or sent over the official city e-mail system for the purpose of protecting the system from unauthorized or improper use or criminal activity.

E-mail is for the use of Users in the performance of their jobs. However, it is recognized that occasional communications between Users within the city e-mail system for personal reasons under circumstances that do not take away from or interfere with their duties or the duties of those Users with whom they communicate, is not prohibited except the e-mail system shall not be used for any unauthorized purpose including but not limited to:

- (1) Sending solicitations including, but not limited to, the sale of goods or services or other commercial activities not in connection with the transaction of official business of the city.
- (2) Sending copies of documents in violation of copyright laws or licensing agreements.
- (3) Sending information or material prohibited or restricted by government security laws or regulations.

- (4) Sending information or material which may reflect unfavorably on the city or adversely affect the city's ability to carry out its mission.
- (5) Sending information or material which may be perceived as representing the city's official position on any matter when authority to disseminate such information has not been expressly granted. When an employee sends a personal e-mail, especially if the content of the e-mail could be interpreted as an official agency statement, the employee should use the following disclaimer at the end of the message: *"This e-mail contains the thoughts and opinions of (employee name) and does not represent official City of Venice policy."*
- (6) Sending confidential or proprietary information or data to persons not authorized to receive such information, either within or outside the city.
- (7) Sending e-mails or requesting information or material that is fraudulent, harassing, obscene, offensive, discriminatory, lewd, sexually suggestive, or sexually explicit, pornographic, intimidating, defamatory, derogatory, violent or which contains profanity or vulgarity, regardless of intent. Among those which are considered offensive include, but are not limited to, messages containing jokes, slurs, epithets, pictures, caricatures, or other material demonstrating animosity, hatred, disdain or contempt for any person or group of people because of race, color, age, national origin, gender, religious or political beliefs, marital status, disability, sexual orientation or any other classification protected by law.
- (8) Sending messages or requesting information reflecting or containing chain letters or any illegal activity including, but not limited to gambling.
- (9) Sending or requesting information or material that promotes a religious or political view, cause, position or action.
- (10) Sending or requesting personal outside email that is not in connection with the transaction of official business of the city to include, but not be limited to, personal activities, automated email from non-city business entities, shopping, auction, and personal pictures.

Normally employees are not responsible for unsolicited offensive e-mails. The use of e-mail is a privilege, not a right. As such, the privilege may be revoked at any time and for such reason. Abuse of the privilege may result in appropriate disciplinary action.

All e-mail and other public records in the city's custody are maintained for the required retention period(s). The city's e-mail is hosted with Microsoft as part of the Microsoft Office 365 platform and it is automatically backed up for security, redundancy, and retention purposes.

Sorting e-mail into appropriate personal folders is a helpful way to manage these records and to ensure that they will be easier to locate if you need to refer back to them. E-mails will remain in individual "live" accounts for one year in order to maintain functionality and efficiency.

Archived e-mails will be available for viewing or printing after the one year "live" mailbox limit. Once e-mail has met its retention in accordance with Chapter 119, Florida Statutes, it may be removed.

6. Policy Violations

All Users should report any discovered unauthorized access attempts or other improper usage of City of Venice computers, networks, or other information processing equipment. If you observe, or have reported to you, a security or abuse problem, with any city computer or network facilities, including violations of this policy, you should notify the Information Technology Director or the city's ethics compliance officer as appropriate.

Employees who violate these policies cost the city money, waste scarce resources, tarnish the image of the City of Venice, and may violate the law. Persons in violation of this policy are subject to the full range of sanctions, including the loss of computer or network access privileges without notification, and disciplinary action pursuant to the City of Venice's Procedures and Rules, up to and including discharge. In the event an employee is suspected of violating federal, state or local laws, all relevant materials will be made available to the appropriate law enforcement department for investigation and possible criminal prosecution.