

City of Cottonwood Shores

ORDINANCE 1126

ORDINANCE OF THE CITY OF COTTONWOOD SHORES, BURNET COUNTY, TEXAS, APPROVING A COMPUTER EQUIPMENT AND USAGE POLICY

WHEREAS, the City of Cottonwood Shores (the "City") is a Type A General Law Municipality, operating according to the laws of the State of Texas; and

WHEREAS, the City desires to adopt a Computer Equipment Usage Policy (the "Policy") related to the use of computer equipment by City Employees and City Officials so that they may more effectively communicate and support City functions, and be able to discharge their duties in the most economical and efficient manner.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COTTONWOOD SHORES THAT:

Section 1. The recitals as set forth above are found to be true and correct.

Section 2. **Definitions.**

"City Employee" shall mean any person who receives compensation as an employee of the City, including interns, temporary employees and other personnel, regardless of civil service status, classification, contract employee status, pay grade, or full-time or part-time status.

"City Official" shall mean the elected and appointed officials of the City, including members of any boards, committees and commissions.

"City Equipment" shall mean any computer device, requisite software and peripheral equipment, including carrying cases for mobile computer devices or other hardware that is used, owned, leased, operated, managed, controlled by, or in the custody of the City.

"Useful Life" shall mean, with respect to Equipment, a period of three (3) years, or other period established by the Council.

Section 3. **No Privacy.** Any information stored on City Equipment shall be considered to belong to the City, notwithstanding its nature or origin. There is no expectation of privacy for information stored or generated on City Equipment.

Section 4. **Right to Monitor.** The City has the right to and may, at any time, monitor, intercept, record, read and seize any City Equipment.

Section 5. Possession of, Responsibility for, and Disposition of City Equipment.

All City Equipment furnished by the City shall remain the property of the City. City Employees and City Officials shall return any City Equipment furnished by the City immediately upon request by the City or immediately upon either termination of employment by the City or at the time one ceases to be a City Official. City Employees and City Officials shall be responsible for reporting any loss or damage to Equipment to the City Administrator within 24 hours. In the event of theft of any City Equipment, the City Employee or City Official responsible for the City Equipment shall fill out a police report in the jurisdiction where the equipment was stolen and provide a copy of the police report to the City Administrator. In the event of loss or damage to any City Equipment furnished by the City, the City shall replace City Equipment, provided, however, in the event that the City determines that such damage to or loss of City Equipment by a City Employee or City Official was intentional or grossly negligent, the City may determine to not replace such City Equipment or may charge the cost of the City Equipment or the replacement City Equipment to the City Employee or City Official. Any City Equipment no longer needed by the City shall be disposed of as surplus property as required by law.

Section 6. Internet and Email Communications. The City provides email and Internet access, where necessary, for City Employees and City Officials to conduct City business. Access to and use of City email and the Internet is a privilege that the City may wholly or partially revoke, at its discretion.

Section 7. Prohibited Uses. City Employees and City Officials are prohibited from using City Equipment for personal, recreational, political use that violates the Hatch Act, commercial, unethical or illegal purposes or purposes that may be deemed as disruptive, threatening, harassing, demeaning, obscene, profane or otherwise offensive.

Section 8. Prohibition on Certain Software. City Employees and City Officials are prohibited from downloading or installing any software from the Internet or other electronic sources onto City Equipment without the approval of the City Administrator.

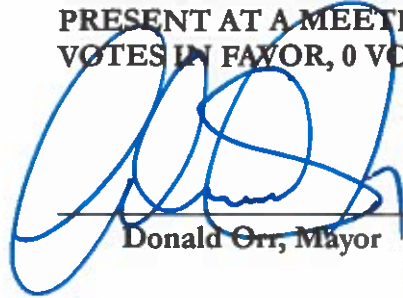
Section 9. Record Retention. Use of City Equipment may result in the creation of public records and data the City may furnish to 3rd parties as required by the Texas Public Information Act or other legal obligation imposed on the City. City Employees and City Officials shall be responsible for ensuring retention of public records and data on City Equipment in accordance with the City's record retention policy.

Section 10. Reimbursable Expenses. City Officials who elect to purchase any equipment for use in connection with or in place of City Equipment shall notify the City Administrator in writing prior to the purchase of said equipment for approval. Any City Official approved to purchase additional equipment shall be required to furnish the City Administrator with receipts showing the purchase of the equipment by the City Official. The City Administrator shall approve, approve in part or disapprove the invoices presented.

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Section 11. Effective Date. This Policy shall become effective as of the date of adoption by the Council.

ORDINANCE PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF COTTONWOOD SHORES, TEXAS, THERE BEING A QUORUM PRESENT AT A MEETING ON THE 3RD DAY OF DECEMBER, 2015 WITH 4 VOTES IN FAVOR, 0 VOTES AGAINST AND 0 ABSTENTIONS.


Donald Orr, Mayor



Attest:


Sheila C. Moore
City Administrator/City Secretary