

RESOLUTION NO. 4173

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DENISON, TEXAS, AMENDING CITY PERSONNEL POLICIES; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR SEVERABILITY; PROVIDING A CUMULATIVE REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council desires to amend its comprehensive set of general guidelines and policies governing all personnel matters for all city employees, as contained in its Employee Handbook, and as thereafter amended; and

WHEREAS, personnel policies and procedures may be adopted and amended at the discretion of the City Council and are subject and subordinate to applicable federal and state laws, rules, regulations, and local ordinances; and

WHEREAS, certain state legislative changes require that the City adopt a policy prohibiting certain information technology, as provided in Chapter 620, Texas Government Code.; and

WHEREAS, the City Council deems it in the best interest of the City of Denison employees to formally adopt such revisions regarding Personnel Time Off and Sick Leave.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DENISON, TEXAS:

Section 1. Incorporation of Premises. All of the above premises are found to be true and correct and are incorporated into the body of this Resolution as if copied in their entirety.

Section 2. The Prohibited Applications Policy attached as Exhibit “A” is incorporated for all purposes, adopted as a part of and included in the City’s personnel policies, shall be applicable to all employees.

Section 3. Severability. Should any section, subsection, sentence, clause, or phrase of this Resolution be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Resolution shall remain in full force and effect. The City hereby declares that it would have passed this Resolution, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

Section 4. Cumulative Repealing. This Resolution shall be cumulative of all resolutions of the City, as amended, except where the provisions hereof are in direct conflict with the provisions of such resolutions, in which event such conflicting provisions are hereby repealed.

Section 5. Effective Date. That this Resolution shall become effective immediately from and after its passage, and it is so resolved.

PASSED AND APPROVED by the City Council of the City of Denison, Texas, this the 4th day of November 2024.



ROBERT CRAWLEY, Mayor

ATTEST:



Christine Wallentine, City Clerk



EXHIBIT "A"

Prohibited Applications Policy

Prohibited Technologies Policy 2024



1. PURPOSE

To implement an information technology approach focused on protecting the City's sensitive information and critical infrastructure as required by Chapter 620, Texas Government Code, from technology believed to pose a threat to governmental infrastructure, by prohibiting and preventing the download or use of prohibited technologies on any City-owned or issued electronic device.

2. ROLES AND RESPONSIBILITIES

All City employees are expected to be familiar with and adhere to the terms of this policy and all sub-policies and procedures.

3. PROHIBITED TECHNOLOGIES

City employees are prohibited *on any City-issued, owned or leased devices*, from downloading, installing or using the social media service TikTok or any successor application or service developed, provided or owned by ByteDance Ltd., such as Tik Tok, or any subsidiary or any prohibited software/applications/developers listed on <https://dir.texas.gov/information-security/prohibited-technologies> or a social media application/service, as referenced in Section 620.005 Texas Government Code. City staff may prohibit the use of TikTok on City devices by limiting network access to the application.

4. EXCEPTIONS

Exceptions to the ban on prohibited technologies, as required by state law, may only be approved by the City Manager:

- a. When the use of prohibited technologies is required for a specific business need, such as enabling criminal investigations or for developing or implementing information security measures.
- b. Any such exception must detail and include (1) the use of measures to mitigate risks to the security of city information during the use of the covered application; and (2) the documentation of those measures.
- c. To the extent practicable, exception- based use should only be performed on devices that are not used for other city business and on non-city networks. Cameras and microphones should be disabled on devices for exception-based use.

5. COMPLIANCE WITH POLICY

Compliance with this policy will be verified through various methods for City-owned, leased and issued devices, including but not limited to, IT/security system reports. Violations of this policy will result in coaching and repeat offenses may result in disciplinary action up to and including termination of employment.

If the underlying statute, Texas Government Code §§620.001-.006, is declared unconstitutional, enforceable or vacated by a court of competent jurisdiction, this policy is void.

6. POLICY REVIEW

This policy will be reviewed annually and updated as necessary to reflect changes in state law, additions to applications identified under Government Code Section 620.006, updates to the prohibited technology list posted to DIR's website, or to suit the needs of the City.