LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE
A G E N D A

JANUARY 27, 2014 - 6:00 P.M.

CITY HALL COUNCIL CHAMBERS
15 LOOCKERMAN PLAZA
DOVER, DELAWARE

Public comments are welcomed on any item and will be permitted at appropriate times. When possible, please notify the City Clerk (736-7008 or e-mail at CityClerk@dover.de.us) should you wish to be recognized.

AGENDA ADDITIONS/DELETIONS

1. **Review of Proposed Acceptable Use Policy (Information Technology)**
   (Staff Recommends Adoption of the Proposed Acceptable Use Policy)

2. **Request for Continued Staff Support - Downtown Dover Partnership (DDP)**
   (The City Manager Recommends Having the Committee Receive Verbal Testimony from the DDP Representative Who Will Attend the Meeting and Then Have the Committee Formulate a Recommendation to City Council Based on the Testimony of Any Interested Parties. The Recommendation Should Be Tied to Fiscal Years Rather than Calendar Years.)

3. **Adjournment by 7:00 p.m.**

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THE AGENDA ITEMS AS LISTED MAY NOT BE CONSIDERED IN SEQUENCE. THIS AGENDA IS SUBJECT TO CHANGE TO INCLUDE THE ADDITION OR THE DELETION OF ITEMS, INCLUDING EXECUTIVE SESSIONS.

ACTION FORM

PROCEEDING: Legislative, Finance, and Administration Committee
DEPARTMENT OF ORIGIN: Information Technology **DATE SUBMITTED**: January 22, 2014
PREPARED BY: Scott D. Koenig, P.E., City Manager
SUBJECT: Review of Proposed Acceptable Use Policy (Information Technology)
REFERENCE: N/A
RELATED PROJECT: N/A
REVIEWED BY: Scott Koenig, P.E., City Manager
EXHIBITS: Proposed Acceptable Use Policy
EXPENDITURE REQUIRED: N/A **AMOUNT BUDGETED**: N/A **FUNDING SOURCE (Dept./Page in CIP & Budget)**:
TIME TIMETABLE: Upon Council Approval
RECOMMENDED ACTION: Staff recommends adoption of the proposed Acceptable Use Policy

BACKGROUND AND ANALYSIS

The purpose of this policy is to provide general guidance for all employees as well as contractors and other "users" of our City's communications and computer systems. This policy, when adopted, will be applicable to anyone accessing the City's network. It will not apply to the Police Department, Fire Department or Library except for those individuals who log on to the City's network.

City of Dover Acceptable Use Policy

A Message to all System Users

This document formalizes the City policy for all employees as well as contractors and other "users" of our City's communications and computer systems. Each department may also choose to develop and enforce its own acceptable use policies to further regulate use within its local environment.

This Acceptable Use Policy is your resource to help you make sound decisions in using communications and computer systems to do your job.

Our goal is to put controls in place that will help protect the City from sabotage and espionage. The threat is real, as each month, IT intercepts hundreds of viruses and suspicious messages containing executable files trying to bypass our security systems. These controls also help minimize the potential risks of misuse. This misuse includes unnecessary Internet usage causing network and server congestion. This Acceptable Use Policy is your (the user's) guide for helping us achieve this goal by conducting City of Dover business with integrity, respect, and prudent judgment.

Each department is responsible for the activity of its users and for ensuring that its users follow this Acceptable Use Policy. Violations not promptly remedied by the user may result in termination of these services.

Introduction

Users are accountable for familiarizing themselves with this policy and using it as a guidepost for your daily decisions and actions when using these services.

Read the policy and give careful attention to those subjects that most pertain to your job duties.

Understand the purpose of this policy and your overall responsibilities for standards of business conduct.

Consult with your supervisor or the IT Department for additional clarification of this policy.

Note the Following:

Applicability

City of Dover's expectations for responsible use are applicable to all parties who use the City communications and computer systems on behalf of the City, including, but not limited to, its employees, consultants, in-house contractors, and other "users."

Limitations

This acceptable use policy does not address every possible scenario or condition regarding acceptable use. If it is not specifically addressed within this document, consult with IT.

Acceptable Use of Communications and Computer Systems

City of Dover communications and computer systems are vital to our business and critical to overall

communications. Our success is directly related to safeguarding and properly using these systems.

What are City communications and computer systems?

City of Dover communications and computer systems are any equipment, hardware, software, or networks (including wireless networks) owned, provided or used by or on behalf of the City of Dover that store or transmit voice or non-voice data. This includes telephones, cellular/wireless telephones, voice mail, computers, e-mail, facsimiles, pagers, and City Intranet or Internet access (including when accessed through personally owned computers).

Note: When personal computers are not owned by the City but are used for City business, the City retains the right to access any City records or materials developed for City use. Also, we must ensure that any City materials are appropriately safeguarded according to applicable standards in this section, including, but not limited to, virus protection of, protected access to, and backup of these materials.

Access, Maintenance and Protection

Users must safeguard the confidentiality and integrity of City systems, including strong password logons (see \\Dover_1\public docs\How to\Creating a Secure Password.doc), access codes, network access information, log-on IDs from improper access, alteration, destruction, and disclosure. Users shall only access or use these systems when authorized. Users must abide by City standards contained in this section and any other City policies regarding protecting data and information stored on these systems.

Unlawful and Inappropriate Use

Users are obligated to never use City systems (such as the Intranet or Internet) to engage in activities that are unlawful, violate City policies, or in ways that would:

- Be disruptive, causing unnecessary offense to others.
- Be considered harassing, discriminatory, or creating a hostile work environment.
- Result in the City of Dover's liability, embarrassment, or loss of reputation.

External groups or organizations are not permitted to access the City's computer network, except as permitted by IT.

Protection and Integrity of Data

Users must maintain the integrity of City information and data stored on City systems by:

- Introducing data into our systems that serve a legitimate business purpose.
- Only acquiring, using, altering, disposing of, or destroying data or information with proper authorization.
- Protecting data and information stored on or communicated across our systems and not accessing this data or information (customer data, employee records, etc.) unless authorized.
- Protecting data and information communicated over internal or public networks (the internet) to avoid compromising or disclosing nonpublic City communications.

Personal Use

While City systems are intended for primarily business/instructional purposes, limited (incidental and occasional) personal use may be permissible when authorized by your manager and it does not:

- Interfere with your work responsibilities.
- Involve interests in personal outside business and/or other non-authorized organizations and

activities (including, but not limited to selling personal property/items or soliciting for or promoting commercial ventures, charitable, religious, or political activities).
- Violate any of the standards contained in this code or other City policies.
- Downloading of music and video files is *specifically forbidden*.

Virus Protection

If users suspect a virus, they must not use the applicable computer systems and equipment until the virus is removed and they will report the matter immediately to the IT Department. The City of Dover has purchased anti-virus software for all city computers, including home computers. Contact IT staff for a copy to be installed on **your** home computers.

Properly Licensed Software

Users will use only approved and properly licensed software and will use it according to the applicable software owner's license agreements. **Installing any software, including freeware (screensavers, browsers, etc) is prohibited unless approved by IT**.

Treatment of Third-Party Data or Software

Users must ensure that any nonpublic City information or software of a third party that is stored, copied, or otherwise used on City systems is treated according to City of Dover's standards regarding nonpublic City information and applicable agreements and intellectual property restrictions.

City of Dover Monitoring

City communications and computer systems, including, but not limited to, computer networks, data files, e-mail and voice mail, may be monitored and/or accessed by the IT Staff and your management to ensure the integrity of the technology, protect against fraud and abuse, detect unauthorized access or use, and for other business purposes. Although the IT Department does not routinely monitor message or network transactions, IT may, without notification or approval, monitor, access and review any and all communications originating from the City of Dover or delivered to the City of Dover – employees should have no expectation of privacy in regard to use of these services.

USE OF EMAIL AND THE INTERNET

Inappropriate use of e-mail includes, but is not limited to, sending or forwarding:

- Messages, including jokes or any language that may be considered discriminatory, harassing, unlawful, defamatory, obscene, offensive, insensitive, or otherwise inappropriate (this includes but is not limited to messages about age, race, gender, disability, national origin, any other legally defined discriminatory classifications or similar matters.)
- Pornographic or sexually explicit materials.
- Chain letters.
- Information related to religious materials, activities, or causes – including inspirational messages.
- Solicitations unless sanctioned by the City of Dover.
- Auction-related information or materials unless sanctioned by the City of Dover.
- Games or other software copyrighted materials without a legitimate business or instructional purpose (and then only according to the rights and licenses granted by the owner of the games, software, or copyrighted material.)
- Messages that disparage other companies or products.
- Materials related to personal commercial ventures or solicitations for personal gain (including, but

not limited to messages that could be considered pyramid schemes).
- Information related to political materials, activities, or causes unless sanctioned or permitted by the City of Dover.
- Unauthorized or inappropriate mass distribution of communication.
- Any other materials that would be improper under this policy or other City of Dover policies.

Inappropriate use of the Internet includes, but is not limited to, accessing, sending or forwarding information about, or downloading (from):

- Sexually explicit, harassing, or pornographic sites.
- "Hate sites" or sites that can be considered offensive or insensitive.
- Auction sites for personal use.
- Gambling sites.
- Non City of Dover business-related chat sites.
- Underground or other security sites which contain malicious software and/or instructions for compromising City of Dover security.
- Games, software, audio, video, or other materials that are not properly licensed to use or transmit, or that are inappropriate.
- Offensive or insensitive materials, such as sexually or racially oriented topics.
- Intentional importation of viruses.

REMEDIAL ACTION

When IT learns of a possible inappropriate use, IT will immediately notify the employee or supervisor who must take immediate remedial action and inform IT of its action. Repeated violations will be addressed with the Department Head. In instances where criminal activity is suspected, IT will work directly with the proper authorities, and follow their guidance in determining appropriate action.

Inappropriate use of City communications and computer systems may be grounds for discipline up to and including dismissal.

In an emergency, in order to prevent further possible unauthorized activity, IT may temporarily disconnect that employee or building from the network. If this is deemed necessary, every effort will be made to inform the employee or building personnel prior to disconnecting, and every effort will be made to reestablish the connection as soon as it is safe to do so.

Unauthorized activity or non-acceptable usage determined at the department level may be subject to remedial action being taken in accordance with the acceptable use policy of that department (if applicable) as well as those actions outlined above. The remedial action outlined in departmental policies may differ from the remedial action as outlined in this policy. Should there be any conflict, Human Resources will make a determination as to applicability.

QUESTIONS OR COMMENTS ON THIS POLICY

Please address any questions or comments to the IT Director.

ACKNOWLEDGMENT STATEMENT

City of Dover - Acceptable Use Policy

City Employee

This is to certify that I have read and agree to abide by the guidelines set forth within the City of Dover Acceptable Use Policy. As an employee of the City of Dover, I fully intend to comply with this policy realizing that I am personally liable for intentional misuse or abuse of the City's communications and computer systems. If I have any questions about the policy, I understand that I need to ask my supervisor or IT for clarification.

If I refuse to sign this acknowledgement form, my supervisor will be asked to sign this form indicating that I have been given time to read and have questions answered about this policy. The supervisor will read this statement to me prior to signing the document and advise me that by not signing this document my rights to use the City's Communications and Computer Systems may be denied and may affect my ability to meet my job requirements.

Printed Name: _____

Signature: _____

Department: _____

Date: _____

Supervisor Signature (*as required)

_____

Comments:

_____

ACKNOWLEDGMENT STATEMENT

City of Dover - Acceptable Use Policy

Non-City Employee

This is to certify that I have read and agree to abide by the guidelines set forth within the City of Dover Acceptable Use Policy that apply to my use. (Some users may use a combination of communications and computing resources.) As an authorized user of the City of Dover's communications and computing resources, I fully intend to comply with this policy realizing that I am personally responsible for intentional misuse or abuse of the City's communications and computer systems. I understand that the City of Dover has no authority over non-city employees. However, all users must agree to abide by all policies, standards promulgated by the IT Department as a condition of access and continued use of these resources. If IT learns of possible inappropriate use, IT will immediately notify the affiliate responsible, which must take immediate remedial action and inform IT of its action. In instances where affiliates do not respond in a timely or reasonably appropriate manner, are "repeat offenders", or if criminal activity is suspected, IT will work directly with the proper authorities, and follow their guidance in determining appropriate action. In an emergency, in order to prevent further possible unauthorized activity, IT may temporarily disconnect the user or affiliate. If I have any questions about the policy, I understand that I need to ask IT for clarification.

If I refuse to sign this acknowledgement form, my rights to use the City's Communications and Computer Systems may be denied and may affect my ability to meet my job requirements.

Printed Name: _____

Signature: _____

Company: _____

Date: _____

Witness:_____

Witness name (printed)_____

ACTION FORM

PROCEEDING: Legislative, Finance, and Administration Committee
DEPARTMENT OF ORIGIN: City Manager's Office **DATE SUBMITTED**: January 22, 2014
PREPARED BY: Scott D. Koenig, P.E., City Manager
SUBJECT: Request for Continued Staff Support – Downtown Dover Partnership (DDP)
REFERENCE: N/A
RELATED PROJECT: N/A
REVIEWED BY: Scott Koenig, P.E., City Manager
EXHIBITS: Letter dated 01-07-2014 (Greg Moore); Letter dated 01-09-2014 (Scott Koenig); Letter dated 01-10-2014 (Greg Moore); Letter dated 01-13-2014 (Mayor Carey)
EXPENDITURE REQUIRED: N/A **AMOUNT BUDGETED**: N/A **FUNDING SOURCE (Dept./Page in CIP & Budget)**:
TIME TIMETABLE: Immediate
RECOMMENDED ACTION: The City Manager's recommendation is to have the committee receive verbal testimony from the DDP representative who will attend the meeting and then have the committee formulate a recommendation to City Council based on the testimony of any interested parties. The recommendation should be tied to fiscal years rather than calendar years.

BACKGROUND AND ANALYSIS

The City has received a request from the Downtown Dover Partnership (DDP) to continue staff support through the end of calendar year 2014. Currently, staff support includes one (1) Administrative Assistant and one (1) Downtown Coordinator. Since these employees report to the Mayor, the City Manager has not offered an opinion regarding the staff support. The City Manager does recommend that continued staff support be tied to fiscal years rather than calendar years for budget purposes.

The City Manager's recommendation is to have the committee receive verbal testimony from the DDP representative who will attend the meeting and then have the committee formulate a recommendation to City Council based on the testimony of any interested parties. The recommendation should be tied to fiscal years rather than calendar years.

Downtown Dover Partnership
101 W. Loockerman St. Suite 1a
Dover, Delaware, 19904
302-678-2940

January 7, 2014

City of Dover
P.O. Box 475
Dover, DE 19903
Attn: Mr. S. Koenig City Manager

RE: Request for extension

Dear Mr. Koenig,

It is our understanding that the city staff support to the DDP was through the end of the calendar year of 2013. Please accept this letter as a formal request to extend the support of city staff to the DDP through the end of calendar year 2014. The City's favorable consideration and your prompt reply is essential to the preparation of our FY 15 budget which is due by January 17, 2014. Thank you in advance for your consideration. I look forward to your reply.

Sincerely,

Gregory V. Moore

President

Downtown Dover Partnership

Cc: Lou Colón, DDP Executive Director
Mayor Carleton Carey

City of Dover

January 9, 2014

Mr. Gregory V. Moore
Downtown Dover Partnership
101 W. Loockerman Street, Suite 1a
Dover, DE 19904

RE: Request for extension of staff support

Dear Mr. Moore:

I am in receipt of your correspondence dated January 7, 2014 requesting the extension of city staff support through the end of calendar year 2014. At this time, the Downtown Dover Partnership (DDP) is receiving the support of two (2) full-time staff members, an administrative assistant and downtown coordinator. My affirmation of the prior extension of support through the end of 2013 was predicated upon the fact that a new Executive Director was hired in March of 2013 and a transition period was necessary to ensure the success of the projects currently underway. All of our prior discussions have involved a staffing level of the DDP that included an executive director and an administrative assistant to be employed directly by the DDP. The City of Dover's financial contribution to the DDP for FY-2014, in the amount of $162,400, was predicated on this premise.

Without additional information, I am unwilling to offer support of the current request; however, these staff members report to the Mayor so I do not believe their assignment of duties is within my control. I have repeatedly indicated that resources, both staff and financial, are stretched very thin across the city. This request will further stretch those resources.

As this request directly relates to the City's budget that has been approved by City Council as well as next fiscal year's budget that they will be considering this spring, I believe that City Council must take action on your request. I will request this staffing request be added to the January 27, 2014 Legislative, Finance, and Administration Committee agenda. City Council's action on the Committee's recommendation would take place at the City Council meeting on February 10, 2014.

If you have any questions or concerns regarding this correspondence, please contact my office at your earliest convenience.

Sincerely,

Scott D. Koenig

Scott D. Koenig, P.E.
City Manager
skoenig@dover.de.us
(302) 736-7005

SDK/yml

cc: Lou Colon, DDP Executive Director
Mayor Carleton E. Carey
City Council

Downtown Dover Partnership
101 W. Loockerman St. Suite 1a
Dover, Delaware, 19904
302-678-2940

City of Dover
RECEIVED
JAN 13 REC'D 2014
CITY MANAGER/MAYOR

January 10, 2014

City of Dover
P.O. Box 475
Dover, DE 19903
Attn: Mayor Carleton Carey

RE: Request for extension of City staff support

Dear Mayor Carey,

I am enclosing a copy of a letter that I submitted to City Manager Scott Koenig on January 7, 2014. In my letter, I requested that the city extend the support of city staff to the DDP office through the end of calendar year 2014. Further, I expressed that the City's favorable consideration and prompt reply is essential to the preparation of our FY 15 budget which is due by January 17, 2014. Also enclosed is a copy of Mr. Koenig's January 9, 2014 letter which directed me to resubmit this request to you, as the city staff reports directly to you.

Mr. Koening has kindly added this request to the January 27, 2014 Legislative, Finance and Administrative Committee agenda, which if favorably considered will be followed by City Council action at the February 10, 2014 City Council meeting. I welcome the opportunity to meet with you and discuss this request. I humbly and sincerely submit this request for your favorable consideration.

Thank you in advance for your consideration. I look forward to your reply.

Sincerely,

Gregory V. Moore

President, Downtown Dover Partnership

Cc: Lou Colón, DDP Executive Director
Scott Koenig, City Manager

City of Dover

OFFICE OF THE MAYOR



January 13, 2014

Mr. Gregory V. Moore
Downtown Dover Partnership
101 W. Loockerman Street, Suite 1A
Dover, De 19904

Dear Mr. Moore;

I am in receipt of your letter dated January 10, 2014 regarding a request for extension of City staff support for the Downtown Dover Partnership. Per the City Manager's letter dated January 9, 2014, this item has been added to the January 27, 2014 Legislative, Finance and Administration Committee agenda. City Council's action on the Committee's recommendation will take place at the City Council meeting on February 10, 2014.

If you are requesting any funding for the 2014-2015 fiscal year's budget, per our conversation, you must have this request in before January 17, 2014.

I fully support your efforts. Let me know if I can be of further assistance. Please do not hesitate to contact me if you have any questions. T: 302-736-7004. Thank you.

Sincerely,

Carleton E. Carey Sr.

Carleton E. Carey, Sr.
Mayor

CEC/ymm

Cc: Lou Colon, DDP Executive Director
Scott Koenig, City Manager