



Item Brief

Meeting Date

November 12, 2024

Agenda Item

Discuss and consider action: Ordinance No. 2024-46

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, ADOPTING A POLICY PROHIBITING THE USE OF CERTAIN COVERED APPLICATIONS ON CITY-OWNED AND CITY-ISSUED DEVICES AND ON PERSONAL DEVICES USED FOR CITY BUSINESS; PROVIDING FOR EXCEPTIONS AND ENFORCEMENT; AND AMENDING SECTION 2.11 OF THE CITY'S PERSONNEL POLICY: H. Archer

Information

Ordinance No. 2024-46 proposes adopting a policy that prohibits the use of certain covered applications, including TikTok, on all City-owned and City-issued devices (See Exhibit A). This policy follows Governor Greg Abbott's directive and Senate Bill 1893, enacted by the 88th Texas Legislature, which restricts such applications on governmental entity devices due to concerns about surveillance risks. The ordinance aims to protect the City's data, sensitive information, and infrastructure from potential technological threats and amends Section 2.1 of the City's Personnel Policy to include the following key provisions (See Exhibit B):

- Bans the installation and use of specific applications, including TikTok, on City-owned and City-issued devices.
 - Exceptions: Allows for authorized exceptions in writing, such as for law enforcement needs.
- Prohibits the installation and use of specific applications, including TikTok, on any personal devices used for City business, including accessing City data, applications, email, VoIP, SMS, video conferencing, and other City databases.
- Establishes procedures for managing and removing any prohibited applications on City devices.
- Implements oversight through IT/security system reports and outlines potential disciplinary measures for policy violations.

This ordinance supports the City's commitment to protecting its technological resources and complying with state mandates to address security risks.

Fiscal Impact

No direct fiscal impact is anticipated as a result of adopting this policy.

Recommendation

Staff recommends approval of Ordinance No. 2024-46 as presented.

ORDINANCE NO. 2024-46

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, ADOPTING A POLICY PROHIBITING THE USE OF CERTAIN COVERED APPLICATIONS ON CITY-OWNED AND CITY-ISSUED DEVICES AND ON PERSONAL DEVICES USED FOR CITY BUSINESS; PROVIDING FOR EXCEPTIONS AND ENFORCEMENT; AND AMENDING SECTION 2.11 OF THE CITY'S PERSONNEL POLICY

WHEREAS, on December 7, 2022, Governor Greg Abbott required all state agencies to ban the video-sharing application TikTok from all state-owned and state-issued devices and networks due to concerns about the application's potential use for surveillance; and

WHEREAS, the 88th Texas Legislature subsequently passed Senate Bill 1893, which prohibits the use of covered applications on governmental entity devices; and

WHEREAS, the City Council of the City of Burnet recognizes the importance of protecting the City's data, sensitive information, and critical infrastructure from technological threats posed by certain covered applications; and

WHEREAS, the City of Burnet is committed to ensuring compliance with state laws and directives concerning the use of covered applications and to taking appropriate measures to safeguard City-owned and City-issued devices.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, THAT:

Section One. Findings. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section Two. Repealer. All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

Section Three. Adoption of Policy and Amended Personnel Policy. The Covered Applications and Prohibited Technology Policy is approved and adopted with Exhibit "A" attached to this ordinance, and Section 2.11 of the City's Personnel Policy is hereby amended with Exhibit "B," both in compliance with Senate Bill 1893, which prohibits the use of certain covered applications, including TikTok, on all City-owned and City-issued devices, and on personal devices that are used for City business.

Section Four. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance

and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

Section Five. Open Meetings. That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, Loc. Gov't. Code.

Section Six. Effective Date. This Ordinance shall be effective upon the date of final adoption hereof.

PASSED, APPROVED, AND ADOPTED on this 12th day of November 2024

CITY OF BURNET, TEXAS

Gary Wideman, Mayor

ATTEST:

Maria Gonzales, City Secretary