



BOARD COUNCIL MEMBER
STEPHEN M. WITT

COUNCIL MEMBERS
CHRIS GREENE
JAKE HILL, JR.
EUGENE JEFFERSON
TODD SAMPSON

CITY MANAGER
JOSEPH HELFENBERGER

CITY CLERK
AUDREY E. SIKES

CITY ATTORNEY
FRED KOBERLEIN, JR.

Date: July 15, 2021

To: Mayor Stephen M. Witt
Council Member Chris Greene
Council Member Jake Hill, Jr.
Council Member Eugene Jefferson
Council Member Todd Sampson

From: Audrey Sikes, City Clerk

Ref: Complaint Response – Randell Burnham, Fire Chief

On Monday, July 12, 2021 I learned of the complaint filed by Mr. Burnham. On Tuesday, July 13, 2021 around 4 PM I received a copy of the complaint.

Please accept this memorandum of response to the complaint.

Without going into great detail, before the June 15, 2021 Executive Team Staff Meeting, there had been several instances in which I was not aware of information which significantly impacted my department, including removal of my access to a critical research tool that has been utilized by the City Clerk's Office for approximately 10 years and the existence of two memoranda relating to the removal of this access, which were never provided to me. I voiced these concerns during the June 15, 2021 meeting merely to suggest that I should not have to learn of information impacting my department from social media or others not involved or copied on the memoranda.

In his complaint, Mr. Burnham alleges, "the conversations and emails she was referring to is [sic] at the root of the reason the IT Director, Adam Boatright stepped down as the Director and was also a contributing factor to Ami Fields termination." What I referenced in the meeting were not conversations or emails, but instead the two memorandums that I had never received, despite being shown as a copy on the memorandum from Mr. Helfenberger. They were the two memorandums, attached as Exhibits A and B. I personally do not know, nor do I believe Mr. Burnham likely knows, the root of the reason the IT Director stepped down nor do I have any knowledge of these two memoranda as being a contributing factor to Ami Fields's termination. The City Manager alone is responsible for determining termination factors not the City Clerk.

Due to events in my personal life I was not able to attend the June 24, 2021 staff meeting. In my absence I sent Deputy City Clerk Michelle Cannon. After the meeting Ms. Cannon provided me with an update of what was discussed. One of the items communicated was Mr. Burnham wanted a more user-friendly public records platform instead of Just FOIA. Upon hearing Mr. Burnham had concerns with the platform I immediately reached out to Records Coordinator Nikki Starling who is handling public record requests for our office. I asked Ms. Starling if Mr. Burnham or his assistant Janet O'Connell had called with any issues or concerns about the platform. She stated they had not. I also asked her to provide me with the total number of public record requests to the Fire Department since the platform launched in October 2020. Ms. Starling reported the Fire Department had only received two (2) public records requests since October. On June 25, 2021 I did call and speak with Mr. Burnham about the platform as this was the first time I was hearing his concerns that the platform was not user friendly. He expressed to me that he felt like he wasn't getting all the requests and the platform may be faulty. As Mr. Burnham stated, our phone call was lengthy as he put me on speaker phone with his assistant Ms. O'Connell and I got my staff on the other line so we could test out the platform to their satisfaction. Ms. O'Connell got logged right into the Just FOIA platform without any assistance. Together, I walked Mr. Burnham and Ms. O'Connell through creating a test public records request via our website so that we could work through any concerns they may have. Ms. O'Connell created the test request and Ms. Starling immediately assigned out a task to her. The new public records request creation email as well as the task email showed up in Ms. O'Connell's email inbox just as it was supposed to. We finished up the request and closed out the tasks. Ms. O'Connell and Mr. Burnham were both satisfied and understood they can call our office at any time they need assistance with the platform. Mr. Burnham apologized and stated he should have called me first instead of bringing it up in the staff meeting in my absence. Mr. Burnham also told me he would reach out to Ms. Fields and let her know he does not have any issues with the Just FOIA platform and that any concerns have since been resolved. Based on this interaction, it was my understanding any and all issues for Mr. Burnham were resolved.

On Monday, June 28, 2021 I was out of the office on Bereavement Leave. On Tuesday, June 29, 2021 I was at the office working on the agenda for the July 6, 2021 meeting. On July 29, 2021 at 6:26 PM I received an email (Exhibit C) from Interim City Manager Ami Fields indicating the Fire Chief needs to be a walk-on for the July 6, 2021 City Council Meeting. As you are likely aware, we regularly attempt to avoid adding items to the agenda as emergency walk-on items, in an effort to be fully transparent with the community as well as to give the council adequate time to review all matters coming before them for consideration. Knowing Ms. Fields is new and unfamiliar with the process, on this same date, at 6:38 PM I responded to her email and provided her a quick overview of what needed to happen for an emergency walk on item and even asked her to call me if she had any questions. (Exhibit D). At 6:40 PM I also emailed the City Attorney's Office to see if he was aware of the emergency item needed by the Fire Department (Exhibit E). This was an extremely time sensitive issue and needed to be resolved as soon as possible prior to the agenda going out. Mr. Burnham's comment

“Audrey knowing that Ami wasn’t familiar with the process thought that Ami would just approve such a request which in turn would have made Ami and myself look very bad in the eyes of the Mayor and Council as well as the public” is false and completely opposite of what truly occurred. It is my role as a Charter Officer and as City Clerk to always protect the City of Lake City; a role I take very seriously.

My decision not to include Mr. Burnham on the June 29, 2021 email I sent to the attorney and his staff, Procurement, the City Manager and the City Managers Executive Assistant, was not an effort to alienate or leave him out of the loop. Rather, as Fire Chief, Mr. Burnham has no role with regard to completion of the agenda and the inclusion of emergency walk-on items. The individuals copied on my email were essential to the decision of whether to include this item on the agenda on an emergency basis. Once an item is forwarded for the agenda it becomes a ministerial process and agenda items are discussed only with the persons that are directly involved in the agenda preparation. If questions arise the director is brought back in the loop to assist. This helps keep unnecessary emails from directors’ inboxes and reduces confusion at this point in the process. In this particular case Mr. Koberlein responded to the email on June 30, 2021 and copied Mr. Burnham as we all needed guidance as to whether or not this was an emergency item as the agenda needed to go out. The process worked as intended and Mr. Burnham responded it could wait until the July 19, 2021 meeting. The process we use ensures things are properly vetted and ready for the agenda. There was nothing about this action that was intended to undermine or deceive Mr. Burnham or anyone else.

Mr. Burnham and I have worked well together for the past 16 + years. Upon learning of his concerns related to the Just FOIA application, I met with him to address these concerns and was under the impression that I had done so to his satisfaction. Even after resolving the issues related to Mr. Burnham’s agenda request, Mr. Burnham never contacted me to discuss his displeasure with the process or the fact that I had omitted him from emails regarding preparation of the agenda and whether his request was in fact an emergency. To date, Mr. Burnham has never addressed these issues with me directly and instead elevated his complaints directly to the council without any suggestion as to what should be done to remedy situations which are done and over.

Thank you for your consideration.

Cc: Human Resources

Exhibit "A"



To: Joseph Helfenberger, City Manager
From: Ami Mitchell Fields, Director of Human Resources
cc: Adam Boatright, Interim Director of Information of Technology
Date: 20 May 2021
Re: IT Security

As I have previously discussed, there have been concerns regarding adequate security in the workplace and IT of the City of Lake City. The formation of IT policies and procedures will provide clarity for everyone in the organization regarding information technology. IT policies will work to combat threats and manage risks while also ensuring efficient, effective, and consistent operations. I have been collaborating efforts with Interim Director of IT, Adam Boatright in developing Policy and Procedures and Standard Operating Procedures for IT.

I recommend restricting access to employee emails, active or inactive. Granted access to active employee emails should be the Director of the IT Department and the City Manager only. If an employee has been terminated, retired, or resigned, access to these emails should be the Director of IT Department and the City Manager as well. This will assist in alleviating some of the risks associated with security and electronic threats.

I also recommend in the near future the purchase and issue of employee scan badges to restrict unauthorized access to confidential data, City property, etc. by a previous employees or outsider. Employee ID Badging goes beyond dictating what areas an employee can and can't access. It's a framework for security, asset tracking, task management, and general facility management.

Ami Mitchell Fields

Director of Human Resource
City of Lake City
P: 386-752-2031
F: 386-758-5490

approved
Joseph Helfenberger
5-24-2021





Exhibit "B"

Date: June 9, 2021
To: Joe Helfenberger, City Manager
From: Audrey Sikes, City Clerk *Audrey Sikes*
Ref: Facebook Posting June 2, 2021 Memorandum RE: IT Security

CITY CLERK
STEPHEN M. WITT

CITY MANAGER
CHRIS GREENE
JAKE HILL, JR.
EUGENE JEFFERSON
TODD SAMPSON

CITY MANAGER
JOSEPH HELFENBERGER

CITY CLERK
AUDREY E. SIKES

CITY CLERK
FRED KOBERLEIN, JR.

Today, on Facebook there is a posting of a memorandum dated June 2, 2021 addressed to Adam Boatright, from you, cc'd to Ami Mitchell Fields and to me, referencing IT Security. Before today I was not even aware this existed. (See attached).

As records custodian, I'm concerned how a member of the general public received a copy of this memorandum as there have not been any public record requests for this information. This release should be investigated immediately and handled appropriately.

It was my understanding after our conversation on May 26, 2021 you fully understood and supported the process that had been in place for years. Today, in reading the content of the June 2, 2021 memorandum, it concerns me greatly you were again making changes to a process that falls under my responsibility after you and I discussed it at length on several occasions.

Additionally, I was unaware of your plans to deactivate the Clerk's Office access again after you signed the memorandum granting access back to the email archiver.

On Monday, June 7, 2021 you reported you spoke directly to Adam Boatright on Friday June 4, 2021 and he did not have any concerns with the City Clerks Office having access to the email archiver. You even reached out to Mr. Boatright, via your cell phone from my office, and asked him to memorialize this in writing. Please provide me with a copy of that documentation.

Since this memorandum on Facebook is a few steps back from where I believe we are today, it is my hope that as a result of our meeting on Wednesday evening, June 2, 2021 this issue has since been placed to rest. If there is any planning or discussions currently taking place regarding this issue, I'm respectfully asking for a professional courtesy to be extended to me to let me know.

Please provide me copies of any additional memorandums or records that have been circulated regarding this topic so I can ensure my records are intact.

Lastly, I'm again requesting for you to take the necessary steps for the City Clerk's Office to have the CJIS training in the next two weeks.

cc: Mayor Stephen M. Witt
Council Member Eugene Jefferson
Council Member Jake Hill, Jr.
Council Member Chris Greene
Council Member Todd Sampson
City Attorney Fred Koberlein



Agents Equality is with Glenel Bowden and 21 others.

Yesterday at 5:43 PM

Community: I stated at the council meeting last night(6/7/21)the city of Lake City is having IT security issues and City Manager Joe Helfenberger, Mayor Witt, and other council members ignored it. I stated we need more tight security and less access by employees and others. They try to act like I don't know what I be talking about! But guess what I found? The city manager Joe Helfenberger is saying the same thing in memo to staff but in the council meeting tried to lie and avoid and have been telling council member the IT issue is not true. Joe: Are your own words in this memo true or the stuff you are telling council members. Can't be both! You like to make everybody the problem but you!

MEMORANDUM

To: Adam Boatright, Interim Director of Information Technology
From: Joseph Helfenberger, City Manager
cc.: Ami Mitchell Fields, Director of Human Resources
 Audrey Sikes, City Clerk
Date: June 2, 2021
Re: IT Security

Due to the cyber attack that the City incurred in 2019, the City is required to take additional measures to ensure all reasonable steps are taken to protect the City's IT network. The City has had to significantly increase the IT budget and is still in the process of shoring up procedures and practices that add a significant level of security to our IT system.

As a result of security concerns drawn to my attention, I am going to strictly adhere to the procedure outlined in the May 20, 2021 memorandum I received from Ami Fields regarding restricted access to employee emails, active and inactive. Only the Director of IT and myself will have access to employee emails. Information requests requiring employee emails will be channeled through the Director of IT.

"Exhibit C"

Sikes, Audrey

From: Ami Mitchell Fields
Sent: Tuesday, June 29, 2021 6:26 PM
To: Sikes, Audrey
Cc: Starling, Danielle
Subject: Walk in

Audrey,

Fire Chief needs to be a walk-in for next Council Meeting 7/6/21.

Warm Regards,

Ami Fields

Interim City Manager
City of Lake City
P: 386-752-2031
F: 386-758-5490



Sikes, Audrey

From: Sikes, Audrey
Sent: Tuesday, June 29, 2021 6:38 PM
To: Ami Mitchell Fields
Cc: Starling, Danielle
Subject: RE: Walk in

Good afternoon. For the Council, we try to only have emergency walk-on's for true absolute emergencies that cannot be avoided. What is the emergency that justifies the walk-on? Is it time sensitive? Has it been fully vetted through Procurement and Legal? Do you know if the item is ready now or what is the status of the item? The agenda has not gone out yet.

The City Council prefers to have items on the agenda properly vetted rather than having emergency walk-ons. In order for it to be an emergency walk-on the council would have to declare it an emergency. Please let me know if you have any questions.

Audrey E. Sikes, MMC
City Clerk
City of Lake City
205 North Marion Avenue
Lake City, Florida 32055

Ph: 386-719-5756
Fax: 386-752-4896
sikesa@lcfla.com

PLEASE NOTE: Florida has a very broad public records law. Most written communications to or from City officials regarding City business are public records available to the public and media upon request. Your email communications may be subject to public disclosure.

From: Ami Mitchell Fields
Sent: Tuesday, June 29, 2021 6:26 PM
To: Sikes, Audrey <SikesA@lcfla.com>
Cc: Starling, Danielle <StarlingD@lcfla.com>
Subject: Walk in

Audrey,

Fire Chief needs to be a walk-in for next Council Meeting 7/6/21.

Warm Regards,

Ami Fields

Interim City Manager

City of Lake City

P: 386-752-2031

F: 386-758-5490



Sikes, Audrey

From: Sikes, Audrey
Sent: Tuesday, June 29, 2021 6:40 PM
To: Fred@KLO-Attorneys.com
Cc: Alysha Jenkins
Subject: FW: Walk in

Importance: High

Fred,
Are you aware of the emergency item needed by the Fire Department? See below. Thanks.

Audrey E. Sikes, MMC
City Clerk
City of Lake City
205 North Marion Avenue
Lake City, Florida 32055

Ph: 386-719-5756
Fax: 386-752-4896
sikesa@lcfla.com

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From: Sikes, Audrey
Sent: Tuesday, June 29, 2021 6:38 PM
To: Ami Mitchell Fields <FieldsA@lcfla.com>
Cc: Starling, Danielle <StarlingD@lcfla.com>
Subject: RE: Walk in

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To: Sikes, Audrey <SikesA@lcfla.com>
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Subject: Walk in

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