

MEMORANDUM

Date: September 12, 2023

From Costa Vatikiotis, Mayor

To: City Commission

Subj: Monitoring of Commission Emails by City Manager Lecouris.

I believe you have seen my email forwarded to you by City Manager Lecouris. This matter is simple and factual, not controversial. The City Manager has been monitoring the Commission's emails. The Karr ethics issue if that's when he began was last Summer, not a couple of years ago. To the best of my knowledge, City Manager Lecouris did not tell any of the Commissioners that he was monitoring the emails. He did not have authority or Commission approval to do so. Also, all the ctsfl.us Commissioners' emails are not necessarily public records.

Now having said this, and unless it's against Florida Statutes, does the City Commission wish to have their individual ctsfl.us emails monitored by City Manager Lecouris?

Thank you.

Judy Staley

From: Mark LeCouris
Sent: Tuesday, September 12, 2023 10:45 AM
To: Judy Staley
Subject: FW: Monitoring of outgoing and incoming emails

From: Mark LeCouris <mlecouris@ctsfl.us>
Sent: Monday, September 11, 2023 4:01 PM
To: Board Of Commissioners <boc@ctsfl.us>
Cc: Mark LeCouris <mlecouris@ctsfl.us>; rkardash@flgovlaw.com
Subject: FW: Monitoring of outgoing and incoming emails

As an addition to the last email, information on my actions this morning after receiving the Mayor's proposed agenda item. Mark

From: Frank Ellis <fellis@ctsfl.us>
Sent: Monday, September 11, 2023 10:16 AM
To: Mark LeCouris <mlecouris@ctsfl.us>
Cc: Suzanne Linton <slinton@ctsfl.us>; rkardash@flgovlaw.com
Subject: RE: Monitoring of outgoing and incoming emails

Good morning, I've removed you from the "BOC Forward" group. It may take a few minutes to take effect. The only person left in the group is Trish Hickey. For reference, the forward group copies incoming emails only, but outgoing emails would typically be visible in an incoming reply. Please let me know if you need anything else, thank you.

Frank Ellis
IT Enterprise Administrator
City of Tarpon Springs
444 S Huey Ave
Tarpon Springs FL, 34689

From: Mark LeCouris <mlecouris@ctsfl.us>
Sent: Monday, September 11, 2023 9:43 AM
To: Frank Ellis <fellis@ctsfl.us>
Cc: Suzanne Linton <slinton@ctsfl.us>; Mark LeCouris <mlecouris@ctsfl.us>; rkardash@flgovlaw.com
Subject: FW: Monitoring of outgoing and incoming emails

Frank, I know Suzanne is on vacation but I need you to do something for me today. Several years ago when there was an issue with a Commissioner correspondences, I had Suzanne add me to the same access Trish has to receive the public records emails of the BOC at their individual ctsfl.us e-mail addresses. This seems to have become a controversy now despite the fact of all documents being public record. To avoid any further issues, can you immediately remove me for the ability to receive these documents. To my present knowledge, there is no need to change Trish's receiving these documents as she should and has done for the entire time she has worked here. I would appreciate you doing this immediately if you can as I do not want to wait until Suzanne gets back. Thank you. Mark

From: Costa Vatikiotis <cvatikiotis@ctsfl.us>
Sent: Monday, September 11, 2023 7:26 AM
To: Mark LeCouris <mlecouris@ctsfl.us>
Cc: rkardash@flgovlaw.com
Subject: Monitoring of outgoing and incoming emails

Please forward this email and the attached email chain to the Commission. It's informational, and I believe they need to be made aware of this information now. I am also requesting a brief agenda item concerning this matter for the September 19th Commission meeting for the reasons stated below.

This isn't a major issue for me per se, and yes, when I did see my email on your computer screen, you did tell me you started monitoring my emails shortly after Commissioner Karr's questionable use of his city email address. It was at a time when we were dealing with a number of more immediate issues, and I didn't think of it further until your recent email exchange with Mr. Poulos. I sent Mr. Poulos a personal note of encouragement by email, and I wondered whether you see those emails, as well. It appears you do. You also monitor all the Commissioners outgoing and incoming emails.

For clarification, I have known Ms. Hickey has been monitoring my incoming emails (not outgoing) and my "Barracuda spam quarantine" since I became Mayor. It is for the purpose of my not missing anything and its been helpful. Ms. Hickey has caught several instances where I overlooked responding to an email and she's identified legitimate emails quarantined by Barracuda.

I do regret that I did not bring this matter forward sooner. As you and I discussed, things have changed at City Hall. In my opinion the Commission needs to be made aware of this practice. I also believe it's the Commission's decision as to whether you continue this practice as a matter of policy. My most recent email in the attachment at the start of the email chain was to verify whether the emails you received were both outgoing and incoming, and whether they included the other Commissioners emails, as well.

The question I have is this: Is it your role for whatever reason to monitor all of the Commissions' emails, including those communications between Commissioners and Charter Officials? I also know you are the only Charter Official that monitors our emails. The Clerk, Internal Auditor, and the two City Attorneys do not.

Pursuant to our Rules of Procedure, I do have a position on this matter that I with withhold until the discussion at the public meeting. But, let me just say that you and I have had a good working relationship. However, after 4 years with my being an elected official and the one who has driven the need for our Florida ethics, Sunshine Law, and Public Records training, I am somewhat disappointed that you do not trust me enough to where I would abuse my position through the use of my emails.

Thank you.