

CITY OF PHOENIX
PHOENIX, OREGON

RESOLUTION NO. 911

A RESOLUTION OF THE CITY OF PHOENIX, ADOPTING AN IDENTITYTHEFT PROGRAM AND PROCEDURES TO COMPLY WITH FEDERAL A N D S T A T E REGULATIONS AND LAWS RELATING TO UTILITY BILLING

WHEREAS, the Federal Trade Commission and Oregon Department of Consumer and Business Services has promulgated Identity Theft rules requiring the adoption of programs regarding a creditor's detection, prevention, and mitigation of Identity Theft; and

WHEREAS, the Federal Trade Commission and Oregon Department of Consumer and Business Services regulations apply to governmental utilities which grant "credit" to utility customers through billing for utility services in arrears;

WHEREAS, the Fair and Accurate Credit Transactions Act of 2003 ("FACT Act") and the Oregon Consumer Protection Act of 2007, requires such utilities to adopt "Red Flag" policies to detect, prevent and mitigate Identity Theft and to protect customers' personally identifiable information; and

WHEREAS, the City of Phoenix is therefore subject to the Federal Trade Commission's Red Flag rules and FACT Act as well as the Oregon Consumer Protection Act; and

WHEREAS, the City Council has reviewed the proposed Identity Theft Prevention Program; and

WHEREAS, the City Council has determined that the Program is appropriate for the City and has approved the Program,

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Phoenix hereby adopts the Identity Theft Prevention Program attached as Exhibit A and incorporated herein.

PASSED AND ADOPTED by the City Council of the City of Phoenix, Oregon, on the 17th day of February, 2015, and signed by me in authentication thereof.



Jeff Bellah, Mayor

ATTEST:



Janette Boothe, City Recorder

Exhibit A
CITY OF PHOENIX
IDENTITY THEFT PREVENTION PROGRAM "RED FLAG
POLICIES"

OBJECTIVES

The City of Phoenix adopts this policy to help protect employees, customers, contractors and the City from damages related to loss or misuse of sensitive information.

POLICY

Sensitive information includes the following items whether stored in electronic or printed format:

- *Personal Information* – Sensitive information includes, but not limited to:
 - Credit Card Information including the number (in part or whole), expiration date, cardholder name and cardholder address.
 - Tax Identification Numbers including Social Security Number, Business Identification Number or Employer Identification Number.
 - Payroll information including paychecks, pay stubs and pay rates.
 - Medical Information for any employees or customers including doctor names, insurance claims, prescriptions, or other personal medical information.
 - Other personal information belonging to employee's, contractor's or customer's name in combination with a Social Security Number; Oregon driver's license or Oregon identification card; passport number; or financial, credit, or debit card numbers along with a security or access code or password.
- *Corporate Information* – Sensitive information includes, but not limited to:
 - Company, employee, customer, vendor, supplier, confidential, proprietary information or trade secrets.
 - Proprietary and/or confidential information.
- Any document marked "Confidential," "Sensitive," "Proprietary," or any document similarly labeled. The City will implement and maintain reasonable safeguards to protect the security and confidentiality of personal information, including proper custody and disposal.
- Documents, forms, and processes that include or require personal information will be reviewed to determine if and when obtaining or retaining personal information is necessary. If the personal information is not necessary, the forms and process will be revised to eliminate that information. Personal information if no longer needed shall be redacted.

Hard Copy Distribution

- Except when required by law, Social Security Numbers shall not be printed on mailed materials unless redacted, shall not be printed on cards used to access products, services, or City buildings, and shall not be included on public postings or displays, including the City's web site. SSN may be used for internal verification or administrative processes, but should be redacted whenever possible.
- File cabinets, desk drawers, cabinets and other storage space containing documents with sensitive information will be locked when not in use.
- City Hall and all facilities used for record storage shall be locked at the end of each workday and the alarm systems engaged where applicable.
- Desks, workstations, work areas, printers and fax machines will be cleared of all documents containing sensitive information when not in use. When documents containing sensitive information are discarded they will be immediately shredded using a mechanical cross cut shredder or stored in a secure space until transported to a commercial shredding site by

authorized personnel. A certificate of shredding or other proof shall be required if the shredding is completed off-site.

- Notary journals that contain personal information should be kept in a secured area or a locked file cabinet or drawer. No identifying numbers shall be recorded in the notary journal. Type of identifying document and expiration date may be recorded in the notary journal only.

Electronic Distribution

- Internally, sensitive information may be transmitted using approved City email.
- Any sensitive information sent externally must be encrypted and password protected and only to approved recipients.

Customer Accounts

- As per Phoenix Municipal Code Section 13.04.020 all charges for water are the responsibility of the user of such service. City employees will take reasonable care when accepting applications for service and be aware of any suspect activity.

Notification

- The City shall provide notification of a security breach as soon as possible in writing, or electronically if it is the primary manner of communication with the customer or employee, or by telephone if the person is contacted directly. The exception is if the notification would impede a criminal investigation.
- A report will be prepared and submitted to the City Manager of any identify theft incidents and the response to the incident along with recommendations for changes to the program, if any.

Employee Training and Responsibilities

- All City of Phoenix personnel will be provided with a copy of this policy and reviewed with them as part of new employee orientation. The City of Phoenix personnel are encouraged to use common sense judgment in securing the confidential information to the proper extent. If an employee is uncertain of the sensitivity of a particular piece of information, he/she should contact his/her supervisor. The City shall only collect sensitive information that is necessary for each transaction or that is considered to be public information. Employees shall adhere to this policy and any internal processes adopted by their department. Noncompliance may result in formal disciplinary action up to and including termination of employment.