



City of Biggs

Agenda Item Staff Report for the Regular City Council Meeting: October 13, 2015

TO: Honorable Mayor and Members of the City Council
FROM: Mark Sorensen, City Administrator
Subject: Consideration of a Utility Customer Information Privacy Policy

Background:

Various state and federal regulations exist to protect customer information, but the city should also have a clearly articulated policy in this area to guide employee activities.

Recommendation:

Consider the attached draft Utility Customer Information Privacy Policy.

Mark Sorensen, City Administrator

City of Biggs

Utility Customer Information Privacy Policy

The City of Biggs (City) treats information about its utility services customers as confidential and undertakes to protect that information from unauthorized disclosure.

1. Covered Information

“Covered Information” includes any utility service information that can reasonably be used to identify an individual, family, household, residence, or nonresidential customer, except that covered information does not include usage information from which identifying information has been removed such that an individual, family, household or residence, or non-residential customers cannot reasonably be identified or re-identified.

2. Personal Information

“Personal Information” means any information that identifies, relates to, describes, or is capable of being associated with, a particular individual, including, but not limited to, name, signature, social security number, physical characteristics or description, address, telephone number, passport number, driver’s license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, any other financial information, medical information, or health insurance information. Personal information does not include publicly available information that is lawfully made available to the general public from federal, state, or local government records.

3. Primary Purposes

The “primary purposes” for the City’s collection, storage, use or disclosure of Covered and Personal Information are to:

- A. Provide and bill for utility services.
- B. Provide for utility systems operational needs.
- C. Provide services as required by state or federal law.

4. Non-Disclosure of Covered and Personal Information

- A. Except as otherwise provided in this Section or as expressly authorized by state or federal law, the City shall not disclose Covered Information or Personal Information except pursuant to a warrant or other court order naming with specificity the customers whose information is sought. Unless otherwise directed by a court or law, the City shall treat requests for real-time access to Covered Information and Personal Information as wiretaps, requiring approval under the federal or state wiretap law as necessary.
- B. Unless otherwise prohibited by court order or law, the City, upon receipt of a subpoena for disclosure of Covered Information or Personal Information process, shall, prior to complying, notify the customer in writing and allow the customer an opportunity to appear and contest the claim of the person or entity seeking disclosure.
- C. Nothing in this Section prevents a person or entity seeking Covered Information or Personal Information from demanding such information from the customer under any applicable legal procedure or authority.
- D. Nothing in this Section prohibits the City from disclosing Covered Information or Personal Information with the consent of the customer, where the consent is express, in written form, and specific to the purpose and to the person or entity seeking the information.
- E. Nothing in this Section prevents the City from disclosing, in response to a subpoena, the name, address and other contact information regarding a customer.

5. Protection of Covered and Personal Information

The City of Biggs has implemented reasonable administrative, technical, and physical Safeguards, and the staff training therefore, to protect Covered and Personal Information from unauthorized access, destruction, use, modification, and disclosure.

These include, but are not limited to:

- A. Data encryption.
- B. Password protection.
- C. Off-site electronic storage.

APPROVED BY THE CITY COUNCIL (DATE): XXXXXXXXX

ATTEST: _____
Roben Dewsnup, City Clerk