

RESOLUTION NO. 20131212-072

WHEREAS, personally identifiable information is any data that can be used to identify someone or can be linked to a specific citizen; and

WHEREAS, according to a 2013 Ponemon Institute Study on the Cost of Data Breaches in the United States, the average data breach incident involved 29,000 records and cost \$5.4 Million; and

WHEREAS, the Ponemon Study identified the causes of breaches as 41% due to malicious attack, 26% due to system error and 33% due to human error; and

WHEREAS, a November 2013 Audit determined that of 33 surveyed City Departments, 88% collect some form of personally identifiable information, 52% do not have written policies and 45% have employees who do not receive training on the collection, access, storage, and disposal of personally identifiable information, and 38% do not have an individual who is responsible for oversight and security of personally identifiable information; and

WHEREAS, the 2013 audit on personally identifiable information recommended the City Clerk create and lead a team of stakeholders from relevant city departments to develop a compliance and monitoring program to ensure that personally identifiable information collected or stored by the City is effectively protected, but the City Clerk subsequently acknowledged the scope and

complexity of this issue and the need for City Management involvement and support to be successful; and

WHEREAS, while the City of Austin requires by Section 2-11-3(B)(12) of the Austin City Code that the City Clerk, as the City's Records Management Officer, protect the privacy and confidentiality of City Records as permitted or required by law, the volume and mechanisms for the creation, collection, distribution and storage of information in digital form have increased significantly since relevant City policies were written; and

WHEREAS, Resolution 20130523-073 directed the City Manager and the City Clerk to work jointly to develop a timeline and a plan for resources and staffing to accelerate completion of the existing 10-Step Records Management Program; and

WHEREAS, the City of Austin seeks to prevent risk of harm to citizens, employees or the City from a data breach of personally identifiable information deemed confidential under the Public Information Act and other applicable law;

NOW, THEREFORE,

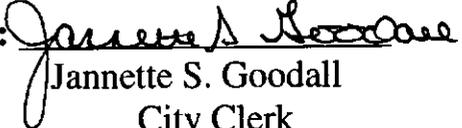
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Manager is directed to work with the City Clerk to create a team of stakeholders from relevant city departments that will develop a process for implementing compliance and monitoring to ensure that personally identifiable

information that is collected or stored by the city is effectively protected in a way that is consistent with the Public Information Act and other applicable law.

BE IT FURTHER RESOLVED:

The City Manager is directed to submit a Personally Identifiable Information Action Report including recommendations, required resources, timelines and proposed code amendments to the Audit and Finance Committee with an initial report by April 30, 2014 and initiate the necessary code amendments as recommended.

ADOPTED: December 12, 2013 **ATTEST:** 
Jannette S. Goodall
City Clerk