



MOUNTAINS RECREATION & CONSERVATION AUTHORITY
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MEMORANDUM

DATE: March 1, 2017
TO: The Governing Board
FROM: Executive Officer
RE: Item VI(g) Consideration of resolution adopting agency computer policy

Background: The Authority has issued electronic communications equipment, typically mobile phones and computers, to staff when necessary in the course of their employment. Use of this technology is governed by the Employee Handbook. The Authority has also issued such equipment to Governing Board members upon their request with the understanding that it in this day and age computers and mobile phones are necessary for board members to perform their responsibilities.

Current Issue: With the rapid development of computer technology a new generation of equipment is needed and staff is prepared to purchase this equipment when board members' have need of it. The Legal Division has pointed out, however, that—unlike for employees—there is no written policy governing use of this equipment by Governing Board members. Agency property typically would not be disbursed to employees without such a policy and to protect the Authority from potential liability a written policy is desirable that would also apply to board members.

Recommendation: That the Governing Board adopt a policy that is identical to that proposed for employees in the revised Employee Handbook. See Attachment.

In essence this policy states that Authority equipment is to be used for official purposes, but also recognizes that in this multi-tasking age some personal use may occur and that the cost of such use may be negligible to the agency depending on which technology is used. "Excessive personal use" is not allowed.

The hard-and-fast rules governing use of public property always apply, and would be applicable to all agency property, including computers provided to board members. No political use nor use for personal financial gain. All information stored on the computer or device is property of the Authority and subject to applicable California Public Records Act disclosure. Material stored on a board member's computer may be subject to various exemptions and the Authority would vigorously assert any privileges available against disclosure, but the proposed policy contemplates that a court may require public disclosure.