

RESOLUTION NO. 2009-03

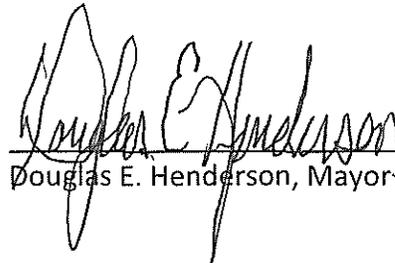
**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PAYETTE, IDAHO,
ADOPTING AN IDENTIFY THEFT PREVENTION PROGRAM.**

WHEREAS, Section 114 of the Fair and Accurate Transaction Act of 2003 (2003) and 12 CFR 41.90 and 41.91 require the City to adopt an Identity Theft Prevention Program to protect the customers that the City provides utilities and other services to on a credit basis.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Payette, Idaho, that the City hereby adopts the IDENTITY THEFT PREVENTION PROGRAM attached as Exhibit "A."

The administrative staff of the City of Payette is authorized to take all necessary steps to carry out the Identity Theft Prevention Program provided by this Resolution.

Passed by the Payette City Council and approved by the Mayor on this 2nd day of March, 2009.



Douglas E. Henderson, Mayor

Attest:



Mary Cordova, City Clerk/Treasurer

CITY OF PAYETTE
RED FLAG POLICY
AND
IDENTIFY THEFT PREVENTION PROGRAM

Enacted March 2, 2009

Purpose

To establish an Identity Theft Prevention Program (ITPP) designed to detect, prevent, and mitigate identity theft in connection with the opening of a covered account or an existing covered account and to provide for continued administration of the Program in compliance with Part 681 of Title 16 of the Code of Federal Regulations implementing Sections 114 and 315 of the Fair and Accurate Credit Transactions Act (FACTA) of 2003.

Definitions

For the purpose of this Program, the following definitions will apply:

Covered Account –

1. Any account the City offers or maintains primarily for personal, family or household purposes, that involves multiple payments or transactions; and
2. Any other account the City offers or maintains for which there is a reasonable foreseeable risk to customers or to the safety and soundness of the City from Identity Theft.

Identifying Information –

Any name or number that may be used alone, or in conjunction with any other information, to identify a specific person, including: name, address, telephone number, social security number, date of birth, government-issued driver's license or identification number, alien registration number, government passport number, employer or taxpayer identification number, unique electronic identification number, computer's Internet Protocol address, or routing number.

Red Flags

A red flag is a pattern, practice, or specific activity that indicates the possible existence of identity theft and they are outlined below.

1. Notification from Consumer Reporting Agencies: At the time of the adoption of this program the City does not request, receive, obtain or maintain information about its utility customers from any Consumer Reporting Agency..
2. Suspicious documents alerting a possible Red Flag:
 - a. Presentation of documents appearing to be altered or forged;
 - b. Presentation of photographs or physical descriptions that are not consistent with the appearance of the applicant or customer
3. Suspicious personal identifying information alerting a possible Red Flag:

Exhibit A

1. Developing, implementing and updating this program;
2. Administration of this Program;
3. Ensuring the City's utility staff are appropriately trained;
4. Reviewing any staff reports regarding the detection of Red Flags and the steps for preventing and mitigating Identity Theft;
5. Determining the steps or prevention and mitigation should be taken in particular circumstances; and

Staff Training and Reports

1. City utility staff responsible for implementing this Program shall be trained either by or under the direction of the Program Administrator in the detection of Red Flags and the responsive steps to be taken when a Red Flag is detected.
2. Staff should prepare a report at least annually for the Program Administrator, including but not limited to the following:
 - a. An evaluation of the effectiveness of the Program with respect to opening accounts;
 - b. An evaluation of existing covered accounts;
 - c. An evaluation of service provider arrangements;
 - d. Significant incidents involving identify theft and response; and
 - e. Recommendation for changes to the Program.

Service Provider Arrangements

The City may engage a service provider to perform an activity in connection with one or more accounts and such provider will be required, by contract or written notice, to perform its activities in accordance with policies designed to detect, prevent, and mitigate the risk of identity theft. The service provider shall report any Red Flags to the Program Administrator.

Program Updating

This Program will be reviewed by the Program Administrator annually to determine if the Program needs to be amended to reflect changes in risk to customers and to determine the soundness of the Program to protect City covered accounts from identity theft. If changes are warranted, the Program Administrator will make recommendations for changes to the City Council. The City Council may accept, modify or reject those recommended Program changes.