

RESOLUTION No. 08-16

**RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF WILLIAMS
ADOPTING AN IDENTITY THEFT PREVENTION PROGRAM**

WHEREAS, the City of Williams is a General Law City organized and existing pursuant to the California Constitution, commencing with Section 34102 of the California Government Code; and

WHEREAS, the Fair and Accurate Credit Transaction Act of 2003 (“FACTA”), section 114, as implemented by the Red Flag Rules, 16 C.F.R. § 681.2, issued by the Federal Trade Commission along with other federal agencies, requires creditors of customer accounts to implement an Identity Theft Prevention Program; and

WHEREAS, the City of Williams is a creditor because it provides services to customers prior to receipt of payment through customer accounts, including utility service accounts, which are maintained primarily for personal, family or household purposes and involve multiple payments or transactions, and for which there is a reasonably foreseeable risk of identity theft; and

WHEREAS, the City of Williams is therefore required to implement an Identity Theft Prevention Program; and

WHEREAS, the purpose of the Identify Theft Prevention Program is to detect, prevent and mitigate identity theft in connection with all customer accounts, taking into consideration the level of risk for identity theft given the City of Williams’ scope of services provided and the types of accounts; and

WHEREAS, the Identify Theft Prevention Program is created to identify patterns, practices and specific activities that indicate the possible existence of identity theft, referred to as “Red Flags,” and sets forth the procedures for detecting Red Flags and responding to Red Flags when discovered; and

WHEREAS, the City Council of the City of Williams desires to adopt and implement an Identity Theft Protection Program as required under Federal Law;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Williams as follows:

Section 1. Adoption of Identity Theft Prevention Program. The City of Williams hereby adopts the “Identity Theft Prevention Program” attached hereto as Exhibit “A”.

Section 2. Designation of Authority. The City Council of the City of Williams authorizes the City Administrator to act on the City Council’s behalf to oversee the

implementation and administration of the Identity Theft Prevention Program in accordance with Federal Law.

Section 3. Amending the Identity Theft Prevention Program. The Identity Theft Prevention Program may be amended from time to time by resolution of the City Council.

Section 4. Effective Date. This Resolution shall be effective as of November 12, 2008.

ADOPTED this 12th day of November 2008, by the following vote:

AYES: Councilmembers Azevedo, Barker, Fulcher, Johnson, and Mayor Ash.

NOES: None.

ABSENT: None.

ABSTAIN: None.

Patricia Ash, Mayor

ATTEST:

Rene L. Miles, City Clerk