

Agenda Item A-4

MARIN EMERGENCY RADIO AUTHORITY

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DATE: September 27, 2017

TO: MERA Governing Board

FROM: Maureen Cassingham, Executive Officer

SUBJECT: AGENDA ITEM **A-4**: PROPOSED USE AND RETENTION OF
ELECTRONIC COMMUNICATIONS AND
PRIVATE EMAIL ACCOUNTS POLICY
FOR MERA BUSINESS

Recommended Action: Approve the proposed Policy of the Marin Emergency Radio Authority Governing Board regarding Use and Retention of Electronic Communications and Private Email Accounts for MERA Business.

Background: Earlier this year MERA General Counsel Ortiz issued an advice letter “based on the California Supreme Court decision in the City of San Jose v. Superior Court ruling that public officials and employees may be required to disclose communications in their private accounts in response to a California Public Records Act request.” As you know, the MERA Executive Officer, Deputy Executive Officer – Next Gen Project, and Next Gen Project Administrative Assistant, while not public employees, are RGS contractors who use their private email accounts for MERA business communications.

MERA General Counsel provided a template from which the attached policy was developed, with input from the Executive Officer and Deputy Executive Officer, concerning public records that might be on private accounts and procedures for obtaining and retaining those documents.

ATTACHMENT:

A- 4a Proposed MERA Governing Board Policy on Use and Retention of
Electronic Communications and Private Email Accounts for MERA Business