



Orange County Electronic Communications and Public Records Update

January 15, 2013



Presentation Outline

- **November 13 BCC Presentation**
- **Administrative Regulations Proposed Amendments**
- **Administrative Regulations: Next Steps**
- **Board Discussion (Nov. 13, 2012)**
- **Mayor's Memorandum (Jan. 10, 2013)**
- **Discussion**
- **Action**



Presentation Outline

- **November 13 BCC Presentation**
- Administrative Regulations Proposed Amendments
- Administrative Regulations: Next Steps
- Board Discussion (Nov. 13, 2012)
- Mayor's Memorandum (Jan. 10, 2013)
- Discussion
- Action



November BCC Discussion

- **Mobile Device Inventory**
- **Administrative Regulations
Proposed Amendments**
- **Training**
- **Tracking Technology**





Presentation Outline

- November 13 BCC Presentation
- **Administrative Regulations Proposed Amendments**
- Administrative Regulations: Next Steps
- Board Discussion (Nov. 13, 2012)
- Mayor's Memorandum (Jan. 10, 2013)
- Discussion
- Action



Administrative Regulations Proposed Amendments

- **Amendments to 2.06 (public records)**
 - Each employee/official is the custodian of his/her own public records
 - ISS is custodian of all telephone call records, transitory land-line voice mail messages, email and other electronic messages sent from county-issued device, phone or computer



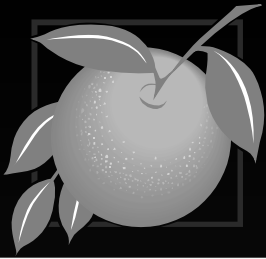
Administrative Regulations Proposed Amendments

- **Amendments to 11.06 (land-lines, cellular telephones and other instant communication devices)**
 - Train employees before issuing a County mobile device;
 - Criteria for issuance of county mobile device is stated;
 - Reimbursement no longer required for de minimis use;
 - Non-exempt employees must have written authorization and record hours when using County systems to perform work outside of regular business hours;
 - Hands free device required when driving a County vehicle.



Administrative Regulations Proposed Amendments

- **Amendments to both regulations**
 - **Voice mail messages**
 - Intended to be brief, transitory messages;
 - ISS will maintain no longer than 10 days;
 - Employee/official must maintain non-transitory voice mail messages or transitory messages not obsolete in 10 days
 - **Personal mobile devices**
 - County does not encourage or expect employees/officials to use their own personal device;
 - Employee/official will be responsible to maintain those public records transacted on his/her personal mobile device.



Presentation Outline

- November 13 BCC Presentation
- Administrative Regulations Proposed Amendments
- **Administrative Regulations: Next Steps**
 - Board Discussion (Nov. 13, 2012)
 - Mayor's Memorandum (Jan. 10, 2013)
 - Discussion
 - Action



Administrative Regulations Next Steps

- **Finalize amendments to Administrative Regulations**
- **Place amendments on future agenda**
- **Training on amendments will follow approval (5-6 months)**
- **Amendments will take effect after training is complete**



Presentation Outline

- November 13 BCC Presentation
- Administrative Regulations Proposed Amendments
- Administrative Regulations: Next Steps
- **Board Discussion (Nov. 13, 2012)**
- Mayor's Memorandum (Jan. 10, 2013)
- Discussion
- Action



Board Discussion

November 13, 2012

- **Consensus on no electronic communication with the public during board meetings**
 - **Comm. Edwards – on Board days no text communication all day for items on that Board agenda (Comm. Boyd agreed)**
 - **Mayor Jacobs – use an auto response to alert sender message was not received**
 - **Comm. Brummer and Thompson – use a jammer on Board dais to block signal**



Board Discussion

November 13, 2012

- **Some agreement on clearly separating use of personal devices and county-issued mobile devices**
- **Some agreement on amending lobbying ordinance to –**
 - **Require lobbyists report contact by text message;**
 - **Fine lobbyist for violations; and**
 - **Disallow lobbyists from lobbying during Board meetings.**



Board Discussion November 13, 2012

**The Board directed staff to come back on
January 15, 2013 for further discussion.**



Presentation Outline

- November 13 BCC Presentation
- Administrative Regulations Proposed Amendments
- Administrative Regulations: Next Steps
- Board Discussion (Nov. 13, 2012)
- **Mayor's Memorandum (Jan. 10, 2013)**
- Discussion
- Action



Mayor's Memorandum

Jan. 10, 2013

- **Proposed amendments to lobbying ordinance**
 - Requires lobbyist/principal who retains a lobbyist to record telephone lobbying contacts
 - Prohibits lobbying by text messaging, voice mail, instant messaging, and other similar means
 - Allows investigation of any violation of lobbying code



Mayor's Memorandum

Jan. 10, 2013

- **Prohibits elected officials and their appointed staff from using personal mobile devices or personal email accounts to conduct public business**
- **Implementation options**
 - **Administrative Regulation**
 - **Resolution of the Board**
 - **Ordinance**



Presentation Outline

- November 13 BCC Presentation
- Administrative Regulations Proposed Amendments
- Administrative Regulations: Next Steps
- Board Discussion (Nov. 13, 2012)
- Mayor's Memorandum (Jan. 10, 2013)
- **Discussion**
- Action



Board Discussion

- **Amendments to the lobbying ordinance**
- **Board action on use of personal devices and email accounts for County business**
 - **Implementation options**
 - **Administrative Regulation**
 - **Resolution of the Board**
 - **Ordinance**



Presentation Outline

- November 13 BCC Presentation
- Administrative Regulations Proposed Amendments
- Administrative Regulations: Next Steps
- Board Discussion (Nov. 13, 2012)
- Mayor's Memorandum (Jan. 10, 2013)
- Discussion
- **Action**



Board Action

- **Direction to draft and advertise an ordinance amending the lobbying code**
- **Direction on use of personal devices and personal email accounts for County business**



Orange County Electronic Communications and Public Records Update

January 15, 2013