

**SAN DIEGO RIVER CONSERVANCY
PUBLIC MEETING MINUTES**

21 May 2004
9:00 a.m.

San Diego Regional Water Quality Control Board Office
9174 Sky Park Court, Suite 100
San Diego, California

MEMBERS PRESENT:

Dick Murphy (Mayor of San Diego), Chairman
Donna Frye (San Diego City Council), Vice-Chairman
Toni Atkins (Public Member)
Susan Hector (Public Member)
John "Jack" H. Minan (Public Member)
Sam Schuchat (Designated Representative, Secretary for Resources)
Jim Peugh (Public Member)

NON-VOTING MEMBERS PRESENT:

Mike McCann (Designated Representative, San Diego Regional Water Quality Control Board)

OTHERS PRESENT:

Deborah Jayne, Executive Officer
Hayley Peterson, Deputy Attorney General

ABSENT:

Jim Bartell (Public Member)
Al Wright (Executive Director, Wildlife Conservation Board)
Donna Arduin (Director, Department of Finance)

APPROVAL OF MINUTES:

Board Member Minan recommended that the Minutes of the March 12, 2004 Public Meeting be amended to include the following: "At the conclusion of the closed session, the Board authorized the extension of an offer to Deborah Jayne for the position of Executive Officer". Vice-Chair Frye moved approval of the Minutes as amended. The motion was seconded by Board Member Atkins and passed by a voice vote of 7-0.

ANNOUNCEMENT OF PERSONNEL ACTION (Gov. Code, sec. 11125.2):

As part of the discussion of the Minutes, Chair Murphy announced that during the closed session at the previous meeting the Board unanimously appointed Deborah Jayne as Executive Officer of the Conservancy.

PUBLIC COMMENT:

Michael Beck, representing the San Diego River Park Foundation addressed the Conservancy, urging the Board to consider the addition of Helix Water District to the Conservancy. Mr. Beck reminded the Board of his March 12, 2004 recommendation to consider adding Assemblymember Kehoe and the County of San Diego to the Governing Board. Chair Murphy added that the Cleveland National Forest should also be included on the list of potential additions.

CHAIRMAN'S AND GOVERNING BOARD MEMBERS' COMMENTS:

Chair Murphy welcomed the Executive Officer.

Board Member Minan thanked the Executive Officer for meeting with the Board Members individually.

Board Member Schuchat welcomed the Executive Officer to her position and to the group of now eight Executive Directors of state-chartered Conservancies in California. Mr. Schuchat also indicated that he expected to hand-off the Board position back to the Resources Agency Secretary in the near future.

EXECUTIVE OFFICER REPORT:

Ms. Deborah Jayne, Executive Officer, presented summary of written staff reports to the Conservancy.

DEPUTY ATTORNEY GENERAL'S REPORT:

Ms. Peterson presented a resolution regarding adoption of a privacy policy in adherence with the Information Practices Act of 1977 (Civ. Code, sec. 1798 et seq.).

Resolution 04-04:

“WHEREAS, Government Code section 11019.9, effective January 1, 2001, requires all departments and agencies of the State of California to enact and maintain a permanent privacy policy, in adherence with the Information Practices Act of 1977 (Civil Code section 1798 et seq.), that includes, but is not necessarily limited to, the following principles:

- (a) Personally identifiable information may only be obtained through lawful means;
- (b) The purposes for which personally identifiable data are collected shall be specified at or prior to the time of collection, and any subsequent use of the data

shall be limited to and consistent with the fulfillment of those purposes previously specified;

(c) Personal data may not be disclosed, made available, or otherwise used for a purpose other than those specified, except with the consent of the subject of the data, or as required by law or regulation;

(d) Personal data collected shall be relevant to the purpose for which it is needed; and

(e) The general means by which personal data is protected against loss, unauthorized access, use, modification, or disclosure shall be posted, unless the disclosure of those general means would compromise legitimate agency objectives or law enforcement purposes;

WHEREAS, Government Code section 11019.9 requires each state agency to implement this privacy policy by:

- Designating which position within the department or agency is responsible for the implementation of and adherence to this privacy policy;
- Prominently posting the policy physically in its offices and on its Internet website, if any;
- Distributing the policy to each of its employees and contractors who have access to personal data;
- Complying with the Information Practices Act (Civil Code Section 1798 et seq.); the Public Records Act (Government Code Section 6250 et seq.); Government Code Section 11015.5, and all other laws pertaining to information privacy;
- Using appropriate means to successfully implement and adhere to this privacy policy;

WHEREAS, the San Diego River Conservancy, as a state agency, is subject to Government Code section 11019.9;

NOW, THEREFORE, BE IT RESOLVED BY THE SAN DIEGO RIVER CONSERVANCY GOVERNING BOARD THAT PURSUANT TO GOVERNMENT CODE SECTION 11019.9 AND IN ADHERENCE TO THE INFORMATION PRACTICES ACT OF 1977 (TITLE 1.8 (COMMENCING WITH SECTION 1798) OF PART 4 OF DIVISION 3 OF THE CIVIL CODE) THE SAN DIEGO RIVER CONSERVANCY ADOPTS THE FOLLOWING PRIVACY POLICY:

**PRIVACY POLICY OF THE
SAN DIEGO RIVER CONSERVANCY**

This policy applies, but without limitation, to personnel records, job applications, personal information which may be required for the submission of a grant application, request for bid or request for proposal, and to personal information submitted to or requested by the San Diego River Conservancy (SDRC) in conjunction with entering into contracts or making land acquisitions or from any other source. The SDRC does not

compile personal information other than employment applications, employee personnel records, and mailing lists used to provide notices or otherwise to inform the public.

Section 1: Definitions

This policy adopts by reference all of the relevant definitions found at Government Code Section 1798.3 including but not limited to the following:

- (a) The term “personal information” means any information that is maintained by the SDRC that identifies or describes an individual, including, but not necessarily limited to, his name or her name, social security number, physical description, home address, home telephone number, marital status and dependent information, education, financial matters, and medical or employment history. It includes statements made by or attributed to, the individual.
- (b) The term “disclose” means to disclose, release, transfer, disseminate, or otherwise communicate all or any part of any record orally, in writing, or by electronic or any other means to any person or entity.

The term “employee” means an employee of the SDRC.

Section 2: Policy Principles

The following principles shall apply to the disclosure, release, transfer, dissemination or any other communication of personal information:

- (a) Personally identifiable information shall only be obtained through lawful means.
- (b) The purposes for which personally identifiable data are collected shall be specified at or prior to the time of collection, and any subsequent use of the data shall be limited to and consistent with the fulfillment of those purposes previously specified.
- (c) Personal data shall not be disclosed, made available, or otherwise used for a purpose other than those specified, except with the consent of the subject of the data, or as authorized by law or regulation.
- (d) Personal data collected must be relevant to the purpose for which it is collected.
- (e) Personal data shall be protected against disclosure, release, transfer, dissemination, loss, use modification, unauthorized disclosure or unauthorized access by the following general means:
 - (1) This privacy policy shall be posted.

- (2) Each employee responsible for the collection, use, maintenance, and/or dissemination of public records containing personal data shall take precautions to assure that such records are to the extent allowed by law kept confidential.
- (3) The Executive Officer or his or her designee shall serve as the Privacy Policy coordinator who shall be responsible for implementation of this policy. Any employee with questions regarding implementation of this policy, Government Code Section 11015.5, or Government Code Section 6250 et seq. (Public Records Act) shall consult with the Privacy Policy coordinator for guidance. If the Privacy Policy coordinator is unable to respond, the employee shall contact the Office of the Attorney General for guidance.”

The resolution was moved by Board Member Schuchat, seconded by Vice-Chair Frye, and passed by a voice vote of 7-0.

SDRC POLICIES AND PROCEDURES FOR LAND ACQUISITION AND AWARDING GRANTS/SDRC MISSION, OBJECTIVES, PROGRAMS AND PRIORITY RANKING METHODOLOGY:

The Executive Officer presented and the Governing Board considered these items together. The Executive Officer presented a Resolution Creating a Committee(s) to Establish Agency Mission, Objectives, Programs, and Priority Ranking Methodology and Policies and Procedures for the Acquisition, Management, Improvement, and Transfer of Land; Awarding of Grants; and Other Actions Related to Capital Outlay Expenditures.

Michael Beck commented regarding the constrained timelines and requested that the Board notify the public as soon as possible regarding the procedure for non-profit agencies to present projects to the Board.

Vice-Chair Frye moved that the Board accept the Executive Officer’s report and (1) that Executive Officer draft and distribute recommendations for policies and procedures for land acquisition and awarding of grants to Board members and to Coalition of interested parties for review and consideration and (2) that Executive Officer prepare mission, objectives, programs and priority ranking methodology utilizing a programmatic approach with consideration to providing grants to non-profit agencies.

After some discussion, Vice-Chair Frye amended her motion to provide that Executive Officer would return with first set of recommendations at the July meeting and return with the second part of the recommendations at the September meeting and to not adopt the draft resolution.

The motion was seconded and passed by a voice vote of 7-0.

ADJOURNMENT:

The meeting was adjourned at 11:00 a.m.

MB, HP

Approved: _____
Mayor Dick Murphy, Chair, San Diego River Conservancy