

City of Tracy  
333 Civic Center Plaza  
Tracy, CA 95376

CITY ATTORNEY'S OFFICE

MAIN 209.831.6130

FAX 209.831.6137

[www.cityoftracy.org](http://www.cityoftracy.org)

December 6, 2022

Honorable Michael D. Coughlan, Presiding Judge  
San Joaquin County Superior Court  
180 East Weber Avenue, Suite 1306J  
Stockton, CA 95202

Re: Response to Grand Jury Final Report Case No. 0321 (2021/2022)  
Report received by the City of Tracy on June 15, 2022

Honorable Michael D. Coughlan,

The City of Tracy has reviewed the follow-up report to the 2021-2022 San Joaquin County Grand Jury Case No. 0321, regarding Cybersecurity. Pursuant to Penal Code sections 933 and 933.05, this letter is to inform you that the City of Tracy's responses to the Cybersecurity findings are below.

**Finding F8.1: Lacking a requirement for encryption of thumb drives used on City devices exposes the City of Tracy to potential data theft and contamination.**

**Recommendations R8.1: By November 1, 2022, the Tracy City Council, in conjunction with the IT division, develop, adopt and implement a policy requiring encryption of thumb drives used on City devices.**

**City's Response:** IT has developed a draft policy to require encrypted thumb drives which will be routed through HR for official adoption. For the implementation of administrative policies such as the one for the encryption of thumb drives, the City of Tracy's procedures require that these draft policies be routed to the various bargaining units for approval. The draft IT policy is currently being circulated to these units and should be ready for adoption shortly. While we strive to remove technological barriers that encourage removable storage use, we recognize special situations exist that require it. Once the new policy is rolled out all thumb drives used for City data or on City-owned devices will be required by the policy to be encrypted.

**Finding F8.2: The City of Tracy lacks a completed Business Continuity Plan, rendering Tracy relatively unprepared to restore essential services in a disruptive event.**

**Recommendations R8.2: By January 1, 2023, the Tracy City Council, in conjunction with the IT division, develop, adopt and implement a formal Business Continuity Plan.**

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**City's Response:** Human Resources coordinated with a consultant and management from each department to draft a Business Continuity Plan to be finalized as an Annex to the City of Tracy Emergency Management Plan. The South San Joaquin County Fire Authority has contracted services to prepare the draft Emergency Management Plan which is anticipated to be finalized in the fall of 2022. The IT Manager had several meetings with the consultant to summarize the business continuity plan for the information technology needs of the organization. The IT department is aware of the lack of an IT-specific Disaster Recovery / Business continuity plan as it relates to a Cyber incident. The IT department will be crafting an RFP to include a disaster preparedness plan and necessary infrastructure additions as well as IT-specific Business Continuity. In addition, we plan to add a dedicated information security position this fiscal year in line with the Grand Jury recommendation. It is generally recognized practice for the Security Officer in an organization to maintain a Disaster Preparedness and Business Continuity Plan. Due to the nature of this policy adoption, as part of the Tracy Emergency Management Plan, City Council approval is required. The City is striving to adopt this Business Continuity Plan by the first quarter of 2023.

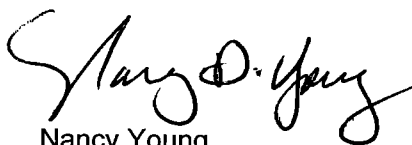
**Findings F8.3: The City of Tracy lacks a completed Disaster Preparedness Plan, leaving Tracy at risk for delay and cost to restore IT systems in the event of a disaster.**

**Recommendations R8.3: By January 1, 2023, the Tracy City Council provide the Grand Jury with an updated formal Disaster Preparedness Plan.**

**City's Response:** We view the business continuity, and the disaster preparedness plans as two sides of the same coin that work hand in hand and should be addressed holistically. Any large-scale Cyber business continuity event should be treated in a similar way as a disaster. Most equipment will be unavailable for extended periods of time due to the necessary forensics. We plan on addressing this in conjunction with the IT-specific business continuity plan as outlined in the response to Finding 8.2. Due to the nature of this policy, as an annexation to the City of Tracy Emergency Management Plan, City Council approval is required. The City is striving to adopt the Disaster Preparedness Plan by the first quarter of 2023.

The City of Tracy thanks the Grand Jury for its engagement and review of the Cyber Security in San Joaquin County and appreciates the opportunity to respond to this report. Please feel free to contact us if you have any further questions.

Respectfully Submitted,



Nancy Young  
Mayor, City of Tracy

Cc: Trisa Martinez at [grandjury@sicourts.org](mailto:grandjury@sicourts.org)

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APPROVED AS TO FORM AND LEGALITY

CITY ATTORNEY'S OFFICE

TRACY CITY COUNCIL

RESOLUTION NO. 2022-199

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- 1) A RESOLUTION ADOPTING THE CITY'S RESPONSE TO THE 2021/2022 SAN JOAQUIN COUNTY GRAND JURY REPORT ON CYBERSECURITY, CASE NO. 0321 (2021/2022), AND
  - 2) AUTHORIZE THE MAYOR TO SIGN THE RESPONSE LETTER

**WHEREAS**, On June 15, 2022, The San Joaquin County Civil Grand Jury released its final consolidated yearly report, addressing cybersecurity (Case No. 0321); and

**WHEREAS**, The Grand Jury reviewed cybersecurity practices of the City of Tracy along with the other six incorporated cities in San Joaquin County to see if they were exercising due diligence in protecting information resources; and

**WHEREAS**, The Grand Jury concluded that San Joaquin County (SJC) has mature and robust security policies and systems; and

**WHEREAS**, The Grand Jury report contained three findings and three recommendations for the City of Tracy; and

**WHEREAS**, The first finding noted that the City did not have a policy requiring the use of encrypted thumb drives use on City devices; and

**WHEREAS**, The second finding noted that City needed to develop, adopt, and implement a formal Business Continuity Plan; and

**WHEREAS**, The third recommendation noted that City needed to develop, adopt, and implement a formal Disaster Preparation Plan; and

**WHEREAS**, State law requires that the City respond to the Grand Jury's finding and recommendations with a response on how to address these issues.


**WHEREAS**, The City has drafted a response stating that the City has either complied with the recommendation or is currently in the process of complying by completing the recommended disaster preparedness plans; now, therefore, be it

**RESOLVED:** That the City Council of the City of Tracy hereby 1) adopts the City's response to the 2021/2022 San Joaquin County Grand Jury Report on Cybersecurity, Case No. 0321 (2021/2022), and 2) authorizes the Mayor to sign the response letter.

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The foregoing Resolution 2022-199 was adopted by the Tracy City Council on the 6th day of December, 2022, by the following vote:

AYES:	COUNCIL MEMBERS: ARRIOLA, BEDOLLA, DAVIS, VARGAS, YOUNG
NOES:	COUNCIL MEMBERS: NONE
ABSENT:	COUNCIL MEMBERS: NONE
ABSTENTION:	COUNCIL MEMBERS: NONE

  
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NANCY D. YOUNG  
Mayor of the City of Tracy, California

  
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ATTEST:  
ADRIANNE RICHARDSON  
City Clerk and Clerk of the Council of the  
City of Tracy, California