

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee Government Audit and Oversight

Date October 28, 2010

Board of Supervisors Meeting

Date November 09, 2010

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Budget Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form (for hearings) |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
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| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
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Completed by: LaTonia Stokes

Date October 29, 2010

Completed by: _____

Date _____

An asterisked item represents the cover sheet to a document that exceeds 20 pages. The complete document is in the file.

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1 [Administrative Code - Open Data Policy.]

2
3 **Ordinance amending the San Francisco Administrative Code to add Section 22D to**
4 **establish the City's Open Data policy and require City departments to make appropriate**
5 **data available to the public.**

6 NOTE: Additions are single-underline italics Times New Roman;
7 deletions are ~~strike-through italics Times New Roman~~.
8 Board amendment additions are double-underlined;
9 Board amendment deletions are ~~strikethrough-normal~~.

9 Be it ordained by the People of the City and County of San Francisco:

10 The San Francisco Administrative Code is hereby amended by adding Section 22D, to
11 read as follows:

12 Section 1. FINDINGS.

- 13 (a) An open data policy will provide benefits to the City, which include:
- 14 (1) enhanced government transparency and accountability;
- 15 (2) development of new analyses or applications based on the unique data the City provides;
- 16 (3) mobilization of San Francisco's high-tech workforce to use City data to create useful civic
17 tools at no cost to the City; and
- 18 (4) creation of social and economic benefits based on innovation in how residents interact with
19 government stemming from increased accessibility to City data sets.
- 20 (b) On October 21, 2009, Mayor Newsom issued Executive Directive 09-06, entitled Open Data
21 ("the Directive"). The Directive stated the City's commitment to transparency in government by
22 declaring that all appropriate data sets would be published through a designated website.
- 23 (c) City departments should take further steps to make their data sets available to the public in a
24 more timely and efficient manner.
- 25

1 Section 2. CITY DEPARTMENTS REQUIRED TO MAKE DATA AVAILABLE.

- 2 (a) Each City department, board, commission, and agency ("Department") shall make reasonable
3 efforts to make available all data sets under the Department's control, provided however, that
4 such disclosure shall be consistent with the rules and standards promulgated by the Committee
5 on Information Technology ("COIT") and with applicable law, including laws related to
6 privacy.
- 7 (b) Data sets shall be made available on the Internet through a web portal linked to sf.gov or
8 successor website maintained by or on behalf of the City.
- 9 (c) Departments shall conduct quarterly reviews of their progress on providing access to data sets
10 requested by the public through the designated web portal.

11
12 Section 3. STANDARDS AND COMPLIANCE.

- 13 (a) COIT shall establish rules and standards to implement the open data policy, including
14 developing standards to determine which data sets are appropriate for public disclosure. In
15 making this determination, COIT shall balance the benefits of open data set forth in Section 1,
16 above, with the need to protect from disclosure information that is proprietary, confidential, or
17 protected by law or contract.
- 18 (b) Within 60 days of the effective date of this ordinance, COIT shall promulgate rules and
19 standards to implement the open data policy which shall apply to all Departments. The rules
20 and standards shall include the following:
- 21 (1) technical requirements for the publishing of public data sets by Departments for the purpose
22 of making public data available to the greatest number of users and for the greatest number
23 of applications. These rules shall, whenever practicable, use non-proprietary technical
24 standards for web publishing and e-government;
- 25 (2) guidelines for Departments to follow in developing their plans for implementing the open

1 data policy consistent with the standards established by COIT. Each plan shall include an
2 accounting of all public data sets under the control of the Department; and

3 (3) rules for including open data requirements in applicable City contracts.

4 (c) COIT shall also evaluate the merits and feasibility of making City data sets available pursuant to
5 a generic license, such as those offered by "Creative Commons." Such a license ~~could~~ would
6 grant any user the right to copy, distribute, display and create derivative works at no cost and
7 with a minimum level of conditions placed on the use. If appropriate, COIT shall specify the
8 terms and conditions of such a generic license in the standards it develops to implement the open
9 data policy.

10 (d) Prior to issuing rules and standards, COIT shall solicit comments from the public, including
11 from individuals and firms who have successfully developed applications using open data sets.
12

13 APPROVED AS TO FORM:
14 DENNIS J. HERRERA, City Attorney

15 By:

16 Theresa L. Mueller / TL
17 Theresa L. Mueller
18 Deputy City Attorney

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Mayor Newsom
BOARD OF SUPERVISORS

Page 3
10/27/2010

REVISED LEGISLATIVE DIGEST

(Revised on 10/28/10)

[Administrative Code - Open Data Policy.]

Ordinance establishing the City's Open Data policy and requiring City departments to make appropriate data available to the public, and amending the San Francisco Administrative Code to add Section 22D.

Existing Law

None.

Amendments to Current Law

This ordinance would modify the Administrative Code to establish as City policy that City datasets appropriate for public disclosure be made available through DataSF.org or a successor website. The ordinance would require all City departments, boards, commissions, and agencies ("Departments") to publish data sets in compliance with the policies and standards promulgated by the Committee on Information Technology ("COIT").

COIT would develop rules and standards to implement the open data policy. COIT would also consider whether to use a generic license, such as those offered by "Creative Commons", for publishing the City's data sets. Such a license could grant any user the right to copy, distribute, display and create derivative works at no cost and with a minimum level of conditions.

Background Information

On October 21, 2009, the Mayor issued Executive Directive 09-06, entitled Open Data. The directive stated the City's commitment to transparency in government by declaring that all datasets determined to be appropriate for public disclosure would be published through DataSF.org. This ordinance would adopt an open data policy in line with Executive Directive 09-06.

In developing rules and standards for the open data policy, COIT may consider the eight principles of open government data that were developed by a group of open government advocates to provide guidance for entities implementing open data policies. (<http://www.opengovdata.org/home/8principles>)