

File No. 130787

Committee Item No. 1

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Rules Committee

Date November 21, 2013

Board of Supervisors Meeting

Date _____

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Introduction Form |
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| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
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OTHER (Use back side if additional space is needed)

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|-------------------------------------|--------------------------|----------------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>ORD No. 293-10</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>ORD No. 69-13</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Executive Directive 09-06</u> |
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Completed by: Linda Wong Date November 18, 2013

Completed by: _____ Date _____

[Administrative Code - Timelines and Procedures for Releasing Open Data]

Ordinance amending the Administrative Code to modify open data standards and set deadlines for releasing open data.

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
Additions to Codes are in *single-underline italics Times New Roman font*.
Deletions to Codes are in ~~*strikethrough italics Times New Roman font*~~.
Board amendment additions are in double-underlined Arial font.
Board amendment deletions are in ~~Arial font~~.
Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

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

Section 1. The Administrative Code is hereby amended by revising Chapter 22, Sections 22D.1, 22D.2, and 22D.3, to read as follows:

SEC. 22D.1. FINDINGS.

(a) An open data policy will provide benefits to the City, which include:

- (1) enhanced government transparency and accountability;
- (2) development of new analyses or applications based on the unique data the City provides;
- (3) mobilization of San Francisco's high-tech workforce to use City data to create useful civic tools at no cost to the City; and
- (4) creation of social and economic benefits based on innovation in how residents interact with government stemming from increased accessibility to City data sets.

(b) San Francisco has been a leader in open data policy in the United States. On October 21, 2009, Mayor Newsom issued Executive Directive 09-06, entitled Open Data ("the Directive"). The Directive stated the City's commitment to transparency in government by

1 City expanded on the Directive with the enactment of the Open Data Policy (Ordinance 293-10).
2 codified in Chapter 22D of the Administrative Code. A significant and valuable revision to the Open
3 Data Policy came through the amendment of Chapter 22 establishing the position of Chief Data
4 Officer, Departmental Data Coordinators, and making other procedural revisions (Ordinance No.69-
5 13).

6 (c) City departments should *continue* to take further steps to make their data sets
7 available to the public in a more timely and efficient manner.

8 (d) *The City should develop a strategy for the release of City-held citizen data directly back*
9 *to citizens who request such data.*

10 (e) *In enacting and implementing this Chapter, the City is assuming an undertaking only to*
11 *promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an*
12 *obligation for breach of which it is liable in money damages to any person who claims that such breach*
13 *proximately caused injury.*

14 15 **SEC. 22D.2. CHIEF DATA OFFICER AND CITY DEPARTMENTS.**

16 (a) Chief Data Officer. In order to coordinate implementation, compliance, and
17 expansion of the City's Open Data Policy, the Mayor shall appoint a Chief Data Officer (CDO)
18 for the City and County of San Francisco within one month of the effective date of Ordinance No.
19 _____. ~~*The CDO shall be responsible for sharing City data with the public, facilitating the sharing*~~
20 ~~*of information between City departments, and analyzing how data sets can be used to improve city*~~
21 ~~*decision making. To accomplish these objectives, the CDO shall:*~~ *The CDO shall be responsible for*
22 *drafting rules and technical standards to implement the open data policy, and determining within the*
23 *boundaries of law which data sets are appropriate for public disclosure. In making this determination,*
24 *the CDO shall balance the benefits of open data set forth in Section 22D.1, with the need to protect*
25 *from disclosure information that is proprietary or confidential and that may be protected from*

1 disclosure in accordance with law. Nothing in the rules and technical standards shall compel or
2 authorize the disclosure of privileged information, law enforcement information, national security
3 information, personal information, unless required by law. Nothing in the rules or technical standards
4 shall compel or authorize the disclosure of information which is prohibited by law.

5 (b) The CDO's duties shall include, but are not limited to the following:

6 (1) Draft rules and technical standards to implement the open data policy ensuring the
7 policy incorporates the following principles:

8 (A) Data prioritized for publication should be of likely interest to the public;

9 (B) Data sets should be free of charge to the public through the web portal;

10 (C) Data sets shall not include privileged or confidential information, law
11 enforcement information, national security information, personal information, proprietary information
12 or information the disclosure of which is prohibited by law; and

13 (D) Data sets shall include, to the extent possible, metadata descriptions, API
14 documentation, and the description of licensing requirements. Common core metadata shall, at a
15 minimum, include fields for every dataset's title, description, tags, last update, publisher, contact
16 information, unique identifier, and public access level as defined by the CDO.

17 ~~(1)~~ (2) Coordinate, ~~maintain utilization, maintenance,~~ and updates of the City's
18 Open Data website, currently known as "DataSF";

19 ~~(2)~~ (3) ~~Oversee the design,~~ Present the Open Data rules and technical standards to
20 adoption by the Committee on Information Technology (COIT) for adoption; and implementation of
21 technical standards for DataSF to ensure that the portal and its data sets are implemented, updated,
22 and utilized in accordance with San Francisco's open data policies

23 ~~(3)~~ (4) Provide education and analytic tools for City departments to improve
24 and assist with the release of open data to the public ~~improve and assist with their open data efforts;~~

1 ~~(4)~~ (5) Assist departments ~~with compliance with Open Data policies by working~~
2 ~~with Department Data Coordinators, by~~ collecting and reviewing each department's open data
3 implementation plans and creating a template for the departmental quarterly progress reports;

4 ~~(5)~~ (6) Present an annual ~~updated~~ citywide implementation plan to COIT, the
5 Mayor, and Board of Supervisors and respond, as necessary, to inquiries regarding the
6 implementation of the open data policy and the compliance of departments with the deadlines
7 established in this section regarding the status of DataSF in the City;

8 ~~(6)~~ ~~Actively work to further the goals of open data in the City;~~

9 ~~(7)~~ ~~Coordinate creation and sharing of internal City data sets outside of those~~
10 ~~designated for publication on DataSF;~~

11 ~~(8)~~ (7) Help establish data standards within and outside the City through
12 collaboration with external organizations;

13 ~~(9)~~ (8) Assist City departments with analysis of City data sets to improve decision
14 making; ~~and,~~

15 (9) Establish a process for providing citizens with secure access to their private data
16 held by the City;

17 (10) Establish guidelines for licensing open data sets released by the City and evaluate
18 the merits and feasibility of making City data sets available pursuant to a generic license, such as those
19 offered by "Creative Commons." Such a license could grant any user the right to copy, distribute,
20 display and create derivative works at no cost and with a minimum level of conditions placed on the
21 use; and,

22 (11) Prior to issuing universally significant and substantial changes to rules and
23 standards, solicit comments from the public, including from individuals and firms who have
24 successfully developed applications using open data sets.

25 ~~(10)~~ ~~Analyze and report on the usage of DataSF.~~

1 (b) City Departments. Each City department, board, commission, and agency
2 ("Department") shall:

3 (1) Make reasonable efforts to make publicly available all data sets under the
4 Department's control, provided however, that such disclosure shall be consistent with the
5 rules and technical standards drafted by the CDO and adopted by COIT and with applicable
6 law, including laws related to privacy;

7 ~~(2) Conduct quarterly reviews of their progress on providing access to data sets~~
8 ~~requested by the public through the designated web portal beginning six months after the appointment~~
9 ~~of the CDO; and~~

10 (2) Review department data sets for potential inclusion on DataSF and ensure they
11 comply with the rules and technical standards adopted by COIT;

12 (3) Designate a Data Coordinator (DC) no later than three months after the
13 effective date of Ordinance No. _____, who will oversee implementation and compliance with the
14 Open Data Policy within his/her respective department. Each DC shall work with the CDO to
15 implement the City's open data policies and standards. The DC shall prepare an Open Data
16 plan for the Department which shall include:

17 (A) Include A timeline for the publication of the Department's open data
18 and a summary of open data efforts planned and/or underway in the Department;

19 (B) Include A summary description of all data sets under the control of
20 each Department (including data contained in already-operating information technology
21 systems);

22 (C) Prioritize All public data sets proposed for inclusion on DataSF;

23 (D) Quarterly updates of data sets available for publication. Updates
24 quarterly after the initial submission to the CDO. In the event of unsatisfactory implementation of the
25

1 ~~plan by the Department and/or disagreement over publication of data sets, the CDO may request the~~
2 ~~Department's DC appear before COIT; and,~~

3 ~~_____ (E) Be published on the department's web site in addition to the DataSF site.~~

4 ~~(F) (E) Review department data sets for potential inclusion on DataSF and~~
5 ~~ensure they comply with the following guidelines:~~

6 ~~(i) Data prioritized for publication should be of likely interest to the~~
7 ~~public and should not disclose information that is proprietary, confidential, or protected by law or~~
8 ~~contract;~~

9 ~~_____ (ii) Data sets that contain personally identifiable information or~~
10 ~~represent potential breaches to security or privacy should be flagged for potential exclusion from~~
11 ~~DataSF; and~~

12 ~~(iii) Data sets should be free of charge to the public through the web~~
13 ~~portal.~~

14 ~~(G) Make data sets available, provided that such disclosure is consistent with~~
15 ~~the City's Open Data Policy, technical standards, and with applicable law, including laws related to~~
16 ~~privacy;~~

17 ~~(H) Catalogue and prioritize the Department's open data for publication on a~~
18 ~~quarterly basis;~~

19 ~~_____ (4) The DC's duties shall include, but are not limited to the following:~~

20 ~~_____ (A) No later than six months after the effective date of Ordinance No. _____,~~
21 ~~publish on DataSF, a catalogue of the Department's data that can be made public, including both raw~~
22 ~~data sets and application programming interfaces ["API's"].~~

23 ~~(I)(B) Appear before COIT and respond to questions regarding the~~
24 ~~Department's compliance with the City's Open Data policies and standards;~~

1 ~~(J)(C)~~ Conspicuously display his/her contact information (including name,
2 phone number or email address) on DataSF with his/her department's data sets;

3 ~~(K)(D)~~ Monitor comments and public feedback on the Department's data
4 sets on a timely basis and provide a prompt response;

5 ~~(L)~~ Upon receipt of comments or information requests from the public related
6 to data set content and supporting documentation, assess the nature and complexity of the request and
7 provide DT with an expected time frame to resolve the support inquiry as soon as possible;

8 ~~(M)(E)~~ Notify the Department of Technology DT upon publication of any
9 updates or corrective action; ~~and~~;

10 ~~(N)~~ Notify DT prior to any structural changes to data sets when releasing
11 updated data;

12 ~~(F)~~ Work with the CDO to provide citizens with secure access to their own
13 private data by outlining the types of relevant information that can be made available to individuals
14 who request such information;

15 ~~(G)~~ Implement the privacy protection guidelines established by the CDO and
16 hold primary responsibility for ensuring that each published data set does not include information that
17 is private, confidential, or proprietary; ~~and~~

18 ~~(H)~~ Make reasonable efforts to minimize restrictions or license-related barriers
19 on the reuse of published open data.

20 (c) Department of Technology. The Department of Technology (DT) shall provide
21 and manage a single Internet site (web portal) for the City's public data sets
22 (<http://data.sfgov.org> or successor site), called "DataSF." In managing the site, DT shall:

23 (1) Publish data sets with reasonable, user-friendly registration requirements,
24 license requirements, or restrictions that comply with the rules and technical standards drafted by
25 the CDO and adopted by COIT on the use and distribution of data sets;

1 ~~number of applications; These rules shall, whenever practicable, use non-proprietary technical~~
2 ~~standards for web publishing and e-government;~~

3 ~~—— (2) Guidelines for Departments to follow in developing their plans for implementing~~
4 ~~the open data policy consistent with the standards established by COIT. Each plan shall include an~~
5 ~~accounting of public data sets under the control of the Department;~~

6 (3) Rules for including open data requirements in applicable City contracts and
7 standard contract provisions that promote the City's open data policies, including, where
8 appropriate, provisions to ensure that the City retains ownership of City data and the ability to
9 post the data on data.sfgov.org or make it available through other means.

10 (b) The following Open Data Policy deadlines are measured from effective date of Ordinance
11 No. _____:

12 (1) Within one month, the Mayor appoints the Chief Data Officer;

13 (2) Within three months, department heads designate Department Data Coordinators to oversee
14 implementation and compliance with the Open Data Policy within his/her respective department;

15 (3) Within six months, each Department shall begin conducting quarterly reviews of their
16 progress on providing access to data sets requested by the public through the designated web portal;

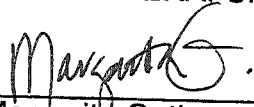
17 (4) Within six months, each Department shall publish on DataSF a catalogue of their
18 Department's data that can be made public, including both raw datasets and APIs; and

19 (5) Within one year, the CDO shall present updated citywide Open Data implementation plan to
20 COIT, the Mayor and Board of Supervisors.

21 Section 2. Effective Date. This ordinance shall become effective 30 days after
22 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
23 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
24 of Supervisors overrides the Mayor's veto of the ordinance.

1 Section 3. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
2 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
3 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
4 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
5 additions, and Board amendment deletions in accordance with the "Note" that appears under
6 the official title of the ordinance.

7
8 APPROVED AS TO FORM:
9 DENNIS J. HERRERA, City Attorney

10 By: 
11 Margarita Gutierrez
12 Deputy City Attorney

13 n:\legana\as2013\1300478\00863228.doc

LEGISLATIVE DIGEST

[Administrative Code - Timelines and Procedures for Releasing Open Data]

Ordinance amending the Administrative Code to establish or improve open data standards, improve the protection of citizen privacy, and set deadlines for releasing open data.

Existing Law

Chapter 22D of the San Francisco Administrative Code provided open data policies and procedures for City Departments, the Chief Data Officer and Departmental Data Coordinators.

Amendments to Current Law

This legislation amends the City's existing open data ordinance in three ways: (1) it adds timelines for the appointment of a City Data Officer (CDO), Department Coordinators (DC), and the creation of departments' open data plans; (2) it adds a requirement that the CDO create a process for private citizens to access to their own City held data; and (3) it provides guidance to the CDO for the design of technical standards to be used in the release of departmental open data.

The following deadlines are triggered by the effective date of the ordinance:

- Within one month, the Mayor shall appoint a CDO;
- Within three months, city departments shall designate Department Data Coordinators to oversee implementation and compliance with the open data policy within his/her respective department;
- Within six months, each Department shall conduct a review of their progress on providing access to data sets requested by the public through the designated web portal;
- Within six months, Departments shall publish on DataSF a catalogue of their Department's data that can be made public, including both raw datasets and APIs; and
- Within one year, the CDO shall present updated citywide Open Data implementation plan to COIT, the Mayor and Board of Supervisors.

Since the City is also a custodian of private data, the CDO will be charged with creating a plan for the release of this data in a format and on systems so that people can securely access their own data on themselves, for example, digital versions of their own medical records and/or their own permit applications. The release of individual citizens data is intended to fuel the market of third-party solution providers that can transform individual data into valuable new products and services.

Executive Directive 09-06**Open Data**

October 21, 2009

By virtue of the power and authority vested in me by Section 3.100 of the San Francisco Charter to provide administration and oversight of all departments and governmental units in the executive branch of the City and County of San Francisco, I do hereby issue this Executive Directive to become effective immediately:

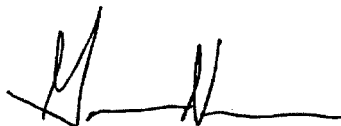
1. Benefits of the Open Data Directive

This Directive will enhance open government, transparency, and accountability by improving access to City data that adheres to privacy and security policies. Data which often resides in technology systems is unique from information like documents, emails and calendars in that it is structured and can be used by other computer applications for analysis or new uses such as mapping. This Directive establishes a one-stop destination for all approved City data that will help constituents make better use of information. This new ease of access will lead to innovation in how residents interact with government, resulting in social and economic benefits for the City. The City and County of San Francisco will be able to engage our innovative high-tech workforce by releasing data, a key component of San Francisco's future economic development. By providing government data that adheres to privacy and security policies, San Francisco's world class technology community is given the platform from which to create useful civic tools, all at no cost to City government. By bringing City data and San Francisco's entrepreneurs together, we can effectively leverage existing resources to stimulate industry, create jobs and highlight San Francisco's creative culture and attractiveness as a place to live and work. Finally, the City and County of San Francisco's technology presence will begin to reflect that of our world class, cutting edge private technology sector, and help us better engage the wealth of knowledge and skills of our local community.

2. The City declares its commitment to transparency in government data.

- a. All datasets determined to be accessible to the public now and in the future shall be made available through DataSF.org.
- b. All Department Heads or their designees shall strive to publish all datasets under their authority consistent with the DataSF authorization policy. Detailed information on how to update DataSF.org is available here: <http://www.datasf.org/page.php?page=submit-dataset>.
- c. All Department Heads or their designees shall conduct quarterly reviews of their progress on providing access to datasets requested by the public through DataSF.org. The results of this review shall be sent to the Mayor's Office.

For questions concerning this Executive Directive and its implementation, please contact: Brian Purchia, Mayor's Office, brian.purchia@sfgov.org, 415-554-7135.



Gavin Newsom
Mayor

By establishing technical guidelines for the government data released by departments, the CDO and DC's will make the data more accessible and useful. Thus, the data should be released with metadata descriptions, the documentation for Application Programming Interfaces (APIs), and a description of licensing requirements. In addition, common core metadata shall, at a minimum, include fields for every dataset's title, description, tags, last update, publisher, contact information, unique identifier, and public access level. Required metadata clarifications and updates shall include, but are not necessarily limited to the following for each metadata description:

- Cardinality
- Required nature of sub-elements
- Accepted values
- Usage notes
- Syntax example

The CDO will also make reasonable efforts to make the published data sets on DataSF available in human and machine-readable formats that are non-proprietary. This includes, but is not limited to, the following: 1) JavaScript Object Notation (JSON), 2) Comma-Separated Values (CSV), 3) Extensible Markup Language (XML), 4) Hyper Text Markup Language (HTML), and 5) Plain text.

Background Information

San Francisco has been a leader in open data policy in the United States. On October 21, 2009, Mayor Newsom issued Executive Directive 09-06, entitled Open Data ("the Directive"). The Directive stated the City's commitment to transparency in government by declaring that all appropriate data sets would be published through a designated website.

The Board of Supervisors passed the City's Open Data Policy Ordinance (Ordinance 293-10) in 2010. The ordinance empowered San Francisco's Committee on Information Technology (COIT) to establish Rules and Standards applicable to all City departments regarding the release of data to the city's online data portal.

This year, on April 16, 2013, the Board passed the Citywide Coordination of Open Data Policy and Procedures (Ordinance 69-13) creating the position of Chief Data Officer (CDO), Department Data Coordinators (DC) and furthering the goals of the City's Open Data Policy.

On May 9, 2013, President Obama signed an Executive Order, "Making Open and Machine Readable the New Default for Government Information." [78 FR 28111] In the Order, the Federal Government encouraged the general principles of Open Government. This Ordinance reflects San Francisco's interest in creating a local plan to which mirrors the federal order.

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 sfgov.org 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



City and County of San Francisco
Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 101155

Date Passed: November 16, 2010

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

October 28, 2010 Government Audit and Oversight Committee - AMENDED

October 28, 2010 Government Audit and Oversight Committee - RECOMMENDED AS AMENDED

November 09, 2010 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

November 16, 2010 Board of Supervisors - FINALLY PASSED

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Mar, Maxwell and Mirkarimi

Absent: 1 - Elsbernd

File No. 101155

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 11/16/2010 by the Board of Supervisors of the City and County of San Francisco.

Mayor Gavin Newsom

Angela Calvillo
Clerk of the Board

11/18/2010
Date Approved

3/28/13

1 [Administrative Code--Citywide Coordination of Open Data Policy and Procedures]

2
3 **Ordinance amending the Administrative Code, Sections 22D.2 and 22D.3, relating to**
4 **San Francisco's open data policies and procedures and establishing the position and**
5 **duties of Chief Data Officer and Departmental Data Coordinators.**

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~~.

10 Be it ordained by the people of the City and County of San Francisco:

11 Section 1. Findings.

12 (a) San Francisco has been a leader in open data policy in the United States. In 2009,
13 Mayor Gavin Newsom issued an Executive Directive promoting Open Data. In 2010, the
14 Board of Supervisors expanded on the Directive with the passage of the City's Open Data
15 Policy (Ordinance 293-10), codified in San Francisco's Administrative Code Section 22D.

16 (b) An open data policy has been shown to drive increased government efficiency
17 and civic engagement, leading to social and economic benefits as a result of innovative
18 citizen interaction with government. Social and economic benefits include, but are not limited
19 to:

20 (1) Empowering citizens through democratization of information and fostering
21 citizen participation in City projects;

22 (2) Supporting early stage entrepreneurship;

23 (3) Encouraging positive environments that contribute to workforce
24 development and job creation; and
25

1 (4) Increasing a positive business environment and promoting public-private
2 partnerships.

3 (5) San Francisco will improve and expand its Open Data Policy by creating the
4 position of Chief Data Officer and Department Data Coordinators to implement the standards
5 and policies articulated in the City's Open Data Policy.

6 Section 2. The San Francisco Administrative Code is hereby amended by amending
7 Sections 22D.2, and 22D.3, to read as follows:

8 **SEC. 22D.2. CHIEF DATA OFFICER AND CITY DEPARTMENTS CITY DEPARTMENTS**
9 **REQUIRED TO MAKE DATA AVAILABLE.**

10 (a) Chief Data Officer.

11 In order to coordinate implementation, compliance, and expansion of the City's Open Data
12 Policy, the Mayor shall appoint a Chief Data Officer (CDO) for the City and County of San Francisco.
13 The CDO shall be responsible for sharing City data with the public, facilitating the sharing of
14 information between City departments, and analyzing how data sets can be used to improve city
15 decision making. To accomplish these objectives, the CDO shall:

16 (1) Coordinate utilization, maintenance, and updates of the City's Open Data website,
17 currently known as "DataSF;"

18 (2) Oversee the design, adoption by the Committee on Information Technology (COIT)
19 and implementation of technical standards for DataSF to ensure that the portal and its datasets
20 are implemented, updated, and utilized in accordance with San Francisco's open data policies;

21 (3) Provide education and analytic tools for City departments to improve and assist
22 with their open data efforts;

23 (4) Assist departments with compliance with Open Data policies by working with
24 Department Data Coordinators, collecting and reviewing each department's open data
25 implementation plans and creating a template for the departmental quarterly progress reports;

1 (5) Present an annual updated citywide implementation plan to COIT, the Mayor, and
2 Board of Supervisors and respond, as necessary, regarding the status of DataSF in the City;

3 (6) Actively work to further the goals of open data in the City;

4 (7) Coordinate creation and sharing of internal City data sets outside of those
5 designated for publication on DataSF;

6 (8) Help establish data standards within and outside the City through collaboration
7 with external organizations;

8 (9) Assist City departments with analysis of City data sets to improve decision making;
9 and

10 (10) Analyze and report on the usage of DataSF.

11 **(b) City Departments**

12 ~~(a)~~ Each City department, board, commission, and agency
13 ("Department") shall:

14 (1) Make reasonable efforts to make available all data sets under the
15 Department's control, provided however, that such disclosure shall be consistent with the
16 rules and standards promulgated by the CDO and adopted by COIT and with applicable law,
17 including laws related to privacy;

18 (2) Conduct quarterly reviews of their progress on providing access to data
19 sets requested by the public through the designated web portal beginning six months after the
20 appointment of the CDO; and

21 (3) Designate a Data Coordinator (DC) who will oversee implementation and
22 compliance with the Open Data Policy within his/her respective department. Each DC shall work with
23 the CDO to implement the City's open data policies and standards. The DC shall:

24 ~~(i) Prepare~~ prepare an Open Data plan for the Department which
25 shall:

1 (A)(1) Include a timeline for the publication of the Department's
2 open data and a summary of open data efforts planned and/or underway in the Department;

3 (B)(2) Include a summary description of all data sets under the
4 control of each Department (including data contained in already-operating information technology
5 systems);

6 (C)(3) Prioritize all public data sets for inclusion on DataSF;

7 (D)(4) Be updated quarterly after the initial submission to the
8 CDO. In the event of unsatisfactory implementation of the plan by the Department and/or disagreement
9 over publication of data sets, the CDO may request the Department's DC appear before COIT; and,

10 (E)(5) Be published on the department's web site in addition to
11 the DataSF site.

12 ~~(6) Ensure data sets comply with the following requirements:~~

13 (F)(ii) Review department data sets for potential inclusion on
14 DataSF and ensure they comply with the following guidelines:

15 (i)(1) Data prioritized for publication should be of likely
16 interest to the public and should not disclose information that is proprietary, confidential, or protected
17 by law or contract;

18 (ii)(2) Data sets that contain personally identifiable
19 information or represent potential breaches to security or privacy should be flagged for potential
20 exclusion from DataSF; and,

21 (iii)(3) Data sets should be free of charge to the public
22 through the web portal.

23 (G)(iii) Make data sets available, provided that such disclosure is
24 consistent with the City's Open Data Policy, technical standards, and with applicable law, including
25 laws related to privacy;

1 (H)(iv) Catalogue and prioritize the Department's open data for
2 publication on a quarterly basis;

3 (I)(v) Appear before COIT and respond to questions regarding
4 the Department's compliance with the City's Open Data policies and standards;

5 (J)(vi) Conspicuously display his/her contact information
6 (including name, phone number or email address) on DataSF with his/her department's data sets;

7 (K)(vii) Monitor comments and public feedback on the
8 Department's data sets on a timely basis;

9 (L)(viii) Upon receipt of comments or information requests from
10 the public related to data set content and supporting documentation, assess the nature and complexity
11 of the request and provide DT with an expected timeframe to resolve the support inquiry as soon as
12 possible;

13 (M)(ix) Notify DT upon publication of any updates or corrective
14 action; and,

15 (N)(x) Notify DT prior to any structural changes to data sets
16 when releasing updated data;

17 (c) Department of Technology

18 The Department of Technology (DT) shall provide and manage a single Internet site (web
19 portal) for the City's public data sets (<http://data.sfgov.org> or successor site), called "DataSF." In
20 managing the site, DT shall:

21 (1) Publish data sets with reasonable, user-friendly registration requirements, license
22 requirements, or restrictions on the use and distribution of data sets;

23 (2) Indicate data sets that have been recently updated;

1 (3) Ensure that updated data sets retain the original data structure, i.e., the number of
2 data elements per record, name, formats and order of the data elements must be structurally consistent
3 with the originally approved submission;

4 (4) Use open, non-proprietary standards when practicable;

5 (5) Include an on-line forum to solicit feedback from the public and to encourage public
6 discussion on Open Data policies and public data set availability;

7 (6) Forward open data requests to the assigned DC; and,

8 (7) Take measures to ensure access to public data sets while protecting DataSF from
9 unlawful abuse or attempts to damage or impair use of the website.

10
11 **SEC. 22D.3. STANDARDS AND COMPLIANCE.**

12 (a) ~~The CDO~~ ~~COIT~~ shall establish for adoption by COIT rules and standards to
13 implement the open data policy, including developing standards to determine which data sets
14 are appropriate for public disclosure. In making this determination, COIT shall balance the
15 benefits of open data set forth in Section 22D.1, above, with the need to protect from
16 disclosure information that is proprietary, confidential, or protected by law or contract

17 (b) ~~Within 60 days of the effective date of this ordinance, COIT~~ The CDO shall promulgate
18 and COIT shall adopt rules and standards to implement the open data policy which shall apply
19 to all Departments, consistent with COIT's role and responsibilities in San Francisco Administrative
20 Code Section 22A.3. The CDO and COIT intend to work with the City Attorney's Office and
21 purchaser to develop contract provisions to promote open data policies. The rules and standards
22 shall include the following:

23 (1) Technical ~~technical~~ requirements for the publishing of public data sets by
24 Departments for the purpose of making public data available to the greatest number of users
25

1 and for the greatest number of applications. These rules shall, whenever practicable, use
2 non-proprietary technical standards for web publishing and e-government;

3 (2) ~~Guidelines~~ *guidelines* for Departments to follow in developing their plans for
4 implementing the open data policy consistent with the standards established by COIT. Each
5 plan shall include an accounting of public data sets under the control of the Department; *and*

6 (3) Rules for including open data requirements in applicable City contracts and
7 standard contract provisions that promote the City's open data policies, including, where appropriate,
8 provisions to ensure that the City retains ownership of City data and the ability to post the data on
9 data.sfgov.org or make it available through other means; and,

10 (4) Requirements that a third party providing City data (or applications based on City
11 data) to the public explicitly identify the source and version of the public data set, and include a
12 description of any modifications made to the public data set.

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

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

3
4 APPROVED AS TO FORM:
5 DENNIS J. HERRERA, City Attorney

6 By: 
7 MARGARITA GUTIERREZ
8 Deputy City Attorney

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Mayor Lee, Supervisor Chiu
BOARD OF SUPERVISORS



City and County of San Francisco

Tails

Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 121017

Date Passed: April 16, 2013

Ordinance amending the Administrative Code, Sections 22D.2 and 22D.3, relating to San Francisco's open data policies and procedures and establishing the position and duties of Chief Data Officer and Departmental Data Coordinators.

March 28, 2013 Government Audit and Oversight Committee - AMENDED

March 28, 2013 Government Audit and Oversight Committee - RECOMMENDED AS AMENDED

April 09, 2013 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

April 16, 2013 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 121017

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 4/16/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

4/23/13

Date Approved

Wong, Linda (BOS)

From: Wong, Linda (BOS)
Sent: Tuesday, September 03, 2013 4:52 PM
To: Kelly, Naomi; Rosenfield, Ben; Murrell, Drew; Elliott, Jason; Nuru, Mohammed; 'ed.reiskin@sfmta.com'; Martinsen, Janet; Rahaim, John; Rodgers, AnMarie; Kelly, Jr, Harlan; Hood, Donna; Suhr, Greg; 'philip.ginsburg@sfgov.org'; Ballard, Sarah
Subject: 130787 - REFERRAL FROM BOARD OF SUPERVISORS (Rules Committee)
Attachments: 130787.pdf

The Board of Supervisors' Rules Committee has received the attached proposed ordinance, which is being referred to your department for informational purposes.

File 130787

Ordinance amending the Administrative Code to modify open data standards and set deadlines for releasing open data.

Should you wish to submit any reports or documentation to be included as part of the file, please send it directly me, Linda Wong, Rules Committee Clerk, at Linda.Wong@sfgov.org or the address listed below.

Thank you for your attention.

Sincerely,

Linda Wong
Rules Committee Clerk
Board of Supervisors / SF LAFCo
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689
Phone: 415.554.7719
Fax: 415.554.7714

Complete a Board of Supervisors Customer Satisfaction form by clicking the link below.
http://www.sfgov.org/site/bdsupvrs_form.asp?id=18548

Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee.
An ordinance, resolution, motion, or charter amendment.
- 2. Request for next printed agenda without reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [] inquires"
- 5. City Attorney request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. []
- 9. Request for Closed Session (attach written motion).
- 10. Board to Sit as A Committee of the Whole.
- 11. Question(s) submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission Youth Commission Ethics Commission
- Planning Commission Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative

Sponsor(s):

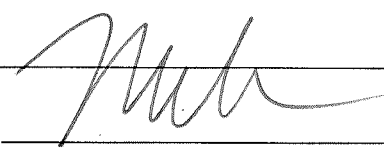
Supervisor Mark E. Farrell

Subject:

Ordinance modifying San Francisco's open data standards and setting deadlines for the release of data.

The text is listed below or attached:

Attached.

Signature of Sponsoring Supervisor: 

For Clerk's Use Only:

130787