File	No.	10	00	95

Committee	Item No.	<u> </u>
Board Item	No	

COMMITTEE/BOARD OF SUPERVISORS

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Committee:	Budget and Finance	Date: <u>June 23, 2010</u>
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OTHER		space is needed)
Completed by: Andrea S. Ausberry Completed by:		Date <u>Friday, June 18, 2010</u> Date

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.

Amendment of the Whole 6/16/10 ORDINANCE NO.

FILE NO. 100095

[Citywide coordination of information and communications technology.]

Ordinance amending Department of Technology and Committee on Information Technology responsibilities, establishing the position and duties of the Chief Information Officer, eliminating the Telecommunications Commission, adding San Francisco Administrative Code Chapter 22A, Sections 22A.1, 22A.2, 22A.3, 22A.4, 22A.5, 22A.6 and 22A.7, and deleting San Francisco Administrative Code Sections 3.24, 3.25, 3.27, 11.85, 11.86,11.87, 11.88 and 11.89 to implement these changes.

NOTE:

Additions are <u>single-underline italics Times New Roman</u>; deletions are <u>strike-through italics Times New Roman</u>. Board amendment additions are <u>double-underlined</u>; Board amendment deletions are <u>strikethrough normal</u>.

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

Section 1. The San Francisco Administrative Code is hereby amended by adding Chapter 22A, Sections 22A.1, 22A.2, 22A.3, 22A.4, 22A.5, 22A.6 and 22A.7 to read as follows:

SEC. 22A.1. FINDINGS.

- A. Information and communication technology (ICT) resources in the various departments, boards, commissions and agencies of the City and County of San Francisco (City Departments) are valuable strategic assets belonging to the people of San Francisco that must be managed accordingly.
 - B. Advances in ICT are immense in scope and complexity, and progressing rapidly.
- C. The nature of the advances presents the City with the opportunity to provide higher quality, more timely, and more cost-effective governmental services.
- D. City Departments independently acquire uncoordinated and duplicative ICT technologies that are more appropriately acquired as part of a coordinated effort for maximum cost effectiveness and use.

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SEC. 22A.3. COMMITTEE ON INFORMATION TECHNOLOGY.

Establishment and Composition. There is hereby created a Committee on Information Technology (COIT).

- permanent members consisting of the Mayor, the President of the Board of Supervisors, the Controller, the City Administrator, and the CIO, or their designees. The Mayor, the President of the Board of Supervisors, the Controller, the City Administrator, and the CIO, or their designees. The Mayor, the President of the Board of Supervisors, the Controller, the City Administrator and the CIO, shall elect a Chair, who shall serve for a 2-year term. All of the permanent members of COIT shall be eligible to serve as Chair. Six Five additional Department Heads shall be recommended by the CIO Chair and approved by the permanent members for two year terms, one representing each of the major service areas: (a) Public Protection, (b) Public Works, Transportation, and Commerce, (eb) Human Welfare and Neighborhood Development, (ec) Community Health, (ed) Culture and Recreation, and fe) General Administration and Finance; and twethree representing the major service area of Public Works.

 Transportation, and Commerce. The CIO shall also recommend for approval by the permanent members two(2) additional Department Heads to serve two year terms.
- (b) COIT shall organize into subcommittees as requested by the City CIO. The CIO Chair shall appoint subcommittee members based on participants' technical, financial, management, and policy-making capabilities and responsibilities. The Chair shall consult with and consider the recommendations of the CIO regarding the number, type and make-up of subcommittees.

 Subcommittee members shall represent major service areas of the City.
- (c) Purpose and Duties. COIT shall review and approve the recommendations of the City

 CIO for (i) the five-year City ICT plan, including budget, projects and staffing for all City departments,
 boards, commissions and agencies (City Departments), (ii) ICT plans, budgets, projects and staffing
 plans for City Departments; and (iii) ICT standards, policies and procedures to enable successful
 development, operation, maintenance, and support of the City's ICT.

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(6) Cooperate with citywide efforts to standardize ICT resources.

SECTION 22A.6. ICT CAPITAL, AND OPERATING PLAN

- (1) By May 1, 2011, and by March 1 of each subsequent year, the CIO COIT shall submit to the Mayor and Board of Supervisors a five-year ICT plan which shall include an assessment of the City's enterprise and general fund ICT capital and operating infrastructure, hardware and software needs, an estimate of timelines and investments required to meet the needs identified through this assessment, and recommendations to budget for or otherwise finance the investments.
- (2) By June 1, 2011, and by May I of each subsequent year, the Mayor and Board of Supervisors shall annually review, update, amend, and adopt by resolution the five-year information technology plan and its corresponding budget request. Each year, the plan will be updated to reflect the City's priorities, resources, and requirements as reviewed and approved by the COIT.

SEC. 22A.7. ESTABLISHMENT OF DEPARTMENT; POWERS AND DUTIES.

- (a) There is hereby created a Department of Technology within the executive branch which shall consist of a Director and such officers and employees as are authorized pursuant to the budgetary and fiscal provisions of the Charter. The Director shall serve as appointing officer for the Department and as the Chief Information Officer for the City and County of San Francisco.
 - (b) The Department shall assume responsibility for:
- (1) All functions previously performed by the Department of Electricity and

 Telecommunications, including all functions assigned by Chapters 22 and 22B of the Administrative

 Code.
- (2) All functions previously performed by the Information Services Division of the Controller's Office.

1	(3) Enforcing the customer service and consumer protection standards contained in:
2	(1) California Government code Sections 53055, 53055.1, 53055.2, and 53088.2; and (2) Title 47,
3	Code of Federal Regulations, Section 76.309(c), or any other customer service standards pertaining to
4	the provision of video service subsequently established by federal law or adopted by federal regulation.
5	(4) Overseeing the use and operation of the cable television public, educational and
6	governmental access channels.
7	(5) Planning, design, coordination, installation, repair, operation, maintenance,
8	and inspection of all proposed and current ICT equipment, facilities and services owned,
9	operated, and subscribed to by the City or any department, board, commission, or agency
10	(City Department) and ensuring such facilities and equipment are installed, maintained and
11	operated in compliance with state, fedoral and local laws, rules and regulations.
12	(65) Advising COIT as to compliance with adopted ICT policies, standards, and funding
13	plans.
14	(76) Implementing the multi-year City ICT Plan.
15	(87) Providing staff support to the committee on Information Technology.
16	(98) Advising the Mayor, the Board of Supervisors, and the CIO regarding ICT for City
17	residents and businesses.
18	(109) Installing, repairing, maintaining and inspecting ICT infrastructure to serve
19	federal, state, and regional agencies, non-profit agencies, businesses, individuals, and
20	telecommunications and information service providers, provided that the entity to be served pays for
21	the department's costs of providing such services, and further provided that providing such services
22	would not interfere with the operations of the department or impair services to City departments.
23	(1110) Developing and encouraging a world wide web-based City government and
24	facilitate the dissemination of information onto the web.
25	

(1211) Evaluating and streamlining City business practices for the enhanced utilization of technology.

(1312) Providing assistance, advice, and expertise in connection with business relationships between City agencies and private sector providers of ICT resources. Such assistance shall include efforts that strengthen and create efficiencies in those business relationships.

(1413) All additional functions assigned by the Mayor pursuant to Section 4.132 of the Charter.

Section 2. Chapters 3 and 11 of the Administrative Code are hereby amended by repealing Sections 3.24, 3.25, 11.85, 1.86, 11.87, 11.88, and 11.89 in their entirety:

SEC. 3.24. - COMMITTEE ON INFORMATION TECHNOLOGY.

Establishment, Composition, Purpose. There is hereby created a Committee on Information

Technology (COIT) composed of the Mayor's Finance Director, a member of the Board of Supervisors, the Controller, the Director of Telecommunications and Information Services or their designee, and one department head from each of the following six groupings of departments: (a) Public Protection,

(b) Public Works, Transportation and Commerce, (c) Human Welfare and Neighborhood Development,

(d) Community Health, (e) Culture and Recreation, (f) General Administration and Finance. The department heads shall be selected annually by the four continuing members. The Committee on Information Technology shall take a leadership role in encouraging and coordinating departmental efforts in the use of new technology. The Committee shall promote interdepartmental ecooperation and City standards. It shall review major interdepartmental and citywide projects and make policy recommendations thereon. The Committee shall elect one member to serve as chair, establish rules governing its operations and procedures to be followed by the several departments, boards and commissions for matters to be considered by the Committee.

SEC. 3.25. THREE YEAR PLANS, TECHNICAL ASPECTS.

Three-year plans, minor departmental projects and other technical aspects of information technology shall be delegated to a subcommittee composed of technical staff appointed by the permanent members and department head's who are current members of the Committee on Information Technology established above. The subcommittee shall review projects and technical aspects and provide reports and recommendations for technology improvements and systems in a format designed to provide full and complete understanding of funding and budget requirements updated for each budget year.

The Telecommunications and Information Services Department or its successor shall provide staff support to the Committee on Information Technology and the working subcommittee created herein.

SEC. 11.85. DEFINITIONS.

For purpose only of this Article IX, the following words shall have the meanings given herein:

(a)"Article" means Article IX of Ckapter 11 of the San Francisco Administrative Code.

(b)"Board" means the San Francisco Board of Supervisors.

(c) "Charter" means the Charter of the City and County of San Francisco.

(d)"City" means the City and County of San Francisco.

(e) "Commission" means the Telecommunications Commission created by this Article.

(f)"Department" means the Department of Technology created by this Article.

(g)"Telecommunications" means the one-or two way transmission of messages, information, and/or programming by electronic means, including the provision of facilities for the generation, transmission, switching, signaling, control and/or reception of messages, information and/or programming; provided however that "telecommunications" shall not mean broadcasting as defined in 47 U.S.C. Section 153(o).

SEC. 11.86. ESTABLISHMENT OF DEPARTMENT; POWERS AND DUTIES.

(a) There is hereby created a Department of Technology within the executive branch which shall consist of a Director and such officers and employees as are authorized pursuant to the budgetary and fiscal provisions of the Charter. The Director shall serve as appointing officer for the Department.

(b) The Department shall assume responsibility for:

(1)All functions previously performed by the Department of Electricity and

Telecommunications, including all functions assigned by Chapters 22 and 22B of the Administrative

Code;

(2)All functions previously performed by the Information Services Division of the Controller's office;

(3) Negotiating and recommending to the Board cable television franchises;

(4)Regulating rates for cable television service, consistent with Applicable Law and subject to approval of the Mayor and the Board of Supervisors;

(5) Ensuring good customer service by each Cable Service Operator;

(6)Overseeing the use and operation of the cable television public, educational and governmental access channels;

(7)Reviewing every 36 months and revising as necessary the Telecommunications Plan adopted by the Board in January 2002. The Telecommunications Plan should propose City policies and procedures to guide the establishment of technologies within the City, facilitate the deployment of new technologies within the City, maximize the availability of telecommunications services to City residents, businesses and departments, preserve City property and resources, and protect the health, safety, and welfare of City residents. Before proposing any revision to the Telecommunications Plan, the Department shall consult with the public, including residents and independent experts. Any revision shall be submitted to the Mayor and the Beard for adoption; and

(8)Providing staff support to the Telecommunications Commission; and

(9)All additional functions assigned by the Mayor pursuant to Section 4.132 of the Charter.

(f) Compensation. Members shall receive \$25 for each meeting of the Commission actually
attended; provided, however, that no member shall be paid for attending more than three Commission
meetings in any one calendar month.

SEC. 11.88. COMMISSION POWERS AND DUTIES.

The Commission's powers and duties shall include:

- (a) Advising the Director of the Department of Technology in all matters related to the discharge of his or her duties; including, but not limited to, advice regarding the regulation of rates for the basic cable television service tier, customer service by cable television operators, and the use and operation of the cable television public, educational or governmental access channels.
- policies and procedures affecting the provision of telecommunications services and the installation of telecommunications facilities within the City. and Develop a City Telecommunications Plan. The Telecommunications Plan should propose City policies and procedures to guide the installation of telecommunications Plan should propose City policies and procedures to guide the installation of telecommunications facilities in the City. These policies should facilitate the deployment of new technologies within the City, maximize the availability of telecommunications services to City residents, businesses and departments, preserve City property and resources, and protect the health, safety and welfare of City residents. The Telecommunications Plan should be developed with maximum public participation including residents, independent experts, Telecommunications Providers and City departments. The Plan shall be submitted to the Mayor and the Board for adoption as the City's Telecommunications Plan. It shall be updated, after public participation and hearings, and if necessary, amended, every 24 months.

SEC. 11.89. COMMISSION MEETINGS.

The Commission shall meet from time to time at the request of the Department, except that for purposes of review and adoption of the Telecommunication Plan described in (b) above, the Commission shall

1	meet no sooner than six months before the Plan is to be adopted, and shall meet as necessary
2	thereafter, for purposes of updating and weending the plan, until the plan is adopted.
3	APPROVED AS TO FORM:
4	DENNIS J. HERRERA, City Attorney
√5	By:
6	Margarita Gutierrez Deputy City Attorney
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meet no sooner than six months before the Plan is to be adopted, and shall meet as necessary thereafter, for purposes of updating and amending the plan, until the plan is adopted.

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

By: Margarita Gutierrez
Deputy City Attorney

LEGISLATIVE DIGEST

[Citywide coordination of information and communications technology.]

Ordinance amending Department of Technology and Committee on Information Technology responsibilities, establishing the position and duties of the Chief Information Officer, eliminating the Telecommunications Commission, adding San Francisco Administrative Code Chapter 22A, Sections 22A.1, 22A.2, 22A.3, 22A.4, 22A.5, 22A.6 and 22A.7, and deleting San Francisco Administrative Code Sections 3.24, 3.25, 11.85, 11.86,11.87, 11.88 and 11.89 to implement these changes.

Existing Law

Chapter 3 of the San Francisco Administrative Code established the Committee on Information Technology (COIT), determined its composition and its duties. Chapter 11 of the San Francisco Administrative Code established the Department of Technology and assigned duties previously assigned to the Controller's Office and the Department of Electricity to the Department. It also established the Telecommunications Commission.

Amendments to Current Law

The proposed ordinance would establish the position and duties of the Chief Information Officer, and modify the responsibilities of COIT and the Department of Technology. The ordinance would also dissolve the Telecommunications Commission.

These provisions would be consolidated in a new Chapter 22A. Existing sections of the San Francisco Administrative Code would be relocated as follows: § 3.24 would be moved to § 22A.3, § 3.25 would be moved to § 22A.6, § 11.85 would be moved to § 22A.2, § 11.86 would be moved to § 22A.7, §§ 11.87, 11.88, 11.89 would be eliminated

Background Information

With the development of new and emerging technologies and the convergence of communications and information technology, the City must streamline and ensure maximum efficiency in planning and long term technological solutions. In order to achieve this goal, the City is modifying the responsibilities of COIT and creating the position of Chief Information Officer (CIO). COIT and the CIO will be responsible for long and short term technology planning and budgeting, the creation and implementation of information and communication technology standards and procedures, and ongoing planning, design, coordination, repair, maintenance and inspection of all proposed and current information and communications systems. The Department of Technology will provide staff support to COIT.

On October 3, 2007, the Budget Analyst of the Board of Supervisors submitted to the Board of Supervisors a *Management Audit of San Francisco's Technology Practices* (Audit). The Audit contained six findings and 32 recommendations. The information and recommendations in the Audit include the following:

(1) In fiscal year 2006-2007 the City spent more than an estimated \$173 million on its information and technology systems, an estimated \$90 million of which was paid by the general fund.

(2) The City has limited central oversight of technology expenditures and an inadequate process for planning and purchasing information technology systems. The City should establish a Citywide information technology capital planning process under the direction of COIT.

(3) COIT should take the lead in planning for the City's information technology systems and in coordinating projects and funding Citywide and between departments. COIT should also develop project management policies and procedures for information

technology projects.

(4) Improving the technology planning, funding and implementation process citywide will reduce costs, improve efficiency, and result in better services among City

departments and to the public.

(5) The City therefore, through COIT, should develop a ten-year Technology Capital Expenditure Plan to be approved annually by the Mayor and Board of Supervisors. The plan should identify new technology capital project investments and

determine how to fund those projects.

- (6) The capital expenditure plan shall include all recommended capital project investments for each year of the plan. The plan shall incorporate all major planned investments to maintain, repair, and improve the condition of the City's capital assets, including but not limited to city streets, sidewalks, parks, and rights-of-way; public transit infrastructure; airport and port; water, sewer, and power utilities; and all City-owned facilities.
- (7) The capital expenditure plan shall include a plan of finance for all recommended investments, including proposed uses of General and Enterprise Funds to be spent to meet these requirements. Additionally, the plan shall recommend the use and timing of long-term debt to fund planned capital expenditures, including General Obligation bond measures.

(8) The capital expenditure plan shall include a summary of operating costs and impacts on City operations that are projected to result from capital investments recommended in the plan. This operations review shall include expected changes in the

cost and quality of City service delivery.

(9) The plan shall also include a summary and description of projects deferred from the ten-year capital expenditure plan given non-availability of funding necessary to

meet assessed capital needs.

(10) The City should also establish a Technology Capital Planning Committee to determine the City's capital spending priorities, assist COIT in the development of the annual Technology Capital Expenditure Plan, and ensure compliance with the adopted Technology Capital Expenditure Plan.