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COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee:	Budget and Finance	Date: Ju	ne 23, 2010
Board of Su	pervisors Meeting	Date:	6/29/10
Cmte Boa	rd		
	Motion Resolution Ordinance Legislative Digest Budget Analyst Report Legislative Analyst Report Introduction Form (for hearings) Department/Agency Cover Letter ar MOU Grant Information Form Grant Budget Subcontract Budget Contract/Agreement Award Letter Application Public Correspondence		řŤ
			une 18, 2010
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An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.

NOTE:

SEC. 22A.1. FINDINGS.

[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.

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

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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:

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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.

Advances in ICT are immense in scope and complexity, and progressing rapidly. The nature of the advances presents the City with the opportunity to provide higher

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quality, more timely, and more cost-effective governmental services.

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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> Supervisor Chiu **BOARD OF SUPERVISORS**

<u>E</u>	The sharing of ICT technologies among agencies is often the most cost-effective method
of providing t	he highest quality and most timely governmental services that would otherwise be cost
prohibitive.	

- F. Considerations of both cost and the need for the transfer of information among the various departments in the most timely and useful form possible require a uniform policy and coordinated system for the use and acquisition of ICT technologies.
- G. It is the policy of the City to coordinate and direct the use of ICT technologies by City

 Departments and to provide the most cost-effective and useful retrieval and exchange of information

 both within and among City Departments and from City Departments to the people of San Francisco.

SEC. 22A.2. DEFINITIONS.

For purpose only of this Chapter 22A the following words shall have the meanings given herein:

- (a) "Board" means the San Francisco Board of Supervisors.
- (b) "Charter" means the Charter of the City and County of San Francisco.
- (c) "City" means the City and County of San Francisco.
- (d) "COIT" means the Committee on Information and Communications Technology.
- (e) "Department" means the Department of Technology.
- (f) "Information and Communications Technology" means information and communications technology and computer-based equipment and related services designed for the storage, manipulation, and retrieval of data by electronic or mechanical means, or both.
- (g) "Chief Information Officer" means the Chief Information Officer appointed pursuant to section 2A.26 22A.4.
- (h) "City Department" means all of the departments, commissions, boards, agencies, bureaus, and institutions in the City government.

- (a) COIT shall be chaired by the CIO and composed of an additional four (4) five (5) 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, 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, (dc) Community Health, (ed) Culture and Recreation, and (fe) General Administration and Finance; and twothree 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. The five permanent members and eight non-permanent members will be voting members of COIT.
- (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.

- (d) COIT shall monitor compliance of all City Departments with adopted ICT plans, budgets, projects, standards, policies and procedures.
- (e) COIT shall ensure the most cost-effective and useful retrieval and exchange of information both within and among City Departments and from the City to the people of San Francisco.
- (f) There will be two additional non voting members of COIT selected by the voting members of COIT. These individuals cannot be employees of the City and County of San Francisco and shall have expertise in fields of ICT innovation and advances, emerging ICT applications, and public policy issues related to ICT.
- of Technology and all other City Departments' ICT planning and purchases in the ICT Capital and Operating Plan and the annual reviews of the plan. The factors to be evaluated in determining the performance of all departments shall include, but are not limited to: quality of service level agreements, adherence to budgeted costs, and cost recovery methodology for all ICT products and services provided by City Departments, including the Department of Technology.
- (h) COIT shall work to ensure adequate City ICT workforce development, including training and certification in order to maintain the competitiveness of City ICT staff.
- (i) COIT will review and approve procedures, developed by the Office of Contract

 Administration and the Department of Technology, for the development and administration of

 ICT enterprise agreements. The factors addressed by the procedures will include, but not be

 limited to; (1) Whether the purchase is consistent with the City's current ICT Capital and

 Operating Plan; (2) Whether the purchase is the most economical method of obtaining the

 highest-quality products and services; (3) The best interests of the City.

(f)(j) The Department of Technology shall provide support to the COIT. COIT shall review and approve the Department's annual plan, budget, and staffing required to support COIT the Committee.

SEC. 22A.4. CHIEF INFORMATION OFFICER.

- (a) Establishment and Composition: There is hereby created the position of Chief Information Officer (CIO) for the City and County of San Francisco. The CIO shall:
 - (1) Be appointed by the Mayor.
- (2) Serve as the Chair of a permanent member of the Committee on Information

 Technology (COIT) with the authority and responsibility to develop recommendations and implement

 COIT standards, policies, and procedures for all City Departments.
- (3) Serve as the Director of the Department of Technology with the oversight for responsibility for making recommendations regarding development, implementation, maintenance, operation, and support of all citywide ICT.
- (b) Purpose and Duties: The CIO shall (i) monitor trends and advances in ICT; (ii) advise the Mayor, Board of Supervisors, and City Departments regarding opportunities to provide higher quality, more timely, and more cost-effective governmental services; (iii) ensure coordinated and non-duplicative acquisition of ICT technologies for maximum cost effectiveness and use; (iv) ensure sharing of ICT technologies among City Departments as the most cost-effective method of providing the highest quality and most timely governmental services that could otherwise be cost prohibitive; (v) develop uniform policies and coordinated systems for the use, acquisition, and implementation of ICT technologies; and (vi) establish Citywide standards, and procedures to ensure cost-effective and useful retrieval and exchange of information both within and among the various City Departments and from the City to the people of San Francisco.

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The CIO shall (i) consult with City Departments about ICT staffing needs and develop an ICT staffing plan for review and approval by COIT; and (ii) monitor hiring of ICT staff and adherence to the ICT staffing plan adopted by COIT.

(d) The CIO shall develop for the review and approval of COIT policies and procedures for the effective management of technology investments throughout their entire life-cycle including, but not limited to project definition, procurement, development, implementation, operation, performance evaluation, and enhancement or retirement.

SEC. 22A.5. DUTY OF ALL DEPARTMENTS TO COORDINATE INFORMATION AND COMMUNICATIONS TECHNOLOGY.

All City Departments shall, to the extent allowable by the Charter, participate with and advise the CIO on the creation of the ICT plan and shall:

- Be in compliance with the City's five-year and annual ICT plans. (1)
- Specify the department's ICT procurement and system acquisition plans for the planning period.
- Consult with the CIO regarding ICT procurement and staffing and develop procurement and staffing plans consistent with the ICT plan.
- Identify risks, issues, and concerns with the department's information technology infrastructure.
- Cooperate with the CIO, COIT and Department of Technology in developing and implementing processes for the sharing of data and information with the Department and between City departments.
 - Cooperate with citywide efforts to standardize ICT resources. (6)
- Provide to COIT, when requested, complete and accurate accounting of all planned and expended ICT funds.

SECTION 22A.6. ICT CAPITAL AND OPERATING PLAN

- (1) By May I, 2011, and by March I 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 1 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.
- (3) Enforcing the customer service and consumer protection standards contained in:

 (1) California Government code Sections 53055, 53055.1, 53055.2, and 53088.2; and (2) Title 47,

 Code of Federal Regulations, Section 76.309(c), or any other customer service standards pertaining to the provision of video service subsequently established by federal law or adopted by federal regulation.

(4) Overseeing the use and opera	tion of the cable television	n public, educational and
governmental access channels.	·	•

- (5) Planning, design, coordination, installation, repair, operation, maintenance, and inspection of all proposed and current ICT equipment, facilities and services owned, operated, and subscribed to by the City or any department, board, commission, or agency (City Department) and ensuring such facilities and equipment are installed, maintained and operated in compliance with state, federal and local laws, rules and regulations.
- (65) Advising COIT as to compliance with adopted ICT policies, standards, and funding plans.
 - (76) Implementing the multi-year City ICT Plan.
 - (87) Providing staff support to the committee on Information Technology.
- (98) Advising the Mayor, the Board of Supervisors, and the CIO regarding ICT for City residents and businesses.
- (109) Installing, repairing, maintaining and inspecting ICT infrastructure to serve federal, state, and regional agencies, non-profit agencies, businesses, individuals, and telecommunications and information service providers, provided that the entity to be served pays for the department's costs of providing such services, and further provided that providing such services would not interfere with the operations of the department or impair services to City departments.
- (4110) Developing and encouraging a world wide web-based City government and facilitate the dissemination of information onto the web.
- (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.

Charter.

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

Section 2. Chapters 3 and 11 of the Administrative Code are hereby amended by repealing Sections 3.24, 3.25, 11.85,11.86, 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 cooperation 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 heads 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 Chapter 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 eonsist 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.

 $\textit{(b)} The \ Department \ shall \ assume \ responsibility \ for:$

(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 eable 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 Board 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.

 SEC. 11.87. ESTABLISHMENT OF COMMISSION.
- (a) Establishment of Commission. A Telecommunications Commission for the City and County of San Francisco is hereby created consisting of five voting members.

subject to approval or rejection by Resolution of the Board. Members may be removed by the Mayor. No person shall be eligible to serve as a member who is a telecommunications provider or is employed by a telecommunications provider within the City that may have business before the Commission. (c) Composition of Commission. Appointments, qualifications and composition of the Commission shall be consistent with the requirements of Section 4.101 of the Charter. At least one member of the Commission shall be drawn from among people with expertise in fields related to the Commission's work, including, but not limited to telecommunications management and telecommunications engineering. At least one member of the Commission shall represent the public, educational and government access to telecommunications and information services technologies. At least two members shall represent the interests of consumers and the general public. (d) Terms of Office. The Mayor shall designate one member who is first appointed to serve a term of one year, two of the members who are first appointed to serve for terms of two years and two of the members who are first appointed to serve for terms of three years. Thereafter, members shall serve for terms of three years. At its first meeting, and annually thereafter, the Commission shall elect a chair (e) Resignation by Operation of Law/Removal of Commissioners. Any member whom the Commission certifies to have missed three regularly scheduled meetings of the Commission in any 12month period without prior authorization of the Commission shall be deemed to have resigned from the Commission effective on the date of the written certification from the Commission. (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

Supervisor Chiu **BOARD OF SUPERVISORS**

Ву:

(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.
(b) In addition to the functions prescribed in (a) above, the Commission shall evaluate City
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 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
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

Supervisor Chiu
BOARD OF SUPERVISORS

Margarita Gutierrez Deputy City Attorney

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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.