

RESOLUTION NO. _____ (N.C.S.)

**A RESOLUTION OF THE CITY OF SALINAS ESTABLISHING AN
OPEN DATA POLICY**

WHEREAS, much of the data collected by the City of Salinas (hereafter, “the City”) is stored in ways which impede the ability to aggregate, analyze and synthesize it to better allocate public resources in an equitable manner; and

WHEREAS, access to public information promotes a higher level of civic engagement and makes it easier for interested individuals to provide valuable feedback to City officials regarding local issues; and

WHEREAS, everyone should receive prompt, efficient service from the City; and

WHEREAS, the thoughtful implementation of an open data program improves provision of services, increases transparency and access to public information, and enhances coordination and efficiencies among departments, partner organizations, and residents; and

WHEREAS, one goal of an Open Data policy is to proactively provide information currently sought through requests for public records, thereby saving the City time and money; and

WHEREAS, in commitment to the spirit of Open Government, the City will consider public information to be open by default and will proactively publish data and data containing information, consistent with relevant public records law; and

WHEREAS, information technologies, including web-based and other Internet applications and services, are an essential means for Open Government, and good government generally; and

WHEREAS, by publishing structured standardized data in machine readable formats the City seeks to encourage the local software community to develop software applications and tools to collect, organize, and share public records data in new and innovative ways; and

WHEREAS, the publishing of data provides benefits to the business community to produce tools and products with data that might better serve the public; and

WHEREAS, the protection of privacy, confidentiality and security will be maintained as a paramount priority while also advancing the City's transparency and accountability through open data; and

WHEREAS, the Open Data Policy supports all five elements of the 2016-19 City of Salinas Strategic Plan; and

WHEREAS, The City of Salinas has determined that the proposed action is not a project as defined by the California Environmental Quality Act (CEQA) (CEQA Guidelines Section 15378). In addition, CEQA Guidelines Section 15061 includes the general rule that CEQA applies only to activities which have the potential for causing a significant effect on the

environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Because the proposed action and this matter have no potential to cause any effect on the environment, or because it falls within a category of activities excluded as projects pursuant to CEQA Guidelines section 15378, this matter is not a project. Because the matter does not cause a direct or foreseeable indirect physical change on or in the environment, this matter is not a project. Any subsequent discretionary projects resulting from this action will be assessed for CEQA applicability.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SALINAS AS FOLLOWS:

Section 1. The above recitals are true and correct.

Section 2. The Open Data Policy is defined as follows:

ARTICLE I DEFINITIONS

a. “Data” means statistical, factual, quantitative, or qualitative information that is maintained or created by or on behalf of a city agency. This definition is inclusive of software source code developed or maintained by or on behalf of the City.

b. “Open data” means data that is available online, in an open format, with no legal encumbrances on use or reuse, and is available for all to access and download in bulk without fees or a requirement of registration. “Legal encumbrance” includes copyright protections and other, non-statutory legal limitations on how or under what conditions a dataset may be used. This definition is also inclusive of any software source code made available online (“open source software”).

c. “Open format” means any widely accepted, nonproprietary, platform-independent, machine-readable data format, which permits automated processing of such data and facilitates analysis and search capabilities.

d. “Dataset” means a named collection of related records, with the collection containing data organized or formatted in a specific or prescribed way, often in tabular form.

e. “Protected information” means any dataset or portion thereof to which an agency may deny access pursuant to applicable law or any other rule or regulation.

f. “Sensitive information” means any data that, if published by the City, could raise privacy, confidentiality or security concerns or have the potential to jeopardize public health, safety or welfare to an extent that is greater than the potential public benefit of publishing that data.

g. “Publishable data” means data which is not protected or sensitive and which has been prepared for release to the public.

h. “Metadata” means a set of data that describes and gives information about other data. It can include elements such as title, abstract, author, and keywords. It can also include system

metadata, which defines the data structures such as tables, fields, data types, indexes and partitions, as well as databases, dimensions, measures, and data mining models.

ARTICLE II OPEN DATA PROGRAM

a. OBJECTIVES

To maintain a working culture that promotes openness, transparency, accountability and reinforced by the practice of identifying and publishing Open Data;

To provide guidance for the creation and maintenance of an Open Data Portal where the City's publishable data will be available online;

To support the city's practice of evidence-based decision-making by establishing standard policies and procedures for identifying, publishing and maintaining Open Data;

To procure/create and actively promote the usage of an Open Data Portal that provides data and tools for utilizing and visualizing open data in ways that add value to the information provided and encourage community engagement with City programs and services;

To publish high quality, updated data with documentation (metadata) and permanence to encourage maximum use;

To provide or support access to free, historical archives of all released city data;

To measure the effectiveness of datasets made available through the Open Data Program by connecting open data efforts to the City's programmatic priorities;

To minimize limitations on the disclosure of public information while appropriately safeguarding protected and sensitive information; and

To support innovative uses of the City's publishable data by agencies, the public, and other partners.

b. COMMITMENT

Develop and implement practices that will allow the City to proactively release all publishable city data, making it freely available in appropriately varied and useful open formats, using an open license with no restrictions on use or reuse, and fully accessible to the broadest range of users to use for varying purposes;

c. APPLICABILITY

The requirements of this Program apply to any city department, office, administrative unit, commission, board, advisory committee or other division of city government ("agency"), including the records of third parties that create or acquire information, records, or data on behalf of a city department.

ARTICLE III GOVERNANCE

Implementation of the Open Data Program will be overseen by the Open Data

Coordinator (GIS Tech II), who will report to the City Manager and will work with the City's departments and agencies to:

For each city department, identify and publish appropriate contact information for a lead Open Data representative who will be responsible for managing that department's participation in the Open Data Program;

Oversee the creation of a comprehensive inventory of datasets held by each city department, that is published to the central open data location and is regularly updated;

Ensure that private or protected information is not released and all legal limitations are recognized and followed;

Develop and implement a process for determining the relative level of risk and public benefit associated with potentially sensitive, non-protected information so as to make a determination about whether and how to publish it;

Develop and implement a process for prioritizing the release of datasets which takes into account new and existing signals of interest from the public (such as the frequency of public records requests), the City's programmatic priorities, existing opportunities for data use in the public interest, and cost;

Proactively consult with members of the public, agency staff, journalists, researchers, and other stakeholders to identify the datasets which will have the greatest benefit to city residents if published in a high quality manner;

Establish processes for publishing datasets to the central open data location, including processes for ensuring that datasets are high quality, up-to-date, are in use-appropriate formats, and exclude protected and sensitive information;

Ensure that appropriate metadata are provided for each dataset in order to facilitate its use;

Develop and oversee a routinely updated, public timeline for new dataset publication and make recommendations for historical document inclusion, define a schedule for approved historical document publication;

Ensure that published datasets are available for bulk download and/or available via public application programming interfaces (APIs) without legal encumbrance;

Actively encourage agency and public participation by providing regular opportunities for feedback and collaboration.

ARTICLE IV OPEN DATA PORTAL

The City will create/maintain a publicly available location on the City's website or in another suitable online location where the City's published data will be available for download or viewing.

Published datasets shall be placed into the public domain. Dedicating datasets to the

public domain means that there are no restrictions or requirements placed on use of these datasets.

Each published dataset should be associated with contact information for the appropriate manager of that dataset as well as with a file layout or data dictionary that provides information about field labels and values.

City departments will specify a recommended data citation form available for viewing on the central online location for published city data to encourage responsible reuse of city data.

ARTICLE V OPEN DATA REPORT AND REVIEW

Within one year of the effective date of this Resolution, and thereafter no later than March 1st of each year, the Open Data Coordinator shall publish an annual Open Data Report. The report shall include an assessment of progress towards achievement of the goals of the City's Open Data Program, an assessment of how the City's open data work has furthered or will further the City's programmatic priorities, and a description and publication timeline for datasets envisioned to be published by the City in the following year.

During the review and reporting period, the Open Data Coordinator should also make suggestions for improving the City's open data management processes in order to ensure that the City continues to move towards the achievement of the policy's goals.

Section 3. The City Council hereby authorizes the City Manager to take such other actions and execute such other documents as are appropriate to effectuate the intent of this Resolution and the Agreement.

Section 4. This Resolution shall take effect immediately upon adoption

PASSED AND APPROVED this 6th Day of June 2017 by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

Joe Gunter, Mayor

ATTEST:

Patricia M. Barajas, City Clerk