Resolution No. 17-306

A resolution adopting an Open Data Policy for the City of Arlington, Texas

WHEREAS, the City Council has identified the *Put Technology to Work* Council Priority as an integral component in achieving the City's other four priorities including *Investing In Our Economy*, *Supporting Quality Education*, *Enhancing Regional Mobility*, and *Championing Great Neighborhoods*; and

WHEREAS, the City Council seeks to adopt an Open Data Policy to further the *Put Technology to Work* imperatives, specifically to "Engage Our Data;" and

WHEREAS, the adoption of an Open Data Policy improves provision of services, increases transparency and access to public information, and enhances coordination and efficiencies among City Departments and partner organizations; and

WHEREAS, by sharing data freely, the City seeks to develop opportunities for economic development, commerce, increased investment, and civic engagement for the citizens of Arlington; and

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

WHEREAS, this policy will also facilitate the proactive provision of information currently sought through Open Records Requests; NOW THEREFORE

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ARLINGTON, TEXAS:

I.

That the City Council hereby approves adoption of the Open Data Policy, to provide a means and mechanism to ensure the appropriate public provision of City datasets.

II.

Further, the Open Data Policy may be amended from time to time by resolution of the City Council.
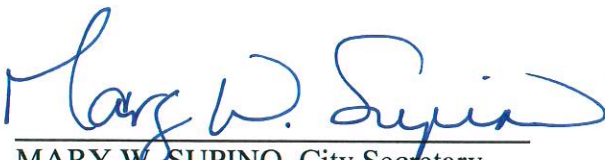
III.

A substantial copy of the Open Data Policy is attached hereto and incorporated herein for all intents and purposes.

PRESENTED AND PASSED on this the 17th day of October , 2017, by a vote of 8 ayes and 0 nays at a regular meeting of the City Council of the City of Arlington, Texas.

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W. JEFF WILLIAMS, Mayor

ATTEST:

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MARY W. SUPINO, City Secretary

APPROVED AS TO FORM:
TERIS SOLIS, City Attorney

BY_____

City of Arlington, Texas
Open Data Policy (*eff. date*)

I. SCOPE

This Open Data Policy shall apply to all Departments of the City of Arlington. This Policy only pertains to public data chosen for open data release.   Creation of this Policy does not create an obligation to populate any class of data to the City's Open Data Portal.

II. GENERAL POLICY AND OBJECTIVES

A.   This Policy is adopted to advance the following principles of the City of Arlington, to:

1.   Instill confidence and credibility through Open Data standards fostering increased transparency for Arlington citizens and its business community.

2.   Proactively share data in order to improve and encourage increased economic activity, development, and civic engagement by maximizing the value of public data.

3.   Adopt and mandate a comprehensive, citywide Open Data policy in order for the City of Arlington to reduce the duplication of services.

B.   To achieve these policies, it is the objective of the City of Arlington to:

1.   Prepare an annual report and comment on the state of the current Open Data program.

2.   Acknowledge that technology rapidly changes, and it is our duty to review and maintain revisions and additions that will continue to further the City Council's priority to Put Technology To Work.

3.   To enhance and expand cooperation with other governmental agencies, educational institutions, the public, non-profit, and private entities in fulfilling the goals of the City of Arlington.

C.   Each Department Head, or his/her designee, shall be responsible for carrying out this policy. Each Department Head, or his/her designee, may adopt supplemental rules, not inconsistent with this policy, and shall also have the responsibility to preserve the confidentiality of a public record or information in a public record that is confidential under Texas Government Code Chapter 552 (Texas Public Information Act), or other applicable law.

III. DEFINITIONS

In the interpretation and application of this policy, the terms defined in this section shall have the following meanings:

A.   "Data" shall refer to both structured and unstructured information types and is inclusive of geographic information system (GIS)files. Data shall have a classification as Public, or Sensitive/Restricted.

B.   "Data Inventory" means a catalog created by a Departmental Data Coordinator containing an inventory of all available Public Datasets of the Department and their available Metadata, excluding Sensitive/Restricted data.

C.   "Dataset" means identified organized collection of data. The most basic form of a Dataset is data elements presented in a tabular form, with each data element represented by a column. Each row corresponds to a given value of that column's data elements. Datasets may also present information in non-tabular formats such as a geospatial data file.

D.   "Departmental Data Coordinator" means the person within each Department of the City of Arlington who is designated by the Department Head, or his/her designee, to have the responsibility to catalog, classify and facilitate the potential submission for publication of Public Departmental Data.

E.   "IT" shall refer to the City's Department of Information Technology.

F.   "Metadata" means any information that is used to provide descriptive detail about a Dataset.

G.   "Open Data" means data that is collected by a Department covered by this Policy where the Department is permitted, required or able to make the data available to the public, consistent with any and all applicable laws, rules, regulations, ordinances, resolutions, policies or other restrictions, requirements or rights associated with the data, including but not limited to contractual or other legal orders, restrictions or requirements. Data shall not be Open Data if it meets the definition of Sensitive/Restricted.

H.   "Open Data Portal" means the Internet site established and maintained by or on behalf of City of Arlington, located at http://OpenArlington.com or any future successor website.

I.   "Sensitive/Restricted" means, but is not limited to (i) any record or portion thereof, disclosure of which could be denied under the Texas Government Code Chapter 552 or other law; (ii) any record that contains a significant amount of confidential information as to which access may be denied pursuant to the Texas Government Code Chapter 552 or any other law, if the removal of such confidential information from those records, that would otherwise meet the definition of Data or a Dataset, would impose an undue financial or administrative burden on the City of Arlington; (iii) any record that reflects the internal deliberative or administrative process(es) of any Department, including, but not limited to, records on negotiating positions, future procurements or pending or reasonably anticipated legal or administrative proceedings; (iv) any record subject to privacy laws, or to copyright, patent, trademark or trade secret protection, or that are otherwise protected by law or contract; (v) proprietary applications, computer code, software, operating systems or similar materials; (vi) employment records, internal employee-related directories or lists, facilities records , information technology, internal service-desk records or other records related to the internal administration of a Department; or (vii) any information which, if disclosed on the City of Arlington's Open Data Portal, would raise privacy, confidentiality or security concerns, or jeopardize or have the potential to jeopardize, public health, safety or welfare.

IV. DATA GOVERNANCE GROUP

A.   Each Department Head, or his/her designee, shall have the responsibility to designate a Departmental Data Coordinator or Coordinators, depending on departmental size and organization. Departmental Data Coordinators will serve as members of the City's Data Governance Group.

B.   The Departmental Data Coordinator will review the City Data Inventory.

    1.   A City Data Inventory shall initially consist of as many Datasets as it is feasible for the Department to identify as appropriate for posting to the Open Data Portal. Following the initial Dataset designation, the Departmental Data Coordinator shall continue to identify additional appropriate Datasets for inclusion in the City Data Inventory on an ongoing basis. In so doing, the Data Coordinator shall be guided by the standards to be developed as described in Section D.

C.   Total membership of the Data Governance Group includes and Executive Committee and a Working Committee

    1.   Executive Committee membership includes individual(s) from the City Management Office (CMO), City Attorney's Office (CAO), Office of Communications (OOC), Department of Information Technology (IT), and Department Heads.

    2.   Working Committee membership includes individual(s) who are designees of the Executive Committee and/or Departmental Data Coordinators.

D.   The Data Governance Group will serve as a resource to help establish standards for publication of Open Data and the most effective process for making such Open Data available as well as a timeline for implementation.

    1.   The Data Governance Group shall establish a process for publishing select datasets onto the City of Arlington Open Data Portal, including processes for ensuring datasets meet the standards laid out in Data Standards and Processes section and datasets that include information determined to be sensitive/restricted are excluded from publication.

    2.   The criteria to be used in establishing publication standards may include whether a data set is particularly useful to City of Arlington Departments, is of significant public interest (e.g. Open Records Requests), or presents particular sensitive/restricted data issues as determined by the Data Governance Group.

    3.   The Data Governance Group shall establish a process for reviewing the data for quality, proper use of unique identifiers (as appropriate), completeness, and correct documentation (metadata) before uploading to the Open Data Portal and regularly after data has been published.

    4.   The Data Governance Group shall be charged with establishing appropriate Open Data citation/reference form to be shared globally.

    5.   The Data Governance Group shall develop and oversee a routinely updated, public timeline for new dataset publication.

E.   The City will review Council's "Put Technology to Work" Priority, any future technology related Priorities, and associated policies, and where appropriate, aim to include such priorities and policies into budgetary processes.

V. OPEN DATA PORTAL

A.   The Open Data Portal shall serve as a central source for Open Data provided by the City of Arlington. Where required by state law, some Datasets will also be posted at their designated locations.

B.   The Open Data Portal shall be hosted at http://OpenArlington.com, or any future successor website.

C.   The Open Data Portal shall include a mechanism for the public to provide suggestions about what Open Data should be a priority for publication, to give feedback on the published Open Data, and to provide input on the program in general. The Department Head, or his/her designee, in consultation with the City Attorney's Office, the City Manager's Office and IT, reserves all rights to determine whether any cataloged Dataset shall be published as Open Data.

VI. DATA STANDARDS AND PROCESSES

To the extent practicable, and except as otherwise provided herein:

A.   Departments shall submit data for publication in the Open Data Portal, regardless of whether it has been or will be also published elsewhere.

B.   Departments shall provide Datasets without cost for publication with reasonable, user-friendly registration requirements, license requirements, or restrictions on the use and distribution of Datasets.

C.   Departments, in providing Open Datasets, shall employ the use and licensing standards outlined in the Attribution 4.0 International (CC BY 4.0) Creative Commons License. In summary, this license allows for free "shar[ing] (copy and redistribute the material in any medium or format) and adapt[ation] (remix, transform, and build upon the material for any purpose, even commercially)" if proper "attribution is followed (…must give appropriate credit, provide a link to the license, and indicate if changes were made. [The user] may do so in any reasonable manner, but not in any way that suggests the licensor endorses you or your use.)" Full license documentation is available at https://creativecommons.org/licenses/by/4.0/legalcode.

D.   Data shall be collected and released to the extent possible in machine-readable, open formats based on common data standards that allow for automated processing.

E.   Where possible, the collection, creation, and publication of Open Data Dataset processes will utilize guidance and templates recommended by the Data Governance Group.

F.   Datasets shall be complete and available in a timely manner, and when possible (per security and data review protocols) should be available for bulk download along with publicly-accessible APIs.

G.   When working with outside organizations, contractors, etc., request, where possible, that all data created or provided by these organizations for the City must meet the same standards as data created within or by City Departments.

H.   The Data Governance Group shall consider the possibility of digitizing and publishing archival data when and if time and cost permit it.

I.	To optimize data quality and timeliness, Departments should take advantage of online data-collection methods, such as e-filing.

J.	Once released, digitized government data will remain available, "findable" at a stable online location or through archives as per the City's Document Retention Schedule.

## VII.	REQUIRE PUBLISHING METADATA DOCUMENTATION.

Prior to submitting an Open Dataset for publishing, each Department Head, or his/her designee, shall have the responsibility to provide sufficient metadata needed to understand what the Datasets are and their characteristics.

For all datasets hosted on the City of Arlington Open Data Portal, the following metadata requirements shall be provided:

- Name and contact information of department responsible for maintaining dataset.
- Frequency of data update and date and time of most recent update.
- Clear labels and definitions of included data.

Where extensive metadata is available, it shall be made available using relevant industry standards.

## VIII.	CREATE OR EXPLORE POTENTIAL PUBLIC/PRIVATE PARTNERSHIPS.

A.	Subject to the recommendation of the Data Governance Group, the City shall have the authority to explore agreements with external partners to publish and maintain Datasets that are open and freely available while respecting the privacy and security of Safety-Sensitive data.

B.	The Departments of the City of Arlington within the scope of this policy will aspire to:

1.	Enhance and expand cooperation among City of Arlington departments and agencies, other governmental agencies, private and nonprofit entities, and the public.

2.	Fulfill City of Arlington goals and priorities, including proposals to: (i) use technology platforms and links to appropriate websites, (ii) improve and inform the public about existing collaboration efforts, and (iii) increase use of innovative methods to obtain ideas from, and to increase collaboration with, those in the private sector, nonprofit and academic communities.

## IX.	RESERVATIONS AND DISCLAIMERS

A.	Open Data available on the City's Open Data Portal shall be provided under the following disclaimer as available on the Portal website: "The City of Arlington does not warrant or make representations or endorsements as to any of the information listed on this website or any of the external links listed on this page. Such materials have been compiled from a variety of sources, and are subject to change without notice from the City of Arlington. The City specifically disclaims and accepts no responsibility for any errors of any of the information listed above, and any other errors or omissions that may occur. The use of this list and the data or information contained therein shall be at the sole risk of the party using such data or information.

Some of the links on this page and subsequent pages may lead to resources outside the City of Arlington municipal government. The presence of external links should not be construed as an

endorsement of these sites or their content by the City of Arlington. The City of Arlington is not responsible for, and specifically disclaims responsibility for, the content of any such external link."

B.   The City reserves the right to discontinue availability of content on its Open Data Portal at any time and for any reason. If a Dataset accessible on the Open Data Portal and the City, by or through whatever means, is notified or otherwise learns that any Dataset or portion thereof posted on the Open Data Portal is factually inaccurate, misleading, or contains protected information or sensitive information the City will, as appropriate, promptly correct or remove, or cause to be corrected or removed, such Data from the Open Data Portal.

C.   Nothing in this policy shall be construed to create a private right of action to enforce any provision of this policy. Failure to comply with any provision of this policy shall not result in any liability to the City of Arlington, Texas.

X. FUTURE REVIEW FOR POTENTIAL CHANGES TO THIS POLICY

In acknowledgment that technology changes rapidly, in the future, the Open Data Policy should be reviewed for revisions or additions that will continue to position the City of Arlington as a leader on issues of openness, efficiency, collaboration, and information technology best practices.