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AMENDED BY: Resolution No. (date of resolution)		

BACKGROUND

The City of Chula Vista is committed to the principles of open, accessible, efficient, and transparent government, and the use of technology to help put those principles into practice. The City recognizes that through making data publicly available and easily accessible, the City will empower the community, promote civic engagement, improve service delivery, and increase opportunities for economic development.

PURPOSE

This Policy creates a process for making City data available to the public using open standards, whenever possible. It incorporates best practices from other governmental entities around the country and is informed by input received from Chula Vista residents, businesses, and key community stakeholders. This Policy does not modify the City's record retention policies, schedules or requirements. Notwithstanding anything contained in this Policy, the City will continue to comply in all respects with the California Public Records Act (the "Act"). If there is a conflict between this Policy and the Act, or other applicable federal, state, or local laws, the City will act in accordance with applicable law.

POLICY

1. Definitions:

    1.1. **Data:** Structured information. Includes narrative, textual, geospatial, tabular, legislative, statistical, factual, quantitative, or qualitative information.

    1.2. **Dataset:** A collection of Data presented in tabular or non-tabular form.

    1.3. **Common Data Standards:** Any set of Data collection standards designed to promote Interoperability across agencies and organizations.

    1.4. **Interoperability:** The ability of different information technology systems, software and Data applications to communicate and exchange Data.

    1.5. **Metadata:** Data that describes a dataset. Summarizes information about a Dataset, such as a date range, a Dataset description, the manager of the Dataset, etc.

    1.6. **Open Data:** Data made open and freely available to the public.

    1.7. **Machine-Readable:** Any widely-acceptable, nonproprietary, platform-independent, machine readable method of formatting Data (such as JSON, XML, and API's) which permits automated processing of such Data and facilitates search capabilities.

    1.8. **Web Portal:** A collection of web services, accessible from a single web site, maintained by or on behalf of the City that will be the repository and public access point for the City's

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Open Data and will include features that facilitate comments and questions from the public.

2. Open Data Policy Goals

2.1. The City will consider all City Data that is collected and generated to be open unless subject to the limitations of applicable law or this Policy. Over time and whenever possible, the City will publish appropriate Datasets on the City's Web Portal, except where the posting of such Data would be in violation of this Policy or where such Data is shielded by law from disclosure.

2.2. The City will make an effort, to the extent possible, to ensure frequent update of Datasets on the City's Web Portal.

2.3. The City will make an effort, to the extent possible, to measure the effectiveness of Datasets made available by connecting Open Data efforts to the City's budget priorities.

2.4. The City will make an effort to ensure that any new information systems acquired by the City have the Data reporting capability that is consistent with the Open Data standards in this Policy.

2.5. The City will make an effort, to the extent possible, to acquire the rights for Data generated by City vendors or other third parties. This may include, but is not limited to incorporating provisions within agreements with third parties to ensure the City retains ownership of its Data and the ability to make such Data public, when appropriate.

3. Open Data Standards

3.1. City information should, whenever possible, and legally permissible, be open and Machine Readable to maximize the public benefit from publishing Data to the public.

3.2. City information should be managed as an asset throughout its lifecycle (i.e. Data creation/collection, processing, dissemination, use, storage, and disposition) to promote Interoperability and ensure that City Data released to the public is easy to find, accessible, and usable by the public.

3.3. City information collection and generation efforts, whenever possible, should be designed to support Interoperability between information systems and dissemination of information to the public, without the need for retrofits or modifications.

3.4. Posting of Data to the City Web Portal where the public release of such Data would be in violation of the law, including laws governing privacy or privileged information, or would violate contractual or proprietary rights or would jeopardize the security of individuals or property is excluded from this Policy.

4. Open Data Governance

4.1. The implementation of the practices outlined in this Policy shall be overseen by a Data

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governance committee consisting of City staff and reporting to the City Manager or to his/her authorized designee.

5. Creation and Collection of Data

   5.1. The City will make an effort, whenever possible, to use Machine-Readable and open formats for City information as it is collected or created. This includes, but is not limited to the use of open formats that are non-proprietary, publicly available, and without restrictions on their use.

   5.2. The City will make an effort, whenever possible, to use Common Data Standards in the collection and creation of City information to promote Data Interoperability regardless of format.

   5.3. The City will make an effort, whenever possible, to apply open licenses to City information as it is collected or created to ensure that as Data is made public, there are no restrictions on copying, publishing, or distributing of public Data.

   5.4. The City will make an effort, whenever possible, to provide the following Metadata for all information Datasets:

       5.4.1. Department responsible for maintaining the Dataset

       5.4.2. Date and time of last update

       5.4.3. Each Data field should have clear Data labels

       5.4.4. Source of the Dataset

6. Publishing Data

   6.1. It shall be the policy of the City to ensure that Data posted to the Web Portal will meet the following criteria:

       6.1.1. Searchable electronically using commonly used Internet search applications.

       6.1.2. Machine-Readable and independent of any platform.

       6.1.3. Available for free to the public.

       6.1.4. Encourage public participation by providing opportunities for feedback.

7. Prioritizing Data for Posting

   7.1. The City will establish an internal process to prioritize the posting of City Data to the Web Portal. The City will evaluate each Dataset and develop a ranking based on the criteria below. This ranking will be subject to modification as conditions change:

       7.1.1. Demand and level of interest from residents and City Council.

       7.1.2. What impact posting Data will have towards improving transparency and

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delivery of City services.

7.1.3. Quality and accuracy of Datasets.

7.1.4. Technical challenges and ease of publishing Dataset to the Web Portal.

8. Acquiring New Information Systems

8.1. The City will make an effort, whenever possible, to ensure that new information systems, acquired by the City, can effectively meet the Data reporting standards outlined in this Policy, except where doing so would be impracticable, unnecessarily costly, or significantly impact business operations.

9. Implementation of the Open Data Policy

9.1. The City Manager, or his/her designee, shall provide written guidelines on the implementation of this Open Data Policy. City departments shall make Datasets available in accordance with the written guidelines.

10. Terms of Use

10.1.   The City Manager, or his/her designee, shall ensure that an appropriate disclaimer and terms of use are placed on the City Web Portal which shall include, but not be limited to, the following: (a) Public Datasets are provided for informational purposes only; (b) the City does not warrant the completeness, accuracy, content, or fitness for any particular purpose or use of any Public Dataset made available on the Web Portal, nor are any such warranties to be implied or inferred with respect to the Public Datasets furnished therein; and (c) the City is not liable for any deficiencies in the completeness, accuracy, content, or fitness for any particular purpose or use of any Public Dataset, or application utilizing such data set.

10.2.   This Open Data policy shall not be construed to create a private right of action to enforce its provisions, and failure to comply with this policy shall not result in liability to the City. The City reserves the right to discontinue availability of content on the Web Portal at any time and for any reason.

SCOPE

All City Departments

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I certify that this is the true and correct version of said Policy, adopted by the City Council of the City of Chula Vista on this date _____.

Signed: **Dated:**