



**AN ORDER TO ESTABLISH THE CITY OF MEMPHIS
DATA GOVERNANCE COMMITTEE**

WHEREAS, the City of Memphis currently makes documents and other data available to the public through its Open Record Process; and

WHEREAS, the City is committed to expanding the data it makes available to the public without the necessity of making an Open Record Request and providing the tools for understanding and interpretation of the data; and

WHEREAS, the City of Memphis is creating an open data program to increase the ability of residents to monitor and measure certain City goals and results, expand the ability of the City of Memphis to use data to improve core city functions, and broaden the number of opportunities for the City of Memphis to collaborate with individuals as well as public, non-profit, academic and private sector groups to address the needs of the community; and

WHEREAS, the adoption of an Open Data Policy will set forth the principles of the Memphis Open Data Program and establish a Data Governance Committee; and

WHEREAS, the Data Governance Committee will develop and recommend policies, procedures and standards for implementation of the Open Data Policy to the Mayor, including a means by which to determine the Data or Data Sets that are

appropriate for public disclosure and a timeline for program implementation.

NOW THEREFORE, I, Jim Strickland, Mayor of the City of Memphis, Tennessee by virtue of the executive and administrative authority vested in me by the Charter of the City of Memphis and statutes and law of Tennessee, do hereby direct and order as follows:

I. Open Data Principles

A. The City of Memphis and parties acting on its behalf shall proactively make recommendations as to the City data which should be made available and will make the information available through the City's website when appropriate, subject to Tennessee Public Records Act and other local, state and federal rules, regulations and laws.

B. Whenever technically possible, data and accompanying metadata shall be made available and be published in machine-readable form.

C. Datasets which have been placed on the open data portal shall be made available without any registration or license requirement.

D. The City of Memphis shall license any Open Data it publishes for free re-use to ensure clarity of copyright without legal responsibility or liability for publishing such data in accordance with any City policy, local, state or federal rule, regulation and law. While not required, the City of Memphis requests that subsequent publication of the data or datasets include a proper citation. The suggested format is: City of Memphis, Open Data Program, *Name of Dataset*, [date accessed][website address]. If the data is published with any material changes then the publisher is required to note such changes.

E. The City of Memphis will document and publish the manner in which the data is collected and datasets created for publication on the Open Data Program.

F. The Mayor will be the final decision maker on what data and datasets are made available on the Open Data portal.

G. To the extent data is not available on the Open Data Portal, requests for such information shall be made through the Open Record Process.

II. Data Governance Committee

A. A Data Governance Committee will be established by the Mayor to develop internal procedures, policies, rules and standards for implementation of the Open Data Policy, including a means by which to determine the Data or Data Sets that are appropriate for public disclosure and a timeline for policy implementation. No data which is considered Protected Information shall be disclosed.

B. The Data Governance Committee will review Data and Data Set specifications. At minimum, the Data Governance Committee will consist of representatives from Information Services, Office of Performance Management, City Attorney's Office, Office of Communications, Office of the COO, and a minimum of two members of the public. The public members will be nominated by the Mayor and approved by the City Council for a two-year term. The final determination as to which Data and Data Sets will be published under the Open Data Program shall remain with the Mayor. The final determination as to which Data and Data Sets are considered protected and confidential shall remain with the City Attorney's Office.

C. The Data Governance Committee, with assistance from the OPM, shall:

1. Create and maintain the Open Data Playbook and related documents that govern the City's Open Data Program. The Playbook shall be reviewed and updated as necessary at least annually.
2. Ensure that datasets published to the open data portal are available in machine-readable formats that permit processing of the data for download through an automated programming interface (API) or bulk download.
3. Maintain and make public a master City of Memphis data catalog that lists all available data and datasets.

4. If it is determined that certain information is protected from disclosure that is contained within the data or datasets that the Mayor has determined shall be made available on the data portal, OPM shall work with the Division Open Data Champion and the City Attorney's office to determine what if any data or datasets may be released.
5. Ensure that data published through the Open Data Program adheres to the open data, security, retention and public disclosure policies and standards as required by law.
6. Communicate the City of Memphis open data policies and standards to the public, department management and Open Data Champions.
7. Review and approve for accuracy all data and datasets prior to its initial publication to the open data portal.
8. Provide training and support for department Open Data Champions. The training will be provided by the OPM.
9. Annually update and publish the Open Data Plan based on recommendations and requirements solicited from elected officials, department management, department open data champions, business partners and members of the public.

III. Stakeholder Engagement

The OPM and the Data Governance Committee, working with other City divisions and partners, shall:

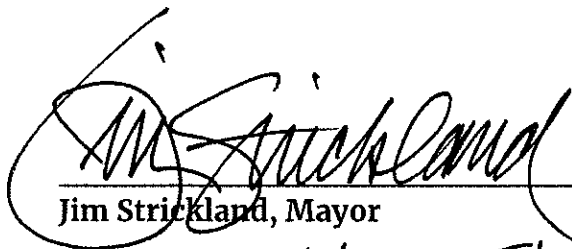
- A. Create regular opportunities for members of the public, City employees and other individuals acting on the City's behalf, and other stakeholders to work collaboratively on recommendations for how the City should provide and use data, as well as how the City can use the directives in this Policy to develop, deliver, monitor and measure the success of its Open Data Program.
- B. Implement a mechanism or mechanisms to solicit public feedback and encourage discussion on policies and public data datasets available on the open data portal.
- C. Consider requests received through such mechanisms when prioritizing data or datasets for release, and incorporate these recommendations into the annual Open Data plan.

IV. Definitions:

- A. Application Program Interface (API): A set of subroutine definitions, protocols, and tools for building application software.
- B. City of Memphis Data: All data created, collected and/or maintained by the City of Memphis or by contractors or agencies on the City's behalf.
- C. Data Governance Committee: A cross-functional committee made up of representatives from the Chief Operating Officer, Office of Performance Management, Information Services, the City Attorney's Office, divisional open data champions, and interested outside parties.
- D. Machine-Readable: Any widely-accepted, nonproprietary, platform-independent, machine-readable method for formatting data (such as JSON, XML and API) which permits automated processing of such data and facilitates search capabilities.
- E. Metadata: Any information that is used to provide descriptive detail about a Dataset, i.e., a data dictionary.
- F. Open Data: Specific datasets, as determined by the Mayor and the City Attorney's office, that are made available to the public by the City.
- G. Open Data Champion: Designated by each department, this person serves as the point of contact and coordinator for that department's publishing of Open Data.
- H. Open Data Playbook: Guide defining strategies City departments and offices can implement to making their data open, encourage public use consistent with the City's privacy and security policies, and realize benefits for their departments.
- I. Open Data Portal: data.memphistn.gov, the City's catalog and primary repository for Open Data.
- J. Open Data Program: Program dedicated to making City of Memphis data available to the public and engaging civic technologists, the research community, and other partners to make use of Open Data in support of the Program's goals.

K. Protected Information: Includes, but is not limited to 1) all confidential or restricted information, as defined by the Tennessee Public Records Act, the Privacy Act, the Health Insurance Portability and Accountability Act or any other state or federal law shall be made available under this Policy; 2) any record that contains a significant amount of confidential information as to which access may be denied pursuant to the TPRA 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; (3) 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; (4) any record subject to privacy laws, or to copyright, patent, trademark or trade secret protection, or that are otherwise protected by law or contract; (5) proprietary applications, computer code, software, operating systems or similar materials; (6) employment records, internal employee-related directories or lists, facilities record, information technology, internal service-desk records or other records related to the internal administration of a Department; or (7) any information which, if disclosed on the City's Open Data Portal, would raise privacy, confidentiality or security concerns, or jeopardize or have the potential to jeopardize, public health, safety or welfare.

Upon signature, this order shall become effective on Feb. 1, 2018



Jim Strickland, Mayor

Executed this 1st day of February 2018