Monterey County

Board Order

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Upon motion of Supervisor Potter, seconded by Supervisor Armenta and carried by those members present, the Board of Supervisors hereby:

a. Approved the County GIS Data Sharing Policy; and
b. Authorized Information Technology staff to implement the Policy as a County Service.

PASSED AND ADOPTED on this 6th day of May 2014, by the following vote, to wit:

AYES: Supervisors Armenta, Calcagno, Salinas, Parker and Potter
NOES: None
ABSENT: None

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 77 for the meeting on May 6, 2014.

Dated: May 6, 2014
File Number: 14-362

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By ___Denise Hancock___
                        Deputy

COUNTY OF MONTEREY
Geographic Information Systems (GIS) Data Distribution Policy

A. INTRODUCTION

The County of Monterey has expended significant time and resources to build a Geographic Information Systems (GIS) database to enable its various departments to serve the citizens of the County and region. A GIS database cannot be commercially purchased; it must be built up over time and constantly maintained and updated. GIS databases, like that created by the County, is an endeavor which is beyond the ability of most smaller public and private entities.

The County's GIS database contains information that is responsive and focused on its government purposes. Some of the data stored within the GIS database can also be beneficial to businesses, individuals, and other local governments. However, the GIS database also contains information which should be considered and treated as confidential and security sensitive.
The County desires to make the non-confidential and non-security sensitive— GIS data available to public and private entities, in order to minimize redundancies and achieve economic efficiencies. The County also desires to make these GIS data bases available by the most expeditious and efficient means possible. Allowing interested parties to download said data from the County's website is both convenient to the public while having minimal impact to staff workload.

Accordingly, the Board of Supervisors has adopted this Distribution Policy.

B. FINDINGS

The Board of Supervisors finds that it is in the best interests of the County and the citizens to allow public and private persons and entities to use portions of the County's GIS Database.

C. AUTHORITY

This policy is adopted in consideration of the provisions of the California Public Records Act (Government Code §6250 *et seq.*, including sections 6254.9), requiring release of certain government records but at the same time allowing a public agency to sell, lease, or license computer software developed by the agency for commercial or non-commercial purposes.

D. INTENT

The intent of this GIS Database Distribution Policy is to make portions of the data within the County's GIS database available to the public at no cost

E. CATEGORIES OF ACCESS

1. Confidential/Security Sensitive......................Cannot be distributed.
2. Everything else... Must be distributed.

F. CATEGORIES OF FEES SCHEDULES

If a requesting party requests that the County create a document, perform custom assembly of data, merge documents, compile County GIS Data layers, or custom cartography, data filtering, clipping or parsing, overlay analysis, data development, or any other unique service, any and all charges will be based upon established County rates for the respective fiscal year and will be no different from those charged to any and all customers. The requesting party shall pay for the charges which represent the County recovery of no more than the costs of preparing the documentation as authorized pursuant to Government Code section 6254.9.

If a requesting party engages in self-service through the County website to assemble and compile data from the County without assistance from County personnel, the above charges shall not apply.

All required fees shall be payable to the County of Monterey and allocated to the Monterey County Information Technology Department to defray in part the costs of maintaining and enhancing the County GIS Database. A copy of all special requests as described above will only be retained for a period of 15 calendar days past production and then will be erased, deleted and/or destroyed. Any request received within that timeframe for the identical information would be available at the copy rate, and any deviation or request after the set time period would result in the 'creation' fee.

G. STANDARD TERMS AND CONDITIONS

All parties downloading County's GIS data shall digitally acknowledge the County's limited liability (Attachment 3) statement before being permitted access to the data base.

H. AGREEMENTS WITH PUBLIC ENTITIES

Adoption of this GIS Distribution Policy does not preclude the County from entering into agreements, including joint powers agreements, with other public entities designed to develop policies and practices that affect the governmental objectives of the County and its various departments. Entry into such agreements may include the provision of access to portions of the County's GIS Database as a form of consideration or in lieu contribution and shall not automatically require the payment of additional fees. All such agreements,

however, shall require consultation with the Monterey County Information Technology Department and the approval of the Board of Supervisors.

I. AGREEMENTS WITH PRIVATE (INCLUDING PRIVATE NON-PROFIT) ENTITIES

The proposed entry into an agreement with a private entity, including a private non-profit entity, shall be presumed to require compliance with this GIS Policy. Any proposed agreement between the County and a private entity (other than an agreement whereby the County is contracting with the private entity to perform services on behalf of the County) shall address the issue of compliance, including any justification for waiving some or all of this GIS Policy.

J. PROVISIONS FOR ALL AGREEMENTS ALLOWING ACCESS TO COUNTY GIS DATABASE

All agreements wherein access to the County GIS Database is permitted shall contain appropriate disclaimer and limited warranty/liability language.

K. IMPLEMENTATION RESPONSIBILITY

All Departments shall comply with this Policy. The Information Technology Department shall be primarily responsible for implementing the policy and collecting copies of all agreements otherwise providing access to the County GIS Database, and reviewing the terms thereof with appropriate departments.

GeoDatabase Layer Publication Determination

Feature Classes	Brief Description

M_CO.Biology

M_CO.CDFG_NATURAL_COMMUNITIES	Polygon areas of generalized land cover
M_CO.MNTRY_SPINEFLOWER_CRIT_HAB	Polygon areas of known Spineflower habitiat
M_CO.SAN_JOAQUIN_KITFOX_DIST	Polygon areas of known habitat areas
M_CO.SNOWY_PLOVER_CRIT_HAB	Polygon areas of known habitat areas
M_CO.WSTRN_ARROYO_TOAD_CRIT_HAB	Polygon area of known habitat

M_CO.Census_2010

M_CO.BLOCK_GROUPS_2010	Data compiled and published as part of the 2010 Cenus
M_CO.CENSUS_BLOCKS	Data compiled and published as part of the 2010 Cenus
M_CO.CENSUS_PLACES	Data compiled and published as part of the 2010 Cenus
M_CO.County_Subdivisions	Data compiled and published as part of the 2010 Cenus
M_CO.Hydro_Lines	Data compiled and published as part of the 2010 Cenus
M_CO.Landmarks	Data compiled and published as part of the 2010 Cenus
M_CO.Tracts	Data compiled and published as part of the 2010 Cenus
M_CO.Tiger_Roads	Data compiled and published as part of the 2010 Cenus
M_CO.Voter_Districts	Data compiled and published as part of the 2010 Cenus

M_CO.Common_Areas

M_CO.CO_BOUNDARY	24000 scale Monterey County boundary, with extended coastline.
M_CO.COMMUNITY_CODES	Identifies portions of Monterey County by geographic areas.
M_CO.Los_Padres_Nat_Forest	
M_CO.MoCo_Boundary	24000 scale Monterey County boundary--single closed polygon.
M_CO.MoCo_Subdivisions	Comprehensive mapping of subdivisions in unincorporated areas
M_CO.PLSS_83	Public Land Survey
M_CO.SCHOOL_DISTRICTS_LGL	Adaptation of Schoold Districts
M_CO.SUPERVISOR_DISTS2000	Supervisorial Districts resulting from 2000 Census
M_CO.SUPERVISOR_DISTS2000_CLIP	Supervisorial Districts resulting from 2000 Census - Ocean areas removed
M_CO.Supervisor_Districts_2010	Supervisorial Districts resulting from 2010 Census - Ocean areas removed
M_CO.URBAN_AREAS	Cities and other urbanized areas within the County
M_CO.ZIP_Code_Areas	

M_CO.Fire_Protection

M_CO.SRA_FIRE_HAZ_ZONES	Cal-Fire Mapping of Fire Hazard Severity areas

M_CO.General_Plan_2010

M_CO.Affordable_Housing_Overlay	
M_CO.Castroville_Community_Plan	
M_CO.Community_Areas	
M_CO.FORA_Land_Use	
M_CO.Gr_Salinas_Lots_of_Record_Area	
M_CO.Land_Use_Adopted_2010	
M_CO.Rural_Centers	
M_CO.Scenic_HWYs_and_Routes	
M_CO.Special_Treatment_Areas	
M_CO.Tank_Rd_So_County	
M_CO.Toro_Lots_of_Record_Area	
M_CO.Visual_Sens	
M_CO.Wine_Corridor	

M_CO.Geology

M_CO.Alquist_Priolo_Faults	
M_CO.Alquist_Priolo_Quake_Zone	
M_CO.EARTHQUAKES	Point locations of historic earthquakes (1931-2001). Lew Rosenberg, 2001.
M_CO.EROSION	Mapping of relative soil erosion hazard areas.
M_CO.FAULTS	Linear mapping of known fault lines within the County
M_CO.GEOLOGY	Polygon mapping of geologica and seismic hazard evaluation.
M_CO.LANDSLIDE	Polygon mapping of relative landslide susceptibility.
M_CO.LIQUEFACTION	Polygon mapping of relative liquifaction susceptibilty.
M_CO.LIQUEFACTION_HISTORICAL	Point locations of historic liquifaction events.
M_CO.MINERAL_RESOURCE_ZONES	Polygon representation of mineral resource distribution.
M_CO.MINES	Point locations of active, historic, and inactive mine locations.
M_CO.OIL_WELLS	Point locations of oil wells.

GeoDatabase Layer Publication Determination

Feature Classes		Brief Description
	M_CO.PALEONTOLOGY	Point locations of fossil discovery sites. Lew Rosenberg, et al, 2001.
	M_CO.Pct_Slope_GT25	
	M_CO.Pct_Slope_GT25_Multi_Res	Created from multiple resolution DEMs and Lidar data.
	M_CO.SEISMIC_HAZARDS	Polygon mapping of relative seismic hazard.
	M_CO.SEISMIC_SHAKING	Polygon mapping of relative seismic shaking.
	M_CO.SOIL_STABILITY	Polygon mapping of relative soil stability.
	M_CO.UBC_SOIL_TYPES	Polygon mapping soil profile types as per Uniform Building Code.

M_CO.Healthcare_Facilities

	M_CO.CLINICS	Point locations of Clinics
	M_CO.HOSPITALS	Point locations of Hospitals
	M_CO.LARGE_FACILITIES	Point locations of large facilities that could serve as emergency shelter.
	M_CO.NURSING_HOMES	Point locations of long term care facilities.
	M_CO.VISITING_NURSES_ASSOC	Point locations of facilities affliated with the Visiting Nurses Assoc.

M_CO.Historical

	M_CO.HISTORICAL_SITES	Point locations of hisoric sites.
	M_CO.SPRECKELS_HISTORIC_DISTRICT	Aggregation of parcels representing the Spreckels Historic District.

M_CO.Hydrology

	M_CO.BASE_FLOOD_ELEV	
	M_CO.DFIRM_2009	Digital Flood Insurance Rate Map - Depicts flood risk.
	M_CO.RAINFALL	Isohyetal mapping of average annual rainfall for Monterey County
	M_CO.WATER_BODIES	Polygon mapping of surface water as seen from ortho-imagery

M_CO.LAFCO

	M_CO.AIR_POLLUTION_CNTROL_DISTRICTS	Political Boundary
	M_CO.AIRPORT_DISTRICTS	Political Boundary
	M_CO.CALIFORNIA_WATER_DISTRICTS	Political Boundary
	M_CO.CEMETERY_DISTRICTS	Political Boundary
	M_CO.CITY_LIMITS	Political Boundary
	M_CO.CITY_SOI	Political Boundary
	M_CO.COMMUNITY_SERVICE_DISTRICTS	Political Boundary
	M_CO.COUNTY_SANITATION_DISTRICTS	Political Boundary
	M_CO.COUNTY_SERVICE_AREAS	Political Boundary
	M_CO.COUNTY_WATER_DISTRICTS	Political Boundary
	M_CO.FIRE_PROTECTION_DISTRICTS	Political Boundary
	M_CO.HARBOR_DISTRICTS	Political Boundary
	M_CO.HEALTH_CARE_DISTRICTS	Political Boundary
	M_CO.MCWRA_GONZALES_SLOUGH_MAINT	Political Boundary
	M_CO.MCWRA_STORM_DRAIN_MAINT_DIST02	Political Boundary
	M_CO.MCWRA_ZONE01	Political Boundary
	M_CO.MCWRA_ZONE01A	Political Boundary
	M_CO.MCWRA_ZONE02	Political Boundary
	M_CO.MCWRA_ZONE02A	Political Boundary
	M_CO.MCWRA_ZONE02B	Political Boundary
	M_CO.MCWRA_ZONE02C	Political Boundary
	M_CO.MCWRA_ZONE03	Political Boundary
	M_CO.MCWRA_ZONE05	Political Boundary
	M_CO.MCWRA_ZONE06	Political Boundary
	M_CO.MCWRA_ZONE07	Political Boundary
	M_CO.MCWRA_ZONE08	Political Boundary
	M_CO.MCWRA_ZONE09	Political Boundary
	M_CO.MCWRA_ZONE11	Political Boundary
	M_CO.MCWRA_ZONE12	Political Boundary
	M_CO.MCWRA_ZONE14	Political Boundary
	M_CO.MCWRA_ZONE15	Political Boundary
	M_CO.MCWRA_ZONE17	Political Boundary
	M_CO.MEMORIAL_DISTRICTS	Political Boundary
	M_CO.MOSQUITO_ABATEMENT_DISTRICTS	Political Boundary
	M_CO.RECREATION_AND_PARK_DISTRICTS	Political Boundary
	M_CO.REFUSE_DISPOSAL_DISTRICTS	Political Boundary
	M_CO.REGIONAL_PARK_DISTRICTS	Political Boundary

GeoDatabase Layer Publication Determination

Feature Classes	Brief Description
M_CO.RESOURCE_CONSRVATION_DISTRICTS	Political Boundary
M_CO.SPECIAL_DISTRICT_SOI	Political Boundary
M_CO.WASTEWATER_DISTRICTS	Political Boundary
M_CO.WATER_MANAGEMENT_AGENCIES	Political Boundary

M_CO.Land_Records

M_CO.HPGN_CONTROL	Point locations of high percision ground control network monuments
M_CO.Parcel_Centroids	
M_CO.Parcels	
M_CO.RANCHMAP_2011	Ranch Map data of 2011
M_CO.WILLIAMSON_ACT	This is the most current version--to be renamed (with its year appended) and replaced when a newer version becomes available.
M_CO.WILLIAMSON_ACT_2006	
M_CO.WILLIAMSON_ACT_2007	
M_CO.WILLIAMSON_ACT_2008	
M_CO.WILLIAMSON_ACT_2009	
M_CO.WILLIAMSON_ACT_2010	
M_CO.WILLIAMSON_ACT_2011	

M_CO.Land_Use

M_CO.IMPORTANT_FARMLANDS	Generalized polygonal mapping of designated "Important Farmlands"
M_CO.LCP_Land_Use_Designations	Land use mapping
M_CO.LU_ADVISORY_COMMITTEE	Polygonal mapping of land use advisory areas.
M_CO.Urbanized_Area_2010	Land use mapping. This version replaces "Urbanized_Areas".
M_CO.ZONING	Polygonal mapping of zoning.

M_CO.Local_Services

M_CO.County_Facilities	Point locations of County facilities
M_CO.County_Parks	Point locations of County Parks
M_CO.Fire_Stations	Point locations of Fire stations within the County
M_CO.Police_Stations	Point locations of Police Stations within the County
M_CO.Public_Libraries	Point locations of Monterey County Free Libraries
M_CO.Schools_Private	Point locations of Public Schools
M_CO.Schools_Public	Point locations of Public Schools

M_CO.Planning

M_CO.ARCHEOLOGICAL_SENSITIVITY	Polygonal mapping of relative archeological sensitivity
M_CO.CAL_AM_SERVICE_AREA	Polygon depicting CA_Am service area.
M_CO.CCC_APPEAL_AREAS	
M_CO.CNTY_PLANNING_AREAS	
M_CO.COASTAL_ZONES	
M_CO.DM_FOREST_PLANNING_AREAS	
M_CO.PESCADERO_WATERSHED	
M_CO.SCENIC_ROADS	
M_CO.SECOND_UNIT_RESTRICTED_AREAS	
M_CO.TAMC_DEVELPMNTFEEZONES	
M_CO.TORO_B8_ZONE	
M_CO.TRAFFIC_IMPACT_FEE_AREA	

M_CO.Planning_Library

M_CO.DRAINAGE_REPORTS	
M_CO.GEOLOGY_REPORTS	
M_CO.HISTORIC_REPORTS	
M_CO.MOCO_EIRS	
M_CO.SOIL_REPORTS	
M_CO.Forestry_Reports	

M_CO.Public_Works

M_CO.Catch_Basins_and_Culverts	
M_CO.Outfalls	
M_CO.Road_Maintenance_Districts	
M_CO.Storm_Drains	

M_CO.Transportation

M_CO.HARBORS	Point locations of Known harbors
M_CO.Mileposts	
M_CO.RAILROAD	Linear mapping of Railways as recognized from ortho-imagery
M_CO.Road_Centerline	Updated, new schema, much improved over old Roads FC.

Feature Classes	Brief Description

Standalone Feature Classes

	M_CO.PLACES	Point locations of all known places possessing a street address

M_Co.Elections
>   M_Co.Voting_Precincts
>   M_Co.Polling_Places
>   M_Co.Consolidation

It is the policy of the County of Monterey that, to the extent possible, County Geographic Information System (GIS) repository data, as set forth in Attachment 3, be made available to the Public as part of an Internet Data Download Service web site implemented within the existing County Internet Site framework. This Policy shall take into consideration the privacy issues, network security precautions, and network bandwidth conservation are areas of concern that have been addressed by the Department Heads' GIS Subcommittee:

Adherence to Network Security Policy
This Policy proposal does not supersede Information Technology Policy Section 6.0. Prior to implementation, the hardware and software design for this data download service will require review and approval by the Information Technology Security Team to ensure that the integrity of the County's information network remains uncompromised.

Adherence to Data Privacy Policy
This Policy does not supersede Information Technology Policy Section 7.0. The Internet Data Download Service must strictly adhere to the data privacy policy. In addition, care must be taken to ensure that no persons are identifiable by name within tabular records or through circumstances of geographic location.

Internet Traffic Volume and Bandwidth
It is recognized that the Internet Data Download Service has the potential to consume significant portions of internet bandwidth if not carefully designed and maintained. To this end, every effort will be made to keep the download service service as streamlined as possible.

Data Distribution using the Internet Data Download Service
Inherent to the information technology in use by the County of Monterey is the ability to make copies of the County's GIS data available for download to the end-user. This policy shall establish the governing the distribution of GIS data.

Levels of Access
Access to the Internet Data Download Service will be made available to all members of the public. Access will require the user's acceptance of a Limited Liability Agreement, based on the language used in the proposed disclaimer (Attachment 3), which will be accomplished by means of requiring the user to check a radio button indicating they've read the disclaimer, and checking a separate button indicating they've accepted the terms specified.

This GIS data is provided "AS IS." The County of Monterey (COUNTY) makes no warranties, express or implied, including without limitation, any implied warranties of merchantability and/or fitness for a particular purpose, regarding the accuracy, completeness, value, quality, validity, merchantability, suitability, and/or condition, of the GIS data. The COUNTY also specifically does not guarantee that the information is free from harmful effects or viruses and that it will not harm the users' computer. By using this GIS, users accept sole responsibility for ensuring the protection of their own computer equipment and specifically hold COUNTY harmless from any damage or liability that might ensue do the use of the data. Users of COUNTY's GIS data are hereby notified that current public primary information sources should be consulted for verification of the data and information contained herein. Since the GIS data is dynamic, it will by its nature be inconsistent with the official COUNTY assessment roll file, surveys, maps and/or other documents produced by the County Office of the Assessor, the County Surveyor, and/or other relevant County Offices. Any use of COUNTY's GIS data is done exclusively at the risk of the party making such use.