DAKOTA COUNTY ADMINISTRATION FINANCE POLICY COMMITTEE

Authorization To Eliminate License Restrictions On Geospatial Data And Update Office Of GIS Fees To Eliminate Data Development Costs

Meeting Date: 3/11/2014
Item Type: Regular-Action
Division: Operations, Budget and Management
Department: Information Technology
Contact: Knippel, Randy
Contact Phone: (952) 891-7080
Prepared by: Knippel, Randy

Fiscal/FTE Impact:
☐ None ☒ Other
☐ Current budget ☐ Amendment requested
☐ New FTE(s) requested
Board Goal: Good for Business

PURPOSE/ACTION REQUESTED
Authorize the Office of GIS to make public geospatial data available to anyone without licensing restrictions or fees associated with recovering the cost of developing the data and adopt updated 2014 GIS fees.

SUMMARY
Current Geospatial Data Distribution Policy and Fees
Dakota County currently provides public geospatial data to private businesses and the general public under a data license agreement and charges a fee based on the cost of developing that data, as allowed in the Minnesota Data Practices Act (Minn. Stat. §13.03, subd. 3(d)). The data license copyrights the data, restricting licensees from making copies and derivatives and not allowing them to further redistribute it in any form. This has been the policy since the inception of GIS at Dakota County in the late 1980's. Other counties and cities in Minnesota have engaged in similar practices.

Proposed Changes
Over time, cities and counties have been moving to "free and open" data distribution policies, which remove fees to recover data development costs and eliminate data licensing and associated restrictions on the use of the data. This is due to several factors related to changing public expectations and changing technology. These changes have resulted in more people having the capability to use this data for their specific applications and analysis.

The MetroGIS Policy Board has recommended that all local government entities in the Seven County Metro Area take action to make public geospatial data more freely and openly available (Attachment A). This is supported by research conducted by a MetroGIS workgroup composed of the 7 County GIS Managers resulting in a recommendation to the MetroGIS Policy Board (Attachment B).

Increasing the use of geospatial data increases the return on the public investment in that data. This is accomplished by allowing citizens to easily download County geospatial data from the County website or other websites to perform their own analysis, increasing the availability of custom applications, and eliminating administrative costs associated with administering current fees and licenses. This will also allow County Departments and cities to be able to make use of new GIS technologies that increase the usability of their data and reduce costs.

Eliminating recovery of data development costs requires an update to the 2014 Office of GIS fees (Attachment C). Proposed fee updates are based solely on costs associated with staff time and material and results in a reduction or elimination of existing fees and no new fees, which does not require a public hearing. Changes to current fees are highlighted in Attachment D.

RECOMMENDATION
Staff recommends following the MetroGIS Policy Board recommendation to provide public geospatial information on the County website for free and without license, which will eliminate current fees for digital data and reduce fees for some printed maps. Fees for staff time and materials will remain the same.

EXPLANATION OF FISCAL/FTE IMPACTS
Revenue from GIS maps and data fees has varied between $11,000 and $21,000 per year over the past 5 years. This revenue has been deposited in the GIS Enterprise Fund to help offset the costs of maintaining the GIS database. The County portion of the GIS Enterprise Fund has sufficient funds to cover the revenue reduction in 2014. The revenue shortfall caused by this action will be addressed during the 2015 budget process.

Supporting Documents:
Attachment A: MetroGIS Policy Board Recommendation
Attachment B: MetroGIS Workgroup Recommendation
Attachment C: Updated 2014 GIS Fees
Attachment D: Comparison of current and updated fees

Previous Board Action(s):
13-530; 10/15/13

RESOLUTION

WHEREAS, Dakota County creates, maintains and possesses valuable geographic information systems (GIS) data to support its various business purposes; and

WHEREAS, Dakota County recognizes that this GIS data is also a public resource and there are significant benefits to making this data freely and openly available; and

WHEREAS, the emergence and continued refinement of new information technology has dramatically changed the way citizens search for and expect to find, consume and utilize information, and such technology can aggregate ever larger quantities of data and allow government to provide information to the public with increasing efficiency; and

WHEREAS, Dakota County can leverage this technology to meet the public demand for information, enhance public access to government data and make government processes transparent in order to promote public trust; and

WHEREAS, ensuring the quality, consistency and availability of such data is a core function of government and is essential to maintaining the data's value and utility; and

WHEREAS, the Dakota County Board of Commissioners adopted the 2014 Geographic Information Systems Fee Schedule on October 15, 2013; and

WHEREAS, this resolution causes a reduction or elimination of 2014 adopted fees and no new fees.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Office of GIS to publish its public geospatial data on its website in a commonly recognized and easily produced form, available for download by anyone at no cost, subject to accepting the terms of the data disclaimer GIS data usage agreement; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby reserves the right for county/city business units to charge fees for GIS data provided in other forms and to accommodate special requests for maps, data, and analysis under the applicable rules and statutes that govern said requests; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes qualified members of its staff to coordinate with other counties, cities, governments and agencies through the MetroGIS collaborative or through state agencies to share and publish its GIS data in common formats through common websites and public data portals to increase public awareness of its availability and promote its use; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby adopts the recommended updated 2014 Geographic Information Systems Fee Schedule as follows:

DIGITAL GIS DATA
Public GIS data is provided in specific formats and geographic subsets on the County website and elsewhere at no cost. Additional special requests are accommodated through the standard GIS Services fee.
Notes:
- Pre-built datasets include all major cities and the entire county.
- All data provided in specific standard formats and coordinate projections – special requests for data in other coordinate system or format adds additional charge for conversion time.
- Non-County digital data will be provided for a fee based on actual costs plus GIS service fee, as allowed by applicable data licensing
- Sales tax will be added to data sales.

GIS SERVICES

GIS Services Fee $119/hour

GIS service fee is applied in ½ hour increments with a ½ hour minimum charge and includes standard delivery media costs. Additional map charges may apply. Custom GIS services are provided on request based on staff availability.

PRINTED MAPS

Notes:
- Standard maps are available as digital files (PDF) at no cost on the County website and elsewhere.
- Sales tax will be added to all map prices
- See sheet size legend at bottom
- Printing costs are based on estimated cost of time and materials

Basic Line Map (Physical features, contours, property, streets, street names, addresses)

Sheet Size A $2.30
Sheet Size B $4.61
Sheet Size C $8.69
Sheet Size D $13.65
Sheet Size E $26.07

Color Aerial Photo (may also include basic line map layers without additional charge)

Sheet Size A $2.30
Sheet Size B $5.77
Sheet Size C $13.37
Sheet Size D $26.07
Sheet Size E $52.13

Additional data from other sources

Sheet Sizes A-E   Associated data costs plus price of base map

Public Access Workstation Printed Page

Sheet Size A $2.30

Photocopies

Sheet Size A $0.25

Special Map Requests

Sheet Sizes A-E   price of base map + GIS service fee

*Standard Sheet Sizes

Sheet Size A   8 ½ x 11"
Sheet Size B   11" x 17"
Sheet Size C   17" x 22"
Sheet Size D   22" x 34"
Sheet Size E   34" x 44"

Map pricing model represents a formula for generating prices for map products.
- Formula is based on combining costs associated with materials, data, and staff time.
- Actual map products available represent specific applications of the pricing model.
- Additional map products can be created and corresponding prices calculated as needed to meet market demands.
- This model in no way is intended to represent that any map other than those on the currently published list of standard map products will be provided.

Administrator's Comments:		Reviewed by (if required):	
☒	Recommend Action	☒	County Attorney's Office
☐	Do Not Recommend Action	☒	Financial Services
☐	Reviewed---No Recommendation	☒	Risk Management
☐	Reviewed---Information Only	☐	Employee Relations
☐	Submitted at Commissioner Request	☐	Information Technology
		☐	Facilities Management

Brandt Richard
_____
County Administrator

November 20, 2013

The Honorable Kathleen Gaylord
Dakota County Board Chair
Dakota County Government Center
1590 Highway 55, Hastings, MN 55033

RE: Freely and Openly Available Publicly Produced Geospatial Data

Greetings Commissioner Gaylord,

I am contacting you on behalf of the MetroGIS Policy Board to encourage Dakota County to pursue and adopt policies which make its public geospatial data freely and openly available.

At present, cities and counties in Minnesota do not have a uniform approach to making their geospatial data available to the public. Based on varying interpretations of state statutes, there are a range of practices in place which may not be serving the highest and best uses of public agency resources in discharging efficient and transparent service to the public regarding geospatial data availability.

Based on our on-going research, review and deliberation, we, the MetroGIS Policy Board support the local government entities of the Seven Metropolitan Counties of Anoka, Carver, Dakota, Hennepin, Scott, Ramsey and Washington in adopting resolutions, policies and practices which:

- *Make public geospatial data freely available in readily consumable electronic formats to the public either via their websites or a trusted data clearing-house resource;*
- *Provide information systems management staff and senior GIS staff maximum flexibility in their operations and decisions to make these public geospatial data available;*
- *Remove the requirement of license agreements on users of public geospatial data;*

In support of the recommendation advanced in this letter, we submit the enclosed body of references and resources to assist your deliberation, decision-making and policy adoption.

If you require additional background information on this letter or the supporting materials which accompany it, please feel free to contact either myself or Geoff Maas, MetroGIS Coordinator at the Metropolitan Council at 651.602.1638 or via email at geoffrey.maas@metc.state.mn.us

Regards,

Terry Schneider
MetroGIS Policy Board Chair
Mayor, City of Minnetonka

Enclosure

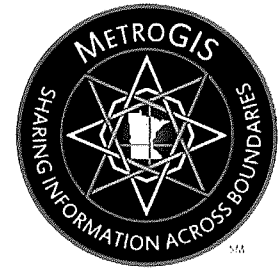CC: Commissioner Chris Gerlach; GIS Manager Randy Knippel

RECEIVED

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DAKOTA COUNTY
ADMINISTRATION

MetroGIS Overview

What is MetroGIS? MetroGIS is a voluntary collaborative of government agencies (representing municipal, county, regional, state and federal interests) as well as non-profit, private sector and academic partners that produce and consume geospatial data in the Seven Metropolitan Counties. This collaborative, has been in continuous operation since 1996, and is funded and administered by the Metropolitan Council with the following overall goals:

- *To define and address shared needs for geospatial data and data standards;*
- *To collaborate on projects to address these identified shared needs and leverage cost savings;*

MetroGIS Policy Board: Since 1997, the MetroGIS collaborative has been governed by a Policy Board composed of elected officials and senior agency representatives. The current MetroGIS Policy Board members include:

Terry Schneider, Chair
Mayor of Minnetonka

Randy Maluchnik, Vice Chair
Carver County Commissioner

James Kordiak
Anoka County Commissioner

Victoria Reinhardt
Ramsey County Commissioner

Chris Gerlach
Dakota County Commissioner

Mjyke Nelson
Washington County Information Technology Director

Steve Elkins
Metropolitan Council

Randy Johnson
Hennepin County Commissioner

Dave Menden
Scott County Commissioner

Deborah Goettel
Mayor of Richfield

Mary Texer
Capitol Region Watershed District

More information about the MetroGIS collaborative can be found here:
http://www.metrocouncil.org/Data-Maps/MetroGIS.aspx

Free & Open Data: Issue Overview and Context

What is public geospatial data? Public geospatial data are data which contain explicit geographic positioning information as an integral part of its composition. Examples of this data can include things like road network data, tax parcel data or geo-referenced satellite imagery. Cities and counties collect, develop, maintain and manage many kinds of public geospatial data to successfully perform their various business operations.

What do the definitions of _free and open_ mean when applied to geospatial data?
We understand the definition of geospatial data as being _'free'_ in that no charges would be assessed to data consumers beyond that which is directly associated with the cost of making and certifying copies. No monetary charge would be assessed to consumers for this data as it is made available in its native electronic format. 'Electronic geospatial data' is defined in MN Statute Chapter 16E, Section 30, Subd. 10.

Data producing governments would retain the right to charge for customized requests such as development of specific maps, applications or customized versions of the data as governed by applicable language in the Data Practices Act.

We understand the definition of geospatial data as being **'open'** in that data consumers would not be required to sign a license agreement to access or use the data, that they are able to share the data with other parties and there are no restrictions on their use of the data. Data producers would provide a disclaimer of the accuracy of the geospatial data at the initial point of contact to which the public has general access as per MN Statute Chapter 466, Section 3, Subd. 21.

Our application of term **'open'** only includes public data and does not include categories of data defined in the Data Practices Act (Minnesota Statutes Chapter 13) as _confidential_, _private_, nonpublic or protected nonpublic.

Benefits of making public geospatial data freely and openly available:

Over the past several years, the MetroGIS Policy Board has monitored and debated the issue of public data availability—most directly in the context of geospatial data—between governments and beyond governments to private businesses and the public at large.

After numerous discussions and reviews of research presented on the topic, the MetroGIS Policy Board supports the practice of free and open data, and supports the following tenets:

- The citizens, businesses and governments of the Seven County Metropolitan Region would be better served by the full, unfettered, availability of all non-sensitive public geospatial data;

- The current practice of the sale of data has not yielded the expected flow of revenue while processing, administration and licensure of data requests consumes valuable staff time;

- The data is a public asset, and can be thought of as a form of 'virtual infrastructure', the investment in which can be maximized by its widest possible availability;

- Managerial and senior technical staff members from the Seven Metropolitan Counties are in agreement that this direction is desirable and would offer them the flexibility and expanded ability to provide better public service at lower taxpayer expense;

- Several Minnesota counties outside of the Seven Metropolitan Counties have already embraced free and open data practices with positive results. The current national trend is also moving in this direction with counties in many states taking the initiative to make their data freely and openly available;

- Providing data openly and freely demonstrates governments' desire to keep pace with the technological sophistication and increasing data demand of its citizens;

Supporting Documentation

In support of our position, we offer the following body of resources enclosed for your review and reference.

A single-page <u>*fact sheet*</u>*:* **"Making Public Data Open and Freely Available"**

A **Resolution of Support** *adopted by the MetroGIS Policy Board for Free and Open Data on October 23, 2013;*

A **Sample Resolution Language resource** *prepared by MetroGIS for the use of governments producing geospatial data and wishing to adopt a formal resolution promoting free and open public geospatial data;*

"MetroGIS Free & Open Access to Data: Research and Reference Documents"
This document contains several concise documents in one volume:

- *Summary White Paper:* **"Making Public GIS Data Free & Open: Benefits and Challenges"**
- *Existing Practice Interviews;*
- *Public Data Case Law Summaries;*
- *Minnesota Statute Language Relevant to Data Availability;*
- *Disclaimer Language Samples;*

Making Public Data Open and Freely Available

This fact sheet is provided by the **MetroGIS Data Producers Work Group** to assist policy makers and elected officials understand the benefits of making non-sensitive, publicly-produced data freely available to the public.

What are the benefits to a County Government in making its data open and freely available?

(1) Transparency of government and improved public service;
Making non-sensitive geospatial data publicly available helps demonstrate the transparency of government operations and a willingness to provide good public service; Geospatial data that is a byproduct of government business processes should be part of the public record;

(2) Better use of county staff time and resources;
Publishing digital geospatial data in standardized forms for Internet download reduces County staff time required to process and manage numerous individual requests for data;

(3) Fostering entrepreneurship and open development;
Private usage of public data is becoming integral to the development and advancement and growth of the of the 'digital economy'; better data availability enables businesses to make quicker decisions on investments and enhancements in the community;

(4) The authoritative data becomes the default 'norm';
Providing consistently available authoritative data ensures that all derivative products, maps, services, analyses and publications accurately reflect current conditions;

(5) Pro-actively meeting demand for data;
The demand from the general public, private sector and other sectors of society for accurate and readily consumable data continues to increase along with availability of GIS tools and other analytical tools;

(6) Indirect Benefits and "Thinking Beyond The Horizon"
Making public data easily available in readily consumable format to a wide variety of audiences enables them to query and utilize the data in ways not in common practice, yielding new tools, applications, analyses and understanding;

Key Themes

Transparency of Government Operations

Improved Public Service

Efficient Government

Ease of Data Access

Fostering Entrepreneurship

Staff Time Savings

The Authoritative Data Being Fully Available Becomes The 'Norm'

Pro-Actively Meeting Public Demand and Expectations for Data

Improved Inter-Agency Work Relationships

Data is Infrastructure; Created to Serve the Greater Public Good

Faster Decision Making

Maximizing Public investment

Q: Do county governments lose revenue?

Revenue from geospatial data is lower than might have been expected and continues to decrease. Costs incurred by business units to develop and maintain geospatial data to meet the needs of the larger organization and the public must be seen as strategic investments by the entire organization and treated as a long-term form of core infrastructure.

Organizations need to evaluate their associated costs from a broad perspective with the added understanding of the public benefits realized. Data fees limit the use of data to only those who can justify or afford the expense.

Q: Does making the data available open the county up to liability?

Governments must release data with appropriate liability disclaimers; however, increased use of the data, can help discover and resolve errors and omissions as they are reported, increasing the data's accuracy, reliability, and usability.

Q: Is this becoming a common practice in information technology?

Government agencies are increasingly freeing up their data for public use. Public data developed and funded to support internal business processes, subject to open public record laws, are increasingly forming the basis of core economic activities outside of government. Examples range from development of on-line map services, navigation systems, environmental work, planning and physical infrastructure management.

MetroGIS
SHARING INFORMATION ACROSS BOUNDARIES SM

Contact:

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Metropolitan Council
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Saint Paul, MN 55101
651.602.1638
geoffrey.maas@metc.state.mn.us

2014 GIS FEE SCHEDULE (Updated)

DIGITAL DATA

- Pre-built GIS datasets are available at no cost on the County website
- Other GIS datasets and special requests are available on a time and materials basis
- All data delivered in specific standard formats in County Coordinates (NAD83) - delivery in other coordinate system or format adds additional charge for conversion time.
- All GIS data is subject to the Dakota County GIS Data Disclaimer

GIS SERVICES

GIS Service Fee: $119 per hour

GIS service fee is applied in 1/2 hour increments with a 1/2 hour minimum charge and includes standard delivery media costs. Additional map charges may apply.

PRINTED MAPS (sales tax will be added to all map prices)

Map Type		Sheet Size*	Price** 2014
Standardized Map Products	Basic Line Map (property, streets, street names, addresses)	A	$2.30
		B	$4.61
		C	$8.69
		D	$13.65
		E	$26.07
	Color Aerial Photo (may also include basic line map layers without additional charge)	A	$2.30
		B	$5.77
		C	$13.37
		D	$26.07
		E	$52.13
Public Access Workstation Printed Page		A	$2.30
Photocopies		A	$0.25
Special Map Requests		A - E	Price of base map plus GIS service fee

*Standard Sheet Sizes	
A	8 1/2" x 11"
B	11" x 17"
C	17" x 22"
D	22" x 34"
E	34" x 44"

Notes:
- Map pricing is based on combining costs associated with materials and staff time.
- Actual standardized map products may vary and are available for download on the County website at no cost.

2014 GIS FEE CHANGES
(Highlighted Fees Will Be Eliminated)

DIGITAL DATA

GIS service fee will be applied to each data request.

	Subset	Total Database (Entire County)	Subscription	
			Quarterly	Annual
Parcel and Property Info.	See parcel pricing formula below	$1,500	$125	$325
Planimetric - Urban	$550/sq. mi.	$27,610	$2,761	$6,903
Contours - 1-foot	$85/sq. mi	$4,283	$428	$1,071
Contours - 2-foot	$43/sq. mi.	$2,142	$214	$535
Address Center Lines	N/A	$3,000	$300	$750
Street Center Lines	N/A	$1,000	$100	$250
Soils	Free	$0	N/A	N/A
Geological Atlas	Free	$0	N/A	N/A

Parcel Pricing Formula:

# parcels		$ / parcel
min	max	
1	2,000	$0.05
2,001	5,000	$0.03
5,001	50,000	$0.02
50,001	and up	$0.01

Notes:
- Pre-built datasets include all major cities and the entire county.
- All data delivered in specific standard formats in County Coordinates (NAD83) - delivery in other coordinate system or format adds additional charge for conversion time.
- Other digital data will be provided for a fee based on 20% of actual data costs plus GIS service fee.
- Sales tax will be added to data sales.

GIS SERVICES

GIS Service Fee: $119 per hour

GIS service fee is applied in 1/2 hour increments with a 1/2 hour minimum charge and includes standard delivery media costs. Additional map charges may apply.

Address Geocoding   GIS service fee plus price per matched address using pricing chart below.

# matched addresses		$ / address
min	max	
1	2,000	$0.05
2,001	5,000	$0.03
5,001	50,000	$0.02
50,001	and up	$0.01

Geocoding service requires that customers provide address data in MS Access, dBase, or ASCII format with one address per record. Fee charged will be based on number of addresses successfully matched. Customer will be provided an updated data file containing X/Y coordinates and a map centered on the matched data showing streets with major roads labeled and a dot with a record number for each matched address.

PRINTED MAPS (sales tax will be added to all map prices)

Map Type		Sheet Size*	Price** 2014
Base Maps	Basic Line Map (property, streets, street names, addresses)	A	$2.30
		B	$4.61
		C	$8.69
		D	$13.65
		E	$26.07
	Color Aerial Photo (may also include basic line map layers without additional charge)	A	$2.30
		B	$5.77
		C	$13.37
		D	$26.07
		E	$52.13
Planimetric and Contour Maps		A - E	20% digital data subset price plus price of base map
Additional data from other sources		A - E	Associated data costs plus price of base map
Public Access Workstation Printed Page		A	$2.30
Photocopies		A	$0.25
Special Map Requests		A - E	20% digital data price plus price of base map plus GIS service fee

*Standard Sheet Sizes	
A	8 1/2" x 11"
B	11" x 17"
C	17" x 22"
D	22" x 34"
E	34" x 44"

Notes:
- Map pricing model represents a formula for generating prices for map products.
- Formula is based on combining costs associated with materials, data, and staff time.
- Actual map products available represent specific applications of the pricing model.
- Additional map products can be created and corresponding prices calculated as needed to meet market demands.
- This model in no way is intended to represent that any map other than those on the currently published list of standard map products will be provided.