

# SOLANO COUNTY GEOGRAPHIC DATA SHARING POLICY

## **1.0 Purpose**

Solano County has developed and maintains a countywide Geographic Information System (GIS) for the purpose of providing a method for manipulating and displaying geographic data compiled from various public records and other data sources in a user-convenient manner.

This policy addresses how digital, geographic data formatted for use in GIS may be shared among government units such as cities, counties, and/or other public agencies. The County recognizes the importance of sharing digital information for the advancement of public programs. Furthermore, this policy seeks to greatly reduce or waive fees (see Exhibit A) for sharing and distributing digital, GIS data already created, as described in this **Geographic Data Sharing Policy**.

## **2.0 Eligible Data Sharing Members**

Any city, county and/or public agency may participate in the **Geographic Data Sharing Policy** by submitting a request to the Solano County GIS Contact, listed in section 3.4. At this time the GIS Committee will review the request and has the right to decline any requests to participate.

All Eligible Data Sharing Members will be referred to as Data Sharing Members for reference purposes in this policy.

## **3.0 Provisions of the Policy**

In order to be a Data Sharing Member, local units of government and/or agencies must sign and agree to all terms of this policy. Due to the interest in using existing data and developing new layers of data, members can be both Data Owners and Data Users.

### **3.1 Data Owners**

Data Owners are local units of government and/or agencies, who develop new layers of digital data, for example tax parcel maps, wells, or road networks for use in their GIS programs. Ownership of the data will be retained by the entity that developed the data. The Data Owner is the party who creates and authorizes the distribution of the data. The data that has been authorized by the Data Owner for distribution will be known as Published Data. Please note, not all GIS data is Published Data.

### **3.2 Data Users**

Data Users are local units of government and/or agencies that are Data Sharing Members, who will have access to digital data that the Data Owner has authorized for distribution. Data Users will follow the Usage Restrictions as stated in this policy in section 3.8.

### **3.3 Published Data**

Published Data is any digital data created, maintained, and/or rightfully controlled by Solano County that is available to be shared through this policy. Available data sets will include metadata that contains the name of the Data Owner, the name of the dataset (with a brief description), its most recent amendment date, the Solano County Contact for sharing data, and any other pertinent information. The Published Data will be in a GeoDatabase or Shapefile format. Other formats must be approved by the GIS Committee and a fee may be charged for this service. (See Exhibit A)

### **3.4 Contact Information**

There will be a single contact designated by each party to handle the exchange of GIS data and communications. The Solano County Contact is:

Dan Tolvtvar  
Systems & Programming Manager  
675 Texas Street, Suite 3700  
Fairfield, CA 94533-6339  
(707) 784-2811  
[dtolvtvar@solanocounty.com](mailto:dtolvtvar@solanocounty.com)

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## **3.5 Access and Data Transfer**

### **3.5.1 Non-Solano County Employees**

Data Sharing Members will have access and the use of Published Data developed by Solano County. A Data Sharing Member requesting data from Solano County must agree to and sign this **Geographic Data Sharing Policy**. Arrangements for transferring data, such as data format and media, along with possible costs (See Exhibit A) associated with the data transfer will be worked out with each member.

Solano County will provide access to the Published Data, metadata, and/or any pertinent data via the Solano County internet site. Information and access to this site will be e-mailed to the Data Sharing Member's point of contact, see section 3.4. No fee shall be charged to any Data Sharing Member using the Solano County GIS website. Solano County reserves the right to shut down any or all portions of such website or access thereto, to any Data Sharing Member, where the County deems such action necessary to maintain, upgrade, or otherwise protect the integrity of the website and/or the Solano County computer systems generally. Any issues or questions with this website or GIS data should be forwarded to the Solano County Contact.

Data Sharing Members desiring information or data from other Data Sharing Members shall contact said parties for their approval.

### **3.5.2 Solano County Employees**

Solano County Data Sharing Members will have access to the Published Data, metadata, and/or any pertinent data via the Network Attached Storage (NAS). Access to the NAS will be provided to the Data Sharing Member's point of contact and other key employees. No fee shall be charged to any Solano County Data Sharing Member using the NAS. Any issues or questions with any of the GIS data should be forwarded to the Solano County Contact.

## **3.6 Ownership**

The ownership of the shared data will be retained by the agency/department that created the data and the use of the data will be subject to the Usage Restrictions section.

## **3.7 Disclaimer of Liability and Warranties**

A Data Sharing Member understands and agrees that it is possible that errors and omissions will occur in data input or programming done by the County or for the County to provide the GIS layers and/or other data in the form desired. The Data Sharing Member further understands and agrees that it is probable that errors and omissions will occur in record keeping processes, especially when large numbers of records are developed and maintained, and that data may not meet the Data Sharing Member's standards as to accuracy or completeness. Notwithstanding, the Data Sharing Member agrees to take the data "as is", fully expecting that there may be errors and omissions associated with the data.

A Data Sharing Member further understands and agrees that the County makes absolutely no warranty whatsoever, whether expressed or implied, as to the accuracy, thoroughness, value, quality, validity, merchantability, suitability, condition or fitness for a particular purpose of the data or any programming used to obtain the data, nor as to whether the data is error-free, up-to-date, complete or based upon accurate or meaningful facts.

A Data Sharing Member agrees that the County shall not be liable to the Data Sharing Member for any liability, claim, loss, damage, injury or expense of any kind caused or alleged to be caused, directly or indirectly, by the inadequacy of data obtained from the County, by any deficiency of County or Data Sharing Member systems, by any delay or failure to provide any service, or by any other interruption, disruption or loss of Data Sharing Member operations.

If a Data Sharing Member discovers errors in the shared digital data, Solano County Contact will be notified of the error, and if necessary, a map depicting the error will be transmitted.

## **3.8 Usage Restrictions**

The Data Owner will retain all ownership of the digital data it has generated. When a Data Sharing Member creates a data set that is derived from or based upon the shared data, but is itself substantially and inductively different, the Data Sharing Member may become the sole owner of that

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new data set after consultation and agreement with the Data Owner. It would be advisable to initiate this consultation and agreement prior to commencing the data set work activity.

**Data Sharing Members may only use shared data to promote clearly definable, publicly supported objectives and functions.** These objectives and functions include public planning purposes, implementation and interpretation of scientific research and tabular information, the generation of new data sets, and the creation of hard copy maps, charts, and reports, providing that source citations and credits are listed on all products derived from shared data use.

**Data Sharing Members are not authorized to** market, remarket, transfer, distribute, reproduce, loan, sell, license, or otherwise make available, whether for compensation or otherwise, any coverages, spatial data, or documentation to any person, individual, company, association, firm, corporation, or public or private entity regardless of the nature of the organization, without the prior written consent of the Data Owner. The Data Sharing Member should request, in writing, to have the Data Owner distribute digital data to another entity that is not part of this Data Sharing Policy. This would include but is not limited to the Data Sharing Member's consultants, universities, state agencies, and federal agencies. Further, the Data Owner may charge the cost of reproduction and distribution of the digital data.

A Data Sharing Member may not use shared data in any way that misrepresents the integrity, quality, or accuracy of the shared data, as stated by the Data Owner in the accompanying data set documentation.

The Data user shall acknowledge Solano County as a source when Solano County data are used in the preparation of reports, papers, publications, maps, and other products, regardless of physical form.

**A Data Sharing Member is required to protect the shared data from unauthorized use by employees or associates of the Data Sharing Member, or by others not associated with this policy. Therefore, no employees or associates of the Data Sharing Member may use shared data for personal or private gain.**

### **3.81 Data Sensitivity Levels**

The Data Owner will provide the Sensitivity Level for their data. Data users will be expected to comply with the Usage Restrictions for all data and any additional restrictions as specified by the Sensitivity Level. The Sensitivity Levels are as follows:

1. Low – Published Data that is available to all Data Sharing Members and may be viewed by the public.
2. Medium – May be viewed/shared with other Data Sharing Members that are government agencies and all Solano County employees.
3. Medium High – All Solano County Data Sharing Members and other key Data Sharing Members that have been approved by the Solano County Data Owner may view or use this data.
4. High – Only key Solano County employees, GIS staff, and key Data Sharing Members may share, use, and/or view this data. This data is considered highly sensitive and may only be viewed by Data Sharing Members that have been approved by the Solano County Data Owner.

### **4.0 Term of the Policy**

The policy will become effective between Solano County and the Eligible Data Sharing Member once signed by both parties and remains in force until either party wishes to withdraw.

### **5.0 Termination of Membership**

This policy unless terminated remains in force until canceled by either the County or the Eligible Data Sharing Member. Notice of cancellation shall be in writing and shall take effect immediately upon receipt of such notice. Additionally, digital data not owned by the terminated member will be returned to the department/agency (Data Owner) that has ownership of the data. Conversely, participating members will return all data owned by the terminating member upon notification of termination.

**SOLANO COUNTY  
GEOGRAPHIC DATA SHARING POLICY**

**EXHIBIT A**

**SOLANO COUNTY  
GEOGRAPHIC DATA SHARING POLICY**

**1.0 General**

The fees set forth in Exhibit A of the Solano County Geographic Data Sharing Policy shall be paid to the Solano County Department of Information Technology prior to any County department performing the services or providing the copies requested.

**2.0 Solano County GIS Fees**

The following fees are hereby established for the dissemination of data from the Solano County Geographic Information System (GIS):

- a) Reproduction of Existing Data Deliverables, in the current GIS format: **\$15.00** per CD-ROM or DVD. Data delivered online, such as by e-mail or FTP, will be provided free of charge.
- b) Minimum hourly fee for any changes in the deliverable GIS format: **\$100.00** per hour.
- c) Fee for Hardcopy Plots of any GIS Data: **\$20.00** per plot.
- d) Shipping Fee: Actual cost of shipping via U.S. first class mail, including actual cost of protective packaging.

**2.1 Waiver of Fees.**

- a) The County Information Officer (CIO) may grant any person a waiver of any of the fees described in Section 2.0 when he determines, in his sole discretion, that creation and/or dissemination of the requested GIS information in the manner requested is necessary for improvement and maintenance of the Solano County GIS including, but not limited to, when the requesting party is concurrently providing data or other information or applications to the County which will add value to the Solano County GIS.
- b) The Data Owner may grant any person a waiver of any of the fees described by Section 2.0 if the Data Owner determines, in her/his sole discretion, that creation and/or dissemination of the requested GIS information in the manner requested is in the public's best interests.

**2.2 Website Access Solano County GIS.**

No fee shall be charged to any person using the Solano County GIS website. Any issues or questions with this website or GIS data should be forwarded to the Solano County contact.