

**AN ORDINANCE TO ESTABLISH THE GOVERNANCE STRUCTURE
FOR DATA PROCESSING/INFORMATION TECHNOLOGY**

WHEREAS, the City of Evansville (City) and Vanderburgh County (County) desire to create a new Informational Technology Governance Structure (ITGS) that establishes procedures, policies, developmental plans, and accountability for enterprise resources (Enterprise Resources); and a forum for input regarding information technology (IT) resources; and

WHEREAS, the ITGS will secure input and advice on such matters as direction, project prioritization and review of technical solutions while providing effective communication in systems development and daily operations; and

WHEREAS, the ITGS recognizes the authority of all courts (Courts), office holders (Office Holders) and departments of City or County government (Departments);

WHEREAS, the City and the County desire to implement the ITGS by the simultaneous and concurrent adoption of identical ordinances to that the effect;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Vanderburgh County, Indiana, as follows:

SECTION 1. AMENDMENT OF VANDERBURGH COUNTY CODE OF ORDINANCES

Chapter 2.48 of Title 2 of the Vanderburgh County Code of Ordinances is hereby amended by deleting said Chapter as it is presently constituted and substituting in lieu thereof the following:

“Chapter 2.48 INFORMATION TECHNOLOGY GOVERNANCE STRUCTURE

Section 2.48.010 Purpose

- (A) The purpose of this ordinance is to establish direction as it applies to Joint Resources of the City and County regarding IT and to provide a forum for input by establishing an Information Technology Advisory Council (ITAC) to assist the Chief Information Officer (CIO) by reviewing and making recommendations relating to IT matters.
- (B) This ordinance recognizes that the Courts, Office Holders and Departments have the right and duty to develop IT plans for fulfilling their respective duties as required by law. This will include, but not be limited to, requests for funding by the City or the County, as appropriate, and recognizes that standards aid in management and cost control of the IT environment.
- (C) This ordinance recognizes that security is of utmost importance and that it is paramount that IT projects connecting to Enterprise Resources (whether acquired with City funds, County funds or individual funds such as slush funds of the Courts, Office Holders or Departments) and their components and design shall be fully disclosed to and reviewed by the Joint Information Technology Department (JITD). This review is not intended to prevent the Courts, Office Holders or Departments

from moving forward with any project(s), but rather to ensure that enterprise (Enterprise) security is highly monitored and accommodated in moving forward with any such project(s).

Section 2.48.020 Definitions

For purposes of this ordinance, the following words, acronyms, and/or phrases shall have the following meaning unless the context clearly indicates otherwise:

“Appointee” shall mean any person(s) appointed from within a designated group to represent that group as a whole and any person(s) appointed to represent any individual(s) or entity(ies).

“City” shall mean the City of Evansville, Indiana.

“Chief Information Officer” shall mean the top level IT Appointee of the Mayor and County Commissioners.

“County” shall mean Vanderburgh County, Indiana.

“Contract Administrator” shall mean the Mayor and County Commissioners and/or their Appointee who shall have specific input and direction into how resources of any IT contract(s) is/are managed.

“Courts” shall mean the Circuit Court and the Superior Courts of Vanderburgh County, Indiana.

“Dedicated” shall mean resources and efforts paid for and/or used by one or more of the Courts, Office Holders or Departments.

“Department(s)” shall mean any department or board of the City or the County.

“Enterprise” shall mean the organization of IT resources used to perform the group(s) of tasks required to support the delivery of IT and non-IT services to the City, the County, the Courts, the Office Holders and the Departments.

“Enterprise Resources” shall mean staffing, physical equipment and/or logistical items needed to support the Enterprise, including, but not limited to, hardware, software, personnel, consumable supplies, and so forth.

“Functional Subcommittee Group(s)” shall mean a grouping of two or more of the Courts, Office Holders or Departments or their Appointees.

“IT” shall mean Information Technology.

“ITAC” shall mean Information Technology Advisory Council.

“ITGS” shall mean Information Technology Governance Structure.

“JITD” shall mean the Joint Information Technology Department (JITD) of the City and the County.

“Joint Resources” shall mean collective resources and efforts paid for and/or used by the City of Evansville and Vanderburgh County.

“Judge” shall mean the judge or his/her Appointee selected by the Courts to represent the Courts regarding IT matters.

“Office Holder(s)” shall mean any individual holding elective office in the City or the County.

Section 2.48.030 Structure

(A) Joint Information Technology Department (JITD)

There is created within the administrative departments of the City and the County a Joint Information Technology Department (JITD). The JITD and its resources will be managed by the CIO. The City and the County shall cooperate together in providing office space for the JITD and the resources it manages.

The JITD will manage Enterprise Resources and will be staffed by City and/or County employees and employees of vendors of services with which the City and County may contract for provision of services to the Enterprise. All members of such staff will act at all times in the best interest of the City, the County, the Courts, the Office Holders and the Departments regarding the Enterprise and Enterprise Resources.

(B) Information Technology Advisory Council

1. There is created an Information Technology Advisory Council (ITAC) for providing input regarding the Enterprise and Enterprise Resources and to serve as a forum through which the Courts, Office Holders and Departments may present their respective IT projects, needs for IT services and concerns regarding any thereof. In addition, the ITAC will assist the CIO through the making of recommendations regarding the management of the Enterprise and Enterprise Resources. The responsibilities of the ITAC shall include, but are not limited to, the following:
 - (a) Reviewing and making recommendations in connection with support levels for the Enterprise and Enterprise Resources.
 - (b) Reviewing and making recommendations relating to the budget of JITD prior to the presentation thereof to the appropriate City and/or County funding bodies.
 - (c) Reviewing and making recommendations regarding non-budgeted expenditures for Enterprise Resources.
 - (d) Reviewing and making recommendations to assist with the prioritization of approved and funded projects that require JITD resources.
 - (e) Reviewing and making recommendations for modifications, additions or changes to established standards for use of Enterprise Resources.
 - (f) Reviewing and making recommendations as to requests for proposals, bids, etc., if requiring funds expected to be appropriated for use by the JITD, prior to presentation of such requests to the appropriate funding bodies.
 - (g) Reviewing and making recommendations regarding governmental and non-governmental network access requests and/or connections.
 - (h) Establishing any Functional Subcommittee Group(s) on an as needed basis.
 - (i) Reviewing and making recommendations regarding issues and recommendations from Functional Subcommittee Groups.

- (j) Reviewing and making recommendations regarding Change Management policy and procedures.
 - (k) Reviewing and making recommendations on the establishment of standards for deployment and use of Enterprise Resources.
 - (l) Reviewing and making recommendations relative to processes to be followed in the making of requests for Enterprise Resources by the City, the County, the Courts, the Office Holders and the Departments.
 - (m) Reviewing and making recommendations regarding the establishment of an Annual Work Plan (AWP) and information gathering procedures required to annually update the AWP.
 - (n) Reviewing and making recommendations regarding the establishment of a Long Term Strategic Plan and information gathering procedures required to annually update the Long Term Strategic Plan.
 - (o) Reviewing and making recommendations regarding a Disaster Recovery Plan.
 - (p) Reviewing and making recommendations regarding asset management policies for Enterprise Resources.
 - (q) Reviewing and making recommendations regarding policies and procedures for the Enterprise and the use of Enterprise Resources.
 - (r) Reviewing and making recommendations regarding staffing levels for the JITD.
 - (s) Reviewing and making recommendations on other matters brought to the ITAC concerning the Enterprise and use of Enterprise Resources.
 - (t) For purposes of security, any access to the Enterprise via any type of connection either permanently or temporarily by an agency, entity or organization that is not specifically a Department must be approved by the ITAC in advance.
2. In the course of conducting its reviews and making its recommendations, the ITAC shall consider, at a minimum, the following:
- (a) Does any requested contract or purchase meet the compliance standards recommended by the ITAC? If not, how will deviations be handled by the City or the County? Deviations shall be designated as either recommended or not recommended.
 - (b) What is the criteria for upgrading a standard? For example, how often will microcomputer standards be adjusted? What factors will determine the decision to proceed with an upgrade adjustment? Same with software?
 - (c) What are the total costs of any requested contract or purchase? Include at least initial purchase cost, on-going annual maintenance costs, long term impact costs on the Enterprise and long term impact costs on IT manpower needs. For example, will Enterprise Resources require expansion due to the

request; will additional manpower be required to address issues of installation or maintenance of the request?

- (d) What is the impact of any new contract or purchase in terms of coordination with other requests in the request queue? How does any new request impact the Enterprise and Enterprise Resources in conjunction with other requests being considered? What are the total costs of any request when looked at in conjunction with other requests to come on line at approximately the same time?
 - (e) If a request is for a microcomputer, what is the total cost impact of the request when combined with all other projected annual requests? For example, what effect will the purchase of the annually projected microcomputers and peripherals have on the Enterprise and Enterprise Resources?
 - (f) What are the benefits of any request? What current costs will be abated based on such request? How will the general public be better served as a result of such request?
3. The ITAC shall be composed of twenty-eight (28) members, as follows:
- (a) Mayor or Appointee
 - (b) Appointee of Mayor
 - (c) County Commissioner or Appointee
 - (d) City Council Member or Appointee
 - (e) County Council Member or Appointee
 - (f) Judge of Superior Court of Vanderburgh County or Appointee
 - (g) County Assessor
 - (h) County Clerk
 - (i) Prosecutor
 - (j) County Recorder
 - (k) County Sheriff
 - (l) County Treasurer
 - (m) County Auditor
 - (n) County Coroner
 - (o) County Surveyor
 - (p) Police Chief
 - (q) Fire Chief
 - (r) City Controller
 - (s) Director of Transportation and Services
 - (t) City Clerk
 - (u) Director of Department of Metropolitan Development
 - (v) City Building Commissioner
 - (w) Evansville Water and Sewer General Manager
 - (x) Director of Parks and Recreation
 - (y) City Engineer
 - (z) Judge of Circuit Court of Vanderburgh County or Appointee

- (aa) Director of Joint City/County Purchasing Department
- (bb) Executive Director of Vanderburgh County Health Department

4. All members will serve without compensation and their respective terms of service shall be coterminous with their respective terms of office or the terms of office of those making appointments.
5. The ITAC shall meet no less frequently than monthly and in addition at special meetings which may be called by the Mayor, the County Commissioners, the CIO or any five (5) members of the ITAC. The first monthly meeting of the ITAC shall be held one month from the date that the later of this ordinance or the identical City ordinance becomes effective and at that meeting, the ITAC shall set a definite date for monthly meetings throughout the calendar year in which this ordinance becomes effective. Thereafter, at each January meeting of the ITAC, it shall set definite dates for meetings for the year in which that January meeting occurs. The meetings of the ITAC are subject to the Indiana public meetings open door policy (IC 5-14-1.5).
6. The first meeting of the ITAC following the date that the later of this ordinance or the identical City ordinance becomes effective and the January meeting of the ITAC in each calendar year thereafter shall be the annual meeting. At that meeting, a president, vice president, and secretary of the ITAC will be elected by a majority vote of the ITAC members attending such meeting if at least a quorum of members is present. Officers elected at the annual meeting immediately following the adoption of this ordinance shall serve through the end of the year in which they are elected, and thereafter such officers shall serve for terms of one (1) calendar year or until a replacement is duly elected.
7. The quorum for all meetings of the ITAC is initially set at thirteen (13) members. At any annual meeting of the ITAC, the members of the ITAC may vote to increase, but may not decrease, the quorum number. A majority vote of members of the ITAC present at any meeting of the ITAC for which a quorum of members is present shall be required to approve any recommendation upon which a vote is being taken.
8. It is recognized that, in large measure, the success of the ITAC in meeting its goals and objectives will require maximum attendance by members of the ITAC. In further recognition of the fact that not all members of the ITAC will be available to attend each meeting of the ITAC, on not more than three (3) occasions of meetings of the ITAC, a member of the ITAC may send a substitute to a meeting of the ITAC which substituting individual shall have a letter from the member of the ITAC who is unable to attend indicating that the substituted individual is authorized to vote for the non-attending member of the ITAC at such meeting.
9. The President will chair the meetings of the ITAC and sign all official documents of the ITAC. In addition, and without limiting the right of any ITAC member to individually contact the CIO, or the CIO to contact any individual member of the ITAC, the President shall serve as the liaison between the ITAC and the CIO.

10. The Vice President will fulfill the duties of the President in the absence of the President.
11. The Secretary of the ITAC will cooperate with the President and the CIO in creating and distributing an agenda for each monthly meeting or any special meeting of the ITAC and will record the minutes of each such meeting for presentation for approval at the next subsequent meeting of the ITAC.

(C) **Chief Information Officer (CIO)**

1. There is created the position of Chief Information Officer (CIO) which will be held by a City and/or County employee who will be appointed by the Mayor and the Commissioners of Vanderburgh County and who will report to the Mayor and the Commissioners of Vanderburgh County.
2. The CIO will be charged with the responsibility to develop, manage and maintain the Enterprise and the Enterprise Resources, to provide administrative support to the City, the County, the Courts and the Departments regarding all aspects of the use of Enterprise Resources and serve as a liaison between the City, the County, the Courts, the Office Holders and the Departments on all matters concerning IT.
3. The responsibilities of the CIO shall include, but are not limited to, the following:
 - (a) Serve as an advisor to the Mayor and the County on all matters involving IT.
 - (b) Gather and present information to the ITAC regarding Enterprise activities and set up vendor presentations regarding the availability of new, improved or updated IT products and services.
 - (c) Meet as requested with members of the ITAC regarding their evolving need for IT products and services for ultimate presentation to the ITAC.
 - (d) Meet as requested with members of the ITAC to review and discuss requests of the Courts, the Office Holders and the Departments for new, updated or enhanced IT products or services and present such requests to the ITAC.
 - (e) Develop and maintain the Enterprise vision for IT.
 - (f) Monitor the Enterprise and the use of Enterprise Resources to develop available cost savings opportunities across the Enterprise.
 - (g) Manage the JITD and all Enterprise Resources.
 - (h) Keep members of the ITAC and the Courts, Office Holders and Boards apprised on a regular basis of decisions made regarding any aspect of the Enterprise and the use of Enterprise Resources and receive and respond to ITAC members regarding such matters.
 - (i) Administer agreements entered into between the City and the County with vendors of IT products and services.
 - (j) Work in conjunction with the members of the ITAC in developing annual and revised, updated budgets for the JITD.

- (k) Work in conjunction with the members of the ITAC in developing IT standards and policies.
- (l) Work in conjunction with the members of the ITAC in developing recommendations for IT investments that provide value across the Enterprise.
- (m) Provide general oversight of the use of Enterprise Resources.
- (n) Work in conjunction with the members of the ITAC in reviewing, developing and updating the Annual Work Plan.
- (o) Work in conjunction with the members of the ITAC in reviewing, developing and updating the Long Term Strategic Plan.
- (p) Work in conjunction with the members of the ITAC in reviewing, developing and updating the Disaster Recovery Plan.
- (q) Attend all scheduled meetings of the ITAC and present general monthly reports, project status reports and overall IT status reports and other reports or information as requested by the ITAC.

(D) Functional Subcommittee Groups

1. Functional Subcommittee Groups shall be appointed by the ITAC on an as needed basis.
2. The purpose of the Functional Subcommittee Groups shall be to provide opportunity for the Courts, Office Holders and Departments with an opportunity to make in-depth studies of various aspects of the Enterprise and the use of Enterprise Resources and to report their respective findings to the ITAC.

(E) Change Management

1. Change management (“Change Management”) is a process arising from the general understanding that changes in one area of the Enterprise and the use of Enterprise Resources can create security and/or other problems for other areas of the Enterprise and the use of Enterprise Resources. The process gives emphasis to ensuring that the varying and diverse security requirements of the Courts, the Office Holders and the Departments are met, notwithstanding a change in some other area of the Enterprise. Under this process, the Courts, the Office Holders and the Departments shall present their IT requests, solutions and/or changes to the JITD for appropriate security clearance. The JITD will then review all IT requests, solutions and/or changes and make suggested modifications and/or approvals at the next scheduled meeting of the ITAC. The CIO will work closely with the ITAC to encourage, develop and maintain the Change Management process.

Section 2.48.040 Property

- (A) In general, property wholly purchased by either the City or County shall remain the sole property of that organization. Property jointly purchased between the City and County shall be jointly held in the percentage of funding applied to the property

(Example: If the jointly funded property is split 50% each, then the City and County own 50% of that property).”

SECTION 2. EFFECTIVE DATE

This ordinance shall be in full force and effect from and after its passage by the Board of Commissioners of Vanderburgh County, and publication once each week for two consecutive weeks as provided in I.C. 5-3-1.

First passed by the Board of Commissioners of Vanderburgh County this ____ day of _____, 2006.

Final passage by the Board of Commissioners of Vanderburgh County this ____ day of _____, 2006.

BOARD OF COMMISSIONERS OF
VANDERBURGH COUNTY, INDIANA

Cheryl Musgrave, President

Bill Nix, Vice President

Tom Shetler, Jr., Member

ATTEST:

WILLIAM J. FLUTY, JR.
Vanderburgh County Auditor

APPROVED AS TO LEGAL FORM:

Ted C. Ziemer, Jr., of
Ziemer, Stayman, Weitzel & Shoulders, LLP
County Attorney