Utah Transparency Advisory Board Meeting
January 6, 2015
State Capitol Building
Room 415 – 1:00 p.m.

Public Meeting Notice and Agenda

Item	Participants	Est. Time
1. Welcome.	Board Chair	5 minutes
2. Review of September 16, 2014, meeting minutes.	Board	5 minutes
3. Financial Transparency: a. CFO certification – discuss and clarify that data will be certified annually and that CFOs will have a few months after year end before the certification is due. Discuss possible policy language on due date for CFO certifications. b. School Capital Outlay reports are coming in from schools.	Finance	10 minutes
4. Archives – status update – GRAMA portal, and open records initiative	Archives	15 minutes
5. DTS to give a status update on the open data initiative.	Dave Fletcher	15 minutes
6. Public Comment.	Public	10 minutes
7. Discuss date for next Board Meeting.	Board	10 minutes

(Draft waiting formal approval)

UTAH TRANSPARENCY ADVISORY BOARD MINUTES

September 16, 2014
State Capitol Building
Room 250 – 11:30 a.m.

Board Members Present:

Senator Deidre Henderson – Chair, Utah State Senate (arrived late)
John Reidhead – Vice Chair, Director, Division of Finance, Dept. of Administrative Services
Evan Curtis, Utah Governor's Office of Management and Budget
Jonathan Ball, Legislative Fiscal Analyst, Utah State Legislature (excused, meeting with leadership today)
Representative Steve Eliason, Utah State House of Representatives (arrived late)
Mark VanOrden, Utah Department of Technology Services, CIO
Patricia Smith-Mansfield, Utah State Archivist
Gary Williams, League of Cities and Towns, Attorney for Ogden City
Lex Hemphill, State Records Committee
Phillip Windley, Public Board Member
Jason Williams, Public Board Member
Michelle Larsen, Senior Legal Support and Records Officer

Note: A copy of meeting materials, and an audio recording of the meeting can be found on the Public Notice Website.

1. Welcome:

John Reidhead, Vice Chair, called the Utah Transparency Advisory Board Meeting to order and explained that the meeting was moved to room 250 because the sound system was not working in room 415. John welcomed everyone to the meeting and introduced Michelle Larsen the newest board member. She represents the Special Districts. John asked the members of the Board to introduce themselves to the audience.

Senator Henderson, Board Chair has a prior commitment and will join the meeting later. She asked John Reidhead to conduct the meeting in her absence.

2. Review of June 24, 2014, meeting minutes.

Mark VanOrden moved to approve the minutes from the June 24, 2014, meeting. Gary Williams seconded the motion, motion passed unanimously.

3. Proposed Changes to Policy #01-01.02: Utah Public Finance Website – Posting of Financial Information by Participating Entities.

Brenda Lee from the Division of Finance presented the two versions of the proposed changes to the policy. She explained that the policy was updated in two different timeframes.

a) Distributed at last board meeting:

i) Making policy apply to all entities, including State and Independent Entities.
ii) Clarifying deferred compensation.

The revised version dated June 26, 2014, makes the policy applicable to all entities including the state agencies. Also, there were things clarified in deferred compensation based on the input from the controller from the University of Utah. Those were the significant changes to the policy dated June 26, 2014

b) Modifying the reporting of Non-taxable Employee Allowances and Reimbursements.

The revised version dated September 16, 2014, has all the changes accepted from the first version and includes changes requiring entities to report non-taxable employee allowances and reimbursements in the expense transaction type on the website every quarter.

John Reidhead stated that some non-taxable allowances and reimbursements were showing on the transparency website and Utah's Right, as part of compensation. It was decided to move them to expenses with detail on the website and include this in the policy revision.

Gary Williams would like the distinction made in the policy that this reporting only applies to payroll reimbursements.

Brenda Lee said that the language in the policy can be reworded to clarify if someone is reimbursed through an entities accounting system by individual, it will be included as part of their expenses and will not need to also be included as a payroll reimbursement. She will make this adjustment to the policy.

There were no other comments to the changes to the policy.

John Reidhead asked for a motion to accept the policy changes including the provision that the language be adjusted in the second policy change to clarify if a reimbursement is already in expenses by individual, that entities not be required to report it again.

Patricia Smith-Mansfield made the motion as stated by John Reidhead. Mark VanOrden seconded the motion. All board members present voted to approve the changes to the policy. Motion passed unanimously.

Brenda Lee explained the FY14 compensation file changes that were made for the State.

Based on comments from the public and the State Auditor more items were added to the compensation file that will be loaded to Transparency Website. More detail by employee will be shown, specifically personal use of a state car. Payouts of annual leave and sick leave will also show on the website. Incentive Awards are reported in other compensation instead of wages. This information has already been on the website, but it is now categorized differently. The information on state cars is new, it has not been reported before.

Mr. Reidhead reported that taxable employee reimbursement items will show in payroll and compensation, and non-taxable items will not show on the website as compensation. Travel

Reimbursements and mileage reimbursements are no longer shown in compensation, but will show as expenses.

4. Financial Transparency Status Update:

a. Independent Entities

Darrell Swensen, Transparency Coordinator, reported on the Independent Entities.
Last Legislative session 11 independent entities were required to post certain data to the Transparency Website. Two were already posting to the site, and one was exempt under current board policy because it does not have any revenues or expenses. Of the remaining 8 entities, 4 have responded for contact and financial system information. He is continuing to work with the other 4 entities to help them post to the website or determine if they are exempt. These entities have until October 2015 to start posting to the website.

Post Meeting: Darrell Swensen updated the information on the Independent Entities as follows:

Utah Code Section 63A-3-401 was amended to read that "Independent Entity" does not include:

Workers Compensation Fund
Utah State Retirement Office

The following Independent Entities were previously on the Transparency Website:

School and Institutional Trust Lands (State of Utah data)
Military Installation Development Authority (Interlocals)
Utah Educational Savings Plan (Higher Education)

The following Independent Entities have annual budget expense/revenue (greater of) less than $1 Million and are exempt under the Transparency Advisory Board ("TAB") policy:

Utah Capital Investment Corporation ("Fund of Funds")
Utah Energy Infrastructure Authority
Utah Science Center Authority
Utah State Railroad Museum Authority

The following Independent Entities (fiscal year entities) have Excel templates created or in progress and expect to have uploads by October 31, 2014:

Heber Valley Historic Railroad Authority
Utah Housing Corporation
Utah State Fair Corporation

The following Independent Entities are not expected to be on the website by October 31, 2014:

Utah Communications Agency Network (fiscal year & QuickBooks) -- Kathy Trees is too busy to get to it right now. Should be able to get it done in November easily.

Utah Dairy Commission -- Jenn Harrison, CEO, has not responded to calls or e-mails. Internet sources show 2013 Income at $2.6 million.

Financial statements are not available for independent entities on the State Auditor's website. In the case of those entities exempt under the TAB policy, that determination has been made by either phone contact, e-mail, or other documentation that the entity is exempt.

b. Website refresh.

Michael Rice from Utah Interactive reported on the Website Refresh. He has met with a sub-committee from the Transparency Board and they created a list of possible actions that could be done to the website. They are prioritizing the list, but have not finalized it yet. More information will follow when the list is finalized.

c. School building cost reporting.

Darrell Swensen addressed HB111 that requires charter schools and school districts to submit capital outlay reports to the Transparency Website for new school buildings or significant remodels. He is providing these entities a reporting form to submit the report to the website. These entities need to report to the website by May 15, 2015.

d. CFO certification – demo – possible vote on language.

Michael Rice explained the CFO certification process on the website. He asked the Board for approval for the following text for the CFO Certification:

"To the best of my knowledge and belief the transactions and information uploaded for our entity in the following time periods were complete, accurate, and in compliance with applicable statutes and policies of the Utah Transparency Advisory Board as of the date submitted. The data submitted was unaudited and therefore, subject to change due to voided transactions or other adjustments."

John Reidhead asked Michael Rice to add an explanation box if there is a reason that the data can't be certified.

Gary Williams feels the language meets the elements that the representative from the League of Cities and Towns, and the Mr. Lundell, CFO from Pleasant Grove City requested.

Brenda Lee stated that the data would be certified once a year, they would not be certifying quarterly. The CFO will have a few months after yearend to certify.

Gary Williams the CFO's will want the public to understand what they are certifying, and if they can't certify the data, the reason they can't. If they don't have audited reports they may be uncomfortable making the statement, until they have their reports audited.

There was some confusion as to if the data was to be submitted quarterly or yearly.

Brenda Lee clarified that the data that the CFO would be certifying would be certified annually.

John Reidhead suggested the language say that the *data is unaudited and therefore subject to change*.

Representative Eliason discussed his concerns with the language in the last sentence of the text and would like to change the language in the last sentence to say; "*the data submitted was unaudited*."

A discussion ensued about the language change. Jason Williams feels that "unaudited" covers it, and is something the public would understand.

Gary Williams is concerned about certifying data before the data is audited. If the certification was at the end of the audit, it would be simpler.

Representative Eliason made a motion to put a period after the word unaudited in the text, and strike the verbiage after that. Jason Williams seconded the motion.

Gary Williams opposed the motion.

A vote was taken to amend the language in the text as was explained by Rep. Eliason. John Reidhead, Gary Williams, and Phil Windley voted nay to the motion, the motion passed to amend the language.

e. Combining entities – demo

Michael Rice demonstrated proposed changes to the public transparency site (not currently in production).

If a user selects K-12 Education, there will be a new option to select "all schools". If all schools, the fiscal period, and expense type, is selected and submitted, there will be an extra "schools" tab added to the left side of the page that shows each schools total amount of expenditures. The rest of the tabs work the same as they have done in the past.

f. Education Standard Chart of Accounts.

Mr. Swensen reported that 68% of school districts and 90% of charter schools have posted some or all FY14 data to the Transparency Website with the required Utah State Office of Education chart of accounts format. He continues to work with the remaining entities to have them post the FY14 data to the website in the required format.

5. **Archives – status update – GRAMA portal, and open records initiative.**

Patricia Smith-Mansfield reviewed a timeline handout. It is specifically about the GRAMA portion of the Open Records Portal. It briefly outlines the GRAMA portal launch in January 2015, and the five year plan.

Ms. Smith-Mansfield introduced Renee Wilson, Elizabeth Perkes, and Nova Dubovik from Archive's. Renee Wilson, Archive's Transparency Administrator, demonstrated and explained the features and how to use the website to make a GRAMA request.

Senator Henderson asked if requestor and records officer can communicate, and if there is somewhere on the site that would direct someone to the data portal or transparency site.

Requestor and the records officer will be able to communicate through the portal; the portal will record the information and send the requestor the message through email.

Ms. Smith-Mansfield explained that information on state agencies that is already available online will eventually be integrated in to the portal. The openrecords.utah.gov, open.utah.gov, and opendata.utah.gov will be interlinked. Other links can be created to the transparent.utah.gov site.

Ms. Smith-Mansfield is meeting with each state agency's PIO (Public Information Officer), to determine if the records officers Archives has listed for each entity is correct. She also suggests that agencies create a GRAMA email account. This will insure that the request gets answered.

John Reidhead asked how people would know that openrecords.utah.gov is where to make a GRAMA request. Archives will consider a more descriptive title, or perhaps a media effort to inform people where to make their records requests.

The beta testing for the openrecords.utah.gov website will begin next month.

6. **DTS (Department of Technology Services) to give a status update on the open data initiative.**

Dave Fletcher gave an update of the open data portal. He introduced Drew Mingl, Open Data Coordinator. Drew has experience with open data in Utah and Utah education data.

DTS implemented a contract with Socrata for the open data portal; it gives them the ability to load an unlimited number of datasets. They have a list of approximately 1,000 datasets to import into this tool.

Mr. Fletcher demonstrated the open data portal. A user will be able to download a variety of datasets in a reusable format. Their plan is to automate the entire process.

Drew Mingl will work with the data coordinators for 22 state agencies, and they are on target to have the state agencies data in the open data portal by December. Eventually cities, counties and special districts will be added to the portal.

Mark VanOrden said that Utah is one of 10 states that legislation has mandated funding for the open data project.

7. **Public Comment.**

Aaron Shafovaloff, lives in Draper and is a software engineer. He explained to the Board some frustrations he has retrieving complete data sets from the transparency website. He explained four ways he unsuccessfully tried to get complete data sets from the website.

1) **Manually**. He said it is essentially impossible to manually download complete data sets. There are too many variations, entities and filters to go through, and the records are limited, you don't get everything.
2) **Link to the "Download Full Transparency Lists by Year"**. One is charged a dollar for each file downloaded. This could cost thousands of dollars because of the number of levels, years, types and entities.

3) **Write a scraper**. A scraper simulates the actions of a user. It automates repetitive tasks. Mr. Shafovaloff wrote a scraper to attempt to get complete datasets from the site, and was unsuccessful for a number of reasons. The difficulty was compounded because the site does not expose a public consumable API, and he had to use HTTP referrers to indicate the subset he was trying to get.
4) **Email to** transparency@utah.gov. Mr. Shafovaloff was directed to Michael Rice from Utah interactive. He spoke to Mr. Rice on the phone and suggested ways to retrieve the data. He later received an email from Darrell Swensen the State Transparency Coordinator saying it was determined that a full data dump of the data in the transparency website cannot be provided because it contains private information which needs to be redacted. Funding is not currently available to pay for a means to exclude data in a full data dump.

Mr. Shafovaloff proposes the following:

1) Reuse the queries on the website that already redact private information to make a complete data dump, and to make the export of those files available on a storage dump.
2) If cost of storage and transfer is a concern, there are solutions available that are not cost-prohibitive like; NOSQl databases, Amazon Web Services, archive.org and BitTorrent.
3) Use an API that both developers and users of the web client can use. Choose a format that is widely used among software engineers.
4) Have as part of the API, an endpoint for notifying the public about updates made to data.
5) Insist that software contractors make maximal use of open source software, and release the code of state software projects in a standard open source venue.

He is asking that complete transparency data sets be easy and inexpensively available to citizens who are web developers and software engineers. (For a full detailed list of Mr. Shafovaloff suggestions refer to the handout.)

Jason Williams responded to Mr. Shafovaloff. He said that Senator Henderson sponsored a bill in 2013 that would cover most everything on his check list, but it may take years to complete all of the requests. The Legislature has set as a goal for most everything that Mr. Shafovaloff has requested.

Representative Eliason asked Mr. Shafovaloff what his was his purpose for accessing the data.

Mr. Shafovaloff said that he would like the website to be easier and faster for the public to locate data.

Patricia Smith-Mansfield stated that access to large databases is not specific to the transparency website. Archives sees quite frequently a requestor not being able to gain access to information.

Mark VanOrden said that Jonathan Ball's group has been talking about making the transparency website easier and more usable for the public to use. The goal with the data.utah.gov website is to have multiple formats, API's, and to be able to download large datasets. They want members of the public to be able take the data and analyze it. This is a process of continual improvement.

Gary Williams is concerned with agenda item 4(d). CFO certification. He said that government transparency should be a window in, not someone stating that an entities' system needs to be changed. There is a statutory guideline when accounting is required to be done, audited etc. Now

they are being asked to have the information on the website before that deadline and certify that it is correct. He suggests that the board listen to what the CFO's want, and put a text comment space on the CFO certification where the CFO can clarify their certification.

John Reidhead stated that it was approved today to have a comment text box for the CFO comments.

Representative Eliason said that the board is not asking independent entities, political subdivisions to do anything different that public companies do. Where the language says unaudited resolves them from liability in terms of being correct.

No other comments from the public or the Board.

8. **Discuss Date for next Board Meeting:** January (no date set)

There was a motion and vote to adjourn. Meeting adjourned at 11:35 a.m.

DRAFT

Utah Public Finance Website

Annual School Plant Capital Outlay Report

Reporting Required by LEA under Utah Code Title 63A Chapter 3 Section 402

Date Submitted [MM/DD/YYYY]: 12/02/14

Local Education Agency (LEA) Name: Cache County School District

New School Building Project (No dollar minimum)
OR: Signficant Remodel (Equal or greater than $2 million)

	Project/Remodel 1	Project/Remodel 2	Project/Remodel 3
Project or Remodel Name [Text]:	Canyon Elementary	Transp/Maint Center	Sky View High - Fine Arts
Project or Remodel Location [Text]:	270 S 1300 E, Hyrum, UT	1550 N 800 W, Logan, UT	520 S 250 E, Smithfield, UT
Year Construction Completed (occupied) [YYYY]:	2006	2007	2007
Construction and Design Actual Costs:			
Land (Real Property) Acquisition (A) or (B) (A) Purchase Price [$]	$ 261,849	$ 446,785	$ -
(B) Lease Type: (I) Capital OR (II) Operating			
(I) Capital Lease			
(1) Original GAAP Book Value [$]	$ -	$ -	$ -
(2) Average Lease Cost per year [$]	$ -	$ -	$ -
(3) End of Lease Ballon Payment (IF ANY) [$]	$ -	$ -	$ -
(4) Length of lease in years [#]			
(II) Operating Lease			
(1) Average Lease Cost per year [$]	$ -	$ -	$ -
(2) Length of lease in years [#]			
Facility Construction Cost (Including landscaping) [$]	$ 8,311,433	$ 3,225,224	$ 2,618,870
Design Costs (Facility and Landscape) [$]	$ 277,517	$ 177,704	$ 136,586
Applicable Impact Fees [$]	$ -	$ -	$ -
Furnishings and Equipment Costs [$]	$ 369,845	$ -	$ 41,835
Gross Building Square Footage [#]:	63,393	24,500	15,250
Student Capacity (A) or (B)			
(A) New Building Final Student Capacity [#]:	638	NA	
(B) Remodel Capacity Increase or Decrease [#]:			176

NOTE 1: LEA must report actual costs, fees, or other expenses.

NOTE 2: No later than May 15, 2015, a local education agency shall provide the State of Utah Division of Finance a school plant capital outlay report for each new school building project and significant school remodel completed on or after July 1, 2004, and before May 13, 2014.

NOTE 3: For a new school building project or significant school remodel completed after May 12, 2014, the local education agency shall provide the school plant capital outlay report for completion as of June 30, 2015 to the State of Utah Division of Finance ("Division") no later than December 31, 2015. Subsequent reports will be due as of each June 30th to the Division no later than each December 31st.

Utah Public Finance Website

Annual School Plant Capital Outlay Report

Reporting Required by LEA under Utah Code Title 63A Chapter 3 Section 402

Date Submitted [MM/DD/YYYY]: 12/02/14

Local Education Agency (LEA) Name: Cache County School District

New School Building Project (No dollar minimum)
OR: Signficant Remodel (Equal or greater than $2 million)

	Project/Remodel 4	Project/Remodel 5	Project/Remodel 6
Project or Remodel Name [Text]:	Mountainside Elementary	Heritage Elementary	Birch Creek Elementary
Project or Remodel Location [Text]:	235 E 125 N, Mendon, UT	925 W 3200 N, Nibley, UT	675 W 220 N, Smithfield, UT
Year Construction Completed (occupied) [YYYY]:	2010	2011	2011
Construction and Design Actual Costs:			
Land (Real Property) Acquisition (A) or (B) (A) Purchase Price [$]	$ 223,652	$ 691,245	$ 359,445
(B) Lease Type: (I) Capital OR (II) Operating			
(I) Capital Lease			
(1) Original GAAP Book Value [$]	$ -	$ -	$ -
(2) Average Lease Cost per year [$]	$ -	$ -	$ -
(3) End of Lease Ballon Payment (IF ANY) [$]	$ -	$ -	$ -
(4) Length of lease in years [#]			
(II) Operating Lease			
(1) Average Lease Cost per year [$]	$ -	$ -	$ -
(2) Length of lease in years [#]			
Facility Construction Cost (Including landscaping) [$]	$ 9,860,188	$ 9,757,748	$ 9,598,341
Design Costs (Facility and Landscape) [$]	$ 551,666	$ 361,055	$ 361,440
Applicable Impact Fees [$]	$ -	$ 16,110	$ 10,070
Furnishings and Equipment Costs [$]	$ 337,270	$ 472,058	$ 446,308
Gross Building Square Footage [#]:	64,611	66,601	66,601
Student Capacity (A) or (B) (A) New Building Final Student Capacity [#]:	662	662	662
(B) Remodel Capacity Increase or Decrease [#]:			

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