



MEMORANDUM

DATE: June 20, 2023
TO: Honorable Mayor and City Councilmembers
Dave Perrault, City Administrator
FROM: Julie Hanson, Assistant to the City Administrator/City Clerk
SUBJECT: Data Practices Policy

Budgeted Amount:
N/A

Actual Amount:
N/A

Funding Source:
N/A

For Council Consideration

Council should consider providing comment on proposed revisions to the City’s Data Practices Policy.

Background

Minnesota State Statute Chapter 13, Government Data Practices, specifically Section 13.025, Subd. 3, provides for annual review of the City’s data practices policy by August 1 of each year. While review of any required modifications to the policy are generally performed under the guidance of the League of Minnesota Cities and City Attorney, the City’s policy was last formally reviewed by Council in 2016 following recommendations by the City Attorney at that time.

Earlier this spring, Councilmember Rousseau requested review of this policy and met with staff to review said policy. The City Attorney also reviewed the current policy and provided minor edits.

Attached is the City’s current policy (Attachment A) as well as a redlined draft (Attachment B) that incorporates preliminary revisions from City staff, the City Attorney, and Councilmember Rousseau. Proposed revisions include the following:

- Formatting and reorganization of existing sections
- Clarifying the Responsible Authority
- Clarifying that requests for data must be provided in writing (versus verbal) and the addition of language regarding where to access the form, including a link to the online request form

- Clarifying fees for copies (note the Fee Schedule was amended in May regarding 8 ½ x 11 and legal size copies versus larger copies) and the addition of language about how fees are calculated when searching for, retrieving and making copies
- Adding language that the City may require pre-payment for copies of data
- Adding a link to the MCFOA and the General Records Retention Schedule
- Adding various additional miscellaneous language
- Replacing Exhibit 3 – Request to Release Private Data from an Individual/from Government. These forms were replaced at the recommendation of the City Attorney and reflect the template from the Minnesota Data Practices Office (Note: the City Attorney has reviewed the redlined draft policy and has no concerns as presented)

Following Council review, staff could bring a final update of the policy to the Council for approval at a subsequent regular City Council meeting.

Budget Impact

N/A

Attachment

Attachment A: Current Data Practices Policy
Attachment B: Redlined Draft Revised Policy