



City of Deephaven, Minnesota

20225 Cottagewood Road, Deephaven, MN 55331 | www.cityofdeephaven.org | (952) 474-4755

Data Practices Policy

Introduction

The Minnesota Government Data Practices Act (hereinafter “MGDPA”) is codified as Minnesota Statute Chapter 13 and regulates how cities manage government data. Pursuant to the MGDPA, Minnesota Cities are required to establish written procedures to ensure that requests for government data are received and responded to promptly and appropriately. These procedures should be updated annually to reflect changes in personnel or other circumstances that might affect public access to government data. This Policy and the attached Data Practices Request Form satisfy the requirements of Minnesota Statutes, §13.025, Subd. 2.

Right to Access Public Data

The public has the right to inspect, free of charge, all government data classified as public data that is held by a government entity. The public also has a right to request copies of public data, although some requests to compile or make copies of public data may incur a charge or fee to complete.

Government data is defined as “all data collected, created, received, maintained, or disseminated” by a covered governmental entity “regardless of physical form, storage media, or conditions of use.”

“Public data” is anything not classified by state statute, federal law, or temporary classification as either private or confidential. Public data is accessible to anyone for any reason. The MDGPA requires cities to appoint a “responsible authority” to establish procedures to facilitate access to public data. In Deephaven, City Administrator, Dan Madsen, serves as the responsible authority; with City Clerk, Rachel Myskevitz, being the designated Civil Compliance Official for all civil matters, and Chief of Police, Cory Johnson, being the designated Criminal Compliance Official for all criminal matters. “Private data” is any data that is expressly classified as private by state statute, federal law, or temporary classification and is not accessible by the general public.

Requests for public data will be responded to in an appropriate and prompt manner. Staff will work to fulfil all requests as soon as reasonably possible and will respond to all requests for public data within ten business days of receipt of the request.

How to Make a Data Request

To view, review or request copies of data retained by the City of Deephaven, you will need to file a written request with the appropriate designated Civil or Criminal Compliance Official using the approved Deephaven Data Practices Request Form. You may make your request for data by mail, in person or by email. Your request should specify if you are requesting to view or review the data, receive copies of the data, or both. Your request should also provide a clear description of the data you would like to view, review or have copied. Please note that ambiguous or confusing requests simply cannot be processed or may be delayed as clarification is sought from you.

The City of Deephaven will not require you to identify yourself or explain the reason for your data request. However, depending on how you want us to process your request, we may need some information about you or where to deliver the requested data. Please keep in mind that if we do not understand your request and have no way to contact you, we will not be able to comply with your data request.

How We Respond to a Data Request

Upon receiving your request, we will work to process it in an appropriate and prompt manner subject to the following:

- If we do not have the data, we will notify you as soon as reasonably possible.
- If we have the data, but the data is not public, we will notify you as soon as reasonably possible and state which specific law restricts the data as not public.
- If we have the data, and the data is public, we will respond to your request appropriately within a reasonable amount of time by doing one of the following:
 - arranging a date, time, and place for you to inspect data for free, if your request is to look at the data; or for a fee as provided by Minnesota Statutes, section 13.025, subdivision 2.
 - Provide you with copies of the data within a reasonable time frame. You may choose to pick up these copies, or we will mail or email these copies to you. If you want us to send you the copies, you will need to provide us with an address, email address or fax number. We will provide electronic copies upon request if we keep the data in electronic format.

Please note that the MGDPA does not require the creation or collection of new data in response to a data request, or to provide data in a specific form, format or arrangement if we do not keep the data in that form, format or arrangement. If we agree to create data in response to your request, we will work with you on the details of your request, including the anticipated cost and response time to complete that request. Payment for the creation or formatting of data must be paid in full before we will begin fulfilling the request.

Requests for Summary Data

Summary data are statistical records or reports that are prepared by removing some or all identifiers from private or confidential data on individuals. The preparation of summary data is not a means to gain access to private or confidential data. Summary data may be processed if the request is submitted on the approved Data Practices Request Form, and payment for any applicable costs of creating the data is paid in advance. Upon receiving the completed Data Request Form, Staff will respond within ten business days with the data, or details of when the data will be ready and what the charge or fee may be to prepare that data.

Data Practices Contacts:

Designated Responsible Authority

Dan Madsen, City Administrator, Special Counsel
20225 Cottagewood Road, Deephaven, Minnesota 55331
(952) 474-4755 | danm@cityofdeephaven.org

Designated Criminal Compliance Official

Cory Johnson, Chief of Police
20225 Cottagewood Road, Deephaven, Minnesota 55331
(952) 474-4755 | coryj@deephavenpolice.org

Designated Civil Compliance Official

Rachel Myskevitz, City Clerk
20225 Cottagewood Road, Deephaven, Minnesota 55331
(952) 474-4755 | rachelm@cityofdeephaven.org

Copy Costs – Members of the Public

The City of Deephaven charges members of the public for copies of some government data. These charges are authorized under Minnesota Statutes §13.03, subdivision 3.

Most Other Types of Copies – Actual cost

The charge for most other types of copies, when a charge is not set by statute or rule, is the actual costs of searching for and retrieving data, including the cost of employee time, and for making, certifying, compiling, copying, and/or electronically transmitting the data. If data is requested that is not existing or compiled, Staff will not work to compile or create data or information requested.

For more information, please contact City Clerk, Rachel Myskevitz, at City Hall: (925) 474-4755, 20225 Cottagewood Road, Deephaven, Minnesota 55331; rachelm@cityofdeephaven.org. www.cityofdeephaven.org