

Data Practices Policy for Members of the Public

Your Right to See Public Data

The Government Data Practices Act (Minnesota Statutes, Chapter 13) presumes that all government data are public unless a state or federal law says the data are not public. Government data means all recorded information a government entity has, including paper, email, flash drives, CDs, DVDs, photographs, etc.

The law also says that the City of Buffalo must keep all government data in a way that makes it easy for you to access public data. You have the right to look at (inspect), free of charge, all public data that we keep. You also have the right to get copies of public data. The Data Practices Act allows us to charge for copies. You have the right to look at data, free of charge, before deciding to request copies.

How to Request Public Data

You can request to look at data or obtain copies of data the City of Buffalo keeps by making a request on the City's Online Data Request Portal through the website. Please be as specific as possible about what data you are seeking to help facilitate the request.

If you are unable to access the online data request portal, your mailed or emailed request should include:

- a statement that you are making a request for public data under the Government Data Practices Act (Minnesota Statutes, Chapter 13).
- a clear description of the data you would like to inspect or have copied.
- instructions for delivering the data to you, stating whether you would like to inspect the data, receive copies of the data, or both.

You are not required to identify yourself or explain the reason for your data request. However, the City may need some information about you to respond to your request (for example, if you request emailed copies, the City will need your email address). If you choose not to give us any identifying information, the City will provide you with contact information so you may check on the status of your request. If City staff do not understand your request and have no way to contact you, the City will not be able to process your request.

How We Will Respond to Your Data Request

Upon receiving your request, we will review it.

- A staff member may ask you to clarify what data you are requesting.
- If the City does not have the data, a staff member will notify you in writing as soon as reasonably possible.
- If the City has the data, but is not allowed to give it to you, a staff member will notify you as soon as reasonably possible and state which specific law prohibits its disclosure.
- If the City has the data, and the data is public, a staff member will respond to your request within a reasonable amount of time by doing one of the following:

- Arrange a date, time, and place for you to inspect the data, for free, if your request is to look at the data.
- Provide you with copies of the data as soon as reasonably possible. You may choose to pick up your copies, or a staff member will mail or email them to you through the data request portal. If you want the City to send you the copies, you will need to provide an address or email address.
- Response time may be impacted by the size and/or complexity of your request, and also by the number of requests you make in a given period of time.

If you do not respond to our questions or notices, or if you do not make arrangements within 10 business days to inspect the data or pay for the copies, the City will conclude that you no longer want the data and will consider your request abandoned and close it.

If you do not understand some of the data (technical terminology, abbreviations, or acronyms), please tell the staff person who provided the data to you. We will give you an explanation if you ask.

The Data Practices Act does not require the City to create or collect new data in response to a data request, or to provide data in a specific form or arrangement if the data is not kept in that form or arrangement. For example, if the data you request are on paper only, City staff are not required to create electronic documents to respond to your request. If the City agrees to create data in response to your request, staff will work with you on the details of your request, including cost and response time.

Under the Data Practices Act, the City is not required to respond to inquiries or questions that are not about your data requests, or requests for government data.

Requests for Summary Data

Summary data are statistical records or reports created by removing identifying information about individuals from entirely private or confidential data. The City may prepare summary data in certain circumstances depending on the nature of the data and staff availability and workloads. All requests for summary data must be made through the data request portal or in writing. We will respond to your request in a reasonable amount of time with the data or details of when the data will be ready and how much we will charge you.

Copy Costs – When You Request Public Data

The City of Buffalo is allowed to charge for copies of government data under Minnesota Statutes, section 13.03, subdivision 3(c). There is no charge or fee for the inspection of data. There may be charges or fees for copies of physical or electronic data. The City may require pre-payment of allowable costs associated with your data request before releasing the data to you. The charges below may vary when a charge is set by statute or rule. The City will not charge you for costs related to separating public data from non-public data.

For 100 or fewer paper copies – 25 cents per page

100 or fewer pages of black and white, letter or legal-size paper copies cost 25¢ for a one-sided copy, or 50¢ for a two-sided copy. The City will not charge for copies if the cost is less than \$10.

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 cost of searching for and retrieving the data and making the copies or electronically sending the data.

In determining the actual cost of making copies, we include employee time, the cost of the materials onto which we are copying the data (paper, CD, DVD, etc.), and mailing costs (if any). If your request is for copies of data that the City cannot copy ourselves, such as photographs, we will charge you the actual cost we must pay an outside vendor for the copies. The City will not allow requestors to provide their own storage devices. Requestor must accept and pay for the implement (CD, DVD, Flash Drive, Thumb Drive, or other information storage devices) provided by the City to fulfill the data request. The City will not allow you to use your own implement on City equipment. This charge will be per the City's Annual Fee Schedule. If, based on your request, we find it necessary for a higher-paid employee to search for and retrieve the data, we will calculate search and retrieval charges at the higher salary/wage.

If it is determined that the data responsive to your request will exceed 100 pages, we will provide you with an estimate of the total cost prior to fulfilling your request. The actual fees charged may differ from the estimate. The City strives to provide estimates that are as accurate as possible but cannot guarantee the final cost of the request until search and retrieval of the data is complete. You will only be charged the actual cost of fulfilling your request.

In an effort to ensure access to public data, there will be no search and retrieval charge for requests that require less than 30 minutes of staff time. Multiple requests within the same 15 business day period will be treated as a single request for the purposed of calculating fees.

Data Practices Contacts

Responsible Authority: Susan Johnson, City Clerk
212 Central Avenue
Buffalo MN 55313
763.682.1181
Susan.johnson@ci.buffalo.mn.us

As Responsible Authority, the City Clerk orders the following individuals as data practices compliance official and designees.

Compliance Official: Taylor Gronau, City Administrator
212 Central Avenue
Buffalo MN 55313
763.682.1181
Taylor.gronau@ci.buffalo.mn.us

Designees:

Kelly Prestidge, Police Department Office Manager
212 Central Avenue
Buffalo MN 55313
763.682.5976
Kelly.Prestidge@ci.buffalo.mn.us

Carmen Merrill, Human Resources Manager
212 Central Avenue
Buffalo MN 55313
763.682.1181
Carmen.merrill@ci.buffalo.mn.us

Andrew Johnson, Police Captain
212 Central Avenue
Buffalo MN 55313
763.682.5976
Andrew.johnson@ci.buffalo.mn.us

Trisha Rollag, Permitting Technician
212 Central Avenue
Buffalo MN 55313
763.682.1181
permits@ci.buffalo.mn.us

The responsible authority reserves the right to re-assign designee roles in the event of employee changes, including but not limited to departures, transfers, or other personnel adjustments. This ensures that responsibilities remain properly assigned and tasks continue to be effectively carried out.

Council Adopted 06.02.2025

Data Inventory

MAINTAINED BY CITY OF BUFFALO CLASSIFIED AS PRIVATE OF CONFIDENTIAL DATA ON INDIVIDUALS

Private, Confidential, Nonpublic and Protected Nonpublic data are available only to those employees and volunteers who need to access the data in order to perform their specific work assignments. The Responsible Authority and Designees are responsible for ensuring that not public data is accessed only as needed or as provided by law.

Personnel Data (Private)

Minn. Stat. § 13.43

All data about an individual who is employed as, or an applicant for employment as, an undercover law officer is private data.

All personnel data is private except for the following which is public:

- Name
- Employee identification number (which must not be employee Social Security number)
- Actual gross salary
- Salary range
- Terms and Conditions of employment relationship
- Contract fees
- Actual gross pension
- Value and nature of employer paid fringe benefits
- Basis for and amount of added remuneration, including expense reimbursement
- Job title
- Bargaining unit
- Job description
- Education and training background
- Previous work experience
- Date of first and last employment
- The existence and status (but not nature) of any complaints or charges against the employee, whether or not resulting in discipline
- Final disposition of any disciplinary action, with specific reasons for the action and data documenting the basis of the action, excluding data that would identify confidential sources who are employees
- Terms of any agreement settling any dispute arising from the employment relationship, including a "buyout" agreement
- Work location
- Work telephone number
- Badge number
- Work related continuing education
- Honors and awards received
- Payroll time sheet or other comparable data that are only used to account for employee's work time for payroll purposes, except to the extent that release of time sheet data would reveal the employee's reasons for the use of medical leave or other not public data

If it is necessary to protect an employee from harm to self or to protect another person who may be harmed by the employee, information that is relevant to the safety concerns may be released to (1) the person who may be harmed or to the person's attorney when relevant to obtaining a restraining order, (2)

Data Inventory

a pre-petition screening team in the commitment process, or (3) a court, law enforcement agency or prosecuting authority.

Applicant Data (Private)

Minn. Stat. § 13.43, Subd. 4

Data about current and former applicants for employment is private, except the following which is public:

- Veteran status
- Relevant test scores
- Rank on eligible list
- Job history
- Education and training
- Work availability
- Name, after being certified as eligible for appointment to a vacancy or when considered a finalist for a position of public employment (which occurs when the person has been selected to be interviewed by the appointing authority)

Applicant for Appointment

Minn. Stat § 13.601, Subd. 3

Data about applicants for appointment to a public body collected by a government entity as a result of the applicant's application for appointment to the public body are Private Data on individuals except that the following are public: name, city of residence (except when appointment has residency requirement), education and training, employment history, volunteer work, awards and honors, prior government services, data required to be provided for application to a multimember agency pursuant to section 15.0597, and veteran status.

Once an individual is appointed to a public body, the following additional data are public: residential address, either a telephone number or email address where the appointee can be reached or both at the request of appointee, first and last dates of service on the public body, existence and status of any complaints or charges against the appointee, and the final investigative report related to any complaint or charge unless access to the data would jeopardize an active investigation.

Benefit Data (Private)

Minn. Stat. § 13.462

Data on individuals when they seek information about becoming a recipient or are an applicant or recipient of certain benefits or services administered by the city.

Transportation Service Data (Private)

Minn. Stat. § 13.72 Subd. 10

Personal, medical, financial, familial, or locational information, except the name, of applicants or users of transportation service for the disabled or elderly

Convention (Civic/Community) Center Data (Private)

Minn. Stat. § 13.55

(a) a letter or other documentation from any person who makes inquiry to or who is contacted by the facility regarding the availability of the facility for staging events; (b) identity of firms and corporations which contact the facility; (c) type of event which they wish to stage in the facility; (d) suggested terms of rentals; and (e) responses of authority staff to these inquiries. This data becomes public if the event does

Data Inventory

not occur or occurs elsewhere or five years from the date of the contract signing or event, whichever occurs earlier.

Property Complaint Data (Confidential)

Minn. Stat. § 13.44, Subd. 1

The identities of individuals who register complaints concerning violations of state laws or local ordinances concerning the use of real property.

Security Information (Private/Nonpublic)

Minn. Stat. § 13.37, Subd. 2

Data which if disclosed would be likely to substantially jeopardize the security of information, possessions, individuals or property against theft, tampering, improper use, attempted escape, illegal disclosure, trespass, or physical injury. This includes checking account numbers, crime prevention block maps and lists of volunteers who participate in community crime prevention programs and their home addresses and telephone numbers, but these may be disseminated to other volunteers participating in crime prevention programs. This also includes interior sketches, photos, or plans of buildings where detailed information about alarm systems or similar issues could jeopardize security.

Registered Voter Lists/Absentee Ballots (Private/Nonpublic)

Minn. Stat. §§ 13.37, Subd. 2; 203B.12, 201.091

Sealed absentee ballots before opening by an election judge. Names of voters submitting absentee ballots are private until the close of voting.

Registered voter lists are private, except for use related to elections, political activities, or law enforcement. The data of birth on voter lists is always private.

Bids, Proposals, Sealed Bids (Private/Nonpublic)

Minn. Stat. § 13.37, Subd. 2; 13.591, Subd. 3 and 5

Sealed bids, including the number of bids received, prior to opening.

Data submitted by a business to a government entity in response to a request for bids or request for proposals. Once opened the following data becomes public, for a request for bids the name dollar amount, for a request for proposals the name. After the process is completed, all remaining data are public with the exception of trade secret data.

Data in an internal competitive response

Evaluative Data (Protected Nonpublic)

Minn. Stat. § 13.37, Subd. 2; 13.591, Subd. 3

Data created or maintained by a government entity as part of the selection or evaluation process for a request for bids or request for proposals are protected nonpublic data until completion of the selection process or completion of the evaluation process at which time the data are public with the exception of trade secret data.

Trade Secret Information (Private/Nonpublic)

Minn. Stat. § 13.37, Subd. 2

Government data, including a formula, pattern, compilation, program, device, method, technique or process (1) that was supplied by the City, (2) that is the subject of efforts by the City that are reasonable under the circumstances to maintain its secrecy, and (3) that derives independent economic value, actual

Data Inventory

or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use.

Labor Relations Information (Private/Nonpublic/Protected Nonpublic) Minn. Stat. § 13.37, Subd. 2

Management positions on economic and non-economic items that have not been presented during the collective bargaining process or interest arbitration, including information collected or created to prepare the management position.

Firearms Data (Private) Minn. Stat. § 13.87, Subd. 2

Data about the purchase or transfer of firearms and applications for permits to carry firearms.

Examination Data (Private) Minn. Stat. § 13.34

Completed versions of personnel and licensing examinations are private, unless the Responsible Authority determines that they should be confidential because access would compromise the objectivity, fairness or integrity of the examination process.

Elected Officials Correspondence (Private) Minn. Stat. § 13.601, Subd. 2

Correspondence between individuals and elected officials, but either may make it public.

Federal Contracts Data (Private/Nonpublic) Minn. Stat. § 13.35

To the extent that a federal agency requires it as a condition for contracting with a City, all government data collected and maintained by the City.

Civil Investigative Data (Confidential/Protected Nonpublic/Private) Minn. Stat. § 13.39, Subd. 2

Data collected as part of an active investigation undertaken to commence or defend pending civil legal action, or which are retained in anticipation of pending civil legal action.

Recreational Data (Private) Minn. Stat. § 13.548

For people enrolling in recreational or other social programs: name, address, telephone number, any other data that identifies the individual, and any data which describes the health or medical condition of the individual, family relationships, living arrangements, and opinions as to the emotional makeup or behavior of an individual.

Domestic Abuse Data (Confidential) Minn. Stat. §§ 13.80

Data collected, created, received or maintained by the police department, sheriff's office or clerk of court under the Domestic Abuse Act is confidential.

Data Inventory

Appraisal Data (Confidential/Protected Nonpublic)

Minn. Stat. § 13.44, Subd. 3

Appraisals made for the purpose of selling or acquiring land through purchase or condemnation.

Appraisal Value (Private/Nonpublic)

Minn. Stat. § 13.44, Subd. 3

Appraised values of individual parcels of real property that are made by appraisers working for fee owners or contract purchasers who have received an offer to purchase their property from a government entity.

Appraisal Data – Personal or Intangible Property (Nonpublic)

Minn. Stat. § 13.44, Subd. 3

Appraisals of personal or intangible property owned by the city or county.

Law Enforcement Data (Private) Minn. Stat. §§ 13.82, 13.821, 13.871

See also §§ 169.09, 168.10, 169A.70, 171.043, 171.07, 171.071, 171.12, 171.32, 243.166, 299A.61, 299C.065, 299C.091, 299C.093, 299C.095, 299C.46, 299C.53, 299C.56, 611.272, 626.53, 609.324, 609.3457, 609.3471, 626.556, 626.557, 626.558, 626.89, 629.341, 299C.68, 299F.035, 299F.05, 299F.054, 299F.055, 299F.056, 299F.095, 299F.096

Certain arrest data, request for service data, response or incident data, and written transcripts of 911 calls (unless it reveals the individual's identity) are public under Minn. Stat. § 13.82. Otherwise, investigative data collected to prepare a case against a person for the commission of a crime or civil wrong is confidential or protected nonpublic information while the investigation is active. A person's financial account number or transaction numbers are private or nonpublic even after the investigation is inactive. Photographs which are part of inactive investigation files are private or nonpublic if they are clearly offensive to common sensibilities.

The identity of a victim of child abuse or neglect is private. The identity of a reporter of child abuse or neglect is confidential. Inactive investigative data which relates to the alleged abuse or neglect of a child by a person responsible for the child's care is private. Videotapes of child abuse victims may not be released under any circumstances without a court order.

Certain data in reports and investigations related to maltreatment of vulnerable adults is confidential or private.

Name change data related to a name change under section 259.10, Subd. 2 is private.

Data which would reveal the identities of the following individuals is private:

- The identity of undercover law enforcement officers.

- The identity of criminal sexual conduct victims.

- The identity of certain informants.

- The identity of victims or witnesses to a crime whose personal safety or property would be threatened by disclosure.

- The identity of a deceased person whose body was unlawfully removed from a cemetery.

- The identity of a person making a 911 call, or the identity or telephone number of a service subscriber whose phone is used to place a 911 call, if revealing the person's identity would

Data Inventory

threaten his or her personal safety or property or if the objective of the call was to receive help in a mental health emergency.

The identity of a juvenile witness and the agency reasonably determines that the subject matter of the investigation justifies protecting the identity of the witness.

The identity of a mandated reporter under sections 60A.952, Subd. 2, 609.456, 626.559 or 626.557.

Data in arrest warrants or search warrants are confidential until the individual has been taken into custody, served with a warrant, or appears before the court, except when the law enforcement agency determines that the public purpose is served by making the information public.

Unique descriptions of stolen, lost, confiscated, or recovered property is private or nonpublic.

Financial records of a program that pays rewards to informants are protected nonpublic data, or in the case of individuals, confidential data.

Data on missing children bulletins shall be classified by section 299C.54.

Deliberative processes or investigative techniques are confidential.

Booking photographs are public. A law enforcement agency may temporarily withhold access to a booking photograph if the agency determines that access will adversely affect an active investigation.

Identities of customers of licensed pawnshops and secondhand goods dealers are private.

Predatory offender registration status shall be classified by section 244.052.

Sexual Assault Data (Private)

Minn. Stat. §§ 13.822

Sexual assault communication data.

Automated License Plate Reader Data (Private/Nonpublic)

Minn. Stat. §§ 13.824

Data collected by an automated license plate reader.

Portable Recording System Data (Private/Nonpublic)

Minn. Stat. §§ 13.825

Data collected by a portable recording system are private or nonpublic except as set forth in Subd. 2 (a).

Corrections and Detention Data (Private/Confidential)

Minn. Stat. § 13.85

Corrections or detention data which would disclose medical, psychological, or financial information or endanger an individual's life.

Corrections or detention data to the extent release of the data would (a) endanger an individual's life, (b) endanger the effectiveness of an investigation authorized by statute and relating to the enforcement of rules or law, (c) identify a confidential informant, or (d) clearly endanger the security of any institution or its population.

Data Inventory

Investigative Detention Data (Private/Confidential)

Minn. Stat. § 13.86

Investigative detention data which: (a) if revealed, would disclose the identity of an informant who provided information about suspected illegal activities, and (b) if revealed, is likely to subject the informant to physical reprisals by others.

Criminal History Data (Private/Confidential)

Minn. Stat. § 13.87, Subd. 1

Criminal history data is private, except convictions of crimes which are public data for 15 years following the discharge of the sentence imposed.

Mental Health Data obtained by Law Enforcement (Private/Confidential) Minn. Stat. § 144.294

Health records obtained by law enforcement under section 144.294.

Juvenile Justice Data (Private/Confidential)

Minn. Stat. § 13.875, 260B.171, 260B.198, 260B.235

Certain juvenile justice data.

Planning Survey Data (Private/Nonpublic)

Minn. Stat. § 13.59

The following data collected in surveys of individuals conducted for the purposes of planning, development and redevelopment: names and addresses of individuals and the legal descriptions of property owned by the individuals, and the commercial use of the property to the extent disclosure of the use would identify a particular business. In surveys of businesses conducted for the purposes of planning, development and redevelopment, the names, addresses, and legal descriptions of business properties and the commercial use of the property to the extent disclosure of use would identify a particular business.

City Attorney Records (Privileged/Protected)

Minn. Stat. § 13.393

The use, collection, storage, and dissemination of data by the city attorney is governed by statutes, rules, and professional standards concerning discovery, production of documents, introduction of evidence, and professional responsibility.

Business Data (Private/Nonpublic)

Minn. Stat. § 13.591

The following data that are submitted by a business requesting financial assistance, a license, or other benefit are private or nonpublic: financial information about the business, including credit reports; financial statements; net worth calculations; business plans; income and expense projections; balance sheets; customer lists; income tax returns; and design, market and feasibility studies not paid for with public funds. This data becomes public when financial assistance is granted except the following remain private or nonpublic: business plans; income and expense projections not related to the financial assistance provided; customer lists; income tax returns; and design, market, and feasibility studies not paid for with public funds.

Municipal Obligation Register Data (Private/Nonpublic)

Minn. Stat. § 475.55, Subd. 6

Information with respect to the ownership of certain municipal obligations.

Data Inventory

Auditing Data (Confidential/Protected Nonpublic/Private)

Minn. Stat. § 13.392

Data, notes and preliminary drafts of audit reports created, collected and maintained by the internal audit office of the City until the final report has been published or the audit or investigation is no longer being actively pursued. Data on an individual supplying information for an audit or investigation that could reasonably be used to determine the individual's identity if the data was needed and would not have been provided without assurances that the individual's identity would remain private.

Salary Benefit Survey Data (Nonpublic)

Minn. Stat. § 13.435

Salary and personnel benefit survey data purchased from consulting firms or nonprofit organizations or obtained from employees with written understanding that such data shall not be made public.

Public Employees Retirement Association Data (Private)

Minn. Stat. § 13.63, Subd. 3

The following data on beneficiaries and survivors of members are private: home address, date of birth, direct deposit account number, and tax withholding data.

Drug and Alcohol Test Results (Private/Confidential)

Minn. Stat. § 181.954

Drug and alcohol test results for public sector employees and job applicants.

Safe at Home Program Participant Data (Private)

Minn. Stat. § 13.045, Subd. 3

Identity and location data on program participants who submit required notice.

Electronic Access Data (Private)

Minn. Stat. § 13.15, Subd. 2

Data related to a person's access to a government entity's computer.

Social Security Numbers (Private)

Minn. Stat. § 13.355, Subd. 1

The Social Security numbers of individuals, whether provided in whole or in part, collected or maintained by a government entity.

Personal Contact and Online Account Information (Private)

Minn. Stat. § 13.356

Telephone number, e-mail address, internet user name, password, Internet protocol address, and any other similar data related to the individual's online account or access procedures collected, maintained, or received by the entity for notification purposes or as part of a subscription list for the entity's electronic periodic publications.

Drinking Water Testing Data (Private/Nonpublic)

Minn. Stat. § 13.3805, Subd. 4

Data that identify the address of the testing site and the name, address, and telephone number of residential home owners of each specific site that is tested for lead and copper as required by the federal Safe Drinking Water Act, the United States Environmental Protection Agency's lead and copper rule, and the department's drinking water protection program.

Data Inventory

Medical Data (Private)

Minn. Stat. § 13.384, Subd. 3

Data collected because an individual was or is a patient or client of a hospital, nursing home, medical center, clinic, health or nursing agency operated by a government entity including business and financial records, data provided by private health care facilities, and data provided by or about relatives of the individual.

Deferred Assessment Data (Private)

Minn. Stat. § 13.52

Any data, collected by political subdivisions pursuant to section 435.193, which indicate the amount or location of cash or other valuables kept in the homes of applicants for deferred assessment.

Address of Candidate for Office (Private)

Minn. Stat. § 204B.06, Subd. 1b

A candidate's address of residence.

Utility Disconnection (Private/Nonpublic)

Minn. Stat. § 13.681, Subd. 6

Utility data on disconnections provided to cities under section 216B.0976.

Reporting Employee Identity (Private)

Minn. Stat. § 181.932, Subd. 2

Identity of an employee making a report under section 181.932, Subd. 1.