

CITY OF MINNEAPOLIS

Neighborhood and Community Engagement Commission

Open Meeting Law and
Data Practices Act Training

Open Meeting Law Overview

- Minnesota Statutes, Chapter 13D
- Public gets advance notice of public meetings
- Public meetings open to public



Open Meeting Law Applies To

- City of Minneapolis
- Neighborhood and Community Engagement Commission (“NCEC”) through Resolution 2011R-668
 - “Meetings of the Commission will be open to the public and televised, when possible, and subject to the requirements of the Minnesota Open Meeting Law.”

Open Meeting Law

Public Meeting - Generally

A Public Meeting (open to public with prior notice) occurs when two criteria are met:

1. There is a quorum of the public body
NCEC – if 16 members, quorum is 9
NCEC Executive Committee – if there are 4 members, quorum is 3
2. The quorum discusses or receives information on official business or makes decisions on official business

Exception – Things similar to informational letter

Open Meeting Law

Printed Materials at Open Meeting

At least one copy of the following printed materials must be available for public inspection at a meeting:

- Material distributed at the meeting to all members of the governing body;
- Material distributed before the meeting to all members; and
- Material available in the meeting room to all members.

Does not apply to data that is “not public” that is discussed at a meeting.
(Minn. Stat. § 13D.01, subd. 6(b))

Open Meeting Law

Serial Meetings Violation

- Serial Meetings: Multiple small meetings of less than a quorum that combined amount to a quorum
 - Not OK to discuss official business
 - Applies to NCEC and any committee of the NCEC
 - Applies to all means of communication (e.g., phone, e-mail, texts, U.S. Mail, skype, etc.)
 - Best practice to do work at committee or NCEC meetings

Data Practices Act Overview

- Minnesota Government Data Practices Act, Minnesota Statutes, Chapter 13
- Government data: “all data collected, created, received, maintained or disseminated by any government entity regardless of its physical form, storage media or conditions of use.” (Minn. Stat. § 13.02, subd. 7)
- Presumes government data is public unless there is a federal statute, state statute or temporary legal classification of data that says otherwise

Data Practices Act Overview

- When requested, the Public may view and get copies of public data as soon as reasonably possible
- If public data exists when it is requested
 - Do not destroy requested data
 - It must be provided to the requester if it is public



Data Practices Act Commission Notes

- Commission-related notes can be obtained by the public (under the DPA) even if they do not need to be retained as a part of an official transaction.
- Avoid personal information on Commission-related notes (e.g., your friend's address or phone number or doodles).
- If there is a DPA request for your Commission-related notes, do not destroy your notes. All or part of your notes might be public and available to the requester.

Data Practices Act Commission Notes

- Consider not using electronic devices to keep notes (e.g., laptop, notebook, tablet, smart phone, etc.)
 - If you use an electronic device for notes, there could be a request for the electronic version of your notes. If there is litigation, the Court could order that your device be turned over for review.
 - If you use an electronic device for notes, ensure you have a way to provide those notes to the NCEC staff liaison in electronic format if there is a data request for your notes.

