

**Minneapolis**  
City of Lakes

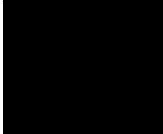
**Office of the City Attorney**

Susan L. Segal  
City Attorney

January 16, 2013

350 South 5<sup>th</sup> Street  
City Hall, Room 210  
Minneapolis, MN 55415

Office  
Civil Division Fax  
Criminal Division Fax  
CPED Fax  
TTY



Matt Ehling, President  
Public Record Media, LLC  
2375 University Avenue West  
Suite 200  
St. Paul, MN 55114

Re: Data Practices Act Request – short description of “security information” redaction

Dear Mr. Ehling:

By letter dated December 27, 2012, you requested that the City of Minneapolis provide a short description regarding the classification of data as “security information” under Section 13.37. Your request is made under Section 13.37, subd. 2(b), which provides as follows:

“(b) If a government entity denies a data request based on a determination that the data are security information, upon request, the government entity must provide a short description explaining the necessity for the classification.”

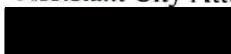
You requested that the City provide an explanation of any “security information” redactions from select e-mails of July 6, 2012 and July 13, 2012, as well as from paragraph 5 of the License document. I have enclosed those three document excerpts to ensure we are discussing the same redactions.

The e-mails dated July 6, 2012 and July 13, 2012 are protected under Section 13.393 as attorney work product and attorney-client privileged. Corey Conover and Peter Ginder are attorneys for the City and Minneapolis.

Paragraph 5 of the License document was redacted as “security information.” That paragraph describes U.S. Navy activities that, if known, would be likely to substantially jeopardize the security of the Minneapolis Water Works facility.

Sincerely,

CAROLINE M. BACHUN  
Assistant City Attorney



Enclosures: Three Redacted Documents

**Conover, Corey M.**

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**From:** Conover, Corey M.  
**Sent:** Friday, July 06, 2012 2:28 PM  
**To:** Hamilton, Heidi J; Kocourek, Charlie W.  
**Cc:** Bullert, Bernie; Ginder, Peter W.  
**Subject:** RE: update on license agreement

Thanks.

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**From:** Hamilton, Heidi J  
**Sent:** Friday, July 06, 2012 2:28 PM  
**To:** Conover, Corey M.; Kocourek, Charlie W.  
**Cc:** Bullert, Bernie; Ginder, Peter W.  
**Subject:** RE: update on license agreement

I will contact the Mayor's office to find out who is involved.

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**From:** Conover, Corey M.  
**Sent:** Friday, July 06, 2012 2:25 PM  
**To:** Kocourek, Charlie W.  
**Cc:** Bullert, Bernie; Hamilton, Heidi J; Ginder, Peter W.  
**Subject:** RE: update on license agreement  
**Importance:** High

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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**From:** Kocourek, Charlie W.  
**Sent:** Friday, July 06, 2012 1:53 PM  
**To:** Conover, Corey M.



**Conover, Corey M.**

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**From:** Conover, Corey M.  
**Sent:** Friday, July 13, 2012 3:00 PM  
**To:** Hamilton, Heidi J; Kocourek, Charlie W.  
**Subject:** FW: License agreement with City of Minneapolis  
**Attachments:** Water Plant Navy Exercise License 7-12-12.docx

Bernie will sign.

-----Original Message-----

**From:** Conover, Corey M.  
**Sent:** Friday, July 13, 2012 2:06 PM  
**To:** Hamilton, Heidi J  
**Cc:** Ginder, Peter W.; Kocourek, Charlie W.; Bullert, Bernie  
**Subject:** FW: License agreement with City of Minneapolis

Heidi,

It looks like Bernie is OK with this approach. The Navy is OK with this approach. Are there any objections I should be aware of?

[REDACTED]

The next question is: who should sign the license? It should be the person who in the normal course of business decides what events can and can't take place on the property. Who is that? Charlie's name is on the draft, but that can be changed.

Corey

-----Original Message-----

**From:** Bullert, Bernie  
**Sent:** Friday, July 13, 2012 1:19 PM  
**To:** Conover, Corey M.  
**Subject:** RE: License agreement with City of Minneapolis

Seems ok to me

Bernie

-----Original Message-----

**From:** Conover, Corey M.  
**Sent:** Thursday, July 12, 2012 3:57 PM  
**To:** [REDACTED]  
**Subject:** License agreement with City of Minneapolis

Billy,

**LICENSE FOR THE USE OF MINNEAPOLIS WATER WORKS  
BY THE UNITED STATE NAVY  
SPECIAL WELFARE DEVELOPMENT GROUP**


This License ("License") is issued by the City of Minneapolis ("City") to the Commander, Naval Special Warfare Development Group (NSWDG), acting as a representative for the United States Government ("Navy").

1. The United States Government desires to use the Minneapolis Water Works facility at 4500 Marshall Street N. E., Fridley, MN 55421 ("the water plant") owned and operated by the City (in the City of Fridley) for the purpose of conducting military training for personnel attached to NSWDG. The Navy promises that the proposed training will not adversely impact the City's operation of its' water plant or adversely impact the operational schedule of the water plant. The Navy understands that the water plant operates 24 hours a day, seven days a week to provide safe drinking water to approximately half a million customers. The Navy understands that the water plant has sensitive areas, that it is staffed 24 hours a day and that it is a secure facility.

2. The City is not charging a fee for making the water plant available for training by NSWDG subject to the Navy's compliance with City access and safety protocols. The City grants NSWDG personnel use of the water plant for training during such times as may be mutually acceptable to the City and the Navy and pursuant to the limitations herein. The right of access to the water plant is conditioned on the City's approval of training on particular training dates submitted and approved at least a week in advance of the training.

3. The City makes no representations that the water plant property is suitable for the contemplated training. Normal operations permitting, representatives of the Navy will be granted access to the properties at least seventy-two (72) hours prior to the training to inspect and evaluate the suitability and safety of the properties for the proposed training.

4. The training may include military operations in urban terrain including use of Simmunition and flash bang grenades. The training will not include over flights by helicopters or low altitude flights by military aircraft. All vehicles brought to the water plant will restrict their use to existing roads at posted speeds unless specifically permitted by City staff and while under active City supervision.



6. The City understands that in the event it becomes necessary the City has the right to file a claim with the United States Navy pursuant to the Federal Tort Claims Act (28 U.S.C. §§ 1346(b) 2671-2672, and 2674-2680) (FTCA) or the Military Claims Act (10 U.S.C. § 2733) (MCA).