

**BYLAWS OF THE  
METROPOLITAN COUNCIL  
LAND USE ADVISORY COMMITTEE**

**ARTICLE I - ORGANIZATION AND DUTIES**

**A. Establishment and Name.** Pursuant to Minnesota Statutes sections 473.127 and 473.853, the Metropolitan Council (the “Council”) hereby establishes the Land Use Advisory Committee (the “Committee”).

**B. Committee Purpose and Charge.** The Committee will assist the Council in performing the Council’s regional land use planning functions under Minnesota Statutes Chapter 473 and will undertake such other duties and responsibilities as are delegated to the Committee by the Council or required by law. The Committee’s advisory duties shall include rendering advice and assistance regarding metropolitan land use and comprehensive planning and matters of metropolitan significance as requested by the Council.

**1. Metropolitan Land Use and Comprehensive Planning.** As and when requested by the Council and under the direction of the Committee Chair, the Committee will provide assistance to the Council in performing the Council’s regional land use planning responsibilities. The Committee’s assistance may include, without limitation:

- (a) Providing advice and recommendations to the Council regarding guidelines and procedures for implementing the Metropolitan Land Planning Act, including Minnesota Statutes sections 462.255, subdivision 4, 473.175 and 473.851 to 473.871.
- (b) Providing advice and recommendations to the Council regarding guidelines for metropolitan system plans.
- (c) Conducting hearings to resolve disagreements over the content of system statements as requested or required under Minnesota Statutes section 473.857.
- (d) Providing advice and recommendations to the Council regarding criteria, guidelines and procedures for administering the local planning assistance fund established under Minnesota Statutes section 473.867.

**2. Metropolitan Significance Matters.** When requested by the Council and pursuant to Minnesota Statutes section 473.173 and the direction of the Committee Chair, the Committee’s assistance may include:

- (a) Providing advice and assistance to the Council in developing and implementing rules establishing standards, guidelines and procedures for determining matters of metropolitan significance.

- (b) Providing advice and assistance to the Council in establishing a procedure for reviews and final determinations on matters of metropolitan significance.

## **ARTICLE II - MEMBERSHIP**

- A. Members.** The Committee shall consist of at least sixteen (16) members, plus a chair. In accordance with Minnesota Statutes section 473.853, the membership of the Committee shall include at least one member from each Council district and provide representation from each metropolitan county, plus a chair. At least one-half of the members shall be elected officials of local governmental units. The Committee members shall perform their advisory committee functions under the supervision and direction of the Committee Chair.
- B. Officers.** The officers of the Committee are the Chair, Vice Chair and Secretary. The Chair and Vice Chair must be Committee members. The Secretary shall be a Council employee.
  - 1. Committee Chair.** The Committee Chair shall be recommended by the Chair of the Council, approved by the Council, and shall serve as a voting member of the Committee. The Committee Chair shall preside at all Committee meetings and have the duties and responsibilities normally attendant upon that office as well as duties and responsibilities prescribed by these bylaws and delegated or assigned by the Council or the Committee. The Committee Chair shall serve as Chair for a two-year term, or until the Chair's successor is appointed, and may be reappointed Chair for one or more additional two-year terms.
  - 2. Committee Vice Chair.** The Committee Chair shall name a Committee Vice Chair from among the Committee members subject to the approval of the Committee. The Vice Chair shall act for the Chair during the Chair's temporary absence or disability. The term of the Vice Chair shall be one year commencing at the first meeting in January, or until the Vice Chair's successor is appointed. The Vice Chair may be reappointed Vice Chair for one or more additional one-year terms.
  - 3. Committee Secretary.** The Committee Secretary shall be a designated Council employee. The Secretary shall not participate in Committee discussions about or vote on any matters before the Committee. The Secretary shall keep a current and correct journal of all Committee proceedings.
- C. Terms.** Pursuant to Minnesota Statutes section 473.853, each Committee member shall be appointed for the same period as the term of the Council member for the district in which the Committee member resides. In the event a Council member resigns or otherwise ceases to be a Council member prior to the expiration of the Council member's full term, the Committee member appointed from that district may continue to serve until the expiration of the full term of the Council member for which the Committee member originally was appointed.
- D. Committee Vacancies.** Committee members shall communicate their intentions to resign to the Committee Chair in writing. When a vacancy occurs, the Committee Chair shall immediately notify the Council Chair and the Council shall, as soon thereafter as possible, appoint a new Committee member to fill the vacated position for the unexpired term.

### ARTICLE III - MEETINGS OF THE COMMITTEE

- A. Regular Meetings.** The Committee shall hold regular meetings. Regular meetings of the whole Committee shall be scheduled to be held once a month in the Metropolitan Council Chambers, or at such other place as may be determined by the members of the Committee or the Council. The public shall be notified of Committee meetings in accordance with applicable law and general Council procedures.
- B. Special Meetings.** Special meetings of the Committee may be held at any time upon the call of the Chair, the Vice Chair, or any six (6) other members of the Committee. Notice of special meetings shall include the date, time, place and agenda and be sent to the Committee members at least three (3) calendar days prior to the meeting. There shall be adequate public notice of such meetings. In the event of an emergency, notice may be waived by two-thirds of the Committee. Business transacted at a special meeting where notice has been waived may be called for reconsideration at the next regular meeting of the Committee.
- C. Quorum.** A majority of the Committee members shall constitute a quorum for the conduct of Committee business, except that a quorum shall not be necessary for conducting public hearings. If a quorum exists at any time during the meeting, a quorum is then determined to exist for the remainder of the meeting. Should a quorum not exist the Chair may, in the Chair's discretion, entertain and report any general discussions and any consensus of the Committee members present at the meeting.
- D. Public Participation.** All Committee meetings shall be open to the public. The Committee Chair may, subject to challenge by a majority of the Committee members, permit or close public discussion on any agenda item. Public participation at a Committee meeting relative to specific agenda items should, to the extent possible, present new information not previously made available to the public.
- E. Conflicts of Interest.** No Committee member shall participate in any deliberations or vote on any matters or proposals in which the Committee member has a conflict of interest. A conflict of interest exists when: (1) an action or decision by the Committee or the Council could substantially affect the Committee member's financial interests or the financial interests of an organization with which the Committee member is affiliated; (2) the Committee member is a director, trustee, officer, employee or agent of an institution or organization directly involved in an issue or proposal before the Committee or the Council; (3) the Committee member is related by blood or marriage to an individual directly affected by an issue or proposal before the Committee or the Council; or (4) the Committee member knows or has reason to know an organization with which the Committee member is affiliated or is reasonably likely to become a participant in a project or development which will be affected by an action or decision by the Committee or the Council.

A conflict of interest generally does not exist if the effect of a Committee or Council action or decision on the Committee member will be no greater than on other individuals engaged in the business, profession or occupation of the Committee member, or if the effect on the organization with which the Committee member is affiliated is indirect, remote and insubstantial.

Prior to the commencement of Committee deliberations, a Committee member who has a conflict of interest shall orally disclose to the Committee Chair that the Committee member has a conflict of interest. The Committee member also shall prepare a written statement describing the matter requiring action or decision and the nature of the Committee member's conflict of interest. The written disclosure shall be entered upon the minutes of the Committee at the Committee's next meeting. The written disclosure shall be submitted to the Committee Chair no later than one week after the Committee member becomes aware of the conflict of interest.

**F. Order of Business.** The business of the Committee shall be conducted in the following order:

1. **Roll Call.** Roll call by the Secretary of the presiding officer.
2. **Agenda Approval.** Motions, if any, by Committee members to amend the published agenda and approval of the agenda or the amended agenda.
3. **Minutes Approval.** Approval of the minutes of prior meetings.
4. **Recitals.** Recitals regarding petitions and communications to the Committee.
5. **Agenda.** Consideration of agenda items on the published agenda or the amended agenda.
6. **Other Business.** Other matters which properly may come before the Committee.
7. **Reports.** Reports of officers, Committee members and staff.
8. **Presentations.** Presentations by interested public at the meeting wishing to be heard on Committee matters not included on the agenda.
9. **Adjournment.** Motion to adjourn.

**G. Conduct of Business.** The business of the Committee shall be conducted in accordance with the following provisions:

1. **Robert's Rules of Order.** Committee meetings shall be governed by *Robert's Rules of Order* (most recent revision), to the extent they are consistent with laws or these bylaws, as well as Council and Committee bylaws and all other applicable Council policies and procedures. If these bylaws conflict with the Council's bylaws or applicable law, the Council's bylaws and applicable law shall prevail.
2. **Suspension of Rules.** Committee rules and procedures may be suspended by two-thirds vote of the Committee members present.
3. **Voting, Motions and Recording.** Voting on any matter shall be by voice vote, provided that roll call votes shall be called and recorded on any issue if requested by one or more Committee members. Upon request of any Committee member, the Secretary shall repeat the motion and name the mover and the secondor immediately preceding a vote by

the Committee. There shall be no voting by proxy and each member shall be entitled to only one vote on any issue.

4. **Public Record.** All minutes and reports of the Committee shall be retained on file at the Metropolitan Council offices and shall be available for inspection by any member of the public unless otherwise made not public by the Minnesota Government Data Practices Act or other applicable state or federal law.

#### **ARTICLE IV - SPECIAL COMMITTEES**

The Committee Chair may appoint or dissolve special committees of the Committee, subject to Committee approval. Except as otherwise provided in these bylaws, procedures governing notification of meeting time and place, order of business, and conduct of business at meetings of special committees shall be the same as those for meetings of the Committee. Subcommittees may be formed to address existing or emerging issues.

#### **ARTICLE V - STAFFING**

The Community Development Division Director shall designate a Committee Secretary and shall assign Council staff to assist the Committee in carrying out its duties and responsibilities.

#### **ARTICLE VI - EXPENSE REIMBURSEMENT**

The Committee members shall serve without compensation but may be reimbursed for reasonable expenses in accordance with adopted Council policy.

#### **ARTICLE VII - AMENDMENT OF BYLAWS**

The Committee may recommend amendments to these bylaws by a two-thirds vote of the members present at any regular meeting of the Committee provided written notice setting forth in detail the contents of the proposed amendments has been given to Committee members at least ten (10) days prior to the meeting. Recommended amendments shall not be effective unless approved by the Council pursuant to the Council's bylaws.

Adopted by the Metropolitan Council December 15, 1999.

Amended by the Metropolitan Council January 14, 2004.