

M Management Committee
For the Metropolitan Council Meeting of December 9, 2009

Item: 2009-359

ADVISORY INFORMATION

Date Prepared: **November 19, 2009**

Subject: **Resolutions Setting Council and Committee Dates and Authorizing Closed Committee Meetings; Resolutions 2009-26 through 2009-32 (Dave Theisen 651-602-1706)**

Proposed Action:

That the Metropolitan Council adopts the attached resolutions setting days, times and locations for regular meetings of the Council and its Committees and authorizing closed Committee meetings.

Metropolitan Council (Res No. 2009-26), Committee of the Whole (Res No. 2009-27), Management Committee (Res No. 2009-28), Environment Committee (Res No. 2009-29), Community Development Committee (Res No. 2009-30), Transportation Committee (Res No. 2009-31), and the Litigation Review Special Committee (Res No. 2009-32).

Summary of Committee Discussion / Questions:

Deputy General Counsel Dave Theisen presented the proposed resolutions to the Committee.



Management Committee

Business Item
Item: 2009-359

Meeting Date: November 18, 2009

Council Meeting Date: December 9, 2009

ADVISORY INFORMATION

Date: October 5, 2009

**Subject: Resolutions Setting Council and Committee Dates and
Authorizing Closed Committee Meetings;
Resolutions 2009-26 through 2009-32**

District(s), Member(s): All

Policy/Legal Reference: Council Bylaws, arts. II & III; Minn. Stat. § 13D.04, subd. 1

Staff Prepared/Presented: Dave Theisen, 651-602-1706

Division/Department: Regional Administration

Proposed Action/Motion

That the Metropolitan Council adopts the attached resolutions setting days, times and locations for regular meetings of the Council and its Committees and authorizing closed Committee meetings.

Metropolitan Council (Res No. 2009-26), Committee of the Whole (Res No. 2009-27), Management Committee (Res No. 2009-28), Environment Committee (Res No. 2009-29), Community Development Committee (Res No. 2009-30), Transportation Committee (Res No. 2009-31), and the Litigation Review Special Committee (Res No. 2009-32).

Overview and Funding

Section 13D.04 of the Minnesota Open Meeting Law requires a public body to maintain a schedule of its regular meetings. Articles II and III of the Bylaws of the Metropolitan Council state that Council regular meetings, Committee of the Whole meetings and standing committee meetings must be set by the Council by resolution.

METROPOLITAN COUNCIL
390 Robert Street North, Saint Paul, Minnesota 55101-1805

RESOLUTION NO. 2009-26

**RESOLUTION DESIGNATING REGULAR MEETING DAYS FOR THE
METROPOLITAN COUNCIL**

WHEREAS, Article II, Paragraph A.1 of the Bylaws of the Metropolitan Council states that regular meetings of the Council “shall be set by the Council by resolution”; and

WHEREAS, section 13D.04 of the Minnesota Open Meeting Law requires each public body to keep on file at its primary offices a schedule of the regular meetings of the public body.

NOW THEREFORE, BE IT RESOLVED that upon approval of this resolution:

1. The regular meeting days for the Metropolitan Council shall be the second and fourth Wednesday of each month.
2. Unless otherwise determined by the Council or the Chair, the regular meetings shall be held at 390 Robert Street North in Saint Paul, Minnesota, commencing at 4:00 p.m.
3. Subject to the requirements of the Minnesota Open Meeting Law, the time and place of these regular meetings may be adjusted as determined by the Chair and as specified in the notice for each meeting.

Adopted this 9th day of December, 2009.

Peter Bell, Chair

Pat Curtiss, Recording Secretary

METROPOLITAN COUNCIL
390 Robert Street North, Saint Paul, Minnesota 55101-1805

RESOLUTION NO. 2009-27

**RESOLUTION DESIGNATING REGULAR MEETING DAYS FOR THE
METROPOLITAN COUNCIL'S COMMITTEE OF THE WHOLE AND
AUTHORIZING THE COMMITTEE TO CONDUCT CLOSED MEETINGS**

WHEREAS, Article II, Paragraph B.1 of the Bylaws of the Metropolitan Council states that regular Committee of the Whole meetings “shall be set by the Council by resolution”; and

WHEREAS, section 13D.04 of the Minnesota Open Meeting Law requires each public body to keep on file at its primary offices a schedule of the regular meetings of the public body; and

WHEREAS, the Minnesota Open Meeting Law and case law permit a public body to close a meeting to discuss attorney-client privileged matters and for other specified purposes; and

WHEREAS, the Committee of the Whole preliminarily discusses business and policy matters and makes recommendations to the Metropolitan Council’s governing body.

NOW THEREFORE, BE IT RESOLVED that upon approval of this resolution:

1. The regular meeting days for the Committee of the Whole shall be the first and third Wednesday of each month.
2. Unless otherwise determined by the Council, the regular meetings of the Committee of the Whole shall be held at 390 Robert Street North in Saint Paul, Minnesota, commencing at 4:00 p.m.
3. Subject to the requirements of the Minnesota Open Meeting Law, the time and place of these regular meetings may be adjusted as determined by the Chair and as specified in the notice for each meeting.
4. When appropriate and necessary and consistent with the requirements of the Minnesota Open Meeting Law and other applicable law, the Committee of the Whole may close any of its meetings to discuss attorney-client privileged matters and other matters for which meetings may be closed.

Adopted this 9th day of December, 2009.

Peter Bell, Chair

Pat Curtiss, Recording Secretary

METROPOLITAN COUNCIL
390 Robert Street North, Saint Paul, Minnesota 55101-1805

RESOLUTION NO. 2009-28

**RESOLUTION DESIGNATING REGULAR MEETING DAYS FOR THE
METROPOLITAN COUNCIL'S MANAGEMENT COMMITTEE
AND AUTHORIZING THE COMMITTEE TO CONDUCT CLOSED MEETINGS**

WHEREAS, Article III, Paragraph A.2 of the Bylaws of the Metropolitan Council states that “regular meetings of the standing committees shall be set by the Council by resolution”; and

WHEREAS, section 13D.04 of the Minnesota Open Meeting Law requires each public body to keep on file at its primary offices a schedule of the regular meetings of the public body; and

WHEREAS, the Minnesota Open Meeting Law and case law permit a public body to close a meeting to discuss attorney-client privileged matters and for other specified purposes; and

WHEREAS, the Metropolitan Council's standing committees preliminarily discuss business and policy matters and make recommendations to the Council's governing body.

NOW THEREFORE, BE IT RESOLVED that upon approval of this resolution:

1. The regular meeting days for the Management Committee shall be the second and fourth Wednesday of each month.
2. Unless otherwise determined by the Council, the regular meetings of the Management Committee shall be held at 390 Robert Street North in Saint Paul, Minnesota, commencing at 2:30 p.m.
3. Subject to the requirements of the Minnesota Open Meeting Law, the time and place of these regular meetings may be adjusted as determined by the Committee Chair and as specified in the notice for each meeting.
4. When appropriate and necessary and consistent with the requirements of the Minnesota Open Meeting Law and other applicable law, the Management Committee may close any of its meetings to discuss attorney-client privileged matters and other matters for which meetings may be closed.

Adopted this 9th day of December, 2009.

Peter Bell, Chair

Pat Curtiss, Recording Secretary

METROPOLITAN COUNCIL
390 Robert Street North, Saint Paul, Minnesota 55101-1805

RESOLUTION NO. 2009-29

**RESOLUTION DESIGNATING REGULAR MEETING DAYS FOR THE
METROPOLITAN COUNCIL'S ENVIRONMENT COMMITTEE
AND AUTHORIZING THE COMMITTEE TO CONDUCT CLOSED MEETINGS**

WHEREAS, Article III, Paragraph A.2 of the Bylaws of the Metropolitan Council states that “regular meetings of the standing committees shall be set by the Council by resolution”; and

WHEREAS, section 13D.04 of the Minnesota Open Meeting Law requires each public body to keep on file at its primary offices a schedule of the regular meetings of the public body; and

WHEREAS, the Minnesota Open Meeting Law and case law permit a public body to close a meeting to discuss attorney-client privileged matters and for other specified purposes; and

WHEREAS, the Metropolitan Council's standing committees preliminarily discuss business and policy matters and make recommendations to the Council's governing body.

NOW THEREFORE, BE IT RESOLVED that upon approval of this resolution:

1. The regular meeting days for the Environment Committee shall be the second and fourth Tuesday of each month.
2. Unless otherwise determined by the Council, the regular meetings of the Environment Committee shall be held at 390 Robert Street North in Saint Paul, Minnesota, commencing at 9:30 a.m.
3. Subject to the requirements of the Minnesota Open Meeting Law, the time and place of these regular meetings may be adjusted as determined by the Committee Chair and as specified in the notice for each meeting.
4. When appropriate and necessary and consistent with the requirements of the Minnesota Open Meeting Law and other applicable law, the Environment Committee may close any of its meetings to discuss attorney-client privileged matters and other matters for which meetings may be closed.

Adopted this 9th day of December, 2009.

Peter Bell, Chair

Pat Curtiss, Recording Secretary

METROPOLITAN COUNCIL
390 Robert Street North, Saint Paul, Minnesota 55101-1805

RESOLUTION NO. 2009-30

**RESOLUTION DESIGNATING REGULAR MEETING DAYS FOR THE
METROPOLITAN COUNCIL'S COMMUNITY DEVELOPMENT COMMITTEE
AND AUTHORIZING THE COMMITTEE TO CONDUCT CLOSED MEETINGS**

WHEREAS, Article III, Paragraph A.2 of the Bylaws of the Metropolitan Council states that “regular meetings of the standing committees shall be set by the Council by resolution”; and

WHEREAS, section 13D.04 of the Minnesota Open Meeting Law requires each public body to keep on file at its primary offices a schedule of the regular meetings of the public body; and

WHEREAS, the Minnesota Open Meeting Law and case law permit a public body to close a meeting to discuss attorney-client privileged matters and for other specified purposes; and

WHEREAS, the Metropolitan Council's standing committees preliminarily discuss business and policy matters and make recommendations to the Council's governing body.

NOW THEREFORE, BE IT RESOLVED that upon approval of this resolution:

1. The regular meeting days for the Community Development Committee shall be the first and third Monday of each month; except when a meeting date for a regular meeting falls on a legal holiday, in which case the immediately succeeding Tuesday shall be the meeting date for that regular meeting.
2. Unless otherwise determined by the Council, the regular meetings of the Community Development Committee shall be held at 390 Robert Street North in Saint Paul, Minnesota, commencing at 4:00 p.m.
3. Subject to the requirements of the Minnesota Open Meeting Law, the time and place of these regular meetings may be adjusted as determined by the Committee Chair and as specified in the notice for each meeting.
4. When appropriate and necessary and consistent with the requirements of the Minnesota Open Meeting Law and other applicable law, the Community Development Committee may close any of its meetings to discuss attorney-client privileged matters and other matters for which meetings may be closed.

Adopted this 9th day of December, 2009.

Peter Bell, Chair

Pat Curtiss, Recording Secretary

METROPOLITAN COUNCIL
390 Robert Street North, Saint Paul, Minnesota 55101-1805

RESOLUTION NO. 2009-31

**RESOLUTION DESIGNATING REGULAR MEETING DAYS FOR THE
METROPOLITAN COUNCIL'S TRANSPORTATION COMMITTEE
AND AUTHORIZING THE COMMITTEE TO CONDUCT CLOSED MEETINGS**

WHEREAS, Article III, Paragraph A.2 of the Bylaws of the Metropolitan Council states that “regular meetings of the standing committees shall be set by the Council by resolution”; and

WHEREAS, section 13D.04 of the Minnesota Open Meeting Law requires each public body to keep on file at its primary offices a schedule of the regular meetings of the public body; and

WHEREAS, the Minnesota Open Meeting Law and case law permit a public body to close a meeting to discuss attorney-client privileged matters and for other specified purposes; and

WHEREAS, the Metropolitan Council's standing committees preliminarily discuss business and policy matters and make recommendations to the Council's governing body.

NOW THEREFORE, BE IT RESOLVED that upon approval of this resolution:

1. The regular meeting days for the Transportation Committee shall be the second and fourth Monday of each month.
2. Unless otherwise determined by the Council, the regular meetings of the Transportation Committee from January through June shall be held at 390 Robert Street North in Saint Paul, Minnesota, commencing at 4:00 p.m., and regular meetings of the Transportation Committee from July through December shall be held at 560 6th Avenue North in Minneapolis, Minnesota, commencing at 4:00 p.m.
3. Subject to the requirements of the Minnesota Open Meeting Law, the time and place of these regular meetings may be adjusted as determined by the Committee Chair and as specified in the notice for each meeting.
4. When appropriate and necessary and consistent with the requirements of the Minnesota Open Meeting Law and other applicable law, the Transportation Committee may close any of its meetings to discuss attorney-client privileged matters and other matters for which meetings may be closed.

Adopted this 9th day of December, 2009.

Peter Bell, Chair

Pat Curtiss, Recording Secretary

METROPOLITAN COUNCIL
390 Robert Street North, Saint Paul, Minnesota 55101-1805

RESOLUTION NO. 2009-32

**RESOLUTION DESIGNATING REGULAR MEETING DAYS FOR THE
METROPOLITAN COUNCIL'S LITIGATION REVIEW SPECIAL COMMITTEE AND
AUTHORIZING THE SPECIAL COMMITTEE TO CONDUCT CLOSED MEETINGS**

WHEREAS, at its June 13, 1996 regular meeting the Metropolitan Council established a Litigation Review Special Committee to review, oversee and settle certain litigation matters and claims involving the Metropolitan Council; and

WHEREAS, at that meeting the Metropolitan Council adopted Resolution No. 96-17 and delegated certain litigation and claims settlement authority to the Litigation Review Special Committee; and

WHEREAS, section 13D.04 of the Minnesota Open Meeting Law requires each public body to keep on file at its primary offices a schedule of the regular meetings of the public body; and

WHEREAS, the Minnesota Open Meeting Law and case law permit a public body to close a meeting to discuss attorney-client privileged matters and for other specified purposes; and

WHEREAS, the Litigation Review Special Committee discusses with Council staff and attorneys attorney-client privileged matters relating to pending civil legal actions and threatened litigation and seeks legal advice regarding specific acts and their consequences.

NOW THEREFORE, BE IT RESOLVED that upon approval of this resolution:

1. The regular meeting days for the Litigation Review Special Committee shall be the second Wednesday of each month.
2. Unless otherwise determined by the Council, the regular meetings of the Litigation Review Special Committee shall be held at 390 Robert Street North in Saint Paul, Minnesota, commencing at 1:30 p.m.
3. Subject to the requirements of the Minnesota Open Meeting Law, the time and place of these regular meetings may be adjusted as determined by the Committee Chair and as specified in the notice for each meeting.
4. When appropriate and necessary and consistent with the requirements of the Minnesota Open Meeting Law and other applicable law, the Litigation Review Special Committee may close any of its meetings to discuss attorney-client privileged matters and other matters for which meetings may be closed.

Adopted this 9th day of December, 2009.

Peter Bell, Chair

Pat Curtiss, Recording Secretary