

**M** Management Committee  
For the Metropolitan Council meeting of December 8, 2010

Committee Report

Item: 2010-347

Consent

**ADVISORY INFORMATION**

**Date Prepared:** November 22, 2010

**Subject:** Resolutions Setting Council and Committee Meeting Days and Authorizing Closed Committee Meetings; Resolution No. 2010-29 and Nos. 2010-32 through 2010-37

**Proposed Action:**

That the Metropolitan Council adopt 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. 2010-29](#)), Committee of the Whole ([Res. No. 2010-32](#)), Management Committee ([Res. No. 2010-33](#)), Environment Committee ([Res. No. 2010-34](#)), Community Development Committee ([Res. No. 2010-35](#)), Transportation Committee ([Res. No. 2010-36](#)) and Litigation Review Special Committee ([Res. No. 2010-37](#)).

**Summary of Committee Discussion / Questions:**

Deputy General Counsel Dave Theisen presented the proposed resolutions to the Committee. There were no questions.

## Management Committee

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Meeting Date: November 10, 2010

Council Meeting Date: December 8, 2010

### ADVISORY INFORMATION

**Date:** September 29, 2010  
**Subject:** Resolutions Setting Council and Committee Dates and Authorizing Closed Committee Meetings; Resolutions 2010-29 and 2010-32-37  
**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. [29](#)), Committee of the Whole (Res No. 2010-32), Management Committee (Res No. 2010-33), Environment Committee (Res No. 2010-34), Community Development Committee (Res No. 2010-35), Transportation Committee (Res No. 2010-36), and the Litigation Review Special Committee (Res No. 2010-37).

### 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. 2010-29**

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 8<sup>th</sup> day of December, 2010.

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Peter Bell, Chair

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Pat Curtiss, Recording Secretary

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

**RESOLUTION NO. 2010-32**

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 8<sup>th</sup> day of December, 2010.

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Peter Bell, Chair

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Pat Curtiss, Recording Secretary

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

**RESOLUTION NO. 2010-33**

**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 8th day of December, 2010.**

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**Peter Bell, Chair**

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**Pat Curtiss, Recording Secretary**

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

**RESOLUTION NO. 2010-34**

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 8<sup>th</sup> day of December, 2010.

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Peter Bell, Chair

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Pat Curtiss, Recording Secretary

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

**RESOLUTION NO. 2010-35**

**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 8<sup>th</sup> day of December, 2010.**

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**Peter Bell, Chair**

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**Pat Curtiss, Recording Secretary**

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

**RESOLUTION NO. 2010-36**

**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 8<sup>th</sup> day of December, 2010.

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Peter Bell, Chair

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Pat Curtiss, Recording Secretary



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

**RESOLUTION NO. 2010-37**

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 8<sup>th</sup> day of December, 2010.

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Peter Bell, Chair

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Pat Curtiss, Recording Secretary