

## Committee Report

*Business Item No. 2018-334*

### Community Development Committee

For the Metropolitan Council meeting of March 27, 2019

**Subject:** Update Bylaws of the Metropolitan Parks and Open Space Commission

#### Proposed Action

That the Metropolitan Council approve the updated Bylaws of the Metropolitan Parks and Open Space Commission (see Attachment 1), changing the regular meeting of the Commission to the first Thursday of each month and making other housekeeping changes.

#### Summary of Committee Discussion/Questions

Emmett Mullin, Regional Parks Manager, presented the staff report to the Community Development Committee. Council Member Lindstrom asked whether there was an end date for the terms of the four Metropolitan Parks and Open Space Commissioners whose terms are ending. Mullin responded that the current Commissioners have agreed to serve until new Commissioners are appointed or they are reappointed.

The Community Development Committee unanimously approved the proposed action at its March 18, 2019 meeting.

## Community Development Committee

Meeting date: March 18, 2019

For the Metropolitan Council meeting of March 27, 2019

**Subject:** Update Bylaws of the Metropolitan Parks and Open Space Commission

**District(s), Member(s):** All

**Policy/Legal Reference:** Minn. Stat. § 473.303

**Staff Prepared/Presented:** Emmett Mullin, Regional Parks Manager (651-602-1360)

**Division/Department:** Community Development / Regional Planning

### Proposed Action

That the Metropolitan Council approve the updated Bylaws of the Metropolitan Parks and Open Space Commission (see Attachment 1), changing the regular meeting of the Commission to the first Thursday of each month and making other housekeeping changes.

### Background

The Metropolitan Parks and Open Space Commission was established in 1974 by Minn. Stat. § 473.303. This proposed action will move the regular Commission meeting day to the first Thursday of each month (from the first Tuesday of each month) and update the bylaws to be more consistent with other Council advisory committee bylaws.

### Rationale

Moving the regular meeting day of the Metropolitan Parks and Open Space Commission to the first Thursday of the month requires updating the Commission Bylaws (see Attachment 1). The first Thursday of the month has fewer conflicts with holidays, other Council standing committee meetings, and other days that require rescheduling. Attachment 1 also includes minor changes discussed during the December 4, 2018 and March 5, 2019 Metropolitan Parks and Open Space Commission meeting.

### Thrive Lens Analysis

Updating the Metropolitan Parks and Open Space Commission's Bylaws advances the *Thrive MSP 2040* principle of accountability because providing an improved regular meeting day that has fewer conflicts with holidays and elections will be more predictable to Commissioners, regional park implementing agencies, and residents of the region, improving people's ability to participate.

### Funding

N/A

### Known Support / Opposition

Metropolitan Parks and Open Space Commissioners and regional park implementing agency staff support changing the Commission's meeting day to the first Thursday of the month.

### Summary of Discussion

Regional Parks Manager Emmett Mullin presented the staff report to the Metropolitan Parks and Open Space Commission at its meeting on March 5, 2019. After the Commissioners clarified that the first Thursday of the month will be a better day to meet for the Commission than the first Tuesday, they approved the recommendation unanimously.

## Metropolitan Parks and Open Space Commission

Meeting date: March 5, 2019

For the Community Development Committee meeting of March 18, 2019

For the Metropolitan Council meeting of March 27, 2019

**Subject:** Update Bylaws of the Metropolitan Parks and Open Space Commission

**District(s), Member(s):** All

**Policy/Legal Reference:** Minn. Stat. § 473.303

**Staff Prepared/Presented:** Emmett Mullin, Regional Parks Manager (651-602-1360)

**Division/Department:** Community Development / Regional Planning

### Proposed Action

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Updating the Metropolitan Parks and Open Space Commission's Bylaws advances the *Thrive MSP 2040* principle of accountability because providing an improved regular meeting day that has fewer conflicts with holidays and elections will be more predictable to Commissioners, regional park implementing agencies and residents of the region, improving people's ability to participate.

### Funding

N/A

### Known Support / Opposition

Metropolitan Parks and Open Space Commissioners and regional park implementing agency staff support changing the Commission's meeting day to the first Thursday of the month.

Proposed Update of the Metropolitan Parks and Open Space Commission Bylaws

**BYLAWS**

**Of the  
METROPOLITAN PARKS AND OPEN SPACE COMMISSION**

**Bylaws approved by the Metropolitan Council: August 29, 1974**

**Amendments Approved**

**June 23, 1977 (regarding meeting ~~dates~~day of Commission)**

**November 10, 1983 (regarding meeting ~~dates~~day of Commission)**

**June 14, 1984 (regarding meeting ~~dates~~day of Commission)**

**November 4, 1993 (regarding meeting ~~dates~~day of Commission)**

**June 30, 1994 (regarding meeting ~~dates~~day of Commission)**

**December 1, 1999 (regarding meeting ~~dates~~day of Commission)**

**December 22, 1999 (regarding Liaison Representatives and naming appropriate Staff responsible for providing staff assistance to the Commission)**

**December 21, 2003 (amendment to change meeting ~~dates~~day and eliminate per diem payments in accordance with State law)**

**Proposed for adoption March 27, 2019 (regarding meeting ~~dates~~day of Commission)**

Proposed Update of the Metropolitan Parks and Open Space Commission Bylaws

BYLAWS  
Of the  
METROPOLITAN PARKS AND OPEN SPACE COMMISSION

I. PURPOSE AND NAME

The Metropolitan Parks and Open Space Commission, established pursuant to Minnesota Statutes 473.303, is composed of eight members representing Commission districts covering the seven counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington, and a Chairperson appointed by the Metropolitan Council, hereinafter referred to as “Council,” and shall be known as the Metropolitan Parks and Open Space Commission, hereinafter referred to as the “Commission.”

II. MEMBERS AND OFFICERS OF THE COMMISSION

- A. **Members:** Members of the Commission shall be appointed in accordance with law and Council policy consistent therewith by the Council from each of the eight Commission districts. They shall have such duties and responsibilities as are specified in these Bylaws, by law and as are specifically delegated by the Council. Members, other than the Chairperson, may be removed by the Council only for cause.
- B. **Chairperson:** The Chairperson shall be appointed by the Council and serve a four-year term of appointment as the ninth voting member of the Commission and shall preside at all meetings of the Commission and have such duties and responsibilities as are normally attendant upon that office and as are specifically prescribed by these Bylaws and other laws and are specifically delegated or assigned by the Council or Commission. The Chairperson may be removed at the pleasure of the Council.
- C. **Vice Chairperson:** The Chairperson shall name a Vice Chairperson from the Commission members subject to approval by the eCommission who shall act for the Chairperson during temporary absence or disability. The term of the Vice Chairperson shall be for one year, commencing on the first regular meeting in January. The Vice Chairperson may serve successive terms subject to the approval of the Chairperson and Commission.

III. MEETINGS OF THE COMMISSION

- A. **Regular Meetings:** Regular meetings of the whole Commission shall be held on the first ~~Tuesday~~ Thursday of each month at such time and place as may be determined by the members of the Commission unless otherwise ordered by the Commission. A meeting may be canceled by the Chairperson or the express request of at least four of the Commission members.

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- B. Special Meetings:** Special meetings may be held ~~on the third Tuesday of the month~~ or at any time upon the call of the Chairperson or Vice Chairperson or any two members of the Commission. Notice of special meetings shall include the date, time, place and agenda and be sent to Commission members at least three (3) days prior to the meeting. In the event of an emergency, notice may be waived by two-thirds of the Commission. Business at special meetings shall be limited to the subject(s) stated in the call.
- C. Quorum:** A majority of the Commission members shall constitute a quorum for the conduct of the Commission's business, except that a quorum shall not be necessary for conducting public hearings. If a quorum exists at any time during a meeting, a quorum is then determined to exist for the remainder of the meeting.
- D. Order of Business:** The business of the Commission shall be conducted in the following order:
1. Roll call.
  2. Approval of an agenda and any amendments thereto.
  3. Approval of the minutes of the last meeting.
  4. Presentations by interested members of the public at the meeting wishing to be heard on Commission matters not included on the agenda.
  5. Recital regarding petitions and communications to the Commission.
  6. Agenda items.
  - ~~7. Presentations by interested public at the meeting wishing to be heard on Commission matters not included on the agenda.~~
  7. Other matters which may properly come before the Commission.
  8. Reports of Officers, Committees and Staff.
  9. Adjournment.
- E. Conduct of Business:**
1. **Robert's Rules of Order:** Commission members shall be governed by the current edition of *Robert's Rules of Order Newly Revised* to the extent that they are not inconsistent with the law or these Bylaws.
  2. **Suspension of Rules:** Commission rules and procedures may be suspended by two-thirds vote of the Commission members present.
  3. **Voting, Motions, Recording:** Voting on any matter shall be by voice vote provided that a roll call vote shall be called and recorded on any issue if requested by one or more members. Upon request of any member, the Secretary shall repeat the motion and the name of the mover and seconder

## Proposed Update of the Metropolitan Parks and Open Space Commission Bylaws

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

- 4. **Committee Reports:** The adoption of a Committee report by the Commission shall have the same effect as the adoption of a motion.
- F. **Open Meetings:** All Commission meetings shall be open to the public. Notice of meetings to be held shall be distributed to the news media.
- G. **Limitation of Discussion:** The Chairperson may, subject to challenge by a majority of the Commission members present and voting, permit or close public discussion on any agenda item. Public participation at Commission meetings relative to specific agenda items already considered by the Commission, should, to the extent possible, present new information not previously made available to the Commission.

### IV. SPECIAL COMMITTEES AND LIAISON REPRESENTATIVES

- A. **Special Committees:** Special Committees of the Commission may, from time to time, be appointed by the Chairperson on his/her own initiative and subject to Commission approval, or upon direction by the Commission.
- B. **Liaison Representatives:** Occasionally the Commission is asked to designate one of its members as a liaison to an advisory committee of a governmental agency or policy board. In this event, the Chairperson shall inform the Commission of such a request at a Commission meeting or by mailed notice, and of his or her intention to appoint a Commission member at the next Commission meeting. At the next meeting, the Chairperson shall appoint one of the Commission members to serve in this liaison capacity.

### V. STAFF

The Council's Community Development Division Director will designate one or more Council employees to Manager of the Regional Parks and Natural Resources Unit in the Community Development Division Director of the Planning and Growth Management Department of the Council is responsible for ~~providing~~ shall provide staff assistance to the Commission to carry out its duties and responsibilities.

### VI. FISCAL MANAGEMENT

The fiscal year of the Commission for the purposes of planning, programming, budgeting, bonding, accounting, auditing and fiscal reporting, shall be the calendar year.

### VII. COMPENSATION AND EXPENSES

- A. Commission members and the Chairperson shall serve without compensation and but shall be reimbursed for ~~reasonable~~ all actual and necessary expenses in connection with the performance of their duties in accordance with the travel and expense reimbursement policy of the Council to attend the following types of meetings and other services:
  - 1. All meetings of the Commission and its committees.

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2. All public hearings held by the Commission or the Council upon matters related to parks and open space.
3. All meetings of the Council and its committees upon matters related to parks and open space where such attendance is requested by the Chairperson of the Commission.
4. All meetings of the governing boards of regional park implementing agencies (cities, counties, special park districts) to which the Commission member is appointed by the Chairperson of the commission as the Commission's liaison representative.
5. Meetings of local governmental units, special park districts, community organizations, committees of the Legislature, or federal or state agencies, when the Commission member is specifically requested to participate as a Commission member by that agency or organization or by the Chairperson of the Commission.
6. Conferences, seminars, workshops and other similar meetings where such attendance is duly authorized and approved by the Chairperson.
7. Informal meetings of individual members of the Commission with representatives of private or public organizations or members of the State Legislature, or for appearance on radio or television programs when the Commission member is specifically requested to participate as a Commission member by that agency or organization or by the Chairperson of the Commission.
- ~~B. Any of the above meetings for which reimbursement for reasonable actual and necessary expenses is to be paid are paid must be public meetings of the governmental units or private organizations and must be approved by the Chairperson.~~

### VIII. AMENDMENT

The Bylaws may be amended by a two-thirds vote of the members present at any regular meeting of the whole Commission, provided that written notice setting forth in detail the contents of the proposed amendment(s) has been given to the Commission members at least ten (10) days prior to the meeting. Upon adoption by the Commission, these Bylaws and any amendments thereto, shall be submitted to the Council for its review and approval.