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Metropolitan Council Overview

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In 1967 the Minnesota Legislature creates the Metropolitan Council to:



Plan for the orderly and economical development of the seven-county metro area, and coordinate the delivery of services that couldn't be provided by any one city or county.

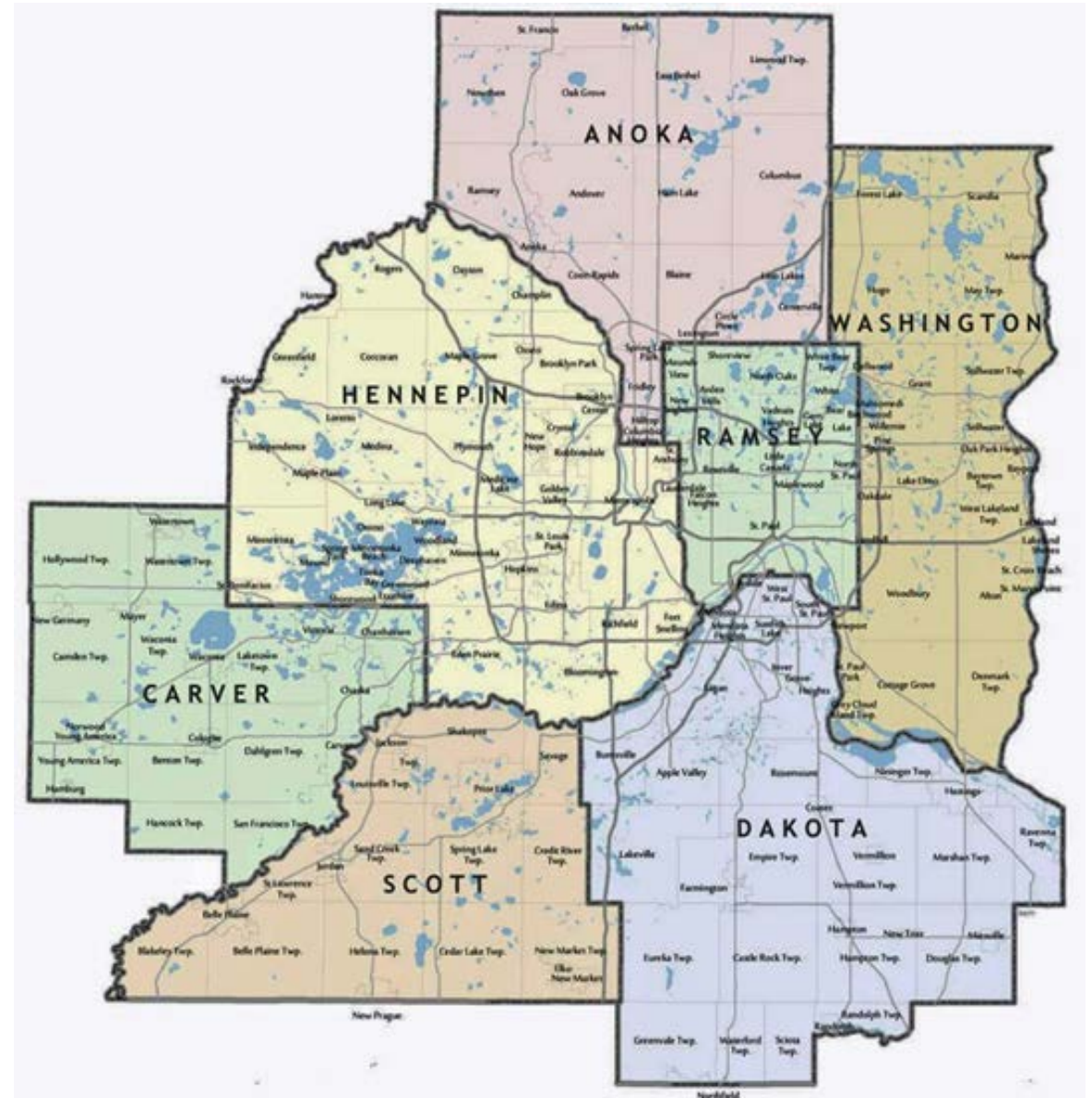


Metropolitan Council Authority



Authority—What is the Metropolitan Council?

- The Council is a public corporation and political subdivision
- The Council serves the seven-county metro area
- The Council is not a state agency
- How many communities do you think there are in the 7-county metro?



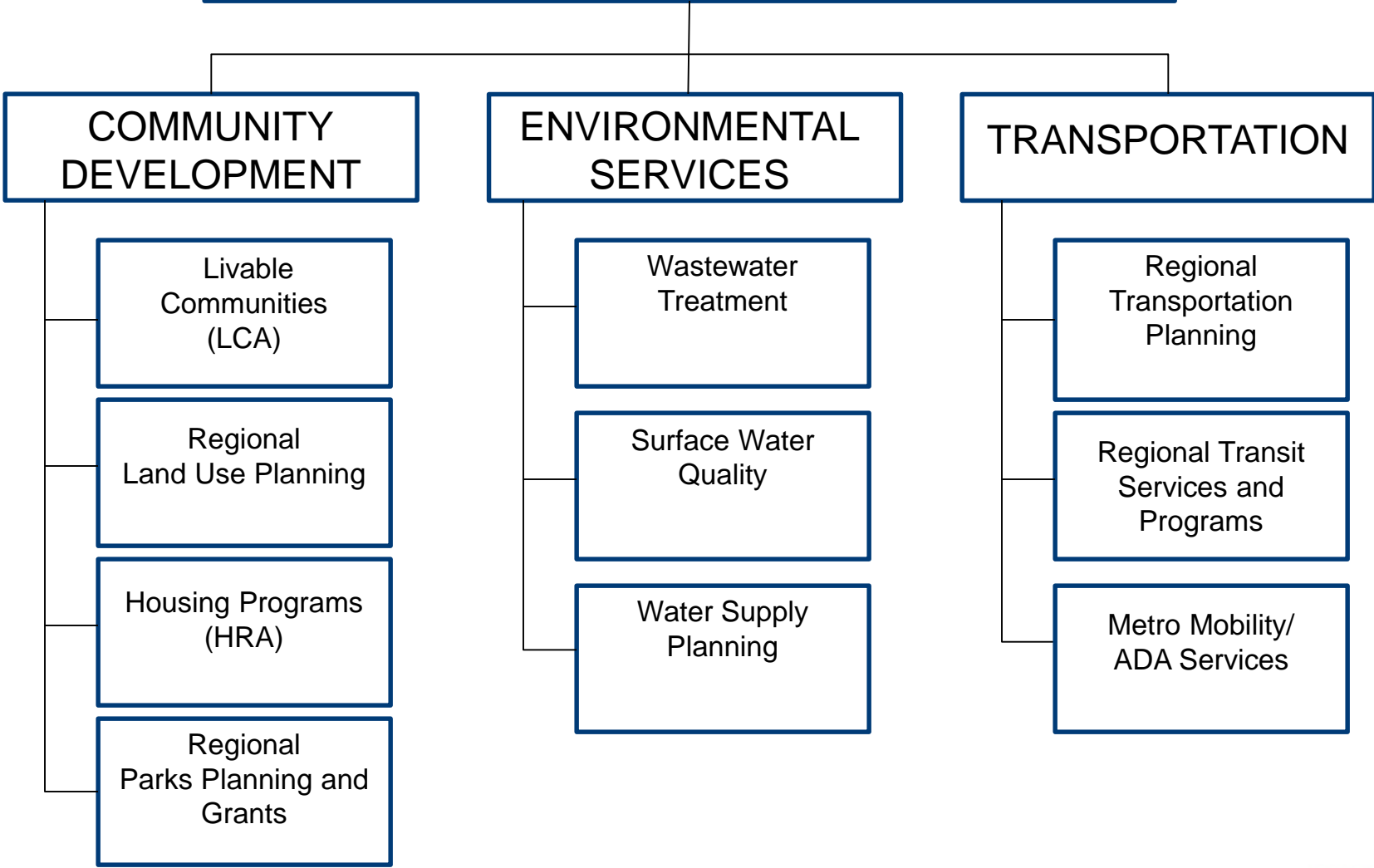
Authority—What Rules Govern the Council?

- Public Purpose Doctrine
 - Public funds must be used for a public purpose
 - Legislature defines public purpose through statutes
 - Council may spend public funding:
 - as expressly authorized by statute
 - or necessarily implied
 - Expenditure must be directly related to the regional governmental functions and purposes for which the Council was created
 - The Council cannot make gifts

Authority—What Rules Govern the Council?

- Statutory Charge
 - “The Metropolitan Council shall have and exercise all powers which may be necessary or convenient to enable it to perform and carry out the duties and responsibilities now existing or which may hereafter be imposed upon it by law.” Minn. Stat. § 473.129, subd. 1.

METROPOLITAN COUNCIL



Metropolitan Planning Organization

- The Council is the region's designated metropolitan planning organization (MPO) for any long-range comprehensive transportation planning required by federal and state transportation laws.
- This designation is made by state statute.
- Federal law requires that transportation planning and the programming of federal funds in urbanized areas be conducted by the designated MPO.

Metropolitan Planning Organization

- The Transportation Advisory Board (TAB) assists the Council in providing a forum for transportation planning and advises and recommends transportation items to the Council as the MPO.
- By statute, 18 of 34 TAB members are elected officials.

MPO Functions

- **Perform federal and state mandated planning**
 - Long-range: Transportation Policy Plan (TPP)
 - Short-range: Transportation Improvement Program (TIP)
 - Unified Planning Work Program (UPWP)
 - Major transportation studies

MPO Functions

- **Allocate federal funds** through competitive solicitation overseen by TAB
- **Coordinate planning activities** with MnDOT, transit operators, MAC, and local governments
- **Ensure public input** in planning and federal funds programming

Council Bylaws

- State statutes prescribe Council duties and responsibilities
- Council bylaws:
 - Govern how the governing body transacts Council business
 - establish the roles and responsibilities of the Chair and Council members
 - prescribe rules of conduct for the Chair and Council members

Responsibilities

- The Chair

- Acts as principal spokesperson and legislative liaison
- Presides at Council and Committee of the Whole meetings
- Directs the preparation of Council and committee meeting agendas
- Provides direction to staff on matters of Council policy

- The Vice Chair

- Appointed by the Chair; confirmed by Council
- Exercises the duties and responsibilities of the Chair whenever the Chair is unable or unavailable to serve.

Responsibilities

- Council Members

- The Council governing body makes policy
- Attend and participate in Council meetings
- Meet regularly with local elected officials and legislative members from their respective districts
- Each Council member shall be on at least one standing committee (transportation, environment, community development)
- Council member conduct is governed by the Bylaws and Code of Ethics

Bylaws Arts. II and III, Minn. Stat. § 473.123, subd. 4(c)

Responsibilities

- The Regional Administrator
 - The principal administrative officer responsible for the day-to-day operations of the Council
 - Ensures all policy decisions of the Council are carried out
- Council Chief Financial Officer is Treasurer
- The Council adopts an annual work program and budget

Responsibilities

- Litigation Management
 - The Chair and Regional Administrator (in consultation with the General Counsel) have delegated authority to initiate, settle, appeal, and manage claims and litigation by or against the Council
 - Management Committee will be briefed on litigation and claims on a quarterly basis or as otherwise requested

Ethical Practices

- **Gifts and things of value.** Council members cannot receive any sort of payment or compensation from any non-Council source
- **Confidential information.** Council members cannot use confidential information to further their own private interests or business interests
- **Employment.** Council members cannot be employed by the Council while a member or for one year after
- **Council resources.** Council members may not use Council property, e-mail or computer systems, or other resources for anything not directly related to Council member duties

Ethical Practices

- **Use of position.** Council members should not use their official position to secure benefits or privileges, or advantages for themselves, their families or related organizations
- **Impermissible interests.** Council members should not participate in any matter pending before the Council if he or she, their family, business, or associated organizations have a financial interest in the matter
- **Political activities.** Council property, e-mail or computer systems, equipment, supplies or other resources may not be used for political activities

Conflicts of Interest

- A Council member who in the discharge of official duties would be required to take an action or make a decision that would substantially affect the member's financial interests or those of an associated business must:
 - Prepare a written statement describing the matter requiring action or decision and the nature of the potential conflict
 - Deliver copies of the statement to the Chair
 - Refrain from participating in any discussion or vote on the matter and otherwise attempting to influence Council members or staff on the matter

Conflicts of Interest

- A Council member authorized to take part in any manner in making a sale, lease, or contract in their official capacity cannot voluntarily have a personal financial interest in that sale, lease, or contract, or personally benefit financially
- A Council member must not participate in Council deliberations, actions, or decisions, or attempt to influence Council members or staff, if the Council member is involved in circumstances that might give rise to an appearance of a conflict or create the appearance of impropriety
- Avoiding any appearance of conflict is important

Bylaws Art. IV (G) and Code of Ethics, Minn. Stat. § 471.87

Meeting Conduct

Meeting Conduct

- Open Meeting Law
 - Presumption of openness of Council and committee meetings
 - It does not apply to chance or social gatherings where a quorum from the Council or a committee are present, but Council business cannot be discussed in those situations
 - Council members are personally responsible for Open Meeting Law violations

Meeting Conduct

- Open Meeting Law
 - Meetings held at the established date and times are “regular” meetings
 - Items can be added or removed from the agenda
 - Special Meetings
 - Date or time differs from the adopted regular meeting schedule
 - Can only discuss or consider matters on the special meeting notice agenda
 - Requires 3 calendar days notice

Meeting Conduct

- Council Meetings
 - Business is transacted at Council meetings
 - Approval of minutes and agenda
 - Consent Items
 - Business Items (typically advanced from committees)
 - Informational Items
- Committee of Whole Meetings
 - Generally for informational purposes and deeper discussions
 - Business can be conducted in circumstances requiring timely Council action for exigent business items

Meeting Conduct

- Follows Robert's Rules of Order
- Chair-directed discussions
 - All discussion and questions are directed through the Chair
 - Council members should be recognized by the Chair before speaking
 - The Chair will direct staff whether to respond to questions and decides whether to allow additional follow-up questions or statements

Meeting Conduct

- Standing Committee Meetings
 - The Council has 4 standing committees: Management, Community Development, Transportation, Environment
 - Council members not on a committee can still attend and participate in debate (but not vote)
 - Majority of discussion happens at committee meetings
 - The public who want to comment on a business item should do so at the committee level

Meeting Conduct

- Voting
 - Typically “actions,” not resolutions
 - Typically voice vote
 - Roll call votes are required for budget items
 - A Council member can request their vote be entered in the minutes
- Amendments
 - Advance preparation preferred
 - Council should only take one action at a time
 - There are no “friendly” amendments



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