

# Draft Metropolitan Area Water Supply Advisory Committee (MAWSAC) and Technical Advisory Committee (TAC) Bylaws

## Article I Organization and Duties

### A. Establishment and Name

The Metropolitan Area Water Supply Advisory Committee (MAWSAC) is a policy advisory committee that assists the Metropolitan Council (Met Council) in the Council's water supply planning activities listed in Minnesota Statutes §473.1565, subdivision 1.

MAWSAC will appoint a Technical Advisory Committee ("TAC") as required by Minnesota Statutes §473.1565, subdivision 2a.

### B. Committee Purpose and Charge

#### Purpose

The Met Council must carry out planning activities addressing the water supply needs of the metropolitan area as defined in section 473.121, subdivision 2, with the assistance of the MAWSAC and its TAC.

The planning activities must include, at a minimum:

(1) development and maintenance of a base of technical information needed for sound water supply decisions including surface and groundwater availability analyses, water demand projections, water withdrawal and use impact analyses, modeling, and similar studies;

(2) development and periodic update of a metropolitan area master water supply plan, prepared in cooperation with and subject to the approval of the policy advisory committee established in this section, that:

(i) provides guidance for local water supply systems and future regional investments;

(ii) emphasizes conservation, interjurisdictional cooperation, and long-term sustainability; and

(iii) addresses the reliability, security, and cost-effectiveness of the metropolitan area water supply system and its local and subregional components;

(3) recommendations for clarifying the appropriate roles and responsibilities of local, regional, and state government in metropolitan area water supply;

(4) recommendations for streamlining and consolidating metropolitan area water supply decision-making and approval processes; and

(5) recommendations for the ongoing and long-term funding of metropolitan area water supply planning activities and capital investments.

## **C. Committees and Working Groups**

### **Committees**

MAWSAC and TAC are advisory committees consisting of federal, Tribal, and state agency, local government, water utility, and water supply private sector representation. MAWSAC consists of 18 members, and TAC consists of 15 members. Both committees are led by their respective Chairs, with support from Vice Chairs, and supported by Met Council staff.

### **TAC Appointment Working Group**

As needed to appoint new members to TAC, the Chair of MAWSAC will appoint two MAWSAC members to a working group to review applications for and make recommendations on filling TAC vacancies. The Chair of MAWSAC shall also participate. The TAC Appointment Working Group will include one Met Council staff as a member, and may include a representative of Metro Cities.

### **Creation and Dissolution of Working Groups**

As is determined by a majority of the current members, a working group can be created for time-bound, discrete purposes. Once the working group's purpose has been fulfilled, or following a vote by the majority of current members, the working group can be dissolved.

## **Article II Membership**

### **A. Officers**

#### **Chair**

##### ***Selection of Chair***

The Chair of the Metropolitan Council or their designee is the Chair of MAWSAC.

The Chair of TAC is nominated and elected by members of the TAC.

##### ***Duties of the Chair***

The Chair's duties and responsibilities include the following for their respective committees:

- Presiding at MAWSAC meetings;
- Acting as the committee's principal spokesperson;
- Directing the preparation of an agenda for all committee meetings;

- Co-leading a TAC Appointment Working Group to review applications and make recommendations regarding TAC vacancies; and
- As needed, the Chair can serve as liaisons between the two committees, attending both MAWSAC and TAC.

The MAWSAC Chair acts as the liaison between the Committees and the Metropolitan Council.

### ***Term of Chair***

The Chair of MAWSAC serves until their term on the Metropolitan Council expires or the Chair of the Metropolitan Council designates a new Chair of MAWSAC.

The Chair of TAC serves for two years.

### ***Vice Chair***

The Vice Chair is nominated and elected by the members of their respective committees. The Vice Chair's duties and responsibilities include:

- Assuming the duties of and acting for the Chair during temporary absence or disability
- Supporting the Chair in committee leadership
- Overseeing special projects as assigned

In the event that neither the Chair nor Vice Chair are able to attend a meeting, the selection of a temporary acting Chair for that specific committee meeting will be brought to a vote by attending members at the beginning of the meeting.

### ***Term of Vice Chair***

The term of the Vice Chair shall be for two years, commencing on the first regular meeting in January. The Vice Chair may serve successive terms subject to the approval of the Chair.

## **B. Members**

### **MAWSAC**

MAWSAC consists of 18 members, including the chair, in accordance with Minnesota Statutes §473.1565, subdivision 2:

- The Chair of MAWSAC is the Chair of the Metropolitan Council (or their designee)
- Four members are the commissioners of the following state agencies (or their designees)
  - Minnesota Department of Agriculture
  - Minnesota Department of Health
  - Minnesota Department of Natural Resources
  - Minnesota Pollution Control Agency
- 11 members are officials of local government units, appointed by the governor.
  - A local government unit in each of the seven counties in the metropolitan area must be represented as follows:
    - Two counties in the metro area

- Five non-county local government units
  - One representative each from Chisago, Isanti, Sherburne, and Wright counties
- One representative of St. Paul Regional Water Services, appointed by their Board of Water Commissioners.
- One representative of the Minneapolis Water Department, appointed by the mayor.

## TAC

TAC consists of 15 members appointed by MAWSAC, with the majority of members representing single-city and multi-city public water supply systems in the metropolitan area.

Membership must include experts in:

- Water resources analysis and modeling
- Hydrology
- The engineering, planning, design, and construction of water systems or water systems finance

## C. Vacancies

### MAWSAC

Vacancies on MAWSAC will be filled through an application process led by the Minnesota Secretary of State's office. Information about this process can be found on their Boards and Commissions website at <https://www.sos.state.mn.us/boards-commissions/>.

For MAWSAC members that are a designee of a Commissioner or a representative of Saint Paul Regional Water Services or the Minneapolis Water Department, the designating agency will notify the Chair in writing of the identity of the designee. The designating agency will also notify the Chair in writing of any changes to the designee.

### TAC

Vacancies on TAC will be filled through an application process led by MAWSAC through the standing TAC Appointment Working Group described above. This working group will review TAC applications and make recommendations based on the following selection criteria:

- Areas of expertise required by statute:
  - Water resources analysis and modeling
  - Hydrology
  - Engineering, planning, design, and construction of water systems
  - Water system finance
- Additional criteria identified by MAWSAC:
  - Diversity in backgrounds, experience
  - Geographic distribution

## *Attendance*

Committee members will endeavor to attend Committee meetings on a regular basis to promote productive Committee meetings and ensure representation of the organizations from which they are appointed, each metropolitan county, and the local government units. Committee members are expected to attend all regularly scheduled meetings.

## *Absences*

Committee members who cannot attend a scheduled Committee meeting should notify the Metropolitan Council's designated Recording Secretary as soon as possible to inform meeting preparations and ensure quorum. After 3 consecutive absences or a total of 5 absences in a single term, the Chair will contact the appointing party to determine if removal is appropriate.

## *Terms*

### *MAWSAC*

MAWSAC members shall serve four-year terms. Members appointed by the Governor will serve terms defined by the [Secretary of State's office](#). Members designated by state agencies, St. Paul Regional Water Services, and the City of Minneapolis will serve four-year terms on a schedule aligned with the gubernatorial election; those members may serve successive terms subject to the approval of the designating body. If a committee member is appointed to fill a vacancy during a term, they will serve on the committee until that term ends (tied to gubernatorial election cycles).

### *TAC*

TAC members shall also be appointed to four-year terms on a schedule aligned with the gubernatorial election; TAC members may serve successive terms subject to the approval of MAWSAC. If a committee member is appointed to fill a vacancy during a term, they will serve on the committee until that term ends.

## *End of Term*

### *Change in eligibility status*

If a Committee member no longer holds the position that qualifies that individual to be a member of the committee, the individual is disqualified from continuing to be a member and must step down immediately.

## *Removal of members*

If a member is unable to attend two meetings in a row, the Chair or Secretary will reach out to discuss options. After three missed meetings, the Chair will notify the appointing body to explore options, up to and including removal. Likewise, after four non-consecutive absences, the Chair or Secretary will reach out to discuss options. After the fifth non-consecutive absence, the Chair will notify the appointing body to explore options, up to and including removal.

### At-will resignation

If a Committee member needs to resign due to personal reasons, the member shall resign by notifying the Committee Chair and Secretary in writing and include the date when the term will end.

## Article III Meetings

### A. Open Meeting Law

MAWSAC and TAC meetings will be open to the public and will follow the Open Meeting Law at all meetings ([Minnesota Statutes Chapter 13D](#)). More information about expectations for meetings can be found on the Minnesota Department of Administration website: <https://mn.gov/admin/data-practices/meetings/>.

### B. Regular meetings

Generally, the committees will meet in-person a minimum of three times per year. Online and hybrid meetings will not be held unless a pandemic or Chapter 12 emergency has been declared, due to the challenges of meeting all of the requirements under [Minnesota's Open Meeting Law](#). Regular meetings may be canceled by the Chair. Notice of any cancellation will be provided as far in advance as possible.

### C. Notification

The Chair will set and publish the agenda on the Committee website at least three days before each Committee meeting. The agenda will also be sent to Committee members at least three days before the meeting.

### D. Agendas and Minutes

Any Committee member may move amendments to the agenda at the meeting. Meeting minutes will be posted with materials for and approved at the following regular Committee meeting.

### E. Special meetings

The Chair may call special meetings of MAWSAC. Notice of special meetings will specify the date, time, place, and agenda for the special meeting and be sent to MAWSAC members at least three days before the special meeting. Business at special meetings is limited to the subjects listed in the noticed agenda. The special meeting agenda may not be amended to add new items.

### F. Quorum

A majority of the Committee's currently appointed membership constitutes a quorum for the conduct of the Committee's business. Vacant seats do not count when determining quorum. The

Chair shall be counted for the purpose of determining a quorum. If a quorum exists at any time during the meeting, a quorum is presumed 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 discussion and any consensus of the Committee members present at the meeting.

### **G. 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 a Council action or decision on a Committee matter, 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 that will be considered by 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 that will be considered by 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 that will be considered by 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 in 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.

### **H. Voting**

Voting on any matter will be by voice vote. Upon request of any Committee member, the Recording Secretary will repeat the motion and name the mover and the seconder immediately preceding a vote by the Committee.

There shall be no voting by proxy and each member and the Chair shall be entitled to only one vote on any issue. Committee members shall personally participate in Committee meetings. Discussion and voting by electronic or other remote means is not permitted. The Recording Secretary will record the result of all votes.

## **I. Parliamentary Authority**

### **Robert's Rules of Order**

Committee members shall be governed by the current edition of Robert's Rules of Order to the extent that they are not inconsistent with the law or these Bylaws. If these Bylaws and Robert's Rules of Order are inconsistent, these Bylaws take precedence.

### **Suspension of Rules**

Committee rules and procedures may be suspended by two-thirds vote of the Committee members present.

### **Article IV Staffing**

The Met Council Environmental Services Planning Services Assistant General Manager shall designate a Committee Recording Secretary for MAWSAC and TAC and shall assign Met Council staff to assist the Committees in carrying out their duties and responsibilities.

### **Article V Expense Reimbursement**

The Committee members shall serve without compensation but must be reimbursed for all actual and necessary expenses in connection with the performance of their duties in accordance with the travel and expense reimbursement policy of the Met Council. This includes approved participation in conferences, workshops, seminars, or other professional development opportunities.

### **Article VI Amendment of Bylaws**

MAWSAC may amend these Bylaws at any regular meeting by a two-thirds vote of members present/majority. Written notice detailing any proposed amendment of these Bylaws must be given to Committee members at least one regular meeting before the vote on the amendment.

### **Amendment history**

*Amended on* **Month DD, YYYY.**

*Adopted by the Metropolitan Area Water Supply Advisory Committee on* **Month DD, 2016.**