

Business Item

Joint Meeting of Metropolitan Area Water Supply Advisory Committee and
Metropolitan Area Water Supply Technical Advisory Committee



Meeting Date: December 10, 2025

Business Item: 2025-04

Metropolitan Area Water Supply Advisory Committee (MAWSAC) and Water Supply Technical Advisory Committee (TAC) adopt new by-laws.

District(s), Member(s): All

Policy/Legal Reference: Minnesota Statute 473.1565

Staff Prepared/Presented: Jen Kostrzewski, Assistant Manager, 651-602-1078

Division/Department: Environmental Services

Proposed action

The Metropolitan Area Water Supply Advisory Committee (MAWSAC) adopts the revised bylaws for the operation of MAWSAC and their technical advisory committee (TAC).

Background

MAWSAC last adopted bylaws to guide both MAWSAC and TAC operation in 2016.

Since then, there have been changes in membership and appointment processes, more mature working connections between MAWSAC and TAC, and persistent questions around remote meetings and other topics.

Responding to questions seeking to clarify committee functions, staff reviewed the current bylaws and made recommendations to revise them. Those recommendations reflect input from committee members, staff supporting the committees, and from the Met Council's Office of General Counsel.

Both the existing and revised bylaws are attached for comparison.

Rationale

The attached revised bylaws:

- Improve the ability of the bylaws to speak to different situations where guidance has been missing or ambiguous
- Clarify similarities and difference between MAWSAC and TAC
- Clarify several elements pertaining to members, including:
 - Appointments
 - Term length
 - End of term scenarios
- Allow for more realistic quorum
- Increase consistency with the bylaws of other Met Council advisory committees

Bylaws of the Metropolitan Area Water Supply Advisory Committee

Article 1 Purpose and Authority

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

Article 2 Powers and Duties of the Chair and Acting Chair

A. *Chair*

The Chair’s duties and responsibilities include:

1. Presiding at MAWSAC meetings;
2. Acting as the liaison between MAWSAC and the Metropolitan Council;
3. Acting as MAWSAC’s principle spokesperson;
4. Directing the preparation of an agenda for all MAWSAC meetings; and
5. Designating an Acting Chair when the Chair is not available to perform any of their duties.

B. *Acting Chair*

When the Chair designates an Acting Chair, the Acting Chair assumes the duties assigned by the Chair to the Acting Chair.

Article 3 MAWSAC Meetings

- A. *Regular Meetings.* Regular MAWSAC meetings will be held on the fourth Wednesday of every month at 10 am. The meetings will take place at the Council at 390 North Robert Street in Saint Paul. Regular meetings may be canceled by the Chair. MAWSAC will provide notice of any cancellation as far in advance as possible.

The Chair will set and publish the agenda before the meeting. The agenda will be sent to MAWSAC members before the meeting. Any MAWSAC member may move amendments to the agenda at the meeting.

- B. *Quorum.* Nine members of MAWSAC is a quorum.
- C. *Voting.* In order for an item to pass, a majority of members present must vote in favor of the item. Voting will be by voice vote unless a member requests a roll call vote. The Recording Secretary will record the result of all votes.
- D. *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.

- E. *Open Meeting Law*. MAWSAC will follow the Open Meeting Law (Minnesota Statutes Chapter 13D) at all meetings.

Article 4 Committees and Working Groups

- A. *Technical Advisory Committee*. MAWSAC will appoint a Technical Advisory Committee (“TAC”) as required by Minnesota Statutes § 473.1565, subdivision 2a. At least one MAWSAC member will serve on the TAC.

The Chair will create a TAC Appointment Working Group consisting of 3 MAWSAC members, 1 Council staff member, and 1 Metro Cities staff member. The TAC Appointment Working Group will make recommendations to MAWSAC on TAC member selection and TAC governance.

- B. *Creation of Committees and Working Groups*. MAWSAC may establish committees and working groups to assist MAWSAC in fulfilling its responsibilities.

Article 5 Designation of Representatives.

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.

Article 6 Parliamentary Authority

The rules in the most current edition of *Robert’s Rules of Order* govern MAWSAC meetings. If these Bylaws and Robert’s Rules of Order are inconsistent, these Bylaws take precedence.

Article 7 Amendment of Bylaws

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

Article 8 Diversity and Inclusion

MAWSAC will strive to include a diversity of members including gender and ethnic diversity and geographic balance on all committees and working groups to which MAWSAC recommends or appoints membership. MAWSAC also encourages the MAWSAC member appointing authorities to consider diversity including gender and ethnic diversity and geographic balance when making appointments.

Adopted by the Metropolitan Area Water Supply Advisory Committee on January 27, 2016

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

Article I Organization and Duties

A. Establishment and Authority

Minnesota Statutes section 473.1565 establishes the Metropolitan Area Water Supply Advisory Committee (MAWSAC) to carry out specified water supply planning activities. Minn. Stat. §473.1565, subds. 1 and 2.

B. Committee Purpose and Charge

Purpose

MAWSAC assists the Metropolitan Council (Met Council) with the planning activities the Met Council must carry out to address the water supply needs of the metropolitan area as defined in §473.121, subdivision 2.

The planning activities must include, at a minimum those set forth in Minn. Stat. § 473.1565, subd. 1, as may be amended:

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

TAC Appointment Working Group

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 also include one Met Council staff as a member and may include a representative of Metro Cities.

Creation and Dissolution of MAWSAC Working Groups

As is determined by a majority of the current MAWSAC 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 will be dissolved.

Article II Membership

A. 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 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 (appointed by the governor in consultation with the Association of Minnesota Counties)
 - Five non-county local government units (appointed by the governor in consultation with the Association of Metropolitan Municipalities)

- One representative each from Chisago, Isanti, Sherburne, and Wright counties (appointed by the governor, in consultation with the Association of Minnesota Counties and the League of Minnesota Cities).
- One representative of St. Paul Regional Water Services, appointed by and serving at the pleasure of the Saint Paul Regional Water Services
- One representative of the Minneapolis Water Department, appointed by and serving at the pleasure of the mayor of the city of Minneapolis

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; and
- The engineering, planning, design, and construction of water systems or water systems finance.

B. Officers

Chair

Selection of Chair

The Chair of the 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 their respective committee's meetings;
- Acting as the committee's principal spokesperson;
- Directing the preparation of an agenda for 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 a liaison between and attend meetings of both MAWSAC and TAC.

The MAWSAC Chair acts as the liaison between the committees and the Met Council.

Term of Chair

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

The Chair of TAC serves for two years.

Vice Chair

Selection of Vice Chair

The Vice Chair is nominated and elected by the members of their respective committees.

Duties of the Vice Chair

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.

C. Vacancies

MAWSAC

Vacancies on MAWSAC will be handled according to their appointing authority.

For the local government units appointed by the governor, vacancies will be filled through an application process led by the Office of the Minnesota Secretary of State. 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 who are a designee of a commissioner, 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 Met Council's designated Recording Secretary of the Committee as soon as possible to inform meeting preparations and ensure quorum. After 3 consecutive absences or a total of 4 absences in a single term, the Chair may notify the appointing authority who can determine whether removal is appropriate.

D. Terms

MAWSAC

MAWSAC members shall serve four-year terms on a schedule aligned with the gubernatorial election. Members appointed by the governor, to include the commissioners, will serve terms defined by law. Members of the advisory committee appointed by the governor serve at the pleasure of the governor.

Members designated by the 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 continue to serve at the pleasure of the appointing authority, may be removed prior to the completion of four years, and may serve successive terms.

At the end of their four-year term, committee members may serve until their successors are appointed and qualify, as permitted by law.

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

After three consecutive missed meetings, the Chair will discuss options with the appointing body, up to and including removal. Likewise, after four non-consecutive absences, the Chair will discuss options with the appointing body, 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 Chair 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. The Committee shall adopt a schedule of meetings for the year. Online and hybrid meetings will not be held unless they meet the strict 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, but may amend the agenda if it is a regular 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 Met 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 Met 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 Met 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 Met Council.

A conflict of interest generally does not exist if the effect of a Committee or Met 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 Metropolitan Council Environmental Services Water 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

A. Compensation

The Committee members shall serve without compensation but may 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 recommend amendments to 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. Recommended amendments shall not be effective unless approved by the Met Council pursuant to the Met Council's bylaws.

Amendment history

Adopted by the Metropolitan Area Water Supply Advisory Committee on January 27, 2016.

DRAFT