METROPOLITAN COUNCIL

390 North Robert Street, St. Paul, Minnesota 55101

MEETING OF THE MANAGEMENT COMMITTEE

Wednesday, November 28, 2012

Committee Members Present: James Brimeyer, Chair; Steven T. Chávez, Vice Chair; Adam

Duininck; and Richard Kramer

Committee Members Absent: Gary L. Cunningham

CALL TO ORDER

Chair Brimeyer called the meeting of the Council's Management Committee to order at 2:31 p.m. on Wednesday, November 28, 2012.

APPROVAL OF AGENDA AND MINUTES

It was moved by S. Chávez, seconded by G. Van Eyll, to approve the agenda.

Motion carried.

It was moved by R. Kramer, seconded by G. Van Eyll, to approve the minutes of the November 14, 2012 regular meeting of the Management Committee.

Motion carried.

BUSINESS

2012-340 List of Authorized Financial Institutions

Allen Hoppe, Senior Manager, Treasury, presented business item 2012-340 List of Authorized Financial Institutions.

It was moved by R. Kramer, seconded by S. Chávez:

"That the Metropolitan Council approves the attached list of Authorized Financial Institutions for 2013." (See Attachment A)

2012-341 Affirmation of 2013 Transaction-Based Financial Contracts

Allen Hoppe, Senior Manager, Treasury, presented business item 2012-341 Affirmation of 2013 Transaction-Based Financial Contracts.

It was moved by S. Chávez, seconded by G. Van Eyll:

"That the Metropolitan Council authorize the Regional Administrator to amend the terms of the following volume-based financial contracts, as needed, so as to provide continued service through December 31, 2013:

- 1. Wells Fargo and US Bank General banking services
- 2. Elavon Credit card processing, gateway, and managed payment services
- 3. Bank of America (BofA) Purchasing card services
- 4. Wells Fargo and US Bank Custodian and securities lending services
- 5. US Bank Trustee Services

An RFP for general banking services was completed in 2012, Council staff is currently negotiating a contract for these services with Wells Fargo. All of the other services in the above listing are due for issuance of RFPs in 2013."

2012-342 Resolutions Setting Regular Council and Committee Meeting Days and Authorizing Closed Committee Meetings; Resolution Nos. 2012-43 through 2012-49

Dave Theisen, Deputy General Counsel, presented business item 2012-342 Resolutions Setting Regular Council and Committee Meeting Days and Authorizing Closed Committee Meetings; Resolution Nos. 2012-43 through 2012-49.

It was moved by S. Chávez, seconded by G. Van Eyll:

"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. 2012-43), Committee of the Whole (Res. No. 2012-44), Management Committee (Res. No. 2012-45), Environment Committee (Res. No. 2012-46), Community Development Committee (Res. No. 2012-47), Transportation Committee (Res. No. 2012-48), and the Litigation Review Special Committee (Res. No. 2012-49).

The times, days and locations for regular Council and Committee meetings stated in these proposed resolutions do not change the current times, days and locations for any Council or Committee regular meetings in 2012." (Resolutions attached)

2012-359 SW 2012 Unified Capital Program Amendments

Alan Morris, Budget Coordinator, presented business item 2012-359 as a same week item being presented to the full Council on November 28, 2012.

It was moved by S. Chávez, seconded by G. Van Eyll:

"The the Metropolitan Council:

• Amend the 2012 Authorized Capital Program (multi-year authorization) by decreasing spending authority as follows:

Metro Transit – New & Continuing \$(6,733,462)

 Amend the 2012 Capital Budget (annual appropriation) by decreasing appropriation as follows:

Metro Transit \$(17,233,462)" (See Attachment)

INFORMATION

Investment Review Committee Report

Allen Hoppe, Senior Manager, Treasury, and Mercy Ndungu, Financial Analyst, presented a summary of the 3rd Ouarter 2012 Investment Review Committee Report.

ADJOURNMENT

Business completed, the meeting adjourned at 3:06 p.m.

Respectfully submitted,

Robbin Moore Recording Secretary

METROPOLITAN COUNCIL 2013 Authorized Financial Institutions and Service Providers

Dated: December 12, 2012

Banking Services (Official Depositories)

U.S. Bank, N.A. (Including East Grand Forks controlled disbursements site) New: Wells Fargo Bank, N.A. (Including Van Wert, Ohio controlled disbursement site)

Card Providers

Bank of America (Purchasing Credit Card)
Elavon Inc. (Credit Card Processing and Managed Payment Processor)
The Bancorp Bank, (Pharmacy Debit Cards)
Total Administrative Services Corp (TASC FLEX Debit Cards)
US Bank (Payroll Debit Card and Housing Debit Card)
New: Wells Fargo (Payroll Debit Card and Housing Debit Card)

Custodial Trust Accounts and Securities Lending:

R.J. O'Brien (Futures Contracts for Hedging Consumed Commodities) State Street (OPEB Portfolio Execution & Custody) U.S. Bank National Association Wells Fargo Trust

Broker/Dealers and Commodity Hedging Firm*:

First Tennessee Capital Markets
Merrill Lynch (Subsidiary of Bank of America)
Piper Jaffray
RBC Wealth Management*
Robert W. Baird & Co.
U.S. Bancorp, N.A.
Wells Fargo Securities, LLC

Money Market Funds

Federated Investors Inc.
First American Funds, Inc.
Goldman Sachs Asset Management
J.P. Morgan
Morgan Stanley
Wells Fargo Advantage Funds

OPEB Balances

Public Employees Retirement Association (PERA) State Board of Investments (SBI), Minnesota

RESOLUTION NO. 2012-43

RESOLUTION DESIGNATING REGULAR MEETING DAYS FOR METROPOLITAN COUNCIL

WHEREAS, Article II, Paragraph A 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.

- 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 12" day of December 2012	
Susan Haigh, Chair	Emily Getty, Recording Secretary

RESOLUTION NO. 2012-44

RESOLUTION DESIGNATING REGULAR MEETING DAYS FOR METROPOLITAN COUNCIL COMMITTEE OF THE WHOLE AND AUTHORIZING THE COMMITTEE TO CONDUCT CLOSED MEETINGS

WHEREAS, Article II, Paragraph C 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.

- 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.
- 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 12 th day of December 2012	
Susan Haigh, Chair	Emily Getty, Recording Secretary

RESOLUTION NO. 2012-45

RESOLUTION DESIGNATING REGULAR MEETING DAYS FOR METROPOLITAN COUNCIL 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.

- 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 12 th day of December 2012	
Susan Haigh, Chair	Emily Getty, Recording Secretary

RESOLUTION NO. 2012-46

RESOLUTION DESIGNATING REGULAR MEETING DAYS FOR METROPOLITAN COUNCIL 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.

- 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 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 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 12 th day of December 2012	
Susan Haigh, Chair	Emily Getty, Recording Secretary

RESOLUTION NO. 2012-47

RESOLUTION DESIGNATING REGULAR MEETING DAYS FOR METROPOLITAN COUNCIL 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.

- 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 4:30 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 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 12 th day of December 2012	
Susan Haigh, Chair	Emily Getty, Recording Secretary

RESOLUTION NO. 2012-48

RESOLUTION DESIGNATING REGULAR MEETING DAYS FOR METROPOLITAN COUNCIL 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.

- 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 12 th day of December 2012	
Susan Haigh, Chair	Emily Getty, Recording Secretary

RESOLUTION NO. 2012-49

RESOLUTION DESIGNATING REGULAR MEETING DAYS FOR METROPOLITAN COUNCIL LITIGATION REVIEW 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, 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 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.

- 1. The regular meeting days for the Litigation Review Committee shall be the third Wednesday of January, April, June, and October.
- 2. Unless otherwise determined by the Council, the regular meetings of the Litigation Review Committee shall be held at 390 Robert Street North in Saint Paul, Minnesota, commencing at 3:00 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 Litigation Review Committee may close any of its meetings to discuss attorney-client privileged matters and other matters for which meetings may be closed.

Adopted this 12 th day of December 2012	
Susan Haigh, Chair	Emily Getty, Recording Secretary