

Business Item

Metropolitan Council



For the Metropolitan Council: December 13, 2023

Business Item: 2023-300

Approval of Financial Settlement with Georges Gonzalez, a Highly Compensated Employee

District(s), member(s):	All
Policy/legal reference:	Council Bylaws Art. IV; Minn. Stat. § 465.722, Minn. Stat. § 473.125
Staff prepared/presented:	Phil Walljasper, Interim Regional Administrator, 651-602-1787
Division/department:	Regional Administration

Proposed Action

That the Metropolitan Council approve a settlement payment in the amount of \$125,000 to Georges Gonzalez, a former employee of the Council's Regional Administration Division, who is classified as a highly compensated employee under Minnesota Statutes section 465.722.

Background

Georges Gonzalez is a former employee of the Council's Regional Administration Division who was classified as a highly compensated employee under Minnesota Statutes section 465.722. After the end of his employment, Mr. Gonzalez's attorney sent a demand letter alleging various legal claims against the Council and threatening litigation. To avoid the extensive costs, time, and resources associated with litigation, and to ensure that Mr. Gonzalez releases all claims against the Council and settles all disputes, the Interim Regional Administrator and the Chair of the Council have determined that it is in the Council's best financial interest to enter into a financial settlement agreement with Mr. Gonzalez and to pay him a settlement amount of \$125,000. The Interim Regional Administrator and the Chair of the Council have also determined that the settlement will not conflict with any Council policies, and the settlement will not raise any significant policy issues.

Rationale

Article IV, Section F of the Metropolitan Council bylaws delegates settlement authority for legal claims made against the Council to the Chair and the Regional Administrator. The Regional Administrator also has authority over Council personnel matters under Minnesota Statutes section 473.125. The Chair and the Interim Regional Administrator have determined that this settlement is necessary and is in the Council's best interests. This business item is necessary because Minnesota Statutes section 465.722, subdivision 4, requires the Council to approve the financial terms of any settlement with a highly compensated employee in a public meeting.

Thrive Lens Analysis

This business item advances the Thrive outcome of stewardship as it ensures responsible management of the Council's financial resources. It also promotes the Thrive principle of accountability by ensuring that members of the public are aware of a settlement with a highly compensated employee.

Funding

Funding is available in the Council's General Fund.

Small Business Inclusion

There are no direct impacts to small business related to this action.

