

Minutes

Management Committee



Meeting Date: August 9, 2023

Time: 2:30 PM

Location: 390 Robert Steet

Members Present:

☒ Chair, Judy Johnson,
District 1

E Vice Chair, Chai Lee, District 13

☒ Deb Barber, District 4

☒ John Pacheco Jr., District 5

☒ Robert Lilligren, District 6

E Yassin Osman, District 7

☒ Gail Cederberg, District 11

☒ = present, E = excused

Call to Order

The meeting began at 2:32 with Information item 1 while waiting for a quorum. A quorum being present, Committee Chair Johnson called the regular meeting of the Management Committee to order at 2:48 p.m.

Agenda Approved

Council Members did not have any comments or changes to the agenda. **Motion carried.**

Approval of Minutes

It was moved by Lilligren, seconded by Pacheco to approve the minutes of the July 26, 2023 regular meeting of the Management Committee. **Motion carried.**

Non-Consent Business

1. **2023-154 JT:** Metro Area Sales and Use Tax for Housing: Res 2023-7

It was moved by Lilligren, seconded by Barber, that the Council adopt Resolution No. 2023-7 imposing a metropolitan region sales and use tax for local affordable housing aid.

Stewart McMullan, Director of Budget, 651-602-1374, presented the item.

Motion carried.

2. **2023-162 JT:** Metro Area Transportation Sales and Use Tax: Res 2023-8

It was moved by Barber, seconded by Cederberg, that the Council adopt Resolution No. 2023-8 imposing a metropolitan region sales and use tax for local affordable housing aid.

Stewart McMullan, Director of Budget, 651-602-1374, presented the item.

Motion carried.

3. **2023-181:** Software Maintenance Agreement, Contract 17P091 – Amendment Four

It was moved by Barber, seconded by Cederberg that the Metropolitan Council authorize the Regional Administrator to execute an amendment for contract 17P091 with Cubic Transportation Systems that will extend the contract term and increase the maximum not to exceed amount to \$4,793,996.

Craig Bantz, Chief Information Officer, Information Services, 651-602-1443, presented the item.

Motion carried.

Information

1. Quarterly Financial Report
 - Marie Henderson, Acting Chief Financial Officer, 651-602-1387, presented the item.
 - Presentation
2. Quarterly Investment Review Committee Report
 - Mark Thompson, Director, Treasury, 651-602-1629 presented the item.
 - Presentation
3. 2023 2nd Quarter Procurement Summary & MCUB Goals Review
 - Jody Jacoby, Procurement Director, 651-602-1144 and Ashanti Payne, Office of Equity and Equal Opportunity Assistant Director, 651-349-7660, presented the item.
 - Presentation
4. **Litigation Review: Discussion of Attorney-Client Privileged matters and Litigation issues**

Ann Bloodhart, General Council, 651-602-1105, presented the item.

It was moved by Barber, seconded by Cederberg, to close this meeting to the public to discuss attorney-client privileged matters. **Motion Carried.**

Because this was the final agenda item, it was noted that the meeting would not be reopened following the discussion of attorney-client matters and the meeting would be adjourned at the conclusion of the discussions.

In accordance with the motion, the meeting was closed to the public and began discussion of Attorney-Client Privileged matters and Litigation issues at 3:25 pm, Wednesday, August 9, 2023. Chair Johnson asked for the room to be cleared except for Council Members, Management Committee staff and others whose presence is necessary to conduct the closed meeting.

Closed session business was concluded at 3:45 p.m.

The following persons attended the closed portion of the committee meeting: Daniel Abelson, Lisa Barajas, Ann Bloodhart, Lori Connery, Darcy Erickson, Marie Henderson, George Henry, Margaret Jocot, Madeleine Kim, Greg Ricci, David Theisen, and Phil Walljasper.

BUSINESS (in closed meeting):

- A. **Discussion of Attorney-Client Privileged Matters and Litigation Issues Regarding a Matter Entitled *Jason Berner v. Metropolitan Council, Metro Transit Division.*** Associate General Counsel Margaret Jacot advised the committee members on the facts and issues regarding this matter and answered committee member questions. Committee members discussed the matter.
- B. **Discussion of Attorney-Client Privileged Matters and Litigation Issues Regarding a Matter Entitled *Stairstep Foundation v. State of Minnesota, et al.*** Deputy General Counsel Dave Theisen advised the committee members on the facts and issues regarding this matter and answered committee member questions. Committee members discussed the matter.
- C. **Discussion of Attorney-Client Privileged Matters and Litigation Issues Regarding a Matter Entitled *Rice Lake Construction Group v. Metropolitan Council.*** Associate General Counsel Dan Abelson advised the committee members on the facts and issues regarding this matter and answered committee member questions. Committee members discussed the matter.
- D. **Discussion of Attorney-Client Privileged Matters and Litigation Issues Regarding a Matter Entitled *Timmy Webber v. Metropolitan Council.*** General Counsel Ann Bloodhart advised the

committee members on the facts and issues regarding this matter and answered committee member questions. Committee members discussed the matter.

- E. **Discussion of Attorney-Client Privileged Matters and Litigation Issues Regarding a Matter Entitled *Zina Baker v. Metropolitan Council*.** General Counsel Ann Bloodhart advised the committee members on the facts and issues regarding this matter and answered committee member questions. Committee members discussed the matter.
- F. **Discussion of Attorney-Client Privileged Matters and Litigation Issues Regarding a Matter Entitled *WPG Northtown Venture, LLC. v. Metropolitan Council*.** General Counsel Ann Bloodhart the committee members on the facts and issues regarding this matter and answered committee member questions. Committee members discussed the matter.

Adjournment

Business completed; the meeting adjourned at 3:45 p.m.

Certification

I hereby certify that the foregoing narrative and exhibits constitute a true and accurate record of the Management Committee meeting of August 9, 2023.

Approved this 23 day of August 2023.

Council Contact:

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