

Minutes of the

SPECIAL MEETING OF THE MANAGEMENT COMMITTEE

Wednesday, July 22, 2020

Committee Members Present: Chair Christopher Ferguson, Vice Chair Judy Johnson, Deb Barber, Francisco Gonzalez, Robert Lilligren

Committee Members Absent: Chai Lee, Abdirahman Muse

CALL TO ORDER

A quorum being present, Chair Christopher Ferguson, called the meeting of the Council's Management Committee to order at 2:02 p.m. on Wednesday, July 22, 2020.

Motion carried on the following roll call vote:

Aye: 4 Barber, Ferguson, Gonzalez, Johnson

Nay: 0

Absent: 3 Lee, Lilligren, Muse

APPROVAL OF AGENDA AND MINUTES

There were no changes to the agenda.

It was moved by Gonzalez and seconded by Johnson to approve the minutes of the Wednesday, July 8, 2020 Management Committee meeting.

Motion carried on the following roll call vote:

Aye: 4 Barber, Ferguson, Gonzalez, Johnson

Nay: 0

Absent: 3 Lee, Lilligren, Muse

BUSINESS

2020-195

It was moved by Barber and seconded by Lilligren that the Metropolitan Council approve the triennial FTA and EPA DBE Program goal. Ashanti Payne, OEO Assistant Director, 651-602-7660, presented the item.

Motion carried on the following roll call vote:

Aye: 5 Barber, Ferguson, Gonzalez, Johnson, Lilligren

Nay: 0

Absent: 2 Lee, Muse

2020-207

It was moved by Gonzalez and seconded by Lilligren that the Metropolitan Council ratify the attached Emergency Declaration (#52) for COVID-19. Marie Henderson, Acting CFO, 651-602-1387 and Jody Jacoby, Director, Contracts and Procurement, 651-602-1144 presented the item.

Motion carried on the following roll call vote:

Aye: 5 Barber, Ferguson, Gonzalez, Johnson, Lilligren

Nay: 0

Absent: 2 Lee, Muse

INFORMATION

Labor Strategy

Marcy Cordes, Chief Labor Relations Officer, 651-602-1582 presented the item.

It was moved by Johnson, and seconded by Gonzalez, to close the Special Management Committee meeting under Section 13D.03, Subdivision 1 of the Minnesota Statutes, to consider labor negotiation strategies and to discuss and review labor negotiation proposals.

Motion carried on the following roll call vote:

Aye: 5 Barber, Ferguson, Gonzalez, Johnson, Lilligren
Nay: 0
Absent: 2 Lee, Muse

Chair Ferguson 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. (Greg Ricci, Marie Henderson, Marcy Syman, Ann Bloodhart and David Theisen were present.) The Management Committee meeting at Robert Street closed at 2:57 p.m., Wednesday, July 22, 2020. Labor Strategy business was concluded at 3:13 p.m.

Discussion of Attorney-Client Privileged matters and Litigation issues

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

After discussion, it was moved by CM Johnson, seconded by CM Gonzalez, to close this meeting to the public to discuss attorney-client privileged matters. It was noted and moved to not reopen meeting to the public as this was the final item of the meeting and to adjourn while in closed session.

Motion carried on the following roll call vote:

Aye: 5 Barber, Ferguson, Gonzalez, Johnson, Lilligren
Nay: 0
Absent: 2 Lee, Muse

In accordance with the motion, the meeting was closed to the public and began discussion of Attorney-Client Privileged matters and Litigation issues at 3:13 pm.

The persons indicated below were in attendance during the closed portion of the committee meeting. (Greg Ricci, Marie Henderson, Marcy Cordes and David Theisen.)

BUSINESS (in closed meeting):

- A. Discussion of Attorney-Client Privileged Matters and Litigation Issues Regarding a Matter Entitled *D&T Eden Prairie, LLC 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.
- B. Discussion of Attorney-Client Privileged Matters and Litigation Issues Regarding a Matter Entitled *WPG Northtown Venture, LLC 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.
- C. Discussion of Attorney-Client Privileged Matters and Litigation Issues Regarding a Matter Entitled *Trackworks 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.
- D. Discussion of Attorney-Client Privileged Matters and Litigation Issues Regarding a Matter Entitled *Barry Segal 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 *Betty Sturm and Darlene Smith 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 *Stephanie Sims v. Met 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.
- G. Discussion of Attorney-Client Privileged Matters and Litigation Issues Regarding a Matter Entitled *Thomas Ruffenach 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.
- H. Discussion of Attorney-Client Privileged Matters and Litigation Issues Regarding a Matter Entitled *Marlon Carter and Jeffrey Bailey v. First Transit and 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.
- I. Discussion of Attorney-Client Privileged Matters and Litigation Issues Regarding a Matter Entitled *Jurand Enterprises, LLC and American Furniture Liquidation Center, Inc. v Metropolitan Council, Hennepin County, Hennepin County Regional Railroad Authority, State of Minnesota by its Commissioner of Transportation, and City of Brooklyn Park*.** 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.

ADJOURNMENT

Business completed; meeting was adjourned at the conclusion of the closed portion as stated by Chair Ferguson. No other business and/or information items were considered, and no further discussions were held.

The meeting adjourned 3:32 p.m.

Lori Connery
Recording Secretary