

Minutes of the

SPECIAL MEETING OF THE MANAGEMENT COMMITTEE

Wednesday, April 28, 2021

Committee Members Present: Chair Christopher Ferguson, Vice Chair Judy Johnson, Deb Barber, Chai Lee, Abdirahman Muse

Committee Members Absent: Francisco Gonzalez, Robert Lilligren

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, April 28, 2021.

Motion carried on the following roll call vote:

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

APPROVAL OF AGENDA AND MINUTES

There were no changes to the agenda.

It was moved by Johnson and seconded by Barber to approve the minutes of the Wednesday, April 14, 2021 Management Committee meeting.

Motion carried on the following roll call vote:

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

BUSINESS

2021-96

It was moved by Lee and seconded by Barber that the Metropolitan Council authorize the Regional Administrator to execute a contract amendment with Masterson Staffing Solutions not to exceed \$720,000 for additional temporary staffing services.

Todd Rowley, Director, Talent Management, 651-602-1448, presented the item.

Motion carried on the following roll call vote:

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

2021-97

It was moved by Johnson and seconded by Lee that the Metropolitan Council authorize the Regional Administrator to enter into a labor agreement with the Metropolitan Council Management Association, effective January 1, 2021 through December 31, 2023.

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

Motion carried on the following roll call vote:

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

2021-101

This item was tabled. It will be brought back to the May 12, 2021 Management Committee meeting. This decision was based on the need to review supporting documents and verify numbers.

Philip Walljasper, Acting Deputy Regional Administrator, 651-602-1787; Jody Jacoby, Director of Procurement, 651-602-1144, presented the item.

No Motion or Vote was made on this item.

Aye: 0
Nay: 0
Absent: 0

INFORMATION

INFO 1: Bonding Results – Parks and Wastewater Refunding

Mark Thompson, Senior Manager, Treasury, 651-602-1629 presented the item.

INFO 2: 2020 Workforce and Affirmative Action Plan Reports

Marcy Syman, Director Human Resources, 651-602-1417; Ashanti Payne, OEO Assistant Director, 651-602-7660 presented the item. At the time of the meeting Marcy Syman thought that slide 11 had wrong information on it. Marcy has reported back to me that the numbers on the slide were in fact correct.

INFO 3: Labor Strategy

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

It was moved by Johnson, and seconded by Barber, to close the April 28, 2021, Special Management Committee meeting, to consider labor negotiation strategies and to discuss and review labor negotiation proposals under Section 13D.03, Subdivision 1 of the Minnesota Statutes and to discuss attorney-client privileged matters following the Labor Strategy discussion under section 13D.05, subdivision 3(b), of the Minnesota Open Meeting Law. It was also noted and moved to not reopen meeting to the public as these were the final items of the meeting and to adjourn while in closed session.

Motion carried on the following roll call vote:

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

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, Wes Kooistra, Mohamed Omar, Phil Walljasper, George Henry, Peter Hanf, Trina Harris, Terri Dresen, Dan Abelson, and David Theisen were present.) The Management Committee meeting at Robert Street closed at 3:04 p.m., Wednesday, April 28, 2021.

INFO 4: Discussion of Attorney-Client Privileged matters and Litigation issues

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

In accordance with the motion, the meeting was closed to the public and began discussion of Attorney-Client Privileged matters and Litigation issues at 3:04 pm in conjunction with closing for Labor Strategies.

The persons indicated below were in attendance during the Litigation Review closed portion of the committee meeting. (Greg Ricci, Marie Henderson, Marcy Syman, Ann Bloodhart, Wes Kooistra, Phil Walljasper, George Henry, Peter Hanf, Trina Harris, Terri Dresen, Dan Abelson, and David Theisen)

BUSINESS (in closed meeting):

- A. **Discussion of Attorney-Client Privileged Matters and Litigation Issues Regarding a Matter Entitled *Jack Shaw 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***. Associate General Counsel George Henry 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 *Barry Segal 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 *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.
- E. **Discussion of Attorney-Client Privileged Matters and Litigation Issues Regarding a Matter Entitled *Metropolitan Council v. Metro Design Center, et. Al.*** Assistant General Counsel Peter Hanf 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 *Doran 810, LLC, and Doran 810 apartments, LLC, v. Metropolitan Council***. Associate General Counsel George Henry 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 *Marlon Carter and Jeffrey Bailey v. First Transit and Metropolitan Council***. Associate General Counsel George Henry 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 3:30 p.m.

Lori Connery
Recording Secretary