**METROPOLITAN COUNCIL**

**390 Robert Street North, St. Paul, Minnesota 55101**

**MINUTES OF THE MEETING OF THE**

**LITIGATION REVIEW COMMITTEE**

**April 20, 2016**

**Robert Street Conference Room 5A**

Committee Members Present: Steven Chávez, Committee Chair

Lona Schreiber, Council Member

Committee Members Absent: Harry Melander, Committee Vice Chair

Gary Cunningham, Council Member

Also Present: Don Mueting, General Counsel

Trina Harris, Recording Secretary

**CALL TO ORDER:**

**Committee Chair Chávez** called the meeting of the Council’s Litigation Review Committee to order at approximately **3:03 p.m.** on **April 20, 2016.**

**APPROVAL OF AGENDA:**

It was moved by Chair Chávez**,** seconded by Council Member (“CM”) Schreiber**,** to approve the agenda for this meeting of the Litigation Review Committee. **The motion carried.**

**APPROVAL OF MINUTES:**

It was moved by Chair Chávez, seconded by CM Schreiber, to approve the minutes of the October 21, 2015 meeting of the Litigation Review Committee. **The motion carried.**

**MOTION TO CLOSE MEETING TO THE PUBLIC:**

After discussion, it was moved by CM Schreiber**,** seconded by Chair Chávez**,** at approximately **3:05 p.m.** to close this meeting to the public to discuss attorney-client privileged matters. **The motion carried.** In accordance with the motion, the meeting was closed to the public. The persons indicated above were in attendance during the closed portion of the committee meeting.

# BUSINESS (in closed meeting):

**A. Discussion of Attorney-Client Privileged Matters and Litigation Issues Regarding a Matter Entitled *Minnesota Center for Environmental Advocacy v. MPCA, Metropolitan Council*.** General Council Mueting 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 *State of MN, et al. v. 3M*.** General Council Mueting 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 *LaFayette Temple v. Metro Transit Police Department.*** General Council Mueting 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 *Lakes and Park Alliance of Minneapolis v. Federal Transit Administration, et al.*** General Council Mueting 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 *Opus Woods Conservation Association, et al. v. Metropolitan Council.*** General Council Mueting 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 *RK Midway Shopping Center*.** General Council Mueting 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 *Erica Frizzell-Nelson v. Metropolitan Council*.** General Council Mueting 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 *Robert Burks v. Metropolitan Council* (MDHR Issue)** General Council Mueting 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 Matters Entitled *Robert Burks v. Metropolitan Council* and *KSTP-TV Data Practice Challenge*.** General Council Mueting advised the committee members on the facts and issues regarding these matters and answered committee member questions. Committee members discussed the matters.

**J. Discussion of Attorney-Client Privileged Matters and Litigation Issues Regarding the Matters of the *DPPA Lawsuits*.** General Council Mueting advised the committee members on the facts and issues regarding these matters and answered committee member questions. Committee members discussed the matters.

**K. Discussion of Attorney-Client Privileged Matters and Litigation Issues Regarding Pending Condemnations (ES).** General Council Mueting advised the committee members on the facts and issues regarding these matters and answered committee member questions. Committee members discussed the matters.

**MOTION TO REOPEN MEETING TO THE PUBLIC:**

After discussion, it was moved by CM Schreiber**,** seconded by Chair Chávez**,** at approximately **3:37 p.m.** to reopen this meeting to the public. **The motion carried.**

**INFORMATION:**

The Committee was briefed on the current status of the complaint filed with the Department of Housing and Urban Development against the Council; the Liquid Aluminum Sulfates Antitrust class action; and the Oak Grove administrative hearing under Minn. Stat. section 473.857.

**ADJOURNMENT:**

The meeting was declared adjourned by Committee Chair Chávez at approximately **3:55 p.m.**

Respectfully submitted,

Trina Harris

Recording Secretary