

## Minutes of the

### SPECIAL MEETING OF THE MANAGEMENT COMMITTEE

Wednesday, January 27, 2021 (This meeting was conducted remotely under section 13D.021 of the Minnesota Open Meeting Law)

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

**Committee Members Absent:** Abdirahman Muse

### CALL TO ORDER

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

Absent: 2 Lee, Muse

A quorum being present, Chair Ferguson, called the special meeting of the Council's Management Committee to order at 2:02 p.m. on Wednesday, January 27, 2021.

### APPROVAL OF AGENDA AND MINUTES

There were no changes to the business section of the agenda.

It was moved by Lilligren and seconded by Barber to approve the minutes of the Wednesday, January 13, 2021 Management Committee meeting.

**Motion carried** on the following roll call vote:

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

Nay: 0

Absent: 2 Lee, Muse

### BUSINESS

**2021-24:** Ratification of Declaration of Emergency for I.S. Network Room Fire-Water Sprinkler Damage  
It was moved by Gonzalez and seconded by Johnson that the Metropolitan Council ratifies the attached *Justification for and Declaration of Emergency* for Rehabilitation of the Robert Street basement area and I.S. network room damaged by the failure of the Fire-Water Sprinkler causing damage to both areas. Theresa Nistler, Asst Dir IS, Finance & Budget, RA Information Services, 651-602-1504 presented the item. **NOTE:** It was brought to the attention of the Committee after this item was voted on that the report to the Committee erroneously identified the Council's Insurance Company as FM Global. Without objection the Committee agreed to modify the Business item to reflect that AXA XL is the Council's Insurance Company. No further action was taken on this item.

**Motion carried** on the following roll call vote:

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

Nay: 0

Absent: 2 Lee, Muse

### INFORMATION

#### INFO 1: 2021 Work Plan

Mary Bogie, Regional Administrator, 651-602-1359 presented the item.

#### INFO 2: Discussion of Attorney-Client Privileged matters and Litigation issues

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

It was moved by Johnson, and seconded by Lilligren, to close this meeting to the public to discuss attorney-client privileged matters. 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.

**Motion carried** on the following roll call vote:

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

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 2:21 pm.

The following persons attended the closed portion of the committee meeting: Greg Ricci, Marie Henderson, Lori Connery, Mary Bogie, Phil Walljasper, Terri Dresen, Ann Bloodhart, David Theisen, Peter Hanf, Margaret Jocot, Trina Harris, and Daniel Abelson.

### **BUSINESS (in closed meeting):**

- A. 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.
- B. 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.
- 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 *Jack Shaw v. Metropolitan Council*.** 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.
- E. 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.
- F. 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.
- G. 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.

### **ADJOURNMENT**

Business completed; meeting was adjourned at the conclusion of the closed session. No other business and/or information items were considered, and no further discussions were held.

The meeting adjourned 2:52 p.m.

Lori Connery  
Recording Secretary