

Minutes

Management Committee



Meeting Date: May 10, 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 6

Robert Lilligren, District 7

Yassin Osman, District 8

Gail Cederberg, District 12

= present, E = excused

Call to Order

A quorum being present, Committee Chair Johnson called the regular meeting of the Management Committee to order at 2:31 p.m.

Agenda Approved

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

Approval of Minutes

It was moved by Barber seconded by Lilligren to approve the minutes of the April 12, 2023 regular meeting of the Management Committee. **Motion carried.**

Non-Consent Business

1. **2023-107:** Railroad Liability Insurance for NorthStar Operations

It was moved by Pacheco, seconded by Cederberg, that the Metropolitan Council authorize the renewal of its railroad liability insurance, effective 6/1/23-6/1/24, for the Northstar Commuter Rail Operations in an amount not to exceed \$2,500,000.

Phil Walljasper, Deputy Regional Administrator, Enterprise Risk Officer, 651-602-1787 presented the item.

Motion carried.

Information

1. 2022 Fourth Quarter and 2023 First Quarter Procurement Summary and MCUB Goals Review

Please note the following corrections:

- Page 29 Metro Transit Commitment Dollars ~~\$179,228.14~~; this is the corrected amount \$386,833.20 for the graph and the chart.
- Page 29 Metro Transit MCUB % ~~8.5%~~; this is the corrected percentage 18.4%
- Page 29 Total Commitment ~~\$2,151,573.14~~; this is the corrected amount \$2,359,178.19
- Page 29 Total MCUB % ~~12.5%~~; this is the corrected percentage 13.7%

Jody Jacoby, Director of Procurement, 651-602-1144; Ashanti Payne, Office of Equity & Equal Opportunity, Assistant Director, 651-349-7660 presented the item.

2. **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, and seconded by Lilligren, 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 3:27 pm, Wednesday, May 10, 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 3:52 p.m.

The following persons attended the closed portion of the committee meeting: Daniel Abelson, Lisa Barajas, Ann Bloodhart, Lori Connery, Darcy Erickson, George Henry, Margaret Jocot, 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 *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.
- B. **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.
- C. **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.
- D. **Discussion of Attorney-Client Privileged Matters and Litigation Issues Regarding a Matter Entitled *Timmy Webber 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 *Zina Baker 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.
- F. **Discussion of Attorney-Client Privileged Matters and Litigation Issues Regarding a Matter Entitled *WPG Northtown Venture, LLC. v. Metropolitan Council.*** Associate General Counsel Darcy Erickson 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; the meeting adjourned at 3:52 p.m.

Certification

I hereby certify that the foregoing narrative and exhibits constitute a true and accurate record of the Management Committee meeting of May 10, 2023.

Approved this 24 day of May 2023.

Council Contact:

Lori Connery, Recording Secretary
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