

Minutes

Management Committee



Meeting Date: July 27, 2022

Time: 2:30 PM

Location: 390 Robert Steet

Members Present:

Chair, Judy Johnson,
District 1

Vice Chair, Francisco Gonzalez,
District 12

Deb Barber, District 4

John Pacheco, District 6

Robert Lilligren, District 7

Abdirahman Muse, District 8

Chai Lee, District 13

= present, E = excused

Call to Order

A quorum being present, Committee Chair Johnson called the regular meeting of the Management Committee to order at 2:33 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 Gonzalez, to approve the minutes of the July 13, 2022 regular meeting of the Management Committee. **Motion carried.**

Non-Consent Business

1. **2022-194 SW:** Council Property Insurance Contract Renewal

It was moved by Lilligren, seconded by Lee, that the Metropolitan Council authorizes to bind coverage of its property insurance effective 8/1/22-8/1/23, in an amount not to exceed \$3,660,000.

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

Motion carried.

2. **2022-146 JT:** Second Quarter Budget Amendment

It was moved by Barber, seconded by Gonzalez, that the Metropolitan Council authorizes the 2022 Unified Budget as amended as indicated, and in accordance with the attached tables.

Stewart McMullan, Director of Budget, 651-602-1374 presented the item.

Motion carried.

Information

1. **2023 Operating Budget - Levies & General Fund**

Marie Henderson, Deputy Chief Financial Officer, 651-602-1387; presented the item.

2. **Recap for 2021_2022 On time Equity Thrive projects**

Georges Gonzalez, Deputy Regional Administrator, 651-602-1567, presented the item.

3. **FTA Semi-Annual Disadvantaged Business Enterprise Report**

Ashanti Payne, OEEA Assistant Director, 651-602-7660, presented the item.

- INFO 3 Presentation

4. **Discussion of Amicus:**

- *State of Minnesota by Smart Growth Minneapolis et. al v. City of Minneapolis*

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

5. **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 Musa, 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 3:39 pm, Wednesday, July 27, 2022. **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 3:39 p.m.

The following persons attended the closed portion of the committee meeting: Greg Ricci, Marie Henderson, Lori Connery, Georges Gonzalez, Phil Walljasper, Ann Bloodhart, David Theisen, Margaret Jocot, Kira Le, Lisa Barajas and Daniel Abelson.

BUSINESS (in closed meeting):

- A. **Discussion of Attorney-Client Privileged Matters and Litigation Issues Regarding a Matter Entitled *Bridget Dow, Individually and a Trustee for the Heirs and Next of Kin of Grayson Dow, Decedent v. Metropolitan Council and BNSF Railway Company.*** Manager, Risk Management & Claims, Phil Walljasper 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 *Dennis Sershen v. Metropolitan Council, et al.*** Phil Walljasper 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 *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.
- E. **Discussion of Attorney-Client Privileged Matters and Litigation Issues Regarding a Matter Entitled *Angela Yvonne Gibson v. Kingwood Management, Metropolitan Council Metro HRA.*** 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 *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.

G. Discussion of Attorney-Client Privileged Matters and Litigation Issues Regarding a Matter Entitled *Galasso 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.

H. 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.

Adjournment

Business completed; the meeting adjourned at 3:56 p.m.

Certification

I hereby certify that the foregoing narrative and exhibits constitute a true and accurate record of the Management Committee meeting of July 27, 2022.

Approved this 10th day of August 2022.

Council Contact:

Lori Connery, Recording Secretary
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