

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

**REGULAR MEETING OF THE MANAGEMENT COMMITTEE**  
Wednesday, May 13, 2009

Committee Members Present     Roger Scherer, Chair; Lynette Wittsack, Vice Chair; Sherry Broecker; Craig Peterson;  
Kris Sanda and Robert McFarlin

**CALL TO ORDER**

A quorum being present, Committee Chair Scherer called the regular meeting of the Council's Management Committee to order at 2:30 p.m. on Wednesday, May 13, 2009.

**APPROVAL OF AGENDA AND MINUTES**

It was moved by L. Wittsack, seconded by S. Broecker to approve the amended agenda. **The motion carried.**

It was moved by S. Broecker, seconded by K. Sanda to approve the minutes of the April 22, 2009 regular meeting of the Management Committee. **The motion carried.**

**BUSINESS**

**2009-177 Approval of Revision to Travel and Meeting Reimbursement Policy No. 3-3-2**

Mary Bogie presented this business item. The revised policy re-defines local travel as any Council-related travel that does not require an overnight stay. Council staff is frequently required to attend meetings with local authorities and communities outside the metro area.

It was moved by L. Wittsack, seconded by S. Broecker :

“That the Metropolitan Council approve revision of the Travel and Meeting Reimbursement Policy as outlined to redefine local travel as required business travel that does not include an overnight stay.”

**The motion carried.**

**2009-159 Target Fund Balance Policy Revision**

Sean Pfeiffer presented this business item. Analysis has indicated that it better serves the Council to change the Metropolitan Transportation Services reserve target of 15 percent for the entire department into two distinct ten (10) percent reserve targets. The reserves would be separated to more discretely show that ADA (American Disabilities Act) differs from Planning and Transit Services.

It was moved by K. Sanda, seconded by S. Broecker:

“That the Metropolitan Council approve revision of the Target Fund Balance Policy as it relates to Metropolitan Transportation Service in accordance with the attached revised Target Fund Balance policy.”

**The motion carried.**

**2009-176 Contracts for Financial Advisors**

Allen Hoppe presented this item. The Council utilizes a public financial advisor primarily for debt issuance with additional service and support provided for review of PFA loans, special projects, arbitrage analysis, etc. The Council has employed PFM for the bulk of its financial advisory services for a little over three years. Springsted has provided service on a smaller scale during this time period. The two current contracts expire June 30, 2009.

It was moved by L. Wittsack, seconded by S. Broecker:

“That the Metropolitan Council authorizes the Regional Administrator to execute three-year contracts, with two one-year options for extension, for financial advisory services in a combined amount not to exceed \$400,000 with Springsted (\$250,000), Public Financial Management (PFM), (\$100,000), and Ehlers, Inc (50,000).”]  
**The motion carried.**

**2009-175 Amendment to Service Agreement**

This item was presented by Mark Thompson. When Contract Prices exceed \$250,000, each subsequent amendment must be approved by the Metropolitan Council. The proposed amendment would allow the Metropolitan Council to pay for essential legal services.

A new business item will be prepared by Mark Thompson revising the “process” necessary to increase the maximum contract prices.

It was moved by K. Sanda, seconded by L. Wittsack:

That the Metropolitan Council authorizes the General Counsel to amend legal services agreements to increase the maximum contract prices as follows:”

<u>Law Firm</u>	<u>Services</u>	<u>Term</u>	<u>Current Price</u>	<u>Proposed Increase</u>	<u>New Price</u>
Bassford Remele	Legal Services related to Tort and Property Damage Contract No. 06P152A	1/1/07-12/31/09	\$875,000	\$125,000	\$1,000,000
Parker Rosen	Legal Services related to Tort and Property Damage Contract No. 06P152B	1/1/07-12/31/09	\$250,000	\$125,000	\$375,000

**The motion carried. (K. Sanda recluded.)**

**2009-169 Northstar Railroad Liability Insurance**

This item was reviewed by Phil Walljasper. In its Joint Use Agreement (JUA) with the BNSF Railway, the Metropolitan Council is required to procure and maintain a railroad liability insurance policy to respond to claims related to Northstar commuter rail. This insurance must be in place when any Northstar train is running on BNSF tracks and is to have limit of \$200 million per occurrence, providing coverage for both the Council and BNSF. With the testing of Northstar trains scheduled to begin in June of 2009, the policy must have an effective date of June 1, 2009.

During the procurement process for Northstar’s insurance, staff met with several insurance underwriters to present the Northstar program, focusing on safety, system features, and operations. After presentations and negotiations, Lexington provided the most favorable pricing.

It was moved by K. Sanda, seconded by S. Broecker:

“That the Metropolitan Council authorize the procurement of railroad liability insurance for the Northstar Commuter Rail Operations in an amount not to exceed \$2,055,889. This insurance would be effective from 6/1/09-12/31/10.” **The motion carried.**

**SW 2009-138 Cooperative Construction and Utility Relocation Agreement and Loan Agreement with District Energy St. Paul and District Cooling St. Paul**

This item was presented by Mark Fuhrmann. An overview was given of utilities relocation on 4<sup>th</sup> Street in downtown St. Paul for the six blocks between Minnesota Street and Broadway Street.

After some discussion by committee members, the proposed action was amended as shown on the business item. **The motion carried.**

## **INFORMATION**

### **2008 Financial Results and Reserve Balances Briefing.**

Staff was unable to give this briefing because of lack of time

## **ADJOURNMENT**

Business completed, the meeting adjourned at 3:32 p.m.

Respectfully submitted,

Lana Lindstrom  
Recording Secretary