

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

**REGULAR MEETING OF THE MANAGEMENT COMMITTEE**  
Wednesday, September 9, 2009

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

**CALL TO ORDER**

A quorum being present, Committee Chair Scherer called the regular meeting of the Council's Management Committee to order at 2:31 p.m. on Wednesday, September 9, 2009.

**APPROVAL OF AGENDA AND MINUTES**

It was moved by K. Sanda, seconded by S. Broecker to approve the agenda. *Motion carried.*

It was moved by K. Sanda, seconded by C. Peterson to approve the minutes of the August 26, 2009 regular meeting of the Management Committee. *Motion carried.*

**BUSINESS**

**2009-323: Settlement of Litigation: MOAC Land Holdings, LLC v. Metropolitan Airport Commission and the Metropolitan**

The meeting was closed to discuss attorney-client privileged matters. The item was reviewed by Peter Hanf and Matt Boos with Fredrikson and Bryon law firm. After the meeting was reopened, it was moved by L. Wittsack and seconded by K. Sanda that the Metropolitan Council approve the proposed resolution of the *MOAC Land Holdings, LLC v. Metropolitan Airports Commission and the Metropolitan Council* litigation. *Motion carried.*

**2009-322: Authorization to Award Health Insurance Contract**

Sandi Blaeser reviewed this item. K. Sanda noted that she was on the Board of Directors of Health Partners and therefore, she would reclude herself from any comments or votes on this item.

In June, 2009 the Council issued a request for proposal (RFP) for medical coverage. The RFP included the following evaluation criteria in order of importance:

- *Administrative* - Ability to administer negotiated benefits as proposed including plan design and claims payments.
- *Cost* - Provides competitive premium rates, multi-year guarantees, rate caps, etc.
- *Care Management and Wellness* - Quality of health management programs available
- *Network Management and Access* - Ability to meet the provider access requirements and minimize disruption
- *Communication and Tools* - Written communication tools, phone and web technology to assist members and employees.

It was moved that the Metropolitan Council authorize the Regional Administrator to negotiate and enter into a contract for the fully insured medical plan for the period of January 1, 2010 through December 31, 2012 (as amended.) It was noted that the date for the medical plan period should be changed to "January 1, 2010 through December 31, **2012**" (not December 31, **2010** as listed.)

**2009-315: Technical Amendments to Legal Services Agreements, No Budget Impacts**

This item was reviewed by Dave Theisen and Phil Walljasper. They gave a brief explanation for the increase pertaining to contract terms and budget information. It was moved by L. Wittsack and seconded by T. Pistilli 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 Council Facilities and General Matters Contract No. 02P083	04/01/02- 12/31/10	\$25,000	\$15,000	\$40,000
Bassford Remele	Legal Services related to Tort & Property Damage Contract No. 06P152A	01/01/07- 12/31/09	\$875,000	\$125,000	\$1,000,000
Best Flanagan	Legal Services related to Eminent Domain and other Real Property Matters Contract No. 06P154	1/1/07- 12/31/09	\$475,000	\$125,000	\$600,000
Dorsey Whitney	Legal Services related to Construction and Engineering Matters Contract No. 02P096	10/10/02- 12/31/10	\$1,250,000	\$250,000	\$1,500,000

*Motion carried.*

**2009-316: Metropolitan Sports Facilities Commission 2010 Budget, Resolution No. 2009-25**

Mary Bogie presented an overview of the proposed MSFC budget. Committee members asked several questions relating to oversight of the MSFC. Staff agreed to contact the MSFC executive director for further details to respond to these questions. In the past, the Council's review was to determine if there was sufficient funds in the budget to make debt service payments and to provide for operating needs. Since there currently is no outstanding debt, the budget review focuses on the reasonableness for meeting operating/capital improvement needs. Under State statues, the Council is required to approve or disapprove the annual budget of the Metropolitan Sports Facilities Commission (MSFC) by October 1 of each year. It was moved by T. Pistilli and seconded by L. Wittsack that the Metropolitan Council approve Resolution 2009-25 granting approval of the proposed year 2010 Metropolitan Sports Facilities Commission (MSFC) Budget and Report on User Fee Charges. *Motion carried.*

**2009-317: Authorization to Amend Contract for Off-Site Records Storage**

This item was reviewed by Bob Dietrick. He gave a brief description of the Iron Mountain contract and the amount of storage that the Council has with Iron Mountain. Questions were raised by the Committee on the amount of materials that are scanned and the amount of materials that are stored. It was suggested to prioritize the records document and scanning process used at Met Council.

The second and final year of the contract extension with Iron Mountain started April 1, 2009. No additional dollars were added previously to cover the contract. In order to complete the end of the contract, \$56,780 will need to be added. It was moved by K. Sanda and seconded by T. Pistilli that the Metropolitan Council authorize the Regional Administrator to amend the Metropolitan Council's contract with Iron Mountain for off-site records storage to increase the maximum compensation by \$56,780 to a total amount of \$284,170.

*Motion carried.*

**INFORMATION**

**Victoria Finance:**

Allen Hoppe reported that the Met Council had reached a favorable settlement with Wells Fargo over a failed investment in its securities lending program.

**2<sup>nd</sup> Quarter Financial Report – June 30, 2009**

**2<sup>nd</sup> Quarter Report on Investments**

Both of the quarterly reports were not reviewed because of lack of time. It was suggested that either of these reports could be reviewed electronically by clicking on the September 9, 2009 agenda. If there are any questions, please do not hesitate to contact Mary Bogie, 651-602-1359 or Allen Hoppe, 651-602-1629.

**ADJOURNMENT**

Business completed, the meeting adjourned at 3:50 p.m.

Respectfully submitted,

Lana Lindstrom  
Recording Secretary