

M Management Committee

Meeting date: September 26, 2012

For the Council Meeting of October 10, 2012

ADVISORY INFORMATION

Date: September 3, 2012

Subject: Resolutions Setting Litigation Review Committee Meeting Days and Authorizing Closed Committee Meetings;
Resolution No. 2012-32

District(s), Member(s): All

Policy/Legal Reference: Council Bylaws, arts. II & III; Minn. Stat. § 13D., subd. 1

Staff Prepared/Presented: Donald J. Mueting, General Counsel 651.602.1463

Division/Department: Regional Administration

Proposed Action

That the Metropolitan Council adopt the attached resolution setting days, times, and locations for regular meetings of the Litigation Review Committee and authorizing closed Committee meetings.

Overview and Funding

Section 13D.04 of the Minnesota Open Meeting Law requires a public body to maintain a schedule of its regular meetings. Articles II and III of the Bylaws of the Metropolitan Council state that standing committee meetings must be set by the Council by resolution

METROPOLITAN COUNCIL
390 Robert Street North, Saint Paul, Minnesota 55101-1805

RESOLUTION NO. 2012-32
RESOLUTION DESIGNATING REGULAR MEETING DAYS FOR METROPOLITAN COUNCIL
LITIGATION REVIEW COMMITTEE
AND AUTHORIZING THE COMMITTEE TO CONDUCT CLOSED MEETINGS

WHEREAS, Article III, Paragraph A.2 of the Bylaws of the Metropolitan Council states that “regular meetings of the standing committees shall be set by the Council by resolution”; and

WHEREAS, section 13D.04 of the Minnesota Open Meeting Law requires each public body to keep on file at its primary offices a schedule of the regular meetings of the public body; and

WHEREAS, the Minnesota Open Meeting Law and case law permit a public body to close a meeting to discuss attorney-client privileged matters and for other specified purposes; and

WHEREAS, the Metropolitan Council established the Litigation Review Committee to monitor and review pending and potential litigation and claims matters involving the Council and to refer to the governing body of the Council matters that may have significant policy implications or substantial financial consequences.

NOW THEREFORE, BE IT RESOLVED that upon approval of this resolution:

1. The regular meeting days for the Litigation Review Committee shall be on the third Wednesday of the months of January, April, July, and October.
2. Unless otherwise determined by the Committee Chair, the regular meetings of the Litigation Review Committee shall be held at 390 Robert Street North in Saint Paul, Minnesota, commencing at 3:00 p.m.
3. Subject to the requirements of the Minnesota Open Meeting Law, the time and place of these regular meetings may be adjusted as determined by the Committee Chair and as specified in the notice for each meeting.
4. When appropriate and necessary and consistent with the requirements of the Minnesota Open Meeting Law and other applicable law, the Litigation Review Committee may close any of its meetings to discuss attorney-client privileged matters and other matters for which meetings may be closed.

Adopted this 10th day of October, 2012

Susan Haigh, Chair

Emily Getty, Recording Secretary