

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

REGULAR MEETING OF THE MANAGEMENT COMMITTEE
Wednesday, January 14, 2009

Committee Members Present: Roger Scherer, Chair; Lynette Wittsack, Vice Chair; Sherry Broecker; Craig Peterson; 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 2:30 p.m. on Wednesday, January 14, 2009.

APPROVAL OF AGENDA AND MINUTES

It was moved by Vice Chair L. Wittsack, seconded by K. Sanda to approve the agenda. **The motion carried.**

It was moved by Vice Chair L. Wittsack, seconded by S. Broecker to approve the minutes of the December 10, 2008 regular meeting of the Management Committee. **The motion carried.**

BUSINESS

2009-03 Approval of Amendment to the Non-Represented Plan Effective January 1, 2009

This item was presented by Gloria Heinz, Director of Human Resources. The Metropolitan Council approved the Non-Represented Plan effective January 1, 2009 at its December 10, 2008 meeting (Business Item 2008-319). The proposed amendment reflects four necessary changes to the Plan.

After discussion, it was moved by Vice Chair L. Wittsack, seconded by C. Peterson:

“That the Metropolitan Council approve an amendment to the Non-Represented Plan effective January 1, 2009, as reflected in the Summary of Revisions below:

Summary of Revisions

Section 2: Definitions (p. 2)

Added the definition for Executive Employee.

Section 15: Hours of Work (p. 23)

15.5: Added language that annual leave at separation is subject to the limits of Section 5.4.1 (in addition to Section 15.4.2).

Appendix B: Job Classifications & Salary Grades (pp. 25 & 26)

Added the position Compensation Analyst

Corrected the grade for Deputy General Manager Metro Transit to EX-2

Added the position Director, Metropolitan WWTP

Appendix C: Non Represented Salary Grades (p. 29)

Added range mid point and range maximum for E2-Exempt and E2 grades.

The Non-Rep Plan is attached in its entirety which shows all the changes.”

The motion carried.

2009-10 Technical Amendments to Legal Services Agreements; No Budget Impacts

Mark Thompson, Acting General Counsel, presented this item to the Management Committee. The Parker Rosen, Dorsey Whitney and Bassford Remele agreements originated in 2006, 2000 and 2006, respectively. The first two agreements are administered by the Office of the General Counsel, while the third is administered by the Risk Management Division.

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

“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> |
|-----------------|--|-------------|----------------------|--------------------------|------------------|
| Parker Rosen | Legal Services related to Transit Employment, RA and Planning Contract No. 06P153A | 12/31/09 | \$750,000 | \$125,000 | \$875,000 |
| Dorsey Whitney | Legal Services related to Public Law Matters Contract No. 00P0140 | 12/31/10 | \$550,000 | \$125,000 | \$675,000 |
| Bassford Remele | Legal Services related to Tort & Property Damage Contract No. 06P152A | 12/31/09 | \$750,000 | \$125,000 | \$875,000 |

The motion carried.

2009-14 Ratification of Declaration of Emergency to Contract for Occupational Health/Drug and Alcohol Testing Services

This item was presented by Connie DeVolder, Manager, Human Resources Occupational Health. The Council received 30 days’ notice on December 10, 2008, that Park Nicollet Occupational Health Services intended to cancel Contract 04P121, Drug and Alcohol Testing Services, and Contract 06P061, Occupational Health Services, because it was going out of these businesses. A Declaration of Emergency to contract for these services was necessary because the notice period did not allow sufficient time to solicit and process formal Requests for Proposals, yet the Council is required to maintain its compliance with Council policy, DOT and OSHA regulations, and Minnesota State Statute. The contracts under this Emergency Declaration will be for a period of up to one year, during which time a formally advertised solicitation process will be conducted to establish new long-term contracts for these services.

It was moved by C. Peterson, seconded by K. Sanda:

“That the Metropolitan Council ratify the attached *Justification for and Declaration of Emergency* to Contract for Occupational Health/Drug and Alcohol Testing Services.”

The motion carried.

2009-19 Minnesota State Retirement System Program Unclassified Retirement Plan Resolution

This item was presented by Gloria Heinz, Director of Human Resources. Minnesota Statutes permit the Metropolitan Council to designate its Chair and up to 27 positions at the division director or administrative deputy level to participate in the Unclassified Retirement Plan of the Minnesota State Retirement System (MSRS). Resolution 2009-01 reflects the appointment of Beth Reetz, Director of Housing and Livable Communities, to one of these designated positions.

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

“That the Metropolitan Council approve changes to the position and incumbent list for the Minnesota State Retirement System Unclassified Plan, as detailed in Resolution 2009-01.”

The motion carried.

INFORMATION

Update on Metropolitan Council Budget Challenges and Response

Wes Kooistra, Chief Financial Officer, presented an informational overview of the transit budget status and planning update to the Management Committee. More in-depth information will be presented to the full Council by W. Kooistra at the Metropolitan Council meeting scheduled for 4:00 p.m. this afternoon, January 14, 2009.

Investment Review Committee Report

Mercy Ndungu, Financial Analyst, presented the Third Quarter 2008 Report on Investments. It had been deferred from both the November 12, 2008 and December 10, 2008 meetings due to insufficient time.

ADJOURNMENT

Business completed, the meeting adjourned at 3:38 p.m.

Respectfully submitted,

Trudy M. Aldrich
Recording Secretary