

Legislative Commission on Metropolitan Government
February 8, 2018
Room 1200, Minnesota Senate Building

Meeting Minutes

Members Present

Sen. Pratt, Chair
Sen. Chamberlain
Sen. Dibble
Sen. Housley
Sen. Little
Sen. Osmek
Rep. Christensen
Rep. Hornstein
Rep. Jessup
Rep. Masin
Rep. Runbeck
Rep. Youakim

Members Absent

Sen. Klein
Rep. Nash

Call to Order

Sen. Pratt called the meeting of the Legislative Commission on Metropolitan Government to order at 2:07 PM in Room 1200 of the Minnesota Senate Building.

A quorum was present.

Approval of Minutes

Rep. Runbeck moved approval of the minutes from the January 24, 2018 meeting. THE MOTION PREVAILED.

Response to Metropolitan Council testimony during the January 24 hearing

Sen. Pratt moved approval of the resolution recommending the Metropolitan Council take the following actions related to its contract bidding process:

- Rescind the unconditional disqualification of 36 firms, including multiple Disadvantaged Business Enterprise (DBE) firms;
- Evaluate each of the 36 precluded firms for potential conflicts of interest on a case by case basis and consider whether a potential conflict could be appropriately mitigated within existing law and Federal Transit Administration guidance on conflicts of interest;
- Reconsider the current conflict of interest policy and make changes to the policy for current and future projects consistent with evaluating conflicts on a case by case basis rather than continuing with unconditional disqualifications;
- Maintain appropriate documentation of the Metropolitan Council's conflict of interest mitigation and avoidance process consistent with the State Auditor's oral comments;
- Establish a policy and procedure to review material changes in terms or interpretation of contract provisions with all potential bidders.

Judd Schetnan, Government Affairs Director, Metropolitan Council, addressed Commission members' questions related to the resolution.

The vote was taken on the resolution. THE MOTION PREVAILED.

Rep. Hornstein moved approval of the resolution recommending that the Metropolitan Council conduct a susceptibility study – executed by an objective third party with the appropriate technical knowledge and capability, and in a transparent, collaborative manner – to determine and establish:

- Proper building categorizations to ascertain how the buildings are likely to respond to vibrations from both the construction and operation of the South West Light Rail line;
- Appropriate vibration thresholds for the physical structure and resident experience;
- Necessary mitigation measures to protect the structures and the residents from vibratory issues during construction;
- Necessary mitigation measures to ensure residents do not experience excessive noise and vibrations from the operations of light rail trains.

Judd Schetnan, Government Affairs Director, Metropolitan Council, addressed Commission members' questions related to the resolution.

The vote was taken on the resolution. THE MOTION PREVAILED.

Discussion of October 4, 2017, Office of the Legislative Auditor Transit Financial Activity Review
Judy Randall, Deputy Legislative Auditor, Program Evaluation Division, presented an overview of the Office of the Legislative Auditor's October 2017 review of Transit Financing Activity.

Judd Schetnan, Government Affairs Director, Metropolitan Council, addressed Commission members' questions related to the Office of the Legislative Auditor's review.

Governance Presentations

Pahua Yang Hoffman, Executive Director, Citizens League and John Knapp, Co-Chair of the Citizen League Metropolitan Council Task Force, presented on the Citizen League's six-month study of the Metropolitan Council and spoke to the findings and recommendations from the study.

Patricia Nauman, Metro Cities, presented on the Metro Cities governance position for the Metropolitan Council.

Kim Crocket, Center of the American Experiment, spoke to Metropolitan Council governance and presented a comparative assessment of the Twin Cities Metropolitan Council.

Myron Orfield, Director, Institute on Metropolitan Opportunity, presented on the governance structure of the Metropolitan Council.

Chris Gerlach, Dakota County Commissioner, and Kathy Saltzman, Metro Governance Transparency Initiative (MGTI), presented on the governance structure of the Metropolitan Council and presented an overview of the MGTI governance proposal for the Metropolitan Council.

Adjournment

The meeting adjourned at 5:04 PM.