

LAUDERDALE CITY COUNCIL MEETING AGENDA
7:30 P.M. TUESDAY, JANUARY 25, 2011
LAUDERDALE CITY HALL, 1891 WALNUT STREET

1. **ROLL CALL**
2. **APPROVAL OF THE AGENDA**
3. **APPROVALS**
 - a. Minutes of the January 11, 2011, City Council Meeting
 - b. Claims Totaling \$49,165.90
4. **OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE COUNCIL**
5. **CONSENT**
 - a. 2011 Rental Housing, Tree Contractor, HVAC, and Garbage Licenses
 - b. PCIC Minutes
6. **SPECIAL ORDER OF BUSINESS/RECOGNITION/PROCLAMATIONS**
7. **REPORTS**
 - a. Snow*Commotion Update
8. **PUBLIC HEARINGS** Public hearings are conducted so that the public affected by a proposal can have input into the decision.
9. **DISCUSSION / ACTION**
 - a. Resolution 012511A – A Resolution Concerning the Franchise Renewal with Comcast
 - b. Pay Equity Compliance Report
 - c. One-Sided Parking on Eustis Street
 - d. Deputy Clerk Position
 - e. Appoint Back Up Snow Plower
 - f. 4th Quarter and Year End Investment Report
10. **ITEMS REMOVED FROM THE CONSENT AGENDA**
11. **ADDITIONAL ITEMS**
12. **SET AGENDA FOR NEXT MEETING**
 - a. Municipal Liquor Store Market Research
13. **CLOSED SESSION**
 - a. City Hall Security
14. **ADJOURN**

LAUDERDALE CITY COUNCIL
MEETING MINUTES
Lauderdale City Hall
1891 Walnut Street
Lauderdale, MN 55113

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January 11, 2011

Mayor Dains called the City Council meeting to order at 7:35 p.m.

Councilors present: Mary Gaasch, Roxanne Grove, Denise Hawkinson, Lara Mac Lean, and Mayor Jeff Dains. Councilors absent: none.

Staff present: Heather Butkowski, City Administrator; Jim Bownik, Assistant to the City Administrator.

Mayor Dains asked for changes to the meeting agenda. Butkowski added a claim for the public works coordinator's annual wastewater training. Mayor Dains added a discussion on security to the work session. **Councilor Mac Lean moved to approve the agenda as amended. Councilor Gaasch seconded the motion and it passed unanimously.**

Councilor Grove moved to approve the December 14, 2010, City Council meeting minutes. Councilor Mac Lean seconded the motion and it passed unanimously.

Councilor Grove moved approval of the claims and bond payments totaling \$748,807.35 plus the \$300 claim for the public works coordinator's annual wastewater training. Councilor Mac Lean seconded the motion and it passed unanimously.

Mayor Dains asked if anyone in attendance wished to address the Council. Harvey Skow, 1931 Carl Street, addressed the Council. He submitted a criminal complaint against Robert A. Alsop, City of Lauderdale Attorney, to the police officer in attendance prior to the meeting.

Skow questioned why Ramsey County did not extend the existing berm until it reached the apron in the alley behind his property. He said county staff told him that was being done at the request of the city. Butkowski reiterated that the city had not made that request of the county and she couldn't explain why county staff had told him otherwise.

Skow also asked about the legal description for the easement agreement signed during the court settlement. Butkowski responded that the city surveyor confirmed the legal description was correct. Skow requested a formal response on the issue.

Dawn Bartylla, 1911 Eustis Street, addressed the Council about standards for alley plowing and suggested that parking on Eustis Street be limited to one side due to the narrowing of the road from snow. Butkowski said she would check with Ramsey County since Eustis Street is a county road.

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Mayor Dains asked if councilors wished to remove items from the consent agenda. Mayor Dains removed the Chinese Christian Church donation of \$1,500 and Councilor Mac Lean removed the recreation agreement with Falcon Heights. **Councilor Mac Lean moved the remaining consent agenda items: 2011 rental housing licenses, 2011 business licenses, 2011 City Council meeting schedule, 2011 official newspaper, PCIC minutes, updated collateral pledge from North Star Bank, 2011 Investment Policy, and Resolution 011111A designating 2011 depositories and investment institutions. Councilor Hawkinson seconded the motion and it passed unanimously.**

Bownik updated the Council on plans for Snow*Commotion, which was scheduled for January 29. The event features skating, a medallion hunt, and cardboard sled races. He encouraged residents to come to the park for fun and food.

Annually, the city council selects a mayor pro tem and makes committee assignments. After reviewing the positions, the council made the appointments.

Councilor Hawkinson moved to appoint Councilor Gaasch as the mayor pro tem and Councilor Mac Lean as bank signatory and adopt the 2011 committee assignments as discussed. Councilor Mac Lean seconded the motion and it passed unanimously.

Butkowski said the city council discussed the fee schedule extensively at the beginning of 2009 and raised a number of fees based on the cost of providing services. Staff recommended a few small changes for 2011, such as removing the gas station license fee and setting the state mandated surcharge for plumbing and mechanical licenses at \$5.00.

Councilor Mac Lean moved to adopt Resolution 011111B adopting the 2011 fee schedule. Councilor Hawkinson seconded the motion and it passed unanimously.

Butkowski said Joe Hughes would be gone for three to four weeks from the end of January to mid-February. Since it has been such a snowy year, public works staff asked whether there should be someone to assist with snow plowing if needed. The Council discussed the options presented by staff which included hiring a temporary snow plower, hiring an independent contractor, or contracting with Falcon Heights for emergency situations.

Councilor Gaasch suggested hiring someone for the interim and the other Councilors felt the same. Staff will follow up with a prospective candidate and bring back an agreement for Council approval at the next meeting.

The Council discussed the items removed from the consent agenda.

Mayor Dains thanked the Chinese Christian Church for their generous donation of \$1,500.

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Councilor Mac Lean commented on the confusion regarding the basketball program that Falcon Heights planned to host in Lauderdale Community Park last year. She reiterated the need to be sure the facilities were appropriate prior to scheduling the classes since many families were disappointed when the class had to be moved to Falcon Heights Elementary.

Councilor Hawkinson moved to accept the Chinese Christian Church donation and approve the recreation agreement with the City of Falcon Heights. Councilor Mac Lean seconded the motion and it passed unanimously.

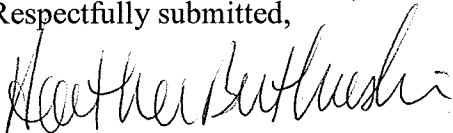
Butkowski reviewed the preliminary agenda for the next meeting, which included municipal liquor market research and a discussion about the future of the deputy clerk position.

Mayor Dains explained the Council was moving into the work session. Work sessions are a continuation of the meetings but not aired on community television.

In light of the recent events in Florida and Tucson, the Council discussed whether security at City Hall could or should be improved. Staff was asked to invite Chief Ohl to the next council meeting for his input.

There being no further business on the council agenda, Councilor Hawkinson moved to adjourn the meeting. Councilor Mac Lean seconded the motion and it carried. The meeting adjourned at 8:41 p.m.

Respectfully submitted,



Heather Butkowski
City Administrator

CITY OF LAUDERDALE

01/21/11 1:46 PM

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Payments

Current Period: JANUARY 2011

Batch Name	012111pyroll	Computer Dollar Amt	\$6,878.34	Posted	
Refer	1882 NORTH STAR BANK, CHECKING S	Ck# 000521E	1/21/2011		
Cash Payment	G 101-21703 FICA WITHHOLDING.		1/21/11 payroll		\$1,780.54
Invoice					
Cash Payment	G 101-21701 FEDERAL TAXES		1/21/11 payroll		\$1,126.97
Invoice					
Transaction Date	1/21/2011	Due 0	NORTH STAR CHEC 10100	Total	\$2,907.51
Refer	1883 ICMA RETIREMENT TRUST - 457	Ck# 000522E	1/21/2011		
Cash Payment	G 101-21705 ICMA RETIREMENT		1/21/11 payroll		\$1,821.30
Invoice					
Transaction Date	1/21/2011	Due 0	NORTH STAR CHEC 10100	Total	\$1,821.30
Refer	1884 PERA	Ck# 000523E	1/21/2011		
Cash Payment	G 101-21704 PERA		1/21/11 payroll		\$1,424.76
Invoice					
Transaction Date	1/21/2011	Due 0	NORTH STAR CHEC 10100	Total	\$1,424.76
Refer	1885 MN DEPARTMENT OF REVENUE	Ck# 000524E	1/21/2011		
Cash Payment	G 101-21702 STATE WITHHOLDING		1/11 state withholding		\$724.77
Invoice					
Transaction Date	1/21/2011	Due 0	NORTH STAR CHEC 10100	Total	\$724.77
Fund Summary				BATCH Total	\$6,878.34
	101	10100 NORTH STAR CHECKING			
			\$6,878.34		
			\$6,878.34		

Pre-Written Checks	\$6,878.34
Checks to be Generated by the Compute	\$0.00
Total	\$6,878.34

CITY OF LAUDERDALE
***Check Detail Register©**

JANUARY 2011

			Check Amt	Invoice	Comment
10100 NORTH STAR CHECKING					
Paid Chk#	000520E	1/18/2011			MN DEPARTMENT OF REVENUE
	G 101-21710	SALES & USE TAX	\$33.00		2010 MN sales & use tax
	Total MN DEPARTMENT OF REVENUE		\$33.00		
Paid Chk#	020579	1/25/2011			BONESTROO
	E 101-48100-306	CONSULTING FEES	\$580.50		12/10 liquor store consulting
	Total BONESTROO		\$580.50		
Paid Chk#	020580	1/25/2011			CITY OF FALCON HEIGHTS
	E 101-42100-321	FIRE CALLS	\$1,316.04		12/10 fire calls
	Total CITY OF FALCON HEIGHTS		\$1,316.04		
Paid Chk#	020581	1/25/2011			CITY OF ROSEVILLE
	E 101-45200-371	NON-RESIDENT REIMBURSEM	\$376.00		July-Dec rec program reimbursement
	Total CITY OF ROSEVILLE		\$376.00		
Paid Chk#	020582	1/25/2011			CITY OF ST PAUL
	E 101-43000-380	STREET LIGHT UTILITY	\$14.64		July-Dec '10 Fulham/Hoyt street light
	Total CITY OF ST PAUL		\$14.64		
Paid Chk#	020583	1/25/2011			DEPARTMENT OF EMPLOYMENT
	E 101-41200-142	UNEMPLOYMENT BENEFIT	\$54.89		4q10 KL unemployment
	Total DEPARTMENT OF EMPLOYMENT		\$54.89		
Paid Chk#	020584	1/25/2011			INTEGRA
	E 101-41200-391	TELEPHONE/PAGERS	\$40.64		12/10 fax line
	Total INTEGRA		\$40.64		
Paid Chk#	020585	1/25/2011			RAMSEY COUNTY, PROP REC & REV
	E 101-43000-313	SNOW & ICE REMOVAL	\$5,294.67		2010 snowplowing & sanding
	Total RAMSEY COUNTY, PROP REC & REV		\$5,294.67		
Paid Chk#	020586	1/25/2011			SPRINT PCS
	E 101-43000-391	TELEPHONE/PAGERS	\$35.86		12/10 pw cell phones
	E 601-49000-391	TELEPHONE/PAGERS	\$17.93		12/10 pw cell phones
	E 602-49100-391	TELEPHONE/PAGERS	\$17.92		12/10 pw cell phones
	Total SPRINT PCS		\$71.71		
Paid Chk#	020587	1/25/2011			XCEL ENERGY, CITY HALL
	E 101-43000-383	GAS UTILITIES	\$480.31		12/10 City Hall gas
	E 101-43000-381	ELECTRIC	\$234.53		12/10 City Hall electric
	Total XCEL ENERGY, CITY HALL		\$714.84		
Paid Chk#	020588	1/25/2011			XCEL ENERGY, PARK & GARAGE
	E 101-43000-381	ELECTRIC	\$88.52		12/10 pw & warming house electric
	E 101-45200-381	ELECTRIC	\$88.53		12/10 pw & warming house electric
	E 101-43000-383	GAS UTILITIES	\$143.80		12/10 pw & warming house gas
	E 101-45200-383	GAS UTILITIES	\$143.80		12/10 pw & warming house gas

CITY OF LAUDERDALE
***Check Detail Register©**

JANUARY 2011

			Check Amt	Invoice	Comment
Total XCEL ENERGY, PARK & GARAGE			\$464.65		
Paid Chk#	020589	1/25/2011	XCEL ENERGY, STREET LIGHTING		
E	101-43000-380	STREET LIGHT UTILITY	\$57.39		12/10 bridge lights
E	101-43000-380	STREET LIGHT UTILITY	\$508.69		12/10 street lights
Total XCEL ENERGY, STREET LIGHTING			\$566.08		
10100 NORTH STAR CHECKING			\$9,527.66		

Fund Summary

	10100 NORTH STAR CHECKING	
101 GENERAL	\$9,491.81	
601 SEWER UTILITIES	\$17.93	
602 STORM SEWER ENTERPRISE FUND	\$17.92	
	\$9,527.66	

CITY OF LAUDERDALE
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JANUARY 2011

		Check Amt	Invoice	Comment
10100 NORTH STAR CHECKING				
Paid Chk#	020590	1/25/2011	ABDO EICK & MEYERS LLP	
E	602-49100-301	AUDITING	\$240.00	2010 Audit - Progress Bill #1
E	601-49000-301	AUDITING	\$240.00	2010 Audit - Progress Bill #1
E	101-41500-301	AUDITING	\$1,920.00	2010 Audit - Progress Bill #1
Total ABDO EICK & MEYERS LLP			\$2,400.00	
Paid Chk#	020591	1/25/2011	AFSCME	
G	101-21709	UNION DUES	\$79.40	1/11 union dues
Total AFSCME			\$79.40	
Paid Chk#	020592	1/25/2011	AHDN ATTORNEYS	
E	101-41500-300	LEGAL FEES - PROSECUTING	\$850.00	1/11 legal fees
Total AHDN ATTORNEYS			\$850.00	
Paid Chk#	020593	1/25/2011	AMERIPRIDE	
E	101-43000-228	MISC REPAIRS MAINT SUPPLIE	\$83.95	paper towels
Total AMERIPRIDE			\$83.95	
Paid Chk#	020594	1/25/2011	CINTAS	
E	601-49000-425	CLOTHING	\$25.52	470584949 pw clothing
E	602-49100-425	CLOTHING	\$25.52	470588547 pw clothing
Total CINTAS			\$51.04	
Paid Chk#	020595	1/25/2011	CITY OF FALCON HEIGHTS	
E	101-42100-320	FIRE CONTRACT	\$816.65	2011 base rate - capital share
E	101-42100-320	FIRE CONTRACT	\$16,868.66	2011 base rate - readiness to serve
Total CITY OF FALCON HEIGHTS			\$17,685.31	
Paid Chk#	020596	1/25/2011	CITY OF WHITE BEAR LAKE	
E	101-43000-327	OTHER SERV- SEWER/NPDES I	\$238.05	2011 RC GIS fees
Total CITY OF WHITE BEAR LAKE			\$238.05	
Paid Chk#	020597	1/25/2011	HOME DEPOT CRC	
E	101-45200-202	PERMENANT SUPPLIES	\$106.70	warming house vacuum
E	201-45600-375	WINTER EVENT	\$21.00	duct tape for Snow*Commotion
E	101-43000-228	MISC REPAIRS MAINT SUPPLIE	\$29.48	garbage bags
Total HOME DEPOT CRC			\$157.18	
Paid Chk#	020598	1/25/2011	PUBLIC EMPLOYEES INS PROGRAM	
G	101-21706	HEALTH INSURANCE	\$1,499.10	2/11 employee insurance benefits
Total PUBLIC EMPLOYEES INS PROGRAM			\$1,499.10	
Paid Chk#	020599	1/25/2011	RAMSEY CO LEAGUE OF LOCAL GOVT	
E	101-41100-438	DUES & SUBSCRIPTIONS	\$125.00	2011 membership dues
Total RAMSEY CO LEAGUE OF LOCAL GOVT			\$125.00	
Paid Chk#	020600	1/25/2011	RAMSEY COUNTY, PROP REC & REV	
E	101-41200-355	MISC PRINTING/PROCESS SER	\$20.00	1/11 employee insurance benefits

CITY OF LAUDERDALE
***Check Detail Register©**

JANUARY 2011

	Check Amt	Invoice	Comment
E 101-41100-352 PUBLIC INFO NOTICES	\$163.86		'11 Property Tax Notice
G 101-21706 HEALTH INSURANCE	\$378.74		1/11 employee insurance benefits
Total RAMSEY COUNTY, PROP REC & REV	\$562.60		
<hr/>			
Paid Chk# 020601 1/25/2011 RAPIT PRINTING			
E 101-41200-353 NEWSLETTER PRINTING	\$626.00		1q11 newsletter printing
Total RAPIT PRINTING	\$626.00		
10100 NORTH STAR CHECKING	\$24,357.63		

Fund Summary

	10100 NORTH STAR CHECKING	
101 GENERAL		\$23,805.59
201 COMMUNITY EVENTS		\$21.00
601 SEWER UTILITIES		\$265.52
602 STORM SEWER ENTERPRISE FUND		\$265.52
		<u>\$24,357.63</u>

LAUDERDALE COUNCIL ACTION FORM

TYPE OF REQUEST	
Consent	<input checked="" type="checkbox"/>
Action	<input type="checkbox"/>
Resolution	<input type="checkbox"/>
Information	<input type="checkbox"/>
Work session	<input type="checkbox"/>

MEETING DATE <u>January 25, 2011</u>
AGENDA NUMBER <u>2011 Licenses</u>
DESCRIPTION <u>2011 Licenses</u>

BACKGROUND OR PAST COUNCIL ACTION

The following applicants successfully met the criteria for their respective license.

HVAC

Hoffman Corner Heating & AC

St. Paul Plumbing & Heating

Tree Service

Twin City Tree Service

Branch & Bough Tree Service

Rental Housing

Jacob Malinka – 1791 Fulham

Bruce & Michelle Bonine – 1785-1787 Fulham

Refuse Hauler

Veolia Environmental Services – Residential & Commercial

Allied Waste Systems – Residential & Commercial

Walter's Recycling & Refuse - Residential & Commercial

OPTIONS

STAFF RECOMMENDATION

By approving the consent agenda, the Council approves the aforementioned licenses for 2011.

COUNCIL ACTION

MOTION BY _____

SECOND _____

STAFF ACTION

ACTION REQUESTED	LAUDERDALE COUNCIL
Consent <u> X </u>	MEETING DATE <u>January 25, 2011</u>
Special <u> </u>	ITEM NUMBER <u>PCIC Minutes</u>
Public Hearing <u> </u>	STAFF INITIAL <u>Jim</u>
Report <u> </u>	APPROVED BY ADMINISTRATOR <u> </u>
Discussion/Action <u> </u>	
Resolution <u> </u>	
Work session <u> </u>	

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

Attached are the minutes from the Park & Community Involvement Committee meeting of January 10, 2011.

OPTIONS:

- 1) Approve as consent item.
- 2) Remove from consent for discussion.

STAFF RECOMMENDATION:

Motion to acknowledge receipt of and placing on file the attached minutes of the Park & Community Involvement Committee.

COUNCIL ACTION:



MINUTES
MONDAY, JANUARY 10, 2011
PARK & COMMUNITY INVOLVEMENT COMMITTEE

1. CALL TO ORDER 6:35 p.m.

2. ROLL CALL

Members Present: Trygve Hansen, Monica Gallagher, Peiju Picard

Members Absent:

Staff & Council Present: Jim Bownik, Roxanne Grove

Others Present: Maisie Gallagher, Nadia Gallagher

3. APPROVAL OF THE AGENDA

Bownik stated he would like to add Electing the Committee Chair to the agenda. Picard motioned to approve the agenda as amended, second by Gallagher. Motion carried unanimously.

4. APPROVAL OF MINUTES OF DECEMBER 13, 2010 MEETING

Picard motioned to approve the minutes, second by Gallagher. Motion carried unanimously.

5. REPORTS

6. DISCUSSION/ACTION

A. Snow*Commotion Planning #2/2 (Saturday, January 29)

The committee discussed assignments and other details of the event. Hansen mentioned that plans for the wagon ride have fallen through because the wagon is unavailable and he is not sure if he will be able to attend the event. The committee suggested doing without the wagon ride this year due to the circumstances. It was suggested to move the food table outside this year, depending on the weather.

B. Electing the Committee Chair

Bownik informed the committee that the bylaws state the committee chair should be rotated annually. Hansen stated he was willing to continue as the committee chair. The committee discussed the issue concluded that Hansen would continue as committee chair.

7. OTHER BUSINESS

A. Membership

1/10/11 PCIC Minutes

Gallagher brought an example of another city's committee description as a suggestion for defining the committee. Bownik said he would incorporate this idea into the new member packet. Bownik also suggested reviewing and revising the committee bylaws so committee practices are more consistent with policy. The committee also discussed using social media such as Facebook as a way for the city to reach people and get them involved. It was suggested that a volunteer could manage the site. Bownik said he would research how many cities have sites such as Facebook and Twitter.

8. SET PRELIMINARY AGENDA FOR NEXT MEETING

Hansen read the preliminary agenda for the next meeting.

9. SET DATE FOR NEXT MEETING

The committee meets on Mondays at 6:30 p.m. The next meeting will be Monday, April 4 at 6:30 p.m.

10. ADJOURNMENT

Gallagher motioned to adjourn the meeting, second by Picard. Motion carried unanimously and adjourned at 7:24 p.m.

LAUDERDALE COUNCIL ACTION FORM

Action Requested

Consent _____
Public Hearing _____
Discussion _____ X
Action _____ X
Resolution _____
Work Session _____

Meeting Date January 25, 2011

ITEM NUMBER Cable Resolution

STAFF INITIAL W/B

APPROVED BY ADMINISTRATOR

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

Cor Wilson, Executive Director of the Cable Commission, is asking the Council to adopt the attached resolution drafted by the Commission's attorney. The resolution reaffirms what the cable commission joint powers agreement already states, that the City intends to negotiate the renewal of the cable franchise through the cable commission. The attached letter and fact sheet lay out the reasons for the resolution. Also attached is a copy of the letter from Comcast that started the "formal franchise renewal" process.

Cor explained most of this when she was here in December. But, if you have further questions, she will come to a future meeting. Just let me know if you would like me to invite her back.

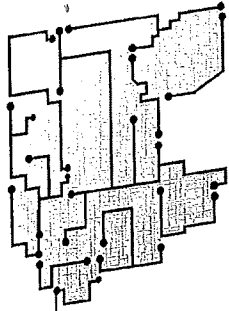
OPTIONS:

Adopt the resolution as presented; amend prior to adoption; or do not adopt the resolution.

STAFF RECOMMENDATION:

Motion to adopt Resolution 012511A - A Resolution Concerning the Commencement of Formal Renewal Proceedings under the Federal Cable Communications Policy Act of 1984, as Amended.

COUNCIL ACTION:



North
Suburban
Communications
Commission



January 14, 2011

Mayor Jeff Dains
1743 Carl Street
Lauderdale, MN 55113

Heather Butkowski, City Administrator
City of Lauderdale
1891 Walnut Street
Lauderdale, MN 55113

Dear Mayor Dains and Ms. Butkowski:

Last October, your city received a letter from Kathi Donnelly-Cohen, Director of Government Affairs for Comcast's Twin Cities cable systems, notifying you of the cable company's intention to renew the current cable television franchise. Your city's franchise expires on October 1, 2013, but federal law requires this notification to be sent to the local franchising authority 30 to 36 months prior to expiration of the franchise.

To begin the franchise renewal process, which is technically a form of administrative litigation, the North Suburban Communications Commission (NSCC) requests that your city adopt the attached resolution delegating to the NSCC the responsibility for conducting the renewal proceedings. Although the NSCC Joint Powers Agreement already empowers the Commission to act on each city's behalf in the franchise renewal process, the commission believes that adopting the resolution will forestall any arguments by the cable company to the contrary.

Because, in order to start the franchise renewal process, the Commission and its staff must soon begin the required evaluation of Comcast's compliance with the current franchise and the required needs assessment, the commission asks that your city council act expeditiously to pass the resolution. The commission would like to have all of the cities adopt the resolution by the end of February if possible.

Because the commission understands that you and your city council members will probably have questions about the franchise renewal process, our staff has prepared the attached Fact Sheet that addresses some of the questions that are more frequently asked. In addition, our Executive Director, Coralie Wilson, is available to attend a city council meeting or work session to review the process and respond to your council members' questions and/or

Mayor Dains/Heather Butkowski
January 14, 2011
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concerns. If possible, a member of the commission can attend along with Ms. Wilson. To make arrangements, or if you have any questions, feel free to call Ms. Wilson at 651-792-7500 or e-mail her at cwilson@ctv15.org.

Thank you for your prompt attention to the Commission's request.

Sincerely,

A handwritten signature in black ink, appearing to be 'Dan Roe', with a long horizontal flourish extending to the right.

Dan Roe, Chair
North Suburban Communications Commission

Mayor, City of Roseville, MN

NORTH SUBURBAN COMMUNICATIONS COMMISSION CABLE FRANCHISE RENEWAL FACT SHEET

What does the cable franchise renewal process involve?

The formal franchise renewal process is one of administrative litigation. The process itself is spelled out in federal law in Section 626 of the Cable Communications Policy Act of 1984 (the "Cable Act"), and it is designed to protect the rights of the incumbent cable provider while also ensuring that a community's present and future cable-related needs and interests are satisfied, taking cost into consideration. Formal franchise renewal begins with the cable provider notifying the franchising authority of its desire to renew its cable franchise agreement. The franchising authority then begins by evaluating the cable provider's performance under the existing franchise, including the engineering of the cable system, and by ascertaining the cable and communications needs of the community. This typically involves hiring experienced engineering, legal, financial and ascertainment consultants and can take 6 to 12 months (or more) to complete. The franchising authority then may request that the cable provider submit a proposal showing how it will meet the needs identified in the ascertainment. The formal process also requires public input on the cable provider's past performance and on the needs ascertainment

While federal law also permits the use of informal franchise renewal negotiations with the cable provider at any time (including simultaneously with the formal process), a franchising authority must be prepared to follow the requirements of the formal process because either side may choose to return to that process at any time during the renewal proceedings. Typically, the renewal proceedings alternate between the formal and informal processes several times.

Can we negotiate with more than one cable provider?

The federal franchise renewal process is intended for the franchise of the incumbent cable provider. None of the franchises of the NSCC member cities are exclusive, however, so member cities may negotiate a new franchise with another cable provider at any time. That having been said, cable system overbuilds are not common because the new provider must invest a significant amount of money in the construction of a network with no customer income until the new system is built. In the meantime, the incumbent controls 60-65% of the market, and satellite providers have most of the rest. Overbuilding is a very difficult and expensive proposition requiring very deep pockets and long-term commitment. In recent years, the only providers that have tried overbuilding are traditional telephone companies Verizon and AT&T, neither of which have landline telephone companies in Minnesota. Furthermore, both have halted all new construction in order to concentrate on the systems they have already built. Meanwhile, Qwest has shown no credible interest in constructing an advanced wireline network that can compete with Comcast's cable system in the NSCC's member cities.

Can we simply extend the existing cable franchise?

This is a possibility, although the incumbent provider is not likely to want to do so. A typical goal of providers in franchise renewal is to eliminate and/or trim back obligations in the current franchise agreements, including the Institutional Network, the number of public, educational and government (PEG) access channels, and the financial support of those channels. Nevertheless, the commission will explore that option with the company.

Why should we have the NSCC and its staff handle our franchise renewal, rather than doing it ourselves?

First, cable franchising and renewal law is very complex, involving the interplay between federal, state and local laws and regulations with 30-40 years of legal and legislative history. It also is constantly changing and evolving. Second, Comcast is the largest cable company in the United States (if not the world) and has a full-time

staff that does nothing but cable franchise renewal negotiations. As a result, the company's renewal staff and attorneys are very knowledgeable about the law and how to use it to the company's advantage. Success on the local government's side depends on having equally knowledgeable staff and legal counsel, devoting adequate resources to the renewal process and maintaining a united front. Sharing the cost of the staff, as well as the consultant expertise for the technical compliance review and needs ascertainment, has always made sense, but, in these difficult economic times, it is even more important. Further, having a number of cities (and their cable subscribers) on the local government side of the table provides more leverage against the attempts by Comcast to eliminate or diminish its franchise obligations.

Why does Comcast need a cable franchise?

As a cable provider, Comcast is required by both federal and state law to secure a franchise from the local government – typically a city, but the franchising authority can also be a collection of cities or a county – in order to provide cable television service using public rights-of-way. This franchise allows the cable provider to build its cable network in the public rights-of-way without having to negotiate with every property owner. In return for a franchise to use the rights-of-way, which are scarce and valuable public property, the cable provider pays a franchise fee, capped by federal law at 5% of gross revenues, and usually has obligations to provide channel capacity and financial support for public, educational and government access channels and to provide an Institutional Network for local government use.

Why should we bother with franchise renewal when all television is moving to the Internet?

Although a lot of video, including many traditional television programs, is now available over the Internet, it will be many years before all television programming currently distributed via cable and satellite providers is available over the Internet. In fact, there is some concern that the Internet as currently structured does not have enough capacity to handle that volume of video programming. Further, to date, we are not seeing any of the traditional programming networks abandon cable and satellite distribution, and new programming networks – including the recently introduced Oprah Winfrey Network (OWN) – are still being developed and introduced for cable and satellite distribution. So, given the state of the industry, technology and the market, local franchising authorities and cable providers must work with the laws and regulations that are currently in place.

Can a renewal request be denied?

Yes, both legally and practically. Although most communities do eventually renew the incumbent cable operator's franchise, several communities have successfully denied renewal. The Cable Act permits a community to deny renewal if past performance has been inadequate; or if the incumbent operator is legally unqualified or is unwilling or unable to devote the necessary technical skills and financial resources to the community; or if the operator is unwilling to reasonably satisfy the future, cable-related needs and interests of the community considering the cost of meeting those needs and interests.

The operator says everything a local franchising authority asks for will be passed through to subscribers in rates. Is that true?

Not necessarily. In rate regulated franchise areas (such as the NSCC's member cities), an operator can pass through *increases* in its external costs to subscribers. Some franchise requirements, such as PEG and franchise fee requirements, are external costs, but not all are. In addition, because the operator is only entitled to pass through the *increase in those costs*, renewal franchise requirements do not necessarily result in rate increases, depending in part on what was required under the prior franchise, the length of the prior franchise, and the operator's recovery schedule.



10 River Park Plaza
St. Paul, MN 55107

Kathi Donnelly-Cohen
Director of Government Affairs
Twin Cities Region
(651) 493-5776
(651) 493-5275

October 11, 2010

Sent Certified Mail

Ms. Heather Butkowski
City of Lauderdale
1891 Walnut Street
Lauderdale, MN 55113

Subject: FRANCHISE RENEWAL

Dear Ms. Butkowski:

We at Comcast appreciate the opportunity to serve the citizens of Lauderdale. It is our Credo that *we will deliver a superior experience to our customers every day. Our products will be the best and we will offer the most customer-friendly and reliable service in the market.* In living our Credo, we look forward to providing broadband services to our customers in Lauderdale for many years to come. Therefore, we are taking this step to ensure the renewal of our franchise with you.

The Cable Communications Policy Act of 1984 ("the 1984 Cable Act") encourages franchisors and cable operators to reach renewal agreements at any time through an informal process of discussion. However, Section 626 of the 1984 Cable Act also provides for commencement of a formal renewal procedure. To preserve our statutory rights to this formal procedure, this letter is our official notice to you invoking that provision.

This letter is not intended to introduce a new formality into our discussions, nor is that the intention of the 1984 Cable Act. In fact, we prefer to reach a mutually satisfactory agreement through informal negotiations, thus making many of the 1984 Cable Act's formal procedures unnecessary.

I will be happy to discuss this matter with you, or provide any additional information that you may require. I look forward to meeting with you in the near future and to continuing a relationship that, we believe, benefits both the community and the residents of Lauderdale.

Sincerely,

Kathi Donnelly-Cohen
Director – Government Affairs – Twin Cities Region

October 11, 2010

Page 2 of 2

cc: Cor Wilson – North Suburban Communications Commission
Steve White – Comcast – President, West Division
Sheila Willard – Comcast - Senior Vice President of Government Affairs
Bill Wright – Comcast - Senior Vice-President – Twin Cities Region
Jim Lewis – Comcast – Vice President of Government Affairs, West Division
Emmett Coleman – Comcast - Vice-President of Government Affairs – Twin Cities Region
Steven Holmes – Comcast – Vice President of Government Affairs, Washington Region

RESOLUTION NO. 012511A

**CITY OF LAUDERDALE
COUNTY OF RAMSEY
STATE OF MINNESOTA**

**A RESOLUTION CONCERNING THE COMMENCEMENT OF FORMAL RENEWAL
PROCEEDINGS UNDER THE FEDERAL CABLE COMMUNICATIONS POLICY ACT
OF 1984, AS AMENDED**

WHEREAS, the City of Lauderdale, (“City”) enacted an ordinance and entered into a cable television franchise agreement (collectively, the “Franchise”) with MediaOne North Central Communications Corp. (“MediaOne”), which became effective October 1, 1998, to provide cable television service within the territorial limits of the City; and

WHEREAS, as a result of several transfers of the Franchise, Comcast of Minnesota, Inc. (“Comcast”) currently holds the Franchise; and

WHEREAS, the North Suburban Cable Commission (the “Commission”) was organized by the City and the other member cities pursuant to Minn. Stat. § 471.59, as amended, for the purposes of monitoring Comcast’s performance, operations and activities, and coordinating, administering and enforcing the City’s Franchise and the franchises granted by the Commission’s other member cities; and

WHEREAS, Section 626(a)(1) of the Cable Communications Policy Act of 1984, as amended (the “Cable Act”), 47 U.S.C. § 546(a)(1), provides that if a written renewal request is submitted by a cable operator during the 6-month period which begins with the 36th month before franchise expiration and ends with the 30th month prior to franchise expiration, a

franchising authority shall, within six months of the request, commence formal renewal proceedings to identify the future cable-related community needs and interests, and to review the performance of the cable operator under its franchise during the then current franchise term; and

WHEREAS, the Franchise is scheduled to expire on October 1, 2013, unless sooner terminated or extended; and

WHEREAS, by letter dated October 11, 2010, from Comcast to the City, Comcast invoked the formal renewal procedures set forth in Section 626 of the Cable Act, 47 U.S.C. § 546; and

WHEREAS, the City is desirous of commencing the formal renewal proceedings specified in Section 626(a)(1) of the Cable Act, 47 U.S.C. § 546(a)(1) and, at the same time, of pursuing the informal renewal process with Comcast pursuant to Section 626(h) of the Cable Act, 47 U.S.C. § 546(h); and

WHEREAS, the City wishes that the formal proceedings under Section 626(a) of the Cable Act and the informal renewal process under Section 626(h) be managed and conducted by the Commission, or its designee(s); and

WHEREAS, the City intends to confirm the Commission's pre-existing authority to take any and all steps required or desired to comply with the franchise renewal and related requirements of the Cable Act, Minnesota law and the Franchise in accordance with the broad powers granted to the Commission by the Amended North Suburban Cable Commission Joint and Cooperative Agreement for the Administration of a Cable Communications System, dated June 1990 (the "Joint Powers Agreement"); and

WHEREAS, the Commission is empowered by Joint Powers Agreement to conduct the Section 626(a) proceedings on the City's behalf and to take such other steps and actions as are needed or required to carry out the formal and informal franchise renewal processes; and

WHEREAS, the Commission, on behalf of the City, must provide the public with notice of, and an opportunity to participate in, formal renewal proceedings under Section 626(a) of the Cable Act; and

WHEREAS, formal Section 626(a) proceedings and the informal franchise renewal process may involve the collection and analysis of information from Comcast (and its affiliates and subsidiaries), City agencies and departments, the Commission, the North Suburbs Access Corporation, the public and other interested parties, and may require one or more public hearings.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAUDERDALE, MINNESOTA, THAT:

Section 1. The City authorizes the Commission and its staff to commence formal franchise renewal ascertainment and past performance proceedings under Section 626(a)(1) of the Cable Act, 47 U.S.C. § 546(a)(1), concerning Comcast and the Franchise, on the City's behalf, pursuant to the powers granted to the Commission in the Joint Powers Agreement. These proceedings, and all applicable procedures, timelines and deadlines set forth in Section 626(a)-(g) of the Cable Act, 47 U.S.C. § 546(a)-(g), may be tolled if Comcast and the Commission enter into a lawful and binding tolling agreement ("Standstill Agreement").

Section 2. The Commission, Commission staff and/or their designee(s) are authorized to manage and conduct those formal franchise renewal proceedings specified in 626(a)(1) of the Cable Act, 47 U.S.C. § 546(a)(1), and to take all steps and actions necessary or desired to conduct such proceedings and to comply with applicable laws, regulations, orders and decisions.

Section 3. The Commission, Commission staff and/or their designee(s), may explore with Comcast the possibility of pursuing the informal renewal process under Section 626(h) of the Cable Act, 47 U.S.C. § 546(h). If the Commission and Comcast decide to utilize the informal renewal process, the Commission, Commission staff and/or their designee(s) are authorized to enter into a Standstill Agreement, if appropriate or desired, to perform past performance and needs assessment reviews, to negotiate and communicate with Comcast concerning matters relating to the renewal and/or extension of the Franchise, and to take all other steps and actions necessary or desired to engage in the informal renewal process and/or to comply with applicable laws, regulations, orders and decisions.

Section 4. The Commission, Commission staff and/or their designee(s) shall provide the public with notice of, and an opportunity to participate in, proceedings conducted under Section 626(a)(1) of the Cable Act, 47 U.S.C. § 546(a)(1), unless those proceedings are tolled pursuant to a Standstill Agreement, in which case such notice and an opportunity to participate will only be required if the Standstill Agreement ceases to be effective or if the Cable Act's formal renewal process is re-activated in accordance with the Standstill Agreement.

Section 5. The Commission, Commission staff and/or their designee(s) may establish procedures and dates for the conduct of any hearings related to the Section 626(a) proceedings or the informal franchise renewal process and may establish procedures and dates for the submission of testimony and other information in connection with such proceedings and the informal franchise renewal process.

Section 6. The Commission, Commission staff and/or their designee(s) are authorized to request and require Comcast and its affiliates and subsidiaries to submit such information as may be deemed appropriate in connection with the Section 626(a) proceedings or the informal renewal process under Section 626(h), to the maximum extent permitted by the Franchise and applicable laws and regulations, to gather such other information from other persons or sources as may be deemed appropriate, and to take such further steps as may be needed or desired to ensure the City's, the Commission's, the North Suburbs Access Corporation's and the public's cable-related needs and interests are satisfied and fully protected consistent with applicable law.

Section 7. The City reserves all of its rights, remedies and defenses with respect to determining whether or not to renew the Franchise, to the full extent permitted by law. The Mayor, City Council members and City employees shall not take a stated position on the renewal of the Franchise or any Franchise renewal-related issues until the Commission makes a formal written recommendation to the City concerning whether renewal of the Franchise should be approved or denied under the formal and/or informal renewal processes.

Section 8. Nothing in this Resolution shall be construed to limit the powers of the Commission under the Joint Powers Agreement or to otherwise waive or limit the Commission's authority, rights, remedies and defenses under applicable agreements, laws, regulations, orders and decisions.

Section 9. The Commission shall keep the City fully apprised of the status and progress of the formal and informal renewal processes, as appropriate.

Section 10. This Resolution shall become effective immediately upon adoption.

ADOPTED on this 25th day of January, 2011.

Lauderdale, MINNESOTA

By: _____
Jeff Dains, Mayor

ATTEST:

Heather Butkowski, City Administrator

**LAUDERDALE COUNCIL
ACTION FORM**

Action Requested

Consent _____
Public Hearing _____
Discussion _____ X _____
Action _____ X _____
Resolution _____
Work Session _____

Meeting Date January 25, 2011

ITEM NUMBER Pay Equity Report

STAFF INITIAL AB

APPROVED BY ADMINISTRATOR

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

Every three years the City must document for Minnesota Management and Budget (MMB) that it is in compliance with the pay equity act. To demonstrate pay equity compliance, the City uses a points scale to compare traditionally male jobs with comparable female jobs. As far as I know, the City has not revisited the points scale in many years because the scope of the jobs have remained fundamentally the same.

Attached is the pay data and implementation report that will be submitted to MMB.

OPTIONS:

STAFF RECOMMENDATION:

Motion to submit the pay equity data presented to Minnesota Management and Budget.

COUNCIL ACTION:

Job Class Data Entry Verification List

Case: 2011 DATA

Job Nbr	Class Title	Nbr Males	Nbr Females	Class Type	Jobs Points	Min Mo Salary	Max Mo Salary	Yrs to Max Salary	Yrs of Service	Exceptional Service Pay
1	Deputy City Clerk	0	1	F	55	\$3,224.00	\$4,030.00	5.00	0.50	
2	Maintenace worker	1	0	M	56	\$3,408.00	\$4,261.00	5.00	18.30	
3	Public Works Coordinator	1	0	M	82	\$3,858.00	\$4,822.00	5.00	26.50	
4	Assistant to the Administra	1	0	M	82	\$3,737.00	\$4,671.00	5.00	12.00	
5	City Administrator	0	1	F	138	\$5,574.00	\$6,967.00	5.00	2.00	

Job Number Count: 5

Part A: Jurisdiction Identification

Jurisdiction:

Lauderdale

Jurisdiction Type:

City

Contact:

Heather Butkowsky

Phone:

651-792-7650

E-Mail:

admin@ci.lauderdale.mn.us

Part B: Official Verification

- 1. The job evaluation system used measured skill, effort responsibility and working conditions and the same system was used for all classes of employees.

The system used was:

Description:

MAMA

- 2. Health Insurance benefits for male and female classes of comparable value have been evaluated and:

There is no difference.

- 3. An official notice has been posted at:

Lauderdale City Hall

(prominent location)

informing employees that the Pay Equity Implementation Report has been filed and is available to employees upon request. A copy of the notice has been sent to each exclusive representative, if any, and also to the public library.

The report was approved by:

Lauderdale City Council

(governing body)

Jeff Dains

(chief elected official)

Mayor

(title)

Part C: Total Payroll

311,139

is the annual payroll for the calendar year just ended December 31.



Checking this box indicates the following:

- signature of chief elected official
- approval by governing body
- all information is complete and accurate, and
- all employees over which the jurisdiction has final budgetary authority are included

Date Submitted:

1-26-11

LAUDERDALE COUNCIL ACTION FORM

Action Requested

Consent	_____
Public Hearing	_____
Discussion	_____ X _____
Action	_____ X _____
Resolution	_____
Work Session	_____

Meeting Date January 25, 2011

ITEM NUMBER Eustis Street Parking

STAFF INITIAL JB

APPROVED BY ADMINISTRATOR

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

Snow narrowed streets is an issue throughout the City, particularly when cars park across the street from each other. At the last meeting, Dawn Bartylla asked the Council to consider one-sided parking on Eustis Street. Since then, I spoke with Ramsey County and they support the Council's decisions with regarding to parking. They are also willing to sell the City no parking signs at a reasonable rate. The cost for a sign and temporary base is \$34.39. County staff determined the City would need 10 to 13 signs from Larpenteur to Roselawn (3 more from Roselawn to Ryan). Public works staff would be responsible for installing the signs (using the skid loader to remove snow about every 200' to make room for the signs).

I asked Fire Chief Clem Kurhajetz whether he thought there were areas where the fire trucks couldn't get through. He said Eustis Street by the Chinese Christian Church while they are having services is the only area he was concerned about but felt they could take an alternate route if need be. Staff has also talked about how difficult Carl south of Larpenteur is to pass in winter because the tenants in the area park solidly on both sides of the street leaving only enough room for one car to pass through.

OPTIONS:

To proceed with the no parking order, the Council would need to pass a motion ordering the signs and establishing which side of the street parking should be limited to. At the next meeting, the Council will need to adopt a resolution stating the reasons for the restrictions; I will forward that to the County. In the interim, staff will use the means we have to get the word out and work with the police department on public education.

An alternative is to put permanent "no parking sign" posts in potential problem areas this summer. Then, if the Council decides to limit parking during the winter, staff simply needs to affix the signs to the posts.

This summer, staff will meet with the apartment building managers to discuss limiting parking on Carl south of Larpenteur.

COUNCIL ACTION:

LAUDERDALE COUNCIL ACTION FORM

Action Requested

Consent _____
Public Hearing _____
Discussion _____ X
Action _____ X
Resolution _____
Work Session _____

Meeting Date January 25, 2011

ITEM NUMBER Deputy Clerk Position

STAFF INITIAL

JB

APPROVED BY ADMINISTRATOR

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

Falcon Heights relieved their administrative assistant recently. Since both cities are looking for a part-time employee, Justin Miller, Falcon Heights City Administrator, and I talked about whether both cities would benefit by sharing a full-time employee. The expectation being that the cities would get better candidates if the position was full time with full benefits. Justin and I went back and forth on the topic and came to the conclusion that the cities would be better off hiring separately.

With Council approval, staff would begin the hiring process again shortly by advertising on the city website and on the League of Minnesota Cities website. Council members have participated in the hiring process in the past. It would be great if one or two councilors was able to do that again.

OPTIONS:

STAFF RECOMMENDATION:

Motion to direct staff to advertise for the open deputy clerk position.

COUNCIL ACTION:

**LAUDERDALE COUNCIL
ACTION FORM**

Action Requested

Consent _____
Public Hearing _____
Discussion _____ X _____
Action _____ X _____
Resolution _____
Work Session _____

Meeting Date January 25, 2011

ITEM NUMBER Snow Plowing

STAFF INITIAL AB

APPROVED BY ADMINISTRATOR

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

I followed up with Kyle Hughes regarding back up snow plowing. He is willing to do it so I had him complete an application, met with him, and checked his driving record. I have not heard back from his references, however. I anticipate being able to do that by Tuesday.

I left Kyle a voicemail stating that my recommendation to the Council would be to hire him for back up plowing at \$16.00 per hour so long as I was able to touch base with his references by Tuesday. I will present him with the attached letter as soon as I have talked to them.

If the Council would like to change the parameters of the position or the rate of pay, feel free to do so at the meeting.

OPTIONS:

STAFF RECOMMENDATION:

Motion to hire Kyle Hughes as a temporary, seasonal snow plower from January 26 to February 18, 2011 at the rate of \$16.00 an hour.

COUNCIL ACTION:

City of Lauderdale
The Island in the Metro

CITY OF LAUDERDALE
LAUDERDALE CITY HALL
1891 WALNUT STREET
LAUDERDALE, MN 55113
651-792-7650
651-631-2066 FAX

January 24, 2011

Kyle Hughes
1816 Carl Street
Lauderdale, MN 55113

Dear Kyle,

Based upon your qualifications, I am recommending that the City Council appoint you as a temporary, seasonal snow plower from January 26, 2011 to February 18, 2011. The City Council will make the decision regarding this appointment at their January 25, 2011 city council meeting. As with all City employees, the employment relationship is "at-will." At-will means you are free to end your employment at any time, with or without reason, and the City retains the same right.

You will be called in as needed and work at the direction of the Public Works Coordinator, Dave Hinrichs. I encourage you to watch the weather forecasts, but Dave will also be in contact with you if he thinks he will need assistance plowing snow. The duties will include labor related to snow removal such as shoveling and operating snow removal equipment and vehicles. I am recommending the rate of pay be \$16.00 per hour.

As a temporary, seasonal employee, you are not covered by the city's labor agreement.

I will be in contact with you Wednesday morning regarding the Council's decision. If you have any questions, please do not hesitate to contact me at 651.792.7657.

Sincerely,

Heather Butkowski
City Administrator

I have read and understand the offer of employment from the City of Lauderdale for the temporary, seasonal snow plowing position. I accept the offer as presented and will be available starting January 26, 2011.

Signature

Date

**LAUDERDALE COUNCIL
ACTION FORM**

Action Requested

Consent _____
Public Hearing _____
Discussion _____
Action _____
Resolution _____
Work Session _____

Meeting Date January 25, 2011

ITEM NUMBER 4Q10 & YE Investment Report

STAFF INITIAL HAB

APPROVED BY ADMINISTRATOR

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

The attached report and spreadsheet reflect the City's investment activity for the 4th quarter and an overview of 2011. Normally, this is a consent agenda item but I will say a few words at the meeting about the report.

OPTIONS:

STAFF RECOMMENDATION:

Motion to approve the 4th Quarter and Year End Investment Report.

COUNCIL ACTION:

**City of Lauderdale
Fourth Quarter and Year End Investment Report
January 25, 2011**

The quarter ended with an unaudited general fund balance of \$764,123.33 and cash and investments totaling \$3,411,959.17. That is the total of all fund balances including the 601 and 602 sewer enterprise funds. Since the City pools the fund balances for investment purposes, at quarter end \$2,953,989.43 was invested. \$1,483,694.29 was invested in money market funds and \$1,470,295.14 in certificates of deposit (CDs).

The City purchased three CDs this quarter.

- Wilmington Trust (DE) at .45% for 12 months.
- Community Bank South (TN) at 1.00% for 24 months.
- Ally Bank (UT) at .70% for 18 months.

No banks failed this quarter that the City owns CDs through. The FCIC is still closing banks weekly. A Lino Lakes bank was closed in December.

The money market rates are still terrible. The City earns about \$50 a month on the money held in money market accounts. In comparison, the City earned \$3,725 in December 2007 in money market interest. These rates won't change until the Federal Reserve raises interest rates. The month by month rates for the money market accounts follow.

Table 1: Average Money Market Rates: January – December 2010

	January	February	March
4M Fund	0.12%	0.11%	0.07%
4M Plus Fund	0.23%	0.27%	0.20%
SB Inst. MM	0.08%	0.05%	0.05%

	April	May	June
4M Fund	0.05%	0.03%	0.05%
4M Plus Fund	0.19%	0.17%	0.20%
SB Inst. MM	0.06%	0.10%	0.10%

	July	August	September
4M Fund	0.02%	0.02%	0.02%
4M Plus Fund	0.09%	0.10%	0.09%
SB Inst. MM	0.13%	0.12%	0.10%

	October	November	December
4M Fund	0.02%	0.02%	0.02%
4M Plus Fund	0.06%	0.05%	0.06%

SB Inst. MM	0.09%	0.12%	0.07%
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This quarter, the City earned \$20,391.16 from investments compared to \$7,686.49 last quarter. Additionally, the checkbook earned \$495.72. The checkbook interest is deposited into the general fund and is not distributed among the other funds. This brings 2010 investment interest earnings to \$54,673.60. Due to the maturation of long-term CDs in the fourth quarter, the City just about reached the total interest budgeted for 2010 - \$55,100.00. The City earned \$73,727.90 in interest in 2009.

Table 2 shows how the interest was divided between the funds and compares interest earned to the adopted budget. The funds with the largest balances get the greatest interest distributions.

Table 2: Investment Earning Distribution by Fund

Fund	2010 Budget	As of December 31
101 – General Fund	\$7,000	\$10,012.10
201 – Community Events	\$100	\$95.38
202 – Communication	\$1,000	\$499.02
203 – Recycling	\$1,000	\$1,401.78
303 – 2002 Street Improve	\$5,000	\$3,852.52
304 – 2003 Street Improve	\$8,000	\$6,355.01
401 – Capital Improve, Street	\$8,000	\$7,194.81
402 – Capital Improve, Gen	\$2,000	\$1,543.98
403 – Capital Improvement, Storm Sewer	\$4,000	\$3,168.95
404 – Capital Improve, Parks	\$3,000	\$2,611.29
405 – TIF Projects	\$5,000	\$6,053.88
407 – Sewer Improvements	\$7,000	\$7,645.12
601 – Sewer Enterprise Fund	\$3,000	\$3,584.67
602 – Storm Sewer Enterprise Fund	\$1,000	\$655.09

At the end of the quarter, the securities were held an average of 657 days or about 22 months. Currently, investment maturity dates are laddered through May 2012. The last CD purchased before interest rates took a dive will mature in January (4.17%). It was purchased in January 2008, and at the time, seemed like a disappointing rate compared to the 5.0%+ the market had been offering. It seems doubtful rates will improve so maturities in 2011 and beyond will earn between .50% and 2.55%. Laddering is a strategy designed to help weather rough times and it has paid off as the City has seen good returns in the 33 months since the take over of Bear Stearns and 27 months since the failure of Lehman Brothers.

Staff provides Councilors the investment spreadsheet as an internal control procedure required by the auditor. As always, staff is available to answer questions and provide the Council with research related to the City's investments.

2010 City of Lauderdale Investments

	FDIC	CUSIP	% Rate	Approx. Holding in Days	Maturity Date	Purch Date	Balance 12/31/2009	Purchases	Sales	Transfers in	Transfers out	Interest/Dividends	Balance 1/31/2010	Purchases	Sales	Transfers in	Transfers out	Interest/Dividends	Balance 2/28/2010	
Smith Barney																				
Money Market																				
First Coast Money Market	35055	591557	0.550	547	3/29/2012	9/29/2010	162,234.27	-	-	175.19	-	9.50	\$162,419.96	-	-	1,427.38	-	6.20	163,852.54	
CD Bank, NY (semi-int)	57255	037984	2.550	731	2/25/2011	2/25/2009	96,000.00	-	-	-	-	1,234.06	96,000.00	-	1,234.06	-	-	193.32	96,000.00	
CD Bank, NY (monthly int)	23390	173123	2.250	365	5/21/2010	5/21/2009	96,000.00	-	175.19	-	-	175.19	96,000.00	-	193.32	-	-	193.32	96,000.00	
Future purchases							356,234.27	-	175.19	175.19	-	184.69	356,419.96	-	1,427.38	1,427.38	-	1,433.58	357,852.54	
Portfolio Value																				
Northland																				
Money Market																				
CD First Republic Bank, NC (Jumbo)	3510	1760	1.760	730	5/20/2012	5/20/2010	179.01	-	-	100,184.98	100,179.01	-	184.98	-	-	-	-	-	184.98	
CD Orange Bank of Florida (Mo int)	57960	664074	2.200	915	1/30/2012	7/29/2009	99,005.00	-	184.98	-	-	184.98	99,005.00	-	-	-	-	-	99,005.00	
CD Wilmington Trust (DE)	680	971804	0.005	365	10/28/2011	10/29/2010	-	-	-	-	-	-	-	-	-	-	-	-	-	
CD First Financial Bank, Dakota Dunes, SD	1673	371937	0.500	365	9/23/2011	9/24/2010	-	-	-	-	-	-	-	-	-	-	-	-	-	
CD Bank of New Jersey	59175	063993	1.200	547	6/29/2011	12/30/2009	98,241.59	-	-	-	-	-	98,241.59	-	-	-	-	-	98,241.59	
CD Keybank National Association, Cleveland, OH	17534	493983	4.174	1096	1/24/2011	1/24/2008	88,334.82	-	-	-	-	-	88,334.82	-	-	-	-	-	88,334.82	
CD Centennial Bank, CA	32707	151993	1.300	365	1/29/2010	12/30/2009	98,725.16	-	-	-	-	-	98,725.16	-	-	-	-	-	98,725.16	
CD Greystone Bank, Raleigh, NC	56094	388907	2.183	365	1/6/2010	1/6/2009	97,658.13	-	100,000.00	-	-	2,141.87	0.00	-	-	-	-	0.00		
Future purchases							482,343.71	-	100,184.98	100,184.98	100,179.01	2,326.85	384,491.55	-	-	-	-	-	384,491.55	
Portfolio Value																				
RBC Dain Rauscher																				
Money Market																				
CD Community Bank, South, Parsons, TN (Mo. int)	19849	20404U	1.000	730	10/29/2012	10/29/2010	-	-	-	2,102.64	2,102.64	-	-	-	-	224.04	224.04	-	-	
CD Ally Bank, Iowa, UT (Apr/Oct)	57803	02004M	0.750	548	4/30/2012	10/29/2010	-	-	-	-	-	-	-	-	-	-	-	-	-	
CD First Citizens Bank (TX)	17491	8026/2011	0.750	450	8/26/2011	5/26/2010	-	-	-	-	-	-	-	-	-	-	-	-	-	
CD Wells Fargo Bank, WI	19006	70153R	1.000	457	3/30/2011	12/30/2009	99,000.00	-	-	-	-	-	99,000.00	-	89.51	-	-	88.51	99,000.00	
CD Michigan Commerce Bank, MI	5160	1616	1.600	518	12/30/2010	7/30/2009	99,000.00	-	-	-	-	-	99,000.00	-	134.53	-	-	134.53	99,000.00	
CD Provident Bank, Baltimore, MD	16561	7438	4.100	728	7/23/2010	7/23/2008	97,000.00	-	2,102.64	-	-	2,102.64	97,000.00	-	-	-	-	-	97,000.00	
CD AIGVAC, Midvale, UT (int-Apr, Oct 31)	57803	58165K	4.103	546	4/30/2010	10/31/2008	-	-	-	-	-	-	-	-	-	-	-	-	-	
Future purchases							392,000.00	-	2,102.64	2,102.64	2,102.64	2,102.64	392,000.00	-	224.04	224.04	224.04	224.04	392,000.00	
Portfolio Value																				
Piper Jeffrey																				
Money Market																				
CD Community Bank, Picken County, GA	35513	203573	2.000	821	11/10/2011	8/1/2009	99,000.00	-	168.17	99,409.22	99,409.22	168.17	99,000.00	-	168.16	-	-	168.16	99,000.00	
CD Tennessee Commerce Bank, Franklin, TN (Mo.int)	35286	090511	2.550	730	5/1/2011	5/1/2009	99,000.00	-	214.41	-	-	214.41	99,000.00	-	214.41	-	-	214.41	99,000.00	
CD Royal Bank America, Nanbeth, PA	18882	760095	4.100	551	1/25/2010	7/23/2008	97,000.00	-	99,026.64	-	-	2,026.94	99,000.00	-	-	-	-	-	99,000.00	
Future purchases							285,000.00	-	99,409.22	99,409.22	99,409.22	2,409.22	198,000.00	-	382.57	382.57	-	382.57	198,382.57	
Portfolio Value																				
ICD Securities																				
Money Market																				
CD Discover Bank, DE	5649	2000	2.000	825	10/26/2011	7/23/2009	95,674.97	-	-	-	-	-	95,674.97	-	-	-	-	-	95,674.97	
CD Fifth Third Bank, Cincinnati, OH	6672	4400	4.400	730	10/27/2010	10/27/2008	91,911.77	-	-	-	-	-	91,911.77	-	-	-	-	-	91,911.77	
CD Setters Bank, DeForest, WI	58651	4350	7.320	732	10/12/2010	10/10/2008	91,976.16	-	-	-	-	-	91,976.16	-	-	-	-	-	91,976.16	
CD Woodlands Bank, SC	32571	1850	3.870	759	7/19/2010	7/17/2009	98,173.84	-	-	-	-	-	98,173.84	-	-	-	-	-	98,173.84	
CD National City Bank, Cleveland, OH	6557	4700	4.700	759	2/22/2010	1/25/2008	91,096.73	-	-	-	-	-	91,096.73	-	-	-	-	-	91,096.73	
Future purchases							469,633.47	-	-	-	-	-	469,633.47	-	-	-	-	-	469,633.47	
Portfolio Value																				
4M Funds																				
Invest Fund																				
Plus Fund							361,043.62	-	101,129.28	200,000.00	200,000.00	32.53	262,205.43	-	-	224.04	200,000.00	8.24	62,437.71	
Future purchases							680,714.56	-	100,561.59	-	-	150.05	781,426.21	-	-	-	-	161.20	781,687.41	
Future purchases							1,041,758.18	-	201,690.87	200,000.00	200,000.00	162.59	1,043,811.64	-	-	224.04	200,000.00	169.44	844,025.12	
Total Account							3,036,169.63	-	2,277.83	203,968.70	202,102.64	7,205.99	2,943,375.82	-	1,851.42	1,875.46	200,224.04	2,209.63	2,845,585.25	
TOTAL INVESTMENTS AND CDS.																				
657.1 Days																				
From "Cash Balances" 101-10400 invest Actual Bal. 101-10100																				
2,695,169.63																				
2,278,032.96																				
558,137.07																				
From "Cash Balances" 101-10400 invest Actual Bal. 101-10100																				
2,643,375.62																				
2,166,365.56																				
474,950.04																				
Inv Bal BS Interest																				
2,636,169.63																				
7,205.99																				
2,643,375.62																				
New Balance																				
2,845,585.25																				
From "Cash Balances" 101-10400 invest Actual Bal. 101-10100																				
100,501.14																				
200,833.13																				
Inv Bal BS Interest																				
157.89																				
193.66																				
345.55																				
100,000.00																				
95,674.97																				
91,911.77																				
91,976.16																				
98,173.84																				
91,096.73																				
100,000.00																				
469,633.47																				
100,000.00																				
62,437.71																				
781,687.41																				
161.20																				
100,331.99																				
844,025.12																				
100,331.99																				

[** Average holding of Current CDS/Agencies

	Transfers out	Interest/Dividends	Balance 11/30/2010	Purchases	Sales	Transfers In	Transfers out	Interest/Dividends	Balance 12/31/2010	YTD Purchases	YTD Sales	YTD Trans In	YTD Trans out	YTD Int/Dividends	Balance 12/31/2010
	-	6.54	63,698.14	-	-	-	-	3.88	63,702.02	-	100,000.00	101,348.12	100,000.00	118.63	63,702.02
	-	-	100,000.00	-	-	-	-	-	100,000.00	2,448.00	-	-	-	2,448.00	100,000.00
	-	-	96,000.00	-	-	-	-	-	96,000.00	96,900.12	-	-	-	900.12	96,000.00
	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.00
	-	6.54	259,698.14	-	-	-	-	3.89	259,702.02	100,000.00	201,348.12	101,348.12	100,000.00	3,487.75	259,702.02
	-	-	546.97	-	-	100,179.01	100,727.98	-	-	96,520.91	1,450.00	202,177.98	200,906.99	-	96,520.91
	-	194.99	99,005.00	-	179.01	-	-	179.01	99,005.00	-	2,177.98	-	-	2,177.98	99,005.00
	-	-	100,007.00	-	-	-	-	-	100,007.00	-	-	-	-	-	100,007.00
	-	-	99,510.85	-	-	-	-	-	99,510.85	99,510.85	-	-	-	-	99,510.85
	-	-	98,241.59	-	-	-	-	-	98,241.59	-	-	-	-	-	98,241.59
	-	-	88,334.82	-	-	-	-	-	88,334.82	-	-	-	-	-	88,334.82
	-	-	98,725.16	-	100,000.00	-	-	1,274.84	100,000.00	-	100,000.00	-	-	1,274.84	100,000.00
	-	-	0.00	-	-	-	-	-	0.00	-	100,000.00	-	-	2,141.87	0.00
	-	184.98	680,894.30	-	100,179.01	100,727.98	100,727.98	1,453.85	591,620.17	296,038.76	203,627.99	202,177.98	200,906.99	5,594.69	591,620.17
	677.28	-	134.53	-	-	99,293.75	99,428.28	82.19	-	-	-	302,171.71	302,171.71	-	-
	-	84.93	100,000.00	-	82.19	-	-	-	100,000.00	100,000.00	167.12	-	-	167.12	100,000.00
	-	378.08	100,000.00	-	-	-	-	-	100,000.00	-	378.08	-	-	378.08	100,000.00
	-	84.98	99,000.00	-	81.37	-	-	81.37	99,000.00	911.34	911.34	-	-	911.34	99,000.00
	-	264.72	99,000.00	-	99,130.18	-	-	130.19	99,000.00	100,583.98	1,583.98	-	-	1,583.98	99,000.00
	-	-	-	-	-	-	-	-	97,000.00	-	107,148.14	-	-	4,148.14	0.00
	-	-	(0.00)	-	-	-	-	-	(0.00)	-	90,963.05	-	-	1,983.05	(0.00)
	677.28	811.81	486,134.59	-	99,293.75	99,428.28	99,428.28	283.75	392,000.00	300,000.00	302,171.71	302,171.71	302,171.71	9,171.71	392,000.00
	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	-	168.16	382.57	-	162.74	370.23	752.80	370.23	198,000.00	-	103,531.11	103,531.11	103,531.12	6,531.12	198,000.00
	-	214.41	99,000.00	-	207.49	-	-	207.49	99,000.00	-	1,976.98	-	-	1,976.98	0.00
	-	-	-	-	-	-	-	-	99,000.00	2,524.48	2,524.48	-	-	2,524.48	99,000.00
	-	-	-	-	-	-	-	-	97,000.00	99,026.64	-	-	-	2,026.64	99,000.00
	382.57	-	198,382.57	-	370.23	370.23	752.80	370.23	285,000.00	-	103,531.11	103,531.11	103,531.12	6,531.12	198,000.00
	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	-	-	95,674.97	-	-	-	-	-	95,674.97	-	-	400,000.00	400,000.00	-	95,674.97
	-	-	-	-	-	-	-	-	91,911.77	100,000.00	-	-	-	8,088.23	91,911.77
	-	-	-	-	-	-	-	-	91,976.16	100,000.00	-	-	-	8,023.84	91,976.16
	-	-	(0.00)	-	-	-	-	-	(0.00)	100,000.00	-	-	-	1,826.16	(0.00)
	-	-	-	-	-	-	-	-	98,173.84	100,000.00	-	-	-	8,903.27	98,173.84
	-	-	-	-	-	-	-	-	91,086.73	100,000.00	-	-	-	-	91,086.73
	-	-	95,674.97	-	-	-	-	-	468,833.47	400,000.00	400,000.00	400,000.00	400,000.00	26,841.50	95,674.97
	2.42	32.99	194,793.38	-	400,909.06	-	-	5.29	361,043.62	-	1,104,160.05	869,581.76	869,581.76	85.82	595,707.73
	60,000.00	-	824,244.96	-	-	-	-	39.59	680,714.56	-	402,449.77	260,007.00	260,007.00	1,127.21	824,244.96
	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	60,000.00	35.11	1,019,038.33	-	400,909.06	-	-	44.88	1,041,758.18	-	1,506,609.82	1,129,568.76	1,129,568.76	1,213.03	1,419,992.27
	60,677.28	1,421.01	2,751,822.84	-	99,293.75	500,202.81	99,428.28	2,166.63	3,036,169.63	696,038.76	1,210,876.92	2,236,196.58	2,236,196.58	52,879.80	2,953,989.43
	2,750,401.83	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	2,817,394.14	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	433,097.69	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	2,750,401.83	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	1,451.01	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	2,751,822.84	-	-	-	-	-	-	-	-	-	-	-	-	-	-

Investments as of 12/31/10	%	Amount
By Backer	0.0%	561,620.17
Northland	19.7%	399,000.00
RBC Dain Rauscher	13.5%	199,000.00
Piper Jaffrey	0.0%	0.00
Financial Northeastern Company	6.7%	95,674.97
ICD Securities	3.2%	1,419,892.27
League of MN Cities	48.1%	2,953,989.43
Total	100.0%	2,953,989.43

Investments as of 12/31/10	%	Amount
Money Market	50.2%	1,483,694.29
Fed Agency	0.0%	0.00
Commercial Paper	0.0%	0.00
Mutual	0.0%	0.00
Certificate of Deposit	49.8%	1,470,295.14
Total	49.8%	2,953,989.43

Investments as of 12/31/10	%	Amount
By holding period (from purchase date)		
Up to 2 years	36.9%	1,088,280.35
2 to 3 years	12.9%	382,014.79
3 years & over	0.0%	0.00
No time limit	50.2%	1,483,694.29
Total	100.0%	2,953,989.43

From "Cash Balances"
101-10400 Invest 2,951,822.84
Actual Bal. 101-10100 2,188,184.78
763,638.06
Inv Bal BS 2,951,822.84
Interest 2,166.59
New Balance 2,953,989.43

LAUDERDALE COUNCIL ACTION FORM

Action Requested

Consent _____
Public Hearing _____
Discussion _____
Action _____
Resolution _____
Closed Session X

Meeting Date January 25, 2011

ITEM NUMBER City Hall Security

STAFF INITIAL HB

APPROVED BY ADMINISTRATOR

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

Following are some of the items discussed by the Council during the last meeting or items staff have mentioned.

Building Security:

- Panic buttons vs. cell phones vs. the City's 800 MHz radios
- Orientation of council chambers
- Role of the officer on duty
- Exits: council chamber and exterior doors
- Location of the podium
- Timing of the public forum
- Reinforced dais and windows

Training:

- Conflict resolution
- Crisis management

Chief Ohl will be at the meeting to help evaluate possible security improvements.

The security discussion may be held in a closed session per the following:

Meetings may be closed to receive security briefings and reports, to discuss issues related to security systems, to discuss emergency-response procedures, and to discuss security deficiencies in or recommendations regarding public services, infrastructure, and facilities, if disclosure of the information would pose a danger to public safety or compromise security procedures or responses. Financial issues related to security matters must be discussed and all related financial decisions must be made at an open meeting. Before closing a meeting under this exception, the public body must when describing the subject to be discussed, refer to the facilities, systems, procedures, services or infrastructures to be considered during the closed meeting. The closed meeting must be tape-recorded, and the recording must be preserved for at least four years.

COUNCIL ACTION: