

CITY OF FALCON HEIGHTS
Regular Meeting of the City Council
City Hall
2077 West Larpenteur Avenue

AGENDA
February 9, 2011

- A. CALL TO ORDER: 7:00 PM
- B. ROLL CALL: LINDSTROM ____ HARRIS ____ GOSLINE ____
LONG ____ MERCER-TAYLOR ____
MILLER ____
- C. PRESENTATIONS:
 - 1. Katrina Joseph, Prosecuting Attorney Update
- D. APPROVAL OF MINUTES: January 12, 2011
- E. PUBLIC HEARINGS:
- F. CONSENT AGENDA:
 - 1. General Disbursements through 1/31/2011: \$75,241.43
Payroll through 1/27/2011: \$30,784.35
 - 2. City License Renewal
 - 3. Appointment of Fire Inspector
 - 4. Acceptance of Monetary Donations to Special Events
 - 5. Budget amendment to the 2010 Larpenteur Streetscape Capital Project Fund # 427
and Infrastructure Capital Fund # 419
- G. POLICY ITEMS
 - 1. Delegation of Franchise Renewal Authority to Northwest Suburban Cable
Commission
- H. INFORMATION/ANNOUNCEMENTS:
- I. COMMUNITY FORUM:
- J. ADJOURNMENT:

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- A. CALL TO ORDER: 7:00 PM
- B. ROLL CALL: LINDSTROM _X_ HARRIS _X_ GOSLINE _X_
LONG _X_ MERCER-TAYLOR _X_
MILLER _X_
- C. PRESENTATIONS:
- D. APPROVAL OF MINUTES: December 8, 2010 Approved
- E. PUBLIC HEARINGS:
- F. CONSENT AGENDA: Keith Gosline Moved Approval 5-0
1. General Disbursements through 1/6/2011: \$318,985.64
Payroll through 12/29/10: \$30,648.08
 2. City License Renewal
 3. Review of Elected Officials Out-Of-State Travel Policy
 4. Resolution Designating Official Depositories
 5. Designation of Official Newspaper
 6. Review and Adopt Council Standing Rules
 7. Appointment of City Engineer
 8. Appointment of City Attorneys
 9. Appointment of City Auditor
 10. Commission Appointments Amended to add Ethan Wagner
Environment Commission 2nd Term
 11. Designation of 2011 Acting Mayor
 12. Council Liaison Assignments
 13. 2011 Tree Trimmer Contract
 14. Amendment to 2011 Fee Schedule
 15. Statutory Tort Limits Liability Coverage for City in 2011
 16. Lawful Gambling Permit for Falcon Heights Elementary PTA
 17. Cost of Living Increase for City Employees
 18. Amendment to City's Flexible Benefits Plan
 19. Lauderdale and Falcon Heights Recreation Program Agreement
 20. Approve State of Minnesota Pay Equity Report
- G. POLICY ITEMS
1. Resolution of Intent to Become a GreenStep City Pamela Harris Moved Approval
5-0

2. Amendment to Building Inspector Services Contract
with the City of Little Canada

Chuck Long Moved Approval
5-0

- H. INFORMATION/ ANNOUNCEMENTS:
- I. COMMUNITY FORUM:
- J. ADJOURNMENT:

7:30 p.m.



The City That Soars!

REQUEST FOR COUNCIL ACTION

Meeting Date	February 9, 2011
Agenda Item	Consent F1
Attachment	General Disbursements and Payroll
Submitted By	Roland Olson, Finance Director

Item	General Disbursements and Payroll
Description	General Disbursements through 1/31/2011: \$75,241.43 Payroll through 1/27/2011: \$30,784.35
Budget Impact	
Attachment(s)	General Disbursements and Payroll
Action(s) Requested	Staff recommends that the Falcon Heights City Council approve general disbursements and payroll.

PACKET: 00524 Regular Payables

VENDOR SET: 01 City of Falcon Heights

SEQUENCE : ALPHABETIC

DUE TO/FROM ACCOUNTS SUPPRESSED

-----ID-----			GROSS	P.O. #		
POST DATE	BANK CODE	-----DESCRIPTION-----	DISCOUNT	G/L ACCOUNT	-----ACCOUNT NAME-----	DISTRIBUTION
=====						
01-00250	AMERIPRIDE SERVICES					
I-1000741683		LINEN CLEANING	38.50			
1/31/2011	APBNK	DUE: 1/31/2011 DISC: 1/31/2011		1099: N		
		LINEN CLEANING		101 4124-82011-000	LINEN CLEANING	38.50
=== VENDOR TOTALS ===			38.50			
=====						
01-05220	ANDERSON, HELGEN, DAVIS&NISSSEN					
I-5341		JAN/11 PROSECUTION	2,556.64			
1/31/2011	APBNK	DUE: 1/31/2011 DISC: 1/31/2011		1099: N		
		JAN/11 PROSECUTION		101 4123-80200-000	LEGAL FEES	2,556.64
=== VENDOR TOTALS ===			2,556.64			
=====						
01-03089	CASH					
I-201101312691		RECYCLING FEE - TV	30.00			
1/31/2011	APBNK	MANUAL CK# 077397 1/26/2011		1099: N		
		RECYCLING FEE - TV		206 4206-89000-000	MISCELLANEOUS	30.00
=== VENDOR TOTALS ===			30.00			
=====						
01-03123	CINTAS CORPORATION #470					
I-470590910		BATHROOM & SHOP SUPPLIES	102.70			
1/31/2011	APBNK	DUE: 1/31/2011 DISC: 1/31/2011		1099: N		
		BATHROOM & SHOP SUPPLIES		101 4131-70110-000	SUPPLIES	51.35
		BATHROOM & SHOP SUPPLIES		101 4141-70100-000	SUPPLIES	51.35
=== VENDOR TOTALS ===			102.70			
=====						
01-03122	CITY OF ST PAUL					
I-117263		ELECTRICITY JUL-DEC 2010	317.10			
1/31/2011	APBNK	DUE: 1/31/2011 DISC: 1/31/2011		1099: N		
		ELECTRICITY JUL-DEC 2010		209 20200-000	ACCOUNTS PAYABLE	317.10
=== VENDOR TOTALS ===			317.10			
=====						
01-04000	EHLERS AND ASSOCIATES					
I-201101312694		2011 PUBLIC FINANCE SEMINAR	255.00			
1/31/2011	APBNK	DUE: 1/31/2011 DISC: 1/31/2011		1099: N		
		2011 PUBLIC FINANCE SEMINAR		101 4113-86100-000	CONFERENCES/EDUCATION/AS	255.00
=== VENDOR TOTALS ===			255.00			

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-----ID-----			GROSS	P.O. #		
POST DATE	BANK CODE	-----DESCRIPTION-----	DISCOUNT	G/L ACCOUNT	-----ACCOUNT NAME-----	DISTRIBUTION

01-05372 GENERATOR SPECIALTY COMPANY, I

I-20367		DUMP TRUCK REPAIR - ALTERNATO	199.13			
1/31/2011	APBNK	DUE: 1/31/2011 DISC: 1/31/2011		1099: N		
		DUMP TRUCK REPAIR - ALTERNATOR		601 4601-87000-000	REPAIR EQUIPMENT	199.13
=== VENDOR TOTALS ===			199.13			

01 05153 HOME DEPOT CRC/GEFC

I-201101312688		CITY HALL/WINTERFEST SUPPLIES	132.13			
1/31/2011	APBNK	DUE: 1/31/2011 DISC: 1/31/2011		1099: N		
		PLUMBING SUPPLIES		101 4131-70110-000	SUPPLIES	22.59
		CLAMPS		101 4131-70110-000	SUPPLIES	5.77
		TODDLER SKATING RACKS		101 4116-89010-000	SPECIAL EVENTS	68.31
		BEAN BAG TOSS		101 4116-89010-000	SPECIAL EVENTS	35.46
=== VENDOR TOTALS ===			132.13			

01-07272 LILLIE SUBURBAN NEWSPAPER

I-201101312692		SUMMARY BUDGET STATEMENT	69.00			
1/31/2011	APBNK	DUE: 1/31/2011 DISC: 1/31/2011		1099: N		
		SUMMARY BUDGET STATEMENT		101 4111-70410-000	LEGAL NOTICES	69.00
=== VENDOR TOTALS ===			69.00			

01-05514 METRO CITIES

I-23-1		2011 MEMBERSHIP DUES	2,407.00			
1/31/2011	APBNK	DUE: 1/31/2011 DISC: 1/31/2011		1099: N		
		2011 MEMBERSHIP DUES		101 4111-86140-000	COMMISSIONS/MEMBERSHIPS/	2,407.00
=== VENDOR TOTALS ===			2,407.00			

01-05585 METROPOLITAN AREA MANAGEMENT A

I-294		MAMA MEETING EXPENSE	17.00			
1/31/2011	APBNK	DUE: 1/31/2011 DISC: 1/31/2011		1099: N		
		MAMA MEETING EXPENSE		101 20200-000	ACCOUNTS PAYABLE	17.00
=== VENDOR TOTALS ===			17.00			

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=====						
01-05796		MN DEPT OF LABOR & INDUSTRY				

I-201101312695		4TH QTR PERMIT SURCHARGES	426.20			
1/31/2011	APBNK	DUE: 1/31/2011 DISC: 1/31/2011		1099: N		
		4TH QTR PERMIT SURCHARGES		101 20200-000	ACCOUNTS PAYABLE	426.20
		=== VENDOR TOTALS ===	426.20			
=====						
01 07263		NEXTEL COMMUNICATIONS, INC				

I-610189225-091		CELL PHONES	176.27			
1/31/2011	APBNK	DUE: 1/31/2011 DISC: 1/31/2011		1099: N		
		CELL PHONES		101 4121-85015-000	CELL PHONE	60.40
		CELL PHONES		101 4131-85015-000	CELL PHONE	12.11
		CELL PHONES		101 4132-85015-000	CELL PHONE	7.29
		CELL PHONES		101 4141-85015-000	CELL PHONE	21.57
		CELL PHONES		602 4602-85015-000	CELL PHONES	20.00
		CELL PHONES		601 4601-85015-000	CELL PHONE	54.90
		=== VENDOR TOTALS ===	176.27			
=====						
01-06115		TIMOTHY PITTMAN				

I-201101312693		MILEAGE - SNOW REMOVAL	65.28			
1/31/2011	APBNK	DUE: 1/31/2011 DISC: 1/31/2011		1099: N		
		MILEAGE - SNOW REMOVAL		101 4132-86101-000	MILEAGE	65.28
		=== VENDOR TOTALS ===	65.28			
=====						
01-06185		RAMSEY COUNTY				

I-PUBW-010826		LIFT STATION & EVP MAINTENANC	2,756.93			
1/31/2011	APBNK	DUE: 1/31/2011 DISC: 1/31/2011		1099: N		
		LIFT STATION AT FERNWOOD/LARP		602 20200-000	ACCOUNTS PAYABLE	2,599.58
		JUL-DEC 2010 EVP MAINTENANCE		101 20200-000	ACCOUNTS PAYABLE	157.35
		=== VENDOR TOTALS ===	2,756.93			
=====						
01-06335		ROSELAWN STABLES				

I-201101312689		SLEIGH RIDE	750.00			
1/31/2011	APBNK	MANUAL CK# 077405 1/28/2011		1099: N		
		SLEIGH RIDE		101 4116-89010-000	SPECIAL EVENTS	750.00
		=== VENDOR TOTALS ===	750.00			

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POST DATE	BANK CODE	DISCOUNT	G/L ACCOUNT	-----ACCOUNT NAME-----	DISTRIBUTION

01-00935 ST PAUL REGIONAL WATER SERVICE

I-201101312687		H20, S.S., & STREET LIGHTING	262.89		
1/31/2011	APBNK	DUE: 1/31/2011 DISC: 1/31/2011		1099: N	
		H20, S.S., & STREET LIGHTING		101 20200-000	ACCOUNTS PAYABLE 262.39
		H20, S.S., & STREET LIGHTING		209 20200-000	ACCOUNTS PAYABLE 0.50
=== VENDOR TOTALS ===			262.89		

01-05303 MICHELLE TESSER

I-201101312690		FABRIC - WINTERFEST GAME	18.89		
1/31/2011	APBNK	DUE: 1/31/2011 DISC: 1/31/2011		1099: N	
		FABRIC - WINTERFEST GAME		101 4116-89010-000	SPECIAL EVENTS 18.89
=== VENDOR TOTALS ===			18.89		

=== PACKET TOTALS === 10,580.66

Federal Withholding	4630.19
State Withholding	787.99
PERA	2566.94
ICMA	1209.00
Total	<u>19774.78</u>

PACKET: 00521 Regular Payables

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-----ID-----			GROSS	P.O. #		
POST DATE	BANK CODE	-----DESCRIPTION-----	DISCOUNT	G/L ACCOUNT	-----ACCOUNT NAME-----	DISTRIBUTION
=====						
01-00255		AMERICAN OFFICE PRODUCTS				
I-114516		TONER FOR COPIER	119.97			
1/13/2011	APBNK	DUE: 1/13/2011 DISC: 1/13/2011		1099: N		
		TONER FOR COPIER		101 20200-000	ACCOUNTS PAYABLE	119.97

I-1149191		EASEL	279.48			
1/13/2011	APBNK	DUE: 1/13/2011 DISC: 1/13/2011		1099: N		
		EASEL		101 4112-70100-000	SUPPLIES	279.48
		=== VENDOR TOTALS ===	399.45			
=====						
01-00250		AMERIPRIDE SERVICES				
I-1000729114		LINEN CLEANING	38.50			
1/19/2011	APBNK	DUE: 1/19/2011 DISC: 1/19/2011		1099: N		
		LINEN CLEANING		101 4124-82011-000	LINEN CLEANING	38.50
		=== VENDOR TOTALS ===	38.50			
=====						
01-00869		BENEFIT EXTRAS, INC				
I-38018		FLEX RENEWAL & JAN/11 MINIMUM	580.00			
1/13/2011	APBNK	DUE: 1/13/2011 DISC: 1/13/2011		1099: N		
		FLEX PLAN RENEWAL FEE		101 4112-89000-000	MISCELLANEOUS	300.00
		FLEX PLAN RESTATEMENT FEE		101 4112-89000-000	MISCELLANEOUS	250.00
		JAN/11 FLEX MINIMUM		101 4112-89000-000	MISCELLANEOUS	30.00
		=== VENDOR TOTALS ===	580.00			
=====						
01-03001		CAMPBELL KNUTSON				
I-201101132681		DEC/10 ATTORNEY FEE	203.00			
1/13/2011	APBNK	DUE: 1/13/2011 DISC: 1/13/2011		1099: N		
		DEC/10 ATTORNEY FEE		101 20200-000	ACCOUNTS PAYABLE	203.00
		=== VENDOR TOTALS ===	203.00			
=====						
01-03101		CAPITOL CITY REGION 1				
I-201101132674		2011 MEMBERSHIP	50.00			
1/13/2011	APBNK	DUE: 1/13/2011 DISC: 1/13/2011		1099: N		
		2011 MEMBERSHIP		101 4124-86110-000	MEMBERSHIPS	50.00
		=== VENDOR TOTALS ===	50.00			

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=====						
01-03117		CITY OF LITTLE CANADA				
I-201101132682		MILEAGE REIMB INSPECTIONS	1,033.45			
1/13/2011	APBNK	DUE: 1/13/2011 DISC: 1/13/2011		1099: N		
		MILEAGE REIMB INSPECTIONS		101 20200-000	ACCOUNTS PAYABLE	1,033.45
		=== VENDOR TOTALS ===	1,033.45			
=====						
01-03120		CITY OF WHITE BEAR				
I-201101132678		RAMSEY CTY 2011 GIS FEES	561.10			
1/13/2011	APBNK	DUE: 1/13/2011 DISC: 1/13/2011		1099: N		
		RAMSEY CTY 2011 GIS FEES		101 4117-80500-000	GIS SUPPORT	561.10
		=== VENDOR TOTALS ===	561.10			
=====						
01 04000		EHLERS AND ASSOCIATES				
I-342364		2ND HALF PYMT CALCULATION	1,045.00			
1/13/2011	APBNK	DUE: 1/13/2011 DISC: 1/13/2011		1099: N		
		2ND HALF PYMT CALCULATION		414 20200-000	ACCOUNTS PAYABLE	1,045.00
		=== VENDOR TOTALS ===	1,045.00			
=====						
01-05117		GREATER METROPOLITAN HOUSING C				
I-201101132671		2011 COOPERATIVE SERVICE	2,000.00			
1/13/2011	APBNK	DUE: 1/13/2011 DISC: 1/13/2011		1099: N		
		2011 COOPERATIVE SERVICE		101 4111-86500-000	COOPERATIVE SERVICE	2,000.00
		=== VENDOR TOTALS ===	2,000.00			
=====						
01-05450		LEAGUE MN CITIES INS TRST				
I-VL00010208		VOLUNTEER ACCIDENT POLICY 201	625.00			
1/13/2011	APBNK	DUE: 1/13/2011 DISC: 1/13/2011		1099: N		
		VOLUNTEER ACCIDENT POLICY 2011		101 4112-89000-000	MISCELLANEOUS	625.00
		=== VENDOR TOTALS ===	625.00			
=====						
01-05510		LEAGUE OF MN CITIES				
I-147381		2011 LEADERSHIP CONFERENCE	220.00			
1/13/2011	APBNK	DUE: 1/13/2011 DISC: 1/13/2011		1099: N		
		2011 LEADERSHIP CONFERENCE		101 4111-86100-000	CONFERENCES/EDUCATION/TR	220.00
		=== VENDOR TOTALS ===	220.00			

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=====						
01-05357		MINNESOTA POLLUTION CONTROL AG				

I-201101192685		CERTIFICATION RENEWAL	23.00			
1/13/2011	APBNK	DUE: 1/13/2011 DISC: 1/13/2011		1099: N		
		CERTIFICATION RENEWAL		601 4601-86030-000	CONFERENCES & SCHOOLS	23.00
=== VENDOR TOTALS ===			23.00			

=====						
01-05273		MN PUBLIC EMPLOYEES INSURANCE				

I-201101132677		FEB/11 MEDICAL INSURANCE	5,990.70			
1/13/2011	APBNK	DUE: 1/13/2011 DISC: 1/13/2011		1099: N		
		FEB/11 MEDICAL INSURANCE		101 4112-89000-000	MISCELLANEOUS	5,990.70
=== VENDOR TOTALS ===			5,990.70			

=====						
01-05994		NORTHWEST YOUTH & FAMILY				

I-201101132670		2011 COOPERATIVE SERVICE	8,224.00			
1/13/2011	APBNK	DUE: 1/13/2011 DISC: 1/13/2011		1099: N		
		2011 COOPERATIVE SERVICE		101 4111-86500-000	COOPERATIVE SERVICE	8,224.00
=== VENDOR TOTALS ===			8,224.00			

=====						
01-06024		ON SITE SANITATION				

I-201101132683		PORTABLE TOILET RENTALS	111.16			
1/13/2011	APBNK	DUE: 1/13/2011 DISC: 1/13/2011		1099: N		
		PORTABLE TOILET RENTALS		601 20200-000	ACCOUNTS PAYABLE	111.16
=== VENDOR TOTALS ===			111.16			

=====						
01-06065		OXYGEN SERVICE COMPANY				

I-3157629		TANK RENTALS	62.76			
1/13/2011	APBNK	DUE: 1/13/2011 DISC: 1/13/2011		1099: N		
		TANK RENTALS		101 20200-000	ACCOUNTS PAYABLE	62.76
=== VENDOR TOTALS ===			62.76			

=====						
01-06945		QWEST				

I-201101132676		LANDLINE TELEPHONE	171.44			
1/13/2011	APBNK	DUE: 1/13/2011 DISC: 1/13/2011		1099: N		
		LANDLINE TELEPHONE		601 4601-85011-000	TELEPHONE - LANDLINE	58.62
		LANDLINE TELEPHONE		101 4141-85011-000	TELEPHONE - LANDLINE	54.30
		LANDLINE TELEPHONE		101 4141-85011-000	TELEPHONE - LANDLINE	58.52
=== VENDOR TOTALS ===			171.44			

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=====						
01-06185	RAMSEY COUNTY					
I-PRRRV-00422		TNT NOTICE REIMB	314.98			
1/13/2011	APBNK	DUE: 1/13/2011 DISC: 1/13/2011		1099: N		
		TNT NOTICE REIMB		101 20200-000	ACCOUNTS PAYABLE	314.98
=====						
I-PUBW-10798		DEC/10 SNOWPLOWING/SANDING	9,662.93			
1/13/2011	APBNK	DUE: 1/13/2011 DISC: 1/13/2011		1099: N		
		DEC/10 SNOWPLOWING/SANDING		101 20200-000	ACCOUNTS PAYABLE	9,662.93
=====						
I-RISK-001385		JAN/11 INSURANCE	854.70			
1/13/2011	APBNK	DUE: 1/13/2011 DISC: 1/13/2011		1099: N		
		JAN/11 INSURANCE		101 4112-89000-000	MISCELLANEOUS	854.70
		=== VENDOR TOTALS ===	10,832.61			
=====						
01-06150	RAMSEY COUNTY LEAGUE OF LOCAL					
I-1101		2011 MEMBERSHIP DUES	265.00			
1/19/2011	APBNK	DUE: 1/19/2011 DISC: 1/19/2011		1099: N		
		2011 MEMBERSHIP DUES		101 4111-86140-000	COMMISSIONS/MEMBERSHIPS/	265.00
		=== VENDOR TOTALS ===	265.00			
=====						
01-06301	SAMS CLUB DISCOVER CARD					
I-201101132684		SNOW REMOVAL WORKERS - FOOD	13.80			
1/13/2011	APBNK	MANUAL CK# 077352 1/12/2011		1099: N		
		SNOW REMOVAL WORKERS - FOOD		101 20200-000	ACCOUNTS PAYABLE	13.80
		=== VENDOR TOTALS ===	13.80			
=====						
01-07268	SPRINGSTED					
I-201101132680		CONTINUING DISCLOSURE	1,765.00			
1/13/2011	APBNK	DUE: 1/13/2011 DISC: 1/13/2011		1099: N		
		CONTINUING DISCLOSURE		316 20200-000	ACCOUNTS PAYABLE	1,765.00
		=== VENDOR TOTALS ===	1,765.00			
=====						
01-07228	CITY OF ST ANTHONY					
I-2495		SQUAD CAR DAMAGE REPAIR	1,414.14			
1/13/2011	APBNK	DUE: 1/13/2011 DISC: 1/13/2011		1099: N		
		SQUAD CAR DAMAGE REPAIR		101 20200-000	ACCOUNTS PAYABLE	1,414.14
		=== VENDOR TOTALS ===	1,414.14			

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=====						
01-00935		ST PAUL REGIONAL WATER SERVICE				

I-201101132673		AUTO FIRE BASE CHARGES	214.26			
1/13/2011	APBNK	DUE: 1/13/2011 DISC: 1/13/2011		1099: N		
		AUTO FIRE BASE CHARGE 2011		101 4131-85040-000	WATER	107.13
		AUTO FIRE BASE CHARGE PARKS		101 4141-85040-000	WATER	107.13
		=== VENDOR TOTALS ===	214.26			
=====						
01 05195		TYLER TECHNOLOGIES				

I-201101132675		2011 ANNUAL MAINTENANCE	3,871.50			
1/13/2011	APBNK	DUE: 1/13/2011 DISC: 1/13/2011		1099: N		
		2011 ANNUAL MAINTENANCE		101 4113-80600-000	SOFTWARE MAINTENANCE	3,871.50
		=== VENDOR TOTALS ===	3,871.50			
=====						
01-07901		WASTE MANAGEMENT OF WI-MN				

I-5779386-0500-0		DEC/10 COMMERCIAL RECYCLING	148.22			
1/13/2011	APBNK	DUE: 1/13/2011 DISC: 1/13/2011		1099: N		
		DEC/10 COMMERCIAL RECYCLING		206 20200-000	ACCOUNTS PAYABLE	148.22
		=== VENDOR TOTALS ===	148.22			
=====						
01-07129		KATIE WESTBY				

I-201101132672		REFUND REC REGISTRATION	26.00			
1/13/2011	APBNK	DUE: 1/13/2011 DISC: 1/13/2011		1099: N		
		REFUND REC REGISTRATION		201 34340-000	NON-RESIDENT FEE	26.00
		=== VENDOR TOTALS ===	26.00			
=====						
01-05870		XCEL ENERGY				

I-201101132679		ELECTRICITY AND GAS	6,032.23			
1/13/2011	APBNK	DUE: 1/13/2011 DISC: 1/13/2011		1099: N		
		ELECTRICITY		101 20200-000	ACCOUNTS PAYABLE	3,539.70
		ELECTRICITY		601 20200-000	ACCOUNTS PAYABLE	33.53
		ELECTRICITY		209 20200-000	ACCOUNTS PAYABLE	2,459.00
		=== VENDOR TOTALS ===	6,032.23			
		=== PACKET TOTALS ===	45,921.32			
		Federal Withholding	4936.86			
		State Withholding	856.16			
		PERA	2543.31			
		ICMA	1209.00			
		Total	55466.65			

EMP #	NAME	AMOUNT
01-0013	PETER C LINDSTROM	316.68
01-0016	PAMELA M HARRIS	283.05
01-0019	KEITH P GOSLINE	283.05
01-1002	JUSTIN J MILLER	2,555.06
01-1010	MICHELLE C TESSER	1,409.17
01-1136	ROLAND O OLSON	1,505.29
01-1147	CHARLOTTE E STOCKSTEAD	370.02
01-1038	DEBORAH K JONES	1,677.48
01-0086	RICHARD H HINRICHS	251.78
01-0097	PATRICK GAFFNEY	99.07
01-1030	TIMOTHY J PITTMAN	2,000.22
01-1033	DAVE TRETSVEN	1,470.56
01-1143	COLIN B CALLAHAN	1,025.21

TOTAL PRINTED: 13 13,246.64

1-27-2011 10:49 AM PAYROLL CHECK REGISTER
 PAYROLL NO: 01 City of Falcon Heights

PAGE: 1
 PAYROLL DATE: 1/31/2011

EMP NO	EMPLOYEE NAME	TYPE	CHECK DATE	CHECK AMOUNT	CHECK NO.
0017	MERCER-TAYLOR, ELIZABETH	R	1/27/2011	280.26	077398
0018	LONG, CHARLES E	R	1/27/2011	283.05	077399
0034	KURHAJETZ, CLEMENT	R	1/27/2011	362.19	077400
0095	POESCHL, MICHAEL J	R	1/27/2011	99.07	077401
0105	FEHRENBACH, ANTON M	R	1/27/2011	96.38	077402
2175	RITCHIE, BRIAN D	R	1/27/2011	396.27	077403
2176	HARTMAN, JARED C	R	1/27/2011	287.47	077404

1-27-2011 10:49 AM PAYROLL CHECK REGISTER
 PAYROLL NO: 01 City of Falcon Heights

PAGE: 2
 PAYROLL DATE: 1/31/2011

*** REGISTER TOTALS ***

REGULAR CHECKS:	7	1,804.69
DIRECT DEPOSIT REGULAR CHECKS:	13	13,246.64
MANUAL CHECKS:		
PRINTED MANUAL CHECKS:		
DIRECT DEPOSIT MANUAL CHECKS:		
VOIDED CHECKS:		
NON CHECKS:		
TOTAL CHECKS:	20	15,051.33

*** NO ERRORS FOUND ***

** END OF REPORT **

EMP #	NAME	AMOUNT
01-1002	JUSTIN J MILLER	2,555.02
01-1010	MICHELLE C TESSER	1,410.33
01-1136	ROLAND O OLSON	1,505.55
01-1147	CHARLOTTE E STOCKSTEAD	215.85
01-1038	DEBORAH K JONES	1,692.12
01-0040	KEVIN ANDERSON	96.21
01-0085	DANIEL S JOHNSON-POWERS	52.70
01-0086	RICHARD H HINRICHS	83.73
01-0087	MICHAEL A MCKAY	94.25
01-0097	PATRICK GAFFNEY	109.82
01-0101	DALE E HUFF	73.21
01-0105	ANTON M FEHRENBACH	78.27
01-0106	SCOTT A TESCH	79.42
01-1030	TIMOTHY J PITTMAN	325.00
01-1033	DAVE TRETSVEN	1,470.82
01-1143	COLIN B CALLAHAN	1,025.26

TOTAL PRINTED: 16 10,867.56

1-13-2011 10:10 AM PAYROLL CHECK REGISTER PAGE: 1
 PAYROLL NO: 01 City of Falcon Heights PAYROLL DATE: 1/15/2011

EMP NO	EMPLOYEE NAME	TYPE	CHECK DATE	CHECK AMOUNT	CHECK NO.
0034	KURHAJETZ, CLEMENT	R	1/13/2011	105.34	077353
0066	HERNANDEZ, ALFRED	R	1/13/2011	58.31	077354
0095	POESCHL, MICHAEL J	R	1/13/2011	88.79	077355
0104	VANN, VINCENT A	R	1/13/2011	67.74	077356
0112	LESKE, CHRIS M	R	1/13/2011	52.18	077357
0119	WICK, JEFFREY M	R	1/13/2011	78.27	077358
0120	HAWTHORNE, ROCHELLE L	R	1/13/2011	67.74	077359
0123	SULLIVAN, BRYAN R	R	1/13/2011	127.22	077360
0124	KRUSE, MICHAEL D	R	1/13/2011	96.57	077361
0125	MILLER, RACHEL L	R	1/13/2011	109.61	077362
0126	SMITH, BENJAMIN J	R	1/13/2011	100.80	077363
0127	PONTRELLI, MITCHELL E	R	1/13/2011	100.80	077364
2172	ARCAND, MICHAEL W	R	1/13/2011	109.82	077365
1034	PITTMAN, GERALD J	R	1/13/2011	405.51	077366
1145	SCARDIGLI, ANTHONY N	R	1/13/2011	775.51	077367
1030	PITTMAN, TIMOTHY J	R	1/13/2011	1,675.52	077368
2161	SAVAGE, JACK A	R	1/13/2011	328.33	077369
2178	JORDAN, JOSHUA L	R	1/13/2011	517.40	077370

REGULAR CHECKS: 18 4,865.46
 DIRECT DEPOSIT REGULAR CHECKS: 16 10,867.56
 MANUAL CHECKS:
 PRINTED MANUAL CHECKS:
 DIRECT DEPOSIT MANUAL CHECKS:
 VOIDED CHECKS:
 NON CHECKS:

 TOTAL CHECKS: 34 15,733.02



The City That Soars!

REQUEST FOR COUNCIL ACTION

Meeting Date	February 9, 2011
Agenda Item	Consent F2
Attachment	
Submitted By	Michelle Tesser, Assistant to the City Administrator

Item	City License Applications
Description	<p>The following individuals have applied for a <u>Refuse/Recycler's License</u> for 2011. Staff has received the necessary documents for licensure.</p> <p style="text-align: center;">1. Veolia ES</p> <p>The following individuals have applied for a <u>Therapeutic Massage License</u> for 2011. Staff has received the necessary documents for licensure.</p> <p style="text-align: center;">1. Ferencz-Mihaly Vinvze-Turcean</p> <p>The following individuals have applied for a <u>Home Occupation License</u> for 2011. Staff has received the necessary documents for licensure.</p> <p style="text-align: center;">1. MARCH services</p> <p>The following individuals have applied for a <u>Car Wash, Gas Station, Retail Grocery, Cigarette</u> for 2011. Staff has received the necessary documents for licensure.</p> <p style="text-align: center;">1. Falcon Heights Gas & Convenience, Inc.</p> <p>The following individuals have applied for a <u>Tree Trimming License</u> for 2011. Staff has received the necessary documents for licensure.</p> <p style="text-align: center;">1. Hugo's Tree Care, Inc. 2. Branch and Bough Tree Service & Landscape Care 3. S & S Tree Specialists 4. Season Pro Tree Care</p> <p>The following individuals have applied for a <u>Mechanical License</u> for 2011. Staff has received the necessary documents for licensure.</p> <p style="text-align: center;">1. St. Paul Plumbing and Heating</p>

	<ol style="list-style-type: none"> 2. Pronto Heating & AC 3. Centerpoint Energy <p>The following individuals have applied for a <u>Municipal Business License</u> for 2011. Staff has received the necessary documents for licensure.</p> <ol style="list-style-type: none"> 1. Butler Vacuum 2. Falcon Heights Gas & Convenience, Inc.
Budget Impact	
Attachment(s)	N/A
Action(s) Requested	Staff recommends that the Falcon Heights City Council approve the 2011 City License Applications



The City That Soars!

REQUEST FOR COUNCIL ACTION

Meeting Date	February 9, 2011
Agenda Item	Consent F3
Attachment	
Submitted By	Justin Miller, City Administrator

Item	Appointment of Fire Inspector
Description	The City of Falcon Heights employs a fire inspector to conduct commercial fire inspections as well as our rental licensing program. This person also conducts inspections for the City of Lauderdale through the contract between both cities. This position became vacant at the end of 2010, and staff approached a Falcon Heights firefighter, Mike Arcand, to fill the position. Mr. Arcand graciously accepted and is excited about filling this need within our organization.
Budget Impact	This position is included in the 2011 operating budget for 20 hours a week.
Attachment(s)	N/A
Action(s) Requested	Staff recommends that the Falcon Heights City Council appoint Mike Arcand as the City of Falcon Heights Fire Inspector at the rate of \$16.00/hour.



The City That Soars!

REQUEST FOR COUNCIL ACTION

Meeting Date	February 9, 2011
Agenda Item	Consent F4
Attachment	
Submitted By	Michelle Tesser, Assistant to the City Administrator

Item	Acceptance of Monetary Donations to Special Events																																				
Description	<p>Annually, letters are sent to Falcon Heights' businesses in December inviting them to support the special events for the upcoming year. There are four levels at which a business can donate: Platinum (\$500+), Gold (\$150+), Silver (\$100-\$149) and Bronze (\$50-\$99). Gift certificates and supply donations are also welcomed. The Parks and Recreation department uses the money from the local businesses to assist in purchasing the events entertainment, activities, games, supplies and any other event related costs. Each business that donates money to the city is recognized on the city's website, newsletter, event flyers and at the event. Business donations received currently for 2011 are below:</p> <table style="margin-left: auto; margin-right: auto; border: none;"> <thead> <tr> <th style="text-align: left;">Company</th> <th style="text-align: left;">Owner</th> <th style="text-align: right;">Amount</th> <th style="text-align: left;">Level</th> </tr> </thead> <tbody> <tr> <td>Personal Fitness System</td> <td>Keith Gosline</td> <td style="text-align: right;">\$150.00</td> <td>Gold</td> </tr> <tr> <td>Warner's Stellan</td> <td>Jeff Warner</td> <td style="text-align: right;">\$150.00</td> <td>Gold</td> </tr> <tr> <td>Awad Eye Care</td> <td>Zane Awad</td> <td style="text-align: right;">\$150.00</td> <td>Gold</td> </tr> <tr> <td>James Kernik, DDS</td> <td>James Kernik</td> <td style="text-align: right;">\$100.00</td> <td>Silver</td> </tr> <tr> <td></td> <td>Hieu</td> <td></td> <td></td> </tr> <tr> <td>Hair Designs Unlimited</td> <td>Insixiensmay</td> <td style="text-align: right;">\$50.00</td> <td>Bronze</td> </tr> <tr> <td>John A. Knutson & Co, PLLP</td> <td>John Knutson</td> <td style="text-align: right;">\$50.00</td> <td>Bronze</td> </tr> <tr> <td></td> <td style="text-align: right;">Total:</td> <td style="text-align: right;">\$650.00</td> <td></td> </tr> </tbody> </table>	Company	Owner	Amount	Level	Personal Fitness System	Keith Gosline	\$150.00	Gold	Warner's Stellan	Jeff Warner	\$150.00	Gold	Awad Eye Care	Zane Awad	\$150.00	Gold	James Kernik, DDS	James Kernik	\$100.00	Silver		Hieu			Hair Designs Unlimited	Insixiensmay	\$50.00	Bronze	John A. Knutson & Co, PLLP	John Knutson	\$50.00	Bronze		Total:	\$650.00	
Company	Owner	Amount	Level																																		
Personal Fitness System	Keith Gosline	\$150.00	Gold																																		
Warner's Stellan	Jeff Warner	\$150.00	Gold																																		
Awad Eye Care	Zane Awad	\$150.00	Gold																																		
James Kernik, DDS	James Kernik	\$100.00	Silver																																		
	Hieu																																				
Hair Designs Unlimited	Insixiensmay	\$50.00	Bronze																																		
John A. Knutson & Co, PLLP	John Knutson	\$50.00	Bronze																																		
	Total:	\$650.00																																			
Budget Impact	The total amount accepted offsets any costs associated with events.																																				
Attachment(s)	N/A																																				
Action(s) Requested	Staff recommends that the Falcon Heights City Council accept donations in the amount of \$650.00. Donations go into the Event Community Support account located in the General Fund.																																				



The City That Soars!

REQUEST FOR COUNCIL ACTION

Meeting Date	February 9 , 2011
Agenda Item	Consent F5
Attachment	
Submitted By	Roland Olson, Finance Director

Item	Budget amendment to the 2010 Larpenteur Streetscape Capital Project Fund # 427 and Infrastructure Capital Fund # 419									
Description	<p>The December 8, 2010 consent to transfer funds from the Infrastructure fund to the 2010 Larpenteur Streetscape capital project fund needs to be expanded. The budget line item amounts for both the revenue and expense budgets were inadvertently omitted. This would allow a comparison budget to be presented in our Comprehensive Annual Financial Report. We had originally estimated the amount of the transfer to be estimated at \$500,000. Staff recommends establishing the following budget line items:</p> <p>2010 Larpenteur Streetscape Capital Project Fund:</p> <table> <tr> <td>Revenue:</td> <td>427-000-39200</td> <td>\$500,000</td> </tr> <tr> <td>Expense:</td> <td>427-4427-92000</td> <td>\$500,000</td> </tr> </table> <p>Infrastructure Capital Fund:</p> <table> <tr> <td>Expense:</td> <td>419-4419-97000</td> <td>\$500,000</td> </tr> </table>	Revenue:	427-000-39200	\$500,000	Expense:	427-4427-92000	\$500,000	Expense:	419-4419-97000	\$500,000
Revenue:	427-000-39200	\$500,000								
Expense:	427-4427-92000	\$500,000								
Expense:	419-4419-97000	\$500,000								
Budget Impact	Establish budget line item amounts as listed above.									
Attachment(s)	NA									
Action(s) Requested	<p>Staff recommends amending the following budget line items:</p> <p>2010 Larpenteur Streetscape Capital Project Fund # 427:</p> <table> <tr> <td>Revenue:</td> <td>427-000-39200</td> <td>\$500,000</td> </tr> <tr> <td>Expense:</td> <td>427-4427-92000</td> <td>\$500,000</td> </tr> </table> <p>Infrastructure Capital Fund # 419:</p> <table> <tr> <td>Expense:</td> <td>419-4419-97000</td> <td>\$500,000</td> </tr> </table>	Revenue:	427-000-39200	\$500,000	Expense:	427-4427-92000	\$500,000	Expense:	419-4419-97000	\$500,000
Revenue:	427-000-39200	\$500,000								
Expense:	427-4427-92000	\$500,000								
Expense:	419-4419-97000	\$500,000								



The City That Soars!

REQUEST FOR COUNCIL ACTION

Meeting Date	February 9, 2011
Agenda Item	Policy G1
Attachment	Resolution 11-03 Cable Franchise Renewal Fact Sheet
Submitted By	Justin Miller, City Administrator

Item	Delegation of Franchise Renewal Authority to Northwest Suburban Cable Commission
Description	<p>The City of Falcon Heights' cable franchise agreement with Comcast expires on October 1, 2013. While this date is over two years away, federal regulations require a lengthy and complicated renewal process, so members of the ten-city North Suburban Cable Commission (NSCC) have begun discussing what needs to be done to make sure that the negotiations proceed in a smooth manner.</p> <p>The NSCC serves as the technical and administrative facilitator for our cable franchise needs. As such, the joint powers agreement that the city is a party to already delegates much of our authority to the commission. However, in order to avoid any legal questions that may arise during the negotiation period, NSCC staff and legal counsel are asking their member cities to approve the attached resolution specifically spelling out this delegation of duties. In the end, the franchise will still need to be approved by each individual city, but having a unified position among the ten cities will improve our positions at the negotiating table.</p>
Budget Impact	N/A
Attachment(s)	Resolution 11-03 Cable Franchise Renewal Fact Sheet
Action(s) Requested	Staff recommends that the Falcon Heights City Council adopt the attached Resolution 11-03.

**CITY OF FALCON HEIGHTS
COUNCIL RESOLUTION**

February 9, 2011

No. 11-03

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

WHEREAS, the City of Falcon Heights (“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 FALCON HEIGHTS, 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.

Moved by:

Approved by: _____

Peter Lindstrom, Mayor
February 9, 2011

LINDSTROM _____ In Favor
GOSLINE
HARRIS _____ Against
LONG
MERCER-TAYLOR

Attested by: _____

Justin Miller
City Administrator
February 9, 2011

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.