



Council Work Session - 6:30 p.m.
HRA Regular Session - 6:50 p.m.
CITY COUNCIL AGENDA
Tuesday, April 21, 2015
7:00 p.m.
Coon Rapids City Center
Council Chambers

Call to Order

Pledge of Allegiance

Roll Call

Adopt Agenda

Proclamations/Presentations

Approval of Minutes of Previous Meeting

1. Approve Minutes of April 7, 2015

Consent Agenda

2. Adopt Resolution 15-65 Amending the 2015 Budget to Allow for Copy Machine Purchase for Police Department
3. Adopt Resolution 15-68 Approving Assessment Abatement for 1847 121st Lane #706
4. Approve Final Payment for Project 14-11, 2014 Sanitary Sewer Lining
5. Approve Relocation Benefits for Tenants, 9864-9950 East River Road
6. Adopt Resolution 15-64 Authorizing Donation of Park Equipment

Public Hearing

7. CenturyLink Cable Television Franchise Application
8. Annual Public Hearing on City's Storm Water Pollution Prevention Program (SWPPP)

Bid Openings and Contract Awards

9. Adopt Resolution No. 14-10(9) Awarding a Contract for Site Improvements at Sand Creek Park - Project 14-10

10. Cons. Misc. Direct Purchases of Site Amenities for Sand Creek Park - City Project 14-10
11. Approve Construction Administration Agreement with WSB & Associates for Project 14-10, Sand Creek Park

Old Business

12. Consider Tabling New Manager Liquor Sales Denial Appeal

New Business

13. Cons. Resolution 15-69 In Support of the Coon Creek Regional Trail
14. Consider Approval of Anoka Ramsey Athletic Fields Joint Powers Agreement

Open Mic/Public Comment

Reports on Previous Open Mic

Other Business

Adjourn



City Council Regular

1.

Meeting Date: 04/21/2015

SUBJECT: Approve Minutes of April 7, 2015

Attachments

April 7, 2015 Minutes

UNAPPROVED

COON RAPIDS CITY COUNCIL MEETING MINUTES OF APRIL 7, 2015

CALL TO ORDER

The first regular meeting of the Coon Rapids City Council for the month of April was called to order by Mayor Jerry Koch at 7:00 p.m. on Tuesday, April 7, 2015, in the Council Chambers.

PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Koch led the Council in the Pledge of Allegiance.

ROLL CALL

Members Present: Mayor Jerry Koch, Councilmembers Denise Klint, Ron Manning, Wade Demmer, Jennifer Geisler, Brad Johnson and Steve Wells

Members Absent: None

ADOPT AGENDA

MOTION BY COUNCILMEMBER MANNING, SECONDED BY COUNCILMEMBER JOHNSON, TO ADOPT THE AGENDA AS PRESENTED. THE MOTION PASSED UNANIMOUSLY.

PROCLAMATIONS/PRESENTATIONS

1. MN OFFICE OF TRAFFIC SAFETY TO AWARD RADAR SYSTEM FOR A COON RAPIDS SQUAD CAR
-

Bill Hammes, Office of Traffic Safety, stated in recognition for the hard work and commitment of the City of Coon Rapids and its police department to traffic safety, the Minnesota Office of Traffic Safety would like to present to the City a new radar to be placed into service in squad car. He explained that Coon Rapids was one of eight departments being awarded this year. He reviewed traffic fatality statistics with the Council and commended the Coon Rapids Police Department for their efforts on the Towards Zero Death (TZD) Campaign.

MOTION BY COUNCILMEMBER KLINT, SECONDED BY COUNCILMEMBER WELLS, TO ADOPT RESOLUTION 15-67 ACCEPTING THE AWARD OF A RADAR FROM THE MINNESOTA OFFICE OF TRAFFIC SAFETY. THE MOTION PASSED UNANIMOUSLY.

2. OATH OF OFFICE FOR NEW POLICE OFFICERS

Police Chief Wise introduced and welcomed Police Officers Christopher Grew and Matthew Martell to the City Council.

Mayor Koch administered the Oath of Office to Police Officers Christopher Grew and Matthew Martell. Badges were pinned and a round of applause was offered by all in attendance.

3. OATH OF OFFICE NEW FIREFIGHTER ANDY PEISERT

Fire Chief Piper introduced newly appointed firefighter Andy Peisert to the City Council.

Mayor Koch administered the Oath of Office to firefighter Andy Peisert. A badge was pinned and a round of applause was offered by all in attendance.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

4. MARCH 17, 2015, COUNCIL MEETING

MOTION BY COUNCILMEMBER WELLS, SECONDED BY COUNCILMEMBER DEMMER, FOR APPROVAL OF THE MINUTES OF THE MARCH 17, 2015, COUNCIL MEETING. THE MOTION PASSED 6-0-1 (KLINT ABSTAINED).

CONSENT AGENDA/INFORMATIONAL BUSINESS

5. APPROVE CONTRACT BETWEEN THE STATE OF MINNESOTA AND THE CITY OF COON RAPIDS FOR THE ICWC PROGRAM
 6. APPROVE SPECIFICATIONS FOR BOILER REPLACEMENT AT CITY HALL AND ORDER ADVERTISEMENTS FOR BIDS
 7. APPROVE WAIVER OF FEES FOR FOURTH OF JULY CELEBRATION
 8. APPROVE TEMPORARY ON-SALE STRONG BEER AND WINE LIQUOR LICENSE FOR SPRINGFEST AT EPIPHANY CHURCH
 9. ANNOUNCE 2015 SUMMER CONCERT SCHEDULE
 10. APPROVE ON-SALE 3.2 PERCENT MALT LIQUOR, WINE, STRONG BEER AND SUNDAY LIQUOR LICENSING FOR CHEERS PABLO, 12759 RIVERDALE BOULEVARD
-

MOTION BY COUNCILMEMBER MANNING, SECONDED BY COUNCILMEMBER JOHNSON, FOR APPROVAL OF THE CONSENT AGENDA AS PRESENTED.

Mayor Koch discussed the 2015 summer concert series.

THE MOTION PASSED UNANIMOUSLY.

PUBLIC HEARING

None.

BID OPENINGS AND CONTRACT AWARDS

11. ADOPT RESOLUTION NO. 15-1(9) AWARDING A CONTRACT FOR STREET RECONSTRUCTION – PROJECT 15-1

The Staff report was shared with Council.

MOTION BY COUNCILMEMBER GEISLER, SECONDED BY COUNCILMEMBER MANNING, TO ADOPT RESOLUTION NO. 15-1(9) AWARDING A CONTRACT TO NORTH VALLEY, INC. IN THE TOTAL PROJECT COST OF \$1,625,486.65; AND RESOLUTION NO. 15-1(12) ADOPTING THE ASSESSMENT, WITH THE PREVIOUSLY DESCRIBED DELETION. THE MOTION PASSED UNANIMOUSLY.

12. ADOPT RESOLUTION NO. 15-3(9) AWARDING A CONTRACT FOR STREET RECONSTRUCTION – PROJECT 15-3

The Staff report was shared with Council.

MOTION BY COUNCILMEMBER MANNING, SECONDED BY COUNCILMEMBER KLINT, TO ADOPT RESOLUTION NO. 15-3(9) AWARDING A CONTRACT TO NORTH VALLEY, INC. IN THE TOTAL PROJECT COST OF \$1,603,832.40; AND RESOLUTION NO. 15-3(12) ADOPTING THE ASSESSMENT. THE MOTION PASSED UNANIMOUSLY.

13. CONTRACT AWARD FOR 2015 STREET MAINTENANCE PROGRAM – PROJECT 15-5

The Staff report was shared with Council.

MOTION BY COUNCILMEMBER MANNING, SECONDED BY COUNCILMEMBER JOHNSON, TO ADOPT RESOLUTION NO. 15-5(9A) AWARDING A CONTRACT TO ALLIED BLACKTOP COMPANY FOR BITUMINOUS SEALCOATING IN THE BASE BID AMOUNT OF \$1,409,830.84; RESOLUTION NO. 15-5(9B) AWARDING A CONTRACT TO AAA STRIPING SERVICE CO. FOR PAVEMENT MARKINGS IN THE AMOUNT OF \$197,720.60; RESOLUTION NO. 15-5(9C) AWARDING A CONTRACT TO PEARSON BROS. FOR

SEASONAL STREET SWEEPING IN THE AMOUNT OF \$61,800.00; RESOLUTION NO. 15-5(9D) AWARDED A CONTRACT TO ALLIED BLACKTOP COMPANY FOR CRACK SEALING IN THE AMOUNT OF \$293,623.86; AND RESOLUTION NO. 15-5(9E) AWARDED A CONTRACT TO ALLIED BLACKTOP COMPANY FOR FOG SEALING IN THE AMOUNT OF \$44,079.10. THE MOTION PASSED UNANIMOUSLY.

OLD BUSINESS

None.

NEW BUSINESS

14. PC 15-12, CONSIDER APPROVAL OF AN AMENDMENT TO GATEWAY COMMERCE CENTER PLANNED UNIT DEVELOPMENT

The Staff report was shared with Council.

Councilmember Klint requested staff provide the Council with a brief history on this property. She commented that this site was supposed to be a nature area. Planner Harlicker discussed the history of this property noting the City was in litigation for 20 years with the Army.

Councilmember Klint questioned who would be completing the nature trail. Planner Harlicker believed that the City would be responsible for installing the trail. He then discussed the proposed trail connections.

Councilmember Klint stated she was having a difficult time supporting this PUD given the number of changes that have been requested by the applicant. She did not support the proposed car dealership and wanted to see more recreation on this site.

Councilmember Geisler discussed her history with this site at the Planning Commission level. She believed that the applicant had created a fuller picture of the entire site, which was appreciated. She agreed that the car dealership was less than desirable, but was a retail use. She wanted to see the parcels filled and make the site work for the City.

Councilmember Manning inquired if the site would have one or two hotels. Planner Harlicker reported that the site could have up to two hotels.

Councilmember Manning commented that he would support the PUD as presented by staff.

Mayor Koch questioned how many swim clubs there were in the metro area. Planner Harlicker noted that the proposed swim school was a unique facility. He indicated there was a shortage of pools in the north metro area.

Councilmember Demmer asked if the applicant supported Condition 11. Planner Harlicker deferred this question to the applicant.

Councilmember Geisler recommended that Condition 11 remain in place. She supported a hotel in this location, along with retail and office.

Councilmember Manning preferred to offer the applicant more flexibility by allowing office/retail/hotel on both of the hotel parcels.

Councilmember Geisler indicated she could support this recommendation so long as one hotel was located within the PUD.

Councilmember Klint wanted to see a bigger, nicer hotel on the corner. She did not want to see the hotel being an after-thought. She questioned if public notices were sent to surrounding property owners. Planner Harlicker explained that staff sent notices to property owners within 350 feet of the site.

Councilmember Manning did want to see a nice large hotel on the site. He recommended that the Council hold further discussion on the PUD prior to granting approval.

Councilmember Wells supported the PUD as proposed. He believed that the market should drive the retail uses and not be determined by the City Council. He wanted to see the site developed.

Councilmember Manning discussed the give and take that was assumed within a PUD. He indicated he wanted to see a hotel within the PUD.

Councilmember Klint noted that the applicant requested the specific uses.

Mayor Koch did not believe that the car dealership was complimentary to the swim club, hotel and restaurant uses. He suggested that the car dealership not be included if a hotel were pursued.

Councilmember Klint agreed and recommended that the PUD be further discussed by the Council with the new members. She did not believe the car dealership was compatible with the site.

Councilmember Geisler asked what uses the Council supported on the site. She did not believe the proposed PUD was significantly different than what was previously proposed. She wanted to see the PUD move forward without further delays.

Councilmember Klint reiterated that she was bothered by the fact that the neighboring residential properties were not notified of this item.

Councilmember Demmer believed that the swim center would be successful and would complement the hotel. He feared that the City may lose out on the swim club if it did not keep this PUD moving

forward. He believed that the car dealership was similar to any other retail use as it would have a parking lot full of vehicles.

MOTION BY COUNCILMEMBER GEISLER, SECONDED BY COUNCILMEMBER WELLS, TO APPROVE PLANNING CASE 15-12, THE AMENDMENT TO THE PUD WITH THE FOLLOWING CONDITIONS:

1. ONLY ONE NEW CAR DEALERSHIP IS ALLOWED IN THE PUD.
2. ALL CONDITIONS OF THE ORIGINAL PUD APPROVAL OF DECEMBER 18, 2007 ARE INCLUDED IN THIS APPROVAL.
3. THE APPLICANT RECEIVE ALL PERMITS NECESSARY FOR THE GRADING DONE AS PART OF THE CU DE SAC WORK.
4. APPROVAL AND EXECUTION OF AN AMENDMENT TO THE PUD AGREEMENT.
5. THE SIDEWALK ALONG GATEWAY DRIVE MUST BE SHOWN ON THE SITE PLAN.
6. ADDITIONAL TREES MUST BE INSTALLED IN THE DEALERSHIP PARKING LOT AND BETWEEN THE PARKING LOT AND THE PROPERTY LINE SO THAT IT IS CONSISTENT THE PREVIOUSLY APPROVED PUD.
7. THE SIDEWALK CONNECTIONS BETWEEN THE TRAIL ALONG THE WETLANDS AND GATEWAY DRIVE MUST BE SHOWN.
8. ADDITIONAL LANDSCAPING MUST BE INSTALLED BETWEEN THE SWIM CENTER AND GATEWAY DRIVE.
9. THE ELEVATION OF THE SWIM CENTER BUILDING FACING GATEWAY DRIVE MUST INCLUDE VARYING WALLS, PLANES OR OTHER ARCHITECTURAL FEATURES TO PROVIDE ARTICULATION TO THE BUILDING.
10. APPLICANT MUST RECEIVE ALL NECESSARY PERMITS FROM COON CREEK WATERSHED DISTRICT.
11. THE CORNER LOT BE LISTED AS RETAIL, OFFICE AND HOTEL.

Councilmember Johnson did not support a used car dealership being located within the PUD. He recommended that Condition 1 be amended to read: Only one new car dealership is allowed in the

PUD. City Attorney Brodie explained that it was inherent that a new car dealership would sell trade-in vehicles.

Councilmember Geisler and Councilmember Manning supported this recommendation.

Councilmember Manning commented that he would support the PUD, but noted he did not want to see a small box hotel on the corner lot.

Councilmember Klint asked again why the neighboring residential properties were not notified of this item. Planner Harlicker noted that the adjacent homes were three-fourths of a mile from the PUD site and City Code did not require notification. City Attorney Brodie did not recommend the Council pick and choose when to notify residents, but rather to follow City Code.

THE MOTION PASSED 6-1 (KLINT OPPOSED).

15. CONSIDER APPROVAL OF MASTER CONTRACTING AGREEMENT FOR
 CITYWIDE EMERGENCY REPAIRS

The Staff report was shared with Council.

MOTION BY COUNCILMEMBER WELLS, SECONDED BY COUNCILMEMBER MANNING, TO APPROVE THE MASTER CONTRACTING AGREEMENT, AND AUTHORIZE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH DAVE PERKINS CONTRACTING, INC. FOR PROFESSIONAL CONTRACTING SERVICES BEGINNING 2015 AND BEYOND.

Councilmember Demmer asked why the City selected Dave Perkins Contracting. Public Works Director Himmer discussed the City's history with this company and noted they have had great availability to meet the City's emergency repair needs.

THE MOTION PASSED UNANIMOUSLY.

16. CONSIDER ADOPTING RESOLUTION 15-61 YEAR END BUDGET
 APPROPRIATIONS

The Staff report was shared with Council.

MOTION BY COUNCILMEMBER MANNING, SECONDED BY COUNCILMEMBER GEISLER, TO RESOLUTION NO. 15-61 REALLOCATING THE 2014 GENERAL FUND BUDGET AND AMENDING THE 2014 AND 2015 BUDGETS. THE MOTION PASSED UNANIMOUSLY.

17. **CONSIDER ADOPTING RESOLUTION 15-62 TRANSFER OF FUNDS**

The Staff report was shared with Council.

MOTION BY COUNCILMEMBER GEISLER, SECONDED BY COUNCILMEMBER WELLS, TO ADOPT RESOLUTION NO. 15-62 AUTHORIZING THE TRANSFER OF FUNDS. THE MOTION PASSED UNANIMOUSLY.

18. **PC 15-11, CONSIDER APPROVAL OF SITE PLAN WITH USE FLEXIBILITY FOR SENIOR HOUSING, CROOKED LAKE BOULEVARD AND 109TH, COON RAPIDS LEASED HOUSING ASSOCIATES**

The Staff report was shared with Council.

Councilmember Geisler asked if the applicant would be required to roll the dumpster out and back in a timely manner. Planner Harlicker stated language could be added as a condition to set a timeframe for the applicant. Public Works Director Himmer discussed the recently approved trash ordinance.

Councilmember Geisler questioned if additional language should be included on Condition 3 to address the replacement of dead trees. Planner Harlicker suggested that language be added and read: That the trees identified in the Tree Preservation Plan that die within one year must be replaced with an equal caliper tree.

Councilmember Manning believed that the proposed plan would be a great addition to the City of Coon Rapids.

MOTION BY COUNCILMEMBER MANNING, SECONDED BY COUNCILMEMBER GEISLER, TO APPROVE PLANNING CASE 15-11, THE SITE PLAN AND THE GRANTING OF USE FLEXIBILITY WITH THE FOLLOWING CONDITIONS:

1. ALL ENGINEERING COMMENTS MUST BE ADDRESSED.
2. AN ADDITIONAL TWO STREET TREES BE PLANTED ALONG 109TH LANE AND SIX TREES ALONG CROOKED LAKE BOULEVARD.
3. A TREE PRESERVATION PLAN BE APPROVED BY THE CITY FORESTER AND ITS IMPLEMENTATION VERIFIED PRIOR TO GRADING COMMENCING ON SITE. THAT THE TREES IDENTIFIED IN THE TREE PRESERVATION PLAN THAT DIE WITHIN ONE YEAR MUST BE REPLACED WITH AN EQUAL CALIPER TREE.
4. SEATING BE PROVIDED ON THE PLAZA IN FRONT OF THE MAIN ENTRANCE,

5. A CONCRETE PAD BE CONSTRUCTED FOR THE DUMPSTER.

6. USE FLEXIBILITY IS GRANTED BASED ON THE FOLLOWING FINDINGS:
 1. ADVANCES INTENT OF SECTION: THE DENSITY OF 35 UNITS PER ACRE PROMOTES A COMPACT AND VIGOROUS DEVELOPMENT THAT TAKES ADVANTAGE OF THE NEARBY COMMERCIAL USES AND THE COMMUNITY EVENTS AT THE COMMUNITY ICE ARENA AND THE NEARBY PARK. IT INCLUDES A WELL ORGANIZED VEHICULAR AND PEDESTRIAN CIRCULATION PATTERN. THE DEVELOPMENT IS CONSTRUCTED OF HIGH QUALITY MATERIALS AND REFLECTS AND UNIQUE DESIGN. IT IS CONSISTENT WITH THE GOAL OF LOCATING HIGH DENSITY RESIDENTIAL IN THE PORT DISTRICT.

 2. THE MODIFICATION IS NECESSARY TO DEVELOP THE PROPERTY IN AN EFFICIENT WELL ORGANIZED WAY. IT ALLOWS THE DEVELOPMENT OF THE PROPERTY IN AN EFFICIENT WELL ORGANIZED WAY.

 3. THE PLAN PROVIDES SIGNIFICANT AMENITIES AND BUFFERS TO OFFSET ANY POTENTIAL HARMFUL AFFECTS CAUSED BY THE USE. THE PLAN PROVIDE SITE AMENITIES SUCH AS WALKING TRAIL/PATHS, CONNECTION TO ICE ARENA AND PRESERVATION OF EXISTING TREES AND NEW LANDSCAPING TO OFFSET ANY POTENTIAL HARMFUL EFFECTS.

Councilmember Johnson supported the general development but noted he would be abstaining from the vote.

Mayor Koch believed this would be a beautiful project for the City of Coon Rapids.

THE MOTION PASSED 6-0-1 (JOHNSON ABSTAINED).

19. PC 15-10, CONSIDER APPROVAL OF PRELIMINARY AND FINAL PLAT, ROBINWOOD PLAT 6, 109TH LANE AND CROOKED LAKE BOULEVARD, COON RAPIDS LEASED HOUSING ASSOCIATION
-

The Staff report was shared with Council.

MOTION BY COUNCILMEMBER GEISLER, SECONDED BY COUNCILMEMBER WELLS, TO APPROVE PLANNING CASE 15-10, THE PRELIMINARY AND FINAL PLAT WITH THE FOLLOWING CONDITIONS:

1. ALL COMMENTS OF THE ASSISTANT CITY ENGINEER BE ADDRESSED.
2. THAT PORTION OF THE RIGHT-OF-WAY OF CROOKED LAKE BOULEVARD THAT IS TO INCLUDED AS PART OF LOT 2 MUST BE FORMALLY VACATED BY THE CITY PRIOR TO RECORDING THE PLAT.
3. PARK DEDICATION IN THE AMOUNT OF \$225,760 (\$1,360 PER UNIT X 166 UNITS) MUST BE PAID PRIOR TO RELEASING THE PLAT FOR RECORDING.

Councilmember Johnson noted that he would be abstaining on this item.

THE MOTION PASSED 6-0-1 (JOHNSON ABSTAINED).

20. CONSIDER ADOPTING RESOLUTION 15-59 CALLING FOR PUBLIC HEARING ON
STREET AND EASEMENT VACATION, 110XX CROOKED LAKE BOULEVARD
-

The Staff report was shared with Council.

MOTION BY COUNCILMEMBER WELLS, SECONDED BY COUNCILMEMBER GEISLER, TO ADOPT RESOLUTION NO. 15-59, WHICH CALLS FOR A PUBLIC HEARING ON MAY 5, 2015 FOR VACATION OF A STREET AND DRAINAGE AND UTILITY EASEMENTS ALONG A PORTION OF CROOKED LAKE BOULEVARD. THE MOTION PASSED UNANIMOUSLY.

21. CONSIDER RESOLUTION 15-60 ESTABLISHING TAX INCREMENT FINANCING
PLAN FOR DISTRICT 1-31
-

The Staff report was shared with Council.

Mayor Koch opened and closed the public hearing at 8:43 p.m. since no one appeared to address the Council.

Councilmember Manning stated he did not typically support the use of TIF, but did for this project.

MOTION BY COUNCILMEMBER MANNING, SECONDED BY COUNCILMEMBER KLINT, TO ADOPT RESOLUTION 15-60 MODIFYING THE REDEVELOPMENT PLAN FOR PROJECT AREA NO. 1 AND ESTABLISHING TIF DISTRICT 1-31.

Councilmember Johnson noted that he would be abstaining on this item.

THE MOTION PASSED 6-0-1 (JOHNSON ABSTAINED).

22. **CONSIDER FOLEY BOULEVARD STATION AREA PLAN**

The Staff report was shared with Council.

Councilmember Klint asked how the plan fit into the reconstruction of Foley Boulevard. Community Development Director Brown discussed the County's vision for this intersection and noted that the City would like additional access at this interchange.

MOTION BY COUNCILMEMBER MANNING, SECONDED BY COUNCILMEMBER JOHNSON, TO ADOPT THE *FOLEY BOULEVARD STATION AREA PLAN*. THE MOTION PASSED UNANIMOUSLY.

OTHER BUSINESS

Councilmember Klint noted there was garbage blowing from Target into neighboring homes. She requested that staff speak to Target regarding this issue.

Councilmember Johnson expressed concern with the free newspaper circulars that were dropped on driveways through the winter months. He commented that these newspapers could be viewed as litter and were not requested by the homeowner. He requested that staff investigate this matter further and report back to the Council.

Mayor Koch requested an update on the golf course. Bunker Hills Golf Director Anderson reported this was an exciting time of year. He noted the irrigation would be turned on soon so the course would be greening up. He commented the Easter Brunch was well attended last weekend.

Mayor Koch indicated the Holy Rock and Rollers would be playing at the Community Center on April 9th.

Mayor Koch noted the annual tree sale was taking place at this time.

Fire Chief Piper provided the Council with an update on the train delays and how this was impacting emergency police and fire services. He was pleased to report that the Governor included a grade separation at Hanson Boulevard in his \$842 million bonding bill. He anticipated that if approved by the House and Senate, work could begin on this project in 2016/

OPEN MIC/PUBLIC COMMENT

Mayor Koch reviewed the rules of order for the Open Mic/Public Comment portion of the meeting.

REPORTS ON PREVIOUS OPEN MIC

Jeffrey Cosman, 3049 116th Avenue NW, noted that Robert Herman was interested in locating a travel agency in Coon Rapids.

ADJOURN

MOTION BY COUNCILMEMBER GEISLER, SECONDED BY COUNCILMEMBER JOHNSON,
TO ADJOURN THE MEETING AT 9:10 P.M. THE MOTION PASSED UNANIMOUSLY.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

2.

Meeting Date: 04/21/2015

Subject: Adopt Resolution 15-65 Amending the 2015 Budget to Allow for Copy Machine Purchase for Police Department

Submitted For: Sharon Legg, Finance Director

From: Sharon Legg, Finance Director

INTRODUCTION

Staff is requesting that funds be allocated for a replacement copier for the Police Department.

DISCUSSION

Presently the Police Department is renting a copy machine that was originally obtained in 2008 and in constant need of repair. Staff has received proposals to either lease or purchase replacement machines from a couple of vendors. In addition to the savings of purchasing a machine rather than continuing to rent an old machine, it will reduce the maintenance cost per year by about \$3,000. Therefore, the savings in maintenance costs alone will pay for a new machine over five years. Staff has tried a couple of machines and has determined that a Ricoh MP C6502 Color Copier would best fit the needs of the department. The purchase price is \$15,532.

Funds were not included in the 2015 Budget for this purchase. Therefore, staff is recommending that funds be re-allocated from the Capital Equipment Fund to cover the cost. The Police Department will see a savings annually of over \$4,000 in rental costs. Although the City could again lease a machine, it would be less expensive to purchase a machine outright.

RECOMMENDATION

Staff recommends adoption of RS 15-65 Amending the 2015 Budget for Copy Machine Purchase.

Attachments

RS 15-65

RESOLUTION NO. 15-65

RESOLUTION AMENDING THE 2015 BUDGET FOR COPY MACHINE PURCHASE

WHEREAS, Section 1-700 of the City Charter provides for adoption of an annual budget and the subsequent amendments; and

WHEREAS, the 2015 budget does not include funds for a copy machine for the Police Department; and

WHEREAS, the purchase of a new copier will be cost effective for the City to purchase; and

WHEREAS, capital outlay purchases must specifically be identified and funded per the City Code 2-803.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota to allocate funds in the Capital Equipment Fund in the amount of \$15,532.

NOW, THEREFORE BE IT FURTHER RESOLVED by the City Council of Coon Rapids, Minnesota to authorize the purchase of the copy machine in the amount of \$15,532.

Adopted this 21rd day of April, 2015.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

3.

Meeting Date: 04/21/2015

Subject: Adopt Resolution 15-68 Approving Assessment Abatement for 1847 121st Lane #706

From: Heidi Cederstrand, Assessment Clerk II

INTRODUCTION

Staff is recommending the removal of code violation assessments totaling \$987.13 from the property at 1847 121st Lane NW #706 (parcel number 10-31-24-13-0139).

DISCUSSION

On December 13, 2013, there were code violation fees accrued to the property located at 1847 121st Lane NW #710. The assessments were levied, in error, to the property at 1847 121st Lane NW # 706. Upon receiving the 2015 Anoka County tax statement, the property owner residing in unit #706 contacted the City of Coon Rapids to inquire about the assessment on her property. After verification with the Code Enforcement Department, it was determined that an incorrect parcel number was used on the original citation.

Staff requests to have abatement submitted to Anoka County to remove the \$987.13 on parcel number 10-31-24-13-0139. Unit #710 will not be assessed, as the owners were never notified of the violations.

RECOMMENDATION

Adopt Resolution 15-68 Removing Assessment.

Attachments

Abatement 1847 121st Lane #706

RESOLUTION NO. 15-68

RESOLUTION REMOVING ASSESSMENT

WHEREAS, the assessment roll for project MIS2014A-1, with the Anoka County Fund number of 84721, was adopted on January 21, 2014 for collection with the 2015 property taxes; and

WHEREAS, the assessment roll included assessments totaling \$961, plus interest of \$26.13 for code violation fees on parcel 10-31-24-13-0139; and

WHEREAS, these fees were incorrectly assessed to the parcel.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota that the assessment amount of \$987.13 (includes interest) should be removed from parcel number 10-31-24-13-0139.

Adopted by the Coon Rapids City Council this 21st of April 2015.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

4.

Meeting Date: 04/21/2015

Subject: Approve Final Payment for Project 14-11, 2014 Sanitary Sewer Lining

Submitted For: Sharon Legg, Finance Director

From: Dianne Nelson, Advanced Accounting Technician

INTRODUCTION

The City Engineer has recommended final payment to Insituform Technologies USA, LLC in the amount of \$49,002.86 for Project 14-11, Sanitary Sewer Lining.

DISCUSSION

A summary of Project 14-11 is as follows:

Contract completion date	12/1/14
Substantial completion date	10/22/14
Final completion date	1/1/15
Contract amount	\$1,035,144.10
Total additions/deletions	(55,086.90)
Final contract amount	\$980,057.20
Actual project cost	\$980,057.20
Less: previous payments by City	\$931,054.34
Amount due	\$49,002.86
Amount over final contract	\$0.00

The changes to the project were for a reduction in costs to reflect actual quantities completed.

RECOMMENDATION

All of the above dates and amounts are reasonable and accurate according to the project file. Staff recommends approval of the change order and final payment to Insituform Technologies USA, Inc. in the amount of \$49,002.86 for Project 14-11, Sanitary Sewer lining.



City Council Regular

5.

Meeting Date: 04/21/2015

Subject: Approve Relocation Benefits for Tenants, 9864-9950 East River Road

From: Matt Brown, Economic Development
Coordinator

INTRODUCTION

The Council is asked to approve additional relocation payments for tenants of an HRA-owned apartment complex at 9864-9950 East River Road.

DISCUSSION

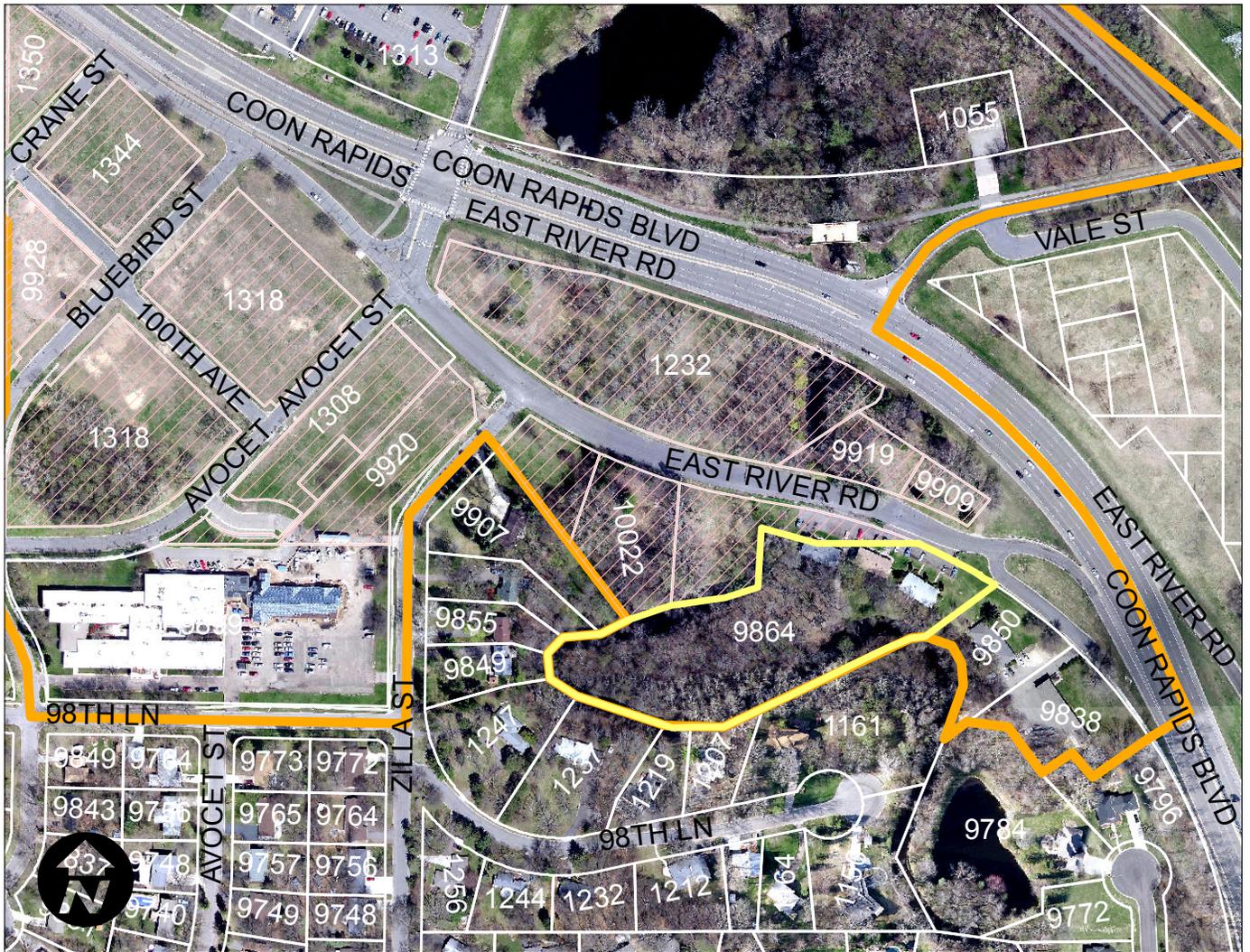
The HRA purchased the 20-unit apartment complex at 9864-9950 East River Road in 2014. The property is located in the Port Riverwalk redevelopment area and the City's Comprehensive Plan and Port Riverwalk Master Plan recommend redevelopment of this area. At its March 3, 2015 meeting, the Council approved payment of up to \$310,163 in relocation benefits under the Uniform Relocation and Reestablishment Assistance Act. This included benefits for 15 or 16 tenants in the buildings. These benefits, as mandated by the Act, include moving expenses and a 42-month "rent differential," or the difference between the tenant's current monthly rent and that of a comparable unit, also factoring in the tenant's income. Since March 3, ProSource Technologies, the City's relocation consultant, has met with the final tenant and has determined that the total amount of relocation benefits for all tenants in the buildings will not exceed \$333,478. Therefore, the Council is asked to approve an additional \$23,315 in relocation payments. To date, three tenants of the buildings have moved. The remainder are expected to move in the coming months. Funds from TIF District 1-6 will be used for the relocation payments. Revenues from this older district have exceeded the original budget in certain categories. Use of these funds is restricted to specific activities, including property acquisition and relocation.

RECOMMENDATION

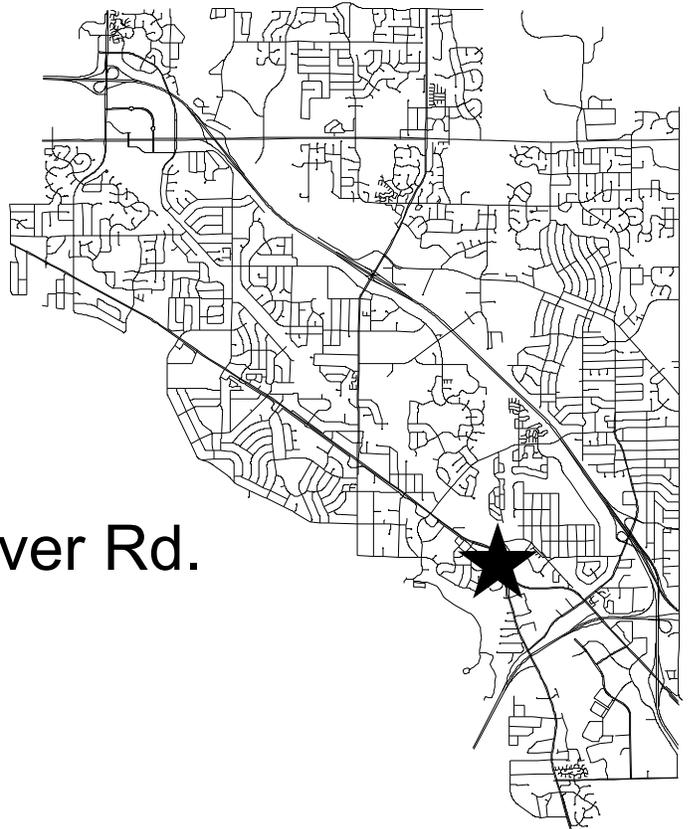
Staff recommends the Council approve an additional \$23,315 for relocation payments from TIF District 1-6 for tenants at 9864-9950 East River Road.

Attachments

Location Map



-  HRA-Owned Property
-  Port Riverwalk Boundary



Palis Properties
9864, 9920, 9950 East River Rd.



City Council Regular

6.

Meeting Date: 04/21/2015

Subject: Adopt Resolution 15-64 Authorizing Donation of Park Equipment

From: Kim Reid, Administrative Legal
Assistant

INTRODUCTION

Staff recommends authorization to donate old playground equipment to a non-profit organization.

DISCUSSION

Playground equipment is being replaced at Sand Creek Park. Staff is requesting authorization to donate the old equipment to a non-profit organization called Kids Around the World. This organization renovates the equipment and uses it in other parts of the world in underprivileged areas.

RECOMMENDATION

- a. Approve Resolution 15-64 authorizing a donation of used playground equipment to a non-profit organization.
- b. Approve the Agreement with Kids Around the World for playground equipment removal and authorize execution of the agreement by appropriate City Officials.

Attachments

Resolution 15-64

Donation Agreement

RESOLUTION NO. 15-64

**A RESOLUTION AUTHORIZING A DONATION OF PARK
EQUIPMENT TO A NON-PROFIT ORGANIZATION**

WHEREAS, Sand Creek Park includes playground equipment that is presently being replaced;
and

WHEREAS, Kids Around the World is a faith based 501c(3) organization that builds
playgrounds for children around the world; and

WHEREAS, Kids Around the World targets children who live in an area that has been impacted
in a negative way as a result of economy, war, acts of nature and severe illness; and

WHEREAS, the old playground equipment would otherwise be disposed of; and

WHEREAS, the old playground equipment can be donated to Kids Around the World.

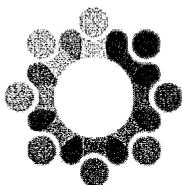
NOW THEREFORE BE IT RESOLVED by the City Council of the City of Coon Rapids,
Minnesota to authorize the donation of the old playground equipment to Kids Around the
World.

Adopted by the Coon Rapids City Council this 21st day of April, 2015.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



kids around the world

PLAYGROUND EQUIPMENT DONATION AGREEMENT

This agreement is entered this date between Kids Around The World, Inc., 2424 Charles St., Rockford, IL 61125 (hereinafter referred to as "KIDS") and _____ (hereafter referred to as "Donating Organization").

KIDS, an Illinois not-for-profit corporation, registered in Illinois at the above address performing charitable programs including building playgrounds for children in underprivileged locations, desires to Acquire as a donation, the below identified used playground equipment from the Donating Organization (hereafter referred to as the "Equipment").

In consideration for the donation of the Equipment from the Donating Organization, KIDS agrees to the following:

DISCLAIMER: KIDS acknowledges and agrees that the Donating Organization is neither a manufacturer nor a vendor of the Equipment, that KIDS takes the Equipment and each part thereof "as-is" and that the Donating Organization has not made, and does not hereby make, any representation, warranty, or covenant, express or implied, with respect to compliance with any and all applicable guidelines or regulations, including, but not limited to ASTM and CPSC, the merchantability, condition, quality, durability, design, operation, fitness for use, or suitability of the Equipment in any respect whatsoever or in connection with or for the purposes and uses of KIDS, or as to the absence of latent or other defects whether or not discoverable, or as to the absence of any infringement of any patent, trademark or copyright, or as to any obligation based on strict liability in tort or any other representation, warranty, or covenant of any kind or character, express or implied, with respect thereto, it being agreed that all risks incident thereto are to be borne by KIDS and the Donating Organization shall not be obligated or liable for actual, incidental, consequential, or other damages of or to buyer or other person or entity arising out of or in connection with the use or performance of the Equipment and the maintenance thereof. KIDS agrees to defend and indemnify the donor for any claims involving the donated playground equipment brought against the donor by third parties. KIDS acknowledges that KIDS has selected the Equipment KIDS is acquiring from the Donating Organization based on KIDS' own judgment and the Donating Organization hereby affirmatively disclaims reliance on any oral representation concerning the Equipment made to KIDS.

INSURANCE REQUIREMENTS: KIDS shall maintain insurance of the types and in the amounts listed below.

A. Commercial General Liability Insurance

KIDS shall maintain commercial general liability (CGL) insurance with a limit of not less than \$1,000,000 each occurrence and a \$2,000,000 aggregate limit.

CGL insurance shall be written on Insurance Services Office (ISO) occurrence form CG 00 01 10 93, or a substitute form providing equivalent coverage, and shall cover liability arising from premises, operations, independent contractors, products-completed operations, personal injury and advertising injury, and liability assumed under an insured contract.

The _____ shall be included as an additional insured under the CGL insurance form.

B. Business Auto Liability Insurance

If applicable, KIDS shall maintain business auto liability insurance with a limit of not less than \$1,000,000 each accident. Such insurance shall cover liability arising out of any auto including owned, hired and non-owned autos.

C. Workers Compensation Insurance

Kids will maintain a worker's compensation insurance policy to cover all of the Kids employees with a minimum employer's liability limit of \$100,000 / \$500,000 / \$100,000.

D. General Insurance Provisions

1. Evidence of Insurance

Prior to removal of the Equipment, KIDS shall furnish _____ with a certificate(s) of valid insurance meeting the above noted requirements.

The donated equipment included in this agreement includes: _____

Representative of KIDS AROUND THE WORLD, INC.

Representative of the DONATING ORGANIZATION

DATE

DATE



City Council Regular

7.

Meeting Date: 04/21/2015

Subject: CenturyLink Cable Television Franchise Application

From: Matt Stemwedel, Assistant City
Manager

INTRODUCTION

The City has received an application from CenturyLink for providing cable television services within the limits of the City of Coon Rapids. This public hearing serves an opportunity for the City to receive feedback regarding this application.

DISCUSSION

At their March 3, 2015 meeting, the City Council approved a Notice of Intent to Franchise in order to consider applications from qualified entities that are interested in constructing a cable system and providing cable service within the limits of the City. This notice was published in the Anoka County Union Herald on March 6 and 13, 2015 and applications were accepted through 12:00 p.m. on April 3, 2015.

The City received one application from CenturyLink and that application has been attached to this memorandum. As a part of the franchise process, a public hearing must be held to consider feedback regarding CenturyLink's application. Upon the close of the public hearing, staff will prepare a report and recommend future action.

RECOMMENDATION

Staff recommends the Council hold a public hearing and keep the hearing open through Friday, April 24, 2015 for the purpose of receiving additional written comments from the public, at which time the hearing will close.

Attachments

CenturyLink Franchise Application (Public Version)

Request for Information (RFI)

CenturyLink RFI Response (Public Version)



Mary Ferguson LaFave
Director Public Policy
Phone 612-663-6913

April 2, 2015

Sent Via Courier and Email

Mr. Eric Strouse
City of Coon Rapids
11155 Robinson Drive
Coon Rapids, MN 55433

Re: Application of Qwest Broadband Services, Inc. d/b/a CenturyLink for Cable Communications Services Franchise with the City of Coon Rapids, Minnesota

Dear Mr. Strouse:

Enclosed please find CenturyLink's Response to the Notice and Request for Proposals issued by the City of Coon Rapids. Trade Secret information has been redacted from the enclosed copy. Your counsel, Mike Bradley, has been served with one copy that contain Trade Secret information and one copy that is a public version. Please let me know if you have any questions.

Very truly yours,

A handwritten signature in cursive script that reads "Mary LaFave (KLH)".

Mary Ferguson LaFave

Cc: Mike Bradley, Esq.

PUBLIC DOCUMENT

TRADE SECRET DATA
HAS BEEN EXCISED

200 South 5th Street, Room 2200
Minneapolis, MN 55402
www.centurylink.com

**QWEST BROADBAND SERVICES, INC., D/B/A CENTURYLINK
APPLICATION FOR A COMPETITIVE CABLE COMMUNICATIONS FRANCHISE
IN THE CITY OF COON RAPIDS**

Qwest Broadband Services, Inc., d/b/a CenturyLink (“CenturyLink”) respectfully files this application for a competitive cable communications franchise to provide cable communications services in the City of Coon Rapids. The following sets forth the information required to be submitted in an application in accordance with Minn. Stat. §238.081, Subd. 4.

Franchise Applicant: Qwest Broadband Services, Inc. d/b/a CenturyLink (“CenturyLink”), a Delaware corporation, seeks a competitive cable communications franchise to offer cable communications services in the City of Coon Rapids. Applicant is a foreign corporation in good standing and authorized to do business in the State of Minnesota.

Overview of CenturyLink

CenturyLink Improves Lives

At CenturyLink, our vision is to improve the lives of our customers. Through our products and services, we help strengthen businesses and connect communities to each other and the world.

CenturyLink’s Unifying Principles

We have established certain fundamental values that are the foundation for how we interact with our partners, our customers and with one another. We call these values our Unifying Principles, and they bring together our beliefs into a cohesive philosophy that guides our actions in all matters, including our greater social responsibility in the communities where we live and work. The Unifying Principles are Fairness, Honesty and Integrity, Commitment to Excellence, Positive Attitude, Respect, Faith, and Perseverance.

CenturyLink in Minnesota

CenturyLink in Minnesota employs approximately 3,000 people with the majority of those jobs located in the Twin Cities metropolitan area. More than half of CenturyLink employees in the Twin Cities are represented by the Communications Workers of America Union. This includes approximately 500 network technicians, 200 of whom are being cross-trained to support Prism. Success in the market will trigger hiring more skilled technicians in the future to support Prism. CenturyLink also employs approximately 100 network engineers in the Twin Cities who work in partnership with the network operations team to plan, build and deploy service. CenturyLink’s network operations team supports the new headend facility, located in Golden Valley.

Employees in the Twin Cities also include business sales, marketing, regulatory affairs, public policy, customer service and administrative support. Employees are located across the Twin Cities in central office neighborhood locations and at three main corporate campus locations:

- CenturyLink, 200 S. 5th Street, downtown Minneapolis
- CenturyLink, 2800 Wayzata Blvd, Bryn Mawr, Minneapolis
- CenturyLink, 70 W. 4th Street, downtown St. Paul

Many CenturyLink employees have worked with the company for decades experiencing early innovations as a telephone company and the current day transformation into a technologically-sophisticated service provider to local communities and Minnesota's largest companies.

With a statewide payroll that exceeds \$195 million each year; CenturyLink is a proud contributor to jobs and the economy in the state.

CenturyLink in the Community, Sustainability and Commitment to Diversity

CenturyLink is committed to strengthening and improving the communities it serves, not only through jobs, products and services, but also through philanthropic support of local community agencies, events and initiatives. We focus our philanthropic and volunteer efforts on K-12 education and programs that support youth; technology-focused initiatives; and locally-driven efforts that strengthen communities and make them better places to live.

Through our involvement in efforts ranging from environmental stewardship to community investment, we further our commitment to improve lives by being a good citizen and neighbor in the communities where we work and live.

- Since 2007, the CenturyLink Clark M. Williams Foundation (previously Qwest Foundation) has awarded \$800,000 to innovative Minnesota teachers working to improve STEM learning and access to technology in schools statewide. The Minnesota Business Partnership assists CenturyLink by administering the program. Together, we are helping to build awareness around STEM education and preparing Minnesota's future workforce for STEM careers.
- CenturyLink awards scholarships in partnership with local organizations to advance the opportunities of their stakeholders. Scholarships recipient organizations include:
 - CenturyLink STEM scholarship via Minnesota High Tech association.
 - Pacer Center Excite Technology Camp for Girls scholarship.
 - Minneapolis Urban League general education scholarships.
 - University of St. Thomas, ThreeSixty program scholarship.
- CenturyLink helps provide a state-of-the-art fan experience at Target Field as the Official Communications Provider for the Minnesota Twins and Target Field. CenturyLink's sponsorship also includes working with the Twins and the Metro Area Library Association to support the summer reading program.
- Through our Matching Time Grant program, Minnesota employees volunteering time to a non-profit agency can earn a CenturyLink Foundation grant for that organization.
- Our employees can further their community support through our annual CenturyLink All Employee Volunteer Day, Employee Giving Campaign supporting the Greater Twin Cities United Way and our Annual Food Drive supporting Second Harvest Heartland.
- We are committed to environmental sustainability through programs that include waste recycling, green information technology, and procurement policies and practices.
- CenturyLink provides incentives for employees in certain communities to make use of public transit or green commuter programs.
- Our Ethics and Compliance Program provides employees with guidance in making ethical business decisions and provides mechanisms for employees to report concerns.
- We have a Supplier Code of Conduct that establishes expectations for our contractors and vendors regarding ethical business practices.

- CenturyLink's Privacy Policy protects our customers' information and keeps our customers informed about the information we collect and the choices they have regarding that information.
- Diversity is celebrated and promoted through our Employee Resource Groups, recruiting, global supply chain and community outreach.

CenturyLink Lifeline & Internet Basics

CenturyLink participates in Lifeline, which provides certain discounts to qualified subscribers on monthly service. The program is designed to help low income households with needed phone services. Lifeline is available to qualifying customers in every U.S. state. Qualifications vary by state. Residents of American Indian and Alaskan Native tribal lands may qualify for up to an additional \$25 of enhanced Lifeline support monthly. They may also qualify for the Link-Up program, which helps consumers pay the initial installation costs of getting telephone service. Link-Up provides a credit of up to \$100 of the initial installation charges for tribal customers.

CenturyLink supports the Federal Communications Commission's goal of bringing high-speed Internet to economically-disadvantaged households. We work with nonprofit partners throughout our state to engage communities in the CenturyLink Internet Basics program which provides qualifying low-income Minnesotans service at a reduced rate. CenturyLink has conducted training programs and awareness building around Internet Basics through the Minneapolis Urban League. We have created partnerships with the Minneapolis Public Schools and PC's for People to distribute hundreds of computers to low-income families and provide information to families on the opportunities offered through CenturyLink Internet Basics.

Applicant's Corporate Structure and Officers

Applicant's ultimate parent company is CenturyLink, Inc., a Louisiana corporation headquartered in Monroe, Louisiana, and, through its subsidiaries, owns 100% of Qwest Broadband Services, Inc. d/b/a CenturyLink. A more detailed corporate structure is depicted on the attached Exhibit A. CenturyLink, Inc. is the third largest telecommunications company in the United States and is recognized as a leader in the network services market by technology industry analyst firms. The Company is a global leader in cloud infrastructure and hosted IT solutions for enterprise customers. CenturyLink provides data, voice and managed services in local, national and select international markets through its high-quality advanced fiber optic network and multiple data centers for businesses and consumers. The company also offers advanced entertainment services under the CenturyLink® Prism™ TV and DIRECTV brands. Headquartered in Monroe, La., CenturyLink is an S&P 500 company and is included among the Fortune 500 list of America's largest corporations. A copy of CenturyLink's most recent 10-K can be obtained by clicking on the following URL:

<http://www.sec.gov/Archives/edgar/data/18926/000144530514000656/ctl-2013123110k.htm>

On April 21, 2010, CenturyLink, Inc. reached an agreement to purchase Qwest Communications International, Inc. ("QCII") through a tax-free, stock-for-stock transaction. Under the terms of the parties' merger agreement, CenturyLink, Inc. is the ultimate parent of QCII and the subsidiaries that were under QCII. At the time of the merger between CenturyLink and Qwest Communications International, Inc., Applicant was a wholly-owned subsidiary of Qwest Services Corporation, Inc. as was Qwest Corporation, the entity which places facilities in the City's public rights of way pursuant to the City's ordinances and associated rules. Further, at merger, Applicant was a member of the National

Cable Television Cooperative (“NCTC”) as was the CenturyLink entity which offers Prism in legacy CenturyLink markets, e.g., Florida. Because the NCTC expressly forbids more than one entity within a corporate family to belong to and directly obtain content from the NCTC and because any affiliated entity receiving content from the NCTC must be a wholly-owned subsidiary of the NCTC member, CenturyLink, Inc. moved Applicant from being a subsidiary of Qwest Services Corporation to being a subsidiary of CenturyTel Broadband Services, LLC. As provided in the original application filed with the City, the following sets forth the officers and directors of Applicant. This group of officers and directors do not own any shares of the Applicant.

Qwest Broadband Services, Inc. (Delaware Domestic)

Directors: R. Stewart Ewing, Jr.
Stacey W. Goff

Officers:

Chief Executive Officer and President	Glen F. Post, III
President Global Markets	Karen A. Puckett
Executive Vice President and Chief Financial Officer	R. Stewart Ewing, Jr.
Executive Vice President, General Counsel	Stacey W. Goff
President IT Services and New Market Development	Girish Varma
Executive Vice President – Public Policy and Government Relations	R. Steven Davis
President – Wholesale Operations	William E. Cheek
Executive Vice President – Controller and Operations Support	David D. Cole
Executive Vice President – Network Services	Maxine Moreau
Vice President and Treasurer	Glynn E. Williams, Jr.
Vice President	Jonathan J. Robinson
Secretary	Kay Buchart
Assistant Secretary	Joan E. Randazzo
Assistant Secretary	Meagan E. Messina

Applicant’s Representatives: The following individuals may be contacted for further information about this application:

- (a) Mary Ferguson LaFave, 200 S. 5th St., 21st Floor, Minneapolis, MN 55402; Tel: 612-663-6913
- (b) James P. Campbell, 1801 California Street, 10th Floor, Denver, CO 80202; Tel: 303-992-5811
- (c) Kirstin Sersland, 200 S. 5th Street, 23rd Floor, Minneapolis, MN 55402; Tel: 612-663-7911

Technical Expertise in the Provision of Cable Communications Services to Consumers

See TRADE SECRET EXHIBIT B, attached hereto.

Attached as Exhibit C is a list of markets in which Applicant or its affiliates offer Prism pursuant to state or local authority. CenturyLink passes 2.4 million homes and has over 242,000 Prism customers.

With respect to the provision of cable communications services, the following individuals provide key technical expertise with respect to the deployment of Prism and video operations (in addition to the

individuals and teams identified in the section below on managerial expertise to offer cable communications services:

Glenn Garbelman serves as the Vice President of the Video Operations at CenturyLink since 2010, and is based in Monroe, Louisiana. He currently has day-to-day operational responsibility for all video services, which is currently serving 240,000 Prism customers with more than 150 employees. Prior to Glenn joining CenturyLink, he was part of a large communications company that successfully launched and supported IPTV video in over 70 markets throughout the United States. He has more than 25 years technical experience with the last 10 focused on video products and services on an IP network.

Sandeep Bhalla is the Director of Video Technical Operations. Responsible for the daily operations of CenturyLink Video Services, Sandeep oversees the video ops engineering staff and ensures the integrity of engineering operations and processes. With 19 years of technical experience and 10 years of video, Sandeep has served as a CenturyLink representative to national and international forums related to next generation video services. Prior to joining CenturyLink, Sandeep was a Manager of Head End Implementation for AT&T's Uverse. Sandeep holds a BA from the University of California Berkley.

Charles Becker is the Manager Video Operations IPTV responsible for all headends based out of Denver, Colorado and Columbia, Missouri. The Video Headend Team is responsible for the operation and acquisition of all video content served by the Prism platform both local and national. The team maintains and operates 17 headends located in 13 states across the country. This team supports new market builds, preventative maintenance, outage resolution and proactively supports the video monitoring teams in outage resolution. Charles is a 35 year veteran of the video industry and 9 year employee of CenturyLink.

Steve Epstein is a Senior Lead Engineer –Managing for CenturyLink. Steve was the initial member of the CenturyLink Video team and brings 35 years of broadcast experience to CenturyLink. In addition to being Chief Engineer at several television stations, Steve was the technical editor of Broadcast Engineering magazine. Steve is an SBE certified professional broadcast engineer and holds a BS in Broadcasting.

Steve Sklar, VP Video Strategy and Development has over 20 years experience in the cable industry and has led efforts to continually add new features and functions to Prism, e.g., Prism on the Go. His team is responsible for Prism design, innovation and implementation.

Chris Lanasa is the Vice President Consumer Product Strategy and Operations. In this role, he and his team are responsible for the product strategy and management of CenturyLink's consumer growth products, including Prism. The content acquisition team reports to Mr. Lanasa.

The local team (Messrs. Ring, Middleton and Clausen), whose experience is more fully described in the next section, has responsibility for the facilities deployment, repair and maintenance in Coon Rapids as well as provisioning the service to end users.

Managerial Expertise in the Provision of Cable Communications Services to Consumers

Minneapolis is the headquarters for the Midwest region of CenturyLink. Duane Ring leads the business as the President of the Midwest Region. Under his leadership, Prism was successfully deployed in Omaha, Nebraska in 2013 and LaCrosse, Wisconsin in 2008.

Tyler Middleton is the Vice President of Operations for Minnesota. His team includes more than 500 technicians, 200 of whom are being cross-trained to install and support Prism. There is a wide array of employees performing various functions in support of Prism in the Twin Cities, including approximately 100 engineers who will be working under Mr. Middleton's leadership to design and support the infrastructure that enables Prism.

Trent Clausen is the Vice President of Construction for the Midwest Region. He has held a variety of leadership positions in the network organization over the past 16 years, including positions managing and leading capital planning, field construction, local engineering, dispatch operations, and installation and maintenance operations. His team successfully upgraded the network in Omaha to support the launch of Prism there in 2013 and will be responsible, working closely with Mr. Middleton's team, to construct the network to support Prism in Coon Rapids and the Twin Cities metropolitan area.

There are three essential corporate divisions which support the provision of Prism to end users: Global Operations and Shared Services, Global Markets and Product Development and Technology.

A. The Global Operations and Shared Services organization is led by Executive Vice President Maxine Moreau. A 30-year veteran of telecommunications, Maxine Moreau brings a depth of knowledge and experience in network services, operations, IT and process improvement to her role as Executive Vice President of Global Operations and Shared Services. She is responsible for operational excellence through the end-to-end planning, engineering, construction, operation and maintenance of CenturyLink's global network, as well as regional operations and hosting data centers. Moreau oversees network enablement that currently provides commercial 100Gbps services to businesses for high-bandwidth needs as well as the deployment of 1Gbps fiber networks in certain markets, including Coon Rapids for both consumer and business customers. Members of her team will staff the VSO in Golden Valley.

Maxine Moreau's team is responsible for the engineering, planning and deployment of all network infrastructure, including the infrastructure on a national and local basis for the delivery of Prism. In addition, organizations responsible for data and video operations report up to Maxine. These centers, from an operational perspective, constantly monitor and repair, if necessary, the entire network including the facilities used in the provision of Prism.

B. The Global Markets organization is led by President Karen Puckett. With 30 years of telecommunications experience, Karen Puckett is an industry veteran with proven success in the integration of complex operations, the achievement of industry-leading financial and operational performance, and the creation of a company culture that is focused on accountability, innovation and growth. As CenturyLink's Chief Operating Officer, Puckett is responsible for the company's financial and operational performance in the business and consumer segments. She leads marketing, sales, service delivery, care and customer experience initiatives for all business and consumer customers and the implementation of the local operating model in the company's local service areas in 37 states. Puckett has been at the forefront of CenturyLink's transformation from a local telephone exchange company

servicing rural and mid-sized markets to an industry leader in advanced communications services with customers throughout the United States and overseas. Her visionary leadership has been instrumental in the company's ability to thrive in the new arenas of cloud, data hosting and managed services, as well as facilities based switched digital video service while maintaining its focus on operational excellence and financial strength. Puckett led the 2001 companywide realignment to the local operating model, placing decision making closer to the customer and making the company more responsive to the marketplace. The model has consistently resulted in financial and operational improvements as CenturyLink has acquired new markets.

As it relates to Prism, Karen Puckett's organization owns the customer experience in terms of sales and repairs. There are five call centers which provide support for consumer sales, including Prism. These centers are located in Sioux City, Iowa; Idaho Falls, Idaho; Boise, Idaho; Midvale, Utah; and Phoenix, Arizona.

C. The Product Development and Technology organization is led by Executive Vice President and Chief Technology Officer, Aamir Hussain. Hussain is an experienced senior technology executive with more than 23 years of proven success in the implementation of global technology operations, operationalization of complex technology, infrastructures, and business solutions while driving capital cost efficiencies in the business. Hussain and his team are responsible for the design and delivery of next generation products, services and technologies critical to achieving CenturyLink's strategic growth priorities, including Prism. Hussain has a diverse background in data, security, voice, video and wireless technologies. Prior to joining CenturyLink, he held senior leadership roles at Liberty Global, Covad, TELUS and Qwest. Hussain sits on several startup and non-profit boards, is technical advisor to technology companies and holds 11 patents in Telecommunications. In addition, he has completed leadership, innovation and strategy training from Harvard, the INSEAD institute in France and the International School of Business Management in Switzerland.

Aamir's team is charged with constantly working to implement new technologies and innovations to enhance the customer experience across the entire suite of CenturyLink products, including Prism.

As noted above, Applicant's ultimate parent company, CenturyLink, Inc., is headquartered in Monroe, Louisiana. A fundamental tenet and operating creed of the Company is to drive decision making to the local level, where the employees best understand the needs of each community in which they work and deliver service. Capital allocation are made based on information from the local markets and it is entirely up to the local team to manage the budget and to make capital and expense allocation decisions based on the local needs. In Coon Rapids, the two leaders responsible for making such decisions, including, e.g., deployment of Prism, are Duane Ring and Tyler Middleton.

Legal Qualifications to Offer Cable Communications Services

To CenturyLink's knowledge, neither Section 533 of Title 47 of the United States Code nor any other federal law or regulation bars CenturyLink from seeking and obtaining a franchise to provide video service in the City. Applicant will make all appropriate filings and preparations prior to the turn up of its video service including (1) filing a community registration with the FCC via FCC Form 322; (2) providing notice to local broadcasters and requesting either must-carry or retransmission consent election; and (3) registration of any antennas required to provide service. It has not, in the past five years, ever had any adverse administrative, civil or criminal action taken against it.

In its existing markets, Applicant complies with many additional federal requirements in providing its Prism service, including all of the FCC requirements applicable to multichannel video programming distributors (such as equal employment opportunity and set-top box requirements), the FCC requirements applicable to EAS participants that are wireline video service providers, other FCC requirements applicable to provision of Prism (such as receive-only earth station license requirements and annual regulatory fees for IPTV providers), and the Copyright Office requirements for cable systems filing semi-annual copyright statements of accounts and paying statutory license fees. Applicant does not file an FCC Form 327 relating to CARS microwave facilities because Applicant does not use such facilities in connection with the provision of Prism. Similarly, Applicant does not file FCC Form 320 and FCC Form 321 as they relate to the use of aeronautical frequencies that are not applicable to the IPTV technology.

The only party to the franchise agreement is the Applicant, and Applicant will comply with all terms of the negotiated franchise with the City of Coon Rapids. Applicant's affiliates will not be bound by the terms of the franchise; they have separate and distinct operating authority and obligations pursuant to the City's ordinances regarding public rights of way. Applicant will, however, promise and guarantee, as a condition of exercising the privileges granted by any agreement with the City of Coon Rapids, that any affiliate of Applicant, directly involved in the offering of Cable Service in the Franchise Area, or directly involved in the management or operation of the Cable System in the Franchise Area, will also comply with the obligations of this Franchise subject to the following proviso, that Qwest Corporation ("QC"), an affiliate of the Applicant, will be primarily responsible for the construction and installation of the facilities in the Rights-of-Way which will be utilized by Applicant to provide Cable Communications Services. So long as QC does not provide Cable Service to Subscribers in the City, QC will not be subject to the terms and conditions contained in this Franchise. QC's installation and maintenance of facilities in the Rights-of-Way is governed by Applicable Law. To the extent Grantee constructs and installs facilities in the Rights-of-Way, such installation will be subject to the terms and conditions contained herein.

Financial Qualifications

Applicant is an indirect subsidiary of CenturyLink, Inc., a Fortune 150 Company and the third largest telecommunications company in the United States. CenturyLink was founded in 1930 and grew through acquisition of other companies. In April 2010, it announced it was merging with Qwest Communications International, Inc., the parent company of Qwest Corporation and Applicant. In 2008, it launched Prism in LaCrosse, Wisconsin and now offers Prism in 14 markets passing over 2.4 million households. In addition to its cable experience, CenturyLink is a leader having unparalleled experience and expertise in advanced technology, maintenance and operation – the very facilities over which it provides Prism. As publicly filed documents show, CenturyLink is financially sound. In its earnings announcement for 2014, CenturyLink reported operating revenues of \$18.0 billion and free cash flow of \$2.7 billion. Its market cap is \$22.52 billion. These numbers clearly demonstrate Applicant has access to all the financial resources necessary to meet its franchise obligations in the City of Coon Rapids, with the backing of CenturyLink, Inc.

Prism Features and Functions:

Applicant's cable communications system will be fully digital. While the ultimate channel lineup has not been finalized at this time, attached hereto as Exhibit D is a sample channel line up from another jurisdiction (Phoenix, Arizona) in which CenturyLink offers its cable communications service, Prism™. This illustrates the vast selection of content available to subscribers. CenturyLink will provide the City with a copy of the actual channel lineup prior to launching service in Coon Rapids. It should be noted that currently CenturyLink offers more channels in HD than any other MVPD nationally. It also provides a robust library of Video on Demand content.

Because our system is IP based, we offer unique applications available via the television set such as access to Facebook and Picasa. In addition, search and streaming services are available which enable viewers to search for the cheapest gasoline within a specified area or to stream selected stock market quotes. We also have an ever increasing video on demand library. Prism is a state of the art offering and its features and functions also include, but are not limited to: (1) whole home DVR; (2) warp speed channel change; (3) find-it fast navigation, (4) multi-view (4 shows on one screen); (5) personal media sharing; (6) interactive news and information dashboard; (7) Prism on the Go (select content available over mobile devices such as smart phones and tablets); and (8) advanced parental controls . By going to the following URL, you can "experience" the features and functions of Prism through a short demonstration: <http://www.centurylink.com/prismtv/#index.html>.

Initial Deployment and Availability of Prism

CenturyLink will deploy its cable communications service, Prism, over facilities owned by an affiliated company, Qwest Corporation, d/b/a CenturyLink (QC). Prism is a switched digital service and is Ethernet based (it is not a QAM based, broadcast service). The fact that the service is switched digital and Ethernet based enables CenturyLink to offer unique features and functions, e.g, warp channel change, not generally available over more traditional cable systems, as more fully detailed below.

Applicant has not provided a map depicting its initial deployment because that is extremely competitively sensitive and highly confidential, and Applicant is not confident that it could be adequately protected even under the designation of a "Trade Secret."

Currently, two network architectural designs are used to deliver Prism to subscribers: fiber to the node (FTTN) and fiber to the premises (FTTP), but the quality of the cable communications service is of the same high, technical quality regardless of the underlying network architecture. For FTTN, CenturyLink deploys fiber from a serving central office to a remote terminal in a neighborhood. The remote terminal houses the electronics (currently VDSL2) and such electronics create a broadband stream to individual addresses of up to 40Mbps (80Mbps if using pair bonding) over a copper subloop. For FTTP, there is fiber connectivity from the serving central office to a distinct address/location via an optical loop terminal (OLT) and this fiber connection will support broadband speeds of up to One Gbps. A set-top box is required for each television in a home to receive Prism. CenturyLink recently introduced a wireless set top box which enables the end user to move Prism to any location such as the patio or garage.

QC is the traditional telecommunications provider in Coon Rapids. It has and will continue to pull all necessary permits and comply with all Coon Rapids rules, codes and ordinances associated with access to and presence in the public rights of way.

When CenturyLink begins to offer Prism commercially in Coon Rapids, Prism will be available to approximately thirty percent of the households in the City. CenturyLink is targeting an initial service launch in the second or third quarter 2015. CenturyLink will notify the City prior to commercially launching Prism in Coon Rapids.

Turning up service in Coon Rapids represents a very significant capital investment by the Company even though it has zero revenue-generating customers and its direct competitor has one hundred percent of the facilities based cable subscribers in the City. Further deployment will be driven by success in the market, i.e., as we win customers we will use that new revenue stream to invest in further deployment and broader availability of Prism throughout the City. As set forth in the franchise, CenturyLink will meet periodically with the City to review its current deployment footprint and to outline its plans in the upcoming quarter(s) for additional deployment. This market success deployment model is expressly supported by the FCC and has been adopted by other cities in the State of Minnesota.

Pricing, Customer Service and Standard Installation:

Attached as Exhibit E is a sample of the pricing for Prism packages in another market. In advance of commercial launch in Coon Rapids, CenturyLink will provide the City with the pricing for various Prism packages that will be offered in Coon Rapids. With respect to rate requirements, under 47 U.S.C. § 543m a local franchising authority can only regulate the rates of the incumbent cable provider in an area that has not been deemed to be subject to “effective competition.” See, *Media Bureau Clarifies Issues Concerning Franchise Authority Certification to Regulate Rates*, FCC Public Notice, DA 09-68 (rel. Jan. 16. 2009)

Applicant will comply with all federal, state and local requirements relating to customer service. To the extent the incumbent cable communications provider has agreed to additional customer service requirements, Applicant is more than willing to consider any such additional requirements during its negotiations with the City over the terms of the franchise. There are five consumer call centers, and they are located in Sioux City, Iowa; Idaho Falls, Idaho; Boise, Idaho; Midvale, Utah and Phoenix, Arizona. These centers are staffed from 8:00 a.m. to 6 p.m. (local time Monday through Friday). In addition, calls are handled by agents on Saturday and Sunday. CenturyLink uses outside vendors to handle overflow for calls as needed. CenturyLink schedules its agents on a daily basis to meet service level targets. Call activity is monitored throughout the day and call routing is updated throughout the day to help insure calls are answered within appropriate timeframes.

CenturyLink will provide Prism service to all qualified households within seven days. CenturyLink does not have “non-standard” installation, i.e., the provision of service at an additional construction cost to the subscriber. Qualification for Prism service is purely a technical issue – it is not possible to pay an additional amount to qualify for the service.

Line Extension

A line extension policy is generally an obligation imposed on the incumbent monopoly provider to deliver service to anyone requesting service, subject only to some density requirements. Consequently, Applicant would not envision having a mandatory line extension policy. Rather, when it is the dominant facilities based cable communications services provider in the City, Applicant will negotiate with the city over a reasonable build out and line extension obligation.

Access Channels

Applicant will make the city's three access channels available to its subscribers. For purposes of acquiring the signal, Applicant will pick up the City's Access Channel signals at the point(s) of origination via a fiber facility and transport such content back to the local VSO for insertion in the channel lineup. At the point(s) of origination, Applicant will need rack space and power for its equipment to receive the signal(s) handed off by the City to Applicant. Applicant will pay for all facilities and equipment located on its side of the demarcation point where the City will hand off its content to Applicant and as is industry practice, the City will be responsible for all equipment on its side of the demarcation point.

One of the features available on Prism is "multi-view" -- we create a single channel/landing page for a category of shows, e.g., news, and make all the news channels available using picture in a picture technology. The end user can then click on the channel he or she wants to watch or watch four simultaneously. You can see a quick demonstration of this feature by clicking on the following URL: <http://www.centurylink.com/prismtv/#prism-tv-virtual-test-drive.html>.

We potentially will use this same technology to create a "multi-view" (also referred to as "mosaic") for the City's Access Channels either separately or combined with Access Channels of other cities in the area with the City's concurrence. With multi-view, the city's Access Channels will be available on the "landing page" and an end user merely needs to click on the specific channel/picture in a picture to be seamlessly taken to the selected Access Channel in full screen view. Because each of the Access Channels has its own dedicated channel assignment, the channels are offered in the same video and audio quality as all other channels and can be recorded if so desired by an end user. Further, access to the Coon Rapids Access Channels will not be limited to residents of the City. Rather, Prism subscribers throughout the metropolitan area will have access to the City's Access Channels and City residents will have access to other Cities' or Cable Commissions' Access Channels. This opens a vast array of viewing options for Coon Rapids citizens given the robust choice of content and access channels in the Twin Cities.

Applicant is willing to make all the City of Coon Rapids' access channels available in high definition if the City hands them to Applicant in that format. If so, Applicant will down convert all such HD Access Channels to SD so they can be viewed by any end user not capable of receiving HD signals. As this relates to the multi-view screen for the Access Channels, Applicant's middleware will automatically know if a subscriber needs to see the channel in SD or HD and will automatically route the end user to the channel with the proper format.

Each access channel will be assigned a discrete channel (generally on the upper tiers) for both the SD and HD versions of the channel. Applicant will provide all Access Channels in the same video and audio quality as commercial channels it airs.

Applicant contracts with a third party to provide its electronic channel guide. Applicant will provide the City the same level of listings and functionality in its electronic channel guide as the incumbent cable communications providers offers.

With respect to video on demand, Applicant will offer the City a specified amount of space on its VOD servers, as will be specified in the franchise. This will enable viewers to go into the VOD library and to view, on an on-demand basis, any Access Channel content that the City has handed to Applicant for

storage on its VOD servers. Such VOD content hand off has a common industry standard which will be shared with the City when the terms of the franchise are negotiated and finalized.

Because Applicant service is switched digital, an entirely different technology from the incumbent, Applicant cannot interconnect with the incumbents' system for the purpose of accessing Access Channel content. As noted above, however, all of Applicant's subscribers will have the ability to view all Access Channel content from any city or cable commission with which Applicant has a franchise agreement.

As it relates to financial support of Access Channels, Applicant will collect from its end users and remit quarterly to the City a monthly line item in support of the City's Access Channel capital costs in the same amount as the incumbent cable communications provider. This will be confirmed in the franchise with the City of Coon Rapids.

Provision of Cable Communications Services to Public Buildings

While this will ultimately need to be addressed in the franchise, Applicant is willing and able to provide complementary basic cable service to any municipal building, school building and public library in the City of Coon Rapids provided that such buildings are within Applicant's footprint of cable communications availability and no other provider is already providing cable communications services at that location.

Indemnification:

CenturyLink will include the following provision in its franchise with the City of Coon Rapids:

"Grantee shall contemporaneously with this Franchise execute an Indemnity Agreement in a form acceptable to the City, which shall indemnify, defend and hold the City harmless for any claim for injury, damage, loss, liability, cost or expense, including court and appeal costs and reasonable attorneys' fees or reasonable expenses arising out of the actions of the City in granting this Franchise. "

This obligation includes any claims by another franchised cable operator against the City that the terms and conditions of this Franchise are less burdensome than another franchise granted by the city or that this Franchise does not satisfy the requirements of applicable state law(s).

Other Legal Considerations -- Minnesota Stat. §238-081

Before addressing the state statute, the following sets forth some critical background with respect to deployment of both telecommunications and cable infrastructure. Initially, local telephone companies were granted monopolies over local exchange service in exchange for taking on a provider of last resort obligation— a duty to provide service – to customers in its service territory. Similarly, with respect to video services, Coon Rapids has given the incumbent video provider (and its predecessors) a monopoly over facilities based video. In exchange for making the capital investment to deploy facilities, the incumbent cable company got 100 percent of the customers who wanted cable television.

Subsequently, with respect to telephone services, the federal and local governments effectively eliminated the local telephone monopolies and fostered robust competition. It should be noted that in doing so, the telecom second entrant had absolutely no obligation to build any facilities or to serve any particular location(s) at all. As the FCC noted, imposing build-out requirements on new entrants in the telecommunications industry would constitute a barrier to entry (13 FCC Rcd 3460, 1997). Cable companies were free to enter the telecom market on terms that made business and economic sense to them. This very environment was the catalyst for robust wireless and wireline competition and the proliferation of higher broadband speeds.

Congress became concerned about the lack of competition in the video world and in 1992 amended federal law to prohibit a local franchising authority from “unreasonably[y] refus[ing] to award an additional competitive franchise.” 47 U.S.C. § 541(a)(1) provides a direct avenue for federal court relief in the event of such an unreasonable refusal. 47 U.S.C. § 555(a) and (b). Until the advent, however, of state statutes granting statewide cable franchises without a mandatory build requirement (e.g., Florida) or progressive cities willing to grant competitive franchises, cable monopolies continued to the detriment of consumers and competition. Level playing field requirements are just one example of barriers to competitive entry erected by cities at the behest of the cable monopolies.

Courts have ruled, however, that “level playing field” provisions do not require identical terms for new entrants. See, for example, *Insight Communications v. City of Louisville*, 2003 WL 21473455 (Ky. Ct. App. 2003), where the court found:

There will never be an apple-to-apple comparison for Insight and other franchisee simply because Insight is the incumbent which in its own right and through its predecessors has been the exclusive provider of cable services in the City of Louisville for almost thirty years. No new cable franchisee can ever be in the same position as a thirty-year veteran.

See also, In Cable TV Fund 14-A, Ltd. v. City of Naperville (1997 WL 209692 (N.D. Ill)); and *New England Cable Television Ass’n, Inc. v. Connecticut DPUC* 717 A.2d 1276 (1998).

In sharp contrast to the monopoly provider, a second entrant faces a significant capital outlay with absolutely no assurance of acquiring customers; rather, it must compete with the monopoly incumbent and win each and every customer over. As Professor Thomas Hazlett of George Mason University has explained, “[i]ncumbents advocate build-out requirements precisely because such rules tend to limit, rather than expand, competition.” The federal Department of Justice has also noted that “...consumers generally are best served if market forces determine when and where competitors enter. Regulatory restrictions and conditions on entry tend to shield incumbents from competition and are associated with a range of economic inefficiencies including higher production costs, reduced innovation, and distorted service choices.” (Department of Justice Ex Parte, May 10, 2006, FCC MB Dkt. 05-311).

The fact is that the incumbent cable provider has (1) an established market position; (2) all of the cable customers; and (3) an existing, in-place infrastructure. These disparate market positions make imposing a build-out requirement on a competitive entrant bad public policy. Under the guise of “level playing field” claims, incumbent cable operators seek to require new entrants to duplicate the networks the incumbents built as monopolies, knowing that such a requirement will greatly reduce, if not eliminate, the risk of competitive entry.

In 2007, the FCC issued its findings with respect to facilities based video competition and held as follows: (1) with respect to level playing field requirements, the FCC stated that such mandates “unreasonably impede competitive entry into the multichannel video marketplace by requiring local franchising authorities to grant franchises to competitors on substantially the same terms imposed on the incumbent cable operators (Para. 138); and (2) with respect to mandatory build out, the FCC held that “an LFA’s refusal to grant a competitive franchise because of an applicant’s unwillingness to agree to unreasonable build out mandates constitutes an unreasonable refusal to award a competitive franchise within the meaning of Section 621(a)(1) [47 U.S.C. § 541(a)(1)].”

Those two FCC holdings alone should put this entire matter to rest – level playing field requirements and unreasonable mandatory build requirements are barriers to competitive entry in the cable market and violate the federal Cable Act and the FCC’s order. Minnesota, however, codified its requirements in a state law and the FCC expressly declined to “preempt” state laws addressing the cable franchising process.

It is clear, however, that the FCC did not intend to protect the Minnesota statute which mandates the imposition of barriers to entry on each and every local franchising authority. As various providers were trying to enter the competitive cable market and encountering barriers such as level playing field requirements and mandatory build out provisions, many states passed statutes to facilitate competitive entry and to prevent local franchising authorities from erecting barriers to entry. Such laws were passed in 26 states including Florida, Missouri and North Carolina, where CenturyLink has taken advantage of the streamlined process to enter a market without a mandatory build obligation. These laws have facilitated competitive entry as evidenced, for example, by the presence of four facilities based competitors in the Orlando, Florida market, including CenturyLink and Comcast. As such, these state laws are aligned and not in conflict with the FCC’s and Congress’ policies for promoting competition in the video distribution market.

Minnesota’s cable law, however, is quite the opposite. Minnesota’s cable act dates back to the 1970s and directs each local franchising authority to impose not only a level playing field across a broad range of issues (many of which Applicant does not oppose), but also a five year mandatory build out requirement. Both of these provisions have been deemed to be barriers to entry by the FCC. The incontrovertible fact is that the law has been extremely successful in barring cable communications competition in Coon Rapids: Coon Rapids has not experienced any facilities based competition because of the barriers to entry Minnesota codified in Chapter 238.

In support of this position, that the FCC’s 2007 Order preempts Minn. Stat. Chapter 238, Applicant notes the following:

- Conflict preemption: State law may be preempted without express Congressional authorization to the extent it actually conflicts with federal law where state law “stands as an obstacle to the accomplishment and execution of the full purposes and objectives of Congress” *English v. General Elec. Co.*, 496 U.S. 72,79 (1990).
- Whether state law constitutes a sufficient obstacle is a matter of judgment to be informed by examining the federal statute as a whole and identifying its purpose and intended effects. *Crosby v. Nat’l Foreign Trade Council*, 530 U.S. 363,372 (2000).
- Minn. Stat. § 238.08 mandates terms that each municipality must implement in granting a new or renewed cable franchise.

- Minn. Stat. § 238.084 sets forth the required contents of a franchise ordinance and sets forth very precise requirements in an initial franchise about the build: commence build within 240 days; must construct at least 50 plant miles per year; construction throughout the franchise area must be substantially completed within 5 years of granting the franchise; and these requirements can be waived by the franchising authority only upon occurrence of unforeseen events or acts of God.
- Section 621(a)(1) initially gave local authorities the authority to grant franchises, but this broad grant resulted in exclusive franchises/monopolies. Congress “believe[d] that exclusive franchises are contrary to federal policy . . . which is intended to promote the development of competition. H.R. Conf. Rep. No. 102-862, at 77 (1992)
- Legislative history clearly supports that Congress was focused on fostering competition when it passed the 1992 Act. *Qwest Broadband Servs. Inc. v. City of Boulder*, 151 F. Supp. 1236, 1244 (D. Colo. 2001).
- In its 2007 order, the FCC found that “an LFA’s refusal to grant a competitive franchise because of an applicant’s unwillingness to agree to unreasonable build out mandates constitutes an unreasonable refusal to award a competitive franchise within the meaning of Section 621(a)(1).” The FCC order, however, targeted local and not state laws.
- Arguably, the Minnesota build requirements set forth in Section 238.084(m) are in conflict with Section 621(a)(1) and are, therefore, preempted.
 - In the Boulder case, the court applied Section 621’s prohibition on unreasonable refusals to grant franchises to find conflict preemption where local rules required voter approval for any new franchises.
- The mandatory build out in the Minnesota statute could be considered a de facto “unreasonable refusal” to grant a franchise and thus conflict with the pro-competition purpose set forth in 621(a)(1).
- In upholding the FCC’s ruling, the Sixth Circuit stated that “while the [FCC] characterized build out requirements as ‘eminently sensible’ under the prior regime in which cable providers were granted community-wide monopolies, under the current, competitive regime, these requirements ‘make entry so expensive that the prospective . . . provider withdraws its application and simply declines to serve any portion of the community.” *Alliance for Cmty Media v. FCC*, 529 F.3d 763, 771 (6th Cir. 2008).
- The FCC ruling targeted local rules and actions and the FCC refrained from preempting state regulation because it lacked “a sufficient record to evaluate whether and how such state laws may lead to unreasonable refusals to award additional competitive franchises.” FCC Cable Franchising Order (FCC 06-180, at n.2 & ¶ 126). That is not to say, however, that upon full consideration, the FCC would not find the Minnesota mandatory build requirements to constitute an unreasonable refusal under Section 621.
 - The franchising laws which were being enacted about the time of the FCC order facilitated competitive entrants into the facilities based video market.
 - In sharp contrast, the Minnesota statutes mandates individual cities and commissions to include onerous build out schedules which, standing alone, would run afoul of the FCC’s order.

It should also be noted that at least two cities in Minnesota have chosen to award competitive franchises to second entrants without satisfying all the mandates of Chapter 238. *See Mediacom Minnesota, LLC v. City of Prior Lake*, Minn. Ct. of Appeals, A09-1379 (Unpublished decision, Filed June 22, 2010).

In October 2014, the City of Owatonna awarded a competitive franchise to a second provider, and the franchise did not contain the five year build requirement set forth in Chapter 238. Rather, it contained a market success model expressly endorsed by the FCC. The competitor will provide service to 25 percent of the City of Owatonna and will have no further obligation to enable the provision of cable communications services until 48 percent of households in the footprint subscribe to its service.

Finally, nothing in the FCC's Order on Reconsideration released in January of this year alters the above analysis.

When the incumbent built its cable networks as a monopoly under an exclusive franchise agreement over 30 years ago, they were guaranteed that 100 percent of all Coon Rapids residents would subscribe from them. As a second entrant, every subscriber CenturyLink acquires currently has a relationship with another provider or has already "cut the cable cord." For this reason, no responsible second entrant would ever contractually commit to the extensive capital investment required to complete ubiquitous coverage without obtaining a single subscriber. As a result of years of advocacy at the local level by the incumbent monopolies, the cable industry remains the **only** industry where contractual ubiquitous coverage is required of new entrants. Other industries (e.g., telecommunications, wireless, and grocery stores) have flourished with robust competition without imposing any coverage requirements on second, and in some cases (Internet), any provider. Prices have plummeted, service quality has improved, and the market has seen investment, innovation, and competition. Unfortunately for residents of Coon Rapids, we sit here in 2015, 23 years after the FCC abolished the idea of exclusive cable franchises, and not one provider has yet to successfully apply for and receive a franchise to compete with the incumbent. That is the very barrier the FCC was trying to eliminate in its 2007 Order. That is why CenturyLink is so confident in its position that Section 238 .081 is pre-empted.

Applicant understands the City's desire for a robust deployment of a facilities based cable communications provider in its boundaries because of all benefits that will be realized by consumers. Accordingly, Applicant has negotiated several different terms to address the City's concerns while insuring that the Applicant does not commit itself to obligations that could trigger financial penalties. Applicant has presented such options to the City during discussions and would be happy to consider any of the following:

a. A short term agreement. In this model, Applicant and the City would agree to an initial term of six years so that the "renewal window" under federal law opens three years after the effective date of the franchise. The term of the franchise, however, can be automatically extended if Applicant reaches certain, defined goals of coverage, i.e., the term is extended an additional two years if we can cover XX percent of the living units by year three and can be extended an additional three years if, by the end of year five, we enable Prism to an additional XX percent of the living units in the City. This model has been used throughout the Phoenix metropolitan area.

b. Dominant Provider. If Applicant has 50 percent or more of the facilities based cable communications subscribers in the City, then it will take on a mandatory build out requirement and meet with the City to develop the appropriate timeframe for such mandatory deployment. This has been used in several markets in the Phoenix metropolitan area as well as Salt Lake City.

c. **Market Success.** Applicant will agree to build to a defined percent (usually 15 percent) of the City within three years of the franchise effective date. This establishes the minimum requirement, but Applicant is free to expand its service footprint voluntarily. When the take rate (penetration) within the enabled footprint exceeds a defined percentage (generally 27.5 percent), then Applicant has an obligation to build and extend its service to an additional 15 percent of the living units in the City. This model has been used in Omaha, the Denver metropolitan area and Colorado Springs.

Non-Discrimination

The cable incumbent operator has stooped to new lows (here and in other markets) by claiming that competitors, like Applicant, will redline certain communities unless burdensome build-out requirements are forced upon them. This claim flies in the face of studies and economic data that show that minority and low-income citizens – the very people the cable incumbent claims will be denied TV services by competitors – are the some of the biggest consumers of TV and communications services. Moreover, the cable industry’s own market research shows that minority and urban neighborhoods offer some of the best growth potential for TV services of any markets in the country.

What the studies say:

- *Public Broadcasting’s Services to Minorities and Diverse Audiences* report indicates that “African-Americans have the highest cable penetration at 83 percent vs. the U.S. average of 79 percent.”
- *A Pew Internet and Family Life Project* report found that both Hispanics and African Americans have higher average monthly spending on information goods (cable TV, premium channels, phone, cell phone, online content) than Caucasians – \$131 compared to \$124 per month.
- A study by *Rutgers University* found that “minority, low-income urban areas consume a disproportionately high amount of advanced telecommunications and premium cable TV services.” Additionally, the study found that “many inner-city households prefer cable TV service to telephone service. These households believe, a) cable TV offers inexpensive entertainment; b) the many hours and large variety of entertainment provides more satisfaction to more members of the household than telephone conversations; c) cable may keep children at home and away from dangerous streets; and d) cable offers a visible sign of well-being in households with few material comforts.”
- In a study about why people subscribe to cable TV services, Robert Kieschnick of the Federal Communications Commission states: “Household income is not a significant influence on a household’s decision to subscribe to cable television.”
- Horowitz Associates, a market research firm that conducts studies for cable industry clients, determined that the highest growth areas for cable TV and broadband services are in minority neighborhoods. The study states, “Importantly, the data show strong growth potential for many new cable and broadband services among multicultural, urban consumers. For example, market potential for digital cable in urban markets is on par with the national average, hovering at around 45%. Potential is highest among African-Americans, Latinos and Asians. Consumers interviewed for our urban markets study are also more likely to be willing to pay for many of the premium digital features like VOD, PVR capability, and home networking than are consumers in our national *State of Cable and Broadband 2003* study. This translates to even more opportunities for incremental revenue in this key, urban marketplace.”

As these studies indicate, not offering services to minority, urban or low-income communities doesn’t make economic or business sense. The cable TV market is not like the banking and insurance industries where redlining practices have been issues in the past. These markets will be coveted by new

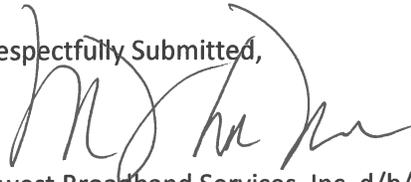
entrants to the TV market. The cable incumbent knows this, but raises the specter of redlining and discrimination regardless because it is desperate to stop competitors from entering the market.

As Virginia Jarrow of the Consumers Coalition and others have stated, redlining claims are simply an effort to erect barriers to competitive entry.

Notwithstanding the foregoing, Applicant represents that it will comply with all federal and state law requirements prohibiting economic redlining or "cherry picking" and will agree to include specific provisions in the franchise to that effect. Further, Applicant is more than willing to meet periodically with the city to show them the existing Prism footprint overlaid on a map.

Applicant looks forward to bringing facilities based video competition to the citizens of Coon Rapids and is more than willing to respond to any questions the City may have either before or during the public hearing scheduled for April 21st, 2015 at 7:00 p.m.

Respectfully Submitted,



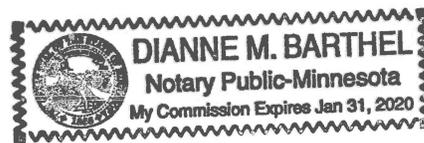
Qwest Broadband Services, Inc. d/b/a CenturyLink
By: Mary Ferguson LaFave

Subscribed and sworn to before me

this 30th day of March, 2015.



Notary Public



My Commission Expires: Jan 31, 2020

Company Structure

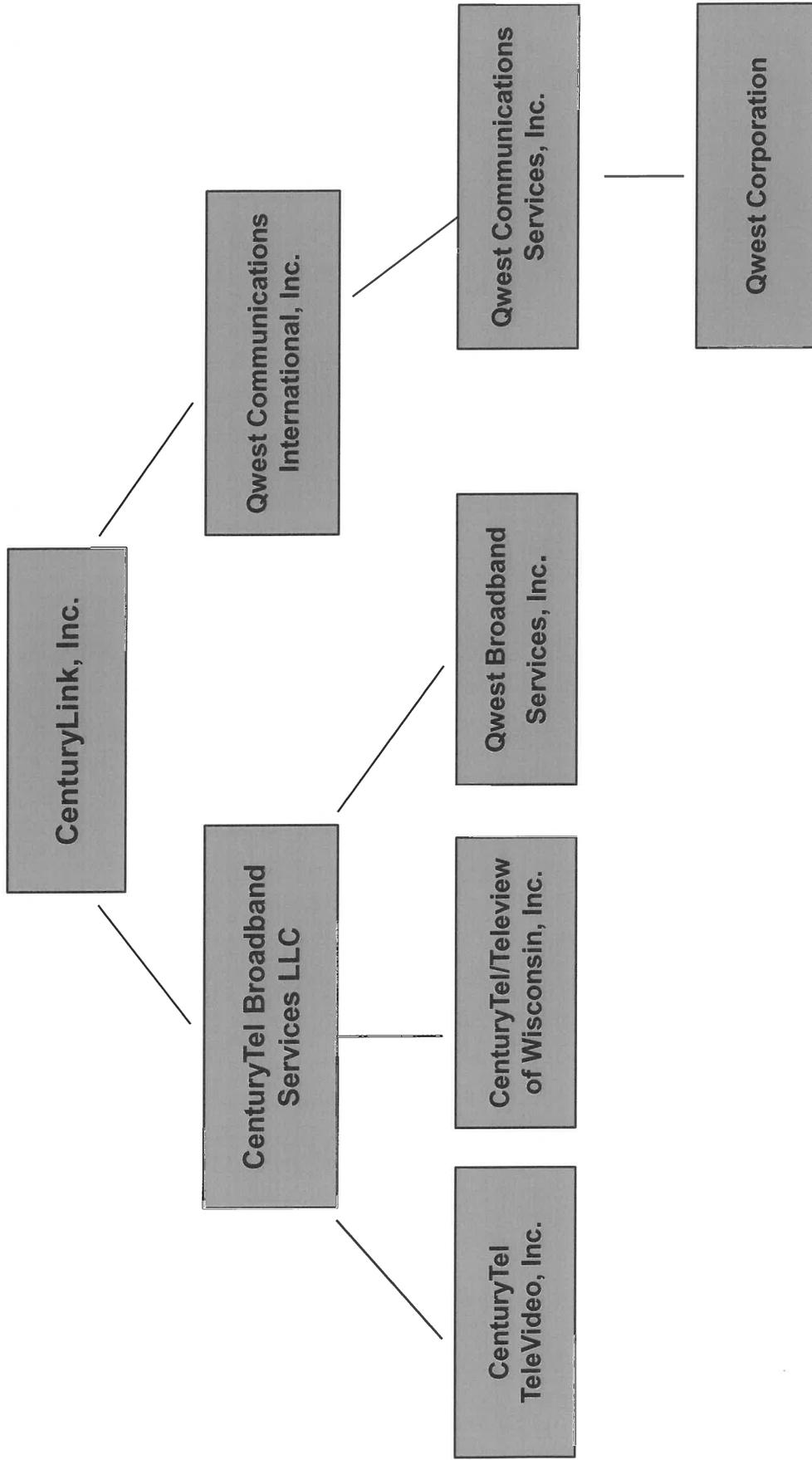


Exhibit A



**TRADE SECRET/PRIVILEGED INFORMATION
CLASSIFICATION RATIONALE**

State: Minnesota

Description/Title of Information: Qwest Broadband Services, Inc. d/b/a CenturyLink
Application for a Competitive Cable Communications Franchise in the City of Coon Rapids

Trade Secret/Privileged Designation Rationale:

Exhibit B to Qwest Broadband Services, Inc. d/b/a CenturyLink Application for a Competitive Cable Communications Franchise in the City of Coon Rapids contains information that is considered Trade Secret because (1) CenturyLink makes reasonable efforts to ensure its privacy and (2) the data derives actual or potential independent economic value because the information is not generally known to, and not being readily ascertainable by proper means by, other persons who can obtain value from its disclosure or use. For this reason, Exhibit B to Qwest Broadband Services, Inc. d/b/a CenturyLink Application for a Competitive Cable Communications Franchise in the City of Coon Rapids should be protected from public disclosure.

Exhibit B

Has Been Redacted

In Its Entirety

Prism offered in the following markets pursuant to state or local franchises

<u>Locally Negotiated Franchises</u>	<u>Locally Negotiated Franchises</u>	<u>Statewide Franchises</u>
<p>Gulf Shores, AL Orange Beach, AL Baldwin County, AL</p> <p>Phoenix, AZ Chandler, AZ Mesa, AZ Queen Creek, AZ Glendale, AZ Peoria, AZ Scottsdale, AZ Surprise, AZ Goodyear, AZ Maricopa County, AZ Pinal County, AZ Buckeye, AZ Florence, AZ Gilbert, AZ Casa Grande, AZ Tempe, AZ Paradise Valley, AZ Apache Junction, AZ</p>	<p>Colorado Springs, CO Denver, CO Monument, CO Fountain, CO El Paso County, CO Gypsum, CO Eagle, CO Eagle County, CO Centennial, CO Littleton, CO Castle Rock, CO Parker, CO Jefferson County, CO Lone Tree, CO Douglas County, CO</p> <p>Papillion, NE Springfield, NE Gretna, NE Ralston, NE La Vista, NE Bellevue, NE Omaha, NE Douglas County, NE Sarpy County, NE</p>	<p>Las Vegas, NV North Las Vegas, NV Clark County, NV Henderson, NV</p> <p>Tallahassee, FL Fort Myers, FL Orlando, FL</p> <p>Columbia, MO</p> <p>Raleigh/Durham DMA, NC</p> <p>LaCrosse DMA, WI</p> <p>Council Bluffs, IA Pottawattamie County, IA Carter Lakes, IA</p>

Exhibit C



CenturyLink™



Phoenix Channel Lineup

Contact CenturyLink

Sales: 877-299-0172

Support: 866-314-4148

Prism™ Essential

3	3TV (KTVK)	1129	FX HD	1045	My Network TV HD (KUTPDT)
1003	3TV HD (KTVKDT)	129	FX	1266	National Geographic Channel HD
1167	A&E HD	1131	FX HD	266	National Geographic Channel
167	A&E	131	FX	12	NBC (KPNX)
15	ABC (KNXV)	4004	Galavision HD	1012	NBC HD (KPNXDT)
1179	ABC Family HD	3004	Galavision	1640	NBC SN HD
179	ABC Family	36	GetTV (KFPDHT2)	640	NBC SN
1015	ABC HD (KNXVDT)	1641	Golf Channel HD	20	NBC Weather Plus (KPNXDT2)
1796	AMC HD	641	Golf Channel	1630	NFL Network HD
796	AMC	1176	Hallmark Channel HD	630	NFL Network
16	Antenna TV (KNXVDT2)	176	Hallmark Channel	629	NFL RedZone (Pay Per View)
1105	AXS TV	1106	HDNet Movies	1629	NFL RedZone HD (Pay Per View)
13	AZ-TV (KAZT)	1451	HGTV HD	1638	NHL Network HD
1013	AZ-TV HD (KAZTDT)	451	HGTV	638	NHL Network
41	Azteca America (KPDFCA)	271	History	1314	Nickelodeon HD
310	Baby First TV	1203	HLN HD	314	Nickelodeon
1156	BET HD	203	HLN	1368	Oxygen HD
156	BET	1422	Home Shopping Network HD	368	Oxygen
1222	Bloomberg HD	19	Home Shopping Network	1683	PAC 12 Arizona HD
222	Bloomberg	422	Home Shopping Network	683	PAC 12 Arizona
327	Boomerang	1261	ID HD	106	Pay Per View Events HD
1182	Bravo HD	261	ID	1101	Pay Per View Events HD
182	Bravo	51	ION (KPPX)	101	Pay Per View Events
1650	BTN HD	1051	ION HD (KPPXDT)	8	PBS Eight (KAET)
650	BTN	1428	Jewelry Television HD	1008	PBS Eight HD (KAETDT)
1651	BTN2 HD	17	Jewelry Television	8006	Phoenix Educational Access
651	BTN2	428	Jewelry Television	8005	Phoenix Government Access
1652	BTN3 HD	1168	Justice Central HD	8014	Pinal County Government Access
652	BTN3	168	Justice Central	9161	Premier League Extra Time 1 HD
1230	C-SPAN HD	4	KPHO Weather Now (KPHODT2)	9151	Premier League Extra Time 1
230	C-SPAN	1361	Lifetime HD	9162	Premier League Extra Time 2 HD
1231	C-SPAN2 HD	361	Lifetime	9152	Premier League Extra Time 2
231	C-SPAN2	364	Lifetime Real Women	9163	Premier League Extra Time 3 HD
1327	Cartoon Network HD	1362	LMN HD	9153	Premier League Extra Time 3
326	Cartoon Network	362	LMN	9164	Premier League Extra Time 4 HD
5	CBS (KPHO)	5129	MC ?70s	9154	Premier League Extra Time 4
1005	CBS HD (KPHODT)	5128	MC ?80s	9165	Premier League Extra Time 5 HD
411	CenturyLink Information	5127	MC ?90s	9155	Premier League Extra Time 5
1411	CenturyLink Information	5116	MC Adult Alternative	90	Prism Applications
8015	City of Casa Grande	5115	MC Alternative	92	Prism Games
8003	City of Chandler Educational Access	5146	MC Blues	301	Prism Kids
8002	City of Chandler Government Access	5134	MC Classic Country	201	Prism News
8004	City of Gilbert Government Access	5118	MC Classic Rock	11	Prism PEG Channels
8007	City of Glendale Government Access	5149	MC Classical Masterpieces	601	Prism Sports
8008	City of Maricopa Government Access	5135	MC Contemporary Christian	1420	QVC HD
8010	City of Mesa Educational Access	5133	MC Country Hits	18	QVC
8011	City of Mesa Government Access	5103	MC Dance	420	QVC
8009	City of Peoria Government Access	5148	MC Easy Listening	1799	Reelz Channel HD
8001	City of Scottsdale Government Access	5111	MC Gospel	799	Reelz Channel
8013	City of Surprise Government Access	5105	MC Hip-Hop and R&B	1424	ShopHQ HD
8012	City of Tempe Government Access	5107	MC Hip-Hop Classics	424	ShopHQ
1526	CMT HD	5101	MC Hit List	1146	Spike TV HD
526	CMT	5104	MC Indie	146	Spike TV
1216	CNBC HD	5145	MC Jazz	1337	Sprout HD
216	CNBC	5124	MC Kidz Only!	337	Sprout
1202	CNN HD	5150	MC Light Classical	1152	Syfy HD
202	CNN	5120	MC Love Songs	152	Syfy
1141	Comedy Central HD	5114	MC Metal	21	TBN (KPAZ)
141	Comedy Central	5138	MC Mexicana	1560	TBN HD
48	Daystar (KDTP)	5137	MC Musica Urbana	560	TBN
1121	Discovery Channel HD	5122	MC Party Favorites	1113	TBS HD
121	Discovery Channel	5131	MC Pop Country	113	TBS
1303	Disney Channel HD	5121	MC Pop Hits	5123	Teen MC
303	Disney Channel	5136	MC Pop Latino	39	Telemundo (KTAZ)
9999	DVR	5102	MC Pop Rhythmic	3007	Telemundo (KTAZ)
8016	Dysart Schools Educational Access	5109	MC R&B Classics	1039	Telemundo HD (KTAZDT)
1134	E! HD	5110	MC R&B Soul	6	The CW (KASW)
135	E!	5106	MC Rap	1006	The CW HD (KASWDT)
9	Eight Life (KAETDT2)	5112	MC Reggae	1225	The Weather Channel HD
7	Eight World (KAETDT3)	5117	MC Rock Hits	225	The Weather Channel
603	ESPN Classic	5113	MC Rock	2	This TV (KTVKDT2)
1602	ESPN HD	5140	MC Romances	1251	TLC HD
27	ESPN	5147	MC Singers & Swing	251	TLC
602	ESPN	5144	MC Smooth Jazz	1109	TNT HD
1606	ESPN2 HD	5119	MC Soft Rock	109	TNT
28	ESPN2	5130	MC Solid Gold Oldies	1255	Travel Channel HD
606	ESPN2	5141	MC Sounds of the Seasons	255	Travel Channel
1562	EWTN HD	5143	MC Soundscapes	1164	truTV HD
562	EWTN	5142	MC Stage & Screen	165	truTV
40	Exitos (KTAZDT2)	5108	MC Throwback Jams	1139	TV Land HD
1453	Food Network HD	5132	MC Today?s Country	139	TV Land
453	Food Network	5125	MC Toddler Tunes	44	TV44 (KPHELD)
10	FOX (KSAZ)	5139	MC Tropicales	35	UniMas (KFPH)
1010	FOX HD (KSAZDT)	5126	MC Y2K	4005	UniMas HD
1210	FOX News Channel HD	14	Me-TV (KAZTDT2)	33	Univision (KTVWV)
210	FOX News Channel	1634	MLB Network HD	1033	Univision HD (KTVWDT)
1620	FOX Sports 1 HD	634	MLB Network	1125	USA Network HD
620	FOX Sports 1	46	Movies! (KUTPDT2)	125	USA Network
9002	FOX Sports Pay Per View HD	1215	MSNBC HD	1102	Velocity HD
9001	FOX Sports Pay Per View	215	MSNBC	1519	VH1 HD
1762	FS Arizona HD	1503	MTV HD	519	VH1
1763	FS Arizona Plus HD	503	MTV	1	Video On Demand
763	FS Arizona Plus	193	Mun2	1180	WGN HD
762	FS Arizona	45	My Network TV (KUTP)	180	WGN

Prism™ Complete

Exhibit D

Includes Prism™ Essential Plan channels.

1259	American Heroes Channel HD	381	Esquire TV	505	MTV2
259	American Heroes Channel	1211	FOX Business Network HD	315	Nick 2
1253	Animal Planet HD	211	FOX Business Network	1320	Nick Jr HD
253	Animal Planet	647	FOX College Sports Atlantic	320	Nick Jr
1188	BBC America HD	648	FOX College Sports Central	1316	Nicktoons HD
188	BBC America	649	FOX College Sports Pacific	316	Nicktoons
567	BYU TV	1621	FOX Sports 2 HD	1185	NUVOtv HD
1643	CBS Sports HD	621	FOX Sports 2	185	NUVOtv
643	CBS Sports	1535	Fuse HD	1256	Oprah Winfrey Network HD
515	Centric	535	Fuse	257	Oprah Winfrey Network
153	Chiller	1792	FX Movie Channel HD	1680	Outdoor Channel HD
161	Cloot	792	FX Movie Channel	680	Outdoor Channel
527	CMT Pure Country	1272	FYI HD	1531	Ovation HD
1456	Cooking Channel HD	272	FYI	531	Ovation
456	Cooking Channel	1529	Great American Country HD	1258	SCIENCE HD
1465	Destination America HD	529	Great American Country	258	SCIENCE
465	Destination America	1174	GSN HD	1642	Sportsman Channel HD
1335	Discovery Family HD	174	GSN	642	Sportsman Channel
335	Discovery Family	1274	H2 HD	322	Teen Nick
1307	Disney Junior HD	274	H2	507	Tr3s
307	Disney Junior	1794	Hallmark Movies & Mysteries HD	1790	Turner Classic Movies HD
1305	Disney XD HD	794	Hallmark Movies & Mysteries	790	Turner Classic Movies
305	Disney XD	1797	IFC HD	1157	TV One HD
1454	DIY Network HD	798	IFC	157	TV One
454	DIY Network	564	Inspiration Network	1104	Universal HD
1604	ESPN News HD	466	Life	521	VH1 Classic
604	ESPN News	184	Logo	522	VH1 Soul
1605	ESPNU HD	509	MTV Hits	1372	WE tv HD
605	ESPNU	510	MTV U	373	WE tv
1380	Esquire TV HD	1505	MTV2 HD	132	Youtoo America

Prism™ Preferred

Includes Prism™ Complete Plan channels.

220	Al Jazeera America	1172	MyDestination.TV HD	1852	Showtime HD (E)
159	ASPIRE	172	MyDestination.TV	1853	Showtime HD (W)
1470	AWE HD	1264	NASA TV HD	864	Showtime Next (E)
470	AWE	264	NASA TV	865	Showtime Next (W)
1219	BBC World News HD	1267	Nat Geo Wild HD	1864	Showtime Next HD (E)
219	BBC World News	267	Nat Geo Wild	1865	Showtime Next HD (W)
1540	Blue Highways TV HD	1209	One America News Network HD	880	Showtime On Demand
540	Blue Highways TV	209	One America News Network	1880	Showtime On Demand
1232	C-SPAN3 HD	1678	Outside TV HD	856	Showtime Showcase (E)
232	C-SPAN3	678	Outside TV	857	Showtime Showcase (W)
1169	Cars.TV HD	1684	PAC 12 Bay Area HD	1856	Showtime Showcase HD (E)
169	Cars.TV	684	PAC 12 Bay Area	1857	Showtime Showcase HD (W)
217	CNBC World	1685	PAC 12 Los Angeles HD	866	Showtime Women (E)
205	CNN	685	PAC 12 Los Angeles	867	Showtime Women (W)
1142	Comedy.TV HD	1686	PAC 12 Mountain HD	1866	Showtime Women HD (E)
142	Comedy.TV	686	PAC 12 Mountain	1867	Showtime Women HD (W)
1163	Crime & Investigation HD	1687	PAC 12 Oregon HD	118	Smithsonian Channel (E)
163	Crime & Investigation	687	PAC 12 Oregon	119	Smithsonian Channel (W)
263	DoD News	1688	PAC 12 Washington HD	1118	Smithsonian Channel HD (E)
932	ENCORE (E)	688	PAC 12 Washington	1119	Smithsonian Channel HD (W)
933	ENCORE (W)	1682	PAC12 Network HD	1791	Sony Movie Channel HD
938	ENCORE Action (E)	682	PAC12 Network	791	Sony Movie Channel
939	ENCORE Action (W)	1170	Pets.TV HD	902	Starz! (E)
1938	Encore Action HD (E)	170	Pets.TV	903	Starz! (W)
942	ENCORE Black (E)	1492	Pivot HD	908	Starz! Cinema (E)
943	ENCORE Black (W)	492	Pivot	909	Starz! Cinema (W)
1942	Encore Black HD (E)	1787	PixL HD	1908	Starz! Cinema HD (E)
934	ENCORE Classic (E)	787	PixL	910	Starz! Comedy (E)
935	ENCORE Classic (W)	1458	Recipe.TV HD	911	Starz! Comedy (W)
1934	ENCORE Classic HD (E)	458	Recipe.TV	1910	Starz! Comedy HD (E)
946	ENCORE Espanol	1916	Retroplex HD	904	Starz! Edge (E)
944	ENCORE Family (E)	916	Retroplex	905	Starz! Edge (W)
945	ENCORE Family (W)	1538	Revolt HD	1904	Starz! Edge HD
1932	Encore HD (E)	538	Revolt	1902	Starz! HD (E)
1933	Encore HD (W)	1476	RFD TV HD	1903	Starz! HD (W)
951	ENCORE On Demand	476	RFD TV	906	Starz! In Black (E)
1951	Encore On Demand	474	RLTV	907	Starz! In Black (W)
936	ENCORE Suspense (E)	1607	SEC Network HD	1906	Starz! In Black HD
937	ENCORE Suspense (W)	1608	SEC Network Overflow 1 HD	912	Starz! Kids and Family (E)
1936	ENCORE Suspense HD (E)	608	SEC Network Overflow 1	913	Starz! Kids and Family (W)
940	ENCORE Westerns (E)	1609	SEC Network Overflow 2 HD	1912	Starz! Kids and Family HD
941	ENCORE Westerns (W)	609	SEC Network Overflow 2	931	Starz! On Demand
1133	ES.TV HD	607	SEC Network	1931	Starz! On Demand
133	ES.TV	1789	Shorts HD	575	The Word Network
890	Flix (E)	789	Shorts	882	TMC (E)
892	Flix On Demand	852	Showtime (E)	883	TMC (W)
1892	Flix On Demand	853	Showtime (W)	1882	TMC HD (E)
1656	Gol TV HD	854	Showtime 2 (E)	1883	TMC HD (W)
656	Gol TV (English)	855	Showtime 2 (W)	888	TMC On Demand
672	HRTV	1854	Showtime 2 HD (E)	1888	TMC On Demand
1914	Indieplex HD	1855	Showtime 2 HD (W)	884	TMC Xtra (E)
914	Indieplex	860	Showtime Beyond (E)	885	TMC Xtra (W)
1590	Jewish Broadcasting Service HD	861	Showtime Beyond (W)	1884	TMC Xtra HD (E)
590	Jewish Broadcasting Service	1860	Showtime Beyond HD (E)	1885	TMC Xtra HD (W)
1147	MAVTV HD	1861	Showtime Beyond HD (W)	670	TVG
147	MAVTV	858	Showtime Extreme (E)	644	Universal Sports
1116	MGM HD	859	Showtime Extreme (W)	1644	Universal Sports HD
116	MGM	1858	Showtime Extreme HD (E)	1559	UP HD
276	Military History	1859	Showtime Extreme HD (W)	559	UP
1788	MOVIEPLEX HD	862	Showtime Family (E)	1679	World Fishing Network HD
788	MOVIEPLEX	863	Showtime Family (W)	679	World Fishing Network

Prism™ Premium

Includes Prism™ Preferred Plan channels.

1840	5 Star Max HD	811	HBO Comedy (W)	812	HBO Zone (E)
840	5 Star Max	1810	HBO Comedy HD (E)	813	HBO Zone (W)
836	ActionMAX (E)	1811	HBO Comedy HD (W)	1812	HBO Zone HD (E)
837	ActionMAX (W)	806	HBO Family (E)	1813	HBO Zone HD (W)
1836	ActionMAX HD (E)	807	HBO Family (W)	1804	HBO2 HD (E)

1837	ActionMAX HD (W)	1806	HBO Family HD (E)	1805	HBO2 HD (W)
1846	Cinem?x HD	1807	HBO Family HD (W)	834	MoreMAX (E)
846	Cinem?x	1802	HBO HD (E)	835	MoreMAX (W)
832	Cinemax (E)	1803	HBO HD (W)	1834	MoreMax HD (E)
833	Cinemax (W)	814	HBO Latino (E)	1835	MoreMax HD (W)
1832	Cinemax HD (E)	815	HBO Latino (W)	1842	Movie MAX HD
1833	Cinemax HD (W)	1814	HBO Latino HD (E)	842	MovieMAX
850	Cinemax On Demand	1815	HBO Latino HD (W)	1844	Outer Max HD
1850	Cinemax On Demand	830	HBO On Demand	844	OuterMAX
802	HBO (E)	1830	HBO On Demand	838	ThrillerMAX (E)
803	HBO (W)	808	HBO Signature (E)	839	ThrillerMAX (W)
804	HBO 2 (E)	809	HBO Signature (W)	1838	ThrillerMax HD (E)
805	HBO 2 (W)	1808	HBO Signature HD (E)	1839	ThrillerMax HD (W)
810	HBO Comedy (E)	1809	HBO Signature HD (W)		

Premium Packages Available as Add-ons:

Preferred and Premium plans include select Add-on Channels.

Cinemax Add-on Package

1840	5 Star Max HD	833	Cinemax (W)	1842	Movie MAX HD
840	5 Star Max	1832	Cinemax HD (E)	842	MovieMAX
836	ActionMAX (E)	1833	Cinemax HD (W)	1844	Outer Max HD
837	ActionMAX (W)	850	Cinemax On Demand	844	OuterMAX
1836	ActionMAX HD (E)	1850	Cinemax On Demand	838	ThrillerMAX (E)
1837	ActionMAX HD (W)	834	MoreMAX (E)	839	ThrillerMAX (W)
1846	Cinem?x HD	835	MoreMAX (W)	1838	ThrillerMax HD (E)
846	Cinem?x	1834	MoreMax HD (E)	1839	ThrillerMax HD (W)
832	Cinemax (E)	1835	MoreMax HD (W)		

International-AI-Carte Add-on Package

3740	Al Jazeera America	3682	Filipino on Demand	3703	TV Asia
3710	Bollywood Hits on Demand	3802	Rai Italia	3680	TV Japan
3882	Channel One Russia	3704	Sony Entertainment Television Asia (SET Asia)	3832	TV5 Monde
3603	China Central TV	3706	STAR India PLUS	3702	Zee TV
3604	CTI-Zhong Tian Channel	3681	The Filipino Channel		

Paquete Latino Add-on Package

3146	Bandamax	3102	Discovery en Espanol	3056	La Familia Cosmovision
3053	Boomerang en Espanol	3103	Discovery Familia	3017	Latele Novela
3022	Cable Noticias	3051	Disney en Espanol	3149	Ritmoson Latino
3054	Cartoon Network en Espanol	3052	Disney XD Espanol	3078	TBN Enlace
3025	Cine Mexicano	3302	ESPN Deportes	3143	Telehit
3127	Cine Sony	3077	EWTVN en Espanol	3024	TV Chile
3202	CNN en Espanol	3303	FOX Deportes	3013	WAPA America
3128	De Pelicula	3304	Go!TV		
3129	De Pelicula Clasico	3104	History en Espanol		

Starz/Encore Add-on Package

932	ENCORE (E)	1951	Encore On Demand	910	Starz! Comedy (E)
933	ENCORE (W)	936	ENCORE Suspense (E)	911	Starz! Comedy (W)
938	ENCORE Action (E)	937	ENCORE Suspense (W)	1910	Starz! Comedy HD (E)
939	ENCORE Action (W)	1936	ENCORE Suspense HD (E)	904	Starz! Edge (E)
1938	Encore Action HD (E)	940	ENCORE Westerns (E)	905	Starz! Edge (W)
942	ENCORE Black (E)	941	ENCORE Westerns (W)	1904	Starz! Edge HD
943	ENCORE Black (W)	1914	Indieplex HD	1902	Starz! HD (E)
1942	Encore Black HD (E)	914	Indieplex	1903	Starz! HD (W)
934	ENCORE Classic (E)	1788	MOVIEPLEX HD	906	Starz! In Black (E)
935	ENCORE Classic (W)	788	MOVIEPLEX	907	Starz! In Black (W)
1934	ENCORE Classic HD (E)	1916	Retroplex HD	1906	Starz! In Black HD
946	ENCORE Espanol	916	Retroplex	912	Starz! Kids and Family (E)
944	ENCORE Family (E)	902	Starz! (E)	913	Starz! Kids and Family (W)
945	ENCORE Family (W)	903	Starz! (W)	1912	Starz! Kids and Family HD
1932	Encore HD (E)	908	Starz! Cinema (E)	931	Starz! On Demand
1933	Encore HD (W)	909	Starz! Cinema (W)	1931	Starz! On Demand
951	ENCORE On Demand	1908	Starz! Cinema HD (E)		

Showtime Add-on Package

890	Flix (E)	1858	Showtime Extreme HD (E)	1857	Showtime Showcase HD (W)
892	Flix On Demand	1859	Showtime Extreme HD (W)	866	Showtime Women (E)
1892	Flix On Demand	862	Showtime Family (E)	867	Showtime Women (W)
852	Showtime (E)	863	Showtime Family (W)	1866	Showtime Women HD (E)
853	Showtime (W)	1852	Showtime HD (E)	1867	Showtime Women HD (W)
854	Showtime 2 (E)	1853	Showtime HD (W)	882	TMC (E)
855	Showtime 2 (W)	864	Showtime Next (E)	883	TMC (W)
1854	Showtime 2 HD (E)	865	Showtime Next (W)	1882	TMC HD (E)
1855	Showtime 2 HD (W)	1864	Showtime Next HD (E)	1883	TMC HD (W)
860	Showtime Beyond (E)	1865	Showtime Next HD (W)	888	TMC On Demand
861	Showtime Beyond (W)	880	Showtime On Demand	1888	TMC On Demand
1860	Showtime Beyond HD (E)	1880	Showtime On Demand	884	TMC Xtra (E)
1861	Showtime Beyond HD (W)	856	Showtime Showcase (E)	885	TMC Xtra (W)
858	Showtime Extreme (E)	857	Showtime Showcase (W)	1884	TMC Xtra HD (E)
859	Showtime Extreme (W)	1856	Showtime Showcase HD (E)	1885	TMC Xtra HD (W)

HBO Add-on Package

802	HBO (E)	1806	HBO Family HD (E)	808	HBO Signature (E)
803	HBO (W)	1807	HBO Family HD (W)	809	HBO Signature (W)
804	HBO 2 (E)	1802	HBO HD (E)	1808	HBO Signature HD (E)
805	HBO 2 (W)	1803	HBO HD (W)	1809	HBO Signature HD (W)
810	HBO Comedy (E)	814	HBO Latino (E)	812	HBO Zone (E)
811	HBO Comedy (W)	815	HBO Latino (W)	813	HBO Zone (W)
1810	HBO Comedy HD (E)	1814	HBO Latino HD (E)	1812	HBO Zone HD (E)
1811	HBO Comedy HD (W)	1815	HBO Latino HD (W)	1813	HBO Zone HD (W)
806	HBO Family (E)	830	HBO On Demand	1804	HBO2 HD (E)

807 HBO Family (W)

1830 HBO On Demand

1805 HBO2 HD (W)

Prism Rates

	Prism Essential	Prism Complete	Prism Preferred	Prism Premium
Promotional Rate	\$54.99	\$69.99	\$ 84.99	\$114.99
Rack Rate	\$74.99	\$89.00	\$104.99	\$134.99

Exhibit E



CenturyLink™



Bradley

April 10, 2015

VIA EMAIL ONLY (*Mary.Lafave@centurylink.com*)

Ms. Mary Ferguson LaFave
CenturyLink
200 S. 5th Street
21st Floor
Minneapolis, MN 55402

**Re: CenturyLink Application for a Competitive Cable Communications Franchise in the City of Coon Rapids.
Request for Information**

Dear Ms. LaFave:

As you know, our firm represents the City of Coon Rapids (the “City”) as outside counsel on cable franchising matters. The City is in receipt of the above-referenced application, dated and received on March 30, 2015. On behalf of the City, I thank you for the submission and interest in providing cable communications service in the City.

Our initial review of the application, has uncovered a variety of issues pertaining to the application and the qualifications of Qwest Broadband Services, Inc., d/b/a CenturyLink (“Franchisee”). This Request for Information (“Request”) solicits information to allow the City to process the application in compliance with applicable law.

The City is subject to the laws of Minnesota. If your response is affected by different applicable law, please so designate. The City expressly reserves its right to investigate any issues that may arise or be discovered after the date of this Request regardless of whether they are raised herein. In addition, the City expressly reserves the right to ask supplemental questions about: (1) any of the issues or questions raised herein; (2) any additional questions or issues raised by the application; and (3) any questions or issues raised by your response to the data requests set forth below.

To the extent any of the requested information is considered non-public pursuant to Minnesota Statutes § 13.37 (i.e. trade secret information), please provide a redacted public version and a complete un-redacted non-public copy.

Bradley Hagen & Gullikson, LLC

1976 Wooddale Drive | Suite 3A | Woodbury, MN 55125 | (651) 379-0900 | BradleyLawMN.com

Franchise Fees

1. Please confirm that CenturyLink will agree to pay a franchise fee in the same manner as Comcast.

Cable Communications System

2. Please confirm that CenturyLink has constructed its communications system throughout the City and is currently capable of providing telephone service throughout the City.
3. Please confirm that CenturyLink's cable communications system will use and upgrade its current communications system in the City to provide cable service to City residents.
4. Please confirm that CenturyLink will agree to provide cable service throughout the City over a reasonable time and in a nondiscriminatory manner.
5. Please describe the total number of households in the City.
6. Please identify the number of households that will be eligible to receive cable service from CenturyLink upon the company's initial service offering in the City.
7. Of those eligible households, please identify the number of households that are above and below the median income for the City.

Categories of Programming

8. Please describe the broad categories of television programming that CenturyLink intends upon offering.
9. Please identify any culturally diverse programming that CenturyLink intends upon offering.

Financing Plans

10. Please identify CenturyLink's plan for financing the upgrades to the proposed cable communications system.

Comparable Services

11. Please indicate how CenturyLink's cable communications system will be designed to be a state-of-the-art cable system that is capable of reliably providing a panoply of cable services to subscribers.

12. Please compare the level, quality and nature of cable services proposed by CenturyLink to that provided by the incumbent cable system operator.

13. Please describe how the CenturyLink cable communications system and proposed offerings compare to industry trends, state-of-the art technologies, modern cable services and other related information.

Ownership of Cable System

14. What portions of the cable system will be owned or controlled by: (i) Franchisee; or (ii) its parent corporation or affiliates? If the cable communications system will be owned by an entity other than Franchisee, please describe the reasons why the City should franchise Franchisee, rather than the entity that owns the facilities in the public rights-of-way.

15. In the past five years, has Franchisee ever had any adverse administrative, civil or criminal action taken against it? If yes, please explain.

16. Please indicate whether the Franchisee will agree to ensure that its direct and/or indirect subsidiaries will at all times comply with existing franchise requirements and applicable laws, regulations, standards and decisions.

17. Please indicate whether CenturyLink, Inc. will guarantee the performance of the Franchisee.

Access Channels

18. State law requires a schedule of charges for facilities and staff assistance for access cable broadcasting. It is my understanding that Franchisee will provide the necessary facilities and staff necessary to playback the City's six (6) (the application indicated three) Access Channels at no charge to the City. Please confirm.

Customer Service and Rates

19. Does Franchisee, and any entity that will control or manage the Franchisee, agree to comply with all existing incumbent's franchise customer service and rate requirements?

20. Please describe how the application, if granted, will impact subscriber rates in the City.

21. Please identify the call center(s) that will serve the City. In addition, please explain whether the Franchisee plans to use vendors for customer service functions.

22. Please describe in detail all steps that the Franchisee will take to comply with applicable telephone answering and transfer requirements/standards.

23. Please describe the process Franchisee will implement to resolve City resident inquiries/comments/complaints.

24. Please describe the process Franchisee will implement for the delivery and return of cable service equipment for cable subscribers.

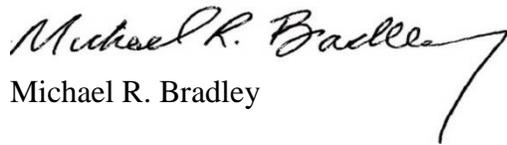
Application Omissions

25. To the extent that CenturyLink omitted any information required by state statute to be in a cable franchise application, please indicate why the information was omitted.

As you know, the process of acting upon a cable communications franchise application in Minnesota is quasi-judicial. It is therefore, incumbent upon Franchisee to provide the City with sufficient information in support of its application. Any City decision will be reviewed in light of the record. As always, please feel free to call with any questions you may have. I will look forward to your prompt response.

Very truly yours,

BRADLEY HAGEN & GULLIKSON, LLC



Michael R. Bradley

- c. Mr. James Campbell
- Ms. Kirstin Sersland
- Mr. Patrick Haggerty
- Mr. Eric Strause



Mary Ferguson LaFave
Director Public Policy
Phone 612-663-6913

April 15, 2015

Sent Via E-mail

City of Coon Rapids
Mr. Eric Strouse
11155 Robinson Drive
Coon Rapids, MN 55433

Re: City of Coon Rapids Request for Additional Information dated April 10, 2015

Dear Mr. Strouse:

Attached is a Public response to the 25 questions, in the form of a request for information that the City of Coon Rapids submitted to CenturyLink on April 10, 2015 in connection with its application for a competitive cable franchise. A Trade Secret version of this response has been sent to Mike Bradley, Esq.

Very truly yours,

A handwritten signature in black ink, appearing to read "Mary Ferguson LaFave".

Mary Ferguson LaFave

Cc: Mike Bradley, Esq.
Tyler Middleton
Patrick Haggerty
Jim Campbell

PUBLIC DOCUMENT

TRADE SECRET DATA
HAS BEEN EXCISED

200 South 5th Street, Room 2200
Minneapolis, MN 55402
www.centurylink.com

**TRADE SECRET/PRIVILEGED INFORMATION
CLASSIFICATION RATIONALE**

State: Minnesota

Description/Title of Information: Qwest Broadband Services, Inc. d/b/a CenturyLink
Application for a Competitive Cable Communications Franchise in the City of Coon Rapids

Trade Secret/Privileged Designation Rationale:

CenturyLink's Response to the City of Coon Rapids' Request for Information Dated April 10, 2015 contains information that is considered Trade Secret because (1) CenturyLink makes reasonable efforts to ensure its privacy and (2) the data derives actual or potential independent economic value because the information is not generally known to, and not being readily ascertainable by proper means by, other persons who can obtain value from its disclosure or use. For this reason, CenturyLink's Response to the City of Coon Rapids' Request for Information Dated April 10, 2015 should be protected from public disclosure.

PUBLIC DOCUMENT

TRADE SECRET DATA
HAS BEEN EXCISED

Response to the City of Coon Rapids' Request for Information
Dated April 10, 2015

NOTE: This response incorporates the answers already provided to Mr. Bradley on April 2, 2015.

1. Qwest Broadband Services, Inc. d/b/a CenturyLink will agree to pay the City a franchise fee pursuant to a cable communications services franchise in the same amount as the incumbent cable communications provider.
2. Qwest Corporation, d/b/a CenturyLink is capable of providing voice services throughout the City of Coon Rapids.
3. Investment will be made to upgrade Qwest Corporation d/b/a CenturyLink's (QC) facilities to support Prism to some residents of Coon Rapids. Additional investment to upgrade facilities will be driven by success in the market.
4. CenturyLink is willing to agree to a deployment model that involves an initial deployment commitment to enable the provision of cable communications services in Coon Rapids. Further deployment would be driven by success in the market.
5. Based on CenturyLink's records, there are 28,446 households in Coon Rapids and of those approximately 22% are below the Minnesota median income of \$59,836.
6. **[TRADE SECRET DATA BEGINS** **TRADE SECRET DATA ENDS]** of the households in Coon Rapids will be eligible to receive cable service in the City. Of those eligible households, **[TRADE SECRET DATA BEGINS** **TRADE SECRET DATA ENDS]** are below the median income.
7. See Response to 6 above.
8. Please see Exhibit D attached to our original application which demonstrates the very diverse types of programming that are offered by CenturyLink in other Prism markets and which is very representative of the types of programming that will be offered in Coon Rapids. The content will cover the following categories: Education, Minnesota and Twin Cities news, weather and other information; sports, general entertainment, children/family oriented; arts, culture and performing arts; foreign language; science/documentary; national news, weather and information; and public educational and government access in accordance with the terms of the franchise.
9. See response to 8 above. We do include a variety of "international" channels from content providers such as Univision, Telemundo, Galavision, Cine Mexicano and Cable Noticias.
10. See page 8 of CenturyLink's initial application.
11. See page 9 of CenturyLink's initial application.

PUBLIC DOCUMENT

TRADE SECRET DATA
HAS BEEN EXCISED

12. CenturyLink PrismTV is an alternative to cable and satellite and has the most advanced combination of television features available and offers customers a better choice for their entertainment services. Prism™ TV is delivered through CenturyLink's fiber optic network and offers advanced features that customers may not get from cable or satellite, including the following:

- Wireless Set-Top Box lets the subscriber put a TV virtually anywhere within the home network and eliminates the need to be tethered to a cable outlet. The incumbent does not provide this feature.
- Prism on the Go lets the end user watch TV in the home or on the go on any device as well as set and manage the DVR remotely; you can also set Parental Controls across all devices
- Whole Home DVR enables the subscriber to watch and record multiple shows at once; start watching a recording in one room and pick it up in another; and pause live TV.
- App Center enables subscribers to access various Internet applications, including e.g., Facebook and Twitter, from their TV.
- Warp-Speed Channel Change eliminates the delay traditionally associated with channel changing using other provider's service.
- Last 5 lets the subscriber flip to the last 5 channels viewed with one click.
- More HD channels than any other provider nationally.

13. CenturyLink's Prism TV runs off an Internet Protocol (IP) network that serves as a video backbone for higher quality picture, interactive features and other IP based applications. Prism always has the newest technology and features because the system updates automatically.

14. See Trade Secret Exhibit B, attached to CenturyLink's initial application.

15. No.

16. See pages 9-10 of CenturyLink's initial response.

17. See page 8 of CenturyLink's initial response.

18. See page 11 of CenturyLink's initial response.

19. See page 10 of CenturyLink's initial response.

20. Franchisee cannot predict how the incumbent cable communications provider in the City will respond, if at all, to a real competitor in the market. Franchisee can, however, point to several observations made by the FCC with respect to the presence of a facilities based competitor and the resulting impact on video pricing:

- The FCC determined that cable rates fall approximately 10% (2008) when a facilities based competitor enters a market.
- A subsequent FCC study determined that the cost per channel decreased by up to 31% when second facilities based competitor enters the market.

To the extent the incumbent does respond to Applicant's market entry through promotional offers or other pricing changes, all citizens of Minneapolis will benefit from such competitive response, whether or not Prism is immediately available to each citizen because the incumbent cannot target its offers solely to those areas in which Prism is available.

21. See page 10 of CenturyLink's initial response.

22. See page 10 of CenturyLink's initial response.

23. There are five consumer call centers, and they are located in Sioux City, Iowa; Idaho Falls, Idaho; Boise, Idaho; Midvale, Utah and Phoenix, Arizona. These centers are staffed from 8:00 a.m. to 6 p.m. (local time Monday through Friday). In addition, calls are handled by agents on Saturday and Sunday. CenturyLink uses outside vendors to handle overflow for calls as needed. CenturyLink schedules its agents on a daily basis to meet service level targets. Call activity is monitored throughout the day and call routing is updated throughout the day to help insure calls are answered within appropriate timeframes. In addition, the local team, particularly the Public Policy staff located in downtown Minneapolis, is always available to work with customers or City staff to answer any questions or resolve any issues relating to the provision of Prism. In addition, in the event that the call center personnel or members of Public Policy working across business segments are unable to successfully resolve an issue, then the issue may be referred to the Customer Advocacy Group ("CAG"). The CAG handles any issues or complaints received from Senior Company Officers, Regulatory Agencies, Attorney General's offices, Legal, Security, Corp Compliance, etc., and each such issue is assigned, investigated and resolved by the a CAG manager. The manager is responsible for documenting the issue, the findings of the investigation, conversations or interactions with the customer and/or company employees, the resolution and associated action taken.

24. Currently, CenturyLink sends a network technician to install new Prism service. The physical equipment required on the customer premises includes the gateway (an Internet router and wireless access point), a set top box and a remote control (each television set requires its own set top box). In the event a subscriber wishes to cancel service, CenturyLink will provide the subscriber with a pre-paid mailing box which will either (based on the customer's election) be picked up at the subscriber's residence or which can be dropped off at a location shipping location.

25. To the best of its knowledge, CenturyLink has not omitted any information required by state statute to be in a cable franchise application.



City Council Regular

8.

Meeting Date: 04/21/2015

Subject: Annual Public Hearing on City's Storm Water Pollution Prevention Program (SWPPP)

Submitted For: Tim Himmer, Public Works Director **From:** Cher Ridout, Admin Secretary II

INTRODUCTION

The City of Coon Rapids, under the authority of the Minnesota Pollution Control Agency (MPCA) Municipal Separate Storm Sewer Systems (MS4) permit, is required to implement a Storm Water Pollution Prevention Plan (SWPPP). The plan establishes annual goals and objectives for the City in an effort to implement policies and procedures that will meet stormwater quality requirements of the permit. One requirement is to have an annual public hearing to review the progress made on permit activities during the past year. The last annual public hearing was held on April 15, 2014. This annual meeting is typically the final item to complete before submitting the City's annual report to the MPCA by June 30, 2015. Council is requested to hold a public hearing to fulfill the requirement.

DISCUSSION

In August 2009, the MPCA conducted an audit of the City's stormwater program. Coon Rapids was the first large City to be audited by the MPCA. The audit went well and recommendations from the MPCA regarding ordinance modifications and procedures have since been implemented.

As part of the City's approved MS4 permit, and SWPPP requirements, an annual public hearing is required. The SWPPP includes Best Management Practices that detail actions the City will take to meet the requirements of the permit. The MS4 permit includes a provision for continued monitoring of existing storm sewer structures and pond areas to ensure appropriate infiltration rates and water quality provisions are being adhered to. Additionally, new requirements must be enforced on all new development and reconstruction projects that disturb more than 1 acre to account for increased infiltration of storm water. In June of each year, the City must then submit an annual report of the prior years activities to aid the MPCA in their review of our permit compliance. The following is a summary of requirements of the SWPPP that the City has been addressing. These include a brief description of each required activity and comments on the City's progress in meeting each objective.

1. Provide public education on the City's Storm Water Pollution Prevention Plan in the City newsletter: In 2014 City staff published 4 articles in the City's quarterly newsletter (one each publication) providing homeowners with information on timely storm water items. These articles included such topics as debris (leaves, trash, and pet waste) that can reach the storm sewer system, winter salt usage, identification of wetlands, and general water quality items; including info on what homeowners could do to assist. Additionally, the City partnered with the Coon Creek Watershed District (CCWD) on 2 other articles that were distributed through their newsletter publications on such topics as rain gardens at the Sand Creek Trail and grass clippings. The City website also contains information regarding our street sweeping program and erosion control concerns.

2. Provide training for City employees on erosion control and storm water treatment: Internal training is provided to all snow plow drivers at the beginning of each season on proper calibration of deicing equipment and salt usage practices. Four engineering technicians maintained their existing certifications for construction site management for erosion and stormwater management certification in 2014. The City's Assistant City Engineer is also certified in the design and review of Storm Water Pollution Prevention Plans for construction projects taking

place within the City.

3. Hold a public meeting on the City's Storm Water Pollution Prevention Program: The annual public hearing is scheduled for April 21, 2015.

4. Provide information on recycling options: The City has its own community recycling center. In the City's Community Resources Guide, articles appeared in 2014 describing various recycling programs available to City residents (City and County options). The "Recycling Review" is included with the City's newsletter, which is received in homes 4 times a year. Promotional material was also published in the Coon Rapids Herald as well as the Anoka Shopper. Extensive education and partnerships are coordinated with many area Coon Rapids schools and the Anoka Hennepin School District. Special events were conducted throughout the year to cover gaps that are not met with our regular daily operations, such as paper shredding and furniture collection. Hours of operation were expanded at the City recycling center in 2014 to provide service to residents 5 days per week.

5. Provide staff training on soil erosion and review components of Storm Water Pollution Prevention Plan with staff: Two Public Works employees are responsible for inspecting, repairing, and maintaining catch basins and pond inlets/outlets. These employees work in cooperation with the engineering department to periodically review the City's SWPPP plan, and incorporate new or needed revisions to policies and standards. Five engineering employees are also certified in erosion control and storm water management.

6. Review current construction site inspection and enforcement programs and revise as necessary to reduce pollutant discharge: The City continues to use WSB & Associates, Inc. to inspect large construction sites for erosion control issues; they work directly with the contractor on site to ensure compliance with permit requirements. All projects that disturb more than one acre (including City reconstruction projects) are required to obtain a permit from the CCWD and MPCA, with the City being a responsible party for enforcement actions.

7. Inspect 20% of the storm water outfalls and sediment basins and ponds each year: The City is required to inspect at least 20% of our storm sewer outfalls and ponds under the current permit. In 2014 we inspected approximately 27% of our outfalls and ponds, which equates to 62 locations/structures out of a total of 229.

8. Train staff in Best Management Practices in handling equipment and hazardous materials: The City's Safety Coordinator conducts annual training for all Public Works personnel on the safe handling of hazardous materials. This was conducted in the summer of 2014.

9. Review its salt application policies and practices, calibrate equipment, and inspect vehicles as necessary to minimize pollution: In 2014, staff continued monitoring salt usage using a scale that was previously installed on the loader, and all trucks that spread deicing chemicals are calibrated annually. GPS tracking devices are now installed on all the large dump trucks used for plowing, which can track salt and sand usage during each storm event.

10. Sweep streets twice annually: Streets were swept 2 times in the spring of 2014, resulting in the removal of 2,118 cubic yards of material. There were also 2 additional sweepings conducted in the fall, resulting in another 5,388 cubic yards of material removed. In total, 7,506 cubic yards of material were removed from the storm sewer system in 2014 due to street sweeping activities.

11. Evaluate its Public Works Maintenance Facility and apply for a general industrial activity permit under the NPDES requirements: This activity was completed in 2004 and reviewed again in 2014 for compliance. Staff is currently evaluating potential site modifications, including the construction of a berm along the west side of the storage yard to minimize the potential for runoff into a nearby wetland area.

12. Inspect and repair components of the storm water system needing maintenance including manholes, catch basins, ditches and sewer mains: During 2014 Public Works personnel inspected 13 sump structures, repaired 31 catch basins, cleaned approximately 13,329 feet of storm sewer pipe, and removed 28 cubic yards of dirt/debris from the system. Maintenance crews also cleaned out several ditches/swales in various locations throughout the City to improve flow within the system and correct flooding concerns.

13. Prepare and implement a capital improvement program for the storm water system: The City reconstructed 9 miles of local roads in 2014. This recon program included the addition of new storm sewer pipes and the repair/replacement of approximately 50 catch basins to correct infiltration concerns and improve surface drainage. Additionally, the City partnered with the CCWD on 8 separate bank stabilization and repair projects, as well as 3 rain garden projects for improved water quality.

RECOMMENDATION

It is recommended that the City Council conduct the annual stormwater public hearing, as required under the City's MPCA MS4 permit and SWPPP.

BUDGET IMPACT:

Funding for all stormwater activities come from the City's Storm Water Utility.



City Council Regular

9.

Meeting Date: 04/21/2015

Subject: Adopt Resolution No. 14-10(9) Awarding a Contract for Site Improvements at Sand Creek Park - Project 14-10

Submitted For: Tim Himmer, Public Works Director **From:** Cher Ridout, Admin Secretary II

INTRODUCTION

As part of the Park Master Plan, Sand Creek Park was approved by Council for redevelopment. On March 3, 2015 final plans and specifications for this project were complete, and authorized by Council to bid. Council is requested to review the bids received and award a contract for the site improvements at Sand Creek Park.

DISCUSSION

Reconstruction of Sand Creek Park includes reconfiguration of the six softball fields, two football/lacrosse fields, one hockey rink, open skate area, additional parking, park shelters for concessions and a warming house. Additional play areas will be located throughout the park and a new trail system would be included to access the parks amenities.

On July 15, 2014, Council approved the layout for redevelopment of Sand Creek Park, accepted a consultant agreement with WSB & Associates, Inc. for final design and bidding of the project, and ordered preparation of plans and specifications. A work session was held on February 10, 2015 to discuss the overall park plan; focusing on the budget and proposed improvements. Council provided direction on removal of a few items from the project (bocce ball courts, gravity sanitary sewer, and a second hockey rink), as well as other items being moved from the base bid to alternates. The main items moved to alternate bids were primarily located on the southern area of the park and include a play structure, basketball court, tennis courts, a gazebo structure, some parking, and certain trail segments.

Also included in the bid proposal were several other alternate items; including the items identified above, an electronic reader board, a hockey dasher board upgrade (composite material vs. wood), dugout canopy structures, and concrete maintenance strips around the athletic fields. The project was advertised in March and April and bids were received on April 14, 2015. Council is being asked to consider the bids and award a contract. If awarded, construction can begin in early May, with substantial completion of the project anticipated to be the fall of 2016. Following is a summary of the bids received:

CONTRACTOR	BASE BID	ALTERNATE BID	TOTAL
Peterson Companies	\$3,966,299.92	\$505,295.88	\$4,471,595.80
Rachel Contracting	\$4,690,980.20	\$633,330.60	\$5,324,310.80
Veit & Company, Inc.	\$4,788,787.70	\$528,893.14	\$5,317,680.84

The engineers estimate of probable costs on the base bid was \$4,732,556.50, and the alternate was \$566,625.25. Staff is recommending award of the base bid, plus alternates A (west trail loop) in the amount of \$72,161.85, D (electricity for a reader board) in the amount of \$10,500, and F (dugout canopy structures) in the amount of \$104,852.88. The total contract amount for these items total \$4,153,814.65.

As a point of clarification, this bid package does not include the warming house/concession stand or site maintenance building; those items will be bid separately and coordinated into the overall project. A companion memo is also on tonight's agenda for other various contract awards that include direct purchase items that will be integrated into the park project; these items include hockey dasher boards, play structures, an electronic monument sign, skate park, sports lighting, and site lighting. These items will be purchased through the State Bid list and/or National Joint Powers Agreement (NJPA), and total \$1,298,258.68. Additionally, the traffic signal improvement for the new site access at the intersection of Northdale Blvd and Redwood St will also be a separate bid package and will come before the Council for approval later this year.

RECOMMENDATION

It is recommended the City Council adopt Resolution No. 14-10(9) awarding a contract to Peterson Companies in the amount of \$4,153,814.65 for site improvements related to the redevelopment of Sand Creek Park.

BUDGET IMPACT:

The total proposed construction contract with Peterson Companies for the Sand Creek Park redevelopment is \$4,153,814.65. Additionally, the total of the other contracts/equipment purchases proposed equals \$1,298,258. The total overall construction costs for the project equal \$5,452,073.33. Design and construction services also required for the project include geotechnical evaluations, material testing, specialty inspections, survey, and inspections which total an additional \$534,068.50. Therefore, total authorization being requested for financing this park redevelopment project equals \$5,986,141.83.

The original estimated budget for the project at the time of master planning (and included within the park bond referendum) was \$5.7M, which is approximately \$286,000 less than actual bid pricing. Staff is recommending approval of this budget, which can be offset by utility enterprise funds (for improvements required to the existing sewer and water infrastructure within the park boundaries), future grant dollars, and/or adjustments to future park and trail projects that help realize savings.

As stated previously, this amount does not include the warming house/concessions and maintenance buildings within the project, those will be bid in the near future and are anticipated to be funded through the City's Facilities Construction Fund.

Attachments

Resolution14-10(9)

SiteLayout

RESOLUTION NO. 14-10(9)

**(9) RESOLUTION ACCEPTING BID AND
AWARDING CONTRACT**

WHEREAS, pursuant to an advertisement for bids for the improvement of Sand Creek Park by redevelopment of the athletic complex, bids were received, opened and tabulated according to law, and the following bids were received complying with the advertisement: (3 lowest)

<u>Contractor</u>	<u>Base Bid</u>	<u>Alternate Bid</u>	<u>Total Contract</u>
Peterson Companies, Inc.	\$3,966,299.92	\$505,295.88	\$4,471,595.80
Rachel Contracting	\$4,690,980.20	\$633,330.60	\$5,324,310.80
Veit & Company, Inc.	\$4,788,787.70	\$528,893.14	\$5,317,680.84

WHEREAS, it appears that Peterson Companies, Inc. of Chisago, Minnesota is the lowest responsible bidder; and

WHEREAS, the City of Coon Rapids expects to reimburse all or a portion of the project expenditures with the proceeds of debt to be incurred by the City; and

WHEREAS, this declaration is made pursuant to Section 1.103-18 of the Income Tax Regulations of the Internal Revenue Service.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota that the bid of \$4,153,814.65 by Peterson Companies for Coon Rapids Improvement Project 14-10 be accepted as the lowest responsible bid. This amount includes the base bid and alternates A, D, and F.

BE IT FURTHER RESOLVED that the Mayor and City Manager are hereby authorized and directed to enter into a contract with Peterson Companies, Inc. of Chisago, Minnesota for the improvement of Sand Creek Park by redevelopment of the athletic complex according to the plans and specifications therefore approved by the City Council and on file in the office of the City Clerk.

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next two lowest bidders shall be retained until a contract has been signed.

Adopted this 21st day of April, 2015.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk

Date: Mar 17, 2015 Drawing File: k:\01431-420\cd\proposed\01431-420 layout.dwg Page Setup: ---- Sheet Layout: L3.0 - Overall Layout
 XREFS: Xref: 01431-420 Title Block; Xref: 1431-37 TOPO; Xref: 01431-420 Base-Playgrounds; Xref: 01431-420 Base 2-23-2015

PROPOSED LAYOUT NOTES:

THE LAYOUT INFORMATION PROVIDED ON THIS SHEET IS FOR BIDDING PURPOSES AND VERIFICATION OF CRITICAL LAYOUT DIMENSIONS. THE OWNER/LA RESERVES THE RIGHT TO REVISE THE PROJECT LAYOUT TO AVOID UNFORESEEN CONSTRAINTS, SUCH AS MATURE TREES, UNFORESEEN SOIL CONSTRAINTS, ETC. THESE ADJUSTMENTS SHALL BE CONSIDERED INCIDENTAL TO THE CONTRACT. CHANGES IN BID QUANTITIES WILL BE BASED ON A PER UNIT BASIS FOR UNIT BID ITEMS LISTED ON THE BID FORM.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR GENERATION OF LAYOUT POINTS FROM THE AUTOCAD FILE (SUPPLIED BY L.A.-E) AND ALL PROJECT FIELD STAKING DURING THE COURSE OF THE PROJECT AS DEFINED IN THE SPECIFICATIONS UNDER SECTION 00811 - SUPPLEMENTAL CONDITIONS.

TO AVOID LAYOUT CONFLICTS OR UNCERTAINTIES, THE CONTRACTOR/SURVEYOR SHALL MEET WITH THE L.A.-E @ THE START OF THE PROJECT TO REVIEW SITE LAYOUT AND GRADING REQUIREMENTS. THE CONTRACTOR AND/OR SURVEY SHALL ALSO INITIATE A MEETING WITH THE L.A.-E AT ANY POINT WHEN QUESTIONS ARISE.

FIELD STAKING AND GRADE STAKES SHALL BE REVIEWED AS NECESSARY WITH THE L.A.-E TO ENSURE THAT THE LAYOUT AND GRADING ARE PROPERLY INTERPRETED.

GENERAL NOTES:

SITE SURVEY AND BOUNDARY INFORMATION PROVIDED BY OWNER.

CONTRACTOR SHALL VERIFY EXISTING CONDITIONS PRIOR TO BIDDING AND CONSTRUCTION START.

CONTRACTOR SHALL BE RESPONSIBLE FOR ALL LOCATES. ALL LOCATES SHALL BE REVIEWED BY THE OWNER/LA-E PRIOR TO CONSTRUCTION START.

CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING STRUCTURES, UTILITIES, TREES, SITE AMENITIES, ETC. THAT ARE TO REMAIN FROM DAMAGE DURING CONSTRUCTION.

CONTRACTOR SHALL BE RESPONSIBLE FOR CORRECTING ANY DAMAGE (AT CONTRACTOR'S EXPENSE) TO EXISTING ITEMS TO REMAIN (AT CONTRACTOR'S EXPENSE) AND IS CONSIDERED INCIDENTAL TO THE CONTRACT.

DIMENSIONS TAKE PRECEDENCE OVER SCALE. DIMENSIONS ARE TO BACK OF CURB WHERE APPLICABLE, UNLESS STATED OTHERWISE. FIELD VERIFY (FV) ITEMS SHALL BE FIELD VERIFIED BY THE CONTRACTOR.

** ANY DISCREPANCIES FOUND THAT AFFECT THE WORK SHALL BE REPORTED TO THE OWNER/LA.-E. FOR CLARIFICATION PRIOR TO ANY ADDITIONAL WORK BEING COMPLETED.

CONSTRUCTION ACCESS:

THE OWNER SHALL FIELD VERIFY THE LOCATION OF CONSTRUCTION ACCESS AT THE TIME OF CONSTRUCTION.

THE CONTRACTOR SHALL VERIFY W/THE OWNER THAT THE REQUIRED PERMITS ARE ISSUED PRIOR TO USE OF ACCESS POINTS.

THE CONTRACTOR SHALL PROVIDE AND MAINTAIN A 30' WIDE X 60' LONG ROCK ACCESS DRIVE FOR THE DURATION OF CONSTRUCTION. (SEE SPECIFICATIONS FOR ADDITIONAL INFORMATION)

BENCH, TABLE, & BIKE RACK LOCATION NOTE:

ALL CONCRETE PAD LOCATIONS FOR BENCHES, TABLES, AND BIKE RACKS SHALL BE FIELD STAKED ACCORDING TO PLAN (FINAL ADJUSTMENTS BY OWNER/LA-E)

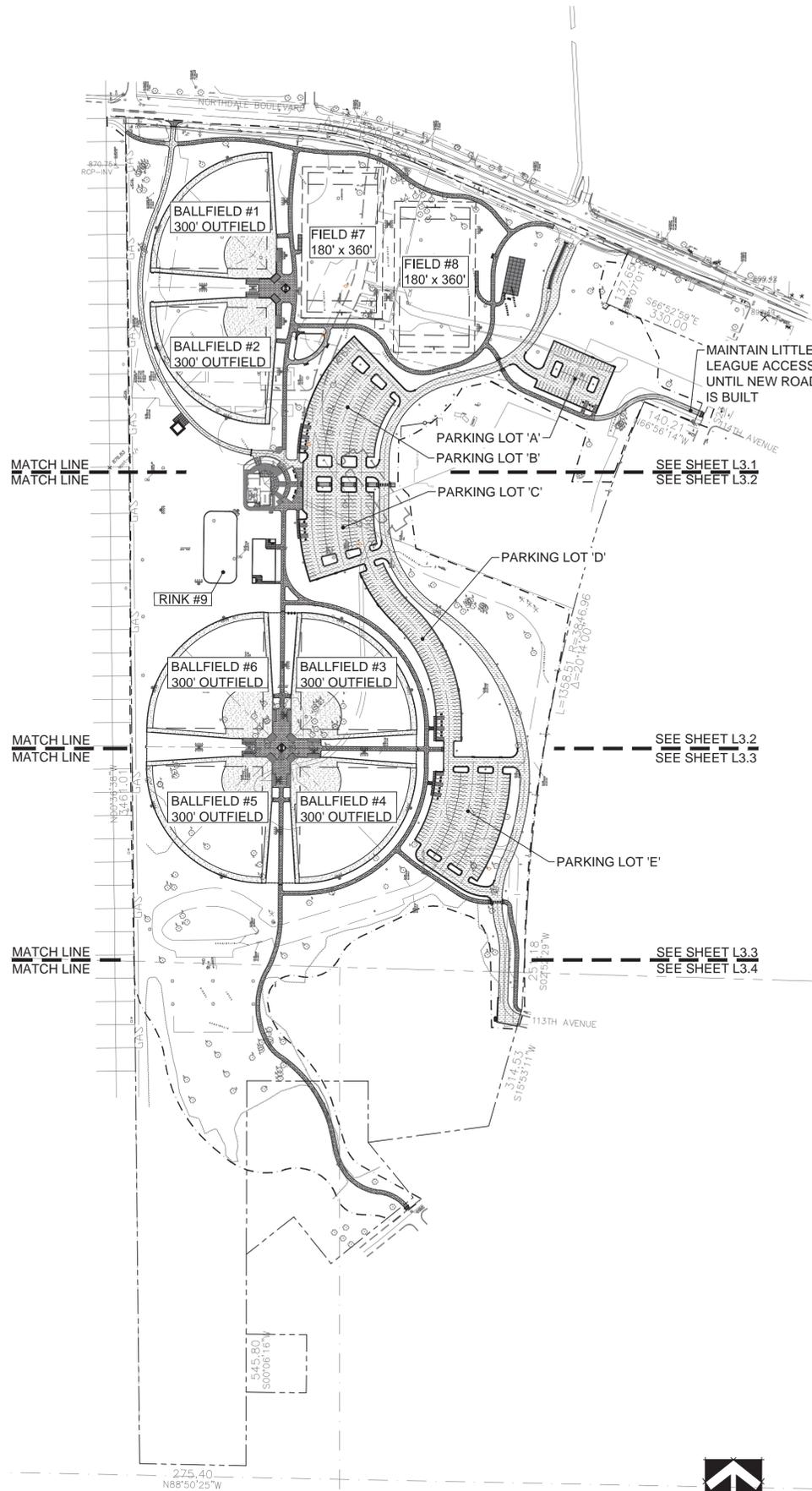
SEE ALSO PROJECT LAYOUT NOTES

TRAIL LAYOUT NOTE:

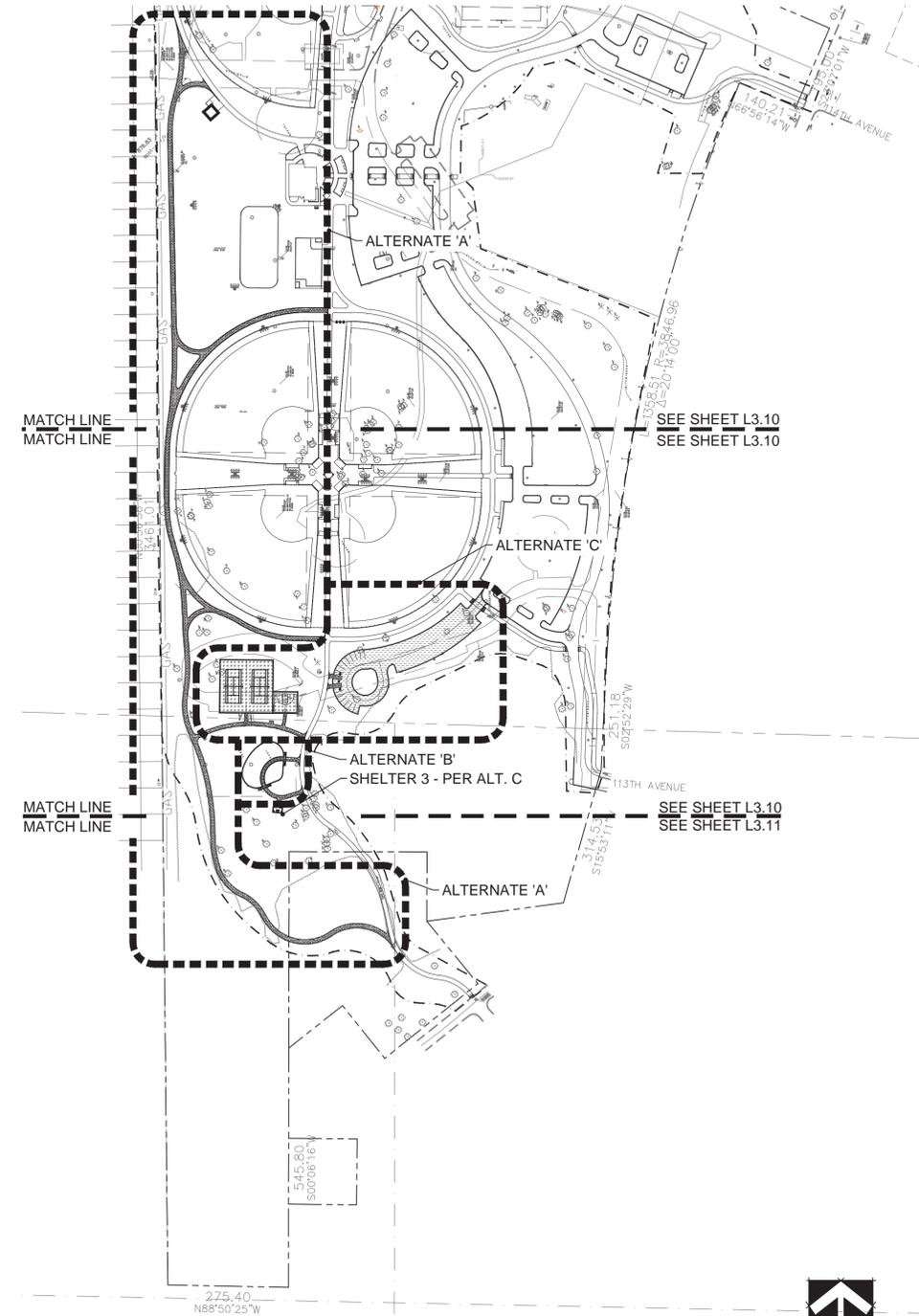
ALL TRAILS SHALL BE FIELD STAKED ACCORDING TO PLAN WITH FINAL ADJUSTMENTS/APPROVAL BY LA-E RADIUS AT ALL TIMES JUNCTURES SHALL BE 10' UNLESS SHOWN OTHERWISE - SEE ALSO PROJECT LAYOUT NOTES

ALTERNATE BID NOTE:

ALTERNATE BID ITEMS ARE LISTED IN THE BID FORM. THEY MAY NOT BE SPECIFICALLY LISTED ON THE PLAN SHEETS.



1
L3.0
BASE BID - OVERALL LAYOUT PLAN
Scale: 1" = 200'-0"



2
L3.0
ALTERNATE BID - OVERALL LAYOUT PLAN
Scale: 1" = 200'-0"

REVISION NO.	DATE	EXPLANATION

SCALE	AS NOTED	DATE
PLAN BY: SF	DESIGN BY: BS	03-13-2015
CHECKED BY:	PROJECT NO: 01431-420	
	RECORD COPY BY:	

THESE PLANS AND SPECIFICATIONS OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED REGISTERED LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

Robert A. Shupka III
 Robert A. Shupka III
 DATE: MARCH 13, 2015 LIC. NO. 444337

Sand Creek Park
 City of Coon Rapids, MN
 Overall Layout Plan



City Council Regular

10.

Meeting Date: 04/21/2015

Subject: Cons. Misc. Direct Purchases of Site Amenities for Sand Creek Park - City Project 14-10

From: Tim Himmer, Public Works Director

INTRODUCTION

As part of the Park Master Plan, Sand Creek Park was approved by Council for redevelopment. On March 3, 2015 final plans and specifications for this project were complete, and authorized by Council to bid. A separate Council memo on tonight's agenda is to consider award of the site improvement contract for this project, this memo is for the various components of the park that the City will be purchasing directly through the State Bid list or under the National Joint Powers Agreement (NJPA).

DISCUSSION

Following is a summary of the various direct purchases, through the State Bid list and or NJPA, for Sand Creek Park. These items will be purchased directly by the City to take advantage of the sales tax exemption, and integrated into the overall project.

EQUIPMENT	VENDOR	AMOUNT
Hockey Dasher Boards (Fiberglass system)	Rink Systems, Inc.	\$61,500.00
Play Structures (north and middle area)	Miracle	\$126,622.88
Electronic Reader Board	Leroy Signs	\$35,210.00
Skate Park (including concrete pad installation)	American Ramp Company	\$115,000.00
Sports Lighting	Musco Lighting	\$701,016.00
Site Lighting	Connexus Energy	\$258,909.80

RECOMMENDATION

Staff recommends authorization to purchase the various items identified above for integration into the Sand Creek Park redevelopment project.

BUDGET IMPACT:

The direct purchase items identified above total \$1,298,258.68. As outlined in a previous memo, the total overall park redevelopment project costs equal \$5,986,141.83.

The original estimated budget for the project at the time of master planning (and included within the park bond referendum) was \$5.7M, which is approximately \$286,000 less than actual bid pricing. Staff is recommending approval of this budget, which can be offset by utility enterprise funds (for improvements required to the existing sewer and water infrastructure within the park boundaries), future grant dollars, and/or adjustments to future park and trail projects that help realize savings.





City Council Regular

11.

Meeting Date: 04/21/2015

Subject: Approve Construction Administration Agreement with WSB & Associates for Project 14-10, Sand Creek Park

From: Tim Himmer, Public Works Director

INTRODUCTION

Staff is requesting approval of a construction administration contract with WSB & Associates for the redevelopment of Sand Creek Park.

DISCUSSION

The Sand Creek Park redevelopment project is now entering the construction phase. Due to workload constraints and limited expertise in some of the services being provided, staff is seeking construction administration assistance from WSB & Associates for the project. The attached proposal outlines the scope of services being provided under this agreement.

RECOMMENDATION

Staff recommends that the City Council authorize staff to execute the construction administration contract with WSB & Associates in the amount of \$253,323.50.

BUDGET IMPACT:

Funding for this work will come from the Park Bond, and has been included in the overall Sand Creek redevelopment project budget.

Attachments

WSBProposal



engineering • planning • environmental • construction

701 Xenia Avenue South
Suite 300
Minneapolis, MN 55416
Tel: 763-541-4800
Fax: 763-541-1700

March 23, 2015

Mr. Tim Himmer
Public Works Director
City of Coon Rapids
11155 Robinson Drive
Coon Rapids, MN 55433-3761

Re: Estimate of Professional Services Fee: Sand Creek Park Site Improvements –
Construction Administration Services - City of Coon Rapids, MN

Dear Mr. Himmer:

WSB & Associates is pleased to present this proposal for Construction Administration services related to the Sand Creek Park Improvement Project.

The scope of services presented in this proposal are based on discussions with the City of Coon Rapids' staff and recent planning and design services associated with this site. WSB will coordinate with all of their subconsultants. For reference we have attached the following subconsultant proposals. The subconsultant fees are included in WSB's fee proposal for this project:

- Main Line Consulting's proposal for irrigation design
- EDI's proposal for electrical design
- Oertel Architects proposal for building architecture
- McGhie & Betts, a division of WSB, proposal for testing services

PROJECT UNDERSTANDING:

Construction of the improvements defined in the bid documents will be performed between the spring of 2015 through the fall of 2016 in a multi-phased development.

SCOPE OF SERVICES

A. SCOPE OF SERVICES 'A'

1. Contract Administration and Site Progress Meetings:

- a. Conduct Pre-construction Conference: Facilitate the pre-construction conference. Meeting minutes will be prepared and distributed to all the attendees.
- b. Weekly Site Progress Meetings: Attend up to 50 weekly site progress meetings during periods of active construction during the project to allow for pro-active communication with the contractor and Owner, which will maximize efficiency during the construction. Meeting minutes will be prepared and distributed to all the attendees. These meetings will allow WSB to:
 - i. Become generally familiar with and to keep the Owner informed about the progress and the quality of the portion of the Work completed. Note, this does not include exhaustive or continuous on-site inspections to check the quality or quantity of the Work.
 - ii. Determine in general if the Work is being performed in a manner indicating that the Work, when fully completed, will be in accordance with the Contract Documents.
 - iii. Report to the Owner known deviations from the Contract Documents.
- c. Review submittals & shop drawings.
- d. Answer contractor questions and provide design intent and clarification for any issues that may arise during the project.
- e. Review pay applications prepared by contractor and make recommendations regarding payment.
- f. In the event of changed conditions during the project, WSB will prepare and distribute any necessary change orders to expedite the work in the field.
- g. Substantial completion meeting and punchlist.
- h. Final Project Completion review meeting.
- i. Infiltration testing as required by Watershed District after construction and memo of results.

2. Site Utilities Related Services:

- a. Conduct full time inspections for up to 6 weeks during installation of sanitary sewer, water service, and storm sewer plus 3 weeks for appurtenant work.
- b. Preparations and documentation of as-builts.
- c. Spring warranty and punchlist preparation.

3. Architectural Related Services:

- a. See attached scope of services from Oertel Architects for detailed description of services.

4. Irrigation Related Services:

- a. See attached scope of services from Main Line Consulting for detailed description of services.

5. Electrical Related Services:

- a. See attached scope of services from EDI for detailed description of services.

6. Construction Testing Services:

- a. See attached scope of services from McGhie and Betts, a division of WSB & Associates, Inc. Assumptions have been made on scope of testing related to the proposed buildings as design is not yet 100% complete.

B. SCOPE OF SERVICES 'B'

1. Additional Services

- a. Any additional work or change in project scope will be completed on an hourly basis to be billed in accordance with WSB & Associates' hourly rates at the time work is completed.

C. CONDITIONS AND EXCLUSIONS

- 1. We will provide all of the professional design services, required to complete the plans and specifications as required for bidding the improvements for this project except the following:
 - a. Hazardous waste engineering
 - b. Archeological services
 - c. Ecological design services

WSB can add these items to our scope at additional fee if they become required.

- 2. Any additional work or change in project scope will be completed on an hourly basis to be billed in accordance with WSB & Associates' hourly rates.
- 3. City may terminate project with written notice, but shall be responsible for fees incurred to date.

D. PROJECT MANAGEMENT:

- 1. Robert Slipka, Sr. Landscape Architect, will act as the main project manager for this project. The OWNER reserves the right to review/reject alternate project manager if workload requires an alternate staff member to take over project management duties.

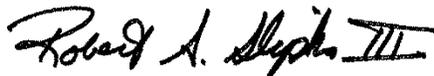
E. PROPOSED FEE: All proposed fees are based on the scope of services defined in this proposal. Services not defined will be considered as Additional Services Item 'D'.

1. **SCOPE OF SERVICES 'A':** WSB & Associates and their identified team of subconsultants will provide the services as outlined in Scope of Services Paragraph "A" above for an estimated hourly fee of \$253,323.50.
2. **SCOPE OF SERVICES 'B':** WSB & Associates and will provide the services as outlined in Scope of Services Paragraph "B" above and as requested by the CITY on an hourly basis.

The proposed scope and fee presented herein represents our complete understanding of the project based on available information. If you have any questions or need additional information, please feel free to contact me at (763) 231-4844. Once again, we appreciate the opportunity to submit this proposal and look forward to working with you and your staff.

Sincerely,

WSB & Associates, Inc.



Robert Slipka, RLA, ASLA
Sr. Landscape Architect

Attachments:

- Fee Estimate Spreadsheet
- Main Line Consulting's proposal for irrigation design
- EDI's proposal for electrical design
- Oertel Architects proposal for building architecture
- McGhie & Betts, a division of WSB, proposal for testing services

ACCEPTED BY:
City of Coon Rapids, MN

By _____

Date _____

Construction Administration Fee Estimate Spreadsheet Sand Creek Park Site Improvements

701 Xenia Avenue South
Suite 300
Minneapolis, MN 55416
Tel: 763-541-4800
Fax: 763-541-1700



Item	Scope of Services 'A' Construction Administration Services	Personnel						Specialty Service Fee	Est. Fee
		Associate / Sr. Land. Arch	Proj. Mgr. / Sr. Land. Arch	Land. Arch / Technical Support	Engineering / Environmental	Lead Project Inspector	Clerical		
		Budgeted Houdgeted Hours							
1	Project Management	50	90						\$ 16,190.00
2	Pre Construction Meeting	5	10	10	5				\$ 3,090.00
3	Submittals and shop drawing review	15	40	60	30		25		\$ 16,200.00
4	Formal weekly progress meetings (up to 50 meetings)	20	200	250	35				\$ 46,375.00
5	Periodic Site Visits to Review Work	20	130	150					\$ 27,240.00
6	Utility Inspections				80	360	40		\$ 47,720.00
7	Process pay apps, change orders, etc.	10	60	40	10		25		\$ 13,635.00
8	Substantial Completion meeting and punchlist	10	10	15	10		5		\$ 5,115.00
9	Final project completion review meeting	10	10	15	10		5		\$ 5,115.00
10	Infiltration Testing		5	5	10		5		\$ 2,535.00
11	Testing services: Construction materials & special structural inspections							\$ 27,233.50	\$ 27,233.50
12	Irrigation related							\$ 2,500.00	\$ 2,500.00
13	Electrical related							\$ 3,000.00	\$ 3,000.00
14	Architectural building related							\$ 35,875.00	\$ 35,875.00
15	Reimbursables							\$ 1,500.00	\$ 1,500.00
Total Estimated Hours		140	555	545	190	360	105		
Scope of Services 'A' - Est. Fee		\$18,620.00	\$ 58,830.00	\$ 39,240.00	\$ 24,510.00	\$ 34,560.00	\$ 7,455.00	\$ 70,108.50	\$ 253,323.50

Scope of Services 'A' Fee Total	\$ 253,323.50
Percent of Total Estimated Construction Cost	3.27%

Estimated Construction Costs:	
Site Improvements Bid Package (incl. alternate)	\$5,614,527.08
Building Bid Package	\$975,000.00
Separate Quote Packages:	
- Playgrounds	\$200,000.00
- MUSCO Lighting	\$701,016.00
- Skatepark Equipment and Slab	\$115,000.00
- Dasher Boards	\$75,666.35
- Athletic Field Seeding	\$39,000.00
- Reader Board	\$35,210.00
Total Estimated Construction Cost	\$7,755,419.43



Monday, June 09, 2014

To: WSB
Jason Amberg
701 Xenia Avenue South
Suite 300
Minneapolis, MN 55416

Re: Sand Creek Park
Coon Rapids, MN

After our review of the pdf preliminary Master Plan of this project please find below the estimate of our fees for the project listed above. These numbers are estimates only and actual costs, depending on individual job requirements, changes to scope, site, etc. could vary. Revisions to plan, after submittal as complete, will be billed on an hourly basis.

Irrigation Design: **4 – Softball Fields in “wheel”**
 2 – Softball Fields
 2 – Football & Lacrosse Fields
 Common Areas – between Fields & Parking Areas
 Common Areas between fields

1. Water Source
 - Domestic Water Source
 - Water Meter & Backflow Device
 - POC Analysis (Pressure/Volume)
2. Pump & Controls if required
3. Control System
 - Water Window Analysis
 - Decoder Control
4. Irrigated Areas (Field surfaces and common areas as listed above)
 - Turf Areas
 - Irrigation Equipment
 - Piping
 - Controls
5. Installation Details
6. Specifications
7. Project Construction Budget
8. Submittal Review
9. MLC to provide As-Builts of Final Project to Owner.

	Total Design:	\$6,250.00
Site Visits – Pre-Construction, Staking, Mid-Construction		
& Final Walk-thru with Punch List:		<u>\$2,500.00</u>
	TOTAL:	\$8,750.00

- Plans and details will be submitted in an AutoCAD 2011 format.
- Specifications will be in a Microsoft Word format or required format if different.
- Main Line Consulting, Inc. will maintain liability insurance through the life of the project.
- Project Management, additional Site visits and other services requested will be billed at \$125.00/hr., plus expenses.
- Project will be billed monthly based on percentage complete. Terms are net due 30 days from invoice date – no further work/revisions will be done on projects that are not current.

Sincerely,



A handwritten signature in black ink, appearing to read 'JR', is positioned below the company logo.

Jim Ruzicka
President



February 16, 2015

Mr. Robert Slipka,
WSB & Associates
701 Xenia Ave. South, Suite #300
Minneapolis, MN 55416

**Re: Proposal for Electrical Engineering Services - Construction Administration
Sand Creek Park
Coon Rapids, Minnesota**

Dear Mr. Slipka:

On behalf of Engineering Design Initiative (edi) we thank you for the opportunity to present this proposal for Construction Administration Services for the above listed project.

I. Scope of Basic Services:

A. Construction Administration

- Respond to contractor questions
- Prepare (PR, ASI, etc.)
- Attend Pre-Construction Meeting
- Shop Drawing Review
- (2) on site progress meetings
- (1) final site review and Punch List
- As-built Record Documents

II. Professional Fee:

A. Our proposed fee for the basic services shall be an hourly not to exceed fee of **\$3,000** payable monthly upon presentation of invoice. This proposal encompasses the scope of work identified in section I and includes all consultants. Fees for these services do not include the Additional services or Reimbursable Expenses listed in Sections III and IV below.

B. Billing/Payment: The client agrees to pay EDI for all services performed and all costs incurred. Invoices for EDI's services shall be submitted, at EDI's option, either upon completion of such services or on a monthly basis. Invoices shall be due and payable within thirty days. Account unpaid 30 days after the invoice date may be subject to a monthly service charge of 1.5% (or the maximum legal rate) on the unpaid balance.

III. Additional Services:

A. This proposal is based on the scope of work defined above. Work outside the scope defined above shall be considered Additional services. Fees for additional services not included in the above scope of work shall be negotiated at time of request.

B. Additional Services includes all work not outlined above, including, but not limited to the following:

- Formal commissioning
- IV. Reimbursable Expenses:
- Reimbursable expenses are included in the fee above.

If you have any questions or need further information, please feel free to contact me.

Sincerely,
Engineering Design Initiative, Ltd.



Jay S. Hruby, PE
President



DATE:
March 17, 2014

TO:
Jason Amberg and Robert
Slipka, WSB and Associates

FROM:
Andrew Cooper, Project
Architect, Oertel Architects

RE:
Sand Creek Construction
Administration Proposal

Mr. Jason Amberg-

Included below is our proposal for the Construction Administration activities for the Sand Creek Park Building.

The building project will be managed by a construction management team, acting either as an at-risk or no-risk Construction Manager. In any case, our fee remains the same. Our fee will be billed hourly and will not exceed without prior approval from WSB and the City of Coon Rapids.

We have based our fee on the design work completed for the project and anticipated construction activities, and includes the following:

Shop Drawing Review

Responding to RFI's and proposal cost requests and evaluation of proposed costs.

Weekly or bi-weekly (as determined by construction activities) site visits during all construction activities related to the building structure.

Special meetings, in addition to general construction meetings, for floor preconstruction and roofing preconstruction coordination meetings.

Punchlist development

Punchlist verification.

Electronic As-Built generation in PDF format will include the following:
All construction changes via RFI, Architectural or Contractor Proposal Requests.

Additional visits above noted above would be billed hourly, plus mileage expenses on an approved basis by the lead consultant (WSB and Associates).

Consulting engineers (Structural, Mechanical and Electrical) include the following:

Two site reviews per Structural and Electrical engineers

Three site reviews per Mechanical engineer

One punchlist generation and verification by all consultants

Electronic As-Builts

Additional visits above noted above would be billed hourly, plus mileage expenses on an approved basis by the lead consultant (WSB and Associates).



Exclusions:

- Special Inspections related to the construction and materials testing.
- Permit applications and permit reviews are by the contractor responsible for the construction of the project.
- There may be additional exclusions noted for the other engineering disciplines, as noted on the attached fee spread sheet.
- This proposal excludes soils investigations or geotechnical analysis.

Fee:

Our total fee for the work noted above is **\$35,875.00**. We propose this fee to be billed hourly, not to exceed the total amount identified, without prior approval of WSB or the City of Coon Rapids.

The attached spread sheet provides a break down by component and consultant.

Reimbursable Expenses:

Please **add \$1000.00** to be billed as needed for reimbursable expenses such as mileage, plots, deliveries or mailings.

If you have any questions regarding this fee, need more detail or require more information, please do not hesitate to contact me for any additional needs.

Again, thank you very much for this opportunity and we look forward to continuing our work with you and the City of Coon Rapids.

Thank you.

Andrew Cooper
Oertel Architects

City of Coon Rapids - Sand Creek

Design Services thru Bidding Services

Architectural

Task / Description / Scope

Construction and Contract Administration: Buildings Only.	Construction Admin. Duration: 30 weeks	
Construction Kick-Off Meeting		\$190.00
Construction Progress Meetings (Bi-Weekly/as needed)		\$8,550.00
Shop Drawing Review		\$12,825.00
RFI, Cost Proposal Evaluation, Changes, Etc		\$4,275.00
Punchlist and verification		\$285.00
	Hourly not to Exceed	\$26,125.00
	Electronic As-Builts Hourly not to exceed	\$1,900.00
	Sub Total	\$28,025.00
Exclusions:		
Hourly Rate		
	Principal	\$135.00
	Senior Project Architect	\$110.00
	Project Architect	\$95.00
	CAD Technician	\$65.00

Structural

Task / Description / Scope

Shop Drawing Review, RFI, Changes, Etc.

2 Site Visits
1 Punchlist Evaluation

Construction
Admin

\$800.00

Electronic As-Builts

\$250.00

Sub Total **\$1,050.00**

Exclusions:

Moment frame design

Hourly Rate

Principal \$140.00
Senior Staff Engineer \$115.00
CAD Technician \$75.00

Mechanical

Task / Description / Scope

Shop Drawing Review, RFI, Cost Proposal Evaluation,
Changes
Three Site Visits
One Punchlist Evaluation

Construction
Admin

\$4,000.00

Sewer Ejector Pump Design and Construction Admin *
*excluded from original scope of work

\$600.00

Electronic As-Builts

included above

Sub Total **\$4,600.00**

Exclusions:

Water / sewer utility work outside 5' of building

Mini Shelters or other park features

Refridgeration equipment

Fire protection layout (by F.P. provider)

Landscape Irrigation

Sewage or Storm pumps or basins

Propane storage

Full commercial kitchen features.

Owner Start up or Commissioning

Drawings or specs related to hazardous conditions

Hourly Rate

Principal Engineer

\$125.00

Electrical

Task / Description / Scope

Shop Drawing Review, RFI, Cost Proposal Changes,
Changes
Two Construction Progress Site Visits
One Punchlist Evaluation

Construction
Admin

All Design Phases \$2,200.00

Electronic As-Builts included above

Sub Total **\$2,200.00**

Exclusions:

Site Lighting
Security, Voice and Data
Generator

Hourly Rate

Principal Engineer \$120.00

Project Sub Total \$35,875.00

Reimbursables \$1,000.00

TOTAL PROJECT FEE \$36,875.00



PROFESSIONAL SERVICE ORDER

Project Number: 01431-420
Client Name: WSB & Associates
Address: 701 Xenia Avenue South/Suite 300
City/State/Zip: Minneapolis, Minnesota 55416
Ordered By: Robert Slipka-Sr. Landscape Architect
Date: 3/6/2015 Client Phone No.: (763) 231-4844

Legal Description of Property or Project Site:

Sand Creek Park Improvements
Area A, B, C & D
Coon Rapids, Minnesota

Send Copies To: (1)
(2)
(3)
(4)
(5)

Description of Services Requested:

Construction Materials Testing & Special Structural Inspections

Cost Estimate of Services: \$27,233.50 (as outlined on attached proposal)

Order Taken By: Barry Hentz

Mail Invoice To:
(If Different from Above)

Address:

Owner's Purchase Order No.:

Field Work Completed By: Date:
Office Work Completed By: Date:
Drawing No.: Filed: To Owner:
Original: No. of Prints Requested:

The undersigned hereby requests WSB and Associates Inc., to perform the services outlined herein. I further agree that payment for services outlined shall be made at 30 day intervals as charges are incurred and billed unless other arrangements are made and so stated herein. I understand that a finance charge at the rate of 1 1/2% per month on the unpaid balance shall be charged on all accounts over 30 days past the statement date, which is an annual percentage rate of 18%, and that the minimum finance charge will be \$1.00 per month. I certify that if I am not an agent for the owners of the project, that I am personally liable for the cost of the services ordered and if I am an agent for the owner, that I have secured proper authority to insure the cost of the services ordered on their behalf.

Client hereby agrees that, to the fullest extent permitted by law, WSB and Associates Inc., total liability to Client for any and all injuries, claims, losses, expenses or damages whatsoever arising out of or in any way related to the project or this Agreement from any cause or causes including but not limited to WSB and Associates Inc., negligence, errors, omissions, strict liability, breach of contract or breach of warranty shall not exceed the total amount of \$25,000 or the amount of this contract, whichever is greater.

X Signature and Title
Print and Sign
Date



Item	Estimated Hours or Units	Hourly or Unit Rate	Total Cost
Earthwork			
Proof Rolling & Report-Parking Lot (MnDOT 2211) (2-Trips)	10 hrs.	\$117 /hr.	\$1,170.00
Density/Compaction Testing-Nuclear Gauge-(ASTM D6938) Engineered Fill/Utility Trench Backfill/Foundation Wall Backfill/Building Slab Subgrade & Sand Cushion (8-Trips)	48 hrs.	\$117 /hr.	\$5,616.00
Proctors/Moisture-Density Relationship of Soil-(Non-Cohesive) (ASTM D698-Standard Proctor) (4-Samples)	8 hrs.	\$83 /hr.	\$664.00
Proctors/Moisture-Density Relationship of Soil-(Cohesive) (ASTM D698-Standard Proctor) (2-Samples)	4 hrs.	\$83 /hr.	\$332.00
Mechanical Sieve Analysis/Gradation (ASTM C117/C136) Select Granular Borrow/Class 5 Aggregate Base (3-Samples)	6 hrs.	\$83 /hr.	\$498.00

Earthwork Sub-Total \$8,280.00

Cast-In-Place Concrete			
Compression Testing of 4" x 8" Concrete Cylinders (1 @ 7 Day, 2 @ 28 Days, 1 Hold)-(ASTM C31 & C39) (15 Sets of 4 Test Cylinders)	12 hrs.	\$83 /hr.	\$996.00
On-Site Concrete Testing, Slump, Air, Temperature, Casting of 4" x 8" Cylinders- 2012 I.B.C. Chapter 17, Section 1704.4) (ASTM C31/ C143/C172/C231/ & C1064) Curb and Gutter/Exterior Sidewalks/Skate Park Pads/Basketball Pad/Bleacher Pads/Dumpster Pads/Concession Park Building Footings-Floor Slab/Storage Garage Slab (15-Trips)	75 hrs.	\$117 /hr.	\$8,775.00

Cast-In-Place Concrete Sub-Total \$9,771.00

Asphalt Paving			
Gyratory Density (AASHTO T312) Mn/DOT Modified, Rice Specific Gravity (ASTM:D2041) Extraction/Gradation (ASTM:D2172 Method E-11), Mn/DOT Modified C136 and C117, Fine Aggregate Angularity (AASHTO T 304, Method A, Mn/DOT 1206.5), Percent Crushed Particles (Mn/DOT 1214.8) (2 Non-wear/2 Wear=4 Samples)	4 ea.	\$500 /ea.	\$2,000.00



Item	Estimated Hours or Units	Hourly or Unit Rate	Total Cost
Bituminous Field Density Testing & Report of Asphalt Base/Wear Course-(ASTM D2950) (2-Trips)	10 hrs.	\$117 /hr.	\$1,170.00

Asphalt Paving Sub-Total \$3,170.00

<i>Unit Masonry</i>			
Cast Mortar/Grout Core-Fill Samples-Field Technician (2-Trips)	10 hrs.	\$117 /hr.	\$1,170.00
Compression Testing of 2" x 2" Mortar Cubes (ASTM C31, C109, C270) (1-Set)	2 hrs.	\$83 /hr.	\$166.00
Compression Testing of 3" x 6" Grout/ Core-Fill Samples (ASTM C1019) (1-Set)	2 hrs.	\$83 /hr.	\$166.00

Unit Masonry Sub-Total \$1,502.00

<i>Special Structural Inspections</i>			
Special Structural Inspections: Excavation Observation & Report-Site Preparation/Building Footing Subgrade and Floor Slab Sub-grade * Special Inspector/Registered Engineer (2012 I.B.C. Chapter 17, Section 1704.7) (1-Trip)	5 hrs.	\$117 /hr.	\$585.00
Special Structural Inspections: Masonry Reinforcement Inspection/CMU Placement/Grout Space/Flashing/Joint Reinforcement/Bond Beams/Control Joints/Weeps/Anchor Bolts/Head Joints/Bed Joints/Cleanouts/Cold and Hot Weather Masonry Procedures at Shear Walls-2012 I.B.C. Chapter 17, Section 1704.5) * Special Inspector (1-Trip)	5 hrs.	\$117 /hr.	\$585.00
Special Structural Inspections: Concrete Reinforcement Steel Inspections/Concrete Formwork/Concrete Placement, Protection & Curing/Embedded Items/Bolts In Concrete (2012 I.B.C. Chapter 17, Section 1704.4) * Special Inspector (1-Trip)	5 hrs.	\$117 /hr.	\$585.00

Special Structural Inspections Sub-Total \$1,755.00

<i>Clerical/Engineering/Field Personnel</i>			
Total Coliform Water Field Testing-Field Technician (1-Trip)	5 hrs.	\$117 /hr.	\$585.00
Total Coliform Analytical Water Lab Testing (1-Sample)	1 ea.	\$10.5 /ea.	\$10.50



Item	Estimated Hours or Units	Hourly or Unit Rate	Total Cost
Project Manager/Site-Project Meetings/Report Review	5 hrs.	\$117 /hr.	\$585.00
Clerical/Report Preparation/Report Copies/Postage	25 hrs.	\$63 /hr.	\$1,575.00
<i>Clerical/Engineering/Field Personnel Sub-Total</i>			<i>\$2,755.50</i>

TOTAL ESTIMATED COST \$27,233.50

We have prepared the attached cost estimate based upon our understanding of the project and the plans and specifications available. Our fees for these services will be charged on an hourly or unit price basis. Invoicing will be monthly in accordance with the attached Schedule of Hourly Rates and Charges. Changes in the number of tests or hours will affect the total cost of our services.



City Council Regular

12.

Meeting Date: 04/21/2015

Subject: Consider Tabling New Manager Liquor Sales Denial Appeal

From: Stephanie Lincoln, Deputy City Clerk

INTRODUCTION

At the March 3rd, 2015 Council meeting, Council tabled the discussion of the staff's recommendation to affirm the denial of Mr. Anderson's liquor sales New Manager Application for the business of the American Legion Post 334 located at 11640 Crooked Lake Blvd and Mr. Anderson's appeal of staff's denial.

DISCUSSION

As part of the renewal application process of liquor licensing, Mr. Anderson had applied as a new manager for the business of American Legion Post 334. After forwarding the application to the Police Department, a criminal history check revealed two active warrants for his arrest. The criminal history report also noted that Mr. Anderson has a history of DWI, fleeing police in a motor vehicle and on foot, and resisting arrest. The Police Department recommended denial of the application for Mr. Anderson on February 3, 2015 due to these findings. A written notice informing Mr. Anderson of his denial was sent to his home address on February 12, 2015.

Minnesota State Statute 340A.402 allows for denial of an application if the applicant shows proof that they are a person not of good moral character and repute.

Mr. Anderson has submitted a written appeal to City Staff's decision on February 19, 2015. (see attached)

At the March 3rd, 2015 meeting, City Council tabled this matter and requested staff check with Mr. Anderson's parole officer about the status of Mr. Anderson's parole. The parole officer informed staff that Mr. Anderson had a probation violation hearing scheduled for April 15, 2015. However, the hearing has been continued until May 20, 2015.

Council also requested that the American Legion Post 334 place a new manager in charge, temporarily, during this waiting period. Krista Boots was named the temporary new manager and has gone through the application process. The Police Department conducted a background investigation on Ms. Boots and found nothing that would prevent approval.

RECOMMENDATION

It is requested that the City Council table this matter to June 2, 2015, after Mr. Anderson's May 20, 2015 probation violation hearing.

Attachments

Anderson letter

To whom it may concern:

I Justin Andersen would like to appeal my denial for the new manager application. I was denied due to active warrants that I have since satisfied.

Thank you,

Justin Andersen

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



City Council Regular

13.

Meeting Date: 04/21/2015

Subject: Cons. Resolution 15-69 In Support of the Coon Creek Regional Trail

From: Tim Himmer, Public Works Director

INTRODUCTION

Anoka County has been working with the City on potential alignments for the Coon Creek Regional Trail. Karen Blaska from Anoka County Parks will be in attendance to provide a brief power point presentation on the updated master plan, and answer any questions the Council may have. The City Council is being asked to adopt the attached resolution of support in favor of the Coon Creek Regional Trail master plan.

DISCUSSION

The draft plan was presented and discussed at the March 9, 2015 Park & Recreation Commission meeting, and a public open house was conducted at City Hall on March 25, 2015. Revisions to the draft plan were made based upon feedback received at these two meetings. On April 13, 2015 the Park and Recreation Commission reviewed the final master plan and made a recommendation to move the plan forward to the City Council for consideration.

RECOMMENDATION

The Park and Recreation Commission and City staff are requesting that the City Council approve a resolution of support for the Coon Creek Trail master plan.

Attachments

Resolution 15-69

MasterPlan

RESOLUTION NO. 15-69

**RESOLUTION SUPPORTING THE DEVELOPMENT OF THE
COON CREEK REGIONAL TRAIL**

WHEREAS, Anoka County is pursuing the development of a multi-purpose regional trail system that would link local and state trail systems, regional parks, and provide safe and convenient routes for non-motorized traffic to traverse the County; and

WHEREAS, in 1996, the Metropolitan Council adopted a Regional Trails Policy Amendment to its Regional Recreation Open Space Development Guidelines/Policy Plan for the implementation of corridors which provide access to high quality natural resources, regional parks, park reserves, and local areas of interest; and

WHEREAS, the City of Coon Rapids has been instrumental in the construction and implementation of the existing trail; and

WHEREAS, the alignment of the Coon Creek Regional Trail Corridor would link the City of Coon Rapids to multiple regional and local destinations; and

WHEREAS, the Regional Trail Corridor is strategically located to provide pedestrian access to the recreational resources along its route.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Coon Rapids, Minnesota hereby offers its support to Anoka County in the effort to cooperatively develop and maintain the Coon Rapids Creek Regional Trail Corridor.

Adopted by the Coon Rapids City Council this 21st day of April, 2015.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk

Coon Creek Regional Trail Master Plan



April 2015

Anoka County Parks and Recreation
550 Bunker Lake Blvd
Andover, MN 55304
www.anokacountyparks.com



Anoka County
PARKS & RECREATION

Table of Contents

SPECIAL ACKNOWLEDGEMENTS.....	2
EXECUTIVE SUMMARY.....	3
MASTER PLAN REPORT	4
Boundaries and Acquisition Costs	4
Demand Forecast.....	7
Development Concept.....	9
Conflicts	13
Public Services	15
Operations	15
Public Engagement & Participation.....	16
Public Awareness.....	17
Accessibility	17
Joint Powers Agreements.....	18
Appendix.....	19

SPECIAL ACKNOWLEDGEMENTS

ANOKA COUNTY BOARD OF COMMISSIONERS

Rhonda Sivarajah, Chair

Julie Braastad

Mike Gamache

Jim Kordiak

Matt Look

Scott Schulte

Robyn West

ANOKA COUNTY PARKS AND COMMUNITY SERVICES COMMITTEE

Commissioner Jim Kordiak, Chair

Commissioner Mike Gamache

Commissioner Scott Schulte

METROPOLITAN COUNCIL

ANOKA COUNTY PARKS AND COMMUNITY SERVICES

John VonDeLinde, Division Manager

ANOKA COUNTY PARKS AND RECREATION DEPARTMENT

Jeff Perry, Planning and Resources Manager

Karen Blaska, Park Planner

EXECUTIVE SUMMARY

As shown in Figure 1, the proposed Coon Creek Regional Trail is an 7 mile paved trail that follows Sand Creek and Coon Creek, and connects Bunker Hills Regional Park with Coon Rapids Dam Regional Park and the Mississippi River through the City of Coon Rapids. Of the seven miles of trail, approximately six miles of the trail already exists. It is strategically located within regional and local park land and connects residential, commercial and industrial areas to outdoor recreation opportunities and the natural resources in the area.

The City of Coon Rapids has taken the lead and been instrumental in the development and construction of this regional trail.

The development concept for the trail corridor is to provide a regional linking trail between regional and local destinations in Anoka County. The regional destinations include the Mississippi River, Sand and Coon Creeks, Bunker Hills and Coon Rapids Dam regional parks, Central Anoka County and Bunker/Chain of Lakes regional trails. Local destinations include Sand Creek Trail, Erlandson, Robinson and Al Flynn Parks, Coon Rapids City Hall and several other city trails.

The majority of the trail corridor follows the Sand and Coon creeks through heavily wooded areas and provides an aesthetically pleasing and relaxing trail experience, as shown in Figure 6, 7, and 8 of this document.

The development costs to built the two remaining trail segments, along Northdale Boulevard and along Coon Rapids Boulevard and Egret Boulevard, are estimated to be approximately \$1,165,000, which includes right of way and easement acquisitions. It is anticipated that the remaining segment of trail will be built as redevelopment and road reconstruction occurs in the area.

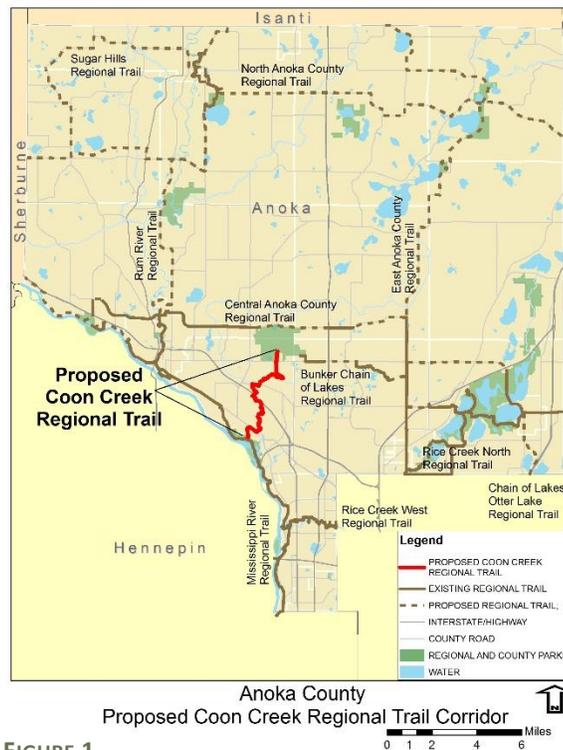


FIGURE 1

MASTER PLAN REPORT

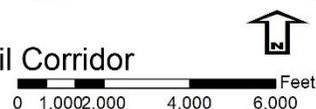
Boundaries and Acquisition Costs

The proposed Coon Creek Regional Trail follows the route as indicated in Figures 1 & 2. The trail follows an existing trail south out of Bunker Hills Regional Park adjacent to Foley Boulevard on the west side. At approximately Goldenrod Street, the trail travels southwest following Sand Creek and the City of Coon Rapids' Sand Creek Trail. An existing pedestrian



Proposed
Coon Creek Regional Trail Corridor

FIGURE 2



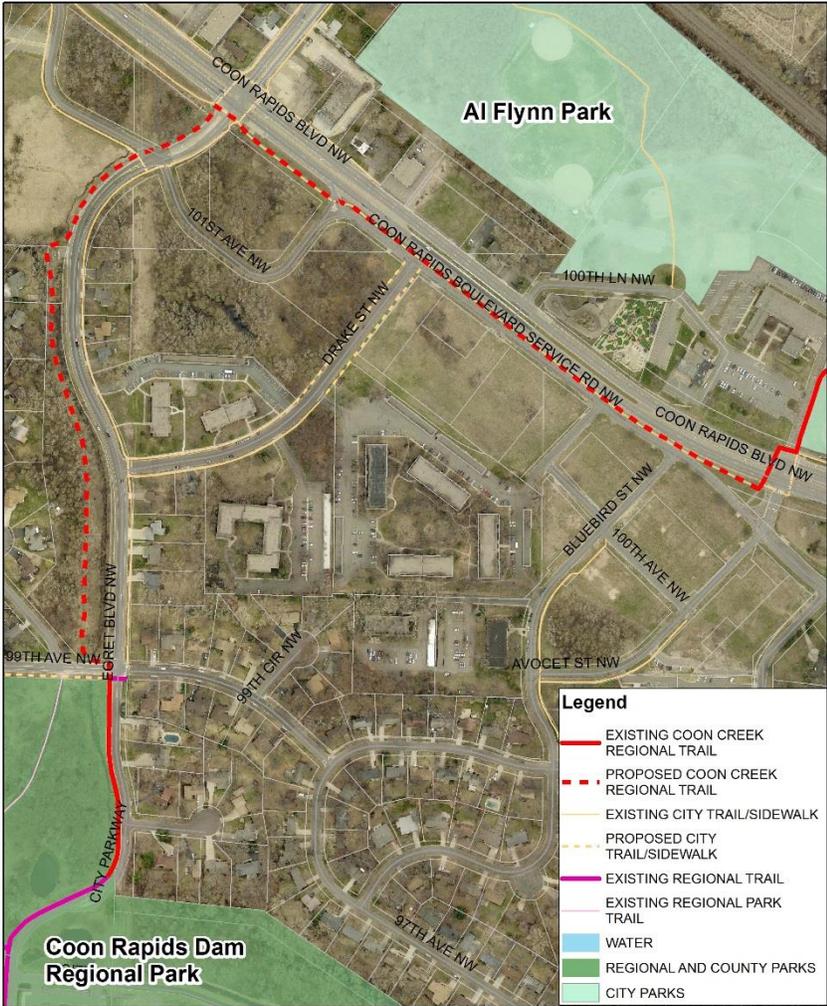
tunnel has been constructed to allow pedestrians safe passage under the Burlington Northern Rail Road tracks. At Xeon Street, the trail crosses to the west and travels south via a sidewalk to Northdale Boulevard (CR 11), where the current existing trail ends. At this point the trail is proposed to continue west on the south side of Northdale Boulevard (CR 11) and connect to the City's existing trail near Xeon Drive. The trail then follows the existing trail south along the creek to Yellow Pine Street and Creek Meadow Drive, as shown in Figure 3.



FIGURE 3

At Yellow Pine Street, the trail follows the existing trail along Creek Meadow Drive over Highway 10. Just after the Highway 10 overpass, the trail continues along the existing trail which travels south behind Coon Rapids City Hall, through Erlandson and Robinson Parks to Al Flynn Park and the intersection of Avocet Street and Coon Rapids Boulevard (CSAH 1).

From this intersection, the proposed trail crosses Coon Rapids Boulevard at Avocet Street and travels west on the south side of Coon Rapids Boulevard to Egret Boulevard. Crossing to the



Proposed Coon Creek Regional Trail Corridor
Avocet Street to Egret Boulevard

FIGURE 4



west side of Egret Boulevard, the proposed trail then travels south to connect up to the trail system within the Coon Rapids Dam Regional Park, as shown in Figure 4.

There will be minimal costs for right of way or easement acquisition, because the majority of this trail already exists. The construction of the two remaining sections of trail is anticipated to potentially affect 9 parcels. The list of potentially affected parcels is located in the Appendix. Right of way acquisition is estimated to be under \$245,000 based on the 2015 assessed valuation. Once this Master Plan is approved, the County will work closely with the County Highway Department and the City of Coon Rapids to ensure the future Port Riverwalk redevelopment area and any street reconstruction projects in these areas include dedicated right of way for the trail or trail easements to keep acquisition costs to a minimum. Market rate appraisals have not been conducted to date, but will be conducted prior to any acquisition or funding request to the Metropolitan Council.

As shown in the Appendix, there are a few MPCA monitored sites located along the trail corridor, but these are not anticipated to impact the acquisition or construction of the remaining portions of the trail. In addition, general findings show there are a few vertebrate and invertebrate animals of threatened or special concern status located within 500 feet of the existing trail alignment, although none are located near the sections of trail to be constructed. Therefore no impacts to rare plants or animals are anticipated and no additional costs for mitigation or avoidance are anticipated.

Demand Forecast

Regional parks and trails have been increasing in popularity and as the population grows the need for additional recreation resources and amenities grow as well. The population in the communities surrounding the corridor is anticipated to grow steadily, as shown in the Population Forecast table.

Population Forecast¹

Year	Andover	Blaine	Coon Rapids	Ham Lake	Anoka County
2010	30,598	57,186	61,476	15,296	330,844
2040	40,700	86,000	72,500	17,300	426,080

¹ Metropolitan Council, Thrive MSP 2040 Forecasts, Adopted May 28, 2014

According to the Metropolitan Council Regional Forecast to 2040, the metro regional area is anticipated to grow by 22% between 2010 and 2040. By 2040, seniors are expected to comprise of 20% of the population and people of color will comprise 40%. As the population increases, diversifies, and ages, demand for easily accessible outdoor recreation opportunities and open space increases.

The outdoor recreational use patterns in the metropolitan area have also been growing steadily. According to the Outdoor Foundation:

Nearly 143 million Americans, or 49.2 percent of the US population, participated in an outdoor activity at least once in 2013...Participants went on a total of 12.1 billion outdoor outings in 2013.²

Anoka County has experienced a continued increased in visitation to regional parks and trails with just under 3.2 million visits in 2013. Visits to the existing Coon Creek Regional Trail were over 120,000,³ which will increase as the gaps in the trail are constructed and connected.



FIGURE 5

Anoka County’s parks and trails system provides outdoor recreation opportunities in the northern metropolitan area and the Coon Creek Regional Trail trail has been identified in the County’s 1996 20/20 Vision Plan and the 2006 Comprehensive System Plan for the Parks and Recreation Department. To increase access to parks and trails and increase education regarding health, wellness and outdoor recreation, Anoka County has installed wayfinding maps throughout the regional parks and trails system. Refer to Figure 5 for an example of this project.



In addition, the County created and maintains the Go Anoka County website (goanokacounty.org). This site was created to

provide information related to parks and recreation facilities throughout the County and promote access to those facilities to make it easier to recreate outdoors.

² Outdoor Recreation Participation Report 2014, Outdoor Foundation

³ Annual Use Estimate of the Metropolitan Regional Parks System for 2013, Metropolitan Council

Development Concept



Proposed Coon Creek Regional Trail Corridor Development Concept



0 1,000 2,000 4,000 6,000 Feet

FIGURE 6



FIGURE 7

Trail and Erlandson, Robinson and Al Flynn parks. In addition, the trail corridor also links to the Coon Rapids City Hall, as well as many local trails, as shown in Figure 6.

The majority of the existing trail corridor follows the Sand and Coon Creeks through heavily wooded areas and provides an aesthetically pleasing trail experience, as shown in Figure 7, 8 & 9.

For the trail segments yet to be constructed,

The development concept for this trail corridor is to provide a regional linking trail between several regional and local destinations in Anoka County. Regional water destinations include the Mississippi River, Sand Creek and Coon Creek. Regional park facilities include Bunker Hills and Coon Rapids Dam Regional Parks, and regional trail facilities include the Mississippi River Trail and the Central Anoka County Regional Trail. Local destinations include Sand Creek



FIGURE 8

the development concept may be similar to the section in Figure 10, with a grade separated paved trail. If the trail cannot be located away from the road, it may run adjacent to the road, but be separated from the road grade by a curb. If a grade separated trail is not possible, the trail may be on-street and marked with striped bike lanes and signed accordingly, similar to Figure 11, but this is not anticipated.



FIGURE 9

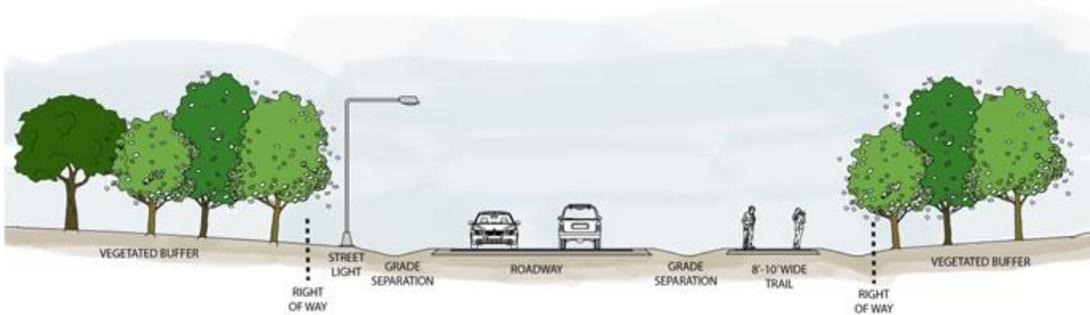


FIGURE 10

Regional trailhead facilities are located at Bunker Hills Regional Park (RP) and Coon Rapids Dam RP. These parks provide ample parking, restroom facilities and additional trails and amenities within the parks. There are City owned trailhead facilities located at Erlandson, Robinson and Al Flynn Parks. These trailheads provide parking and portable toilets..



FIGURE 11

Stormwater management and erosion control for the proposed trail shall follow the requirements of the MN Pollution Control Agency, the MN Department of Natural Resources, Army Corps of Engineers, the Coon Creek Watershed District, and any other permitting and regulatory agency requirements at the time of construction. For example, water quality treatment can be achieved through a minimum of a five foot wide vegetated filter strip or vegetated open space located down-gradient of the trail in certain jurisdictions. The ownership and maintenance of the stormwater management facilities will be the

responsibility of Anoka County within county jurisdictions and the City of Coon Rapids within city jurisdictions.

Prior to trail development, archaeological, geotechnical, wetlands and natural heritage information reviews and surveys will be conducted to determine what, if any natural and/or cultural resources are located within the trail alignment that could be impacted. Anoka County strives for avoidance of impacts, but

where its unavoidable the County attempts to minimize those impacts through mitigation. For proposed trail alignments that traverse green space, wildlife friendly erosion control materials will be incorporated into the trail design.



FIGURE 12

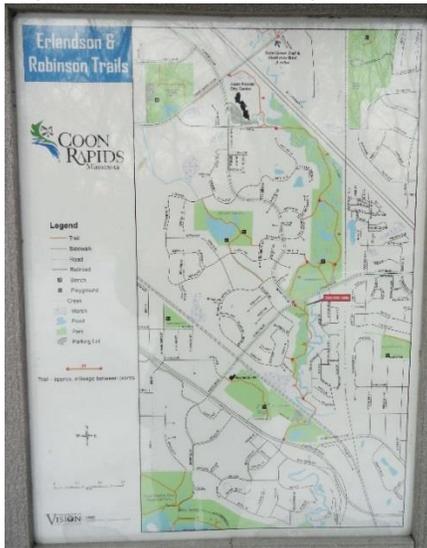


FIGURE 13

Lighting of the trail will be limited to main intersections and road crossings. Traffic signals along the trail route are reviewed to ensure correct timing to allow safe passage through the intersection.

Trailhead signs are proposed at the major intersections along the trail route as are smaller trail identification signs to help users navigate the trail. Examples of these signs are shown in Figures 12 and 13.

The cost estimate for completion of this trail is \$1,165,000. The cost breakdown is shown in the table below.

Coon Creek Regional Trail Estimate	
Description	Estimate
Right of Way/Easement Acquisition	\$245,000
Design/Engineering	\$120,000
Archaeological Survey	\$15,000
Wetland Delineation/mitigation	\$25,000
Topographic Survey/Construction Staking	\$50,000

Geotechnical Survey	\$10,000
Bituminous trail construction: including utility relocation, clearing & grubbing, lighting, landscaping/restoration and striping/signage (\$100/lf)	\$600,000
Contingency	\$100,000
Total	\$1,165,000

There may be some savings on this estimate, if the remaining trail segments can be constructed as part of the County's and City's future redevelopment and reconstruction plans.

It is anticipated that the southernmost proposed trail, as shown in Figure 4, will be constructed within the five years, if funding becomes available. The County will work with the City of Coon Rapids on the implementation of this trail. There is no definitive schedule for the acquisition or construction of the remaining proposed trail, as shown in Figure 3, but it is anticipated to occur within the next ten to fifteen years, depending on funding availability.

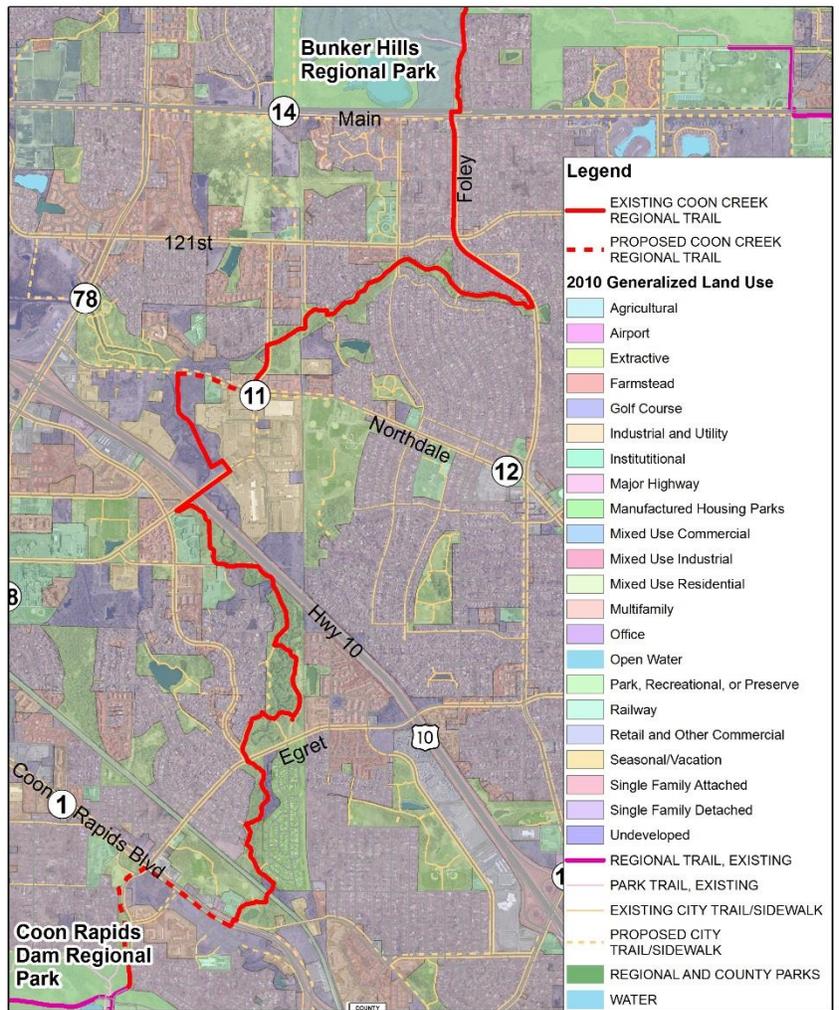
Conflicts

Conflicts related to park or trail redevelopment will be kept to a minimum through proper planning and community involvement. With any new development or redevelopment in existing residential areas, there are common concerns among the area residents that are adjacent to the park or trail.

One of these concerns is the effect the increased usage of the park or trail will have on their safety, security and privacy. Generally, regional parks and trails in the metropolitan area do not have a higher number of criminal activities related to use. A typical concern is vandalism and damage to vehicles. The County provides Park Ranger patrols and works with the local police and the Anoka County Sheriff's Office to ensure the parks and trails are safe and secure. Since the majority of the trail already exists and the proposed sections are in commercial/industrial and redevelopment areas, this is not anticipated to be an issue.

Conflicts between pedestrians and vehicular traffic will be kept to a minimum by working with the City of Coon Rapids and the County Highway Department to ensure safe crossings at road intersections and driveways for pedestrians and bicyclists. In addition, signing along the trail will alert users of potential conflict areas, i.e. street crossings, driveway crossings, pedestrian cross-traffic, etc., and will provide way-finding and interpretive information.

Since the majority of the trail already exists within the current land uses, the majority of which is parkland, as shown in Figure 14, issues between the the trail and current land uses are not anticipated. In the areas where the trail has yet to be constructed, conflicts between the uses are anticipated to be minimal as the current designations are commercial/industrial, undeveloped and multi-family housing. By working closely with the City of Coon Rapids, businesses and residents during the design phase of the proposed trail, the County is confident any conflicts that arise will be addressd to all party's satisfaction.



Coon Creek Regional Trail Corridor
Generalized Land Use 2010

FIGURE 14

Public Services

A variety of public services are available at points along the trail, therefore no new non-recreational related public services will be required for this trail. Both local and regional parks provide the necessary facilities required for trail users, i.e. parking lot, restrooms, drinking fountains and benches.

Operations

The Anoka County Ordinance, dated January 24th, 2012 regulates parks and trails under the jurisdiction of Anoka County. Education and enforcement is provided through the Anoka County Park Rangers, as shown in Figure 15, the local police departments and the Anoka County Sheriff's Department.



FIGURE 15

Current practice partners Anoka County with the local cities through either a Memorandum of Understanding (MOU) or a Joint Powers Agreement (JPA) to provide for the maintenance of regional trails.

Typically, the MOU or JPA is executed prior to trail construction and outlines what agency is responsible for general routine maintenance of the trail and what agency is responsible for capital improvements to the trail in their jurisdiction.

The County is typically responsible for the routine maintenance of trails within regional or county park lands. This includes such maintenance as mowing, sweeping, plowing, clearing, debris removal, and patching for example. Outside of regional and county park facilities, the local cities are generally responsible for routine trail maintenance. Solid waste is typically collected from trash receptacles located along the trail at regular intervals by the local agencies. Anoka County inspects trails annually and provides the capital improvements that are needed and provides the long-term maintenance required, such as bituminous overlays, and trail reconstruction. Trail signage is provided and maintained by either the City or the County as determined in the JPA.

Annual maintenance costs for the trail are estimated to be about \$10,000. This includes dollars for sign replacements, minor bituminous repair and crack-sealing. Revenue for the operation and maintenance of the trail comes from the Anoka County Parks and Recreation Department's annual operations and maintenance budget, which includes revenues from picnic shelter rentals, room rentals, programs, parks entrance fees and the County general

fund. Supplementary funding is provided through the Regional Park Operations and Maintenance Grant Program.

Public Engagement & Participation

Anoka County worked with local units of government and regulatory agencies, as well as the Anoka County Transportation Division, which includes the Highway Department and the Transit Department, in the planning process of this trail master plan.

Once a tentative alignment was determined, a draft master plan was developed and Anoka County reached out to the public for comment. An open house to receive public comment was held March 25, 2015.

Post card invitations were sent to residents within 200 feet of the trail corridor and a notice advertising the open house was published in the legal newspaper of Anoka County as well as another local weekly newspaper. Open house invitations were also sent to a local mosque and Hmong church as well. Figure 16, illustrates the population racial density by census tract for the service area of the trail.

The draft master plan was posted on the Anoka County website as well as the City of Coon Rapids website requesting input.

Few comments were received and comments ranged from traffic signal timing for pedestrians to lighting along the trail. These issues have been addressed in the development concept of the plan.



FIGURE 16

Refer to Appendix for the public notices and letters requesting comments.

Public Awareness

Public awareness is an important component to regional park and trail systems. The County will provide public education efforts through the Metropolitan Council’s regional-wide awareness program, as well as, public information maps, websites

(www.anokacountyparks.com & www.anokacounty.us), social media, publications and brochures provided by Anoka County Parks and Recreation Department and Commute Solutions, the County’s Transportation Management Organization.

Accessibility

Anoka County continually strives to provide equal access to all residents of Anoka County and the region. Park and trail use is open to any and all citizens. While there is a nominal parking fee in some of the regional parks, there is not a fee for trail use. This eliminates any economic barriers for trail users.

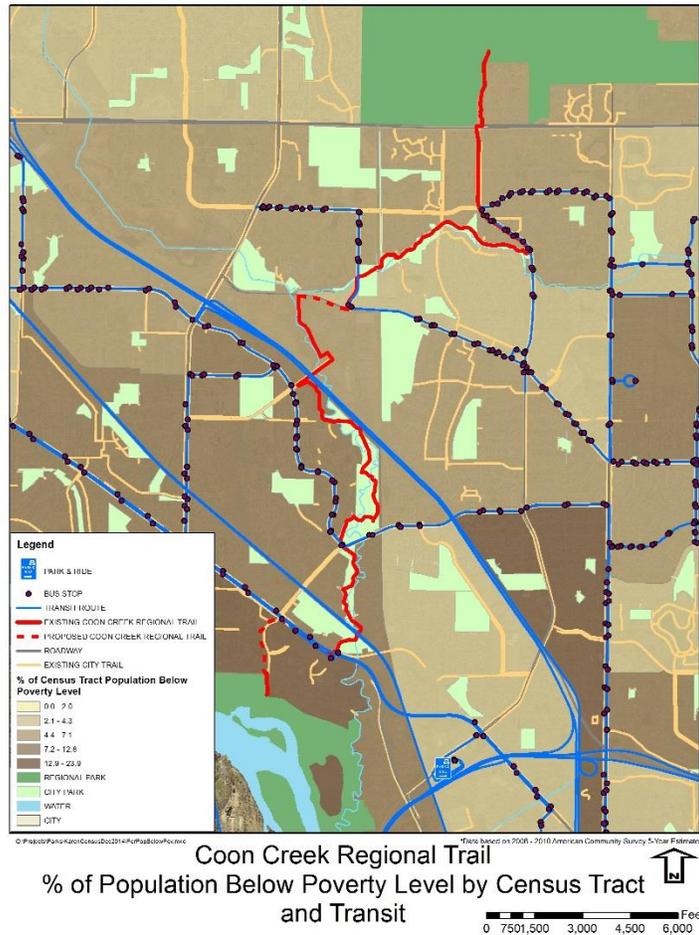


FIGURE 17



FIGURE 18

The trail is in a variety of lower, medium and high density population areas and connects to several current transit routes, specifically Route 59, 854, 805 and 850 as illustrated in Figure 17. In addition, the Anoka County Traveler Transit Link, as shown in Figure 18 and Metro

Mobility dial-a-ride services provide transportation for a minimal fee. Transit Link will pick up and drop off passengers anywhere there is an address or cross street, or anywhere along the regional trail as long as the vehicle does not have to back up. Currently all of the vehicles are equipped with bike racks so passengers wishing to bike on the trail could use Transit Link to preschedule a trip to/from anywhere along the trail that a large vehicle can access. The proposed trail is located in an area where poverty levels vary. Through the trail corridor, levels vary from 0-2% to 13-24% of the population being below the poverty level, based on the 2006-2010 American Community Survey 5-Year Estimates, as shown in Figure 17. Once built, the trail will provide a no cost alternative transportation option to residents in the area.

The facilities and amenities along the trail will conform to the standards mandated by the Americans with Disabilities Act.

Joint Powers Agreements

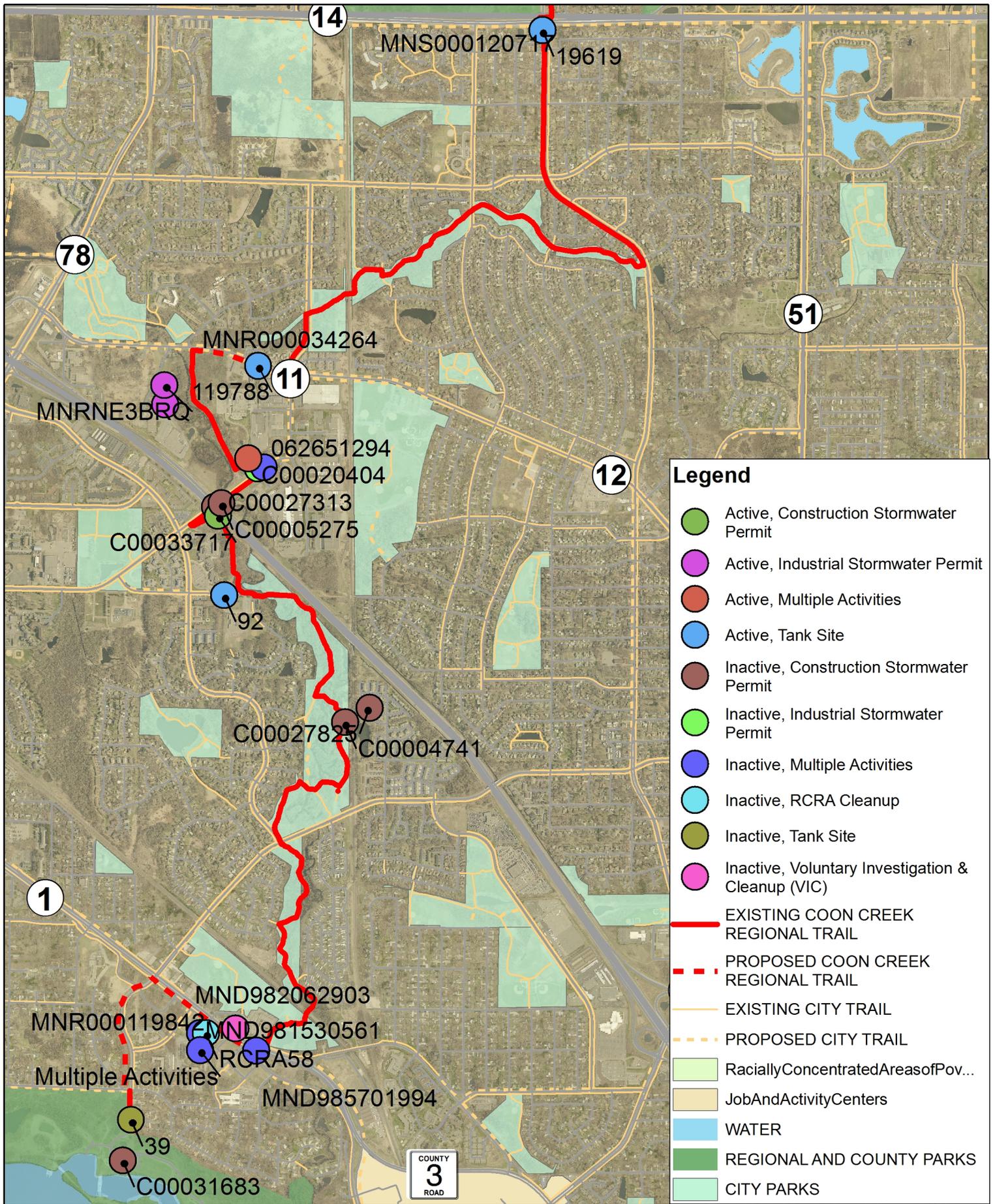
Since regional trails cross multiple jurisdictions, a Joint Powers Agreement (JPA) is generally executed prior to construction of the trail. The JPA addresses who has control over the trail right-of-way, how that control is exercised, who will operate and maintain the trail and how operations and maintenance will be accomplished. The JPA outlines that the trail is open and available to all users (not restricted by residence) with only controls on the type of use and timing/season of the permitted use(s).

JPA's are in place for the duration of the trail's life cycle, which is expected to be approximately 20 years.

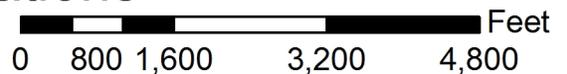
Appendix

POTENTIAL IMPACTED PARCELS

ID	S	T	R	Q	SUF	ADDRESS	STATE	ZIP	CITY	ACRES	2015 ASSESSED VALUE	VALUE PER ACRE	ESTIMATED ACRES OF IMPACT	ESTIMATED VALUE OF IMPACT
1	65533	27	31	24	11	0042	MN	55433	COON RAPIDS	4.01946607000	\$101,300	\$25,202	0.80987945980	\$20,410.87
2	65515	27	31	24	11	0043	MN	55433	COON RAPIDS	0.21577352000	\$77,900	\$361,027	0.09805341546	\$35,399.90
3	65482	27	31	24	11	0027	MN	55433-5533	COON RAPIDS	0.57229729000	\$256,188	\$447,648	0.03288382226	\$14,720.39
4	70395	14	31	24	22	0013	MN	55448-3048	COON RAPIDS	25.56780966000	\$613,900	\$24,011	0.20453367299	\$4,910.99
5	71656	14	31	24	21	0042	MN	55448-3143	COON RAPIDS	3.78035372000	\$1,126,400	\$297,962	0.07958760883	\$23,714.05
6	71810	14	31	24	21	0043	MN	55448	COON RAPIDS	1.41135252000	\$1,378,500	\$976,723	0.04402014582	\$42,995.47
7	71816	14	31	24	21	0004	MN	55448	COON RAPIDS	3.47883579000	\$1,378,500	\$396,253	0.15289201091	\$60,583.96
8	76315	23	31	24	33	0005	MN	55433	COON RAPIDS	2.00252629000	\$306,500	\$153,057	0.09406990800	\$14,398.03
9	76316	22	31	24	44	0002	MN	55433	COON RAPIDS	6.49686505000	\$724,400	\$111,500	0.24382954536	\$27,186.98
													TOTAL	\$244,320.63



Coon Creek Regional Trail Corridor Active MPCA Site Locations



**NOTICE OF PUBLIC HEARING
CITY OF HAM LAKE
COUNTY OF ANOKA
STATE OF MINNESOTA**

TAKE NOTICE, that pursuant to the requirements of Minnesota Law, a public hearing shall be held before the Ham Lake Planning Commission on Monday, March 23, 2015 at 6:01 p.m. at the City Hall located at 15544 Central Avenue NE, for the purpose of considering the application of Scott Renner for a Conditional Use Permit to operate Scott's Garage at 17638 Highway 65 NE, such land situated in the City of Ham Lake, Anoka County, Minnesota and which is described as follows to wit:

05-32-23-31-0013
LOT 8 AUDITORS SUB-DIVISION NO 61 N 28 FT OF FOL DES LAND, COM AT PT ON E LINE 23 48.5 RODS (800.25 FT) N OF SE COR OF NE 1/4 OF SW 1/4 OF SEC 5 TWP 32 RGE, TH N ON SD E LINE 300 FT, TH W AT RT ANG 17 RODS (280.5 FT), TH S AT RT ANGLES 300 FT, TH E AT RT ANGLES 17 RODS (280.5 FT) TO POB

05-32-23-31-0014
LOT 8 AUDITORS SUB-DIVISION NO 61 DES AS FOL: COM AT PT ON E LINE 982.25 FT N OF SE COR OF NE 1/4 OF SW 1/4 OF SEC 5 TWP 32 RGE 23, TH N ON SD E LINE 90 FT, TH W AT RT ANG 17 RODS (280.5 FT), TH SAT RT ANGLES 90 FT, TH E AT RT ANGLES 17 RODS TO POB

At such hearing both written and oral comments will be heard.

DATED: March 13, 2015
Dawnette M. Shimek
Zoning Official/Building Clerk
City of Ham Lake
(Published Mar.13, 2015
Anoka County Record) #132

**NOTICE OF PUBLIC HEARING
CITY OF HAM LAKE
COUNTY OF ANOKA
STATE OF MINNESOTA**

TAKE NOTICE, that pursuant to the requirements of Minnesota Law, a public hearing shall be held before the Ham Lake Planning Commission on Monday, March 23, 2015 at 6:01 p.m. at the City Hall located at 15544 Central Avenue NE, for the purpose of considering the application of U-Haul Moving & Storage for a Conditional Use Permit to operate at 14205 Highway 65 NE, such land situated in the City of Ham Lake, Anoka County, Minnesota and which is described as follows to wit:

29-32-23-43-0009
THAT PRT OF SW1/4 OF SE1/4 OF SEC 29 TWP 32 RGE 23 DESC AS FOL: COM AT NW COR OF SD 1/4 1/4, TH E ALG N LINE THEREOF 203 FT TO ELY R/W LINE OF T H NO 65, TH SLY ALG SD ELY R/W LINE 160 FT TO POB, TH ELY PRLL/W SD N LINE 300 FT, TH NLY PRLL/W SD ELY R/W LINE TO S R/W LINE OF 143RD AVE NE, TH NLY & WLY ALG SD SLY R/W LINE TO ITS INTERW SD ELY R/W LINE OF T H NO 65, TH SLY ALG SD ELY R/W LINE TO POB, SUBJ TO EASE OF REC

29-32-23-43-0014
THAT PRT OF SW1/4 OF SE1/4 OF SEC 29 TWP 32 RGE 23 DESC AS FOL: COM AT NW COR OF SD 1/4 1/4, TH E ALG

N LINE THEREOF 203 FT TO E R/W LINE OF T H NO 65, TH S ALG SD E R/W LINE 160 FT TO POB, TH CONT SALG SD E R/W LINE 280 FT, TH E PRLL/W SD N LINE 300 FT, TH N PRLL/W SD E R/W LINE 280 FT, TH W PRLL/W SD N LINE 300 FT TO POB SUBJ TO EASE OF REC 29-32-23-43-0017

THAT PRT OF SW1/4 OF SE1/4 OF SEC 29 TWP 32 RGE 23 LYG SLY OF SLY R/W LINE OF 143RD AVE, EX PRT PLATTED AS MARSHALL MANOR 4TH ADD, ALSO EX THAT PRT OF SD 1/4 1/4 DESC AS FOL, COM AT NW COR OF SD 1/4 1/4, TH E ALG N LINE OF SD 1/4 1/4 203 FT TO ELY R/W LINE OF TRK HWY 65 AND POB, TH S ALG SD ELY R/W LINE 440 FT, TH E PRLL/W N LINE OF SD 1/4 1/4 300 FT, TH N PRLL/W SD ELY R/W LINE TO SD SLY R/WLINE OF 143RD AVE, TH NWLY ALG SD SLY R/W LINE TO POB, ALSO EX N 180 FT OF S 420 FT OF E 242 FT OF SD 1/4 1/4 (AS MEAS ALG E LINE THEREOF), ALSO EX THAT PRT DESC AS FOL, COM AT NE COR OF BLK 2MARSHAL L MANOR, TH E ON ELY EXT OF N LINE OF SD BLK 2 200 FT, TH S AT RT ANG 366 FT TO POB, TH CONT S AT RT ANG 150 FT, TH W AT RT ANG 476 FT, TH N AT RT ANG 150 FT TO S LINE OF 143 RD AVE, TH E TOPOB, EX R D, SUBJ TO EASE OF REC

At such hearing both written and oral comments will be heard.

DATED: March 13, 2015
Dawnette M. Shimek
Zoning Official/Building Clerk
City of Ham Lake
(Published Mar.13, 2015
Anoka County Record) #132

**NOTICE OF PUBLIC HEARING
CITY OF OAK GROVE
COUNTY OF ANOKA
STATE OF MINNESOTA**

NOTICE IS HEREBY GIVEN that the Oak Grove Planning Commission will be conducting a Public Hearing on Thursday, April 16, 2015 in the Oak Grove Council Chambers, 19900 Nightingale St NW, Oak Grove, MN 55011. The purpose of the Public Hearing will be an annual meeting to receive public input on the adequacy and effectiveness of the Storm Water Pollution Prevention Program (SWPPP).

Anyone wishing to make a comment on the SWPPP is invited to attend the Public Hearing. If you are unable to attend, written comments are welcome and will be accepted until 4:00 p.m. April 13, 2015. A copy of the SWPPP will be available at the City Hall for review.

Hearing impaired persons planning to attend who need an interpreter or other persons with disabilities who require auxiliary aids should contact City Hall at (763) 404-7006 no later than Wednesday, April 8, 2015.

Sheryl F. Fiskewold
City Clerk
(Published Mar.13, 2015
Anoka County Record) #123

**INFORMATIONAL OPEN HOUSE
COON CREEK REGIONAL TRAIL MASTER PLAN**

The County of Anoka will hold an informational open house on March 25, 2015 from 4:00pm to 6:00pm at the Coon Rapids City

Council Chambers, 11155 Robinson Drive, Coon Rapids, MN 55433 to receive public comments on the proposed master plan for Coon Creek Regional Trail.

The majority of this regional trail already exists. When completed, the Coon Creek Regional Trail will connect Bunker Hills Regional Park with Coon Rapids Dam Regional Park and the Mississippi River through the City of Coon Rapids. The proposed portion of trail will generally run north/south from Bunker Hills Regional Park, following along Coon Creek through heavily wooded areas, with connections to other trails and links to destinations such as the city parks of Sand Creek, Erlandson, Robinson, and Al Flynn. The proposed trail connects to the trail system within the Coon Rapids Dam Regional Park. There are no current plans to complete construction of the trail at this time.

Copies of the master plan can be obtained by contacting the project manager or visiting www.anokacountyparks.com. Those who have questions or comments may contact the Project Manager: Karen Blaska, Park Planner, Anoka County Parks and Recreation Department, 550 Bunker Lake Blvd. NW, Andover, MN 55304 or via telephone at 763-767-2865 or e-mail at karska@co.anoka.mn.us. Written comments on the master plan are preferred and may be submitted to the project manager listed above.

/s/ Christine V. Carney
Assistant County Attorney
(Published March 6, 13, 2015
Anoka County Record) #161

ANOKA COUNTY BOARD MEETING SUMMARY

The Anoka County Board met on February 17, 2015. Standing county committee information reports and action items were considered, and action was taken as necessary. The following resolutions were adopted: #2015-25 Issuance of Bonds, #2015-26 Road Postings, #2015-27 Traffic Control Signal Maintenance, #2015-28 Issuance of Bonds, #2015-29 Expenditure Reimbursement from Proceeds of Bonds, and #2015-30 Split Residential Parcel. A public hearing was held to obtain comment on a proposal to issue bonds. A full copy of the agenda, minutes, accounts, and claims greater than \$2000 may be found on the Anoka County Web site: www.anokacounty.us

(Published March 13, 2015,
Anoka County Record) #170

ANOKA COUNTY SUMMARY OF BIDS

Bid #2015-09
Description of Bid/RFP: Advertisement for Bids for Public Switched Telephone Network Services Bid Opening: April 6, 2015. For more information regarding the above published bids/RFPs, please visit the Anoka County Web Site at: www.AnokaCounty.us/bids.
(Published March 6, 13, 2015,
Anoka County Record) #169

ANOKA COUNTY SUMMARY OF BIDS

Bid #2015-08
Description of Bid/RFP: Bids Invited For Anoka County Project State Project NO. SP's 0202-95, 199-115-002, 002-683-004
Minnesota Project No.

TGR 0215(210) T.H. 10 & C.S.A.H. 83 (Armstrong Blvd.) Interchange Minnesota, Anoka County Bid Opening: March 31, 2015.

For more information regarding the above published bids/RFPs, please visit the Anoka County Web Site at: www.AnokaCounty.us/bids.

(Published March 6, 13, 20, 2015,
Anoka County Record) #162

ANOKA COUNTY SUMMARY OF BIDS

Bid #2015-07
Description of Bid/RFP: Advertisement for Bids for Proposals Anoka County Elevator Maintenance Contract Bid Opening: April 10, 2015.

For more information regarding the above published bids/RFPs, please visit the Anoka County Web Site at: www.AnokaCounty.us/bids.

(Published March 6, 13, 2015,
Anoka County Record) #168

ANOKA COUNTY SUMMARY OF BIDS

Bid #2015-01
Description of Bid/RFP: Advertisement for Bids for Rice Creek Bank Stabilization & Trail Reconstruction, Rice Creek West Regional Trail, Manomin Park Bid Opening: April 17, 2015.

For more information regarding the above published bids/RFPs, please visit the Anoka County Web Site at: www.AnokaCounty.us/bids.

(Published March 13, 20, 27, 2015,
Anoka County Record) #166

OFFICE OF THE MINNESOTA SECRETARY OF STATE CERTIFICATE OF ASSUMED NAME MINNESOTA STATUTES, CHAPTER 333

The filing of an assumed name does not provide a user with exclusive rights to that name. The filing is required for consumer protection in order to enable consumers to be able to identify the true owner of a business.

1. List the exact assumed name under which the business is or will be conducted:

Rock Treasures Wholesale

2. Principal Place of Business:

1171 96th Ave NE, Blaine MN 55434

3. List the name and complete street address of all persons conducting business under the above Assumed Name, OR if an entity, provide the legal corporate, LLC, or Limited Partnership name and

registered office address:

**Alzrox LLP
1171 96th Ave NE,
Blaine MN 55434**

4. I, the undersigned, certify that I am signing this document as the person whose signature is required, or as agent of the person(s) whose signature would be required who has authorized me to sign this document on his/her behalf, or in both capacities. I further certify that I have completed all required fields, and that the information in this document is true and correct and in compliance with the applicable chapter of Minnesota Statutes. I understand that by signing this document I am subject to the penalties of perjury as set forth in Section 609.48 as if I had signed this document under oath.

FILED: Jan. 14, 2015,
805797600029,
/s/ Allan M. Kraft
(Published Mar. 6 & 13, 2015
Anoka County Record) #163

OFFICE OF THE MINNESOTA SECRETARY OF STATE CERTIFICATE OF ASSUMED NAME MINNESOTA STATUTES, CHAPTER 333

The filing of an assumed name does not provide a user with exclusive rights to that name. The filing is required for consumer protection in order to enable consumers to be able to identify the true owner of a business.

1. List the exact assumed name under which the business is or will be conducted:

Hampton Inn & Suites Lino Lakes

2. Principal Place of Business:

579 Apollo Drive, Lino Lakes MN 55014

3. List the name and complete street address of all persons conducting business under the above Assumed Name, OR if an entity, provide the legal corporate, LLC, or Limited Partnership name and registered office address:

EOC Lino Lakes, LLC

Paying Cash for Baseball Cards

Need Extra Cash?

Pre-1969 Cards Only

Private Collector

Gary 612.558.7580



MARCH 19-21

PARK MODEL SALE

Lake Region RVs – 866-421-1419

7815 Riverdale DR. NW Ramsey Mn.

SAVE \$\$ Order NOW for SPRING



525 S Lake Ave #100, Duluth MN 55802

4. I, the undersigned, certify that I am signing this document as the person whose signature is required, or as agent of the person(s) whose signature would be required who has authorized me to sign this document on his/her behalf, or in both capacities. I further certify that I have completed all required fields, and that the information in this document is true and correct and in compliance with the applicable chapter of Minnesota Statutes. I understand that by signing this document I am subject to the penalties of perjury as set forth in Section 609.48 as if I had signed this document under oath.

FILED: Mar. 3, 2015,
814797800020,
/s/ Christopher Hedblom
(Published Mar. 13 & 20, 2015
Anoka County Record) #164

OFFICE OF THE MINNESOTA SECRETARY OF STATE CERTIFICATE OF ASSUMED NAME MINNESOTA STATUTES, CHAPTER 333

The filing of an assumed name does not provide a user with exclusive rights to that name. The filing is required for consumer protection in order to enable consumers to be able to identify the true owner of a business.

1. List the exact assumed name under which the business is or will be conducted:

Nips & Nacks

2. Principal Place of Business:

579 Apollo Drive, Lino Lakes MN 55014

3. List the name and complete street address of all persons conducting business under the above Assumed Name, OR if an entity, provide the legal corporate, LLC, or Limited Partnership name and registered office address:

EOC Lino Lakes, LLC

4354 Royce Street NE, Columbia Heights, MN 55421

3. List the name and complete street address of all persons conducting business under the above Assumed Name, OR if an entity, provide the legal corporate, LLC, or Limited Partnership name and registered office address:

Emi M. Sogabe

4354 Royce Street NE Columbia Heights, MN 55421

Christine Frisk

1010 E. 19th Street #1 Minneapolis, MN 55404

4. I, the undersigned, certify that I am signing this document as the person whose signature is required, or as agent of the person(s) whose signature would be required who has authorized me to sign this document on his/her behalf, or in both capacities. I further certify that I have completed all required fields, and that the information in this document is true and correct and in compliance with the applicable chapter of Minnesota Statutes. I understand that by signing this document I am subject to the penalties of perjury as set forth in Section 609.48 as if I had signed this document under oath.

FILED: Feb. 6, 2015,
809573900038,
/s/ Emi M. Sogabe
(Published Mar. 13 & 20, 2015
Anoka County Record) #167

mcan

Minnesota Classified Advertising Network

HELP WANTED - DRIVERS

CLASS A CDL
local drivers for IA & MINN. \$20.00/hr. some jobs up to \$35.00/hr. plus benefits. Call Monson & Sons 800/463-4097 ext. 110/109 EOE

NOW HIRING
Company OTR drivers. \$2,000 sign on bonus, flexible home time, extensive benefits. Call now! Hibb's & Co. 763/389-0610

TRUCK DRIVER MINNEAPOLIS
FT year round driver for Lumberyard. CDL w/flatbed experience required. Competitive wage/benefits. Call Dave @ Siwek Lumber 952/240-4119

SPORTING GOODS

GUN SHOW: MARCH 13-15
Eau Claire Indoor Sports Center, 3455 Craig Road, Eau Claire, WI. Fri 3-8pm, Sat 9am-5pm, Sun 9am-3pm. Admission: \$7 14 & Under FREE. Buy/Sell/Trade. 608-752-6677 www.bobandrocco.com

MISCELLANEOUS

CANADA DRUG CENTER
is your choice for safe and affordable medications. Our licensed Canadian mail order pharmacy will provide you with savings of up to 75% on all your medication needs. Call today 800/259-1096 for \$10.00 off your first prescription and free shipping.

GOT KNEE PAIN?
Back Pain? Shoulder Pain? Get a pain-relieving brace -little or no cost to you. Medicare patients call health hotline now! 800/755-6807

DONATE YOUR CAR
truck or boat to Heritage For The Blind. Free 3 day vacation, tax deductible, free towing, all paperwork taken care of 800/439-1735

MISCELLANEOUS

SAWMILLS
from only \$4,397.00 Make & save money with your own bandmill. Cut lumber any dimension. In stock, ready to ship. Free Info/DVD: 800/578-1363 Ext.300N www.NorwoodSawmills.com

DISH TV RETAILER
Dish TV Retailer -Save! Starting \$19.99/month (for 12 months.) Free Premium Movie Channels. Free Equipment, Installation & Activation. Call, compare local deals!! 800/297-8706

DO YOU OWE
over \$10,000 to the IRS or State in back taxes? You could get a settlement for as low as 25% of previous IRS settlements. Call now! 800/558-0486

ADVERTISE HERE STATEWIDE IN 260+ NEWSPAPERS FOR ONLY \$279 PER WEEK! CALL 800-279-2979

**CITY OF HAM LAKE
STATE OF MINNESOTA
COUNTY OF ANOKA
ORDINANCE NO.
15-09**

AN ORDINANCE AMENDING A PORTION OF CHAPTER 9 OF THE CITY OF HAM LAKE, COUNTY OF ANOKA, STATE OF MINNESOTA.

The City Council of the City of Ham Lake does hereby ordain as follows, pursuant to Chapter 9, Article 1050 of the Ham Lake City Code.

That the zoning classification for the following described property situated in the City of Ham Lake, Anoka County, Minnesota is hereby designated CD-1 (Commercial Development Tier 1).

Parcel A:
The Northeast Quarter of the Southwest Quarter of Section 8, Township 32, Range 23, Anoka County, Minnesota, described as follows.

Beginning at a point on the east line of the Northeast Quarter of the Southwest Quarter of said Section 8 distant 592.94 feet Southerly of the Northeast corner thereof; thence South 0 degrees 18 minutes 25 seconds East, assumed bearing, along said East line a distance of 301.30 feet; thence North 72 degrees 16 minutes 50 seconds West a distance of 924.12 feet, to a point hereinafter referred to as "Point A"; thence continuing North 72 degrees 16 minutes 50 seconds West a distance of 475 feet, more or less, to the West line of said Northeast Quarter of Southwest Quarter; thence North along the West line of said Northeast Quarter of the Southwest Quarter a distance of 350 feet, more or less, to the centerline of County Ditch No. 58; thence Southeasterly along the centerline of County Ditch No. 58 a distance of 590 feet, more or less, to a point which is North 17 degrees 54 minutes 18 seconds East a distance of 358.92 feet from Point A; thence South 77 degrees 44 minutes 09 seconds East a distance of 165.53 feet, thence South 63 degrees 55 minutes 37 seconds East a distance of 430.87 feet; thence South 66 degrees 10 minutes 13 seconds East a distance of 240.00 feet to the point of beginning.

AND EXCEPT that part thereof lying within the right-of-way of State Trunk Highway Number 65 per Minnesota Department of Transportation Monumentation Plat No. 02-M24.

And
Parcel B:

All that part of the Northeast Quarter of the Southwest Quarter of Section 8, Township 32, Range 23, Anoka County, Minnesota, lying Southerly of Parcel A described above.

EXCEPT that part thereof lying within the plat of Osborne Terrace, according to the recorded plat thereof.

AND EXCEPT the South 33.00 feet of the Northeast Quarter of the Southwest Quarter.

Presented to the Ham Lake City Council on February 17, 2015 and adopted by a unanimous vote this 2nd day of March, 2015.

/s/ Michael G. Van Kirk, Mayor
/s/ Denise Webster, City Clerk

(Published Mar. 6, 2015
Anoka County Record) #132

**INFORMATIONAL
OPEN HOUSE
COON CREEK
REGIONAL TRAIL
MASTER PLAN**

The County of Anoka will hold an informational open house on March 25, 2015 from 4:00pm to 6:00pm at the Coon Rapids City Council Chambers, 11155 Robinson Drive, Coon Rapids, MN 55433 to receive public comments on the proposed master plan for Coon Creek Regional Trail.

The majority of this regional trail already exists. When completed, the Coon Creek Regional Trail will connect Bunker Hills Regional Park with Coon Rapids Dam Regional Park and the Mississippi River through the City of Coon Rapids. The proposed portion of trail will generally run north/south from Bunker Hills Regional Park, following along Coon Creek through heavily wooded areas, with connections to other trails and links to destinations such as the city parks of Sand Creek, Erlandson, Robinson, and Al Flynn. The proposed trail connects to the trail system within the Coon Rapids Dam Regional Park. There are no current plans to complete construction of the trail at this time.

Copies of the master plan can be obtained by contacting the project manager or visiting www.anokacountyparks.com. Those who have questions or comments may contact the Project Manager: Karen Blaska, Park Planner, Anoka County Parks and Recreation Department, 550 Bunker Lake Blvd. NW, Andover, MN 55304 or via telephone at 763-767-2865 or e-mail at kblaska@co.anoka.mn.us. Written comments on the master plan are preferred and may be submitted to the project manager listed above.

/s/ Christine V. Carney
Assistant County Attorney
(Published March 6, 13, 2015
Anoka County Record) #161

**OFFICE OF THE
MINNESOTA
SECRETARY OF STATE
CERTIFICATE OF
ASSUMED NAME
MINNESOTA STATUTES,
CHAPTER 333**

The filing of an assumed name does not provide a user with exclusive rights to that name. The filing is required for consumer protection in order to enable consumers to be able to identify the true owner of a business.

1. List the exact assumed name under which the business is or will be conducted:

Laurel Bay Salon
2. Principal Place of Business:
**520 Osborne Road NE,
Fridley, MN 55432**

3. List the name and complete street address of all persons conducting business under the above Assumed Name, OR if an entity, provide the legal corporate, LLC, or Limited Partnership name and registered office address:

**Benedictine Living
Center of Fridley, LLC
1995 E Rum River Dr S
Cambridge, MN 55008**

4. I, the undersigned, certify that I am signing this document as the person whose signature is required, or as agent of the person(s) whose signature would be required who has authorized me to sign this document on his/her behalf, or in both capacities. I further certify that I have completed all required fields, and that

the information in this document is true and correct and in compliance with the applicable chapter of Minnesota Statutes. I understand that by signing this document I am subject to the penalties of perjury as set forth in Section 609.48 as if I had signed this document under oath.

FILED: Jan. 9, 2015,
805064000021,
/s/ Janel Paulson
(Published Feb. 27 & March 6,
2015 Anoka County Record)
#157

**ANOKA COUNTY
SUMMARY OF BIDS**

Bid #2015-04
Description of Bid/RFP:
Bids Invited For Anoka County Project Anoka County Project No. S.A.P. 002-622-034 CSAH 22 (Viking Blvd.) from Flamingo St. to 1365' East of University Ave., Concrete Overlay/Concrete Construction Project, City of Oak Grove, City of East Bethel Anoka County Minnesota

Bid Opening: March 17, 2015.

For more information regarding the above published bids/RFPs, please visit the Anoka County Web Site at: www.AnokaCounty.us/bids.

(Published Feb. 20, 27,
March 6, 2015,
Anoka County Record) #153

**ANOKA COUNTY
SUMMARY OF BIDS**

Bid #2015-05
Description of Bid/RFP:
Bids Invited for County Project C.P. 15-10-00 Clearing and Grubbing

Bid Opening: March 17, 2015.

For more information regarding the above published bids/RFPs, please visit the Anoka County Web Site at: www.AnokaCounty.us/bids.

(Published Feb. 20, 27,
March 6, 2015,
Anoka County Record) #153

**ANOKA COUNTY
SUMMARY OF BIDS**

Bid #2015-07
Description of Bid/RFP:
Advertisement for Bids for Proposals Anoka County Elevator Maintenance Contract

Bid Opening: April 10, 2015.

For more information regarding the above published bids/RFPs, please visit the Anoka County Web Site at: www.AnokaCounty.us/bids.

(Published March 6, 13, 2015,
Anoka County Record) #161

**ANOKA COUNTY
SUMMARY OF BIDS**

Bid #2015-08
Description of Bid/RFP:
Bids Invited For Anoka County Project State Project NO. SP's 0202-95, 199-115-002, 002-683-004

Minnesota Project No. TGR 0215(210) T.H. 10 & C.S.A.H. 83 (Armstrong Blvd.) Interchange Minnesota, Anoka County
Bid Opening: March 31, 2015.

For more information regarding the above published bids/RFPs, please visit the Anoka County Web Site at: www.AnokaCounty.us/bids.

(Published March 6, 13,
20, 2015,
Anoka County Record) #162

**ANOKA COUNTY
SUMMARY OF BIDS**

Bid #2015-09
Description of Bid/RFP:
Advertisement for Bids for Public Switched Telephone Network Services
Bid Opening: April 6, 2015.
For more information regarding the above published bids/RFPs, please visit the Anoka County Web Site at: www.AnokaCounty.us/bids.

(Published March 6, 13, 2015,
Anoka County Record) #161

**Willmar man charged
with tax crimes**

ST. PAUL, Minn. – The Minnesota Department of Revenue announced that the Kandiyohi County Attorney's Office recently charged Robert Charles Johnson, 51, of Willmar, with tax-related felonies.

Johnson is charged with twelve counts, including: four counts of filing fraudulent returns, four counts of failing to pay taxes, and four counts of theft.

According to the criminal complaint, Johnson claimed an additional \$5,412 in state income tax withholding, giving him income tax refunds of \$3,786 more than which he was entitled. The complaint states he did this each year for tax years 2009 through 2012.

Each felony charge carries a maximum penalty of up to five years in prison and up to a \$10,000 fine. Defendants are presumed innocent unless and until proven guilty.

**OFFICE OF THE
MINNESOTA
SECRETARY OF STATE
CERTIFICATE OF
ASSUMED NAME**

MINNESOTA STATUTES, CHAPTER 333
The filing of an assumed name does not provide a user with exclusive rights to that name. The filing is required for consumer protection in order to enable consumers to be able to identify the true owner of a business.

1. List the exact assumed name under which the business is or will be conducted:

**Rock Treasures
Wholesale**
2. Principal Place of Business:
**1171 96th Ave NE,
Blaine MN 55434**

3. List the name and complete street address of all persons conducting business under the above Assumed Name, OR if an entity, provide the legal corporate, LLC, or Limited Partnership name and registered office address:

Alzrox LLP
**1171 96th Ave NE,
Blaine MN 55434**

4. I, the undersigned, certify that I am signing this document as the person whose signature is required, or as agent of the person(s) whose signature would be required who has authorized me to sign this document on his/her behalf, or in both capacities. I further certify that I have completed all required fields, and that the information in this document is true and correct and in compliance with the applicable chapter of Minnesota Statutes. I understand that by signing this document I am subject to the penalties of perjury as set forth in Section 609.48 as if I had signed this document under oath.

FILED: Jan. 14, 2015,
805797600029,
/s/ Allan M. Kraft
(Published Mar. 6 & 13, 2015 Anoka
County Record) #163

WASP OWNIT!
OWN YOUR CAREER. OWN PART OF A GROWING COMPANY THAT MAKES PRODUCTS USED AROUND THE WORLD. OWN A LAKES-COUNTRY QUALITY OF LIFE.
AND OWN AN EXTRA **\$2,000!** WHEN YOU SIGN ON WITH WASP.
Check out our open career-launching positions, and apply at WWW.WASPINC.COM
MANUFACTURING ENGINEER // MANUFACTURING ENGINEER MANAGER // ENGINEERING MANAGER
IT PROJECT MANAGER // IT APPLICATIONS SUPPORT SPECIALIST // LEAD WELDER
PAINTER & PREP // FABRICATOR // WELDER // ASSEMBLY
20631 State Highway 55 // Glenwood, MN // 320-634-7398
EEO Employer/AAM/F/Vet/Disabled // 100% Employee Owned // ISO 9001:2008

NORTHWEST CONSTRUCTION
Northwest Asphalt is a union company with 3 divisions: Sewer/Water • Excavating • Paving
Seeking to Hire Experienced: Sewer/water foreman
• pipelayers • grading superintendents • paving personnel • field mechanics • operators for backhoe
• backfillers • dozer • bobcat • finish blade • laborers.
Equal Opportunity Employer
Call 952-445-1003
or visit www.nwasphalt.net

GOT KNEE PAIN?
Get a Pain-Relieving Knee Brace At Little or **No Cost to You**
You May Qualify for Free Shipping
We Do All The Paperwork
Shoulder Braces, Ankle Braces, Back Braces Also Available
Medicare Patients Call Us Right Now
1-800-755-6807

Anoka County RECORD
www.AnokaCountyRecord.com
Published weekly by Anoka County Record LLC
Subscriptions sent 1st Class U.S. Mail \$100/yr
Single Issue \$2 (check or money order)
John Kysylczyn, Owner and Publisher
E-mail: editor@anokacountyrecord.com
www.facebook.com/AnokaCountyRecord
www.twitter.com/AnokaCoRecord
VERIFIED

PO BOX 21014
COLUMBIA HEIGHTS MN
55421-0014
(763) 220-0411
Member of the Minnesota Newspaper Association

mcan Minnesota Classified Advertising Network

HELP WANTED - DRIVERS

CLASS A CDL
local drivers for IA & MINN. \$20.00/hr. some jobs up to \$35.00/hr. plus benefits. Call Monson & Sons 800/463-4097 ext. 110/109 EOE

NOW HIRING
Company OTR drivers. \$2,000 sign on bonus, flexible home time, extensive benefits. Call now! Hibb's & Co. 763/389-0610

Classified Advertising that is Easy!
THE MINNESOTA CLASSIFIED AD NETWORK
Make an impact with your advertising dollar with classified advertising that reaches over 3 million readers!
Your newspaper representative can provide complete details.
The 2nd Network is a program of the MNA, phone 800-278-2979

FARM EQUIPMENT

MINNESOTA HUNTING LAND
Wanted. Earn thousands on your land by leasing the hunting rights. Free evaluation & info packet. Liability coverage included. The experts at Base Camp Leasing have been bringing landowners & hunters together since 1999. Email: info@basecampleasing.com Call: 866/309-1507 www.BaseCampLeasing.com

MISCELLANEOUS

CANADA DRUG CENTER
is your choice for safe and affordable medications. Our licensed Canadian mail order pharmacy will provide you with savings of up to 75% on all your medication needs. Call today 800/259-1096 for \$10.00 off your first prescription and free shipping.

DO YOU OWE
over \$10,000 to the IRS or State in back taxes? You could get a settlement for as low as 25% of previous IRS settlements. Call now! 800/558-0486

MISCELLANEOUS

DISH TV RETAILER
Dish TV Retailer -Save! Starting \$19.99/month (for 12 months.) Free Premium Movie Channels. Free Equipment, Installation & Activation. Call, compare local deals!! 800/297-8706

DONATE YOUR CAR
truck or boat to Heritage For The Blind. Free 3 day vacation, tax deductible, free towing, all paperwork taken care of 800/439-1735

GOT KNEE PAIN?
Back Pain? Shoulder Pain? Get a pain-relieving brace -little or no cost to you. Medicare patients call health hotline now! 800/755-6807

SAWMILLS
from only \$4,397.00 Make & save money with your own bandmill. Cut lumber any dimension. In stock, ready to ship. Free Info/DVD: 800/578-1363 Ext.300N www.NorwoodSawmills.com

**INFORMATIONAL
OPEN HOUSE
COON CREEK
REGIONAL TRAIL
MASTER PLAN**

The County of Anoka will hold an informational open house on March 25, 2015 from 4:00pm to 6:00pm at the Coon Rapids City Council Chambers, 11155 Robinson Drive, Coon Rapids, MN 55433 to receive public comments on the proposed master plan for Coon Creek Regional Trail.

The majority of this regional trail already exists. When completed, the Coon Creek Regional Trail will connect Bunker Hills Regional Park with Coon Rapids Dam Regional Park and the Mississippi River through the City of Coon Rapids. The proposed portion of trail will generally run north/south from Bunker Hills Regional Park, following along Coon Creek through heavily wooded areas, with connections to other trails and links to destinations such as the city parks of Sand Creek, Erlandson, Robinson, and Al Flynn. The proposed trail connects to the trail system within the Coon Rapids Dam Regional Park. There are no current plans to complete construction of the trail at this time.

Copies of the master plan can be obtained by contacting the project manager or visiting www.anokacountyparks.com. Those who have questions or comments may contact the Project Manager: Karen Blaska, Park Planner, Anoka County Parks and Recreation Department, 550 Bunker Lake Blvd. NW, Andover, MN 55304 or via telephone at 763-767-2865 or e-mail at karen.blaska@co.anoka.mn.us. Written comments on the master plan are preferred and may be submitted to the project manager listed above.

/s/ Christine V. Carney
Assistant County Attorney
(Published March. 6, 13, 2015
Anoka County Record) #161

AFFIDAVIT OF PUBLICATION

State of Minnesota, County of Anoka

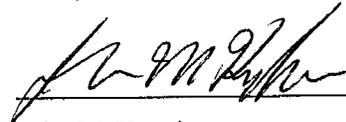
John M. Kysylyczyn, being duly sworn on oath says that he is the owner and publisher of the newspaper known as the Anoka County Record, and has full knowledge of the facts which are stated below:

(A) The newspaper has complied with all the requirements constituting qualifications as a qualified newspaper, as provided by Minnesota Statutes 331A and other applicable laws.

(B) The printed statement(s) attached was(were) printed and published on the following day(s) and date(s):

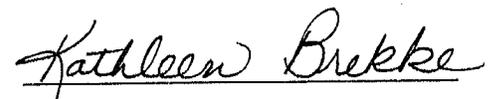
Friday, March 6, 2015

Friday, March 13, 2015

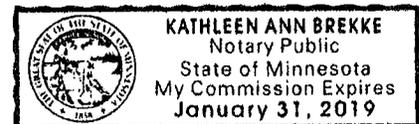


John M. Kysylyczyn,
Owner & Publisher

Subscribed and sworn to before me on
this 13th day of March, 2015



Notary Public



Lowest classified rate paid by
commercial users:

Per column inch: \$5

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA)
COUNTY OF ANOKA) ss

Charlene Vold being duly sworn on an oath, states or affirms that they are the Authorized Agent of the newspaper(s) known as:

Anoka County Union Herald

and has full knowledge of the facts stated below:

- (A) The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper as provided by Minn. Stat. §331A.02, §331A.07, and other applicable laws as amended.
- (B) This Public Notice was printed and published in said newspaper(s) for 1 successive issues; the first insertion being on 03/13/2015 and the last insertion being on 03/13/2015.

By: Charlene Vold
Authorized Agent

Subscribed and sworn to or affirmed before me on 03/13/2015.

Darlene M MacPherson
Notary Public



**ANOKA COUNTY
INFORMATIONAL
OPEN HOUSE
COON CREEK REGIONAL
TRAIL MASTER PLAN**

The County of Anoka will hold an informational open house on March 25, 2015 from 4:00pm to 6:00pm at the Coon Rapids City Council Chambers, 11155 Robinson Drive, Coon Rapids, MN 55433 to receive public comments on the proposed master plan for Coon Creek Regional Trail.

The majority of this regional trail already exists. When completed, the Coon Creek Regional Trail will connect Bunker Hills Regional Park with Coon Rapids Dam Regional Park and the Mississippi River through the City of Coon Rapids. The proposed portion of trail will generally run north/south from Bunker Hills Regional Park, following along Coon Creek through heavily wooded areas, with connections to other trails and links to destinations such as the city parks of Sand Creek, Erlandson, Robinson, and Al Flynn. The proposed trail connects to the trail system within the Coon Rapids Dam Regional Park. There are no current plans to complete construction of the trail at this time.

Copies of the master plan can be obtained by contacting the project manager or visiting www.anokacountyparks.com. Those who have questions or comments may contact the Project Manager: Karen Blaska, Park Planner, Anoka County Parks and Recreation Department, 550 Bunker Lake Blvd. NW, Andover, MN 55304 or via telephone at 763-767-2865 or e-mail at karen.blaska@co.anoka.mn.us. Written comments on the master plan are preferred and may be submitted to the project manager listed above.

/s/ Christine V. Carney
Assistant County Attorney
Published in the
Anoka County Union-Herald
March 13, 2015
358715

Rate Information:

(1) Lowest classified rate paid by commercial users for comparable space:
\$20.00 per column inch

PUBLIC INFORMATIONAL OPEN HOUSE

COON CREEK REGIONAL TRAIL MASTER PLAN

Anoka County Parks & Recreation Department
550 Bunker Lake Blvd NW
Andover, MN 55304
763-757-3920

Wednesday, March 25, 2015 4:00 PM-6:00 PM

The County of Anoka will hold an informational open house on March 25, 2015 from 4:00pm to 6:00pm at the Coon Rapids City Council Chambers, 11155 Robinson Drive, Coon Rapids, MN 55433 to receive public comments on the proposed master plan for Coon Creek Regional Trail.

The majority of this regional trail already exists. When completed, the Coon Creek Regional Trail will connect Bunker Hills Regional Park with Coon Rapids Dam Regional Park through the City of Coon Rapids. The trail will generally run north/south from Bunker Hills Regional Park, along Coon Creek and the city parks of Sand Creek, Erlandson, Robinson, and Al Flynn. There are no current plans to complete construction of the trail at this time.

Copies of the master plan can be obtained by contacting the project manager or visiting www.anokacountyparks.com. Those who have questions or comments may contact the Project Manager: Karen Blaska, Park Planner, Anoka County Parks and Recreation Department, 550 Bunker Lake Blvd. NW, Andover, MN 55304 or via telephone at 763-767-2865 or e-mail at karen.blaska@co.anoka.mn.us. Written comments on the master plan are preferred and may be submitted to the project manager listed above.



Anoka County
PARKS & RECREATION
Open Spaces in Nearby Places

Karen Blaska

From: Karen Blaska
Sent: Friday, February 20, 2015 9:14 AM
To: Kelly, Tim (tkelly@cooncreekwd.org); Rebecca Haug
Subject: Coon Creek Regional Trail
Attachments: Coon Creek Regional Trail Master Plan.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Tim & Rebecca:

Attached is a draft master plan for Coon Creek Regional Trail for your review and comment. The City of Coon Rapids has built the majority of the trail already, so the majority of the plan is a summary of what exists. I'm requesting that the Watershed District review the plan and provide any comments to me in writing by March 27th, 2015. If you have no comments, please provide that to me in writing as well.

If you would like me to present this to your Board, I would be happy to do that. Just let me know. I am planning on presenting the draft plan to the City's Parks and Recreation Committee March 9th and will be holding an informational open house on March 25th to receive comments from the public.

Please let me know if you have any questions.

Thank you.
Karen

Karen Blaska
Park Planner | Anoka County Parks and Recreation
O: 763-767-2865 | C: 612-845-8391



Anoka County
PARKS & RECREATION
Open Spaces in Nearby Places

Karen Blaska

From: Karen Blaska
Sent: Friday, February 20, 2015 9:21 AM
To: Jack Forslund; Tim Kirchoff
Subject: Coon Creek Regional Trail - Draft Master Plan
Attachments: Coon Creek Regional Trail Master Plan.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Jack. Hi Tim.

I'm attaching a draft master plan for the Coon Creek Regional Trail. The City of Coon Rapids has built the majority of it already, so the plan is pretty straightforward. Can you review the plan and provide any comments you have in writing by March 27th? If you have no comments, please provide that to me in writing as well. An e-mail is fine.

Any questions, let me know.

Thank you.
Karen

Karen Blaska
Park Planner | Anoka County Parks and Recreation
O: 763-767-2865 | C: 612-845-8391



Anoka County
PARKS & RECREATION
Open Spaces in Nearby Places

Karen Blaska

From: Karen Blaska
Sent: Friday, February 20, 2015 8:57 AM
To: Tim Himmer (thimmer@coonrapidsmn.gov); Harlicker, Scott
Cc: Gatlin, Steve
Subject: Coon Creek Regional Trail
Attachments: Coon Creek Regional Trail Master Plan.pdf

Tim & Scott:

Attached is a draft master plan for Coon Creek Regional Trail for your review and comment. Since the City has already built the majority of the trail, it's pretty straight forward. Once the plan adopted by the County Board and approved by the Met Council, the County could then participate financially in improvements to the existing trail and help construct the remaining portion of the trail. Please review the plan and provide any comments you have to me in writing by March 27th, 2015. If you have no comments, please provide that to me in writing as well.

I will be presenting the plan to the City's Parks and Recreation Commission on March 9th for their input and holding an informational open house on March 25th for the public to comment. Let me know if you'd like me to present the plan to the City Council. I'm more than happy to do that if needed. Once I receive all the comments and finalize the master plan, I'll come back to the City Council and request a resolution of support then.

The last section of the Master Plan addresses Joint Powers Agreements with local agencies and because there was no master plan for the trail until now, there was never a JPA established between the City and County for the trail. With there now being a master plan for the regional trail, I'm assuming we should enter to in one now. Your thoughts?

Please let me know if you have any questions.

Thank you.

Karen

Karen Blaska
Park Planner | Anoka County Parks and Recreation
O: 763-767-2865 | C: 612-845-8391



Anoka County
PARKS & RECREATION
Open Spaces in Nearby Places



City Council Regular

14.

Meeting Date: 04/21/2015

Subject: Consider Approval of Anoka Ramsey Athletic Fields Joint Powers Agreement

Submitted For: Tim Himmer, Public Works Director

From: Ryan Gunderson, Recreation Coordinator

INTRODUCTION

The current joint powers agreement for athletic field maintenance with Anoka Ramsey Community College expired in 2014. The City and Anoka Ramsey Community College met to discuss the future of the agreement over the 2014 season. At that time the City expressed a desire to no longer provide maintenance to the facility. The College expressed interest in having full control of the soccer field to assure quality for college games in the fall. For transition purposes the City and College are proposing a two year JPA, through December 2016.

DISCUSSION

To smooth the transition the City and College desire a two year agreement to allow the College, City, and users to prepare for the changes. This agreement will also allow for support of athletic needs while Sand Creek Athletic Complex is under redevelopment. The main attributes of the agreement are as follows.

- The College will maintain all grass turf. This includes mowing and fertilization previously provided by the City.
- The College will pay the City \$1,000 annually for use of the Wintercrest Baseball Complex
- The City will maintain the three amlime baseball/softball fields and safety fences for dugouts.
- The City will provide portable restrooms, garbage service, and scheduling of the baseball/softball fields for the affiliated youth ball groups and adult softball.

On January 1st, 2017 the College will be in complete control of the athletic complex and its use.

RECOMMENDATION

Staff requests the approval of signatures to finalize the Joint Powers Agreement with Anoka Ramsey Community College for athletic field maintenance and use.

Attachments

ARJPA

ARattachments

F.Y.:	Cost Center:	Obj. Code:	Amount:	Vendor #: 036773001-00	P.O. #:
-------	--------------	------------	---------	---------------------------	---------

STATE OF MINNESOTA
MINNESOTA STATE COLLEGES AND UNIVERSITIES
ANOKA-RAMSEY COLLEGE/UNIVERSITY/SYSTEM OFFICE
JOINT POWERS AGREEMENT

THIS JOINT POWERS AGREEMENT, and amendments and supplements thereto, (hereinafter "contract") is between the State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of Anoka Ramsey Community College (hereinafter "STATE"), which is empowered to enter into joint powers agreements pursuant to Minnesota Statutes, Chapter 471.59, Subd. 10, and City of Coon Rapids, address 11155 Robinson Drive, Coon Rapids, MN 55433 (hereinafter "CONTRACTOR"), which is empowered to enter into joint powers agreements pursuant to Minnesota Statutes, Chapter 471.59, Subd. 10;

WHEREAS, CONTRACTOR represents that it is duly qualified and willing to perform the services set forth herein.

NOW, THEREFORE, it is agreed:

- I. A. CONTRACTOR'S DUTIES. (Attach additional page(s) if necessary which is incorporated by reference and made a part of this agreement.) The CONTRACTOR shall:

See attachment A

- II. A. STATE'S DUTIES. The STATE shall:

See attachment B

- III. CONDITIONS OF PERFORMANCE. All services provided by the CONTRACTOR pursuant to this contract shall be performed to the satisfaction of the STATE, as determined at the sole discretion of its authorized representative, and in accord with all applicable federal, state, and local laws, ordinances, rules and regulations. The STATE'S obligation to perform pursuant to this contract is dependent on CONTRACTOR'S satisfactory performance of its duties hereunder.

- IV. TERM OF CONTRACT. This contract shall be effective on January 1, 2015, or upon the date that the **final required signature is obtained by the STATE, whichever occurs later**, and shall remain in effect until December 31, 2016, or until all obligations set forth in this contract have been satisfactorily fulfilled, whichever occurs first. The CONTRACTOR understands that NO work should begin under this contract

until ALL required signatures have been obtained, and the CONTRACTOR is notified to begin work by the STATE'S Authorized Representative.

- V. CANCELLATION. This contract may be canceled by the STATE or the CONTRACTOR at any time, with or without cause, upon thirty (90) days written notice to the other party.
- VI. STATE'S AUTHORIZED REPRESENTATIVE. The STATE'S Authorized Representative for the purposes of administration of this contract is Roger Freeman. The CONTRACTOR'S Authorized Representative for the purposes of administration of this contract is Tim Himmer. The STATE'S Authorized Representative shall have final authority for acceptance of the CONTRACTOR'S work.
- VII. ASSIGNMENT. The CONTRACTOR shall neither assign nor transfer any rights or obligations under this contract without the prior written consent of the STATE.
- VIII. AMENDMENTS. Any amendments to this contract shall be in writing, and shall be executed by the same parties who executed the original contract, or their successors in office.
- IX. LIABILITY. State agrees to be responsible for its own acts and behavior the results thereof. State's liability is governed by the Minnesota Tort Claims Act, Minn.Stat.Sec. 3,736.
- X. STATE AUDITS. The books, records, documents, and accounting procedures and practices of the CONTRACTOR relevant to this contract shall be subject to examination by the contracting department and the Legislative Auditor.
- XI. DATA PRACTICES ACT. Both parties shall comply with the Minnesota Data Practices Act as it applies to all data created, gathered, generated or acquired in accordance with this contract.
- XII. PUBLICITY. Any publicity given to the program, publications, or services provided resulting from this contract, including, but not limited to, notices, informational pamphlets, press releases, research, reports, signs, and similar public notices prepared by or for the CONTRACTOR or its employees individually or jointly with others, or any subcontractors shall identify the STATE as the sponsoring agency and shall not be released prior to receiving the approval of the STATE'S authorized representative.
- XIII. OTHER PROVISIONS. (Attach additional page(s) as necessary):

NA

IN WITNESS WHEREOF, the parties have caused this contract to be duly executed intending to be bound thereby.

APPROVED:

1. MINNESOTA STATE COLLEGES AND UNIVERSITIES

Anoka Ramsey Community College
COLLEGE/UNIVERSITY/SYSTEM OFFICE

By (authorized college/university/system office signature)	
Title	Donald Lewis Vice President of Administration
Date	

2. VERIFIED AS TO ENCUMBRANCE

By (authorized college/university/system office signature)	
Title	
Date	

3. CONTRACTOR (Governmental Entity):
City of Coon Rapids –Maintenance Department
certifies that the appropriate person(s) have
executed the contract on behalf of the
contractor as required by applicable articles,
by-laws, resolutions, or ordinances.

By (authorized signature)	
Title	Mayor
Date	

By (authorized signature)	
Title	City Manager
Date	

4. AS TO FORM AND EXECUTION:

By (authorized college/university/system office signature)	
Title	
Date	

MnSCU006
8-19-96

II,

- I. ATTACHMENT "A" TO CITY OF COON RAPIDS JOINT POWERS AGREEMENT
- A. CITY MAINTENANCE SERVICES:
- Aggline replacement on Baseball & Softball fields
 - Maintenance of and preparation of game fields for scheduled games (as needed)
 - Provide and maintain Portable Restrooms
 - Maintain safety fencing for softball/baseball bench areas (any additional fencing added to fields will be maintained by the CITY, including a homerun fence on the West softball field)
- B. STATE MAINTENANCE SERVICES:
- Fertilize and weed control consistent with athletic use
 - Mowing of grass
- C. MATERIALS, EQUIPMENT AND MANPOWER:
- Each agency agrees to furnish all the necessary materials, equipment and labor for the performance of the maintenance functions described in Section A & B above.
- D. COLLEGE USE OF CITY FIELD
- College baseball team will use Wintercrest baseball field for practices and games at an annual charge of \$1,000 (One Thousand Dollars).
 - College will prep fields for games (prep mound, chalk lines, and closes mound).
 - City will perform all other maintenance of Wintercrest.
- II. ATTACHMENT "B" TO CITY OF COON RAPIDS MAINTENANCE CONTRACT
- A. CITY'S USE OF COLLEGE FIELDS:
- The STATE agrees to give the CITY use of the college baseball and softball fields for city-affiliated recreational activities. See Section II.B for scheduling priority.
- B. SCHEDULING COLLEGE FIELDS FOR EVENTS:
- The STATE has priority for scheduling fields for college credit classes and athletic events. The CITY shall coordinate their schedule with Rory Larson, Athletic Equipment Manager, before beginning their scheduling process.

The City shall provide advance written notification to Rory Larson regarding the beginning and ending dates, and times of their scheduled events on any college fields.

Outside of the college's credit classes and athletic events, the City has priority for scheduling events. The STATE shall not schedule activities without consulting the CITY. The point of contact for field-maintenance activity for the CITY is Gregg Engle. His phone number is 763-767-6552. The point of contact for field scheduling for the CITY is Ryan Gunderson. His phone number is 763-767-6513.