

mailed
7/30/19

7550 Sunwood Drive NW • Ramsey, MN 55303

City Hall: 763.427.1410 • Fax: 763.427.5543

www.cityoframsey.com

July 30, 2019

City of Anoka
2015 First Avenue North
Anoka, MN 55303
Attn: Mr. Greg Lee, City Manager

Mr. Lee:

Enclosed for your review is a draft Ordinance that the City of Ramsey is proposing to adopt. The Ordinance will be for the implementation of an electric franchise fee on City of Anoka Electric.

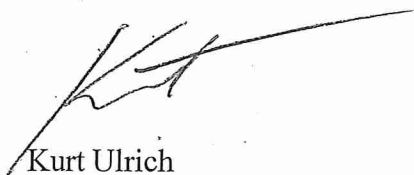
The City of Ramsey is anticipating the following proposed schedule:

- July 29, 2019: Letter to utilities notifying of intention of City to introduce a Franchise Fee ordinance.
- August 12, 2019: Introduction and first reading of ordinance at regular Council meeting on Monday, August 12. Establish public hearing date of Tuesday, September 10.
- August 13 – August 30, 2019: Publish and post notice of public hearing.
- September 10, 2019: Public hearing on Tuesday, September 10.
- Tuesday, September 24, 2019: Earliest possible date of final reading and adoption. This date is subject to change based upon input at the public hearing and can be established for a later date if determined by the Council.
- November 1, 2019: Last day to notify utility companies for a January 1, 2020 effective date. A 60-day notification is required. This date can be moved to a later date at the discretion of the Council.
- January 1, 2020: Target date for 2020 implementation (if approved).

All related meetings, as outlined, will be held at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey at 7:00 p.m.

Please contact me with any questions or concerns regarding the above at (763) 433- 9845.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kurt Ulrich', with a long horizontal stroke extending to the right.

Kurt Ulrich
City Administrator

Enclosures: Proposed Ordinance

(PROPOSED) ORDINANCE NO. 19-13

CITY OF RAMSEY
ANOKA COUNTY
STATE OF MINNESOTA

AN ORDINANCE IMPLEMENTING AN ELECTRIC FRANCHISE FEE ON CITY OF ANOKA, A MINNESOTA MUNICIPAL CORPORATION, ITS SUCCESSORS AND ASSIGNS, FOR PROVIDING ELECTRIC SERVICE WITHIN THE CITY OF RAMSEY, ANOKA COUNTY, MINNESOTA.

THE CITY OF RAMSEY ORDAINS:

SECTION 1: ELECTRIC FRANCHISE FEE

(a) *Definitions.* For the purposes of this Ordinance, the following terms shall have the following meanings:

(1) City. The City of Ramsey, County of Anoka, State of Minnesota.

(2) Company. City of Anoka Municipal Electric Utility, a Minnesota Municipal Corporation, its successors and assigns.

(3) Franchise Agreement. The franchise agreement between the City and Company pursuant to City Ordinance #13-19.

(4) Notice. "Notice" means a writing served by any party or parties on any other party or parties. Notice to Company shall be mailed to the City Manager, City of Anoka, 2015 First Avenue, Anoka, Minnesota, 55303.

Notice to City shall be mailed to the City Administrator, City of Ramsey, 7550 Sunwood Drive NW, Ramsey, Minnesota, 55303.

(b) *Purpose.* The Ramsey City Council has determined that it is in the best interest of the City to impose a franchise fee on those public utility companies that provide natural gas and electric services within the City. Pursuant to the Franchise Agreement, the City has the right to impose a franchise fee on Company. All franchise fee revenues generated through this Ordinance shall be collected in lieu of special assessments for street maintenance projects, and shall be dedicated only to long-term street maintenance program projects including pavement preservation and street reconstruction projects.

(c) *Franchise Fee Statement and Schedule.* A franchise fee is hereby imposed on Company commencing with the _____, 20____ billing month, and in accordance with the following fee schedule:

<u>Electric Utility</u> <u>Customer Classification</u>	<u>Amount per Account per Month (\$)</u>
Residential	\$ 7
Small Commercial/Industrial – Non-Demand	\$ 10
Small Commercial/Industrial – Demand	\$ 45
Institutional (Schools)	\$210
Large Commercial/Industrial	\$210

- (d) *Account Fee.* This fee is an account based fee and not a meter-based fee. In the event that an entity covered by this Ordinance has more than one meter, but only one account, only one fee shall be assessed to that account. In the event any entities covered by this Ordinance have more than one account, each account shall be subject to the appropriate fee. In the event a question arises as to the proper fee amount for any account, the highest possible fee amount shall apply.
- (e) *Payment.* After the initial notice period as provided in Section 1(i) franchise fees are to be collected by the Company and submitted to the City in accordance with the following schedule:
- January – March collections due by April 30
 April – June collections due by July 31
 July – September collections due by October 31
 October – December collections due by January 31
- (f) *Record Support for Payment.* The Company shall make each payment when due and, if requested by the City, shall provide a statement summarizing how the franchise fee payment was determined, including information showing any adjustments to the total made to account for any non-collectible accounts, refunds or error corrections. The Company shall permit the City, and its representatives, access to the Company's records for the purpose of verifying such statements.
- (g) *Payment Adjustments.* Payment to the City will be adjusted where the Company are unable to collect the franchise fee. This includes non-collectible accounts.
- (h) *Dispute Resolution.* If either party asserts that the other party is in default in the performance of any obligation hereunder, the complaining party shall notify the other party of the default and the desired remedy. The notification shall be written. Representatives of the parties must promptly meet and attempt in good faith to negotiate a resolution of the dispute. If the dispute is not resolved within 30 days of the written notice, the parties may jointly select a mediator to facilitate further discussion. The parties will equally share the fees and expenses of this mediator. If a mediator is not used or if the parties are unable to resolve the dispute within 30 days after first meeting with the selected mediator, either party may commence an action in District Court to interpret and enforce this Ordinance or for such other relief permitted by law.

- (i) *Effective Date of Franchise Fee.* The effective date of this Ordinance shall be after its publication and sixty (60) days or more after sending written notice enclosing a copy of this adopted Ordinance to Company by certified mail. Collection of the fee shall commence as provided above.
- (j) *Relation to Franchise Agreement.* This Ordinance is enacted in compliance with the Franchise Agreement and shall be interpreted as such.
- (k) *Periodic Review.* The City Council may review this Ordinance from time to time in whatever manner the City Administrator then determines to be appropriate, including, but not limited to, review by the City Council in either a work session or a regular session. Failure to review this Ordinance shall not in any way invalidate or limit it.
- (l) *Rebate Program.* The City will rebate the lesser annual amount paid for franchise fees versus special assessments over the remaining term of the special assessments, regardless if the assessment was pre-paid or is currently being paid through property taxes. Rebates will be in the form of a check to qualifying property addresses. This rebate program applies strictly to qualifying property addresses during the effective term of their current assessment or this Ordinance, whichever expires first.

SECTION 2: EFFECTIVE DATE.

This Ordinance takes effect as provided by the City Charter. This Ordinance shall terminate five (5) years from the date passed and adopted by the City. If the termination date falls within the middle of a three-month collection period, the Ordinance shall terminate at the end of the collection period.

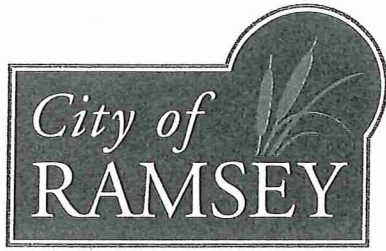
PASSED by the Ramsey City Council this the ____ day of _____, 20____.

Mayor

ATTEST:

City Clerk

Introduction Date:
Posting Dates:
Adoption Date:
Publication Date:
Effective Date:



7550 Sunwood Drive NW • Ramsey, MN 55303

City Hall: 763.427.1410 • Fax: 763.427.5543

www.cityoframsey.com

July 30, 2019

Connexus Energy
14601 Ramsey Boulevard NW
Ramsey, MN 55303
Attn: Mr. Gregory Ridderbusch, Chief Executive Officer

Mr. Ridderbusch:

Enclosed for your review is a draft Ordinance that the City of Ramsey is proposing to adopt. The Ordinance will be for the implementation of an electric franchise fee on Connexus Energy.

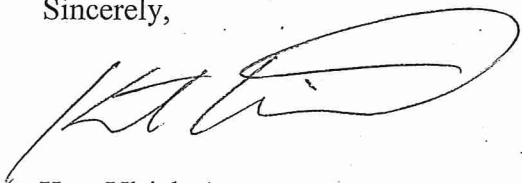
The City of Ramsey is anticipating the following proposed schedule:

- July 29, 2019: Letter to utilities notifying of intention of City to introduce a Franchise Fee ordinance.
- August 12, 2019: Introduction and first reading of ordinance at regular Council meeting on Monday, August 12. Establish public hearing date of Tuesday, September 10.
- August 13 – August 30, 2019: Publish and post notice of public hearing.
- September 10, 2019: Public hearing on Tuesday, September 10.
- Tuesday, September 24, 2019: Earliest possible date of final reading and adoption. This date is subject to change based upon input at the public hearing and can be established for a later date if determined by the Council.
- November 1, 2019: Last day to notify utility companies for a January 1, 2020 effective date. A 60-day notification is required. This date can be moved to a later date at the discretion of the Council.
- January 1, 2020: Target date for 2020 implementation (if approved).

All related meetings, as outlined, will be held at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey at 7:00 p.m.

Please contact me with any questions or concerns regarding the above at (763) 433- 9845.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kurt Ulrich', with a large, stylized flourish at the end.

Kurt Ulrich
City Administrator

Enclosures: Proposed Ordinance

(PROPOSED) ORDINANCE NO. 19-12

CITY OF RAMSEY
ANOKA COUNTY
STATE OF MINNESOTA

AN ORDINANCE IMPLEMENTING AN ELECTRIC FRANCHISE FEE ON CONNEXUS ENERGY, A MINNESOTA COOPERATIVE, ITS SUCCESSORS AND ASSIGNS, FOR PROVIDING ELECTRIC SERVICE WITHIN THE CITY OF RAMSEY, ANOKA COUNTY, MINNESOTA.

THE CITY OF RAMSEY ORDAINS:

SECTION 1: ELECTRIC FRANCHISE FEE

(a) *Definitions.* For the purposes of this Ordinance, the following terms shall have the following meanings:

- (1) City. The City of Ramsey, County of Anoka, State of Minnesota.
- (2) Company. Connexus Energy, a Minnesota Cooperative Corporation, its successors and assigns.
- (3) Franchise Agreement. The franchise agreement between the City and Company pursuant to City Ordinance #13-20.
- (4) Notice. "Notice" means a writing served by any party or parties on any other party or parties. Notice to Company shall be mailed to: Chief Executive Officer, Connexus Energy, 14601 Ramsey Boulevard NW, Ramsey, Minnesota, 55303.

Notice to City shall be mailed to the City Administrator, City of Ramsey, 7550 Sunwood Drive NW, Ramsey, Minnesota, 55303.

(b) *Purpose.* The Ramsey City Council has determined that it is in the best interest of the City to impose a franchise fee on those public utility companies that provide natural gas and electric services within the City. Pursuant to the Franchise Agreement, the City has the right to impose a franchise fee on Company. All franchise fee revenues generated through this Ordinance shall be collected in lieu of special assessments for street maintenance projects, and shall be dedicated only to long-term street maintenance program projects including pavement preservation and street reconstruction projects.

(c) *Franchise Fee Statement and Schedule.* A franchise fee is hereby imposed on Company commencing with the _____, 20____ billing month, and in accordance with the following fee schedule:

<u>Electric Utility</u> <u>Customer Classification</u>	<u>Amount per Account per Month (\$)</u>
Residential	\$ 7
Small Commercial/Industrial – Non-Demand	\$ 10
Small Commercial/Industrial – Demand	\$ 45
Institutional (Schools)	\$210
Large Commercial/Industrial	\$210

- (d) *Account Fee.* This fee is an account based fee and not a meter-based fee. In the event that an entity covered by this Ordinance has more than one meter, but only one account, only one fee shall be assessed to that account. In the event any entities covered by this Ordinance have more than one account, each account shall be subject to the appropriate fee. In the event a question arises as to the proper fee amount for any account, the highest possible fee amount shall apply.
- (e) *Payment.* After the initial notice period as provided in Section 1(i) franchise fees are to be collected by the Company and submitted to the City in accordance with the following schedule:
- January – March collections due by April 30
 April – June collections due by July 31
 July – September collections due by October 31
 October – December collections due by January 31
- (f) *Record Support for Payment.* The Company shall make each payment when due and, if requested by the City, shall provide a statement summarizing how the franchise fee payment was determined, including information showing any adjustments to the total made to account for any non-collectible accounts, refunds or error corrections. The Company shall permit the City, and its representatives, access to the Company's records for the purpose of verifying such statements.
- (g) *Payment Adjustments.* Payment to the City will be adjusted where the Company are unable to collect the franchise fee. This includes non-collectible accounts.
- (h) *Dispute Resolution.* If either party asserts that the other party is in default in the performance of any obligation hereunder, the complaining party shall notify the other party of the default and the desired remedy. The notification shall be written. Representatives of the parties must promptly meet and attempt in good faith to negotiate a resolution of the dispute. If the dispute is not resolved within 30 days of the written notice, the parties may jointly select a mediator to facilitate further discussion. The parties will equally share the fees and expenses of this mediator. If a mediator is not used or if the parties are unable to resolve the dispute within 30 days after first meeting with the selected mediator, either party may commence an action in District Court to interpret and enforce this Ordinance or for such other relief permitted by law.

- (i) *Effective Date of Franchise Fee.* The effective date of this Ordinance shall be after its publication and sixty (60) days or more after sending written notice enclosing a copy of this adopted Ordinance to Company by certified mail. Collection of the fee shall commence as provided above.
- (j) *Relation to Franchise Agreement.* This Ordinance is enacted in compliance with the Franchise Agreement and shall be interpreted as such.
- (k) *Periodic Review.* The City Council may review this Ordinance from time to time in whatever manner the City Administrator then determines to be appropriate, including, but not limited to, review by the City Council in either a work session or a regular session. Failure to review this Ordinance shall not in any way invalidate or limit it.
- (l) *Rebate Program.* The City will rebate the lesser annual amount paid for franchise fees versus special assessments over the remaining term of the special assessments, regardless if the assessment was pre-paid or is currently being paid through property taxes. Rebates will be in the form of a check to qualifying property addresses. This rebate program applies strictly to qualifying property addresses during the effective term of their current assessment or this Ordinance, whichever expires first.

SECTION 2: EFFECTIVE DATE.

This Ordinance takes effect as provided by the City Charter. This Ordinance shall terminate five (5) years from the date passed and adopted by the City. If the termination date falls within the middle of a three-month collection period, the Ordinance shall terminate at the end of the collection period.

PASSED by the Ramsey City Council this the ____ day of _____, 20__.

Mayor

ATTEST:

City Clerk

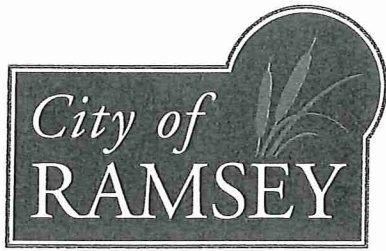
Introduction Date:

Posting Dates:

Adoption Date:

Publication Date:

Effective Date:



7550 Sunwood Drive NW • Ramsey, MN 55303

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www.cityoframsey.com

July 30, 2019

Centerpoint Energy Minnesota
505 Nicollet Mall
P.O. Box 59038
Mpls., MN 55459-0038
Attn: Mr. Scott Lehner, Area Manager

Mr. Lehner

Enclosed for your review is a draft Ordinance that the City of Ramsey is proposing to adopt. The Ordinance will be for the implementation of a gas franchise fee on Centerpoint Energy.

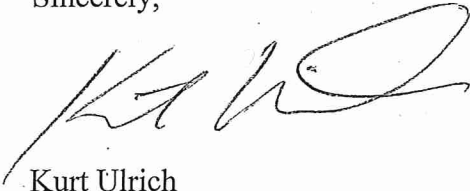
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- July 29, 2019: Letter to utilities notifying of intention of City to introduce a Franchise Fee ordinance.
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- January 1, 2020: Target date for 2020 implementation (if approved).

All related meetings, as outlined, will be held at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey at 7:00 p.m.

Please contact me with any questions or concerns regarding the above at (763) 433- 9845.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kurt Ulrich', written in a cursive style.

Kurt Ulrich
City Administrator

Enclosures: Proposed Ordinance

(PROPOSED) ORDINANCE NO. 19-11

CITY OF RAMSEY
ANOKA COUNTY
STATE OF MINNESOTA

AN ORDINANCE IMPLEMENTING A GAS FRANCHISE FEE ON CENTERPOINT ENERGY MINNESOTA, ITS SUCCESSORS AND ASSIGNS, FOR PROVIDING GAS SERVICE WITHIN THE CITY OF RAMSEY, ANOKA COUNTY, MINNESOTA.

THE CITY OF RAMSEY ORDAINS:

SECTION 1: GAS FRANCHISE FEE

(a) *Definitions.* For the purposes of this Ordinance, the following terms shall have the following meanings:

(1) City. The City of Ramsey, County of Anoka, State of Minnesota.

(2) Company. Centerpoint Energy Minnesota, its successors and assigns.

(3) Franchise Agreement. The franchise agreement between the City and Company pursuant to City Ordinance #03-16.

(4) Notice. "Notice" means a writing served by any party or parties on any other party or parties. Notice to Company shall be mailed to Centerpoint Energy Minnesota, 505 Nicollet Mall, P.O. Box 59038, Minneapolis, Minnesota, 55459-0038.

Notice to City shall be mailed to the City Administrator, 7550 Sunwood Drive NW, Ramsey, Minnesota, 55303.

(b) *Purpose.* The Ramsey City Council has determined that it is in the best interest of the City to impose a franchise fee on those public utility companies that provide natural gas and electric services within the City. Pursuant to the Franchise Agreement, the City has the right to impose a franchise fee on Company. All franchise fee revenues generated through this Ordinance shall be collected in lieu of special assessments for street maintenance projects, and shall be dedicated only to long-term street maintenance program projects including pavement preservation and street reconstruction projects.

(c) *Franchise Fee Statement and Schedule.* A franchise fee is hereby imposed on Company commencing with the _____, 20__ billing month, and in accordance with the following fee schedule:

Gas Utility

Customer Classification

Amount per Account per Month (\$)

Residential	\$ 7
Comm/Ind A (Up to 1,500 Therms)	\$ 10
Comm/Ind B (1,500-4,999 Therms)	\$ 20
Comm/Ind C (5,000 + Therms)	\$ 70
Small Volume, Dual Fuel A ("SVDF A")	\$148
Small Volume, Dual Fuel B ("SVDF B")	\$148
Institutional	\$148
Large Volume, Dual Fuel ("LVDF")	\$800

(d) *Account Fee.* This fee is an account based fee and not a meter-based fee. In the event that an entity covered by this Ordinance has more than one meter, but only one account, only one fee shall be assessed to that account. In the event any entities covered by this Ordinance have more than one account, each account shall be subject to the appropriate fee. In the event a question arises as to the proper fee amount for any account, the highest possible fee amount shall apply.

(e) *Payment.* After the initial notice period as provided in Section 1 (i) franchise fees are to be collected by the Company and submitted to the City in accordance with the following schedule:

- January – March collections due by April 30
- April – June collections due by July 31
- July – September collections due by October 31
- October – December collections due by January 31

(f) *Record Support for Payment.* The Company shall make each payment when due and, if requested by the City, shall provide a statement summarizing how the franchise fee payment was determined, including information showing any adjustments to the total made to account for any non-collectible accounts, refunds or error corrections. The Company shall permit the City, and its representatives, access to the Company's records for the purpose of verifying such statements.

(g) *Payment Adjustments.* Payment to the City will be adjusted where the Company is unable to collect the franchise fee. This includes non-collectible accounts.

(h) *Dispute Resolution.* If either party asserts that the other party is in default in the performance of any obligation hereunder, the complaining party shall notify the other party of the default and the desired remedy. The notification shall be written. Representatives of the parties must promptly meet and attempt in good faith to negotiate a resolution of the dispute. If the dispute is not resolved within 30 days of the written notice, the parties may jointly select a mediator to facilitate further discussion. The parties will equally share the fees and expenses of this mediator. If a mediator is not used or if the parties are unable to resolve the dispute within 30 days after first meeting with the selected mediator, either party may commence an

action in District Court to interpret and enforce this Ordinance or for such other relief permitted by law.

- (i) *Effective Date of Franchise Fee.* The effective date of this Ordinance shall be after its publication and sixty (60) days or more after sending written notice enclosing a copy of this adopted Ordinance to Company by certified mail. Collection of the fee shall commence as provided above.
- (j) *Relation to Franchise Agreement.* This Ordinance is enacted in compliance with the Franchise Agreement and shall be interpreted as such.
- (k) *Periodic Review.* The City Council may review this Ordinance from time to time in whatever manner the City Administrator then determines to be appropriate, including, but not limited to, review by the City Council in either a work session or a regular session. Failure to review this Ordinance shall not in any way invalidate or limit it.
- (l) *Rebate Program.* The City will rebate the lesser annual amount paid for franchise fees versus special assessments over the remaining term of the special assessments, regardless if the assessment was pre-paid or is currently being paid through property taxes. Rebates will be in the form of a check to qualifying property addresses. This rebate program applies strictly to qualifying property addresses during the effective term of their current assessment or this Ordinance, whichever expires first.

SECTION 2: EFFECTIVE DATE.

This Ordinance takes effect as provided by the City Charter. This Ordinance shall terminate five (5) years from the date passed and adopted by the City. If the termination date falls within the middle of a three-month collection period, the Ordinance shall terminate at the end of the collection period.

PASSED by the Ramsey City Council this the ____ day of _____, 20____.

Mayor

ATTEST:

City Clerk

Introduction Date:

Posting Dates:

Adoption Date:

Publication Date: