

February 2nd, 1965

Hennepin County Register of Deeds
Court House
Minneapolis, Minnesota

Gentlemen:

In response to a Charter Commission proposal, the City Council of the City of Robbinsdale placed Amendment No. 11 to the Home Rule Charter on the November 3, 1964, General Election Ballot. The number of affirmative votes on the question exceeded 55% of the total votes cast and therefore the Amendment passed.

Accordingly, I am registering the Original copy of my certification of this action with your office. In accordance with State Statute 410.11 I am sending carbon copies of this certificate for filing with the Secretary of State.

Very truly yours,

CITY OF ROBBINSDALE

GED:1b
encs.
cc: Sec. of State ✓
City Attorney

George E. DeLay
City Clerk-Treasurer

#17322
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
FEB - 3 1965

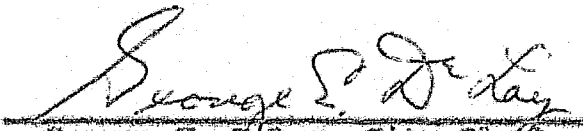
Joseph A. Benson
Secretary of State

CERTIFICATE OF ADOPTION OF AMENDMENT 11 TO THE
HOME RULE CHARTER OF THE CITY OF ROBBINSDALE

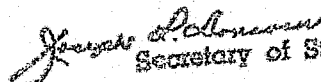
STATE OF MINNESOTA)
:SS:
COUNTY OF HENNEPIN)

I, George E. DeLay, being the duly appointed City Clerk
of the City of Robbinsdale, Minnesota, do hereby certify that
Amendment 11 to the Home Rule Charter of the City of Robbinsdale
hereto attached and made a part of this Certificate, is a true
and correct copy of the Amendment 11 to the Home Rule Charter of
the City of Robbinsdale, which Amendment 11 was duly adopted by
the qualified voters of the City of Robbinsdale at the special
election held in such City on November 3, 1964. Of the votes
cast at said election on said Amendment 11, 3,673 were affirmative
votes; and 2,814 were negative votes.

WITNESS my hand and the corporate seal of the City of
Robbinsdale this 29th day of January, 1965.


George E. DeLay, City Clerk
City of Robbinsdale, Minnesota

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Joseph A. Polunski
Secretary of State

AMENDMENT 11 TO THE HOME RULE
CHARTER OF THE CITY OF ROBBINSDALE

1. The Home Rule Charter of the City of Robbinsdale, as amended, is hereby amended to provide for a council-manager form of government as follows:

A. Section 3 is amended to read as follows:

Section 3. FORM OF GOVERNMENT. The form of government established by this charter shall be known as the "council-manager plan." All powers of the city, unless otherwise provided in this charter, shall be exercised by the city council or under its control. The city council shall have complete control over the city administration, but shall exercise this control exclusively through the city manager and shall not itself attempt to perform any administrative work.

B. Chapter IV is amended to read as follows:

CHAPTER IV.
City Council

Section 33. BOARDS. The city council shall itself be, and shall perform the duties and exercise the powers of the local board of health, park board, sinking fund commission, and city planning commission. It may, however, create temporary commissions with advisory powers to investigate any subject of interest to the municipality, and also a commission to prepare a city plan subject to the approval of the city council.

Section 34. INCOMPATIBLE OFFICES. No member of the council under this charter shall hold any other paid office or employment under the city; and until one year after the expiration of his term as mayor or alderman under this charter, no former member shall be appointed to any paid office of employment under the city which office or employment was created or the emoluments of which were increased during his term as councilman.

Section 35. PRESIDING OFFICER. The mayor shall be the president of the council and shall preside at all meetings of the council. At the first regular meeting of the council in each odd-numbered year, the council shall elect one of its members president pro tem. Such president pro tem shall preside at the meetings of the council in the absence of the mayor and shall, during the absence of the mayor from the city or during his disability, be acting mayor with full power as mayor. The mayor shall be recognized as the official head of the city for all ceremonial purposes, by the courts for the purpose of serving processes, and by the governor for purposes of martial law.

Section 36. SECRETARY OF COUNCIL AND CITY ATTORNEY. The council shall choose and may remove a secretary, the city attorney, and such other officers and employees as may be necessary to serve at its meetings. The secretary shall keep the journal of minutes or proceedings and such other records and perform such other duties as may be required by this charter or by vote of the council. The council may designate any official or employee of the city, except the city manager or a member of the council, to act as secretary of the council.

Section 37. COUNCIL MEETINGS. All meetings of the council shall be held at the city hall and shall be open to the public. The council shall keep a journal of its proceedings, which shall be a public record. A summary of the proceedings of the council shall be published in the official newspaper. The council shall hold at least two regular meetings each month and may hold other meetings as provided by its rules. The first regular meeting of each council shall be held on the first business day of the year in which such council takes office. At any meeting of the council a majority of the members shall constitute a quorum, but a smaller number may adjourn from time to time.

Section 38. INVESTIGATION OF CITY AFFAIRS. The council and the city manager, or either of them, and any officer or officers formally authorized by them, or either of them, shall have power to make investigations into the city's affairs, to subpoena witnesses, administer oaths, and compel the production of books, papers, and other documentary evidence. The council shall provide for an audit of the city accounts at least once a year by the state department in charge of such work, or by a certified public accountant. The council may at any time provide for an examination or audit of the accounts of any officer or department of city government, and it may cause to be made any survey or research study of any subject of municipal concern.

Section 39. INTERFERENCE WITH ADMINISTRATION. Except as otherwise provided in this charter, neither the council nor any of its members shall dictate the appointment of any person to office or employment by the city manager, or in any manner interfere with the city manager or prevent him from exercising his own judgment in the appointment of officers and employees in the administrative service, but this shall not be construed to prohibit the council from passing ordinances for establishing a merit system. Except for the purpose of inquiry, the council and its members shall deal with and control the administrative service solely through the city manager, and neither the council nor any member thereof shall give orders to any of the subordinates of the city manager, either publicly or privately.

Section 40. ORDINANCES AND RESOLUTIONS. Except as otherwise provided in this charter, all legislation shall be by ordinance. Every ordinance and resolution shall be presented in writing and read in full at a council meeting, except that ordinances and resolutions adopted by reference as provided in Section 43 need not be read in full. The reading of a resolution may be dispensed with by unanimous consent. All administrative business may be transacted by ordinary motion. Upon the final passage of all ordinances and resolutions the ayes and noes shall be recorded. A majority vote of all the members of the council shall be required for the passage of all ordinances and resolutions except as otherwise provided in this charter.

Section 41. ENACTING CLAUSE. The enacting clause of all ordinances shall be in the words: "The City of Robbinsdale ordains."

Section 42. FILING AND READING ORDINANCES. Every ordinance or resolution other than an emergency ordinance or resolution shall have readings at two regular meetings and at least five days shall elapse between the first and second readings thereof. Every ordinance or resolution authorizing the making of any contract involving a liability on the part of the city in excess of five hundred dollars shall remain on file in the office of the city clerk at least one week after its introduction before its final passage except an emergency ordinance or resolution. An emergency ordinance or resolution is one for the immediate preservation of the public peace, health, morals, safety, or welfare, in which the emergency is defined and declared in a preamble thereto, separately voted upon. Such preamble shall receive the affirmative vote of four-fifths of the members of the council. No grant of any franchise shall be construed to be an emergency ordinance. An emergency ordinance or resolution may be enacted without previous filing, and on the same day on which it is introduced.

Section 43. SIGNATURE AND PUBLICATION OF ORDINANCES. Every ordinance shall be signed by the mayor, or in his absence by the president pro tem of the council, attested by the city clerk, published within twenty days after its passage by the council and recorded by the city clerk in a properly indexed book kept by him for that purpose. Every ordinance not so published and recorded shall be void. Provided that any administrative rule or regulation of any department of the State of Minnesota affecting the city, or any statute of Minnesota, or any published code, specifications or regulations prepared by an official or unofficial organization for general circulation and use, may be adopted and incorporated by reference thereto in an ordinance and by marking three copies thereof as "official copies" and filing them for reference and inspection in the office of the city clerk, and the publication requirements hereof shall be fully satisfied in such cases by this method as if the said material had been set forth in the ordinance in full.

Section 44. WHEN ORDINANCES AND RESOLUTIONS TAKE EFFECT. All ordinances except emergency ordinances shall take effect upon their passage and publication unless a later date is fixed therein, in which event they shall take effect at such later date. The council may provide in any ordinance that the same shall not go into effect until approved by a majority of those voting upon the question of its approval at a regular election or at a special election called for that purpose in the manner provided. Such an ordinance, if so approved by the voters, shall go into effect upon the completion of the official canvass of the vote thereon by the council, unless a later date is designated therein. Resolutions shall take effect upon their passage.

Section 45. REVISION AND CODIFICATION OF ORDINANCES. The ordinances of the city may from time to time, by a single ordinance, be revised, rearranged and codified and any new matter may be added which may be deemed necessary by the council. Such revision and codification may be published in book form and such publication shall be held to be a sufficient publication of all of the ordinances contained therein. Every such book shall contain a printed certificate of the mayor and city clerk that the publication is correct; and such book so published shall be received in evidence in any court for the purpose of providing the ordinances therein contained the same and for the same purpose as the original ordinances, books, minutes, or journals, would be received.

C. A new Chapter V shall be added and shall read as follows:

CHAPTER V.
Administration of City Affairs

Section 46. CITY MANAGER. The city manager shall be the chief administrative officer of the city. He shall be chosen by the council solely on the basis of his training, experience and administrative qualifications. The choice shall not be limited to inhabitants of the city or state. The city manager shall be appointed for an indefinite period, and he shall be removable by the council at any time. If removed at any time after one year of service he may demand written charges and a public hearing on the same before the council prior to the date on which his final removal shall take effect, but pending and during such hearing the council may suspend him from office. During the absence or disability of the city manager the duties of his office shall be performed by some properly qualified person designated by the council.

Section 47. POWERS AND DUTIES OF CITY MANAGER. Subject to the provisions of this charter and any regulations consistent therewith which may be adopted by the council, the city manager shall control and direct the administration of the city's affairs. He shall have the powers enumerated in the following subdivisions of this section.

(1) He shall see that this charter, the ordinances and resolutions of the city, and the laws of the city, state and nation are enforced.

(2) Except as in this charter otherwise provided, he shall appoint, suspend and remove, subject to applicable ordinances, the city clerk, heads of departments and other city officers and employees. All appointments shall be on the basis of merit and fitness alone. Employees shall be removed only for sufficient cause after a reasonable notice and hearing.

(3) He shall not appoint or remove the fire chief or members of the fire department.

(4) He shall on the date of the first regular meeting of the council in each odd-numbered year appoint a physician as health officer, who shall have such power and perform such duties as may be provided by the laws of the state, or by the ordinances or resolutions of the council.

(5) He shall exercise control over all departments and divisions of city administration created by this charter or which may be hereafter created by the council.

(6) He shall attend all meetings of the council, with the right to take part in the discussions but having no vote; but the council may at its discretion exclude him from meetings at which the manner of his administration of his office is considered.

(7) He shall recommend to the council for adoption such measures as he may deem necessary for the welfare of the people and the efficient administration of the city's affairs.

(8) He shall prepare the annual budget and submit it to the council and be responsible for its administration and enforcement after adoption; prepare and submit to the council at the end of the fiscal year a complete report on the finances and administrative activities of the city for the preceding year; and keep the council advised of the financial condition and future needs of the city.

(9) He shall perform such other duties as may be prescribed by this charter or required of him by ordinances or resolutions adopted by the council.

Section 48. DEPARTMENTS OF ADMINISTRATION. The council may create such departments, divisions, and bureaus for the administration of the city's affairs as may seem necessary, and from time to time alter their powers and organization.

Section 49. SUBORDINATE OFFICERS. There shall be a city clerk and such other officers subordinate to the city manager as the council may create by ordinance. The city clerk shall be subject to the direction of the city manager, and shall have such duties in connection with the keeping of the public records, the custody and disbursement of the public funds, and the general administration of the city's affairs as shall be ordained by the council or provided by law. He may be designated to act as secretary of the council and also as treasurer. The council may by ordinance abolish offices which have been created by ordinance, and may combine the duties of various offices as it may see fit.

D. Chapters V through IX, inclusive, shall be renumbered as Chapters VI through X.

E. Sections 47 through 100, inclusive, shall be renumbered as Sections 50 through 103.

F. The following Sections shall be amended to include reference to other Sections as renumbered:

- 1) renumbered Section 55, containing reference to "Section 50" shall be amended to refer to "Section 53".
- 2) renumbered Section 57, containing reference to "Section 65" shall be amended to refer to "Section 68".
- 3) renumbered Section 64, subsection (d), containing reference to "Section 63", shall be amended to refer to "Section 66".
- 4) renumbered Section 69, subsection (4), containing reference to "Section 65" shall be amended to refer to "Section 68".
- 5) renumbered Section 72A, containing reference to "Section 69", shall be amended to refer to "Section 72".
- 6) renumbered Section 86, subsection (1), containing reference to "Sections 77 to 84", shall be amended to refer to "Sections 80 to 87".
- 7) renumbered Section 86, subsection (2), containing reference to "Section 82", shall be amended to refer to "Section 85".

G. Renumbered Chapter VI entitled Taxation and Finance including renumbered Sections 50 through 69 inclusive, and renumbered Sections 70 and 90 shall be amended by deleting the terms "city clerk" and "clerk" wherever they may appear and by substituting therefor the term "city manager".

2. Upon adoption of this proposed Amendment by the voters of the City of Robbinsdale, it shall take effect on March 1, 1965.

#17322
STATE OF MINNESOTA
DEPARTMENT OF STATE
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FEB - 3 1965

Joseph A. Johnson
Secretary of State