

State of Minnesota,*
*
County of Olmsted, *
*
City of Rochester. *
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I, Julius J. Reiter, Mayor and chief executive of the City of Rochester in the County of Olmsted and State of Minnesota, do hereby certify that the Board of Freeholders in and for said City of Rochester heretofore appointed by Honorable Arthur H. Snow, Judge of the Third Judicial District in the State of Minnesota, pursuant to the laws in such case made and provided, did on January 29, A. D. 1909, deliver to me as chief executive officer of said City proposed amendments to the Charter of said City adopted and ratified by the qualified voters thereof on the 22nd day of August, A. D. 1904, which said amendments are herein set forth as follows:

AMENDMENT NO. 1.

Amend Subsection Fifth of Section 163 of the Charter of the City of Rochester, Minnesota, so as to read as follows:

"Fifth. A Permanent Improvement Revolving Fund, into which shall be paid all amounts realized from the sale of bonds, certificates of indebtedness and orders issued on account of such fund, or in anticipation of the Collection of special assessments for local improvements, principal and interest of all special assessments and benefits assessed and levied on account of any local improvement; and there shall be paid out of such fund that portion of the cost of all local improvements for which special assessments are levied, and such amount of excess assessments as may in any instance be refunded, and for no other purpose whatever, except in payment of advances made from the General Fund as herein provided. And the City may maintain such fund sufficient to meet the expenses of all such improvements as the same become payable as in this Charter provided. And the Common Council may, from time to time, by resolution passed by a five-sevenths (5/7) vote, issue, negotiate and sell bonds, certificates of indebtedness, or orders for the creating or maintaining of such fund, without having the

2380

proposition of their issue approved by the legal voters of the city, and such bonds, certificates of indebtedness, or orders, shall not be sold for less than par, and shall bear interest at a rate not to exceed six (6) per cent. per annum, and shall be made ^{payable} from said fund, or, if, on account of non-payment of assessments, there shall not be sufficient moneys in such fund to pay them, then from the General Fund, in ~~which case the same shall be returned from the Permanent Improvement Revolving Fund to the General Fund as soon as the special assessments are collected which should have paid such bonds, certificates of indebtedness, or orders; provided,~~ that the amount of the bonds, certificates of indebtedness, or orders so issued, together with those issued under the provisions found elsewhere in this charter providing for the issuance of bonds, certificates of indebtedness, or orders, in anticipation of the collection of special assessments levied, shall not exceed at any one time five (5) per cent. of the total assessed value of the taxable property of the city according to the last preceding assessment for purposes of taxation".

AMENDMENT NO. 2.

Amend Section 176 of the Charter of the City of Rochester, Minnesota, so as to read as follows:

"Section 176. Whenever the Sinking Fund shall be insufficient to ~~pay all the maturing city bonds,~~ the Common Council may refund the same by issuing other city bonds, without submitting the proposition to the legal voters of the city, to run not exceeding twenty (20) years. They may bear such terms as to the place of payment and the rate of interest as may be deemed advisable, and in such an amount as may be necessary to meet such deficiency. The Common Council may also provide for issuance of bonds, certificates of indebtedness, or orders as elsewhere provided in this charter for the creation and maintenance of a Permanent Improvement Revolving Fund, and in anticipation of the collection of special assessments for local improvements, in an amount not to exceed five (5) per cent. of the total assessed value of the taxable property in the city according to the last preceding assessment for pur-

poses of taxation, without submitting the proposition to the legal voters of the city. The Common Council may also provide for the issuance of bonds, certificates of indebtedness, or orders, other than those authorized above, for the purpose of anticipating the collection of general taxes for the year in which they may be issued, without submitting the proposition to the legal voters of the city, to the amount of fifteen thousand dollars (\$15,000) to be outstanding and unpaid at any one time, payable not more than one year after the date thereof out of the general or any special fund of the city, with interest thereon at a rate not exceeding six (6) per cent. per annum. The city may also issue bonds, after first submitting the proposition to the voters of the city, as herein elsewhere provided, but it shall not in any case, or at any time, be bonded or otherwise contract indebtedness in excess of five (5) per cent. of the assessed valuation of the taxable property in the city according to the last preceding assessment for purposes of taxation. Neither the Common Council nor any officer or officers of the city shall otherwise, without special authority of law or ~~the provisions of this~~ charter, have authority to issue city bonds, certificates of indebtedness, or orders, or create any debt or liability against the city".

AMENDMENT NO. 3.

Amend Section 244 of the Charter of the City of Rochester, Minnesota, so as to read as follows:

"Section 244. For the purpose of providing funds in advance of, and in anticipation of, the collection of the moneys to be derived from any such assessment, the Common Council may at any time after levying the assessment, and from time to time, issue the bonds, certificates of indebtedness, or orders of the city to be paid from the Permanent Improvement Revolving Fund out of the moneys to be collected, or, if such assessments shall not have been paid into the said fund when any such bond, certificate ~~of indebtedness~~ or order becomes due, then to be paid out of the General Fund. If paid from the General Fund, such sum shall be replaced in the General Fund when the special assessment shall be collected; Provided, the issues of such bonds, certificates, or orders,

or orders, together with those elsewhere authorized in this charter in aid of the Permanent Improvement Revolving Fund, shall not exceed five (5) per cent. of the total ^{assessed} value of the taxable property in the city as shown by the last ^{previous} ~~preceding~~ assessment for purposes of taxation, unless the same be submitted to the legal voters".

I further certify that the Common Council of the said City of Rochester submitted the above proposed amendments to the qualified voters of said City at the annual Charter Election held in said City on March 9, 1909; that more than three-fifths of the said voters voting at said election voted in favor of the adoption of each of said amendments and adopted and ratified said amendments and each of them; that the number of qualified voters present and voting at said election was 1254; that the number of said voters who voted in favor of the adoption of said amendment No. 1 was 775, the number of said voters who voted in favor of the adoption of said amendment No. 2 was 759, and the number of said voters who voted in favor of the adoption of said amendment No. 3 was 756, as shown by the returns of said election as canvassed by said Common Council.

In testimony whereof I have hereunto set my hand in duplicate and caused the said duplicates to be authenticated by the seal of the City of Rochester and attested by the City Clerk of said City, this first day of April, A. D. 1909.

ATTEST:

Henry Hall
City Clerk.

Julius J. Reiter
Mayor of the City of Rochester.

2380