



## CITY OF DULUTH

DEPARTMENT OF FINANCE & RECORDS  
City Clerk  
101-102 City Hall • Duluth, Minnesota 55802-1186  
218/723-3340

November 20, 1987

Joan Anderson Growe  
Secretary of State  
180 State Office Building  
St. Paul, Minnesota 55155

Re: Certified copy of 87-0910R

Dear Ms. Growe:

Pursuant to Minnesota Statutes, Section 423A.19, Subd. 4, I am hereby filing with you the enclosed certified copy of Resolution 87-0910 of the Duluth City Council by which the Council approved an amendment to the bylaws of the Duluth Police Pension Association implementing five year pension vesting for members of such association. A certified copy of the approval bylaw amendment is attached to such resolution as Exhibit A.

Sincerely,

*Zelda Blauert*

ZELDA BLAUERT  
Deputy City Clerk

ZB/WD:jkmr:1101

Attachment

STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
NOV 25 1987  
*Joan Anderson Growe*  
Secretary of State

137799

CERTIFIED COPY OF RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DULUTH, MINNESOTA

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RESOLUTION 87-0910

ADOPTED NOVEMBER 16, 1987

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BY COUNCILOR PAYMAR:

WHEREAS, Minnesota Statutes, Sec. 423A.19, authorizes a police or salaried firefighter relief association to amend its bylaws, with the approval of the governing body of the municipality, to provide that members with at least five years of active service credited by the relief association would be entitled to a pro rata service pension upon reaching the normal retirement age; and

WHEREAS, the Duluth Police Pension Association (Association) has voted to amend its bylaws as shown in the attached Exhibit A (Public Document No. 87-1116-14) to provide for such five-year vesting of members' pensions, and has requested approval of such bylaw amendment by the City Council; and

WHEREAS, the Association has provided the City Council with an actuarial valuation prepared by the actuary of the Association showing the financial impact of the proposed bylaw amendment, which actuarial valuation has been reviewed by the City Council.

NOW, THEREFORE, BE IT RESOLVED, that the Duluth City Council hereby gives its approval to the amendment to the bylaws of the Association set forth in Exhibit A attached to this resolution.

Resolution 87-0910 was unanimously adopted.

Approved November 16, 1987

JOHN A. FEDO, Mayor

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I, JEFFREY J. COX, City Clerk of the City of Duluth, Minnesota, do hereby certify that I have compared the foregoing Resolution passed by the City Council on the 16th day of November, 1987, with the original in my custody as City Clerk of said City, and that the same is a true and correct transcript therefrom.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said City of Duluth, this 20th day of November, 1987.

JEFFREY J. COX  
City Clerk

By

*Zelda Blauert*  
Deputy  
CITY OF DULUTH, MINNESOTA

AMENDMENT TO BYLAWS OF  
DULUTH POLICE PENSION ASSOCIATION

ARTICLE VI of the Bylaws of the Duluth Police Pension Association is hereby amended as follows:

- 1) Paragraph (b) is amended to read:

"(b) To any member of the age of fifty (50) years or more who performs duty as a member of the police department of the City of Duluth for ~~twenty (20)~~ five (5) years or more, upon his written application after retiring from such duty there shall be paid monthly during his lifetime a pension not to exceed ~~31~~ units and one additional unit for the first year of such service in excess of 20 years and two additional units for each year of service in excess of ~~21~~ years, but not to exceed ~~40~~ 40.8 units, which shall be calculated as follows:

<u>For each year of service through 20 years</u>	<u>- 1.59 units</u>
<u>For the 21st year of service</u>	<u>- 1 unit</u>
<u>For each year of service in excess of 21 years</u>	<u>- 2 units"</u>

- 2) Paragraph (c) is amended to read:

"(c) To any member who performs duty as a member of the police department of the City for ~~twenty (20)~~ five (5) years or more who retires from such duty before he attains the age of 50 years, upon his written application after reaching the age of 50 years, there shall be paid monthly during his lifetime a pension not to exceed ~~31~~ units and one additional unit for the first year of such service in excess of 20 years and two additional units for each year in excess of ~~21~~ years, but not to exceed ~~40~~ 40.8 units, which shall be calculated as follows:

<u>For each year of service through 20 years</u>	<u>- 1.59 units</u>
<u>For the 21st year of service</u>	<u>- 1 unit</u>
<u>For each year of service in excess of 21 years</u>	<u>- 2 units"</u>


- 3) Paragraph (d) is amended to read:

"(d) To any member who, while a member of the police department of the City of Duluth, becomes diseased or sustains an injury which permanently unfits him from the performance of police duties there shall be paid monthly during his lifetime a pension as provided in these By-Laws but not to exceed ~~40~~ 40.8 units, while so disabled, but no member shall be

awarded, or paid a pension pursuant to this clause, except upon the certificate of two or more physicians or surgeons chosen by the Governing Board. This certificate shall set forth the cause, nature and extent of the disability, disease, or injury of the member. No member shall be awarded, granted, or paid a pension pursuant to this clause unless the certificate states that the disability, disease, or injury was incurred or sustained by him while a member of the police department of the City of Duluth. Each such certificate shall be filed with and acted upon by the Association at a regular or special meeting; and at its discretion the Governing Board may require any such person to submit to a re-examination by a competent physician chosen by the Board. If found by this re-examination to be physically fit, such person shall be reinstated to the position held immediately prior to the commencement of the member's disability.

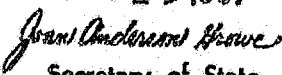
The Governing Board may recommend and the Association at a regular or special meeting shall determine the amount of pension to be paid to each individual disabled member while so disabled. The Governing Board and Association shall be guided in determining the amount of pension by the percentage of disability as shown by the report of the examining physicians or surgeons, the disabled member's ability to enter other fields of gainful employment and the number of years of duty in the police department. Such pension shall never be less than one and one-half units for each year of such active police service and shall not exceed ~~forty (40)~~ 40.8 units. The amount of the pension may be subject to review by the Association at any subsequent meeting upon its own initiative or upon the request of the disabled member."

I certify that the foregoing amendment to the Bylaws of the Duluth Police Pension Association was duly adopted by the membership of the Duluth Police Pension Association at a special meeting held on October 13, 1987.

  
Walt Peterson  
Secretary

ATBOFP

Exhibit A

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STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
NOV 25 1987  
  
Secretary of State