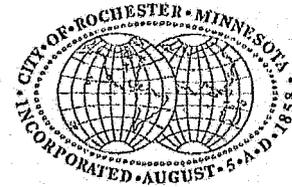




ROCHESTER

Minnesota



April 3, 1990

STEVAN E. KVENVOLD
City Administrator
Room 214, City Hall
Rochester, MN 55902-3129
(507) 285-8082
FAX #(507) 285-8256

The Honorable Joan Anderson Growe
Secretary of State
180 State Office Building
St. Paul, MN 55155

RE: CONSOLIDATION WITH POLICE/FIRE PERA

Dear Secretary Growe:

The membership of the Rochester Fire Department Relief Association has conducted a referendum to consider consolidation of the Rochester Fire Department Relief Association local pension funds into the Minnesota Public Employees Retirement Association (Police/Fire PERA) and voted for consolidation into the Police/Fire PERA by a vote of 72 yes and 55 no.

On April 2, 1990, the Rochester Common Council approved a resolution giving preliminary approval to continue the process of consolidation of the local pension fund with Police/Fire PERA.

Attached for your review and consideration are the following documents:

- 1) Certificate of Compliance With Procedures Mandated by Laws 1987, Chapter 296, Section 11.
- 2) Copy of Resolution Adopted by the Rochester Common Council Giving Preliminary Approval to Continue the Process of Pension Consolidation
- 3) Resolution of the Rochester Fire department Relief Association/RE: Referendum Procedures
- 4) Certificate From the Deputy City Clerk Dated 3/20/90 Indicating the Results of the Membership Referendum.

Sincerely,

Stevan E. Kvenvold
City Administrator

cc: Paul C. Utesch
John M. Loftus

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STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

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An Equal Opportunity/Affirmative Action Employer
Secretary of State

Rochester Fire Department Relief Association

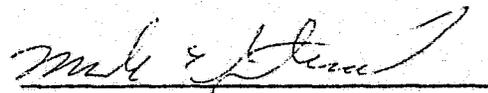
Office of Secretary and Treasurer

ROCHESTER, MINNESOTA

CERTIFICATE OF COMPLIANCE

I, the undersigned, being the Asst. Secretary of the Rochester Fire Department Relief Association, respectively, do hereby certify that all of the procedures set forth in the Laws of Minnesota 1987, Chapter 296, Section 11, were complied with relative to the approval of an action to consolidate the Rochester Fire Department Relief Association with the Public Employees Retirement Association Police and Fire Fund, as evidenced by the attached documentation.

Date: April 11, 1990



Merle E. Steward
Asst. Secretary Rochester Fire
Department Relief Association

R E S O L U T I O N

A Resolution of Preliminary Municipal Approval
to Continue the Process of Consolidation of
the Rochester Fire Department Relief Association, Inc.
with PERA - Police and Fire

WHEREAS, the Rochester Fire Department Relief Association,
Inc. is in compliance with the procedures mandated by Laws 1987,
Chapter 296, Section 11 (the Law), as evidenced in the form of
annexed hereto as "Exhibit A";

BE IT RESOLVED by the Common Council of the City of Rochester
that the request of the Board of Directors of Rochester Fire
Department Relief Association for preliminary approval to continue
the process of consolidation with PERA-Police and Fire is approved.

The City Administrator is authorized and directed to notify the
persons as provided by the Law.

Passed and adopted by the Common Council of the City of Rochester,
Minnesota, this 2nd day of April, 1990.

Deeann B. Selby
President of Said Common Council

Attest: Carole A. Brown
City Clerk

Approved this 3 day of April, 1990

Chuck Hagan
Mayor of Said City

(Seal of the City of
Rochester, Minnesota)

ROCHESTER FIRE DEPARTMENT
RELIEF ASSOCIATION

RESOLUTION

WHEREAS, by Resolution adopted by the Board of Trustees of the Rochester Fire Department Relief Association at a special meeting held on February 14, 1990. A special meeting of this Board was called to be held in the Council Chambers in City Hall, Rochester, Minnesota, beginning at 7:00 p.m. on February 14th, 1990, for the purpose of conducting a public hearing on the issue of whether this association should be consolidated with the Public Employees Police and Fire Fund; and

WHEREAS, notice of the aforesaid public hearing and its purpose was duly given by publication in the Rochester Post-Bulletin on February 3rd and 7th, 1990 and by posted notices in each fire station ; and

WHEREAS, at the designated time and place the Board of Trustees of the Rochester Fire Department Relief Association conducted the aforesaid public hearing and during the course of said hearing informational comments were made and questions were answered by representatives of the Public Employees Retirement Association, and all persons present who desired to be heard were heard.

NOW THEREFORE, be it resolved by the Board of Trustees of the Rochester Fire Department Relief Association that pursuant to Section 353A.04 of Minnesota Statutes, a referendum of the membership of this Association on the issue of consolidation of the Rochester Fire Department Relief Association with the Public Employees Police and Fire Fund shall be conducted by secret ballot in accordance with the following procedure:

(a) For the purpose of this referendum, "membership" of this Association shall be as defined in Section 353A.02, Subd. 1B of Minnesota Statutes.

(b) Voting shall be by secret ballot. Each active, deferred, disabled or retired member is entitled to one vote and the survivor or survivors of an active, deferred, disabled, or retired member is entitled to one vote. (Section 353A.04 Subd. 4 of Minnesota Statutes).

(c) Not later than February 17th, 1990, the Secretary of this Association shall prepare and mail to each member of this Association at his or her last known address, a ballot, a ballot envelope, and a return envelope with postage affixed, together with a copy of the information and instruction sheet which is attached to and made a part of this resolution. The Secretary shall prepare a list of all members to whom ballots have been mailed, shall attach his affidavit of mailing, and shall keep this list and his affidavit as a part of the records of this Association.

(d) The question on the ballot shall be:

"Should the Rochester Fire Department Relief Association be consolidated with the Public Employees Police and Fire Fund ?"

with appropriate boxes designated for a "Yes" or "No" vote

"EXHIBIT A"

(e) Each member wishing to vote on the issue of consolidation should mark the appropriate "Yes" or "No" box on the ballot, place his or her ballot in the ballot envelope, seal the ballot envelope, and place the sealed ballot envelope in the return envelope which shall be pre-addressed to: "Carol A. Grimm, City Clerk, Room 100, City Hall, Rochester, Mn 55902", and shall have the notation on the outside of the return envelope: Referendum Ballot. Rochester Fire Department Relief Association".

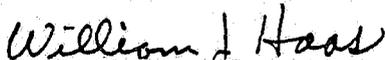
(f) On March 19th, 1990, the City Clerk of the City of Rochester, in the presence of the Secretary of this Association and two members of this Association appointed by the President who are not trustees or officers of this Association, shall open and count all referendum ballots received by the City Clerk by the close of her office on March 19th, 1990. The ballots received by the City Clerk after that date shall not be counted. After counting the ballots, the City Clerk, the Secretary and members of this Association observing the counting, shall sign the tabulation and the City Clerk shall certify the results to the Board of Trustees of the Rochester Fire Department Relief Association and to the Mayor and Common Council of the City of Rochester. The Clerk shall preserve and retain all ballots at least one year. The Secretary of this Association shall notify all members of the Association of the results of the referendum.

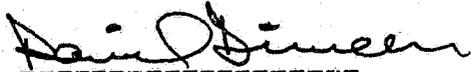
BE IT FURTHER RESOLVED, THAT THE BOARD OF TRUSTEES OF THE ROCHESTER FIRE DEPARTMENT RELIEF ASSOCIATION HAS DETERMINED TO MAKE A RECOMMENDATION TO THE MEMBERSHIP OF THIS ASSOCIATION AND TO THE MAYOR AND COMMON COUNCIL AND THE CITY OF ROCHESTER TO CONSOLIDATE THE ROCHESTER FIRE DEPARTMENT RELIEF ASSOCIATION WITH THE PUBLIC EMPLOYEES POLICE AND FIRE FUND.

Passed and adopted by the Board of Trustees of the Rochester Fire Department Relief Association on this 14th Day of February, 1990.

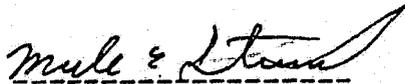
BOARD OF DIRECTORS


Paul C. Utesch

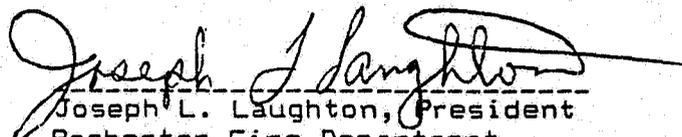

William J. Haas

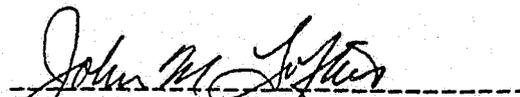

Daniel Dinneen

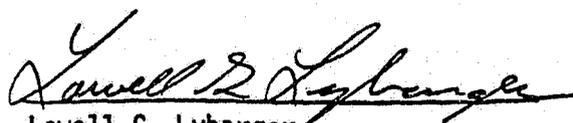

Richard J. Lovett


Merle E. Steward


Mike Toogood


Joseph L. Laughton, President
Rochester Fire Department
Relief Association


John M. Loftus, Secretary
Rochester Fire Department
Relief Association


Lowell G. Lybarger
Retired Representative

City of **ROCHESTER**
— Minnesota —

March 20, 1990

CAROLE A. GRIMM
City Clerk
Room 100, City Hall
Rochester, MN 55902-3163
(507) 285-8086

This will certify that the ballots for the Rochester Fire Relief Association were opened in my office on March 20, 1990 at 9:00 A.M. Fifty percent (50%) of total membership are required to pass. A total of 127 ballots were mailed and 117 returned. The following are the results:

YES - 72 votes

"I want the Rochester Fire Relief Association to be consolidated into P.E.R.A. Police and Fire Fund."

NO - 45 votes

"I do not want the Rochester Fire Relief Association to be consolidated into P.E.R.A. Police and Fire Fund."

Judy Kay Scherr

Judy Kay Scherr
Deputy City Clerk

(Seal of the City of
Rochester, Minnesota)

40177
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

APR 18 1990

Jean Anderson

Secretary of State

72 • +
55 • +
127 • *

72 • ÷
127 • =

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