

INTERGOVERNMENTAL RELATIONS COMMITTEE

11-0272R

RESOLUTION REPEALING AND REPLACING COUNCIL RESOLUTION  
10-0375 AUTHORIZING FULL-TIME PERMANENT FIREFIGHTERS  
EMPLOYED BY THE CITY WHILE ON DUTY TO SOLICIT CHARITABLE  
CONTRIBUTIONS FROM MOTORISTS.

BY COUNCILOR ANDERSON:

RESOLVED, that council Resolution 10-0375 is hereby repealed in its entirety.

FURTHER RESOLVED, that pursuant to Chapter 227 - H.F. No. 3017 of the Laws of Minnesota for 2010 (codified as Minn. Stat. §465.90), the city by resolution hereby permits that full-time permanent firefighters employed by the city while on duty may solicit charitable contributions from motorists when the following conditions are met:

(a) The solicitation complies with Minn. Stat. §465.90 and is conducted pursuant to policies and procedures set forth by the city fire chief;

(b) The solicitation results in no additional costs to the city, including but not limited to, overtime costs;

(c) The solicitation is for one charitable organization selected by the city council;

(d) Said charitable organization shall be the Muscular Dystrophy Association (MDA);

(e) The MDA shall remain the designated charitable organization until otherwise designated by council resolution or it ceases to be in compliance with the requirements of Minn. Stat. §465.90 which include:

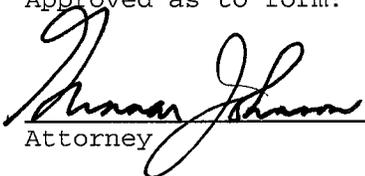
(1) The charitable organization is qualified under Section 501(c)(3) of the Internal Revenue Code;

(2) The charitable organization provides to the city proof of commercial general liability insurance against all claims for bodily injury and property damage if the injury or damage occurs (i) on public streets, roads or rights-of-way, or (ii) as a result of the solicitor's activities. The insurance must have a limit of no less than \$1,500,000 per occurrence and an endorsement

to the policy naming the municipality as an additional insured. .

FURTHER RESOLVED, that all charitable donations for said charitable organization collected by the city during said solicitation period shall be deposited directly into a financial account created and controlled exclusively by said charitable organization.

Approved as to form:

  
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Attorney

CCREQ/ATTY      GBJ:cjk      5/6/2011

STATEMENT OF PURPOSE: This resolution repeals and replaces council Resolution 10-0375 and provides authorization for full-time permanent firefighters employed by the city while on duty to solicit charitable contributions from motorists under certain conditions. This resolution also selects MDA as the designated charitable organization.