

INDEPENDENT SCHOOL DISTRICT 271
Bloomington, Minnesota

REQUEST FOR SCHOOL BOARD ACTION

DATE OF BOARD MEETING: January 23, 2017

SUBJECT: Resolution stating the intention of the School Board to issue General Obligation Bonds 2017A to finance Alt Facility projects.

ORIGINATING DEPARTMENT: Business Office

APPROVAL OF ADMINISTRATIVE CABINET MEMBER: Rod Y. Zivkovich, Executive Director of Finance and Support Services

RESOLUTION FOR BOARD TO ADOPT:


RESOLVED, that the School Board of Independent School District 271 hereby finds and declares that it is necessary and expedient for Independent School District 271 (the "District") to issue its fully registered general obligation alternative facilities bonds (the "Bonds") pursuant to Minnesota Statutes, Section 123B.59, subdivision 3 and Chapter 475, as amended, to fund a portion of the costs of the following projects, as included in its ten-year facility plan approved by the School Board and the Commissioner of Education, and related financing costs:

- Miscellaneous deferred maintenance projects at various District facilities as included in the District's approved ten-year facility plan.

The Bonds would be issued in the total aggregate principal amount of not to exceed \$_____.

The District will conform to all aspects of the attached Extract of Meeting Minutes and Exhibit A.

RECOMMENDATION OF SUPERINTENDENT:

Approve. 

BOND SALE GUIDELINES

- 1) **Sale.** The District has retained Ehlers & Associates, Inc. (Ehlers) in Roseville, Minnesota, as its independent financial advisor for the Bonds. Ehlers is authorized to solicit proposals in accordance with Minnesota Statutes, Section 475.60, Subdivision 2(9). If the issuance of the Bonds is approved, the School Board shall meet at the time and place specified in the Official Statement to receive and consider proposals for the purchase of the Bonds.
- 2) **Official Statement; Tabulation of Proposals.** Ehlers is authorized to prepare and distribute an Official Statement and to open, read and tabulate the proposals for presentation to the School Board.
- 3) **Minnesota School District Credit Enhancement Program.** (a) The District hereby covenants and obligates itself to notify the Commissioner of Education of a potential default in the payment of principal and interest on the Bonds and to use the provisions of Minnesota Statutes, Section 126C.55 to guarantee payment of the principal and interest on the Bonds when due. The District further covenants to deposit with the Bond Registrar or any successor paying agent three (3) days prior to the date on which a payment is due an amount sufficient to make that payment or to notify the Commissioner of Education that it will be unable to make all or a portion of that payment. The Bond Registrar for the Bonds is authorized and directed to notify the Commissioner of Education if it becomes aware of a potential default in the payment of principal or interest on the Bonds or if, on the day two (2) business days prior to the date a payment is due on the Bonds, there are insufficient funds to make that payment on deposit with the Bond Registrar. The District understands that as a result of its covenant to be bound by the provisions of Minnesota Statutes, Section 126C.55, the provisions of that section shall be binding as long as any Bonds of this issue remain outstanding.

(b) The District further covenants to comply with all procedures now or hereafter established by the Departments of Finance and Education of the State of Minnesota pursuant to Minnesota Statutes, Section 126C.55, subdivision 2(c) and otherwise to take such actions as necessary to comply with that section. The chair, clerk, superintendent or business manager is authorized to execute any applicable Minnesota Department of Education forms.

DETAILED BACKGROUND:

In 2012, the District provided the School Board with options to address the District's preferred maintenance needs. The School Board approved at their December 10, 2012 meeting a \$15 million a year Alternative Facility Plan to address stated needs. Administration, working with our financial consultant (Ehlers), determined the best way to fund these projects was through a combination of pay-as-you go levy and Alternative Facility Bonds. The financing plan is to sell bonds every other year for ten years. This will help the District fund two years of projects without incurring issuance cost each year. This is the second Bond Issue under this plan. The District and our financial advisor will review our option biannually.

**CERTIFICATION OF MINUTES
RELATING TO
GENERAL OBLIGATION FACILITIES MAINTENANCE BONDS, SERIES 2017A**

ISSUER: INDEPENDENT SCHOOL DISTRICT NO. 271 (BLOOMINGTON)
BLOOMINGTON, MINNESOTA

GOVERNING BODY: SCHOOL BOARD

KIND, DATE, TIME AND PLACE OF MEETING:

A regular meeting held January 23, 2017, at 7:00 o'clock p.m., in the School District.

MEMBERS PRESENT:

MEMBERS ABSENT:

Documents Attached: Extract of Minutes of said meeting.

**RESOLUTION STATING THE INTENTION OF THE SCHOOL BOARD
TO ISSUE GENERAL OBLIGATION BONDS TO FINANCE PROJECTS
INCLUDED IN THE DISTRICT'S APPROVED TEN-YEAR FACILITY
PLAN; COVENANTING AND OBLIGATING THE DISTRICT TO BE
BOUND BY AND TO USE THE PROVISIONS OF MINNESOTA
STATUTES, SECTION 126C.55 TO GUARANTEE THE PAYMENT OF
THE PRINCIPAL AND INTEREST ON THE BONDS**

I, the undersigned, being the duly qualified and acting recording officer of the public corporation issuing the obligations referred to in the title of this certificate, certify that the documents attached hereto, as described above, have been carefully compared with the original records of said corporation in my legal custody, from which they have been transcribed; that said documents are a correct and complete transcript of the minutes of a meeting of the governing body of said corporation, and correct and complete copies of all resolutions and other actions taken and of all documents approved by the governing body at said meeting, so far as they relate to said obligations; and that said meeting was duly held by the governing body at the time and place and was attended throughout by the members indicated above, pursuant to call and notice of such meeting given as required by law.

WITNESS MY HAND officially as such recording officer this ____ day of January, 2017.

School District Clerk

**EXTRACT OF MINUTES OF A MEETING
OF THE SCHOOL BOARD OF
INDEPENDENT SCHOOL DISTRICT NO. 271
(BLOOMINGTON)
STATE OF MINNESOTA**

HELD: JANUARY 23, 2017

Pursuant to due call and notice thereof, a regular meeting of the School Board of Independent School District No. 271 (Bloomington), State of Minnesota, was held on January 23, 2017 at 7:00 o'clock p.m.

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION STATING THE INTENTION OF THE SCHOOL BOARD TO ISSUE GENERAL OBLIGATION BONDS TO FINANCE PROJECTS INCLUDED IN THE DISTRICT'S APPROVED TEN-YEAR FACILITY PLAN; COVENANTING AND OBLIGATING THE DISTRICT TO BE BOUND BY AND TO USE THE PROVISIONS OF MINNESOTA STATUTES, SECTION 126C.55 TO GUARANTEE THE PAYMENT OF THE PRINCIPAL AND INTEREST ON THE BONDS

BE IT RESOLVED by the School Board of Independent School District No. 271, State of Minnesota, as follows:

1. The Board hereby finds and declares that it is necessary and expedient for Independent School District No. 271 (the "District") to issue its fully registered general obligation facilities maintenance bonds (the "Bonds") pursuant to Minnesota Statutes, Section 123B.595, subdivision 5 and Chapter 475, as amended, to fund the costs of the following projects included in its approved ten-year facility plan and related financing costs:

- miscellaneous deferred maintenance projects at various school district facilities included in the District's ten-year facility plan approved by the Commissioner of Education

The Bonds would be issued in the total aggregate principal amount of not to exceed \$ _____. The issuance of the Bonds is hereby authorized.

2. The ten-year facility plan approved by the Board is incorporated in this resolution as though fully specified herein. The administration is authorized and directed to submit to the Commissioner such additional information as may be necessary to secure the

approval of the Commissioner for the ten-year facility plan and this bond issuance, as required by Minnesota Statutes, Section 123B.595. The submission of a proposed plan and a request for approval prior to the date of this resolution is ratified and approved in all respects.

3. The District further covenants to comply with all procedures now or hereafter established by the Minnesota Department of Education pursuant to Minnesota Statutes, Section 123B.595 and otherwise to take such actions as necessary to comply with that statute. The chair, clerk, superintendent or business manager is authorized to execute any applicable Minnesota Department of Education forms.

4. The clerk is hereby authorized and directed to cause a notice substantially in the form of the Notice attached hereto as EXHIBIT A and incorporated herein by reference to be published as a legal notice one (1) time in the official newspaper of the District as soon as reasonably practicable after the date of adoption of this resolution, but at least twenty (20) days before the earliest of the solicitation of bids, the issuance of bonds or the final certification of levies. Any publication of said notice prior to the date of adoption of this resolution is hereby ratified and approved in all respects.

5. The Board, having been advised by Ehlers & Associates, Inc., its independent municipal advisor, hereby determines that the Bonds shall be privately sold after receipt of written proposals, as authorized pursuant to Minnesota Statutes, Section 475.60, Subdivision 2, as amended.

6. If the issuance of the Bonds is approved, the Board shall meet at the time and place specified in the Official Statement to receive and consider proposals for the purchase of the Bonds. The terms and provisions specified in the Official Statement are hereby adopted as the terms and conditions of the Bonds and of the sale thereof, and shall be made available to all prospective purchasers of the Bonds. Ehlers & Associates, Inc., is authorized to prepare an Official Statement and to open, read and tabulate the proposals for presentation to the Board.

7. (a) The District hereby covenants and obligates itself to notify the Commissioner of Education of a potential default in the payment of principal and interest on the Bonds and to use the provisions of Minnesota Statutes, Section 126C.55 to guarantee payment of the principal and interest on the Bonds when due. The District further covenants to deposit with the Bond Registrar or any successor paying agent three (3) days prior to the date on which a payment is due an amount sufficient to make that payment or to notify the Commissioner of Education that it will be unable to make all or a portion of that payment. The Bond Registrar for the Bonds is authorized and directed to notify the Commissioner of Education if it becomes aware of a potential default in the payment of principal or interest on the Bonds or if, on the day two (2) business days prior to the date a payment is due on the Bonds, there are insufficient funds to make that payment on deposit with the Bond Registrar. The District understands that as a result of its covenant to be bound by the provisions of Minnesota Statutes, Section 126C.55, the provisions of that section shall be binding as long as any Bonds of this issue remain outstanding.

(b) The District further covenants to comply with all procedures now or hereafter established by the Departments of Management and Budget and Education of the State of Minnesota pursuant to Minnesota Statutes, Section 126C.55, subdivision 2(c) and otherwise to take such actions as necessary to comply with that section. The chair, clerk, superintendent or business manager is authorized to execute any applicable Minnesota Department of Education forms.

The motion for the adoption of the foregoing resolution was duly seconded by Member _____ and, upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

EXHIBIT A

**NOTICE OF INTENT TO ISSUE FACILITIES MAINTENANCE BONDS
TO FINANCE PROJECTS INCLUDED IN THE DISTRICT'S
TEN-YEAR FACILITY PLAN**

**INDEPENDENT SCHOOL DISTRICT NO. 271
(BLOOMINGTON)
STATE OF MINNESOTA**

NOTICE IS HEREBY GIVEN that the School Board of Independent School District No. 271, State of Minnesota (the "District"), adopted a resolution (the "Resolution") on January 23, 2017, stating the intention of the School Board to issue general obligation facilities maintenance bonds (the "Bonds") in the total principal amount of not to exceed \$ _____ pursuant to Minnesota Statutes, Section 123B.595 and Chapter 475, as amended. The proceeds of the Bonds will be used to fund the costs of the following projects at various School District facilities as included in the District's approved ten-year facility plan and related financing costs:

- miscellaneous deferred maintenance projects at various school district facilities included in the District's ten-year facility plan approved by the Commissioner of Education

The total amount of District indebtedness as of February 1, 2017, is \$102,845,000. If these proposed Bonds were issued after that date, the total indebtedness of the District at that time would be \$ _____.

Dated: January 23, 2017

BY ORDER OF THE SCHOOL BOARD

/s/ _____

School District Clerk
Independent School District No. 271
(Bloomington)
State of Minnesota