

**INDEPENDENT SCHOOL
DISTRICT #624**



**SCHOOL BOARD
AGENDA**

October 28, 2013

**INDEPENDENT SCHOOL DISTRICT NO. 624
WHITE BEAR LAKE, MN 55110**

To: Members of the School Board

From: Dr. Michael J. Lovett
Superintendent of Schools

Date: October 21, 2013

A special Board Meeting of the White Bear Lake Area School Board will be held on **Monday, October 28, 2013** at 5:30 p.m. in Community Room at District Center, 4855 Bloom Avenue, White Bear Lake, MN.

AGENDA

A. PROCEDURAL ITEMS

1. Call to Order
2. Roll Call
3. Approve Agenda
4. Consent Agenda
 - a) Human Resources Items

B. OPERATIONAL ITEM

1. Action on Lease Agreement for Lakeaires Elementary
2. Action on Lease Agreement for Willow Lane Elementary

C. ADJOURNMENT

AGENDA ITEM: Resolution Approving And Authorizing The Execution Of
A Lease Agreement, Ground Lease Agreement And
Related Documents And Certificates For Additions To
Lakeaires Elementary School.

MEETING DATE: October 28, 2013

SUGGESTED DISPOSITION: Operational Item

CONTACT PERSON: Pete Willcoxon Sr.
Executive Director of Business Services

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Background:

Attached is the resolution, prepared by legal counsel, to approve the establishment of a lease agreement with Wells Fargo to fund the construction of the gymnasium and additional new spaces at Lakeaires Elementary School.

The funding for this addition will be through lease levy authority.

The documents associated with the funding of the project will be ready within the next few weeks and this resolution by the Board grants authority to the Superintendent to execute those documents.

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Recommendation:

Administration recommends approval of the resolution prepared by legal counsel.

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A
LEASE AGREEMENT AND
GROUND LEASE THERETO AND RELATED DOCUMENTS AND CERTIFICATES

BE IT RESOLVED by the School Board of Independent School District No. 624 (White Bear Lake Area Schools), White Bear Lake, Minnesota, as follows:

1.) The execution, delivery and performance of the Lease Agreement (the "Lease "), Ground Lease Agreement (the "Ground Lease") and the Escrow Agreement for the Lakeaires Elementary Project are hereby approved substantially in the form presented to this board and on file in the office of the Clerk.

2.) The Superintendent of the District is hereby authorized to execute the Lease, the Ground Lease and the Escrow Agreement on behalf of the District, and to execute such other certificates and documents as may be necessary and appropriate to effectuate the transactions contemplated by the Lease, the Ground Lease and the Escrow Agreement, provided that the maximum interest rate for the Lease does not exceed 5.00 percent per annum. The Lease, the Ground Lease, and the Escrow Agreement and the related documents may contain such necessary and appropriate variations, omissions and insertions as the Superintendent shall determine to be necessary, and the execution thereof by the Superintendent shall be conclusive evidence of such determination and its approval by the Board.

3.) The District reasonably anticipates that it will not issue tax-exempt obligations (not including "private activity bonds" as defined in Section 141 of the Internal Revenue Code of 1986, as amended) in an aggregate amount in excess of \$10 million during the calendar year in which the Lease commences. Thus, the lease is hereby designated as a qualified tax-exempt obligation for purposes of Section 265(b)(c) of the Internal Revenue Code of 1986, as amended, relating to deductibility of interest by financial institutions.

The motion for the adoption of the foregoing resolution was duly seconded by Member _____ and upon roll call vote the following voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed adopted.

STATE OF MINNESOTA)
)SS
COUNTY OF RAMSEY)

I, the undersigned, being the fully qualified and acting Clerk of Independent School District No. 624 (White Bear Lake Area Schools), White Bear Lake, Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a meeting of the School District held on the 28th day of October, 2013, with the original thereof on file in my office, and the same is a full, true and complete transcript insofar as the same relates to the adoption of a resolution approving and authorizing the execution of a Lease, Ground Lease, Escrow Agreement and related documents and certificates.

WITNESS MY HAND officially as such Clerk this _____ day of _____, 2013.

Clerk

AGENDA ITEM: Resolution approving and authorizing the execution of a lease agreement, ground lease agreement and related documents and certificates for additions to Willow Lane Elementary School.

MEETING DATE: October 28, 2013

SUGGESTED DISPOSITION: Operational Item

CONTACT PERSON: Pete Willcoxon Sr.
Executive Director of Business Services

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Background:

Attached is the resolution, prepared by legal counsel, to approve the establishment of a lease agreement with Wells Fargo to fund the construction of the gymnasium and additional new spaces at Willow Lane Elementary School.

The funding for this addition will be through lease levy authority.

The documents associated with the funding of the project will be ready within the next few weeks and this resolution by the Board grants authority to the Superintendent to execute those documents.

.....
Recommendation:

Administration recommends approval of the resolution prepared by legal counsel.

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A
LEASE AGREEMENT AND
GROUND LEASE THERETO AND RELATED DOCUMENTS AND CERTIFICATES

BE IT RESOLVED by the School Board of Independent School District No. 624 (White Bear Lake Area Schools), White Bear Lake, Minnesota, as follows:

1.) The execution, delivery and performance of the Lease Agreement (the "Lease "), Ground Lease Agreement (the "Ground Lease") and the Escrow Agreement for the Willow Lane Elementary Project are hereby approved substantially in the form presented to this board and on file in the office of the Clerk.

2.) The Superintendent of the District is hereby authorized to execute the Lease, the Ground Lease and the Escrow Agreement on behalf of the District, and to execute such other certificates and documents as may be necessary and appropriate to effectuate the transactions contemplated by the Lease, the Ground Lease and the Escrow Agreement, provided that the maximum interest rate for the Lease does not exceed 5.00 percent per annum. The Lease, the Ground Lease, and the Escrow Agreement and the related documents may contain such necessary and appropriate variations, omissions and insertions as the Superintendent shall determine to be necessary, and the execution thereof by the Superintendent shall be conclusive evidence of such determination and its approval by the Board.

3.) The District reasonably anticipates that it will not issue tax-exempt obligations (not including "private activity bonds" as defined in Section 141 of the Internal Revenue Code of 1986, as amended) in an aggregate amount in excess of \$10 million during the calendar year in which the Lease commences. Thus, the lease is hereby designated as a qualified tax-exempt obligation for purposes of Section 265(b)(c) of the Internal Revenue Code of 1986, as amended, relating to deductibility of interest by financial institutions.

The motion for the adoption of the foregoing resolution was duly seconded by Member _____ and upon roll call vote the following voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed adopted.

STATE OF MINNESOTA)
)SS
COUNTY OF RAMSEY)

I, the undersigned, being the fully qualified and acting Clerk of Independent School District No. 624 (White Bear Lake Area Schools), White Bear Lake, Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a meeting of the School District held on the 28th day of October, 2013, with the original thereof on file in my office, and the same is a full, true and complete transcript insofar as the same relates to the adoption of a resolution approving and authorizing the execution of a Lease, Ground Lease, Escrow Agreement and related documents and certificates.

WITNESS MY HAND officially as such Clerk this _____ day of _____, 2013.

Clerk

INDEPENDENT SCHOOL DISTRICT NO.624
Department of Human Resources

NEW PERSONNEL – CABINET

WAYNE KAZMIERCZAK – Director of Finance and Operations, District Center. Mr. Kazmierczak is recommended for the position of Director of Finance and Operations. The contract is effective January 15, 2014, prorated based on an annual salary of \$140,000.