

ADMINISTRATIVE REPORT

DATE: August 17, 2023

TOPIC: #7.2 – Resolution relating to determining the necessity of revoking an existing capital project levy authorization replacing it with a new capital project levy authorization and call a special election thereon.

PRESENTER: Dan Pyan, Executive Director of Finance and Operations

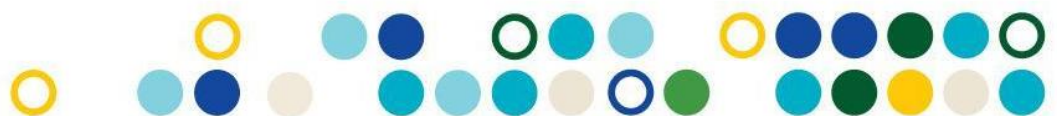
REFERENCE TO POLICY/STATUTE: Policy 701

A. PURPOSE OF REPORT

- a. South Washington County Schools presently has a Capital Projects Levy for the purpose of funding technology which generates \$2.8 million annually. This levy was approved by district voters in 2017.
- b. The technology budget is between \$5 and \$6 million per year.
- c. The remainder of the budget is financed with a \$1.5 million operating levy from 2013 which would have ended in FY 2024, and the rest comes out of district operating capital.
- d. By increasing the \$2.8 million capital projects levy to \$5 million, the technology budget will have a dedicated revenue stream of at least \$5 million per year (the amount is based on a tax rate and will increase as the property tax base increases.)
- e. This levy has been presented to the school board at its July 13, 2023 meeting and its August 3, 2023 meeting.
- f. The resolution calls for a special election to be held on November 7, 2023., for the voters to decide to revoke the current levy and replace it with the \$5 million levy.
- g. A resolution is required from the School Board.

B. RECOMMENDATION

- a. Administration recommends approval of the resolution
- b. Administration is requesting a motion to approve the attached resolution.



C CONNECTION TO STRATEGIC PRIORITY

- a. Student Experience
- b. Student Pathways and Systemic Supports
- c. Operations, Staffing, and Finance



CERTIFICATION OF MINUTES RELATING TO SPECIAL ELECTION

Issuer: Independent School District No. 833 (South Washington County Schools), Minnesota

Governing Body: School Board

Kind, date, time and place of meeting: A regular meeting held on August 17, 2023 at 6:00 p.m. at the District offices.

Members present:

Members absent:

Documents attached:

Minutes of said meeting (including):

RESOLUTION RELATING TO DETERMINING THE NECESSITY OF REVOKING AN EXISTING CAPITAL PROJECT LEVY AUTHORIZATION REPLACING IT WITH A NEW CAPITAL PROJECT LEVY AUTHORIZATION AND CALLING A SPECIAL ELECTION THEREON

I, the undersigned, being the duly qualified and acting recording officer of the public corporation 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; 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 on August 17, 2023.

School District Clerk

Member _____ introduced the following resolution and moved its adoption, which motion was seconded by Member _____:

RESOLUTION RELATING TO DETERMINING THE NECESSITY OF REVOKING AN EXISTING CAPITAL PROJECT LEVY AUTHORIZATION REPLACING IT WITH A NEW CAPITAL PROJECT LEVY AUTHORIZATION AND CALLING A SPECIAL ELECTION THEREON

BE IT RESOLVED by the School Board (the Board) of Independent School District No. 833 (South Washington County Schools), Minnesota (the School District) as follows:

It is hereby found, determined and declared as follows:

1. The Board has investigated the facts and does hereby find, determine and declare that it is necessary and expedient to revoke its existing capital project levy authorization in the amount of 1.820% times the net tax capacity of the School District and replace it with a new capital project levy authorization in the maximum amount of 2.668% times the net tax capacity of the School District. The proposed capital project levy authorization will raise approximately \$5,000,000 for taxes first levied in 2023, payable in 2024, and would be authorized for ten (10) years. The estimated total cost of the projects to be funded over that time period is approximately \$50,000,000. The proposed authorization will provide funds for the acquisition and installation of improved instructional technology, technology systems, and technology support staffing. The program will be commenced prior to November 7, 2028 which is a date not more than five (5) years from the date of the special election approving the capital project levy authorization.

The question on the approval of the revocation of the existing capital project levy authorization and replacement with a new authorization shall be School District Question 3 on the School District ballot at the special election held to approve said authorization.

2. The question on the revocation of the existing capital project levy authorization and replacement with a new capital project levy authorization shall be submitted to the qualified electors of the School District at a special election, which is hereby called and directed to be held on Tuesday, November 7, 2023, between the hours of 7:00 a.m. and 8:00 p.m.

4. The School District's combined polling places and the precincts served by the polling places, as established and designated by resolution of the Board pursuant to Minnesota Statutes, Section 205A.11, are hereby designated for this special election except that voters residing in the City of St. Paul Park (the City) will vote at the polling places established by the City for state general elections because the City will also hold an election on November 7, 2023.

5. The Clerk is hereby authorized and directed to cause written notice of the special election to be: (a) provided to the County Auditor at least seventy-four (74) days before the date of the special election; (b) provided to the Commissioner of Education at least seventy-four (74) days before the date of the special election; (c) posted at the administrative offices of the School District, for public inspection, at least ten (10) days before the date of the special election; and (d) published in the official newspaper of the School District once each week for at least two

consecutive weeks, with the last publication being at least one week before the date of the special election. The Notice of Special Election shall be prepared in substantially the following form:

NOTICE OF SPECIAL ELECTION

**INDEPENDENT SCHOOL DISTRICT NO. 833
(SOUTH WASHINGTON COUNTY SCHOOLS), MINNESOTA**

NOTICE IS HEREBY GIVEN that a special election has been called and will be held in and for Independent School District No. 833 (South Washington County Schools), Minnesota, on November 7, 2023, between the hours of 7:00 a.m. and 8:00 p.m. to vote on the following question:

**School District Question 3
Revoke and Replace Capital Project Levy Authorization for Technology**

The board of Independent School District No. 833 (South Washington County Schools), Minnesota has proposed to revoke its existing capital project levy authorization in the amount of 1.820% times the net tax capacity of the School District and replace it with a new capital project levy authorization in the maximum amount of 2.668% times the net tax capacity of the School District. The proposed capital project levy authorization will raise approximately \$5,000,000 for taxes first levied in 2023, payable in 2024, and would be authorized for ten (10) years. The estimated total cost of the projects to be funded over that time period is approximately \$50,000,000. The proposed authorization will provide funds for the acquisition and installation of improved instructional technology, technology systems, and technology support staffing.

Shall the revocation of the existing capital project levy authorization and the replacement with a new capital project levy authorization proposed by the board of Independent School District No. 833 (South Washington County Schools), Minnesota be approved?

**BY VOTING “YES” ON THIS BALLOT QUESTION, YOU ARE VOTING FOR A
PROPERTY TAX INCREASE**

Except for the City of St Paul Park where the polling places will be those used for state general elections, the polling places and precincts served by the polling places for the special election will be as follows:

Combined Polling Places and Precincts Served:

<u>ISD 833 Precinct</u>	<u>Combined Polling Location</u>	<u>Combined Precinct</u>
Precinct 1	Park High School 8040 80th St S Cottage Grove MN 55016	Cottage Grove P1
Precinct 2	Cottage Grove Middle School 9775 Indian Blvd S Cottage Grove MN 55106	Cottage Grove P2, Afton W2-P2, Denmark TWP P2

Precinct 3	Crestview Elementary School 7830 80th St S Cottage Grove MN 55016	Cottage Grove P3
Precinct 4	District 833 Service Center 7362 East Point Douglas Rd S Cottage Grove MN 55016	Cottage Grove P4
Precinct 5	Washington County Service Center 13000 Ravine Pkwy S Cottage Grove MN 55016	Cottage Grove P5
Precinct 6	National Guard Armory 8180 Belden Blvd S Cottage Grove MN 55016	Cottage Grove P6
Precinct 7	Pine Hill Elementary School 9015 Hadley Ave S Cottage Grove MN 55016	Cottage Grove P7, Grey Cloud Island
Precinct 8	Newport Elementary School 851 6th Ave Newport MN 55055	Newport
Precinct 10	Woodbury Baptist Church 6695 Upper Afton Rd Woodbury MN 55125	Woodbury P1
Precinct 11	Woodbury High School 2665 Woodlane Dr Woodbury MN 55125	Woodbury P2, Woodbury W3
Precinct 12	Woodbury Lutheran 7380 Afton Rd Woodbury MN 55125	Woodbury P4
Precinct 13	New Life Church 6758 Bailey Rd Woodbury MN 55129	Woodbury P5
Precinct 14	Bailey Elementary School 4125 Woodlane Dr Woodbury MN 55129	Woodbury P6

Precinct 15	King of Kings Lutheran Church 1583 Radio Dr Woodbury MN 55125	Woodbury P7, Woodbury P8, Woodbury P9
Precinct 16	Red Rock Elementary School 3311 Commonwealth Ave Woodbury MN 55125	Woodbury P10
Precinct 17	Lake Middle School 3133 Pioneer Dr Woodbury MN 55125	Woodbury P11
Precinct 18	Valley Crossing Elementary School 9900 Park Crossing Woodbury MN 55125	Woodbury P12
Precinct 19	Liberty Ridge Elementary 11395 Eagle View Blvd Woodbury MN 55129	Woodbury P13
Precinct 20	Five Oaks Community Church 4416 Radio Dr Woodbury MN 55129	Woodbury P14
Precinct 21	East Ridge High School 4200 Pioneer Dr Woodbury MN 55129	Woodbury P15
Precinct 22	St Ambrose of Woodbury. New location coming 4125 Woodbury Dr, Woodbury MN 55129	Woodbury P16

All qualified electors residing in the School District may cast their ballots at the polling places listed above during the polling hours specified above.

A voter must be registered to vote to be eligible to vote in the special election. Unregistered individuals may register to vote at the polling places on Election Day.

Dated: August 17, 2023.

BY ORDER OF THE SCHOOL BOARD

/s/ _____, Clerk


6. The Clerk is authorized and directed to acquire and distribute such election materials as may be necessary for the proper conduct of this special election. If an optical scan voting system is being used, the Clerk shall comply with the laws and rules governing the procedures and requirements for optical scan voting systems. The Clerk is authorized and directed to acquire and distribute such election materials and to take such other actions as may be necessary for the proper conduct of this special election and generally to cooperate with election authorities conducting any other elections on that date. The Clerk and members of the administration are authorized and directed to take such actions as may be necessary to coordinate this election with other elections, including entering into agreements with appropriate municipal and county officials regarding preparation and distribution of ballots or ballot cards, election administration, and cost sharing.

7. The Clerk is authorized and directed to cause a printed ballot for the question to be prepared in accordance with Minnesota Statutes, Section 205A.08, Subdivision 5 and the rules of the secretary of state for use at the special election. If an optical scan voting system is being used, the Clerk shall cause official ballots to be printed according to the format of ballots for optical scan voting systems provided by the laws and rules governing optical scan voting systems. The Clerk is further authorized and directed to cause a sample ballot to be posted in the administrative offices of the School District, for public inspection, at least four (4) days before the date of the special election and to cause two sample ballots to be posted at each polling place on the date of the special election and to cooperate with the proper election officials to cause ballots or ballot cards to be prepared for use at said election. The ballot shall be in substantially the following form, with such changes in form and instructions as may be necessary to accommodate the use of an optical scan voting system:

**Special Election Ballot
School District Ballot
Independent School District No. 833
(South Washington County Schools), Minnesota**

November 7, 2023

Instructions to Voters

To vote, completely fill in the oval(s) next to your choice(s) like this: 

To vote for a question, fill in the oval next to the word "Yes" for that question.

To vote against a question, fill in the oval next to the word "No" for that question.

**School District Question 3
Revoke and Replace Capital Project Levy Authorization for Technology**

The board of Independent School District No. 833 (South Washington County Schools), Minnesota has proposed to revoke its existing capital project levy authorization in the amount of 1.820% times the net tax capacity of the School District and replace it with a new capital project levy authorization in the maximum amount of 2.668% times the net tax capacity of the School District. The proposed capital project levy authorization will raise approximately \$5,000,000 for taxes first levied in 2023, payable in 2024, and would be authorized for ten (10) years. The estimated total cost of the projects to be funded over that time period is approximately \$50,000,000. The proposed authorization will provide funds for the acquisition and installation of improved instructional technology, technology systems, and technology support staffing.

- YES** Shall the revocation of the existing capital project levy authorization and the replacement with a new capital project levy authorization proposed by the board of Independent School District No. 833 (South Washington County Schools), Minnesota be approved?
- NO**

BY VOTING "YES" ON THIS BALLOT QUESTION, YOU ARE VOTING FOR A PROPERTY TAX INCREASE

(Reverse side of ballot)

OFFICIAL BALLOT

November 7, 2023

Judge

Judge

(The ballot is to be initialed by two judges)

8. If the School District will be contracting to print the ballots for this special election, the Clerk is hereby authorized and directed to prepare instructions to the printer for layout of the ballot. Before a contract in excess of \$1,000 is awarded for printing ballots, the printer shall, upon request, furnish in accordance with Minnesota Statutes, Section 204D.04 a sufficient bond, letter of credit or certified check acceptable to the Clerk in an amount not less than \$1,000 conditioned on printing the ballots in conformity with the Minnesota election law and the instructions delivered. The Clerk shall set the amount of the bond, letter of credit or certified check in an amount equal to the value of the purchase.

9. The Clerk shall prepare and have ready for use absentee ballots at least forty-six (46) days before the special election in accordance with Minnesota Statutes, Section 204B.35, Subdivision 4.

10. As required by Minnesota Statutes, Section 203B.121, the Board hereby establishes a ballot board to process, accept and reject absentee ballots at school district elections not held on the day of a statewide election and generally to carry out the duties of a ballot board as provided by Minnesota Statutes, Section 203B.121 and other applicable laws. The ballot board must consist of a sufficient number of election judges trained in the handling of absentee ballots. The ballot board may include deputy county auditors and deputy city clerks who have received training in the processing and counting of absentee ballots. The clerk or the clerk's designee is hereby authorized and directed to appoint the members of the ballot board. The clerk or the clerk's designee shall establish, maintain and update a roster of members appointed to and currently serving on the ballot board and shall report to the Board from time to time as to its status. Each member of the ballot board shall be paid reasonable compensation for services rendered during an election at the same rate as other election judges; provided, however, if a staff member is already being compensated for regular duties, additional compensation shall not be paid for ballot board duties performed during that staff member's duty day.

11. The Board shall appoint election judges and alternates in accordance with Minnesota Statutes, Section 204B.21. The appointments will be made at least twenty-five (25) days before the special election.

12. Pursuant to Minnesota Statutes, Section 206.83, the Clerk shall provide for testing of the optical scan voting system within the fourteen (14) day period before the special election and shall cause notice of the time and place of the test to be published in the School District's official newspaper at least two (2) days before the test.

13. Pursuant to Minnesota Statutes, Section 206.85, Subdivision 1(6), the Clerk shall cause notice of the location of the counting center or the places where the ballots will be counted to be published in the School District's official newspaper at least once within the week before the special election and in the daily newspaper of widest circulation, if any, once on the day before the special election.

14. The special election shall be held and the returns made and canvassed in the manner prescribed by law and the Board shall meet on a date between the third day, November 10, 2023, and the tenth day, November 17, 2023, after the special election for the purpose of canvassing the results thereof.

15. If the capital project levy authorization is approved, all proceeds from the capital project levy shall be deposited in the capital project referendum account which is a separate account in the School District's general fund. All interest income attributable to the capital project referendum account must be credited to the capital project referendum account. Money in the capital project referendum account may only be used for the costs of acquisition and betterment of approved projects. Minnesota Statutes, Section 123B.71, Subdivision 8 provides an exemption from the requirement that the School District obtain a review and comment prior to holding a capital project levy authorization special election if the proposed capital project addresses only technology and if the funds generated by the proposed capital project levy authorization will be used only as authorized in Minnesota Statutes, Section 126C.10, Subdivision 14. Accordingly, the Board hereby determines that the proposed capital project addresses only technology and that, if approved by the voters, the funds generated by the renewal of the expiring capital project levy authorization will be used only as authorized in Minnesota Statutes, Section 126C.10, Subdivision 14. The funds in the capital project referendum account may be accumulated and not be expended until sufficient funds are available, may be accumulated and not be expended until additional funds from a bond issue are available, or may be expended on an ongoing basis for approved project costs. Any funds remaining in the capital project referendum account that are not applied to the payment of the costs of the approved projects before their final completion shall be transferred to the School District's debt redemption fund.

16. Pursuant to Minnesota Statutes, Section 123B. 63, Subdivision 3(f) and Section 205A.07, Subdivision 3a, the Clerk is hereby instructed to notify the Commissioner of Education of the results of the special election and to provide the certified vote totals for the ballot question in written form within fifteen (15) days after the results have been certified by the Board.

17. Pursuant to Minnesota Statutes, Section 211A.02, Subdivision 6, the Clerk is hereby instructed to make any campaign finance reports filed with the Clerk by campaign committees within seven (7) days after the special election available on the School District's web site as soon as possible, but no later than thirty (30) days after receipt of any such report. The Clerk is further instructed to provide the Campaign Finance and Public Disclosure Board with a link to the section of web site where such reports are made available. Such reports must remain available on the web site for four (4) years from the date first posted.

18. To the extent any of the duties and responsibilities of the School District outlined herein are to be performed by Washington County pursuant to that certain Joint Powers Agreement for Election Services by and between the School District and Washington County, Minnesota (the County), dated as of December 17, 2019 (the Agreement), this Board hereby authorizes the County to undertake and perform such duties and responsibilities on behalf of the School District in accordance with the Agreement.

Upon vote being taken thereon, the following voted in favor thereof
and the following voted against the same:

whereupon the resolution was declared duly passed and adopted.