



South St. Paul School Board - Committee-of-the-Whole
 Monday, November 8, 2021 5:00 PM
 Location: CITY HALL
 125 THIRD AVENUE NORTH
 South St Paul, Minnesota 55075

Agenda

I.	5:00 - 5:10 PM SSP Library (city and county leaders)	
	A. County Library Update	2
II.	5:10 - 5:20 PM FINANCE (J. Zesbaugh, Ehlers)	
	A. Bond Refunding	7
III.	5:20 - 5:30 HUMAN RESOURCES (C. Miller)	
	A. Employee Agreements	
IV.	5:30 PM SCHOOL BOARD	
	A. Superintendent Search (L. Diaz)	30
	B. Committee Updates (Board)	31
	<ul style="list-style-type: none"> • District 917 • AMSD • Community Education • Educational Foundation • Equity Alliance • Finance, Facilities and Long-Range Planning • Policy • Public Relations/Community Engagement • SSP Open Foundation • Superintendent Executive 	
	C.	
	D. Listening Session Update (Chair Diaz)	32
	E. 2-Year Board Agenda (Board)	33
	F. Other Items Deemed Necessary by the School Board	



SOUTH ST. PAUL PUBLIC SCHOOLS

School Board Agenda Item

Meeting Date: November 8, 2021

Place on Agenda: Committee-of-the-Whole

Action Requested: None. Information Only.

Attachment: County Library Documents

Topic: County Library Update
Presenter(s): Supt. Dave Webb and leaders from Dakota County and the City of SSP
<p>Background:</p> <p>At the committee-of-the-whole meeting on Monday evening, representatives from Dakota County and the City of South St. Paul will be in attendance to share updates with the School Board on the SSP Library process. As you know, the proposed SSP library site is located at the corner of 7th Ave N. and Marie Ave. As the Library study continues to move forward, and with the close proximity of the proposed site to the Secondary Building and Central Square, I wanted to take time together with local library planning officials, to ensure that the School Board is fully informed of potential impacts to the area. During our work session, the county will provide a project overview/timeline and discuss the traffic modifications that are being evaluated.</p>
<p>Recommendation:</p> <p>N/A</p>
<p>Alternatives:</p> <p>N/A</p>



PROPOSED PROJECT SITE:

- Site is centrally located: adjacent to Park, Community Center, and School
- 16,000 GSF, one-story building
- Proposed site is 0.3 miles from existing library, a 6 minute walk
- Parking: onsite lot and adjacent street parking
- Reading garden facing Marie Ave

PROJECT PROGRAM:

Space Type	Existing Library	Proposed Library
Staff Work Areas	754 SF	2,144 SF
Collections	7,000 SF	6,360 SF
Common Use Rooms	180 SF	2,738 SF
Public Service Functions	960 SF	1,295 SF
Building Service Functions	1,375 SF	1,540 SF
Non-Assignable SF	1,579 SF	2,069 SF
Total Building	11,840 GSF	16,146 GSF
Exterior Reading Space	None Provided	Reading Garden



Existing Parking

Existing Fence

Proposed Parking

Enclosed Trash & Recycling

Existing Alley

Proposed New Library

Staff Entrance

Bench

Public Entrance

Bench

Bicycle Racks

Enclosed Utility Yard

Proposed Street Parking by City of S. St. Paul

(Proposed On-Way Street Modifications by City of S. St. Paul)

Existing Street Parking

Central Square Community Center

Reading Garden

Flag Pole

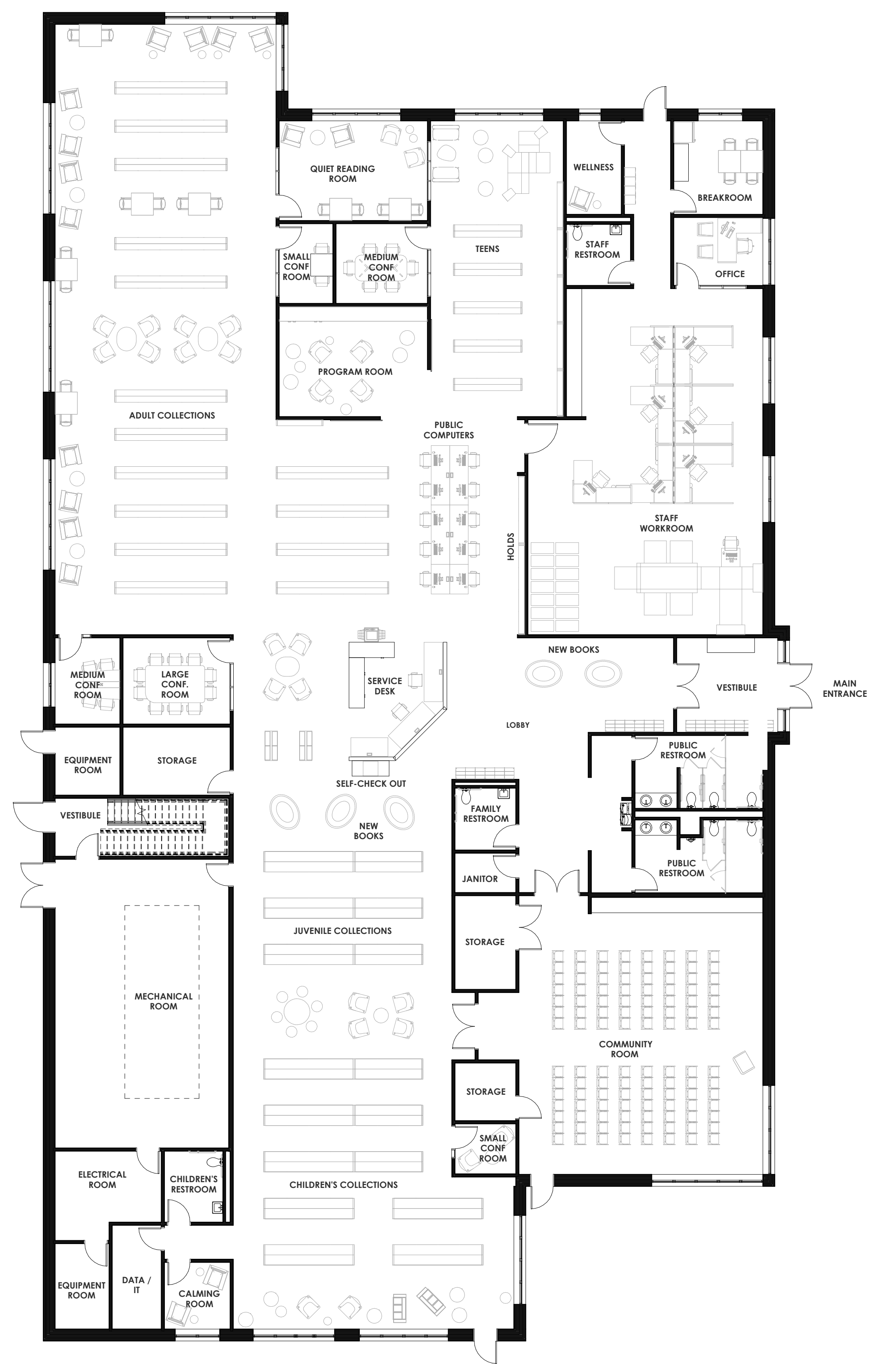
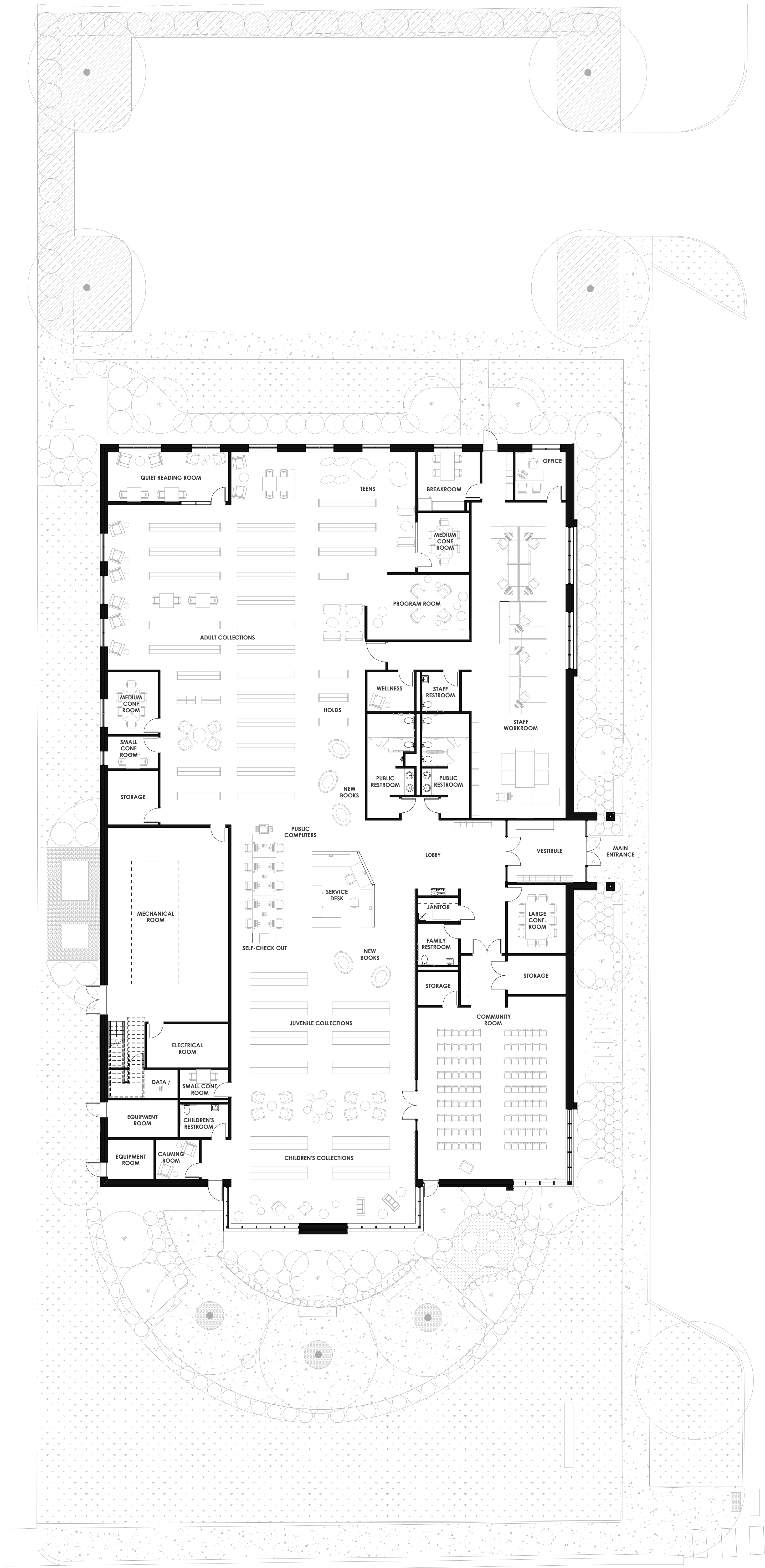
Monument Sign

Proposed Crosswalk

Marie Ave.

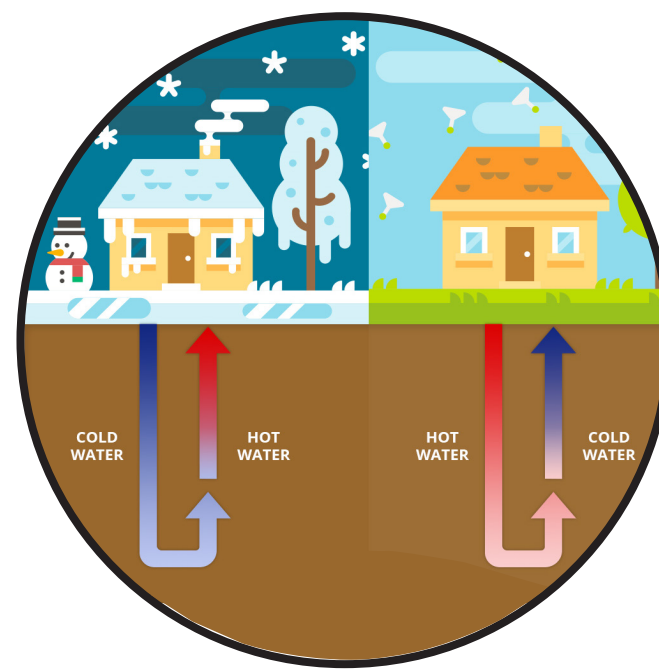
7th Ave. N.



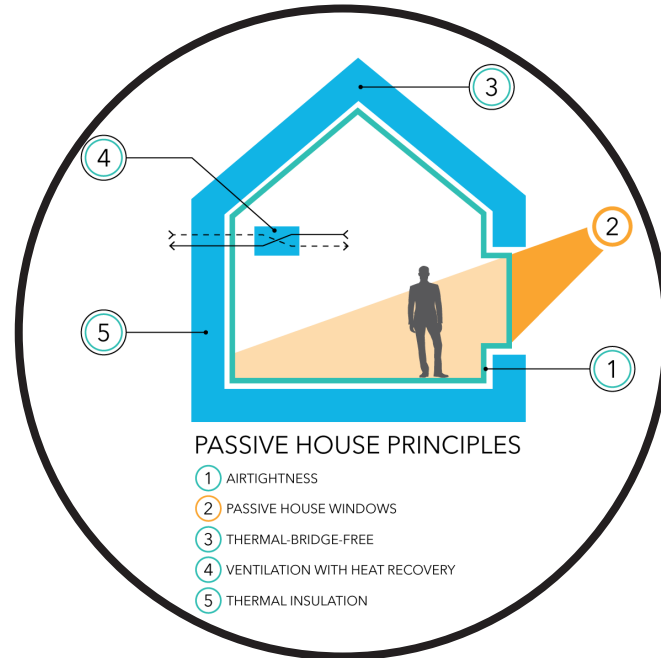




Rooftop Solar + Battery Storage Provides Renewable Energy



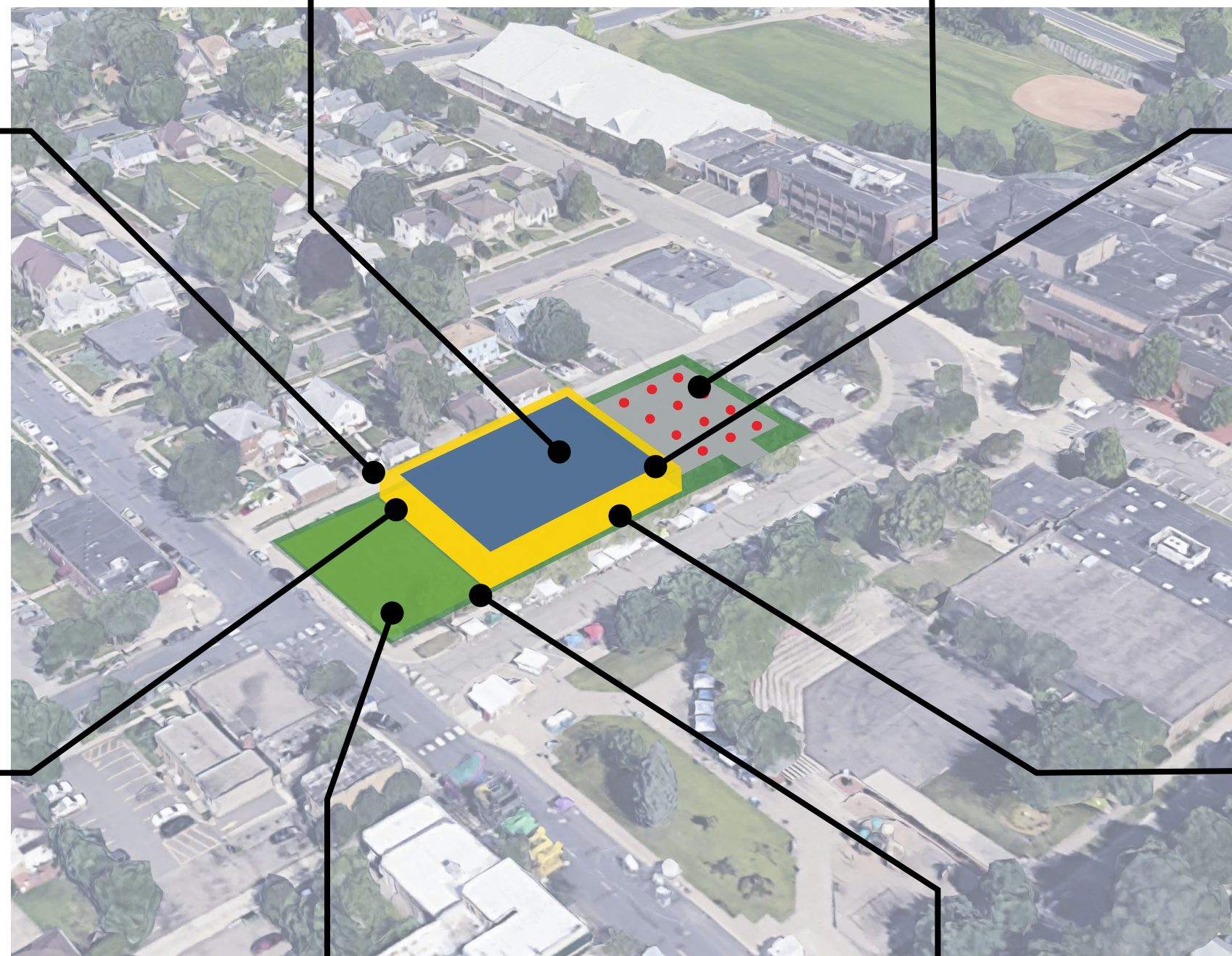
Geothermal Wells Use the Earth for Regulated Heating/Cooling Year-Round



Super-Insulated Walls, Floor, Roof and Windows Reduce Energy Loads



High-Efficiency Mechanical Systems Reduce Energy Loads



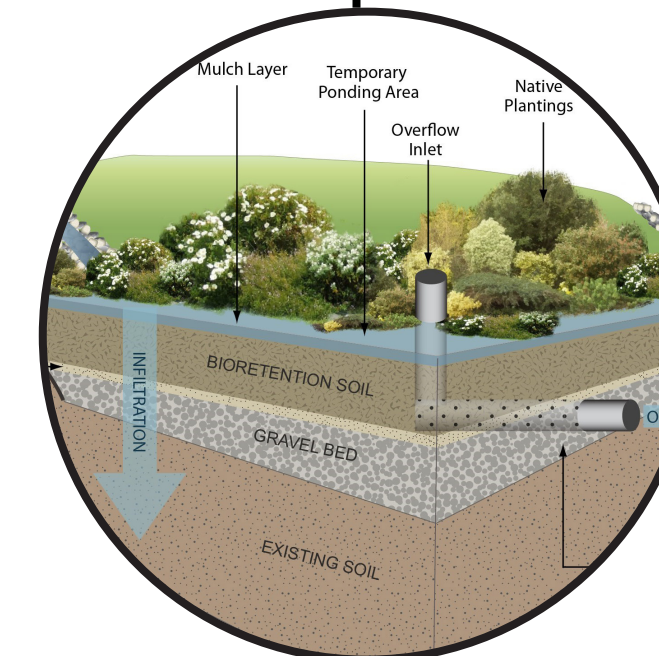
High-Efficiency Light Fixtures and Daylight from Above Reduce Power Demand



Design Uses Passive Daylighting Strategies to Minimize Heat Gains and Losses



Drought-Resistant Native Landscaping Reduces Urban Heat Island Effect



Holistic Stormwater Management System Utilizes Landscape

Additional Sustainable Measures Proposed

NET ZERO ENERGY EQUATION:

$$\text{BUILDING'S ENERGY DEMAND} + \text{RENEWABLE ENERGY PRODUCED ONSITE} = 0$$

Optimize Building Design and Systems for Maximum Efficiency

Utilize Relevant Renewable Systems to Offset the Building's Calculated Loads



SOUTH ST. PAUL PUBLIC SCHOOLS

School Board Agenda Item

Meeting Date: November 8, 2021

Place on Agenda: Committee-of-the-Whole and Regular Board Meeting

Action Requested: Approval

Attachment: Resolution Awarding the Sale of the General Obligation Refunding Bonds, Series 2021A

Topic: General Obligation School Building Refunding Bonds, Series 2021A
Presenter(s): Jodie Zesbaugh, Ehlers, Inc.
Background: <p>Over the past several months, the district has monitored the bond market with the help of our financial advisors to determine the optimal time to issue refunding bonds. Refunding bonds are similar to refinancing a home mortgage; the district can take advantage of lower interest rates to reduce the amount of interest paid on the district's debt. These lower interest rates will not be a savings to the district, but instead a reduction of the district's annual tax levies that will in turn reduce the amount of taxes paid by SSP property owners.</p> <p>On October 11th, the school board approved a resolution authorizing the district to move forward with the sale of general obligation school building refunding bonds. At the committee-of-the-whole meeting on Monday evening, Jodie Zesbaugh from Ehlers will review the results of the final sale of bonds. A resolution awarding the sale of the general obligation refunding bonds, series 2021A will go before the School Board for approval at their regular meeting.</p>
Recommendation: <p>Approve the Resolution Awarding the Sale of the General Obligation Refunding Bonds, Series 2021A</p>
Alternatives: <p>Do not approve the resolution and direct administration with next steps.</p>

EXTRACT OF MINUTES OF MEETING
OF THE SCHOOL BOARD OF
SPECIAL SCHOOL DISTRICT NO. 6
(SOUTH ST. PAUL PUBLIC SCHOOLS)
DAKOTA COUNTY, MINNESOTA

Pursuant to due call and notice thereof, a regular meeting of the School Board of Special School District No. 6 (South St. Paul Public Schools), Dakota County, Minnesota, was duly held in said School District on November 8, 2021, commencing at 6:00 o'clock p.m.

The following members were present:

and the following were absent:

* * *

* * *

* * *

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION AWARDING THE SALE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2021A, IN THE ORIGINAL AGGREGATE PRINCIPAL AMOUNT OF \$_____; FIXING THEIR FORM AND SPECIFICATIONS; DIRECTING THEIR EXECUTION AND DELIVERY; AND PROVIDING FOR THEIR PAYMENT

BE IT RESOLVED by the School Board (the “Board”) of Special School District No. 6 (South St. Paul Public Schools), Dakota County, Minnesota (the “District”), as follows:

Section 1. Findings, Determinations; Sale of Bonds.

1.01 Background. It is hereby determined that:

(a) On August 13, 2013, the District issued its General Obligation School Building Bonds, Series 2013B (the “Series 2013B Bonds”), in the original aggregate principal amount of \$16,675,000, pursuant to Minnesota Statutes, Chapter 475, as amended (the “Act”). The issuance of the Series 2013B Bonds was authorized by the voters of the District at a special election duly held on May 21, 2013, to provide funds for the acquisition and betterment of District sites and facilities. The Series 2013B Bonds are currently outstanding in the principal amount of \$16,505,000 of which \$14,685,000 is currently subject to redemption on February 1, 2022.

(b) The District is authorized by Section 475.67 of the Act to issue and sell its general obligation bonds to refund outstanding bonds when determined by the Board to be necessary and desirable for the reduction of debt service costs of the District.

(c) On October 11, 2021, the Board adopted a resolution (the “Intent Resolution”) authorizing the issuance and sale of its General Obligation Refunding Bonds, Series 2021A (the “Bonds”), pursuant to the Act, to redeem and prepay the Series 2013B Bonds.

(d) Pursuant to the Intent Resolution, the District covenanted and obligated itself to be bound by the provisions of Minnesota Statutes, Section 126C.55, as amended, which provides for payment by the State of Minnesota of the debt service on the Bonds in the event the District notifies the State of Minnesota of a potential default by the District in the timely payment of the debt service on the Bonds. The District understands that as a result of its covenant to be bound by said provisions, these provisions shall be binding as long as the Bonds remain outstanding.

(e) The District is authorized by Section 475.60, subdivision 2(9), of the Act to sell the Bonds other than pursuant to a competitive sale because the District has retained Ehlers and Associates, Inc. (the “Municipal Advisor”) as its municipal advisor in connection with the sale of the Bonds. The actions of the District staff and the Municipal Advisor in negotiating the sale of the Bonds are ratified and confirmed in all aspects.

1.02. Award to the Purchaser and Interest Rates. The proposal of _____ [as syndicate manager] (the “Purchaser”), to purchase the Bonds of the District is hereby found and determined to be a reasonable offer and is hereby accepted, the proposal being to purchase the Bonds at a price of \$_____ (par amount of the Bonds of \$_____, plus original issue premium of \$_____, less an

underwriter’s discount of \$ _____), plus accrued interest, if any, to date of delivery for Bonds bearing interest as follows:

<u>Year</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Interest Rate</u>
2023	0.000%	2027	0.000%
2024	0.000%	2028	0.000%
2025	0.000%	2029	0.000%
2026	0.000%		

True interest cost: _____%

1.03. Purchase Contract. The execution and delivery of a Proposal Form, dated as of November __, 2021 (the “Purchase Agreement”), between the District and the Purchaser, is hereby ratified and confirmed in the form set forth in EXHIBIT A to this resolution (the “Resolution”). The Bonds shall be issued and delivered in accordance with the terms and conditions of the Purchase Agreement and this Resolution. The amount proposed by the Purchaser in excess of the minimum bid shall be credited to the Debt Service Fund hereinafter created, as determined by the Treasurer in consultation with the Municipal Advisor. The Treasurer is directed to receive and retain the good faith payment of the Purchaser, pending completion of the sale of the Bonds.

1.04. Terms and Principal Amounts of the Bonds. The District shall forthwith issue and sell the Bonds pursuant to the Act, in the total principal amount of \$ _____, originally dated December __, 2021, in the denomination of \$5,000 each or any integral multiple thereof, numbered No. R-1 upward, bearing interest as above set forth, and maturing serially on February 1 in the years and amounts as follows:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2023	\$0.00	2027	\$0.00
2024	\$0.00	2028	\$0.00
2025	\$0.00	2029	\$0.00
2026	\$0.00		

1.05. Schedule of Maturities. The maturity schedule of the Bonds conforms to Section 475.54, subdivision 1 of the Act.

1.06. Optional Redemption. The Bonds are not subject to optional redemption prior to their stated maturities.

Section 2. Registration and Payment.

2.01. Registered Form. The Bonds shall be issued only in fully registered form. The interest thereon and, upon surrender of each Bond, the principal amount thereof, is payable by check or draft issued by the Registrar described herein.

2.02. Dates; Interest Payment Dates. Each Bond shall be dated as of the last interest payment date preceding the date of authentication to which interest on the Bond has been paid or made available for payment, unless (i) the date of authentication is an interest payment date to which interest has been paid or made available for payment, in which case the Bond shall be dated as of the date of authentication, or (ii) the date of authentication is prior to the first interest payment date, in which case the Bond shall be dated as of the date of original issue. The interest on the Bonds is payable on February 1 and August 1 of each year, commencing August 1, 2022, to the registered owners of record thereof as of the close of business on the fifteenth day immediately preceding each interest payment date, whether or not such day is a business day.

2.03. Registration. The District shall appoint a bond registrar (the “Registrar”), authenticating agent (the “Authenticating Agent”), and paying agent (the “Paying Agent”). Except as specifically provided otherwise in Section 8 hereof, the effect of registration and the rights and duties of the District and the Registrar with respect thereto are as follows:

(a) Register. The Registrar must keep at its principal corporate trust office a bond register (the “Bond Register”) in which the Registrar provides for the registration of ownership of Bonds and the registration of transfers and exchanges of Bonds entitled to be registered, transferred, or exchanged.

(b) Transfer of Bonds. Upon surrender for transfer of a Bond duly endorsed by the registered owner thereof or accompanied by a written instrument of transfer, in form satisfactory to the Registrar, duly executed by the registered owner thereof or by an attorney duly authorized by the registered owner in writing, the Registrar shall authenticate and deliver, in the name of the designated transferee or transferees, one or more new Bonds of a like aggregate principal amount and maturity, as requested by the transferor. The Registrar may, however, close the books for registration of any transfer after the fifteenth day of the month preceding each interest payment date and until that interest payment date.

(c) Exchange of Bonds. When Bonds are surrendered by the registered owner for exchange the Registrar shall authenticate and deliver one or more new Bonds of a like aggregate principal amount and maturity as requested by the registered owner or the owner’s attorney in writing.

(d) Cancellation. Bonds surrendered upon transfer or exchange shall be promptly cancelled by the Registrar and thereafter disposed of as directed by the District.

(e) Improper or Unauthorized Transfer. When a Bond is presented to the Registrar for transfer, the Registrar may refuse to transfer the Bond until the Registrar is satisfied that the endorsement on the Bond or separate instrument of transfer is valid and genuine and that the requested transfer is legally authorized. The Registrar shall incur no liability for the refusal, in good faith, to make transfers which it, in its judgment, deems improper or unauthorized.

(f) Persons Deemed Owners. The District and the Registrar may treat the person in whose name a Bond is registered in the Bond Register as the absolute owner of the Bond, whether the Bond is overdue or not, for the purpose of receiving payment of, or on account of, the principal of and interest on the Bond and for all other purposes, and payments so made to a registered owner or upon the owner’s order shall be valid and effectual to satisfy and discharge the liability upon the Bond to the extent of the sum or sums so paid.

(g) Taxes, Fees, and Charges. The Registrar may impose a charge upon the owner thereof for a transfer or exchange of Bonds sufficient to reimburse the Registrar for any tax, fee, or other governmental charge required to be paid with respect to the transfer or exchange.

(h) Mutilated, Lost, Stolen, or Destroyed Bonds. If a Bond becomes mutilated or is destroyed, stolen, or lost the Registrar shall deliver a new Bond of like amount, number, maturity date, and tenor in exchange and substitution for and upon cancellation of the mutilated Bond or in lieu of and in substitution for any Bond destroyed, stolen, or lost upon the payment of the reasonable expenses and charges of the Registrar in connection therewith; and, in the case of a Bond destroyed, stolen, or lost, upon filing with the Registrar evidence satisfactory to it that the Bond was destroyed, stolen, or lost, and of the ownership thereof, and upon furnishing to the Registrar an appropriate bond or indemnity in form, substance, and amount satisfactory to it and as provided by law, in which both the District and the Registrar must be named as obligees. Bonds so surrendered to the Registrar shall be cancelled by the Registrar and evidence of such cancellation must be given to the District. If the mutilated, destroyed, stolen, or lost Bond has already matured or been called for redemption in whole in accordance with its terms it is not necessary to issue a new Bond prior to payment.

2.04. Appointment of Initial Registrar, Paying Agent, and Authenticating Agent. The District appoints Bond Trust Services Corporation, Roseville, Minnesota, as the initial Registrar, Paying Agent, and Authenticating Agent with respect to the Bonds. The Board Chair and the Clerk are authorized to execute and deliver, on behalf of the District, a contract with Bond Trust Services Corporation, as the initial Registrar, Paying Agent, and Authenticating Agent with respect to the Bonds. Upon merger or consolidation of the Registrar, Paying Agent, and Authenticating Agent with another corporation, if the resulting corporation is a bank or trust company authorized by law to conduct such business, the resulting corporation is authorized to act as successor Registrar, Paying Agent, and Authenticating Agent. The District agrees to pay the reasonable and customary charges of the Registrar, Paying Agent, and Authenticating Agent for the services performed. The District reserves the right to remove the Registrar, Paying Agent, or Authenticating Agent upon thirty (30) days' notice and upon the appointment of a successor Registrar, Paying Agent, or Authenticating Agent, in which event the predecessor Registrar, Paying Agent, or Authenticating Agent must deliver all cash and Bonds in its possession to the successor Registrar, Paying Agent, or Authenticating Agent and the Registrar must deliver the Bond Register to the successor Registrar. On or before three (3) business days prior to each principal or interest due date, without further order of the Board, the Treasurer must transmit to the Paying Agent money sufficient for the payment of all principal and interest then due.

2.05. Execution, Authentication, and Delivery. The Bonds shall be prepared under the direction of the Clerk and executed on behalf of the District by the signatures of the Board Chair and the Clerk, provided that those signatures may be printed, engraved, or lithographed facsimiles of the originals. If an officer whose signature or a facsimile of whose signature appears on the Bonds ceases to be such officer before the delivery of a Bond, that signature or facsimile shall nevertheless be valid and sufficient for all purposes, the same as if the officer had remained in office until delivery. Notwithstanding such execution, a Bond shall not be valid or obligatory for any purpose or entitled to any security or benefit under this Resolution unless and until a certificate of authentication on the Bond has been duly executed by the manual signature of an authorized representative of the Authenticating Agent. Certificates of authentication on different Bonds need not be signed by the same representative of the Authenticating Agent. The executed certificate of authentication on a Bond is conclusive evidence that it has been authenticated and delivered under this Resolution. When the Bonds have been so prepared, executed, and authenticated the Clerk shall deliver the same to the Purchaser upon payment of the purchase price in accordance with the contract of sale

heretofore made and executed, and the Purchaser is not obligated to see to the application of the purchase price.

Section 3. Form of Bond.

3.01. Execution of the Bonds. The Bonds shall be printed or typewritten in substantially the form attached hereto as EXHIBIT B.

3.02. Approving Legal Opinion. The Clerk is authorized and directed to obtain a copy of the proposed approving legal opinion of Kennedy & Graven, Chartered, Minneapolis, Minnesota, and cause the opinion to accompany each Bond.

Section 4. Payment; Security; Funds; Pledges and Covenants.

4.01. Debt Service Fund. The Bonds shall be payable from the General Obligation Refunding Bonds, Series 2021A Debt Service Fund (the "Debt Service Fund") hereby created, and the proceeds of ad valorem taxes hereinafter levied to pay the debt service on the Bonds are hereby pledged to the Debt Service Fund. The amounts to be applied to pay the principal of and interest on the Bonds shall be deposited in the Debt Service Fund at least three (3) business days prior to each respective interest payment date and principal payment date. There is appropriated to the Debt Service Fund amounts over the minimum purchase price of the Bonds paid by the Purchaser to the extent designated for deposit in the Debt Service Fund in accordance with Section 1.03 hereof. A portion of the proceeds of the Bonds in the amount of \$_____ is hereby allocated to the Debt Service Fund.

4.02. Redemption Fund. All proceeds of the Bonds, less the appropriations made in Section 4.01 hereof and the costs of issuance of the Bonds, shall be deposited in a separate fund (the "Redemption Fund") to be used solely to redeem and prepay the 2023 through 2029 maturities of the Series 2013B Bonds (the "Refunded Bonds") on February 1, 2022 (the "Redemption Date"). Any balance remaining in the Redemption Fund after the redemption of the Refunded Bonds shall be credited to the Debt Service Fund all in accordance with Section 475.65 of the Act.

4.03. General Obligation Pledge. For the prompt and full payment of the principal of and interest on the Bonds, as the same respectively become due, the full faith and credit and taxing powers of the District are hereby irrevocably pledged. If a payment of principal of or interest on the Bonds becomes due when there is not sufficient money in the Debt Service Fund to pay the same, the Treasurer must pay such principal or interest from the general fund of the District, and the general fund shall be reimbursed for those advances out of the proceeds of the Taxes (as hereinafter defined) levied herein, when collected.

4.04. Pledge of Taxes. For the purpose of paying the principal of and interest on the Bonds, there are levied direct, annual, irrevocable, ad valorem taxes upon all of the taxable property in the District (the "Taxes"), to be spread upon the tax rolls and collected with and as part of other general taxes of the District. The Taxes shall be credited to the Debt Service Fund above provided and shall be levied in the years and amounts attached hereto as EXHIBIT C to this Resolution and, in the event the Taxes so levied are ever insufficient to pay the principal of and interest on the Bonds, additional Taxes are hereby authorized to be levied without limitation as to rate or amount. Said tax levies shall be irrevocable as long as any of the Bonds are outstanding and unpaid, provided that the District reserves the right and power to reduce the levies in the manner and to the extent permitted by the Act (specifically, Section 475.61 of the Act).

4.05. Debt Service Coverage. It is determined that the estimated collection of Taxes levied in accordance with Section 4.04 hereof shall produce at least five percent (5%) in excess of the amount needed to meet when due the principal and interest payments on the Bonds. The tax levies herein provided shall be irrevocable until all of the Bonds are paid, provided that, in accordance with Section 475.61 of the Act, at the time the District makes its annual tax levies the Treasurer may certify to the County Auditor of Dakota County, Minnesota (the "County Auditor"), that the District made an irrevocable appropriation of a specified amount to the Debt Service Fund of money actually on hand, or if there is on hand any excess amount in the Debt Service Fund, the County Auditor shall reduce by the amount so certified the amount otherwise to be included in the rolls next thereafter prepared.

4.06. Registration of Resolution. The Clerk is authorized and directed to file a certified copy of this resolution with the County Auditor and to obtain the certificate required by Section 475.63 of the Act.

4.07 Cancellation of Prior Levy After Redemption Date. Following the payment in full of all outstanding principal of and interest due on the Series 2013B Bonds on the Redemption Date, the Treasurer is hereby directed to certify such fact to and request the County Auditor to cancel any and all tax levies made with respect to the Series 2013B Bonds.

Section 5. Refunding of Refunded Bonds; Findings; Redemption of Refunded Bonds.

5.01. Purpose of Refunding. The Refunded Bonds shall be called for redemption on the Redemption Date in the principal amount of \$14,685,000. It is hereby found and determined that based upon information presently available from the Municipal Advisor, the issuance of the Bonds, which will be used to redeem and prepay the Refunded Bonds, is consistent with covenants made with the holders of the Series 2013B Bonds and is necessary and desirable for the reduction of debt service costs to the District.

5.02. Application of Proceeds of Bonds. It is hereby found and determined that the proceeds of the Bonds deposited in the Redemption Fund, along with any other funds on hand in the debt service fund established with respect to the issuance of the Series 2013B Bonds, will be sufficient to pay and prepay all of the principal and redemption premium (if any) of and the interest on the Series 2013B Bonds on the Redemption Date.

5.03. Redemption; Date of Redemption; Notice of Call for Redemption. The Refunded Bonds shall be redeemed and prepaid on the Redemption Date. The Refunded Bonds shall be redeemed and prepaid in accordance with their terms and in accordance with the terms and conditions set forth in the form of Notice of Call for Redemption attached hereto as EXHIBIT D, which terms and conditions are hereby approved and incorporated herein by reference. The registrar for the Refunded Bonds is authorized and directed to send a copy of the Notice of Call for Redemption to each registered holder of the Refunded Bonds at least thirty (30) days prior to the Redemption Date.

Section 6. Authentication of Transcript.

6.01. District Proceedings and Records. The officers of the District are authorized and directed to prepare and furnish to the Purchaser and to the attorneys approving the Bonds certified copies of proceedings and records of the District relating to the Bonds and to the financial condition and affairs of the District, and such other certificates, affidavits, and transcripts as may be required to show the facts within their knowledge or as shown by the books and records in their custody and under their control, relating to the validity and marketability of the Bonds, and such instruments, including any heretofore furnished, shall be deemed representations of the District as to the facts stated therein.

6.02. Certification as to Official Statement. The Board Chair, the Clerk, and the Treasurer are authorized and directed to certify that they have examined the final Official Statement prepared and circulated in connection with the issuance and sale of the Bonds and that to the best of their knowledge and belief the final Official Statement is a complete and accurate representation of the facts and representations made therein as of the date of the final Official Statement and further that said final Official Statement did not (as of the date of the final Official Statement) and does not contain any untrue statement of a material fact or omit to state a material fact which should be included therein for the purpose for which the final Official Statement is to be used, or which is necessary in order to make the statements made therein, in light of the circumstances under which they are made, not misleading.

6.03. Other Certificates. The Board Chair, the Clerk, and the Treasurer are hereby authorized and directed to furnish to the Purchaser at the closing such certificates as are required as a condition of sale. Unless litigation shall have been commenced and be pending questioning the Bonds or the organization of the District or incumbency of its officers, at the closing the Board Chair, the Clerk, and the Treasurer shall also execute and deliver to the Purchaser a suitable certificate as to absence of material litigation, and the Treasurer shall also execute and deliver a certificate as to payment for and delivery of the Bonds.

6.04. Payment of Costs of Issuance. The District authorizes Bond proceeds allocable to the payment of issuance expenses to be forwarded to Wells Fargo Bank on the closing date for further distribution as directed by the Municipal Advisor.

Section 7. Tax Covenants.

7.01. Tax-Exempt Bonds. The District shall comply with all the necessary requirements and take all necessary actions (or decline to take prohibited actions) to ensure that interest on the Bonds shall not be includable in gross income for federal income tax purposes under Section 103 and Sections 141 through 150 of the Internal Revenue Code of 1986, as amended (the "Code"), and applicable Treasury Regulations promulgated thereunder (the "Regulations"). The District covenants and agrees with the holders from time to time of the Bonds that it shall not take or permit to be taken by any of its officers, employees, or agents any action which would cause the interest on the Bonds to become subject to federal income taxation under the Code and the Regulations, in effect at the time of such actions, and that it shall take or cause its officers, employees, or agents to take all affirmative action within their powers that may be necessary to ensure that such interest shall not become includable in gross income for federal income tax purposes under the Code and applicable Regulations, as presently existing or as hereafter amended and made applicable to the Bonds.

7.02. Continuing Requirements. The District shall comply with requirements necessary under the Code to establish and maintain the exclusion from gross income of the interest on the Bonds under Section 103 of the Code including, without limitation, requirements relating to temporary periods for investments, limitations on amounts invested at a yield greater than the yield on the Bonds, and the rebate of excess investment earnings to the United States. The Board Chair, the Clerk, and the Treasurer, being officers of the District charged with the responsibility for issuing the Bonds pursuant to this Resolution, are authorized and directed to execute and deliver to the Purchaser a certificate in accordance with the provisions of Section 148 of the Code and applicable Regulations stating the facts, estimates, and circumstances in existence on the date of issue and delivery of the Bonds which make it reasonable to expect that the "gross proceeds" of the Bonds will not be used in a manner that would cause the Bonds to be "arbitrage bonds" within the meaning of the Code and the Regulations. The District covenants and agrees to retain such records, make such determinations, file such reports and documents, and pay such amounts at such times as are required under Section 148(f) and applicable Regulations to preserve the

exclusion of interest on the Bonds from gross income for federal income tax purposes, unless the Bonds qualify for an exception from the rebate requirement in accordance with one of the spending exceptions set forth in Section 1.148-7 of the Regulations. The District shall use its best efforts to comply with any federal procedural requirements which may apply in order to effectuate the designations made by this section.

7.03. Not Private Activity Bonds. The District further covenants not to use the proceeds of the Bonds or the facilities refinanced with the proceeds of the Bonds, or to cause or permit them or any of them to be used, in such a manner as to cause the Bonds to be determined to constitute “private activity bonds,” within the meaning of Sections 103 and 141 through 150 of the Code and the applicable Regulations promulgated thereunder.

7.04. Not Qualified Tax-Exempt Obligations. The District shall not designate the Bonds as “qualified tax-exempt obligations” within the meaning of Section 265(b)(3) of the Code.

Section 8. Book-Entry System; Limited Obligation of District.

8.01. DTC. The Bonds shall be initially issued in the form of a separate single typewritten or printed fully registered Bond for each of the maturities set forth in Section 1.04 hereof. Upon initial issuance, the ownership of each Bond shall be registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York, and its successors and assigns (“DTC”). Except as provided in this section, all of the outstanding Bonds shall be registered in the Bond Register in the name of Cede & Co., as nominee of DTC.

8.02. Participants. With respect to Bonds registered in the Bond Register in the name of Cede & Co., as nominee of DTC, the District, the Registrar, and the Paying Agent shall have no responsibility or obligation to any broker dealers, banks, and other financial institutions from time to time for which DTC holds Bonds as securities depository (the “Participants”) or to any other person on behalf of which a Participant holds an interest in the Bonds, including but not limited to any responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any Participant with respect to any ownership interest in the Bonds; (ii) the delivery to any Participant or any other person (other than a registered owner of Bonds, as shown by the registration books kept by the Registrar), of any notice with respect to the Bonds, including any notice of redemption; or (iii) the payment to any Participant or any other person, other than a registered owner of Bonds, of any amount with respect to principal of, premium, if any, or interest on the Bonds. The District, the Registrar, and the Paying Agent may treat and consider the person in whose name each Bond is registered in the Bond Register as the holder and absolute owner of such Bond for the purpose of payment of principal, premium, and interest with respect to such Bond, for the purpose of registering transfers with respect to such Bonds, and for all other purposes. The Paying Agent shall pay all principal of, premium, if any, and interest on the Bonds only to or on the order of the respective registered owners, as shown in the registration books kept by the Registrar, and all such payments shall be valid and effectual to fully satisfy and discharge the District’s obligations with respect to payment of principal of, premium, if any, or interest on the Bonds to the extent of the sum or sums so paid. No person other than a registered owner of Bonds, as shown in the Bond Register, shall receive a certificated Bond evidencing the obligation of this Resolution. Upon delivery by DTC to the Clerk of a written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., the words “Cede & Co.” shall refer to such new nominee of DTC; and upon receipt of such a notice, the Clerk shall promptly deliver a copy of the same to the Registrar and Paying Agent.

8.03. Representation Letter. The District has heretofore executed and delivered to DTC a Blanket Issuer Letter of Representations (the “Representation Letter”) which shall govern payment of

principal of, premium, if any, and interest on the Bonds and notices with respect to the Bonds. Any Paying Agent or Registrar subsequently appointed by the District with respect to the Bonds shall agree to take all action necessary for all representations of the District in the Representation Letter with respect to the Registrar and Paying Agent, respectively, to be complied with at all times.

8.04. Transfers Outside Book-Entry System. In the event the District, by resolution of the Board, determines that it is in the best interests of the persons having beneficial interests in the Bonds that they be able to obtain Bond certificates, the District shall notify DTC, whereupon DTC shall notify the Participants, of the availability through DTC of Bond certificates. In such event the District shall issue, transfer, and exchange Bond certificates as requested by DTC and any other registered owners in accordance with the provisions of this Resolution. DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the District and discharging its responsibilities with respect thereto under applicable law. In such event, if no successor securities depository is appointed, the District shall issue and the Registrar shall authenticate Bond certificates in accordance with this resolution and the provisions hereof shall apply to the transfer, exchange, and method of payment thereof.

8.05. Payments to Cede & Co. Notwithstanding any other provision of this Resolution to the contrary, so long as a Bond is registered in the name of Cede & Co., as nominee of DTC, payments with respect to principal of, premium, if any, and interest on the Bond and all notices with respect to the Bond shall be made and given, respectively in the manner provided in DTC's Operational Arrangements, as set forth in the Representation Letter.

Section 9. Continuing Disclosure.

9.01. Execution of Continuing Disclosure Certificate. For purposes of this Section, "Continuing Disclosure Certificate" means that certain Continuing Disclosure Certificate executed by the Board Chair and Clerk and dated the date of issuance and delivery of the Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof.

9.02. District Compliance with Provisions of Continuing Disclosure Certificate. The District hereby covenants and agrees to comply with and carry out all of the provisions of the Continuing Disclosure Certificate. Notwithstanding any other provision of this resolution, failure of the District to comply with the Continuing Disclosure Certificate is not to be considered an event of default with respect to the Bonds; however, any Bondholder may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the District to comply with its obligations under this section.

Section 10. Defeasance. When all of the Bonds and all interest thereon have been discharged as provided in this section, all pledges, covenants, and other rights granted by this resolution to the holders of the Bonds shall cease, except that the pledge of the full faith and credit of the District for the prompt and full payment of the principal of and interest on the Bonds shall remain in full force and effect. The District may discharge all Bonds which are due on any date by depositing with the Registrar on or before that date a sum sufficient for the payment thereof in full. If any Bond should not be paid when due, it may nevertheless be discharged by depositing with the Registrar a sum sufficient for the payment thereof in full with interest accrued to the date of such deposit.

(The remainder of this page is intentionally left blank.)

The motion for the adoption of the foregoing resolution was duly seconded by _____ and 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.

EXHIBIT A
PURCHASE AGREEMENT

EXHIBIT B
FORM OF BOND

No. R-_____ UNITED STATES OF AMERICA \$_____
STATE OF MINNESOTA
COUNTY OF DAKOTA
SPECIAL SCHOOL DISTRICT NO. 6
(SOUTH ST. PAUL PUBLIC SCHOOLS)

GENERAL OBLIGATION REFUNDING BONDS
SERIES 2021A

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
0.000%	February 1, 20__	December __ 2021	

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT:

Special School District No. 6 (South St. Paul Public Schools), a duly organized and existing school district in Dakota County, Minnesota (the "District"), acknowledges itself to be indebted and for value received hereby promises to pay to the Registered Owner specified above or registered assigns, the Principal Amount specified above, on the Maturity Date specified above, with interest thereon from the date hereof at the annual rate specified above (calculated on the basis of a 360-day year of twelve 30-day months), payable February 1 and August 1 in each year, commencing August 1, 2022, to the person in whose name this Bond is registered at the close of business on the fifteenth day (whether or not a business day) of the immediately preceding month. The interest hereon and, upon presentation and surrender hereof, the principal hereof are payable in lawful money of the United States of America by check or draft by Bond Trust Services Corporation, Roseville, Minnesota, as Registrar, Paying Agent, and Authenticating Agent, or its designated successor under the Resolution described herein. For the prompt and full payment of such principal and interest as the same respectively become due, the full faith and credit and taxing powers of the District have been and are hereby irrevocably pledged.

The Bonds are not subject to optional redemption prior to their stated maturities.

This Bond is one of an issue in the aggregate principal amount of \$_____ all of like original issue date and tenor, except as to number, maturity date, redemption privilege, and interest rate, all issued pursuant to a resolution adopted by the School Board of the District (the "Board") on November 8, 2021 (the "Resolution"), for the purpose of providing money to redeem and prepay certain outstanding general obligation bonds of the District, pursuant to and in full conformity with the Constitution and laws of the State of Minnesota, including Minnesota Statutes, Chapter 475, as amended, specifically Section 475.67, subdivision 3. The principal hereof and interest hereon are payable from ad valorem taxes, as set forth in the Resolution to which reference is made for a full statement of rights and powers thereby conferred. The full faith and credit of the District are irrevocably pledged for payment of this Bond and the Board has

obligated itself to levy additional ad valorem taxes on all taxable property in the District in the event of any deficiency of ad valorem taxes pledged, which additional taxes may be levied without limitation as to rate or amount. The Bonds of this series are issued only as fully registered Bonds in denominations of \$5,000 or any integral multiple thereof of single maturities.

The Board has not designated the issue of Bonds of which this Bond forms a part as “qualified tax-exempt obligations” within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the “Code”), relating to the disallowance of interest expense for financial institutions and within the \$10 million limit allowed by the Code for the calendar year of issue.

The District has covenanted and obligated itself to be bound by the provisions of Minnesota Statutes, Section 126C.55, as amended, and to guarantee the payments of the principal of and interest on this Bond when due, pursuant to said statute.

As provided in the Resolution and subject to certain limitations set forth therein, this Bond is transferable upon the books of the District at the principal office of the Registrar, by the registered owner hereof in person or by the owner’s attorney duly authorized in writing, upon surrender hereof together with a written instrument of transfer satisfactory to the Registrar, duly executed by the registered owner or the owner’s attorney; and may also be surrendered in exchange for Bonds of other authorized denominations. Upon such transfer or exchange the District shall cause a new Bond or Bonds to be issued in the name of the transferee or registered owner, of the same aggregate principal amount, bearing interest at the same rate and maturing on the same date, subject to reimbursement for any tax, fee, or governmental charge required to be paid with respect to such transfer or exchange.

The District and the Registrar may deem and treat the person in whose name this Bond is registered as the absolute owner hereof, whether this Bond is overdue or not, for the purpose of receiving payment and for all other purposes, and neither the District nor the Registrar shall be affected by any notice to the contrary.

IT IS HEREBY CERTIFIED, RECITED, COVENANTED, AND AGREED that all acts, conditions, and things required by the Constitution and laws of the State of Minnesota to be done, to exist, to happen, and to be performed preliminary to and in the issuance of this Bond in order to make this Bond a valid and binding general obligation of the District in accordance with its terms, have been done, do exist, have happened, and have been performed as so required, and that the issuance of this Bond does not cause the indebtedness of the District to exceed any constitutional or statutory limitation of indebtedness.

This Bond is not valid or obligatory for any purpose or entitled to any security or benefit under the Resolution until the Certificate of Authentication hereon has been executed by the Registrar by manual signature of one of its authorized representatives.

IN WITNESS WHEREOF, Special School District No. 6 (South St. Paul Public Schools), Dakota County, Minnesota, by its School Board, has caused this Bond to be executed on its behalf by the facsimile or manual signatures of the Board Chair and Clerk and has caused this Bond to be dated as of the date set forth below.

Dated: December __, 2021

**SPECIAL SCHOOL DISTRICT NO. 6
(SOUTH ST. PAUL PUBLIC SCHOOLS),
DAKOTA COUNTY, MINNESOTA**

(Facsimile)
Board Chair

(Facsimile)
Clerk

CERTIFICATE OF AUTHENTICATION

This is one of the Bonds delivered pursuant to the Resolution mentioned within.

BOND TRUST SERVICES CORPORATION

By _____
Its Authorized Representative

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto _____ the within Bond and all rights thereunder, and does hereby irrevocably constitute and appoint _____ attorney to transfer the said Bond on the books kept for registration of the within Bond, with full power of substitution in the premises.

Dated: _____

Notice: The assignor’s signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or any change whatever.

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by a financial institution that is a member of the Securities Transfer Agent Medallion Program (“STAMP”), the Stock Exchange Medallion Program (“SEMP”), the New York Stock Exchange, Inc. Medallion Signatures Program (“MSP”) or other such “signature guarantee program” as may be determined by the Registrar in addition to, or in substitution for, STEMP, SEMP or MSP, all in accordance with the Securities Exchange Act of 1934, as amended.

The Registrar will not transfer this Bond unless the information concerning the assignee requested below is provided.

Name and Address: _____

(Include information for all joint owners if this Bond is held by joint account.)

Please insert federal identification or other identifying number of assignee

EXHIBIT C
TAX LEVY SCHEDULE

EXHIBIT D

NOTICE OF CALL FOR REDEMPTION

\$16,675,000
SPECIAL SCHOOL DISTRICT NO. 6
(SOUTH ST. PAUL PUBLIC SCHOOLS)
DAKOTA COUNTY, MINNESOTA
GENERAL OBLIGATION SCHOOL BUILDING BONDS
SERIES 2013B

NOTICE IS HEREBY GIVEN that, by order of the School Board of Special School District No. 6 (South St. Paul Public Schools), Dakota County, Minnesota (the "District"), there have been called for redemption and prepayment on

February 1, 2022

all outstanding bonds of the District designated as General Obligation School Building Bonds, Series 2013B, dated August 13, 2013, having stated maturity dates of February 1 in the years 2023 to 2029, both inclusive, totaling \$14,685,000 in principal amount, and with the following CUSIP number:

<u>Year of Maturity</u>	<u>Amount</u>	<u>CUSIP Number</u>
2023	\$1,880,000	839822 QE6
2024	\$1,955,000	839822 QF3
2025	\$2,015,000	839822 QG1
2026	\$2,080,000	839822 QH9
2027	\$2,165,000	839822 QJ5
2029*	\$4,590,000	839822 QL0

**Term Bond*

The bonds are being called at a price of par plus accrued interest to February 1, 2022, on which date all interest on said bonds will cease to accrue. Holders of the bonds hereby called for redemption are requested to present their bonds for payment at the main office of Bond Trust Services Corporation, 3060 Centre Pointe Drive, Roseville, Minnesota 55113 on or before February 1, 2022.

Important Notice: In compliance with the Jobs and Growth Tax Relief Reconciliation Act of 2003, federal backup withholding tax will be withheld at the applicable backup withholding rate in effect at the time the payment by the redeeming institutions if they are not provided with your social security number or federal employer identification number, properly certified. This requirement is fulfilled by submitting a W-9 Form, which may be obtained at a bank or other financial institution.

Dated: _____, 20__.

BY ORDER OF THE SCHOOL BOARD OF
SPECIAL SCHOOL DISTRICT NO. 6 (SOUTH
ST. PAUL PUBLIC SCHOOLS), DAKOTA
COUNTY, MINNESOTA

By /s/
Clerk
Special School District No. 6 (South St. Paul
Public Schools), Dakota County, Minnesota

STATE OF MINNESOTA)
)
)
COUNTY OF DAKOTA)
) ss.
)
SPECIAL SCHOOL)
DISTRICT NO. 6)

I, the undersigned, being the duly qualified Clerk of Special School District No. 6 (South St. Paul Public Schools), Dakota County, Minnesota (the “District”), do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of the School Board of the District held on November 8, 2021, with the original minutes on file in my office, and the extract is a full, true, and correct copy of the minutes insofar as they relate to the issuance and sale of the District’s General Obligation Refunding Bonds, Series 2021A, in the original aggregate principal amount of \$_____.

WITNESS My hand officially as such Clerk this _____ day of November, 2021.

Clerk
Special School District No. 6
(South St. Paul Public Schools), Dakota County,
Minnesota



SOUTH ST. PAUL PUBLIC SCHOOLS

School Board Agenda Item

Meeting Date: November 8, 2021

Place on Agenda: Committee-of-the-Whole

Action Requested: None

Attachment: None

Topic: Superintendent Search
Presenter(s): Board Chair Linda Diaz
Background: <p>The School Board participated in a Superintendent Search Workshop with the Minnesota School Boards Association (MSBA) on Wednesday, November 3. At the committee-of-the-whole meeting on Monday evening, the School Board will debrief their workshop session and discuss the details for selecting a firm to conduct their superintendent search process.</p>
Recommendation: N/A
Alternatives: N/A



SOUTH ST. PAUL PUBLIC SCHOOLS

School Board Agenda Item

Meeting Date: November 8, 2021

Place on Agenda: Committee-of-the-Whole

Action Requested: None. Discussion Only.

Attachment: None

Topic: Committee Updates
Presenter(s): School Board Members
Background: School Board members will provide an update for the following committees that they serve on: <ul style="list-style-type: none">• District 917• Association for Metropolitan School Districts (AMSD)• Community Education• SSP Educational Foundation• Equity Alliance MN• Finance, Facilities and Long-Range Planning• SSP Open Foundation• District Policy• District Community Engagement and Public Relations• District Superintendent/Executive
Recommendation: N/A
Alternatives: N/A



SOUTH ST. PAUL PUBLIC SCHOOLS

School Board Agenda Item

Meeting Date: November 8, 2021

Place on Agenda: Committee-of-the-Whole and Regular Meeting Reports

Action Requested: None

Attachment: None

Topic: School Board Listening Session Report

Presenter(s): Board Chair Linda Diaz

Background:

At the committee-of-the-whole and regular business meetings, the Board Chair will provide an overview of the listening session submissions.

The South St. Paul School Board provides the following opportunities for community members to address the board:

- **In-Person** on the first meeting date of each month according to the schedule listed on the [district's website](#). Public listening sessions are held at City Hall (125 - 3rd Avenue North) beginning at 4:15 PM in the second floor conference room.
- **Electronic form submissions** are accepted on all meeting dates listed on the [district's website](#). Click [here](#) to submit a Public Listening Session comment.
 - Form submissions will be acknowledged by Board Chair and/or Superintendent on-air during the regular business meeting. The Board Chair and/or Superintendent will also follow-up personally with the individuals submitting a Public Listening Session form.



SOUTH ST. PAUL PUBLIC SCHOOLS

School Board Agenda Item

Meeting Date: November 8, 2021

Place on Agenda: Committee-of-the-Whole

Action Requested: None. Discussion only.

Attachment: [2-year Board Agenda](#)

Topic: 2-Year Board Agenda
Presenter(s): School Board Members
<p>Background:</p> <p>On Monday evening, the school board will continue their discussion of the 2-Year Board Agenda. The goal of these planning conversations is to allow board members time to engage in discussion and reach consensus on strategic direction for the school district, in the key areas of governance. Board collaboration to build a solid 2-Year Board Agenda ensures greater follow-through and commitment to the work deemed most important, for the district. In governance, the board focuses on three main priorities setting district policy, maintaining oversight of high-level budget priorities, and fully engaging with the community to build relationships. This year, governance also includes succession planning and preparing for the position of superintendent.</p>
<p>Recommendation:</p> <p>None. Discussion only.</p>
<p>Alternatives:</p> <p>N/A</p>