

Regular School Board Meeting

Duluth Public Schools, ISD 709

Agenda

Tuesday, June 19, 2012

District Services Center

709 Portia Johnson Dr.

Duluth, MN 55811

6:30 PM

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Approval of the Agenda**
5. **Reading and Approving Minutes**
 - A. Special School Board Meeting of May 15, 2012 2
 - B. Regular School Board Meeting of May 15, 2012 4
 - C. Special School Board Meeting of May 24, 2012 15
 - D. Special School Board Meeting of June 5, 2012 17
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6. **Audience**
7. **Reading Communications, Petitions, Etc.** 23
8. **Report of the Superintendent**
 - A. Schedule of Meetings and Events 24
9. **Report of Standing Committees**
 - A. Education Committee (*see separate report*)
 - B. Human Resources Committee (*see separate report*)
 - C. Business Committee (*see separate report*)
10. **Special Resolutions**
 - A. Resolution B-6-12-3035 – Adopting Post-Issuance Debt Compliance Procedures 26
11. **Questions / Other**
12. **Adjournment**

Minutes of the Special School Board Meeting

Of the School Board of Independent School District No. 709 held at the Historic Old Central High School, 215 North First Avenue East, Duluth, Minnesota 55802, on

Tuesday May 15, 2012

Members Present:

Mary Cameron
Art Johnston
Mike Miernicki
Judy Seliga Punyko
Ann Wasson
Bill Westholm

Others Present:

Bill Gronseth, Superintendent
Bill Hanson, Deputy Clerk
Melinda Thibault, Secretary

Members Absent:

Tom Kasper

- Chair Wasson called the special school board meeting of May 15, 2012 to order at 2:00 p.m.

Member Seliga Punyko presented the resolution:

RESOLUTION
Executive (Closed) Session

WHEREAS, Pursuant to Minnesota Statutes Section 13D.05 Subdivision 3(b) allowing a closed session to engage in attorney-client privileged discussions.

NOW, THEREFORE, BE IT RESOLVED, By the School Board of Independent School District 709, St. Louis County, Minnesota, that the School Board shall meet in Executive (Closed) Session on Tuesday, May 15, 2012 at approximately 2:00 p.m. in the Board Conference Room of Historic Old Central High School for the purpose of discussion regarding Court of Appeals case: “Minnesota Voters Alliance and Duluth Taxpayer Association vs. The Minnesota Department of Education”, Appellate Case File No. A12-0737, and the School District’s possible intervention.

B-5-12-3020

May 15, 2012

M-Seliga Punyko, S-Westholm, to approve Resolution B-5-12-3020 – Executive Closed Session. Upon a vote on the resolution as presented, the same was approved – 6-0.

The board recessed into closed session at 2:04

The board reconvened at 2:22

Member Cameron presented the resolution:

RESOLUTION
AUTHORIZING LEGAL ACTION

Whereas, the School Board met in closed session with its attorney to discuss the merits and strategy relating to the District’s involvement in the Minnesota Voters Alliance and Duluth Taxpayers Association vs. The Minnesota Department of Education case (Appellate Court File

No. A12-0737);

Whereas, one of the options discussed in that closed meeting was for the District to intervene in that matter for the purposes of requesting that the Petitioners' be required to file a surety bond in an amount sufficient to protect the District and its taxpayers from any costs caused by the pending litigation; and

Whereas, the School Board has determined that it is in the best interests of the District and its residents to protect them from the unnecessary costs associated with any delay in construction caused by the litigation.

NOW, THEREFORE, BE IT RESOLVED by the School Board of Independent School District No. 709 as follows:

1. The District's legal counsel and administration are authorized and directed to move the Court of Appeals for an Order requiring Petitioners in the above-referenced litigation to post a surety bond in an amount sufficient to protect the District and its residents from any increased construction, bonding, or other costs, caused by Petitioners' litigation.
2. The District's legal counsel and administration are authorized and directed to file the necessary paperwork with the Court of Appeals on the District's behalf and to take any other action required by this directive.

B-5-12-3201

May 15, 2012

M-Cameron, S-Westholm, to approve Resolution B-5-12-3201 – Resolution Authorizing Legal Action.

M-Johnston to eliminate the resolution and replace it with the Myers-Wilkins and Congdon projects recently approved by the Minnesota MDE will be put up for a referendum. Motion fails due to lack of a second.

Upon a vote on the resolution as presented, the same was approved 5-1 as follows:

Yea: Cameron, Miernicki, Seliga Punyko, Wasson, Westholm

Nay: Johnston

➤ Chair Wasson adjourned the Special School Board meeting of May 15, 2012 at 2:25 p.m.

Minutes of the Regular School Board Meeting

Of the School Board of Independent School District No. 709 held at the Historic Old Central High School, 215 North First Avenue East, Duluth, Minnesota 55802, on

Tuesday, May 15, 2012

Members Present:

Tom Kasper
Mike Miernicki
Art Johnston
Judy Seliga Punyko
Ann Wasson
Bill Westholm

Others Present:

Bill Gronseth, Superintendent
Bill Hanson, Deputy Clerk
Melinda Thibault, Secretary

Student Representatives

Alex Livesay
Ariel Pendelton

Members Absent:

Mary Cameron

- Chair Wasson called the regular school board meeting of May 15, 2012 to order at 6:30 p.m., and the pledge of allegiance to the American flag was given.

M- Kasper, S-Seliga Punyko, to approve the agenda as presented.

Bill Hanson requested to table 3 items:

Education Committee

Action Item 2.A.1) – Middle School Programming

Business Committee

5.D. and 5.E relating to the approval of sale of bonds

Member Kasper, S-Westholm, to table the three items. Upon a vote the same was approved – 6-0.

Member Johnston made a point of order regarding an agenda item he had submitted dealing with the budget deficit. He quoted Bylaw 9075 and noted that he believed he submitted the item properly and requested the item be added to the agenda without a second.

Chair Wasson denied his request stating that according to past practice it does take two members to bring forward items to agenda setting, and that he has tried to bring the same items forward in the past with no support, and therefore it will not be added to the agenda. Member Johnston appealed the decision of the chair. Chair Wasson called for a vote on the agenda as presented.

Upon a vote on the agenda as amended, the same was approved 5-1 as follows:

Yea: Kasper, Miernicki, Seliga Punyko, Wasson, Westholm

Nay: Johnston

Chair Wasson asked school board members if there were any corrections or changes to the minutes of the regular school board meeting of April 24, 2012.

M-Kasper, S-Seliga Punyko, to approve the minutes of the April 24, 2012 Regular School Board Meeting. Upon a vote, the same was approved – 6-0.

Chair Wasson asked school board members if there were any corrections or changes to the minutes of the Special School Board Meeting of May 8, 2012.

M-Kasper, S-Westholm, to approve the minutes of the May 8, 2012 Special School Board Meeting as presented. Upon a vote, the same was approved – 6-0.

Public Comments

May 2012

Chair Wasson reminded the audience to follow the civility code and that they have three minutes to speak.

Adrienne Payne and family, 4216 Grand Avenue, spoke to the board regarding her concerns with her sons special services at school.

Andrea Gagne Marsolek, 4412 Gladstone Street, spoke to the board regarding her concern with the non-renewal of the East Basketball coaches.

Brian Marsolek, 4412 Gladstone Street, spoke to the board regarding his concern with the non-renewal of the East Basketball coaches.

Loren Martel, 623 East 7th Street, spoke to the board regarding his concern with the chair not allowing a question to be asked by a board member at the last board meeting.

Communications, Petitions, Etc.

May 2012

Superintendent Gronseth stated that there had not been any communications received.

Superintendent's Report

May 2012

- Greg Jones of East High School is the recipient of the Gold Star Goldfine Award.
- Graduation is approaching and it's a time to celebrate an end and a beginning in the students' lives
- A drawing was held for the Fred Hase Scholarship and was awarded to:
 - East High School - Aaron Michael Rowe
 - Denfeld High School - Hannah Blank

Education Committee Report
March 2012

Member Kasper presented the Education Committee report, a copy of same being in the hands of each school board member.

Member Kasper presented the resolution:

RESOLUTION

Acceptance of Grant Awards to Duluth Public Schools

WHEREAS, Minnesota Statute 465.03 requires a school district to accept grants by resolution expressed in the terms prescribed by the donor in full; and,

WHEREAS, acceptance of the grant in accordance with the donor's terms is in the best interest of the Duluth Public Schools:

NOW, THEREFORE, BE IT RESOLVED that the Duluth Public Schools does accept the below-described grants from said organizations in accordance with the terms set forth herein.

BE IT FURTHER RESOLVED that the Duluth Public Schools wishes to extend its grateful appreciation to these various organizations.

	Organization	Author/Contact	Project Title	Award Amount	Terms
1	Northland Foundation	Annette Petersmeyer	Youth In Philanthropy Grant	\$1,000	Funds from this grant award will be used to support the REACH Middle School Alternative Program.

Resolution E-5-12-3012

May 15, 2012

M-Kasper, S-Miernicki, to approve Resolution E-5-12-3012 - Acceptance of Grant Awards to Duluth Public Schools. Upon a vote taken, the same was approved -6-0.

M-Kasper, S-Johnston, to approve the remainder of the Education Committee Report as presented. Upon a vote, the same was approved - 6-0.

Human Resources Committee Report

May 2012

Member Westholm presented the Human Resources Committee report, a copy of same being in the hands of each school board member.

Member Westholm presented the resolution:

RESOLUTION

RE: Termination of Certified Hourly Staff

BE IT RESOLVED by the School Board of Independent School District No. 709, St. Louis

County, Minnesota, that the employment of the following hourly teachers shall terminate effective at the end of the school day on June 8, 2012, unless another date is indicated below, in which case the employment of the individual shall terminate on that date.

Bolen Valerie – 07/27/12	Hill Elaine – 07/27/12
Denio Susan	Kedrowski Jacqueline
Desotelle Diane	Kliegle Melissa – 07/27/12
Docauer Randall – 07/27/12	Krogh Joan
Durst Barbara – 07/27/12	Lebens Linnea – 08/24/12
Erlemeier Trudy	Mell Carol
Everett David	Mold Margret – 06/15/12
Frank Angie – 07/27/12	Packingham Nora
Goman Tracy	Schafter Patricia
Grindahl Beverly	Schmidt John
	Turinetti Nicholas
	Vandruten James
	Yung Sharon
	Zeman Michael – 06/29/12

BE IT FURTHER RESOLVED that the Clerk of the School Board shall notify such teachers in writing before July 1, 2012, of the termination of their employment.

Resolution #HR-5-12-3009

May 15, 2012

M-Westholm, S-Miernicki, to approve Resolution HR-5-12-3009 – Termination of Certified Hourly Staff.

Member Johnston asked why the people were being laid off. Tim Sworsky, Certified Staffing Manager, stated that these people do not have contracts and it is end of the year housekeeping.

Upon a vote, the same was approved – 5-1 as follows:

Yea: Kasper, Miernicki, Seliga Punyko, Wasson, Westholm

Nay: Johnston

Member Westholm presented the resolution:

R E S O L U T I O N

RE: Termination of Certified Probationary (Non-Tenured) Staff

WHEREAS, during the first three years of consecutive employment all teachers in the public schools in cities of the first class are deemed to be in a probational period of employment during which period the School Board may renew, or not renew, any teachers' annual contract as the School Board shall see fit; and that the District will lack a sufficient number of pupils to support all non tenured teachers currently employed by the District.

NOW, THEREFORE, BE IT RESOLVED by the School Board on Independent School District No. 709, St. Louis County, Minnesota, as follows:

1. The employment contracts of the following probationary teachers shall not be renewed and their employment shall terminate at the end of the school day on June 8, 2012, unless another date is indicated below, in which case the employment of the particular teacher shall terminate on that date.

Langr, Peter
Muller, Maggie
Smith, Michael
White, James
Winkle, Mark
Zmudy, Howard
Mark Winkle
Howard Zmudy

2. **BE IT FURTHER RESOLVED** the Clerk of the School Board shall notify such teachers in writing before July 1, 2012, of the termination of their employment.

Resolution #HR-5-12-3010

May 15, 2012

M-Westholm, S-Seliga Punyko, to approve Resolution HR-5-12-3010 – Termination of Certified Probationary (Non-Tenured) Staff.

Member Johnston asked if any of these people would be hired back next year. Tim Sworsky, explained that three of them were people hired with additional funds from last year and explained the process and upcoming resolutions.

Upon a vote, the same was approved – 5-1 as follows:

Yea: Kasper, Miernicki, Seliga Punyko, Wasson, Westholm

Nay: Johnston

Member Westholm presented the resolution:

RESOLUTION

RE: Termination of Certified Long-Term Substitutes

WHEREAS, the School Board desires to provide notice that long-term substitute teaching positions terminate on the date specified in the individual substitute teacher's contract or at the conclusion of the school year, whichever is earlier;

NOW, THEREFORE, BE IT RESOLVED by the School Board of Independent School District No. 709, St. Louis County, Minnesota, that the employment of all long-term substitute teachers, including those listed below, shall terminate effective at the end of the school day on June 8, 2012, unless another date is indicated below, or on the date specified in the individual substitute teacher's contract, whichever is earlier.

Coen	Tisha - (0.4 FTE)
Letourneau	Cassie - 07/27/12
Meyerson	Robi - (0.625 FTE)
Tyllia	Rae - (0.5 FTE)
Wiitanen	Genevieve - (0.6 FTE)

BE IT FURTHER RESOLVED that the Clerk of the School Board shall so notify such teachers in writing before July 1, 2012.

Resolution #HR-5-12-3011

May 15, 2012

M-Westholm, S-Seliga Punyko, to approve Resolution HR-5-12-3011 – Termination of Certified Long-Term Substitutes. Upon a vote, the same was approved – 5-1 as follows:

Yea: Kasper, Miernicki, Seliga Punyko, Wasson, Westholm

Nay: Johnston

M-Westholm, S-Kasper, to approve the Individual Contract for Katie Kaufman. Upon a vote, the same was approved – 6-0.

M-Westholm, S-Miernicki, to approve the remainder of the Human Resources Committee Report as presented. Upon a vote, the same was approved – 6-0.

Business Committee Report

March 2012

Member Seliga Punyko presented the Business Committee report, a copy of same being in the hands of each school board member.

Member Seliga Punyko presented the resolution:

RESOLUTION CLOSING MORGAN PARK MIDDLE SCHOOL

Whereas, a public hearing was held on April 30, 2012 on the proposed closing of Morgan Park Middle School;

Whereas, during this hearing, people wishing to give testimony for and against the proposed closing were heard, and such testimony was considered by the School Board;

Whereas, published notice of this hearing was given in compliance with Minnesota Statutes Section 123B.51, subdivision 5.

NOW, THEREFORE, BE IT RESOLVED by the School Board of Independent School District No. 709 as follows:

1. The attached Findings and Conclusions regarding the closing of Morgan Park Middle School are hereby adopted.
2. The closing of Morgan Park Middle School is necessary and practicable.
3. Morgan Park Middle School is closed effective at the end of the 2011-12 school year.

4. At this time, the School Board does not take any action with respect to the possible sale of Morgan Park Middle School building or property.

B-5-12-3015

May 15, 2012

M-Seliga Punyko, S-Kasper, to approve Resolution B-5-12-3015 – Closing Morgan Park Middle School.

Member Johnston expressed his concern with the timing of the hearing and the hearing process. Chair Wasson clarified that all laws were followed.

Upon a vote, the same was approved – 5-1 as follows:

Yea: Kasper, Miernicki, Seliga Punyko, Wasson, Westholm

Nay: Johnston

Member Seliga Punyko presented the resolution:

RESOLUTION

Central High School Property - Comprehensive Land Use Plan Map Amendment

WHEREAS, the School Board by Resolution B-6-07-2452 adopted a Long-range Facilities Plan for the District, and therein also directed the District's administrative staff to commence with the disposition of certain non-school sites including the Central High School property that will no longer be used for purposes set forth in Minnesota Statute Section 123B.51; and

WHEREAS, the City of Duluth has a Comprehensive Land Use Plan (CLP) with Map that categorizes the Central High School property use as "Institutional"; and

WHEREAS, the sale, redevelopment and repurposing of the Central property, other than for institutional uses, requires an amendment to the current Comprehensive Land Use Plan - Map, and where City Planning and Community Development departments had completed a process and created a recommendation to amend the current Plan, and have presented this recommendation for consideration by the City Planning Commission; and

WHEREAS, the School Board has been presented with a copy of the City Staff Report recommending the Amendment to the Comprehensive Land Use Plan, and has considered such Plan as it relates to the District's obligations to taxpayers and what the School Board resolves will be in the best interest of the Duluth community as well as the School District; and

WHEREAS, the School Board by Resolution #B-1-12-2965 did not support the Comprehensive Land Use Plan Map Amendment as it had been recommended by City Staff to the City of Duluth Planning Commission; and

WHEREAS, the City of Duluth Planning Commission upon receipt of the School Board resolution, tabled action on this item in order to allow some additional consideration by the City of Duluth Planning Department and School District Administration in order to define a revised Map that would resolve the Duluth School Board's concerns and objections; and

WHEREAS, the City of Duluth Planning and Community Development staff along with School District Administration staff and consultant LHB, Inc. have mutually developed a revised Future Land Use Map attached hereto, which has been reviewed in a public meeting with the community and has since been approved by the City of Duluth Planning Commission;

NOW, THEREFORE, BE IT RESOLVED the Duluth School Board hereby grants their

support of the attached Future Land Use Map approved by the Planning Commission, and further recommends this Map be approved by the Duluth City Council and adopted into the City of Duluth's Comprehensive Land Use Plan.

B-5-12-3013

May 15, 2012

M-Seliga-Punyko, S-Westholm, to approve Resolution B-5-12-3013 – Central High School Property - Comprehensive Land Use Plan Map Amendment. Upon a vote, the same was approved 6-0.

Member Seliga Punyko presented the resolution:

RESOLUTION

To Exchange Land with the State of Minnesota for a Permanent Easement at Lincoln Park Middle School

WHEREAS, on February 23, 2010, the Duluth School Board approved Resolution #B-2-10-2737 – Resolution Authorizing the Application for Conveyance of Tax Forfeited Land – New West Middle School at the North Wheeler Site; and

WHEREAS, the St. Louis County Board approved the sale of this land to the School District on June 8, 2010; and

WHEREAS, the County currently manages as part of the State of Minnesota Land Trust a parcel of land adjoining District property acquired by way of its Resolution #B-2-10-2737; and which adjoining Tax Forfeited Land is (.62 acres) under the acreage requirements for said land parcel to be developed thereby returning it to taxable land; and

WHEREAS, the Duluth School District desires a 16 foot wide permanent easement across the State of Minnesota Land Trust land for the purpose of constructing and maintaining a sidewalk connecting the Lincoln Park Middle School to Devonshire Street, the location of which easement is legally described on Exhibit 2 attached hereto; and

WHEREAS, the District will also require a temporary construction easement across said property further described on Exhibit 3 attached hereto to allow for the grading and construction of the sidewalk;

NOW, THEREFORE, BE IT RESOLVED the School Board of Independent School District No. 709 agrees to a land transfer of approximately (.62 acres) as shown on Exhibit 1 attached hereto to the County/State in exchange for the County/State granting a permanent and temporary easement across County land as described on Exhibit 2 and Exhibit 3.

BE IT FURTHER RESOLVED that the School Board authorizes the School Board Chair to execute the documents required for completing and closing these transactions.

B-5-12-3014

May 15, 2012

M-Seliga-Punyko, S-Kasper, to approve Resolution B-5-12-3014 – To Exchange Land with the State of Minnesota for a Permanent Easement at Lincoln Park Middle School. Upon a vote, the same was approved – 6-0.

Member Seliga Punyko presented the resolution:

RESOLUTION

Authorizing the Reconveyance of Real Property to the State of Minnesota and Execution of Documents Required for this Purpose

WHEREAS, the School Board of Independent School District No. 709 entered into an agreement with the State of Minnesota in 1980 wherein the State of Minnesota conveyed property to the School District to be used for a parking lot for students and staff at Morgan Park School; and

WHEREAS, the agreement further provides that the property reverts to the State of Minnesota if no qualified parking lot is developed within five years; and

WHEREAS, the property was not developed for the intended purpose within five years of the original conveyance and therefore, the Recorded Deed requires the property revert to the State of Minnesota;

NOW, THEREFORE, BE IT RESOLVED the School Board authorizes the School Board Chair and Clerk to execute the Reconveyance of Forfeited Lands to the State of Minnesota by a Governmental Subdivision and any other documents necessary for this purpose that causes the Real Property further described as Lots 1 through 15, Block 14, Morgan Park of Duluth described in State of Minnesota, St. Louis County, Deed No. 158110 to revert to the State of Minnesota.

B-5-12-3014

May 15, 2012

M-Seliga-Punyko, S-Kasper, to approve Resolution B-5-12-3014 – Authorizing the Reconveyance of Real Property to the State of Minnesota and Execution of Documents Required for this Purpose. Upon a vote, the same was approved – unanimously.

Member Seliga Punyko presented the resolution:

RESOLUTION

Authorized Student Activity Bank Account Signer

RESOLVED, by the School Board of Independent School District No. 709, St.

Louis County, Minnesota, that it hereby authorizes the following:

<u>District Building</u>	<u>Banking Institution</u>	<u>Account Number</u>	<u>Addition of Authorized Signer</u>	<u>Removal of Authorized Signer</u>
Lowell	DTCU	XXXX4	Lynn Litzinger	Elizabeth Larson

B-5-12-3018

May 15, 2012

M-Seliga-Punyko, S-Kasper, to approve Resolution B-5-12-3018 – Authorized Student Activity Bank Account Signer. Upon a vote, the same was approved – 6-0.

M-Seliga Punyko, S-Kasper, to approve the Business Committee Report, withholding the resolutions, as presented.

Member Johnston withheld Items 1.E. and F., 4.B., 6.D. and E.

Member Johnston withheld Item 1.E. – Investment Transactions to ask what they are and why they fluctuate. Bill Hanson, Director of Business Services, explained what the investments are and the fluctuations in the earnings.

Member Johnston withheld Item 1.F. – WADM Projections to note reductions from previous years. Superintendent Gronseth explained that other Districts are in a declining enrollment status as well and that it continues to be a concern.

Member Johnston withheld Item 4.B. – Change Orders to note his concern with the dollar amount of the change orders and cost increases to the long range plan. Kerry Leider, Facilities Management Supervisor explained that he reviews all change orders and that they are still within a reasonable range in relation to the total amount of the project. Discussion took place regarding a request from Member Johnston on cost summary reports. Chair Wasson asked that all requests for data from board members go through her.

Member Johnston withheld Item 6.D. Facilities Management and Capital Project Status Report to ask about a utility report he would like to receive. Kerry Leider explained what that report was and why the report is no longer created. He stated that he will try to provide a yearend report for the utilities.

Member Johnston withheld Item 6.E. – JCI Long Range Facilities Plan Status Report to note the absence of a report he would like to see.

Upon a vote on the remainder of the business committee report as presented, the same was approved – 5-1 as follows:

Yea: Kasper, Miernicki, Seliga Punyko, Wasson, Westholm

Nay: Johnston

Special Resolutions

May 2012

Member Westholm presented the resolution:

RESOLUTION

**COACH REQUESTS REASONS FOR NON-RENEWAL – APPROVAL
OF RESPONSE LETTER (CLASSIFIED AS PRIVATE PERSONNEL DATA)**

BE IT RESOLVED, By the School Board of Independent School District 709, St. Louis County, Minnesota, that the School Board Approves the Response Letter for Reasons of Non-Renewal of Head Coaching Position, pursuant to Minnesota Statute 122A.33 Subd. 3.

M-Westholm, S-Kasper, To Approve Resolution HR-5-12-3019 – Coach Requests reasons For Non-Renewal – Approval Of Response Letter (Classified As Private Personnel Data). Upon A Vote, The Same Was Approved 5-1 as follows:

Member Johnston expressed his concern with lack of detail in the letter, and lack of evidence. Member Miernicki stated that he strongly disagrees that there was no evidence provided.

Upon a vote, the same was approved 5-1 as follows:

Yea: Kasper, Miernicki, Seliga Punyko, Wasson, Westholm

Nay: Johnston

Other
May 2012

Student Advisor Pendelton stated that the school has been very hot and asked if the air conditioning could be turned on. Mr. Leider explained that there isn't air conditioning in the buildings but rather humidity controls, and that it only manages humidity but it can have a cooling effect. He stated that he would check into the issue.

➤ Chair Wasson adjourned the Regular School Board Meeting of May 15, 2012 at 7:56 p.m.

Minutes of the Special School Board Meeting

15

Of the School Board of Independent School District No. 709 held at the Historic Old Central High School, 215 North First Avenue East, Duluth, Minnesota 55802, on

Thursday, May 24, 2012

Members Present:

Art Johnston
Tom Kasper
Mike Miernicki
Judy Seliga Punyko
Ann Wasson
Bill Westholm

Others Present:

Bill Gronseth, Interim Superintendent
Bill Hanson, Deputy Clerk
Melinda Thibault, Secretary

Members Absent:

Mary Cameron

➤ Chair Wasson called the special school board meeting of May 24, 2012 to order at 5:00 p.m.

A. Coach Requests Meeting Pursuant to MN Statute 122A.33 Subd.3

Tim Sworsky, Human Resources Manager, explained what the item was related to and what information could be discussed in public. Mr. Sworsky listed the reasons that were given to Mr. Tolo for the non-renewal of his coaching contract.

Mr. Tolo spoke to the school board in response to the listed allegations against him. Melanie Ford, Mr. Tolo's attorney, read a letter that was sent to the district's attorney along with a statement from the student whose private data was released.

Member Seliga Punyko presented the resolution:

RESOLUTION Executive (Closed) Session

RESOLVED, By the School Board of Independent School District 709, St. Louis County, Minnesota, that the School Board shall meet in Executive (Closed) Session on Thursday, May 24, 2012 at approximately 5:00 p.m. in the Board Conference Room of Historic Old Central High School for the purpose of discussion related to private educational data, pursuant to Minnesota Statute Section 13D.05, subd. 2(a)(3).

Resolution HR-5-12-3023

May 24, 2012

M-Seliga Punyko, S-Westholm, to approve Resolution HR-5-12-3023 Executive Closed Session. Upon a vote, the same was approved 6-0.

The board recessed to closed session at 5:15 p.m.

The board reconvened at 5:53 p.m.

B. Contract for Assistant Superintendent, Eddie J. Crawford, for the period of July 1, 2012 – June 30, 2014

Superintendent Gronseth noted that Mr. Crawford has been an asset to the district in this position and looks forward to continuing to work with him.

M-Seliga Punyko, S-Miernicki, to approve the contract as presented for Eddie J. Crawford. Upon a vote the same passed 6-0.

C. Resolution B-5-12-3022 – Approval of Ten-Year Capital Facilities Plan – 2012 Update

Member Kasper left at 5:58 p.m.

Member Miernicki presented the resolution:

RESOLUTION
Ten-Year Capital Facilities Plan – 2012 Update

BE IT RESOLVED, by the School Board of Independent School District No. 709, St. Louis County, State of Minnesota, that the Ten-Year Capital Facilities Plan – 2012 Update, be approved.

B-5-12-3022

May 24, 2012

M-Miernicki, S-Westholm, to approve Resolution B-5-12-3022 – Ten-Year Capital Facilities Plan – 2012 Update. Upon a vote the same passed 4-1 as follows:

Yea: Seliga Punyko, Miernicki, Wasson, Westholm
Nay: Johnston

➤ Chair Wasson adjourned the Special School Board meeting of May 24, 2012 at 5:59 p.m.

Minutes of the Special School Board Meeting

17

Of the School Board of Independent School District No. 709 held at the Historic Old Central High School, 215 North First Avenue East, Duluth, Minnesota 55802, on

Tuesday, June 5, 2012

Members Present:

Tom Kasper
Mike Miernicki
Judy Seliga Punyko
Ann Wasson
Bill Westholm

Others Present:

Bill Gronseth, Interim Superintendent
Bill Hanson, Deputy Clerk
Melinda Thibault, Secretary

Members Absent:

Mary Cameron
Art Johnston

- Chair Wasson called the special school board meeting of June 5, 2012 to order at 4:32 p.m.

Public Comment as Related to Agenda Items Listed Below – One person spoke at the end of the meeting.

A. Middle School Programming Structure for the 2012-13 School Year

Recommendation: It is recommended that the School Board approve the middle school programming structure of going from seven to six academic class periods for the 2012-13 school year as recommended by administration with respect to the District Budget Reduction Process efforts.

Ed Crawford, Assistant Superintendent, reviewed the proposed programming model. School board discussion took place regarding the model and the elective offerings.

M-Wasson, S-Kasper, to amend the recommendation that for the 8th grade next year the wheel will be removed and semester elective offerings will be put in place. Upon a vote the same was approved 5-0.

M-Seliga Punyko, S-Kasper, to approve the Middle School Programming Structure for the 2012-13 School Year as amended. Upon a vote the same passed 5-0.

B. Approval of Starting and Ending Times for the 2012-13 School Year

Recommendation: It is recommended that the School Board approve starting and ending times for the 2012-13 school year as recommended by administration as a result of the new middle school program structure for the 2012-13 school year.

Discussion took place regarding the new starting and ending times.

M-Wasson, S-Miernicki, to approve the Starting and Ending Times for the 2012-13 School Year as presented. Upon a vote the same passed 5-0.

C. Quote # 4119 - Storm Utilities and Grading for Sidewalk Restoration at Ordean East Middle School

Storm Utilities and Grading - Veit & Company, Inc - \$37,970.00

Recommendation: It is recommended the School Board approve entering into a contract with the firm listed above based on their low responsive quote as shown on the Quote Tab and Letter of Recommendation, as provided in response to Quote #4119 – Storm Utilities and Grading for Sidewalk Restoration at Ordean East Middle School. The total cost of the contract related to Quote #4119 – Storm Utilities and Grading for Sidewalk Restoration at Ordean East Middle School as listed above is \$37,970.00, which remains within the overall budget district-wide.

Kerry Leider explained the work that needed to be done within this quote.

M-Seliga Punyko, S-Kasper, to approve Quote 4119 – Storm Utilities and Grading for Sidewalk Restoration at Ordean East Middle School. Upon a vote the same passed 5-0.

D. Eastern Middle School (Ordean East Middle School)

Eastern MS LRFP – Hallway Lockers
Change Order #4, Bid #1165, WS #24 – JF Equipment, LLC
Change Order increase to furnish and install additional lockers and add fillers, slip joint and slope top corners **Add: \$133,489.00**

Recommendation: It is recommended the School Board approve the change order as listed above at Eastern Middle School (Ordean East Middle School) reflecting a total increase of \$133,489.00.

Kerry Leider explained item and the work associated with the Change Order.

M-Kasper, S-Westholm, to approve Change Order #4, Bid #1165, WS#24 JF Equipment, LLC at Ordean East Middle School. Upon a vote the same passed 5-0.

E. Valley Youth Center Lease Agreement

Attached is the lease agreement with the Valley Youth Center for the use of space at the new Laura MacArthur School. This lease agreement covers the period from June 5, 2012 through June 4, 2017, with the option to extend five (5) additional years at no cost during the term of the agreement.

Recommendation: It is recommended the Duluth School Board approve the lease agreement with the Valley Youth Center for the period from June 5, 2012 through June 4, 2017.

Kerry Leider explained the lease item.

**M-Westholm, S-Kasper, to approve the lease agreement with the Valley Youth Center.
Upon a vote the same passed 5-0.**

Public Comment:

Tim Churchill, 1810 Eileen Avenue, spoke to the board regarding his concern with changing the registration process again and issues with large class sizes.

- Chair Wasson adjourned the Special School Board meeting of June 5, 2012 at 5:10 p.m.

Minutes of the Special School Board Meeting

20

Of the School Board of Independent School District No. 709 held at the Historic Old Central High School, 215 North First Avenue East, Duluth, Minnesota 55802, on

Monday, June 11, 2012

Members Present:

Mary Cameron
Judy Seliga Punyko
Ann Wasson
Bill Westholm

Others Present:

Bill Gronseth, Interim Superintendent
Bill Hanson, Deputy Clerk
Melinda Thibault, Secretary

Members Absent:

Art Johnston
Tom Kasper
Mike Miernicki

- Chair Wasson called the special school board meeting of June 11, 2012 to order at 4:25 p.m.

Public Comment as Related to Agenda Items Listed Below - None

A. Contract Awards – Bids/Quotes – Re: Congdon Park & Myers Wilkins Schools

- 1) Bid #1215 – Myers-Wilkins Elementary School Bid Package #1
Contract #0241 – Demolition – Kellington Construction - \$397,835.00
Contract #3100/#3210 – Earthwork/Asphalt Paving – Veit & Company, Inc - \$834,155.00

Recommendation: It is recommended the School Board approve entering into contracts with the firms listed above based on their low responsive bids as shown on the Bid Tab and Letter of Recommendation, as provided in response to Bid#1215 – Myers-Wilkins Elementary School Bid Package #1. The total cost of the contracts related to Bid #1215– Myers-Wilkins Elementary School Bid Package #1 as listed above is \$1,231,990.00, which remains within the overall budget district-wide.

Kerry Leider, Facilities Management Supervisor, reviewed the bids and contract awards as listed above.

Member Cameron asked if it is within overall budget or this project budget. Mr. Leider stated it is within both budgets. Chair Wasson noted that it is important to move forward with these bids in order to stay on time for opening.

M-Westholm, S-Cameron, to approve the Contract Awards – Bids/Quotes – Re: Congdon Park and Myers Wilkins Schools Contract 0241 and 3100/3210 as presented. Upon a vote, the same was approved 4-0.

- 2) Bid #1222 – Congdon Park Elementary – Bid Package #1
Work Scope #4 – Structural Steel–Supply – Ben’s Structural Fabrication, Inc -
\$172,000.00

Recommendation: It is recommended the School Board approve entering into a contract with the firm listed above based on their low responsive bids as shown on the Bid Tab and Letter of Recommendation, as provided in response to Bid#1222 – Congdon Park Elementary – Bid Package #1. The total cost of the contract related to Bid#1222 – Congdon Park Elementary – Bid Package #1 as listed above is \$172,000.00, which remains within the overall budget district-wide.

Kerry Leider reviewed the bids and recommendations as listed above.

M-Cameron, S-Westholm, to approve the Contract Awards – Bids/Quotes – Re: Congdon Park Bid 1222 – Bid Package 1 as presented. Upon a vote, the same was approved 4-0.

- B. Resolution B-6-12-3031 – Resolution Amending Resolution B-4-12-3007 and Authorizing the Issuance and Sale of Full Term Capital Appreciation Certificates of Participation, Series 2012A, in an Amount Not to Exceed \$12,801,327, to Finance a Portion of the Project Costs for Congdon Elementary and Grant (now Myers-Wilkins) Elementary

Bob Toftey, Legal Counsel, reviewed the resolution and the reason for modifying the previous resolution. Chair Wasson noted her concern that when lawsuits are brought against the district it ultimately hurts the taxpayer.

M-Westholm, S-Cameron, to approve the Resolution B-6-12-3031 – Resolution Amending Resolution B-4-12-3007 and Authorizing the Issuance and Sale of Full Term Capital Appreciation Certificates of Participation, Series 2012A, in an Amount Not to Exceed \$12,801,327, to Finance a Portion of the Project Costs for Congdon Elementary and Grant (now Myers-Wilkins) Elementary. Upon a vote, the same was approved 4-0.

- C. Resolution B-6-12-3032 – Resolution Amending Resolution B-4-12-3008 and Authorizing the Issuance and Sale of Certificates of Participation, Series 2012B, in an Amount Not to Exceed \$6,430,000, to Finance a Portion of the Project Costs for Congdon Elementary and Grant (now Myers-Wilkins) Elementary

Bob Toftey explained the changes.

M-Cameron, S-Westholm, to approve the Resolution B-6-12-3032 – Resolution Amending Resolution B-4-12-3008 and Authorizing the Issuance and Sale of Certificates of Participation, Series 2012B, in an Amount Not to Exceed \$6,430,000, to Finance a Portion of the Project Costs for Congdon Elementary and Grant (now Myers-Wilkins) Elementary. Upon a vote, the same was approved 4-0.

D. Duluth Public Schools, ISD 709, Comprehensive Equity and Inclusion Plan (CEIP) 2013-2015

Recommendation: It is recommended the School Board approve the Comprehensive Equity and Inclusion Plan 2013-2015 for the Duluth Public Schools, which must be revised and submitted to the Minnesota Department of Education every three years.

Discussion took place regarding the plan and the boards concern that there be more accountability and more in depth work with the students.

M-Westholm, S-Cameron, to approve the Duluth Public Schools, ISD 709, Comprehensive Equity and Inclusion Plan (CEIP) 2013-2015. Upon a vote, the same was approved 4-0.

- Chair Wasson adjourned the Special School Board meeting of June 11, 2012 at 4:48 p.m.

7. Communications, Petitions, etc.

06/01/12 Letter to Morgan Park Middle School Student Council, and copied to Duluth School Superintendent and Board, from Steve Ellis, President of Harrison Community Club, Lincoln Park Neighborhood. Mr. Ellis' letter conveys the club and neighborhood's support of the students' wish to offer "Wild Cats" as a team name and mascot at the new Lincoln Park Middle School, welcoming the students to the neighborhood.

DULUTH PUBLIC SCHOOLS, ISD 709
SCHEDULE OF MEETINGS AND EVENTS

All meetings are scheduled at Historic Old Central High School unless otherwise noted.

Week of June 18 – June 22, 2012

Tuesday	June 19	6:30 p.m.	Regular School Board Meeting Board Room
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Week of June 25 – June 29, 2012

No meetings scheduled at this time.

Week of July 2 – July 6, 2012

No meetings scheduled at this time.

Week of July 9 – July 13, 2012

Monday	July 9	4:15 p.m.	Human Resources Committee Board Room
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Monday	July 9	4:30 p.m. <i>(or to follow the Human Resources Comm. Mtg)</i>	Business Committee Board Room
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Tuesday	July 10	4:15 p.m.	Education Committee Board Room
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Week of July 16 – July 20, 2012

Tuesday	July 17	6:30 p.m.	Regular School Board Meeting Board Room
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Week of July 23 – July 27, 2012

No meetings scheduled at this time.

Week of July 30 – August 3, 2012

No meetings scheduled at this time.

Week of August 6 – August 10, 2012

No meetings scheduled at this time.

Week of August 13 – August 17, 2012

Monday	August 13	4:15 p.m.	Human Resources Committee Board Room
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Monday	August 13	4:30 p.m. <i>(or to follow the Human Resources Comm. Mtg)</i>	Business Committee Board Room
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Tuesday	August 14	4:15 – 6:00 p.m. only <i>(No Mtgs 6:00-8:00 pm Primary Elections)</i>	Education Committee Board Room
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Week of August 20 – August 24, 2012

Tuesday	August 21	6:30 p.m.	Regular School Board Meeting Board Room
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*Office of the Superintendent
June 14, 2012*

RESOLUTION ADOPTING POST-ISSUANCE DEBT COMPLIANCE PROCEDURES

BE IT RESOLVED, by the School Board (the “School Board”) of Independent School District No. 709, St. Louis County, Minnesota (the “District”), as follows:

The School Board of Independent School District No. 709 (Duluth) (the “District”) has chosen to take steps to help ensure that all tax-exempt obligations will be in compliance with all applicable state and federal regulations.

Background

The Internal Revenue Service (IRS) is responsible for enforcing compliance with the Internal Revenue Code and most other regulations governing certain obligations (As example: tax-exempt obligations, Build America Bonds, Recovery Zone Development Bonds and various “Tax Credit” Bonds). The IRS expects issuers and beneficiaries of these obligations to adopt and implement post-issuance debt compliance procedures to safeguard against post-issuance violations.

Post-Issuance Debt Compliance Objectives

The District desires to monitor these obligations to ensure compliance with the IRS Code and all other regulations governing such obligations. To help ensure compliance, the District has developed procedures which apply to these obligations including bonds, notes, loans, lease purchase contracts, lines of credit, commercial paper or any other form of debt that is subject to compliance.

Post-Issuance Debt Compliance

The CFO/Executive Director of Business Services of the District is designated as the District’s agent who is responsible for post-issuance compliance of these obligations.

The CFO/Executive Director of Business Services shall assemble all relevant documentation, records and activities required to ensure post-issuance debt compliance as further detailed in the “Post-Issuance Debt Compliance Procedures” attached hereto. At a minimum, the Post-Issuance Debt Compliance Procedures for each qualifying obligation will address the following:

1. General Post-Issuance Compliance;
2. Proper and timely use of bond proceeds and bond-financed property;
3. Arbitrage yield restriction and rebate;
4. Timely filings and other general requirements;
5. Additional undertakings or activities that support points 1 through 4 above;
6. Other requirements that become necessary in the future.

The CFO/Executive Director of Business Services shall apply the Post-Issuance Debt Compliance Procedures to each qualifying obligation and maintain a record of the results.

Further, the CFO/Executive Director of Business Services will ensure that the Post-Issuance Debt Compliance Procedures are updated on a regular and as needed basis.

The CFO/Executive Director of Business Services, or any other individuals responsible for assisting the CFO/Executive Director of Business Services in maintaining records needed to ensure post-issuance compliance, are authorized to expend funds as needed to attend training or secure use of other educational resources for ensuring compliance such as consulting, publications, and compliance assistance.

Adopted: June 19, 2012

Motion made by Member _____, seconded by Member _____, to approve Resolution #B-6-12-____, as presented. Upon a vote taken, the same was approved as follows:

Yeah:

Nay:

Clerk

Chair

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Post-Issuance Debt Compliance Procedures

The School Board of Independent School District No. 709 (the “District”) has adopted a process for Debt Compliance on June 19, 2012. Post-Issuance Debt Compliance applies to qualifying debt obligations issued by the District. The CFO/Executive Director of Business Services will perform the following Post-Issuance Debt Compliance Procedures for tax-exempt obligations, Build America Bonds, Recovery Zone Development Bonds and other various “Tax Credit” Bonds).

1. General Post-Issuance Compliance

- a. Ensure written procedures and/or guidelines have been put in place for individuals to follow when more than one person is responsible for ensuring compliance with Post-Issuance Procedures.
- b. Ensure training and/or educational resources for post-issuance compliance have been approved and obtained.
- c. The CFO/Executive Director of Business Services of the District understands that there are options for voluntarily correcting failures to comply with post-issuance compliance requirements (i.e. Treasury Regulations 1.141-12 remedial actions, Tax-Exempt Bonds Voluntary Closing Agreement Program and the ability to enter into a closing agreement under the Tax-Exempt Bonds Voluntary Closing Agreement Program described in Notice 2001-60).

2. General Recordkeeping

- a. Retain records and documents for the obligation for a period of at least three years following the final payment or the date in which the obligation is redeemed unless otherwise directed by Bond Counsel.
- b. Retain both paper and electronic versions of records and documents for the obligation.
- c. General Records and Documentation to be Assembled and Retained
 - i. Description of the purpose of the obligation (referred to as the project) and the state statute authorizing the project.
 - ii. Record of tax-exempt status or revocation of tax-exempt status, if applicable.
 - iii. Any correspondence between the District and the IRS.
 - iv. Audited financial statements.
 - v. Bond transcripts, official statements and other offering documents of the obligation.
 - vi. Minutes and resolutions authorizing the issuance of the obligation.
 - vii. Certifications of the issue price of the obligation.
 - viii. Any formal elections for the obligation (i.e. election to employ an accounting methodology other than the specific tracing method).
 - ix. Appraisals, demand surveys, or feasibility studies for property financed by the obligation.

x. Documents related to governmental grants, associated with construction, renovation or purchase of property financed with the obligation.

xi. Reports of any prior IRS examinations of the District or the District's obligation.

3. Arbitrage Yield Restriction and Rebate Recordkeeping

a. Investment and Arbitrage Documentation to be Assembled and Retained

i. An accounting of all deposits, expenditures, interest income and asset balances associated with each fund established in connection with the obligation. This includes an accounting of all monies deposited to the Debt Service Account to make debt service payments on the obligation, regardless of the source derived. Accounting for expenditures and assets is described in further detail in Section 3b.

ii. Statements prepared by Trustee or Investment Provider.

iii. Documentation of at least quarterly allocations of investments and investment earnings to each obligation (i.e. uncommingling analysis).

iv. Documentation for investments made with obligation proceeds such as:

1. Investment contracts (i.e. guaranteed investment contracts).
2. Credit enhancement transactions (i.e. bond insurance contracts).
3. Financial derivatives (swaps, caps, etc.).
4. Bidding of financial products.
 - Investments acquired with obligation proceeds are purchased at fair market value (i.e. three bids for open market securities needed in advance refunding escrows).

b. Computations of the arbitrage yield.

c. Computations of yield restriction and rebate amounts including but not limited to:

i. Compliance in meeting the "Temporary Period from Yield Restriction Exception" and limiting the investment of funds after the temporary period expires.

ii. Compliance in meeting the "Rebate Exception."

1. Qualifying for the "Small Issuer Exception."

2. Qualifying for a "Spending Exception."

- 6 Month Spending Exception
- 18 Month Spending Exception
- 24 Month Spending Exception

3. Qualifying for the "Bona Fide Debt Service Fund Exception."

4. Quantifying arbitrage on all funds established in connection with the obligation in lieu of satisfying arbitrage exceptions (including Reserve Funds and Debt Service Funds).

- d. Computations of yield restriction and rebate payments.
- e. Timely Tax Form 8038-T filing, if applicable.
 - i. Remit any arbitrage liability associated with the obligation to the IRS at each five year anniversary date of the obligation, and the date in which the obligation is no longer outstanding (redemption or maturity date), whichever comes sooner, within 60 days of said date.
- f. Timely Tax Form 8038-R filing, if applicable.
- g. Procedures or guidelines for monitoring instances where compliance with applicable yield restriction requirements depends on subsequent reinvestment of obligation proceeds in lower yielding investments (i.e. reinvestment in zero coupon SLGS).

4. Expenditure and Asset Documentation to be Assembled and Retained

- a. Documentation of allocations of obligation proceeds to expenditures (i.e. allocation of proceeds to expenditures for the construction, renovation or purchase of facilities owned and used in the performance of exempt purposes).
- b. Documentation of allocations of obligation proceeds to issuance costs.
- c. Copies of requisitions, draw schedules, draw requests, invoices, bills and cancelled checks related to obligation proceed expenditures during the construction period.
- d. Copies of all contracts entered into for the construction, renovation or purchase of facilities financed with obligation proceeds.
- e. Records of expenditure reimbursements incurred prior to issuing bonds for facilities financed with obligation proceeds (Declaration of Official Intent/Reimbursement Resolutions including all modifications).
- f. List of all facilities and equipment financed with obligation proceeds.
- g. Depreciation schedules for depreciable property financed with obligation proceeds.
- h. Documentation that tracks the purchase and sale of assets financed with obligation proceeds.
- i. Documentation of timely payment of principal and interest payments on the obligation.
- j. Tracking of all issue proceeds and the transfer of proceeds into the debt service fund as appropriate.
- k. Documentation that excess earnings from a Reserve Fund is transferred to the Debt Service Fund on an annual basis. Excess earnings are balances in a Reserve Fund that exceed the Reserve Fund requirement.

5. Miscellaneous Documentation to be Assembled and Retained

- a. Procedures to ensure that the project, while the obligation is outstanding, will avoid IRS private business concerns.
- b. Changes in the project that impact the terms or commitments of the obligation are properly documented and necessary certificates or opinions are on file.

6. Additional Undertakings and Activities that Support Sections 1 through 4 above

a. The CFO/Executive Director of Business Services will notify the District's Bond Counsel, Financial Advisor and Arbitrage Provider of any survey or inquiry by the IRS immediately upon receipt (Usually responses to IRS inquiries are due within 21 days of receipt. Such IRS responses require the review of the above mentioned data and must be in writing. As much time as possible is helpful in preparing the response).

b. The CFO/Executive Director of Business Services will consult with the District's Bond Counsel, Financial Advisor and Arbitrage Provider before engaging in post-issuance credit enhancement transactions (i.e. bond insurance, letter of credit, or hedging transactions (i.e. interest rate swap, cap).

c. The CFO/Executive Director of Business Services will monitor all "qualified tax-exempt debt obligations" within the first calendar year to determine if the limit is exceeded, and if exceeded, will address accordingly. For tax-exempt debt obligations issued during years 2009 and 2010, the limit is \$30,000,000 (The limit was \$10,000,000 prior to 2009. In 2011 and thereafter it will remain at \$10,000,000 unless changed by Congress). During this period, the limit also applies to pooled financings of the governing body and provides a separate \$30,000,000 for each 501 (c)(3) conduit borrower.

d. Comply with Continuing Disclosure Requirements

i. If applicable, the timely filing of annual information agreed to in the Continuing Disclosure Certificate.

ii. Give notice of any Material Event.

e. Identify any post-issuance change to terms of bonds which could be treated as a current refunding of "old" bonds by "new" bonds, often referred to as a "reissuance".

f. Confirm whether any "remedial action" in connection with a "change of use" must be treated as a "reissuance".

g. The CFO/Executive Director of Business Services will put written procedures in place which designate and direct certain individuals to submit the appropriate tax form and application for federal subsidy payments in a timely fashion for applicable obligations (i.e. Build America Bonds).

7. Compliance with Future Requirements

a. Take measures to comply with any future requirements issued beyond the date of these Post-Issuance Debt Compliance Procedures which are essential to ensuring compliance with the applicable state and federal regulations.