



MINUTES
SPECIAL BOARD OF EDUCATION MEETING
August 24, 2016
6:30 p.m.
Education Service Center – Board Room

1.00 Call to Order and Roll Call

A special meeting of the District 49 Board of Education was called to order at 6:30 p.m. by the President, Marie LaVere-Wright. The following board members were present: Mr. Butcher, Mr. Graham, Ms. Harold, Mrs. LaVere-Wright and Mr. Moore.

2.00 Welcome and Pledge of Allegiance

3.00 Approval of Agenda

It was moved by Harold, seconded by Moore to approve the agenda as presented.

The motion was put and carried with Butcher, aye; Graham, aye; Harold, aye; LaVere-Wright, aye; Moore, aye. Motion carried 5-0.

4.00 Open Forum (3 minute time limit for each speaker)

Topic must be related to special meeting agenda items

5.00 Action Items – see attachments

5.01 School Finance Campaign Ballot Language

5.02 Approval of Intergovernmental Agreement for 2016 General Election

5.03 2015-16 Supplemental Budget for Fund 31

6.00 Other Business

7.00 Adjournment

It was moved by Harold and seconded by Moore to adjourn the meeting at 6:38 p.m. *The motion was put and carried with Butcher, aye; Graham, aye; Harold, aye; LaVere-Wright, aye; Moore, aye. Motion carried 5-0.*

Respectfully submitted by Donna Richer,



Marie LaVere-Wright, President



Tammy Harold, Secretary

TOPICS MUST BE RELATED TO ITEM ON THE AGENDA AT THE BOE SPECIAL MEETING 8/24/16

OPEN FORUM

"Please provide your name, relation to the district and the topic of comment for this open forum. Just as we hold our students to high standards of speech and respect for others, we expect your comments to follow these same standards. **Please limit your comments to three minutes.** Thank you."

NAME	Relation to the District	Topic of Comment
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		



BOARD OF EDUCATION AGENDA ITEM 5.01 MINUTES

BOARD MEETING OF:	August 24, 2016
PREPARED BY:	Brett Ridgway, Chief Business Officer
TITLE OF AGENDA ITEM:	Building Our Future Community – School Finance Campaign Ballot Language
ACTION/INFORMATION/DISCUSSION:	Action

BACKGROUND INFORMATION, DESCRIPTION OF NEED: The Board of Education has previously provided guidance to the Administration to conduct primary research for needs, options and financing vehicles for potential participation in the November 2016 election.

That work has proceeded with updates at each Board of Education meeting subsequent to that initial guidance, where feedback was received from the Board. That, along with countless presentations and interactions with staff across the District, the student leadership group, community presentations that were in-person, virtual, and material distributions through mail and the district website – have all informed the plan that is represented in formal ballot language.

RATIONALE: To best serve our district and the mission statement of ‘Learn, Work and Lead’ we have developed a plan that is the best plan for students, staff and taxpayers. The plan is specifically informed by past learnings from prior election cycles as well as feedback garnered throughout the input phase in the last eight months. We need to ensure, and believe that we have ensured, that the project list contains items that are necessary to support the district’s educational programs – now and going forward, and they are projects designed efficiently to minimize cost to the taxpayers.

RELEVANT DATA AND EXPECTED OUTCOMES: The Business Office has verified that the costs are accurate and consistent with the initiatives and priorities stated throughout the input phase and distributed by our Communications Department. We believe that the process has been thorough, well thought-out, and well executed to bring the Board of Education a good list of priorities and projects with corresponding ballot language. The language has been vetted with external resources of Counsel and Underwriting and endorsed by those experts.

IMPACTS ON THE DISTRICT’S STRATEGIC PRIORITIES—THE BIG ROCKS:

Rock #1 —Reestablishing the district as a <u>trustworthy</u> recipient of taxpayer investment	<i>Presenting such information in an open and transparent manner validates the importance placed on community trust.</i>
Rock #2 —Research, design and implement programs for intentional <u>community</u> participation	<i>Presenting such information after a very structured and multi-faceted approach to staff, student and community engagement during the input phase.</i>
Rock #3 — Grow a robust <u>portfolio</u> of distinct and exceptional <u>schools</u>	<i>Enhancing teacher compensation and providing a significant regular investment to refresh and refurbish schools going forward supports our portfolio of schools.</i>
Rock #4 — Build <u>firm foundations</u> of knowledge, skills and experience so all learners can thrive.	<i>Two new elementary schools specifically enhance our ability to provide firm foundations.</i>
Rock #5 — Customize our educational systems to <u>launch</u> each student toward success	<i>Balancing Opportunities at the regular high schools specifically supports our intention to launch each student toward success.</i>



BOE Special Meeting August 24, 2016
Item 5.01 continued

FUNDING REQUIRED: No

AMOUNT BUDGETED: \$83.5mm capital
+ 1.0 mm operational

RECOMMENDED COURSE OF ACTION/MOTION REQUESTED: I move to approve the attached resolution concerning the override levy question

APPROVED BY: Brett Ridgway, Chief Business Officer

DATE: August 18, 2016

Harold made the motion; seconded by Moore. The motion passed 5-0.

	BUTCHER	GRAHAM	HAROLD	LAVERE-WRIGHT	MOORE
VOTED AYE	X	X	X	X	X
VOTED NAY					
COMMENTED	X	X		X	X

	BAY	HILTS	RIDGWAY		
COMMENTED			X		

RESOLUTION

WHEREAS, the Falcon School District No. 49 (the “District”), in the County of El Paso and State of Colorado, is a public corporation duly organized and existing under the Constitution and the laws of the State of Colorado; and

WHEREAS, the members of the Board of Education of the District (the “Board”) have been duly elected, chosen and qualified; and

WHEREAS, Article X, Section 20 of the Colorado Constitution (“TABOR”) requires voter approval for any new tax, the creation of any debt and for spending certain moneys above limits established by TABOR; and

WHEREAS, the Board has determined that the interest of the District and the public interest and necessity demand and require that the District seek voter approval for a tax increase for District purposes as described in Section 3 below to provide additional funds for the District’s capital and general operating expenses pursuant to Section 22-54-108, C.R.S.; and

WHEREAS, the District has determined that it is in the best interest of the District and its residents and taxpayers to continue the debt service mill levy currently being impose of 10.159 mills after 2017 and to utilize revenues produced by such levy for general fund purposes as described in Section 3 below; and

WHEREAS, the Board has determined that the total additional local property tax revenues generated by does not exceed twenty-five percent (25%) of the District’s total program funding in compliance with Section 22-54-108, C.R.S.; and

WHEREAS, TABOR requires the District to submit ballot issues (as defined in TABOR) to the District’s electors on limited election days before action can be taken on such ballot issues; and

WHEREAS, November 8, 2016, is one of the election dates at which ballot issues may be submitted to the eligible electors of the District pursuant to TABOR; and

WHEREAS, the County Clerk and Recorder in El Paso County (the “County Clerk”) will conduct the election on November 8, 2016 as a coordinated election (the “election”); and

WHEREAS, it is necessary to submit to the eligible electors of the District, at the election, the proposition of continuing the current debt service mill levy and utilizing revenues produced from that levy for general fund purposes.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF FALCON SCHOOL DISTRICT NO. 49, IN THE COUNTY OF EL PASO, AND THE STATE OF COLORADO:

Section 1. All action heretofore taken (not inconsistent with the provisions of this resolution) by the District and the officers thereof, directed towards the election and the objects and purposes herein stated and the questions set forth herein are, ratified, approved and confirmed. Unless otherwise defined herein, all terms used herein shall have the meanings specified in Section 1-1-104, C.R.S.

Section 2. Pursuant to TABOR, Title 22, and the Uniform Election Code of 1992, and all laws amendatory thereof and supplemental thereto, the District hereby determines that an election shall be held on November 8, 2016 (the "election"), and that there shall be submitted to the eligible electors of the District the question set forth herein. Because the election will be held as part of the coordinated election, the Board hereby determines that the County Clerk shall conduct the election on behalf of the District. The officers of the District are hereby authorized to enter into one or more intergovernmental agreements with the County Clerk pursuant to Section 1-7-116, C.R.S. Any such intergovernmental agreement heretofore entered into in connection with the election is hereby ratified, approved and confirmed.

Section 3. The Board hereby authorizes and directs the officers of the District to certify on or before September 9, 2016, the following question in substantially the form hereinafter set forth to the County Clerk. Such question shall be submitted to the eligible electors of the District at the election.

BALLOT ISSUE NO. 3[] – TAX INCREASE FOR GENERAL FUND PURPOSES

WITHOUT INCREASING THE TAX RATE OF 10.159 MILLS CURRENTLY BEING LEVIED BY FALCON SCHOOL DISTRICT 49 FOR THE PAYMENT OF DEBT SERVICE ON GENERAL OBLIGATION BONDS, SHALL DISTRICT 49 COLLECT UP TO \$3,300,000 IN PROPERTY TAX REVENUE IN 2017 AND SUCH ADDITIONAL AMOUNTS GENERATED ANNUALLY THEREAFTER BY CONTINUING TO COLLECT SUCH 10.159 MILLS TO BE USED FOR GENERAL FUND PURPOSES INCLUDING RENTAL PAYMENTS ON LEASE-PURCHASE FINANCINGS AND FOR OTHER CAPITAL IMPROVEMENTS AND FOR OPERATIONAL PRIORITIES DIRECTED TO:

- **ATTRACTING AND RETAINING HIGHLY EFFECTIVE TEACHERS BY OFFERING SALARIES AND BENEFITS THAT ARE COMPETITIVE WITH OTHER DISTRICTS IN EL PASO COUNTY;**

- MAKING PRIORITY CAPITAL IMPROVEMENTS TO RESTORE AND REFURBISH ALL EXISTING EDUCATIONAL FACILITIES ON A REGULAR PATTERN GOING FORWARD;
- INVESTING IN THE TRADITIONAL HIGH SCHOOLS TO ENSURE THE BUILDINGS PROVIDE EQUITABLE OPPORTUNITIES FOR STUDENTS AND SAFE AND EFFECTIVE ENVIRONMENTS FOR STUDENT ACHIEVEMENT;
- CONSTRUCTING TWO K-5 NEIGHBORHOOD SCHOOLS, IN ORDER TO SERVE CURRENT DEMAND IN THE CENTRAL AND NORTHERN PORTIONS OF THE DISTRICT;

PROVIDED THAT IN 2017 A PORTION OF THE 10.159 MILLS WILL BE USED TO MAKE THE FINAL PAYMENT ON THE DISTRICT'S GENERAL OBLIGATION DEBT?

Section 4. Donna Richer is hereby appointed as the designated election official of the District for purposes of performing acts required or permitted by law in connection with the election.

Section 5. If a majority of the votes cast on the question to authorize the tax increase submitted at the election shall be in favor of incurring such tax increase provided in such question, the District acting through the Board shall be authorized to proceed with the necessary action to levy such ad valorem property taxes in accordance with such question.

Any authority to levy ad valorem property taxes, if conferred by the results of the election, shall be deemed and considered a continuing authority to levy the ad valorem taxes so authorized at any one time, or from time to time, and neither the partial exercise of the authority so conferred, nor any lapse of time, shall be considered as exhausting or limiting the full authority so conferred.

Section 6. The officers of the District are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution.

Section 7. All orders, bylaws and resolutions, or parts thereof, in conflict with this resolution, are hereby repealed.

Section 8. If any section, paragraph, clause or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

ADOPTED AND APPROVED this August 24, 2016.

Marie Lavere-Wright
President
El Paso County School District No. 49

(SEAL)

ATTEST:

Tammy Harold
Secretary
El Paso County School District No. 49

STATE OF COLORADO)
)
 COUNTY OF EL PASO) SS.
)
 FALCON SCHOOL DISTRICT NO. 49)

I, Tammy Harold, am the duly qualified and acting Secretary of Falcon School District No. 49 (the “District”), in the County of El Paso and State of Colorado, and I do hereby certify:

1. The foregoing pages are a true and correct copy of a resolution (the “Resolution”) passed and adopted by the Board of Education of the District (the “Board”) at a regular meeting of the Board held on August 24, 2016.

2. The Resolution was duly moved and seconded and the Resolution was adopted at the meeting of August 24, 2016, by an affirmative vote of a majority of the members of the Board as follows:

Name	“Yes”	“No”	Absent	Abstain
Marie LaVere-Wright, President				
David Moore, Vice President				
Kevin Butcher, Treasurer				
Tammy Harold, Secretary				
John Graham, Director				

3. The members of the Board were present at such meeting and voted on the passage of such Resolution as set forth above.

4. The Resolution was approved and authenticated by the signature of the President of the Board, sealed with the District seal, attested by the Secretary and recorded in the minutes of the Board.

5. Attached hereto as Exhibit A is a copy of the notice of the meeting on August 24, 2016 which notice was posted in one place within the District at least 24 hours before such meeting and which notice included agenda information, if available.

6. There are no bylaws, rules or regulations of the Board which prevent the immediate adoption of the Resolution set forth in the foregoing proceedings.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said
District, this August 24, 2016.

Secretary

(SEAL)

EXHIBIT A

AGENDA
SPECIAL BOARD OF EDUCATION MEETING
August 24, 2016
6:30 p.m.
Education Service Center – Board Room

- 1.00** **Call to Order and Roll Call**
- 2.00** **Welcome and Pledge of Allegiance**
- 3.00** **Approval of Agenda**
- 4.00** ***Open Forum (3 minute time limit for each speaker)***
- 5.00** **Action Items**
 - 5.01 School Finance Campaign Ballot Language
 - 5.02 Approval of Intergovernmental Agreement for 2016 General Election
 - 5.03 2015-16 Supplemental Budget for Fund 31
- 6.00** ***Other Business***
- 7.00** ***Adjournment***

DATE OF POSTING: August 18, 2016

Donna Richer
Executive Assistant to the Board of Education



BOARD OF EDUCATION AGENDA ITEM 5.02 MINUTES

BOARD MEETING OF:	August 24, 2016
PREPARED BY:	Donna Richer, Designated Election Official
TITLE OF AGENDA ITEM:	Approval of Intergovernmental Agreement between District 49 and El Paso County Clerk and Recorder for the November 2016 Election
ACTION/INFORMATION/DISCUSSION:	Action

BACKGROUND INFORMATION, DESCRIPTION OF NEED: In order to include District 49’s ballot question in the November 8, 2016 General Election, the District must enter into an intergovernmental agreement with the El Paso County Clerk and Recorder. The Board of Education has previously stated their intent to do so at the July 14, 2016 meeting where an election official was designated and the Intent to participate in the 2016 General Election was approved.

RATIONALE: District participation in the general election with El Paso County will keep the district’s election expenses down. The agreement specifically delineates the responsibilities of the county and those of the district.

RELEVANT DATA AND EXPECTED OUTCOMES: The estimated cost to District 49 for the November 8, 2016 election is \$67,180.56.

IMPACTS ON THE DISTRICT’S STRATEGIC PRIORITIES—THE BIG ROCKS:

Rock #1 —Reestablishing the district as a <u>trustworthy</u> recipient of taxpayer investment	<i>Handling such requirements in an open and transparent manner validates the importance placed on community trust.</i>
Rock #2 —Research, design and implement programs for intentional <u>community</u> participation	
Rock #3 — Establish District 49 as the <u>best district</u> in Colorado to learn, work and lead	
Rock #4 — Grow a robust portfolio of distinct and exceptional schools	
Rock #5 — Customize our educational systems to launch each student toward success	

FUNDING REQUIRED: \$67,180.56 Estimated cost

AMOUNT BUDGETED: \$34,726

RECOMMENDED COURSE OF ACTION/MOTION REQUESTED: I move to approve the intergovernmental agreement between Falcon School District 49 and the El Paso County Clerk and Recorder as presented and to adopt the attached resolution stating that the Jurisdiction (Falcon School District 49) agrees to the terms and conditions of the Intergovernmental Agreement.

APPROVED BY: Brett Ridgway, Chief Business Officer

DATE: August 18, 2016

Harold made the motion; seconded by Moore. The motion passed 5-0.



BOE Special Meeting August 24, 2016
Item 5.02 continued

	BUTCHER	GRAHAM	HAROLD	LAVERE-WRIGHT	MOORE
VOTED AYE	X	X	X	X	X
VOTED NAY					
COMMENTED					

	BAY	HILTS	RIDGWAY		
COMMENTED					



RESOLUTION

APPROVAL OF INTERGOVERNMENTAL AGREEMENT BETWEEN FALCON SCHOOL DISTRICT 49 AND THE EL PASO COUNTY CLERK AND RECORDER

BE IT RESOLVED THAT THE Intergovernmental Agreement between Falcon School District 49 and the El Paso County Clerk and Recorder regarding the conduct and administration of the November 8, 2016 General Election be approved, and

BE IT FURTHER RESOLVED that Falcon School District 49 will follow the election provisions of the Code and will participate in the General Election in accordance with the terms and conditions of the Intergovernmental Agreement, including the time guidelines schedule attached hereto as these relate to the November 8, 2016, General Election. The Board of Education authorizes the school designated election official to execute this agreement.

ADOPTED AND APPROVED this 24th day of August, 2016.

Marie LaVere-Wright, Board President
Falcon School District 49

(SEAL)

ATTEST:

Tammy Harold, Board Secretary
Falcon School District 49



BOARD OF EDUCATION AGENDA ITEM 5.03 MINUTES

BOARD MEETING OF:	August 24, 2016
PREPARED BY:	Brett Ridgway, Chief Business Officer Ron Sprinz, Finance Group Manager Ryan Johanson, Accounting Group Manager
TITLE OF AGENDA ITEM:	2015/16 Supplemental Budget for Fund 31
ACTION/INFORMATION/DISCUSSION:	Action

BACKGROUND INFORMATION, DESCRIPTION OF NEED: Colorado Revised Statute 22-44-110(5) indicates that “...where money for a specific purpose from other than ad valorem taxes subsequently becomes available to meet a contingency, the board may adopt a supplemental budget for expenditures not to exceed the amount of said money and may appropriate said money therefrom.” Although the fiscal year has completed, there technically is no ‘back end’ to when supplemental budgets can no longer be adopted. As long as the supplemental request falls within the parameters in statute, it is a valid exercise. Accordingly, this action item is presented to satisfy that legal requirement.

RATIONALE: In August 2015, District 49 refinanced its remaining general obligation debt. The accounting for this transaction, in Colorado’s ‘modified accrual’ basis of accounting is unique and guidance from our district audit firm has provided clarity on how the transaction needs to be booked, which has a corresponding impact on the district appropriation for fund 31, where these monies are tracked.

RELEVANT DATA AND EXPECTED OUTCOMES: This supplemental budget request will align the budget with the refinance accounting entries that are a material and irregular change to normal bond repayment fund accounting entries.

IMPACTS ON THE DISTRICT’S STRATEGIC PRIORITIES—THE BIG ROCKS:

Rock #1 —Reestablishing the district as a <u>trustworthy</u> recipient of taxpayer investment	<i>Presenting such information in an open and transparent manner validates the importance placed on community trust.</i>
Rock #2 —Research, design and implement programs for intentional <u>community</u> participation	
Rock #3 — Grow a robust <u>portfolio</u> of distinct and exceptional <u>schools</u>	
Rock #4 — Build <u>firm foundations</u> of knowledge, skills and experience so all learners can thrive.	<i>Informed decision making and organizational agility are key strategies we continue to pursue.</i>
Rock #5 — Customize our educational systems to <u>launch each student toward success</u>	<i>Informed decision making and organizational agility are key strategies we continue to pursue.</i>

FUNDING REQUIRED: No

AMOUNT BUDGETED: \$24.3mm

RECOMMENDED COURSE OF ACTION/MOTION REQUESTED: I move to approve the Supplemental Fund 31 District Budget for fiscal year 2015-16 as presented by the Administration

APPROVED BY: Brett Ridgway, Chief Business Officer

DATE: August 16, 2016



BOE Special Meeting August 24, 2016
Item 5.03 continued

Harold made the motion; seconded by Moore. The motion passed 5-0.

	BUTCHER	GRAHAM	HAROLD	LAVERE-WRIGHT	MOORE
VOTED AYE	X	X	X	X	X
VOTED NAY					
COMMENTED					

	BAY	HILTS	RIDGWAY	JOHANSON	
COMMENTED				X	