

LAFAYETTE PARISH SCHOOL BOARD

SPECIAL BOARD MEETING

Tuesday, August 29, 2000 - 4:00 P. M., Board Room

Beverly Wilson, President, Presiding

The School Board of the Parish of Lafayette, State of Louisiana, met in special session at its regular meeting place, the Lafayette Parish School Board Administrative Building, Board Room, Lafayette, Louisiana, on Tuesday, August 29, 2000 at 4:00 P. M. pursuant to notice given in writing to every member.

MEMBERS PRESENT: Beverly Wilson, President; Judy H. Cox, Kay Gibson, John Earl Guidry, Rickey Hardy, Carl LaCombe, Edward Sam, David Thibodaux, Board Members; Michael Zolkoski, Secretary-Treasurer/Superintendent

MEMBERS ABSENT: Michael Hefner, Vice-President (Business)

The President, called the meeting to order.

I. ADDITION TO AGENDA

Motion (Guidry, Sam) that Displaced Teachers be added to the agenda. Motion carried.

II. ADOPTION OF RESOLUTIONS

Motion (Guidry, Hardy) that the following resolution, not to exceed \$12,000,000, be adopted by the Board and that the Assistant Superintendent of Finance report back to the Board regarding the exact amount of bonds to be issued.

RESOLUTION - 8-00-1300

A resolution making application to the State Bond Commission for consent and authority to issue, sell and deliver not exceeding \$12,000,000 of Public School Bonds of the Parish School Board of the Parish of Lafayette, State of Louisiana, all in the manner provided for by Sections 2737 and 2737.2 of Title 33 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority supplemental thereto, providing for the employment of special bond counsel and providing for other matters in connection therewith.

NOW, THEREFORE, BE IT RESOLVED by the Parish School Board of the Parish of Lafayette, State of Louisiana, acting as the governing authority of said Parish for school purposes, that:

SECTION 1. Application be and the same is hereby formally made to the State Bond Commission for consent and authority for the Parish School Board of the Parish of Lafayette, State of Louisiana (the "Issuer"), to issue, sell and deliver not exceeding \$12,000,000 of Public

School Bonds of the Issuer, in one or more series (the "Bonds"), to bear interest at a rate or rates not exceeding seven percent (7%) per annum, to mature over a period not exceeding 20 years, and to be sold at a price not less than 99% of the par value thereof, all in the manner provided for by Sections 2737 and 2737.2 of Title 33 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority supplemental thereto, for the purpose of constructing and acquiring capital improvements, including the acquisition of lands for building sites and playgrounds, purchasing, erecting and improving school buildings and related facilities, and acquiring the necessary equipment and furnishings therefor, title to which shall be in the public, paying the costs of issuance of the Bonds and providing a reserve therefor, which Bonds shall be secured by and payable solely from and secured by an irrevocable pledge and dedication of the avails or proceeds of the special one percent (1%) sales and use tax now being levied and collected by the Issuer pursuant to the provisions of Sub-Part D, Part I, Chapter 6, Title 33 of the Louisiana Revised Statutes of 1950, and in compliance with a special election held in the Issuer on September 18, 1965, subject only to the prior payment of the reasonable and necessary expenses of collecting said tax (the "Tax").

SECTION 2. A certified copy of this resolution shall be forwarded to said State Bond Commission by the Issuer or the Issuer's bond counsel, together with a letter requesting the prompt consideration and approval of this application.

SECTION 3. This Governing Authority hereby finds and determines that a real necessity exists for the employment of special counsel in the issuance of the Bonds, and accordingly Foley & Judell, L.L.P., Bond Counsel, are hereby employed as special bond counsel to do and perform comprehensive legal and coordinate professional work with respect to the issuance of the Bonds. Said special bond counsel shall prepare and submit to this Governing Authority for adoption all of the proceedings incidental to the authorization, issuance, sale and delivery of the Bonds, shall counsel and advise this Governing Authority as to the issuance and sale of the Bonds, and shall furnish their opinion covering the legality of the issuance thereof. The fee of special bond counsel in connection with each issue of the Bonds is hereby fixed at a sum not exceeding the maximum fee for comprehensive and coordinate professional services performed in the issuance of revenue bonds allowed by the Attorney General's fee schedule based on the amount of the Bonds actually issued, sold delivered and paid for, plus "out-of-pocket" expenses, each of said fees to be contingent upon the issuance, sale and delivery of the respective bond issues. The employment of Foley & Judell, L.L.P. shall also include the preparation of the official statements containing detailed and comprehensive financial and statistical data required with respect to the sale of the Bonds and the costs of the preparation and printing of such official statements shall be paid from the proceeds of each series of Bonds. Said official statements shall be submitted to such nationally recognized bond rating service or services as may be recommended by bond counsel, together with requests that appropriate ratings be assigned. Payment for all ratings shall be made by the Director of Finance, upon presentation of appropriate statements from the particular rating services furnishing the ratings.

SECTION 4. A certified copy of this resolution shall be submitted to the Attorney General of the State of Louisiana for his written approval of said employment and of the fees herein designated, and the Director of Finance is hereby empowered and directed to issue vouchers to said special counsel in payment of the fees herein provided for under the conditions herein enumerated.

SECTION 5. This resolution shall serve solely as an application to the State Bond Commission and shall not and does not authorize the advertisement or sale of any Bonds.

This resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Guidry, Hardy, Sam, Cox, Gibson, Wilson

NAYS: Thibodaux

ABSENT: Hefner, LaCombe

And the resolution was declared adopted on this, the 29th day of August, 2000.

/s/Michael Zolkoski, Secretary-Treasurer /s/Beverly Wilson, President

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Motion (Gibson, Hardy) that the following resolution be adopted by the Board.

RESOLUTION - 8-00-1301

A resolution declaring the official intent of the Parish School Board to expend general fund or sales tax revenues for purposes for which the bonds are anticipated to be issued and to later reimburse such expenditures from bond proceeds.

WHEREAS, the Parish School Board presently intends to issue within the next twelve month period not exceeding \$12,000,000 of Sales Tax Revenue Bonds (the "Bonds") for the purpose of constructing and acquiring capital improvements, including the acquisition of lands for building sites and playgrounds, purchasing, erecting and improving school buildings and related facilities, and acquiring the necessary equipment and furnishings therefor, title to which shall be in the public (the "Project"); and

WHEREAS, the proceeds of the Bonds (the interest on which will be excludable from gross income for federal income tax purposes) will be used for the Project; and

WHEREAS, in order to expedite the completion of the Project, certain expenditures must be made prior to the delivery of the Bonds; and

WHEREAS, in order to provide for the reimbursement of such expenditures without endangering the tax exempt status of interest on the Bonds, it is necessary to officially recognize such anticipated expenditures as provided in Proposed Treasury Regulation 1.103-17(e), and to express the official intent of this governing authority to reimburse said expenditures from the proceeds of the aforesaid tax-exempt bonds;

NOW, THEREFORE, BE IT RESOLVED by the Parish School Board of the Parish of Lafayette, State of Louisiana:

SECTION 1. That it is anticipated that the expenditure of approximately \$2,000,000 to pay for capital improvements to the public school system set forth in Exhibit A hereto will be made from the Parish School Board Capital Improvement Fund or from sales and use tax revenues in anticipation of reimbursement from tax-exempt bond proceeds.

SECTION 2. The Parish School Board intends to issue the tax-exempt Bonds within one year of the expenditure of moneys on the Project and to use a portion of the proceeds of the Bonds and to reimburse the Capital Improvement Fund or Sales and Use Tax Fund expenditures described in Section 1 hereof. The Bonds shall be payable solely from and secured by (insert appropriate language for either sales tax revenue bonds or general obligation school bonds).

This resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Guidry, Hardy, Sam, Cox, Gibson, Wilson

NAYS: Thibodaux

ABSENT: Hefner, LaCombe

And the resolution was declared adopted on this, the 29th day of August, 2000.

/s/Michael Zolkoski, Secretary-Treasurer /s/Beverly Wilson, President

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LaCombe entered the meeting.

III. LOCATION OF NEW SCHOOL

Motion (Sam, Hardy) that the Superintendent be authorized to present to the Federal Judge

Scenario #5 and Scenario #7 an alternate for consideration of the site for the construction of the new school. Motion carried. Thibodaux requested to be recorded as voting NO. Hefner was absent.

Motion (Hardy, Sam) that the Board ask the Federal Judge to consider having diversity in curriculum in grades K-12.

Hardy withdrew his motion after some discussion.

Motion (Hardy, Sam) that the Board consider diversity training within the School System.

The Chair called for a roll call vote. Voting for were Hardy, Sam and Wilson. Voting against were Guidry, LaCombe, Thibodaux, Cox and Gibson. Hefner was absent. Motion failed.

IV. DISPLACED TEACHERS

Motion (Hardy, Thibodaux) that the ten (10) displaced teachers at Truman Elementary remain at that school.

The Chair called for the question to cease debate. Question to cease debate failed. Discussion continued.

A substitute motion was made by Gibson and seconded by Cox that the Board implement the Parish Policy regarding Displaced Teachers.

The Chair called for a roll call vote on the substitute motion. Voting for were Guidry, Cox, Gibson and Wilson. Voting against were LaCombe, Hardy, Sam and Thibodaux. Hefner was absent. Tie vote. Motion failed.

The Chair called for a vote on the original motion. Voting for were Guidry, LaCombe, Hardy, Sam and Thibodaux. Voting against were Cox, Gibson and Wilson. Hefner was absent.

(Motion was not ruled upon by the Board President subject to review of policy for the applicability of 2/3 majority requirement. Board President later reviewed policy and ruled 2/3 majority is required. Motion failed for lack of 2/3 affirmative vote.)

Motion (Gibson, Cox) that two additional teachers be added at Acadiana High, Comeaux High and Lafayette High.

A substitute motion was made by Guidry that staff look at all schools in the lower twenty (20%) percent regarding placing of more teachers.

Gibson withdrew her motion.

Guidry withdrew his substitute motion.

There being no further business, it was moved by Hardy, seconded by Sam and carried that the meeting adjourn.

SIGNED:

/s/Beverly Wilson, President /s/ Michael Zolkoski, Secretary-Treasurer

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