

The Board of Education (the “*Board of Education*”) of Northwest Local School District, Counties of Hamilton and Butler, Ohio (the “*School District*”), met in _____ session on July ___, 2024, at _____ .m., at _____, with the following members present:

_____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE BOARD OF EDUCATION OF THE NORTHWEST LOCAL SCHOOL DISTRICT TO TRANSFER FUNDS IN ORDER TO FINANCE, IN PART, A CLASSROOM FACILITIES PROJECT FOR THE CONSTRUCTION OF A NEW ELEMENTARY SCHOOL IN CONJUNCTION WITH THE OHIO FACILITIES CONSTRUCTION COMMISSION AND TO ENTER INTO A PROJECT AGREEMENT WITH THE OHIO FACILITIES CONSTRUCTION COMMISSION

WHEREAS, on July 11, 2024, the Controlling Board of the Ohio Facilities Construction Commission (“*OFCC*”) provided formal approval and acceptance of the School District into the Classroom Facilities Assistance Program – Segment 1 (“*CFAP*”), pursuant to Chapter 3318 of the Ohio Revised Code, whereby OFCC will contribute a portion of the cost of a co-funded CFAP Project (as defined herein) for the benefit of the School District;

WHEREAS, the co-funded Project consists of the following: construction of one new elementary school to house grades PK through 5; and an allowance to abate and demolish Colerain and Houston Elementary Schools, as further described in the OFCC approval (collectively, the “*CFAP Project*”);

WHEREAS, the prior expenditure of certain moneys on certain prior capital expenditures of the School District will be recognized by OFCC as a credit to the CFAP Project, which credit (approximately \$65,412,135) will be applied by OFCC to the cost of the CFAP Project in conjunction with additional funding from OFCC (approximately \$22,381,779) for the CFAP Project (collectively, the “*OFCC Contribution*”);

WHEREAS, in addition to the OFCC Contribution, the School District is required to contribute a “local share” of approximately \$13,941,445 (the “*Local Contribution*”) towards the CFAP Project;

WHEREAS, this Board of Education desires to provide the School District’s Local Contribution by transferring funds currently in the 004 Building Fund (the “*Building Fund*”) to

a newly created 010 Project Construction Fund (the “*Project Construction Fund*”), which Project Construction Fund is required to be established for all projects in CFAP, such as the CFAP Project;

WHEREAS, in addition, this Board of Education desires to enter into an agreement with OFCC whereby the rights and responsibilities of the School District and OFCC, as such relate to the co-funded CFAP Project, are identified in such agreement (the “*Project Agreement*”), a form of which Project Agreement is utilized statewide and is on file with OFCC;

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF EDUCATION OF THE NORTHWEST LOCAL SCHOOL DISTRICT, COUNTIES OF HAMILTON AND BUTLER, OHIO, THAT:

SECTION 1. The School District is hereby authorized to create a Project Construction Fund for purposes of depositing the School District’s Local Contribution for purposes of financing the CFAP Project.

SECTION 2. Pursuant to Sections 5705.14(B), 3318.08(B) and (E), and 3318.084(A)(1) of the Ohio Revised Code, as applicable, this Board of Education hereby authorizes and approves the transfer of the School District’s Local Contribution from the Building Fund to the Project Construction Fund for purposes of financing the CFAP Project and satisfying one or more of the conditions within the Project Agreement.

SECTION 3. The President of this Board of Education and the Treasurer of this Board of Education, individually or collectively, are hereby authorized to execute the Project Agreement once it has been presented to the School District in final form.

SECTION 4. The President of this Board of Education, the Treasurer of this Board of Education, and the Superintendent of the School District, individually or in any combination, are hereby authorized to undertake actions in furtherance of the transferring of funds and the execution of the Project Agreement, each as authorized herein.

SECTION 5. It is hereby found and determined that all formal actions of this Board of Education concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board of Education, and that all deliberations of this Board of Education and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including R.C. Section 121.22.

[Remainder of this page intentionally left blank]

M____ seconded the motion and, after discussion, a roll call vote was taken and the results were:

Ayes: _____

Nays: _____

The Resolution is adopted.

Signed by: _____
Board President

Attested by: _____
Treasurer

CERTIFICATE

The undersigned Treasurer of the Board of Education of Northwest Local School District, Counties of Hamilton and Butler, Ohio, hereby certifies that the foregoing is a true copy of a resolution duly adopted by the Board of Education of said School District on _____, 2024.

Treasurer, Board of Education
Northwest Local School District
Counties of Hamilton and Butler, Ohio