

**COEUR D'ALENE SCHOOL DISTRICT NO. 271 --
RESOLUTION 14-15-001
GROUND LEASE TO THE BOYS AND GIRLS CLUB**

This Resolution is made this 11th day of August, 2014, by the Coeur d'Alene School District #271, a duly organized school district existing under the laws of the State of Idaho, whose address is 1400 Northwood Center Court, Coeur d'Alene, Idaho 83814 (the "District"), to lease certain vacant land owned by the District as set forth below:

RECITALS:

A. WHEREAS, the District is a validly organized and existing school district authorized under Title 33, Chapter 3 of the Idaho Code.

B. WHEREAS, the Board of Trustees of the District (the "Board") has authority pursuant to Idaho Code Section 33-601(7) to authorize the use of any school building or vacant land of the District for any public purpose, and to establish a policy of charges, if any, to be made for such use.

C. WHEREAS, the Board has authority pursuant to Idaho Code Section 33-601(1) to rent to or from others, school buildings or other property to be used for school purposes.

D. WHEREAS, in accordance with Idaho Code Section 33-512 the Board is entrusted with broad powers and duties relating to the education of its pupils including, without limitation, the provision of academic instruction, the protection of pupils' morals and health, and the supervision and regulation of extracurricular activities.

E. WHEREAS, the Boys and Girls Club of Kootenai County, Inc., an Idaho non-profit corporation (the "Club") operates a non-profit organization for the public purpose of providing recreational, social and educational services for the youth of Kootenai County, Idaho.

F. WHEREAS, the Club has an existing program located at or around 311 N. 9th Street, Coeur d'Alene, Idaho which offers the services described above for youth in Coeur d'Alene, Idaho;

G. WHEREAS, the existing facility for the program operated by the Club does not meet the needs of the youth in the City of Coeur d'Alene.

H. WHEREAS, the Club requires additional space in order to meet the needs of the youth in Kootenai County, particularly those in the City of Coeur d'Alene.

I. WHEREAS, the Club desires to lease vacant land from the District for the purpose of constructing, maintaining and operating a club house and associated facilities (the "Facilities") for its public purposes;

J. WHEREAS, the District is in need of additional recreational and classroom space for its students, particularly students attending Lakes Magnet Middle School, located at or around 930 N. 15th Street, Coeur d'Alene, Idaho;

K. WHEREAS, the District has available certain vacant land (the "Leased Premises") that is located at Lakes Magnet Middle School;

L. WHEREAS, in exchange for the leasing of the Leased Premises to the Club, the Club will pay the District certain annual rent payments and make the Facilities available to the District for its school purposes;

M. WHEREAS, the District and the Club desire to effectuate the terms of this agreement pursuant to a ground lease in a form substantially similar to that attached hereto as Exhibit A (the "Ground Lease");

N. WHEREAS, the District intends to file a petition in the First Judicial District Court of the State of Idaho (the "Court") under Title 7, Chapter 13 of the Idaho Code to obtain judicial review of the validity of the Ground Lease;

O. WHEREAS, the District desires to adopt this Resolution in conformity with Idaho Code.

NOW, THEREFORE, BE IT RESOLVED as follows:

SECTION 1. It is desirable and necessary for the District to execute the Ground Lease with the Club for the educational and public purposes outlined above in the form substantially similar to that attached hereto as Exhibit A. Said Ground Lease is hereby approved and adopted.

SECTION 2. The Ground Lease is subject to an annual renewal clause and is consistent with Article VIII, Section 3 of the Idaho Constitution. Said Ground Lease is also consistent with the powers of the Board as authorized by Idaho Code in serving the school purposes of the District.

SECTION 3. The District shall file forthwith a petition with the Court seeking review of the validity of the Ground Lease pursuant to Title 7, Chapter 13 of the Idaho Code. Notice of the filing shall be published in accordance with Idaho Code Section 7-1306.

SECTION 4. The proper officer(s) of the District are hereby authorized and directed to do all things necessary to carry out the terms of this Resolution.

PASSED by the District this 11th day of August 2014

COEUR D'ALENE SCHOOL DISTRICT #271

BY Christa Hays
_____, Board Chair

ATTEST:

BY Lynn Towne

Lynn Towne, Clerk of the Board

SCHOOL DISTRICT NO. 271 -- RESOLUTION 14-15-002

SUPPLEMENTAL MAINTENANCE & OPERATIONS LEVY ELECTION

WHEREAS, in accordance with Section 33-802(3), Idaho Code, as amended, the Board of Trustees of Coeur d'Alene School District No. 271, Kootenai County, Idaho, has determined there is a need for a supplemental maintenance & operations levy in the amount of Fifteen Million dollars (\$15,000,000), per year for two (2) years for a total amount of Thirty Million dollars (\$30,000,000) for the purpose of paying all lawful expenses of maintaining and operating the schools of the District for the fiscal years beginning July 1, 2015 and ending June 30, 2017; and,

NOW, THEREFORE, be it resolved by the Board of Trustees of Coeur d'Alene School District No. 271, Kootenai County, Idaho, as follows:

- Section 1. That a supplemental maintenance & operations levy election be held, and the same is hereby called to be held in Coeur d'Alene School District No. 271, on March 10, 2015, for the purpose of submitting to the qualified electors of the District, the question set out in the form of the ballot appearing in Section 3.
- Section 2. That on March 10, 2015, said election will be conducted by the Kootenai County Elections Department pursuant to Title 34 Idaho Code.
- Section 3. That the ballot will be prepared by the Clerk of the Board of Trustees and will be in substantially the following form:

OFFICIAL BALLOT

TO AUTHORIZE AND EMPOWER THE BOARD OF TRUSTEES
OF COEUR D'ALENE SCHOOL DISTRICT NO. 271,
KOOTENAI COUNTY, IDAHO,
TO LEVY A SUPPLEMENTAL MAINTENANCE & OPERATIONS LEVY

Shall the Board of Trustees of Coeur d'Alene School District No. 271, Kootenai County, Idaho, be authorized and empowered to levy a supplemental maintenance & operations levy, as permitted by law in Section 33-802(3), Idaho Code for Fifteen Million dollars (\$15,000,000) per year for two (2) years for a total amount of Thirty Million dollars (\$30,000,000) for the purpose of paying all lawful expenses of maintaining and operating the schools of the District for the fiscal years beginning July 1, 2015 and ending June 30, 2017?

IN FAVOR OF supplemental levy of \$15,000,000 for two (2) years: _____

AGAINST supplemental levy of \$15,000,000 for two (2) years: _____

The following statement is required by Section 34-439A, Idaho Code, as amended:

The purpose for which \$30,000,000 of the levy shall be used is to pay all lawful expenses of maintaining and operating the schools of the District, The date of the District's supplemental levy election is March 10, 2015. The amount estimated to be collected from the levy is up to \$15,000,000 per year for two (2) years for a total amount of \$30,000,000.

[End of Form Ballot]

- Section 4. That the Clerk of the Board of Trustees will convey to the Kootenai County Elections Office the official ballot and the Notice of Election, appearing in Section 6, for publication pursuant to Idaho Code.
- Section 5. That the County Commissioners will act as the canvassing board pursuant to Idaho Code and will convey the results to the Coeur d'Alene School District Board of Trustees.
- Section 6. That the notice of the election will be in substantially the following form:

NOTICE OF SUPPLEMENTAL MAINTENANCE & OPERATIONS LEVY ELECTION
 COEUR D'ALENE SCHOOL DISTRICT NO. 271
 KOOTENAI COUNTY, IDAHO

PUBLIC NOTICE IS HEREBY GIVEN according to law and requisite action by the Board of Trustees of Coeur d'Alene School District No. 271, Kootenai County, Idaho, that a supplemental maintenance & operations levy election will be held on Tuesday, March 10, 2015, in the Coeur d'Alene District No. 271, Kootenai County, State of Idaho, for the purpose of submitting to the qualified electors of said District their vote at precinct polling sites open 8:00 am - 8:00 pm for the question "Shall the Board of Trustees of Coeur d'Alene School District No. 271, Kootenai County, Idaho, be authorized and empowered to levy a supplemental maintenance & operations levy, as permitted by law in Section 33-802(3), Idaho Code for Fifteen Million dollars (\$15,000,000), per year for two (2) years for a total amount of Thirty Million dollars (\$30,000,000) for the purpose of paying all lawful expenses of maintaining and operating the schools of the District for the fiscal years beginning July 1, 2015 and ending June 30, 2017?"

The following statement is required by Section 34-439A, Idaho Code, as amended:

The purpose for which \$30,000,000 of the levy shall be used is to pay all lawful expenses of maintaining and operating the schools of the District. The date of the District's supplemental levy election is March 10, 2015. The amount estimated to be collected from the levy is up to \$15,000,000 per year for two (2) years for a total amount of \$30,000,000.

Said election will be conducted pursuant to Title 34 Idaho Code.

[End of Form Notice of Election]

- Section 7. That if at the election a simple majority of the qualified registered electors of the District authorize such levy, the supplemental levy shall be approved and become effective in accordance with the provisions of Section 33-802, Idaho Code.

Passed and approved this 5th day of January, 2015.

Christa Haguel
 Chairperson

Attest:
Rym M Jowne
 Clerk

SCHOOL DISTRICT NO. 271 -- RESOLUTION 14-15-003

DISBURSEMENT FROM CONTINGENCY RESERVE FUND

This Resolution is made this 4th day of May, 2015, by the Coeur d'Alene School District #271, a duly organized school district existing under the laws of the State of Idaho, whose address is 1400 Northwood Center Court, Coeur d'Alene, Idaho 83814 (the "District"), for the purpose of making a disbursement from the District's contingency reserve fund for the amounts and subject to the limitations as set forth herein:

RECITALS:

A. WHEREAS, the District is a validly organized and existing school district authorized under Title 33, Chapter 3 of the Idaho Code;

B. WHEREAS, on or about May 9, 2014, the Board of Trustees of the District (the "Board") entered into a construction contract with TW Clark Construction, LLC ("TW Clark") for the purpose of demolishing and rebuilding Winton Elementary School (the "Winton Remodel Project");

C. WHEREAS, the District obtained certain bond funds to pay for the Project;

D. WHEREAS, the improvements necessary to complete the Project exceed the amount contemplated by the contract and there are no remaining bond funds to be allocated to the Project;

E. WHEREAS, the District maintains a Contingency Reserve Fund for the purpose of covering necessary contingencies that may arise from time to time;

F. WHEREAS, the shortages resulting from the Winton Remodel Project are an unexpected contingency; and

G. WHEREAS, the Board recognizes that a disbursement from the District's Reserve Fund to cover this one-time shortage is appropriate and necessary to ensure that the Project is completed and students can return to Winton Elementary in the fall of 2015;

NOW, THEREFORE, it is resolved as follows:

That the Board authorizes the Administration to disburse from the District's Contingency Reserve Fund those amounts necessary to complete the Winton Remodel Project; provided that, said disbursement(s) shall not exceed the total amount of Two Million dollars (\$2,000,000).

IN WITNESS WHEREOF, the parties have caused this Agreement to be duly executed the day and year above set forth.

BOARD OF TRUSTEES
COEUR D'ALENE SCHOOL DISTRICT

By: Christa Hazel
Chairman

ATTEST:

Lynn Jowne
Secretary