

BOARD RESOLUTION TO JOIN IOWA LOCAL GOVERNMENT RISK POOL

RESOLUTION

Resolution approving the participation by the School District in a joint agreement establishing local government risk pools

WHEREAS, the Board of Directors (the “Board”) of the Clarinda Community School District in the County (Counties) of Page, State of Iowa (the “School District”) is required by Section 274.3 of the Code of Iowa, as amended, to operate, control and supervise all public schools within the boundaries of the School District and is authorized to exercise any broad and implied power not inconsistent with the laws of the State of Iowa and administrative rules adopted by state agencies pursuant thereto, related to the operation, control and supervision of those public schools; and

WHEREAS, pursuant to Section 670.7, subsection 1 of the Code of Iowa, as amended, the School District may join and pay funds into a local government risk pool to protect the School District against any and all liability, loss of property, or any other risks associated with the operation of the School District and the costs of local government risk pools shall be included in the School District’s management levy as provided in Section 296.7 of the Code of Iowa, as amended, or, if the School District has not certified a management levy, the costs shall be paid from the School District’s general fund; and

WHEREAS, pursuant to Section 296.7 of the Code of Iowa, as amended, the School District may enter into agreements obligating the School District to make payments beyond its current budget year to establish and maintain local government risk pools to protect the School District from tort liability, loss of property, environmental hazards or any other risk associated with the operation of the School District; and

WHEREAS, the School District is authorized pursuant to Chapter 28E of the Code of Iowa, as amended, to enter into joint agreements with other public agencies and with private agencies (both as defined therein) for the joint exercise of powers, privileges and authorities exercised or capable of being exercised by the School District; and

WHEREAS, because of the fluctuation of the costs of natural gas and variability of the quantities of natural gas used by the School District caused by changes in winter weather conditions, it is in the best interests of the School District to enter into a joint agreement with other public agencies, in substantially the form as has been presented to and considered by the Board (the “Iowa Local Government Risk Pool Agreement” or the “Agreement”) providing for the forming and creation of the Iowa Local Government Risk Pool Commission (the “Commission”) for the purpose of establishing one or more local government risk pools (together, the “Local Government Risk Pools”) to help the participating public agencies mitigate budget risks associated with winter heating and other natural gas consumption, to enter into contractual arrangements with private parties to access natural gas for the benefit of the participating public agencies, to establish premiums to be paid by the participating public agencies, to pool their risks and stabilize gas prices annually and to facilitate the purchase by and delivery to the participating public agencies of natural gas periodically;

BOARD RESOLUTION TO JOIN IOWA LOCAL GOVERNMENT RISK POOL

NOW, THEREFORE, It Is Hereby Resolved by the Board of Directors of the School District, as follows:

Section 1. The participation by the School District in the Iowa Local Government Risk Pool Agreement and the Local Government Risk Pools established in accordance therewith are hereby approved.

Section 2. The Iowa Local Government Risk Pool Agreement is hereby approved, and the President and Board Secretary are hereby authorized and directed to accept and execute the same and any related documents for and on behalf of the School District.

Section 3. The Board shall determine from time to time which, if any, of the Local Government Risk Pools established by the Commission are appropriate for the School District to participate in and shall enter into such related documents and agreements as may be necessary in connection therewith and the President and Board Secretary are hereby authorized and directed to execute the same for and on behalf of the School District.

Section 4. To the extent that the School District incurs obligations to pay premiums or other costs in connection with such Local Government Risk Pools, the Board agrees to include in its annual budget sufficient funds to pay such obligations each fiscal year from its management levy and/or general fund levy.

Section 5. The President and the Board Secretary (or their acting designees) are hereby authorized to execute and deliver any and all agreements, documents and instruments required in connection with the Agreement and to carry out the purposes set forth in this resolution.

Section 6. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved the ____ day of _____, 20__.

President, Board of Directors

Attest:

Secretary, Board of Directors

**SUGGESTED TEXT TO INCLUDE IN BOARD MINUTES RE
RESOLUTION TO JOIN IOWA LOCAL GOVERNMENT RISK POOL**

The Board took up and considered matters relating to participating in a joint agreement relating to the establishment of a local government risk pool.

After due consideration and discussion, Director _____ introduced the resolution below and moved that the resolution be adopted, seconded by Director _____. After due consideration, the President put the question on the motion and the roll being called, the following named Directors voted:

Ayes: _____

Nays: _____.