

RESOLUTION directing the transfer of \$3,800,000 from the Tort Immunity Fund to the Operations and Maintenance Fund of Oak Park Elementary School District 97, Cook County, Illinois.

* * *

WHEREAS, in accordance with the provisions of Section 17-2A of the School Code of the State of Illinois, as amended (the “Code”), the Board of Education (the “Board”) of Oak Park Elementary School District 97, Cook County, Illinois (the “District”), is authorized to transfer money from (1) the Educational Fund to the Operations and Maintenance Fund or the Transportation Fund, (2) the Operations and Maintenance Fund to the Educational Fund or the Transportation Fund, (3) the Transportation Fund to the Educational Fund or the Operations and Maintenance Fund of the District, or (4) the Tort Immunity Fund to the Operations and Maintenance Fund; and

WHEREAS, pursuant to and in accordance with the provisions of said Section 17-2A, the Board has determined and does hereby determine that it is necessary and in the best interests of the District that the School Treasurer of the District transfer \$3,800,000 (the “Transfer Amount”) from the Tort Immunity Fund to the Operations and Maintenance Fund of the District; and

WHEREAS, pursuant to and in accordance with the provisions of said Section 17-2A, notice of a public hearing (the “Hearing”) was given (i) by publication at least once not less than seven (7) nor more than thirty (30) days before the date of the Hearing in the *Wednesday Journal*, the same being a newspaper of general circulation in the District, and (ii) by posting at least 48 hours before the Hearing a copy of said notice at the principal office of the Board, which notice was continuously available for public review during the entire 48-hour period preceding the Hearing; and

WHEREAS, the Hearing was held on the 11th day of April, 2023, and at the Hearing, the Board explained the reasons for the proposed transfer and permitted persons desiring to be heard an opportunity to present written or oral testimony within reasonable time limits; and

WHEREAS, the Hearing was finally adjourned on the 11th day of April, 2023; and

NOW, THEREFORE, Be It and It Is Hereby Resolved by the Board of Education of Oak Park Elementary School District 97, Cook County, Illinois, as follows:

Section 1. Incorporation of Preambles. The Board hereby finds that all of the recitals contained in the preambles to this Resolution are full, true and correct and does incorporate them into this Resolution by this reference.

Section 2. Transfer. The School Treasurer of the District is hereby directed to forthwith permanently transfer \$3,800,000 (the “*Transfer Amount*”) from the Tort Immunity Fund to the Operations and Maintenance Fund of the District. It is hereby found and determined that the Transfer Amount, when added to the Operations and Maintenance Fund of the District and regardless of any subsequent transfers of the Transfer Amount, will not result in an excess accumulation of assets in the Operations and Maintenance Fund.

Section 3. Transfer to Capital Projects Fund. In accordance with the rules and regulations of the Illinois State Board of Education and specifically Section 100.50(d)(2) of Title 23 of the Illinois Administrative Code, the Transfer Amount shall be transferred from time to time to the District’s Capital Projects Fund to be used as provided in said rules and regulations.

Section 4. Outstanding Loans. If necessary to effectuate such permanent transfer, outstanding loans from the Tort Immunity Fund to any other funds of the District in an amount, together with any cash immediately transferred pursuant to Section 2 above, equal in the aggregate to the Transfer Amount shall be paid to the Tort Immunity Fund of the District, and any

remaining outstanding loans shall be paid to the Tort Immunity Fund at the time and in the manner required by the Code.

Section 5. Severability. If any section, paragraph, clause or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

Section 6. Repealer and Effective Date. All resolutions or parts thereof in conflict herewith be and the same are hereby repealed and that this Resolution shall be in full force and effect forthwith upon its adoption.

Adopted April 25, 2023

President, Board of Education

Secretary, Board of Education

Member _____ moved and Member _____
seconded the motion that said resolution as presented and read by title be adopted.

After a full and complete discussion thereof, the President directed the Secretary to call the roll for a vote upon the motion to adopt said resolution.

Upon the roll being called, the following members voted AYE: _____

The following members voted NAY: _____

Whereupon the President declared the motion carried and said resolution adopted, and in open meeting approved and signed said resolution and directed the Secretary to record the same in full in the records of the Board of Education of Oak Park Elementary School District 97, Cook County, Illinois, which was done.

Other business not pertinent to the adoption of said resolution was duly transacted at said meeting.

Upon motion duly made, seconded and carried, the meeting was adjourned.

Secretary, Board of Education

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

CERTIFICATION OF MINUTES AND RESOLUTION

I, the undersigned, do hereby certify that I am the duly qualified and acting Secretary of the Board of Education of Oak Park Elementary School District 97, Cook County, Illinois (the “Board”), and that as such official I am the keeper of the records and files of the Board.

I do further certify that the foregoing constitutes a full, true and complete transcript of the minutes of the meeting of the Board held on the 25th day of April, 2023, insofar as same relates to the adoption of a resolution entitled:

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a true, correct and complete copy of which said resolution as adopted at said meeting appears in the foregoing transcript of the minutes of said meeting.

I do further certify that the deliberations of the Board on the adoption of said resolution were conducted openly, that the vote on the adoption of said resolution was taken openly, that said meeting was held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that an agenda for said meeting was posted at the location where said meeting was held and at the principal office of the Board at least 48 hours in advance of the holding of said meeting, that at least one copy of said agenda was continuously available for public review during the entire 48-hour period preceding said meeting, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and with the provisions of the School Code of the State of Illinois, as amended, and that the Board has complied with all of the provisions of said Act and said Code and with all of the procedural rules of the Board in the conduct of said meeting and in the adoption of said resolution.

IN WITNESS WHEREOF, I hereunto affix my official signature, this 25th day of April, 2023.

Secretary, Board of Education