

## RESOLUTION NO. 12-01

### RESOLUTION APPROVING FINANCIALLY SOUND DETERMINATION FOR THE CHARTER SCHOOL FACILITIES PROGRAM APPLICATION FOR ADVANCE APPORTIONMENT FOR LEADERSHIP PUBLIC SCHOOLS RICHMOND, LOCATED IN CONTRA COSTA COUNTY, CALIFORNIA

January 11, 2012

**WHEREAS**, the California School Finance Authority (Authority) is authorized by Education Code section 17078.57 to determine whether applicants to the Charter School Facilities Program (Program) are financially sound for purposes of the Program at the time of preliminary, advance, and final apportionment; and

**WHEREAS**, Leadership Public Schools - Richmond (LPSR) was determined by the Authority to be financially sound for purposes of a preliminary apportionment at its May 14, 2008 meeting; and

**WHEREAS**, the State Allocation Board (Board), through the funding methodology established pursuant to Education Code section 17078.56, awarded LPSR a preliminary apportionment of \$15,398,181; and

**WHEREAS**, West Contra Costa Unified School District (District), on behalf of LPSR, has pledged a lump sum payment of \$9,398,181 to offset LPSR's local matching share; and

**WHEREAS**, Leadership Public Schools, Inc. (LPSI), on behalf of LPSR, requested the release of an advance apportionment of \$2,479,636 for design, and LPSR was found financially sound by the Authority on May 11, 2011; and

**WHEREAS**, this determination was in place for six months and assumes no financial, operational, or legal material findings within this time period; and

**WHEREAS**, the Authority is required by section 10155(b)(1) of the Program regulations to conduct a review of LPSR's financial status at the time of an advance apportionment request and determine whether LPSR has maintained a financially sound status; and

**WHEREAS**, this determination of financial soundness is contingent upon there being no material legal, financial, or operational changes since the Authority's determination of financial soundness, payment of the lump-sum amount of \$9,398,181 towards the local matching share, and LPSR's fulfillment of its remaining local matching share obligation through an annual Program payment to be intercepted by the State Controller's Office.

**NOW, THEREFORE, BE IT RESOLVED** by the California School Finance Authority as follows:

**Section 1.** That LPSR has maintained its financial soundness for purposes of the Program, specifically with regard to its request for an Advance Apportionment for design.

**Section 2.** That LPSR is fulfilling its local matching share obligation through a lump-sum payment in the amount of \$9,398,181 and a 30-year CSFP lease obligation that will be intercepted by the State Controller's Office, with LPSR as its Obligor.

**Section 3.** This determination as it relates to the Advance Apportionment is in place for six months and assumes no financial, operational, or legal material findings within this time period.

**Section 4.** The Executive Director of the Authority is hereby authorized, for and on behalf of the Authority, to notify the Board, and provide supporting documentation, that LPSR has maintained its financial soundness for purposes of the Program and for its request for an advance apportionment for design.

**Section 5.** The Executive Director of the Authority is hereby authorized, for and on behalf of the Authority, to execute the Program agreements between the State and LPSR, and the District prior to advance release of funds.

**Section 6.** This resolution shall take effect immediately upon its approval.

**PASSED AND ADOPTED** by the California School Finance Authority.

Date of Adoption: January 11, 2012