

## RESOLUTION NO. 13-13

### RESOLUTION APPROVING A FINANCIALLY SOUND DETERMINATION FOR THE CHARTER SCHOOL FACILITIES PROGRAM APPLICATION FOR ADVANCE/FINAL APPORTIONMENT FOR CALIFORNIA MONTESSORI PROJECT-ELK GROVE, LOCATED IN SACRAMENTO COUNTY, CALIFORNIA

MAY 22, 2013

**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;

**WHEREAS**, California Montessori Project-Elk Grove was determined by the Authority to be financially sound for purposes of a preliminary apportionment at its December 2004 meeting; and;

**WHEREAS**, the State Allocation Board (Board), through the funding methodology established pursuant to Education Code section 17078.56, awarded California Montessori Project-Elk Grove a preliminary apportionment of \$11,834,282; and

**WHEREAS**, the Office of Public School Construction released an Advance Apportionment for design to California Montessori Project-Elk Grove in the amount of \$538,692 on May 19, 2006, and an Advance Apportionment for site acquisition in the amount of \$6,447,362 on August 2, 2011; and

**WHEREAS**, California Montessori Project-Elk Grove is now requesting conversion to Final Apportionment under Proposition 55; and the Office of Public School Construction has reassessed California Montessori Project-Elk Grove's total project costs to \$9,299,178; and

**WHEREAS**, California Montessori Project-Elk Grove is now requesting conversion to Final Apportionment under Proposition 55; and

**WHEREAS**, the Authority is required by Program regulations to conduct a review of California Montessori Project-Elk Grove's financial status at the time of a final apportionment request, and determine whether California Montessori Project-Elk Grove has maintained a financially sound status based on total project costs of \$9,299,178; and

**WHEREAS**, this determination of financial soundness is contingent upon California Montessori Project-Elk Grove fulfilling its local matching share obligation through an annual Program payment to be intercepted by the State Controller's Office and paid to the State.

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

**Section 1.** That California Montessori Project-Elk Grove, has maintained its financial soundness for purposes of the Program, specifically with regard to Final Apportionment.

**Section 2.** No Program funds be disbursed for California Montessori Project-Elk Grove until the following conditions are met: 1) California Montessori Project-Elk Grove elects to fulfill its local matching share obligation through the intercept process provided pursuant to Education Code section 17199.4; and 2) there are no material legal, financial, or operational changes affecting California Montessori Project-Elk Grove's financial soundness prior to disbursement.

**Section 3.** This determination as it relates to a final 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 California Montessori Project-Elk Grove has maintained its financial soundness for purposes of the Program and for a final apportionment.

**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 California Montessori Project-Elk Grove prior to any 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: May 22, 2013