

RESOLUTION NO. 15-12B

APPROVAL OF FINANCIAL SOUNDNESS DETERMINATION FOR THE CHARTER SCHOOL FACILITIES PROGRAM FOR FINAL APPORTIONMENT FOR GATEWAY COMMUNITY CHARTERS, ON BEHALF OF HIGHER LEARNING ACADEMY

May 18, 2015

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, Higher Learning Academy (HLA) was determined to be financially sound for purposes of a preliminary apportionment for each of its two projects at the Authority's May 14, 2008 meeting;

WHEREAS, the State Allocation Board (Board), through the funding methodology established pursuant to Education Code section 17078.56, awarded Gateway Community Charters (GCC), for the benefit of HLA, a total preliminary apportionment under Proposition 1D of \$35,171,018 for two new construction projects (\$18,067,134 for the K-6 project and \$17,103,884 for the 7-12 project); and

WHEREAS, on June 15, 2012, GCC, on behalf of HLA, received an advance apportionment (combined under two projections) of \$6,889,164.60 for design and \$6,154,531 for site acquisition; and

WHEREAS, GCC, on behalf of HLA, is now seeking conversion to Final Apportionment with total project costs (combined under two projects) reassessed by the OPSC to \$23,530,704 and a local matching share of 11,765,352, which GCC will fulfill through a 30 year loan agreement with the State; and

WHEREAS, the Authority is required by Program regulations to conduct a review of GCC's financial status at the time of the request for Final Apportionment, and determine whether GCC, on behalf of HLA, has maintained a financially sound status; and

WHEREAS, this determination of financial soundness is contingent upon GCC, on behalf of HLA, 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 and any other conditions contained in the staff summary presented to the board at its May 18, 2015 meeting.

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

Section 1. That GCC, on behalf of HLA, has maintained its financial soundness for purposes of the Program, specifically with regard to Final Apportionment.

Section 2. This determination as it relates to Final Apportionment is in place for six months and assumes no financial, operational, or legal material findings within this time period.

Section 3. 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 GCC, on behalf of HLA, has maintained its financial soundness for purposes of the Program and for a Final Apportionment.

Section 4. 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 GCC, on behalf of HLA, prior to any release of funds.

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

Date of Adoption: May 18, 2015

CERTIFICATE OF THE EXECUTIVE DIRECTOR
(Attesting to Action of the Authority)
Sacramento, California

I, Katrina Johantgen, Executive Director of the California School Finance Authority, hereby certify that the foregoing is a full, true, and correct copy of Resolution No.15-12B of the California School Finance Authority Approving a Financially Sound Determination for the Charter School Facilities Program Application For Final Apportionment for Higher Learning Academy, Located In Sacramento County, California, as adopted at a meeting of the California School Finance Authority held at 915 Capitol Mall, Conference Room 587, Sacramento, California, on May 18, 2015, for which meeting all of the members of said Authority had due notice; and that at the meeting the staff recommendation was adopted by the following votes:

AYES:

NOES:

ABSTAINS:

ABSENT:

This resolution of intent expires six months after the adoption date.
Extensions must be approved by the Authority in a public meeting.

I further certify that the original minutes of said meeting and a copy of the original Resolution adopted at said meeting are on file in the California School Finance Authority office; and that the Resolution has not been amended, modified, or rescinded in any manner since the date of its adoption, and the same is now in full force and effect.

IN WITNESS WHEREOF, I have executed this certificate and affixed the seal of the California School Finance Authority hereto.

(seal)

May 18, 2015

Katrina Johantgen, Executive Director