

**Public School Capital Construction Assistance Board
Resolution No. 17-1**

WHEREAS, the Capital Construction Assistance Board (the “Board”) is authorized by the Building Excellent Schools Today Act (“BEST Act”), §§ 22-43.7-101 et seq., C.R.S., to evaluate applications for financial assistance for public school capital construction projects, to make recommendations regarding the applications to the State Board of Education (the “State Board”), and upon approval by the State Board, to provide financial assistance to public schools and to instruct the State Treasurer to enter into one or more lease-purchase agreements on behalf of the State to provide such financial assistance.

WHEREAS, on May 18, 2017, the Board recommended that the State Board approve lease-purchase financial assistance for five public school capital construction projects subject to the availability of funds and financing and certain other conditions, with any adjustments to the grant amount and match amount as may be required by § 22-43.7-109(10)(a), C.R.S.

WHEREAS, on May 18, 2017, the Board further recommended that the State Board of Education approve back-up lease-purchase financial assistance for two public school capital construction projects subject to another higher priority project or group of projects becoming ineligible for financial assistance, and subject to the availability of funds and financing and certain other conditions, with any adjustments to the grant amount and match amount as may be required by § 22-43.7-109(10)(a), C.R.S.

WHEREAS, on June 15, 2017, the State Board approved the Board’s recommendations.

WHEREAS, on June 21, 2017, the Capital Development Committee approved the Board’s recommendations.

WHEREAS, on November 7, 2017, of the five public school capital construction projects for which lease purchase financing had been recommended and approved, Manzanola Joint No. 3J School District failed to satisfy the matching money condition of the lease-purchase financial assistance and therefore became ineligible for financial assistance.

WHEREAS, on November 7, 2017, of the two public school capital construction projects selected for back-up lease-purchase financial assistance, Hayden RE-1 School District’s bond measure resulted in a tie vote for which the ultimate outcome remains uncertain; should the bond measure fail, Hayden RE-1 School District would not satisfy the matching money condition of the lease-purchase financial assistance; should the bond measure pass, Hayden RE-1 School District would satisfy the matching money condition but would nonetheless not receive financial assistance because sufficient state funds would not be available.

WHEREAS, as a result of the November 7, 2017, elections, Swallows Charter Academy, which was the lower-ranked of the two public school capital construction projects selected for back-up lease-purchase financial assistance, would become eligible for financial

assistance if Swallows Charter Academy otherwise completes its required due diligence and if the bond measure in Hayden RE-1 School District ultimately fails.

NOW THEREFORE, the Board desires to further instruct and implement the financing of projects pursuant to this resolution and, therefore, be it resolved by the Board:

Subject to the State Treasurer’s review and written authorization under § 22-43.7-110, C.R.S., the Board hereby authorizes the Board Chair to enter into sublease-purchase agreements to provide such financial assistance; and

The Board hereby instructs the State Treasurer, under § 22-43.7-110(2), C.R.S., to enter into one or more lease-purchase agreements on behalf of the State to provide financial assistance to the following Applicants and Projects, with any adjustments to the grant amount and match amount as may be required by § 22-43.7-109(10)(a), C.R.S.:

Projects Entering Into Lease-Purchase Agreements ¹						
Applicant	Project	Financial Assistance	Matching Money	Match Financed?	Source of Matching Money	Total Project Cost
Brush RE-2 J	MS Replacement & HS Renovation	\$27,637,690.04	\$32,444,244.84	Yes	Matching Money Bond based on November 2016 voter approval	\$60,081,934.88
Del Norte C-7	New PK-12 Consolidated	\$27,168,587.83	\$17,913,517.00	Yes	Matching Money Bond based on November 2017 voter approval	\$45,082,104.83
Mancos RE-6	K-12 Campus Major Renovations	\$19,770,130.45	\$4,978,773.80	Yes	Matching Money Bond based on November 2017 voter approval	\$24,748,904.25
Mountain Valley RE-1	PK-12 Replacement	\$27,072,252.00	\$3,724,699.00	Yes	Matching Money Bond based on November 2017 voter approval	\$30,796,951.00
Swallows Charter Academy	Modular Replacement – Brick & Mortar	\$15,711,467.15	\$247,361.85	No	Cash	\$15,958,829.00
Total		\$117,360,127.47	\$59,308,596.49			\$176,668,723.96

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The financial assistance for the above Applicants and Projects shall be financed through one or more lease-purchase agreements entered into by the State Treasurer and one or more sublease agreements entered into by the Board on behalf of the State, which lease-purchase agreements shall result in proceeds sufficient to provide such financial assistance in an amount not to exceed the Total Project Amount, including the Matching Money, and to

¹ Upon the State Treasurer’s entrance into a lease-purchase agreement on behalf of the State pursuant to § 22-43.7-110(2), C.R.S. to finance the Swallows Charter Academy project, the Board will enter into a participation agreement, which will include terms similar to those provided by § 22-43.7-110(2), C.R.S.

pay the costs associated with providing such financial assistance, and shall have terms and lease payments consistent with the requirements of the BEST Act. Applicants shall pay any required Matching Moneys to the State Treasurer, who shall credit such Matching Moneys to the Assistance Fund.

Dated this 9 day of November, 2017

Public School Capital Construction Assistance Board

By:  _____
Tim Reed, Chair

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