

1 By Supervisor Johnson
2
3

4 **A RESOLUTION**
5

6 approving the revenue bond financing by the Public Finance Authority of projects
7 located in Milwaukee County for the benefit of Hope Christian Schools
8
9
10

11 WHEREAS, the Public Finance Authority ("*Authority*") is a unit of government and
12 body corporate and politic of the State of Wisconsin created pursuant to the provisions
13 of Sections 66.0301, 66.0303 and 66.0304 of the Wisconsin Statutes, commonly known
14 as the "Joint Exercise of Powers Law" (as amended, the "*Act*") and an Amended and
15 Restated Joint Exercise of Powers Agreement, dated September 28, 2010 by and
16 among Adams County, Wisconsin; Bayfield County, Wisconsin; Marathon County,
17 Wisconsin; Waupaca County, Wisconsin; and the City of Lancaster, Wisconsin, and
18 approved by the Wisconsin Attorney General, as required by the Act, on September 30,
19 2010 (the "*Joint Exercise Agreement*"); and
20

21 WHEREAS, the Authority is authorized and empowered under the Act and by the
22 Joint Exercise Agreement to, among other things, issue bonds, notes or other
23 evidences of indebtedness in connection with, and to make loans to assist in the
24 financing of, "projects" located inside and outside of the State of Wisconsin; and
25

26 WHEREAS, the County Board has been advised that Educational Enterprises,
27 Inc. ("EEI") is a Wisconsin nonprofit corporation and the sole member of EEI Real
28 Estate Holdings: Prima, LLC, EEI Real Estate Holdings: Fortis, LLC and EEI Real
29 Estate Holdings: Semper, LLC, each of which is a Wisconsin limited liability company
30 (collectively referred to herein as the "Borrowers"); and
31

32 WHEREAS, EEI also is the sole member of HOPE Christian Schools, Inc. a
33 Wisconsin nonprofit corporation which is the sole member of HOPE Christian Schools:
34 Prima, LLC, HOPE Christian Schools: Fortis, LLC and HOPE Christian Schools:
35 Semper, LLC, each of which is a Wisconsin limited liability company (collectively
36 referred to herein as the "School Companies"); and
37

38 WHEREAS, the County Board has been advised that through the above-
39 described network of "subsidiaries," EEI manages and operates three private schools
40 known as "HOPE Christian Schools: Prima," "HOPE Christian Schools: Fortis" and
41 "HOPE Christian Schools: Semper" (collectively, the "Schools"); and
42

43 WHEREAS, the County Board has been advised that EEI, through the
44 Borrowers, wishes to finance and refinance, as applicable, the acquisition, construction,
45 renovation, equipping and/or improvement of land and a building located at 2345 North
46 25th Street in the City of Milwaukee, land and a building located at 3601 North Port
47 Washington Avenue in the City of Milwaukee, and land and a building located at 3040
48 West Capitol Drive in the City of Milwaukee” (collectively, the “Project”), which land and
49 buildings are or will be owned by the respective Borrowers and leased to the respective
50 School Companies for use in connection with the operation of the respective Schools;
51 and

52
53 WHEREAS, EEI, through the Borrowers, is requesting the assistance of the
54 Authority in financing and refinancing, as applicable, the Project through the issuance
55 by the Authority of its bonds to be designated “Education Revenue Bonds (HOPE
56 Christian Schools Project), Series 2013” in an amount not to exceed \$18,000,000 (the
57 “Bonds”); and

58
59 WHEREAS, Section 66.0304(11)(a) of the Act provides that the Authority may
60 not issue bonds to finance a capital improvement project in the state of Wisconsin
61 unless all of the political subdivisions within whose boundaries the project is to be
62 located have approved the financing of the project and the Authority has requested such
63 approval from the County Board; and

64
65 WHEREAS, pursuant to the Act and the Joint Exercise Agreement bonds issued
66 by the Authority are limited obligations of the Authority payable solely from funds
67 pledged for their payment in accordance with the related bond indenture and neither the
68 members of the Authority nor the State of Wisconsin or any political subdivision thereof
69 or any political subdivision approving the issuance of the bonds shall be obligated to
70 pay the principal of, premium, if any, or interest thereon or any costs incidental thereto,
71 now, therefore,

72
73 BE IT RESOLVED, by the Milwaukee County Board of Supervisors as follows:

- 74
75 1. The financing of the aforementioned Project by the Authority through
76 the issuance of the Bonds be and hereby is approved for purposes of
77 Section 66.0304(11)(a) of the Act.
78
79 2. The Bonds, when and if issued, shall not constitute a debt or pecuniary
80 liability, or a legal or moral obligation, of Milwaukee County for any
81 reason whatsoever.