

April 21, 2012

Via U.S. Mail and PDF

Ms. Michelle Hammons, Principal
Eagle Peak Montessori School
800 Hutchinson Road
Walnut Creek, CA 94598

Re: Final Proposition 39 Facilities Offer for the 2012-2013 School Year

Dear Ms. Hammons:

I have reviewed your annual written Request for Proposition 39 Facilities for the 2012-2013 school year ("Request") dated October 28, 2011.

Pursuant to the requirements of the Implementing Regulations cited in 5 CCR Section 11969.9, the District's Facilities offer for the 2012-2013 fiscal year incorporates the following specifications:

I. Breakdown of Teaching Stations, Specialized and Non-Classroom Space Allocation

As has been accepted past practice in the collegial relationship between the parties, the District incorporates by reference the relevant data set forth in the "Educational Program" section of your Request.

II. Projections of In-District Classroom ADA upon Which the Proposal Is Based

As has been accepted past practice in the collegial relationship between the parties, the District incorporates by reference the relevant data as set forth in Tables 1-5 in your Request.

III. Specific Location of Space

The space considered in this preliminary office is located at 800 Hutchinson Rd., Walnut Creek, California.

IV. Conditions Pertaining to Space

The conditions pertaining to the space are those terms and conditions memorialized in the

Charter Facilities Agreement in the Financial and Operational Memorandum of Understanding and Supplemental Charter Agreement as fully executed in April 2009. The District acknowledges and accepts the facts that the charter school utilizes the methodology set forth in your Request related to ADA projections. The District further acknowledges that Eagle Peak has appropriately analyzed the school's historical enrollment, retention, and growth trends, prior ADA figures and historical wait list numbers in order to arrive at the total projected In-District classroom ADA figure for the request year.

As has been accepted past practice in the collegial relationship between the parties the District incorporates by reference the relevant data set forth in the "Methodology Used in Making ADA Projection" section of your Request.

V. Projected Pro Rata Share Amount and Methodology Used to Determine Amount

The exclusive use of facilities is addressed and memorialized in both the Charter Facilities Agreement and in the Financial and Operational Memorandum of Understanding referenced above. Those documents will provide clear and sufficient text regarding this particular response requirement.

VI. List and Description of the Comparison Group Schools and Description of Difference between Preliminary Proposed Charter School Facilities Request

As has been accepted past practice in the collegial relationship between the parties, a detailed response does not appear to be necessary.

It appears as though your Governing Board has expressly delegated negotiation authority to you. Accordingly, I look forward to meeting with you to discuss next steps. The District would certainly allow some flexibility with regard to your response date, as Eagle Peak so graciously granted the District. Should you have any comments, questions or concerns concerning this preliminary offer please do not hesitate to contact me at (925) 682-8000, extension 4001.

Sincerely,

Deborah A. Cooksey
Associate General Counsel

cc: Steven Lawrence, Superintendent
Jeff McDaniel, Director of Facilities, Operations and Energy Conservation

Eagle Peak Elementary
800 Hutchinson Road
Walnut Creek, CA 94598

ROOM #	SQ FT	TYPE
100	1,050	Office
200	2,800	CL/4 & 5
300	2,800	CL/1, 2 & 3
400	1,400	CL/1, 2 & 3
Bath	700	
Multi Use	1,400	Spec Ed Serv EPMS Students
Total	10,150	3 Classrooms



XXX
 XXX
 DISTRICT: DIST-PHM
 MAIN OFFICE: DIST-PHM
 FAX: FAX

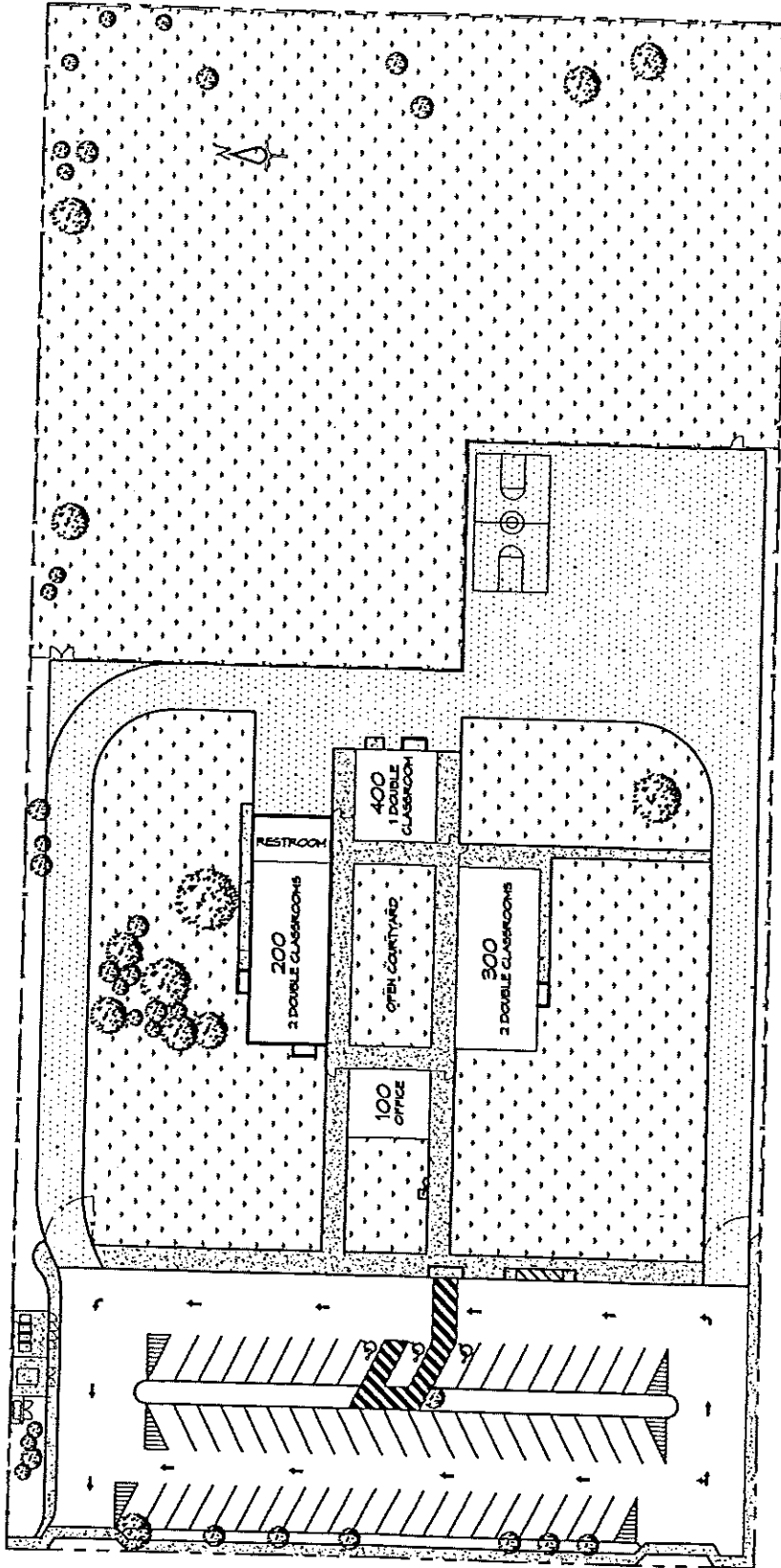
©2003 MDUSD
 ALL RIGHTS RESERVED

EAGLE PLAN

SITE PLAN

DRAWN BY: KMM	DATE: 12/17/04
DESIGNED BY:	DATE:
APPROVED BY:	DATE:

PROJECT NUMBER:
SCALE: AS NOTED
SHEET NUMBER: EDU-1 1 of 1



SITE PLAN
 SCALE: 1" = 80'-0"