

RESOLUTION NO. .

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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RESOLUTION APPROVING THE SUBORDINATION REQUEST FROM THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF MENLO PARK FOR THE LAS PULGAS COMMUNITY DEVELOPMENT PROJECT

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS the Successor Agency to the Redevelopment Agency of the City of Menlo Park ("Successor Agency") has provided the County with documentation of intent to issue one or more series (2015 Series A and B) of bonds ("Tax Allocation Refunding Bonds") to refinance outstanding bonds for the Las Pulgas Community Development Project in an aggregate principal amount not to exceed \$75,000,000; and

WHEREAS, section 34177.5 of the California Health and Safety Code provides that the Tax Allocation Refunding Bonds shall be secured by a pledge of moneys deposited in the Successor Agency's Redevelopment Property Tax Trust Fund ("RPTTF"); and

WHEREAS, section 34177.5(c) states the Successor Agency may, with a taxing entity's approval, subordinate amounts payable from property tax revenue of a redevelopment project area that the Successor Agency is required to pay such taxing entity pursuant to section 34183(a)(1) ("Pass-through Payments") to bonds or other indebtedness issued or incurred by the Successor Agency to achieve debt service savings by refinancing outstanding bonds; and

WHEREAS, pursuant to section 34177.5(c)(3) the taxing entity must grant approval to subordinate unless there is substantial evidence that the Successor Agency will not be able to pay the payments due on the refinanced bonds and the Pass-through Payments it is required to pay the taxing entity; and

WHEREAS, current projections provided by the Successor Agency's consultant indicate that amounts remaining in the Successor Agency's RPTTF after debt service and administrative costs should be sufficient to cover the County's Pass-through Payment pursuant to the pass-through agreement between the County and the Redevelopment Agency of the City of Menlo Park dated November 24, 1981; and

WHEREAS, this Board has determined that it is in the best interest of the County to agree to the subordination request.

NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the County approves the subordination request for the 2015 Series A Tax Allocation Refunding Bonds and 2015 Series B Taxable Tax Allocation Refunding Bonds for the Las Pulgas Community Development Project Area from the Successor Agency to the former Redevelopment Agency of the City of Menlo Park.

IT IS FURTHER ORDERED that the County Manager or his designee be and hereby is authorized to execute any documents necessary to effect the subordination herein described.

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