

RESOLUTION NO. 23-1 (SARDA)

A RESOLUTION OF THE SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF SANTA CLARA, CALIFORNIA ("SUCCESSOR AGENCY") AUTHORIZING THE CITY MANAGER/EXECUTIVE OFFICER TO NEGOTIATE AND EXECUTE A PURCHASE AND SALE AGREEMENT WITH TECHMART OWNER, LLC RELATED TO THE SALE OF TECHMART PARCEL LOCATED AT 5201 GREAT AMERICA PARKWAY [APN 104-55-013], TO MAKE MINOR MODIFICATIONS AND RECORD DOCUMENTS AS NECESSARY TO IMPLEMENT THE AGREEMENT AND CLOSE ESCROW

WHEREAS, the former Redevelopment Agency of the City of Santa Clara ("Former RDA"), along with all redevelopment agencies in the State of California, was dissolved effective February 1, 2012 in accordance with AB 1X 26 (the "Dissolution Act");

WHEREAS, Former RDA, prior to its dissolution, acquired certain properties including the property located at 5201 Great America Parkway ("Techmart Property") for redevelopment purposes;

WHEREAS, the Dissolution Act, as amended by AB 1484, clarified that the successor agency is a separate legal entity from the City;

WHEREAS, the City in accordance with the Dissolution Act elected to act as the successor agency to the Former RDA;

WHEREAS, in accordance with the Dissolution Act the assets of the Former RDA were transferred to the Successor Agency to the Former RDA ("Successor Agency");

WHEREAS, the Successor Agency prepared a Long Range Property Management Plan ("LRPMP") in accordance with the Dissolution Act, which LRPMP calls for the Successor Agency to dispose of its properties and the proceeds of sale to be used first to pay enforceable obligations of the Successor Agency and if there are remaining proceeds after payment of enforceable obligations, for the distribution of the remaining proceeds to the affected taxing entities was approved by the Oversight Board to the Successor Agency and the California Department of Finance ("DOF");

WHEREAS, the LRPMP calls for the Successor Agency to dispose of the Techmart Property;

WHEREAS, the Techmart Property is leased to Hudson Pacific Properties for an office building (“Office Lease”);

WHEREAS, the Successor Agency adopted Resolution 21-1 declaring the Techmart Property as surplus and published a Notice of Availability pursuant to the Surplus Land Act;

WHEREAS, under the Surplus Land Act the Successor Agency is required to record Affordability Covenants pursuant to Government Code Sections 54233 and 54233.5;

WHEREAS, the Oversight Board to the Successor Agency authorized a disposition process for the disposition of the Former RDA's properties, including the Techmart Property, including hiring a real estate broker to solicit offers for the Techmart Property;

WHEREAS, the Successor Agency is charged with securing the highest offer possible in the sale of its assets;

WHEREAS, the Successor Agency conducted a marketing / bidding process consistent with the LRPMP and at the conclusion of that effort identified the buyer with the highest offer;

WHEREAS, the Successor Agency received several offers to purchase the Techmart Property and following a review and negotiating process, the highest responsive bidder was determined to be Techmart Owner LLC (“Techmart Owner”) with a purchase price of \$22,500,000;

WHEREAS, the Techmart Property is leased to Hudson Pacific Properties for an office building (“Office Lease”); and

WHEREAS, the City Council acting as the governing board of the Successor Agency has determined that sale of the Techmart Property is in the best interest of the Successor Agency, meets the requirements of the LRPMP and is consistent with the Dissolution Laws.

NOW THEREFORE, BE IT RESOLVED BY THE SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the City Council acting as the Governing Body of the Successor Agency to the Redevelopment Agency of the City of Santa Clara (Successor Agency) finds the above recitals are accurate.

2. That City Council acting as the Governing Body of the Successor Agency hereby approves the sale of the Techmart Property to Techmart Owner;

3. That the City Manager as the Executive Officer of the Successor Agency is authorized to negotiate and to execute the Purchase and Sale Agreement with Techmart Owner as consistent with the staff report and is further authorized to execute any and all documents necessary to accomplish the transfer of the Techmart Property, including, but not limited to, affordability covenant, bills of sales, assignment and assumptions agreements, grant deeds, estoppel certificates, amendments and ancillary documents.

4. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SANTA CLARA, CALIFORNIA, ACTING AS THE GOVERNING BODY OF THE SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 19TH DAY OF SEPTEMBER, 2023, BY THE FOLLOWING VOTE:

AYES:	COUNCILORS:	Becker, Chahal, Hardy, Jain, Park, and Watanabe, and Mayor Gillmor
NOES:	COUNCILORS:	None
ABSENT:	COUNCILORS:	None
ABSTAINED:	COUNCILORS:	None

ATTEST:



NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments Incorporated by Reference: None