

RESOLUTION 24-38

**A RESOLUTION OF THE GOVERNING BOARD OF THE
SANTA CLARA VALLEY OPEN SPACE AUTHORITY
AUTHORIZING THE GENERAL MANAGER OR ASSISTANT GENERAL MANAGER TO EXECUTE THE SECOND
AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE SANTA CLARA VALLEY
OPEN SPACE AUTHORITY AND COUNTY OF SANTA CLARA FOR ACQUISITION OF AGRICULTURAL
CONSERVATION EASEMENTS**

WHEREAS, on June 2, 2020, the Santa Clara Valley Open Space Authority (Authority) and the County of Santa Clara (County) entered into a Memorandum of Understanding (MOU) for acquisition of agricultural conservation easements (ACE) and transferred \$4,980,429 of one-time County Reserve Funds (Reserve Funds) to the Authority, with an expiration of June 30, 2023; and

WHEREAS, on June 27, 2023, the Authority and County entered into a First Amendment to the MOU to extend the term to June 30, 2024; and

WHEREAS, the Authority has completed three acquisitions of important farmland, protecting over 176 acres with agricultural conservation easements and 60 acres in fee-title; and

WHEREAS, the Authority and County wish to enter into a Second Amendment to:

- 1) Extend the term of the MOU to May 31, 2025.
- 2) Expand the eligible ARA subareas beyond Coyote Valley and San Martin to include the rest of the priority sub-areas of the ARA.
- 3) Allow the Reserve Funds to be applied towards 50% of the property interest being acquired, which can be either an ACE or fee-title.

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby authorizes the General Manager / an Assistant General Manager to execute the second amendment to the memorandum of understanding between the Santa Clara Valley Open Space Authority and County of Santa Clara for acquisition of agricultural conservation easements.

BE IT FURTHER RESOLVED THAT the General Manager is hereby authorized and directed, on behalf of the Authority and in its name, to execute and deliver such other documents and to do such acts as may be deemed necessary or appropriate to accomplish the intentions of the above resolution.

Santa Clara Valley Open Space Authority

PASSED, APPROVED AND ADOPTED on June 27, 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTION:

Helen Chapman, Chairperson
Santa Clara Valley Open Space Authority

APPROVED AS TO FORM:

ATTEST:

William P. Parkin, Legal Counsel

Caroline Hernandez, Clerk of the Board