

RESOLUTION 22-44

**A RESOLUTION OF THE GOVERNING BOARD
OF THE SANTA CLARA VALLEY OPEN SPACE AUTHORITY
APPROVING THE LEASE AMENDMENT BETWEEN AGCO HAY, LLC AND THE CITY OF SAN JOSÉ FOR TULARE
MEADOWS**

WHEREAS, the Board of Directors of the Santa Clara Valley Open Space Authority (Authority) authorized the acquisition of a Conservation Easement on property owned by the City of San José (City) includes, in part, APNs 708-25-002, -004, -005, 708-26-001, -002, 708-27-001, -002, -007, -014, 708-28-002 (the Property); and

WHEREAS, the Conservation Easement allows for management of the Property by the Authority, subject to an Interim Maintenance and Operations Plan and future Management Plan; and

WHEREAS, the Conservation Easement identifies agriculture as a conservation value and the Authority recognizes the importance of continuing agricultural operations on the Property; and

WHEREAS, the Authority entered into a two-year lease on the Property with AgCo Hay, LLC as Lessee, the City as Lessor, and Authority as Manager (collectively, the “Parties”); and

WHEREAS, the lease allows for changes to terms when signed by the Parties hereto; and

WHEREAS, the Parties wish to amend the existing lease of the Property to extend the lease term up to, and including, November 15, 2024, to add 30 acres comprised of Assessor Parcel Numbers 708-25-004 and -005 to the area leased, and other revisions to the lease terms.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors hereby authorizes the General Manager or an Assistant General Manager to finalize and execute an amendment to the lease as property manager.

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.

PASSED, APPROVED AND ADOPTED this 28th day of April 2022 by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

Kalvin Gill, Chairperson
Santa Clara Valley Open Space Authority

APPROVED AS TO FORM:

ATTEST:

William P. Parkin, Legal Counsel

Kellie Guerra, Clerk of the Board