

RESOLUTION NO. 15-8253

**A RESOLUTION OF THE CITY OF SANTA CLARA,
CALIFORNIA AUTHORIZING THE TRANSFER OF
CERTAIN PROPERTIES TO THE SUCCESSOR AGENCY TO
THE REDEVELOPMENT AGENCY OF THE CITY OF
SANTA CLARA**

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, the Redevelopment Agency of the City of Santa Clara ("Former RDA") in March 2011 transferred to the City of Santa Clara ("City") certain properties listed on Exhibit A attached and incorporated herein;

WHEREAS, the 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, the Dissolution Act, as amended by AB 1484, addresses the process for the unwinding of redevelopment agencies and includes certain provisions that purport to retroactively invalidate certain transactions between a redevelopment agency and its sponsoring city;

WHEREAS, the County of Santa Clara sued the City and the Successor Agency to the Former RDA, among others, regarding various issues related to the dissolution of the Former RDA, which litigation is ongoing;

WHEREAS, the Sacramento Superior Court has issued a writ ordering the City to return to the Successor Agency the Properties;

WHEREAS, the City, in compliance with the writ, is authorizing the transfer of the Properties to the Successor Agency; and

WHEREAS, pursuant to Section 15061(b)(3) of the CEQA Guidelines, the transfer of the Properties is exempt from the requirements of CEQA because the use of the Properties will not change or otherwise be modified following the transfer by the City to the Successor Agency.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the City Council finds the above recitals are accurate.
2. Pursuant to the writ, the City Council hereby authorizes the transfer of the Properties to the Successor Agency and authorizes the City Manager to execute all documents necessary to accomplish the transfer of the Properties, including quitclaim deeds and any other ancillary documents.
3. Constitutionality, severability. If any section, subsection, sentence, clause, phrase, or word of this resolution is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of the resolution. The City of Santa Clara, California, hereby declares that it would have passed this resolution and each section, subsection, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more section(s), subsection(s), sentence(s), clause(s), phrase(s), or word(s) be declared invalid.

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 OF SANTA CLARA, AT A REGULAR MEETING THEREOF HELD ON THE 14TH DAY OF JULY, 2015, BY THE FOLLOWING VOTE:

AYES:	COUNCILORS:	Caserta, Davis, Gillmor, Kolstad, Marsalli and O'Neill and Mayor Matthews
NOES:	COUNCILORS:	None
ABSENT:	COUNCILORS:	None
ABSTAINED:	COUNCILORS:	None

ATTEST:



ROD DIRIDON, JR.
CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:
1. List of Properties

PROPERTIES TO BE TRANSFERRED

Site Description	APN(s)	Interests Affected
Gateway Property Parcel #2	104-01-100	Fee Simple, Subject to Ground Lease
Techmart Meeting Center & Office Complex, 5201 Great America Parkway	104-55-013	Fee Simple, Subject to Ground Lease
Hyatt Regency Santa Clara, 5105 Great America Parkway	104-55-005, 104-55-012	Fee Simple, Subject to Ground Lease
Hilton Santa Clara, 4949 Great America Parkway	104-43-042, 104-43-054	Fee Simple, Subject to Ground Lease
Great America Theme Park, 4701 Great America Parkway	104-42-014, 104-42-019	Fee Simple, Subject to Ground Lease With Right of First Refusal
Great America Theme Park parking (adjacent to the Hilton Hotel)	104-43-051	Fee Simple, Subject to Ground Lease and Parking Agreements
Martinson Child Development Center, 1350 Hope Street	097-08-053	Fee Simple, Subject to Ground Lease