

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF SANTA CLARA DETERMINING THAT THE FAIRGROUNDS
PROPERTY IS NECESSARY FOR COUNTY USE**

WHEREAS, the County of Santa Clara owns approximately 136 acres of real property, generally bounded by Tully Road, Umbarger Road and Monterey Highway, and an approximately 14-acre parcel of property across Tully Road (collectively, "Fairgrounds Property") that the County has used for various public uses, including the annual County Fair and other community festivals and events; and

WHEREAS, on May 22, 2007, the Board authorized staff to select a developer to assist the County in planning the development of the County Fairgrounds for uses that may include continued public use and mixed retail/residential development; and

WHEREAS, on September 9, 2008, the Board authorized the County Executive to negotiate and execute an exclusive negotiating agreement (ENA) with Catellus, the first-ranked firm in the developer selection process and, pursuant to that authority, in December 2008, the County Executive executed an ENA with Catellus, contingent on the Board making a surplus property determination as required by state law; and

WHEREAS, by letter dated April 8, 2009, Catellus formally terminated the ENA; and

WHEREAS, also pursuant to Board direction, staff conducted a public outreach process to determine the public's current and desired uses of the Fairgrounds; and

WHEREAS, the ENA provided that, at the conclusion of the public outreach process, the results would be brought to the Board and the Board would consider whether all or some of the Fairgrounds property was surplus and available for development by Catellus; and

WHEREAS, state law defines surplus property as land "that is determined to be no longer necessary for the agency's use"; and

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Adopted

JUN 09 2009

WHEREAS, With Catellus' termination of the ENA, this surplus property determination has never been brought to the Board;

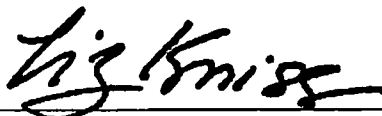
NOW, THEREFORE, BE IT RESOLVED that the Santa Clara County Board of Supervisors hereby determines that the Fairgrounds Property is necessary for County use and it is not surplus within the meaning of Government Code section 54221.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Clara on JUN 09 2009 by the following vote:

AYES: CORTESE, GAGE, KNISS, SHIRAKAWA, YEAGER

NOES: ~~None~~

ABSENT: ~~None~~



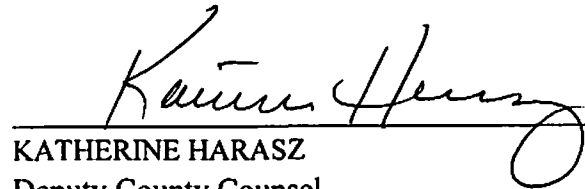
LIZ KNISS, President
Board of Supervisors

Signed and certified that a copy of this document has been delivered by electronic or other means to the President, Board of Supervisors.
Attest:



MARIA MARINOS
Clerk of the Board of Supervisors

APPROVED AS TO FORM AND LEGALITY:



KATHERINE HARASZ
Deputy County Counsel