

SILICON VALLEY CLEAN ENERGY AUTHORITY

RESOLUTION NO. 2024-17

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SILICON VALLEY CLEAN ENERGY AUTHORITY AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO EXECUTE A PURCHASE AND SALE AGREEMENT BETWEEN SILICON VALLEY CLEAN ENERGY AUTHORITY AND SSA 65 OWNER LLC TO ACQUIRE REAL PROPERTY LOCATED AT 298 S. SUNNYVALE AVENUE, SUNNYVALE, CALIFORNIA AND FINDING SUCH ACTION EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

THE BOARD OF DIRECTORS OF THE SILICON VALLEY CLEAN ENERGY AUTHORITY HEREBY RESOLVES AS FOLLOWS:

WHEREAS, the Silicon Valley Clean Energy Authority ("SVCE") was formed on March 31, 2016, pursuant to a Joint Powers Agreement to promote, develop, conduct, operate, and manage energy programs in Santa Clara County;

WHEREAS, SVCE desires the acquisition of a commercial office building primarily to serve as the location of SVCE's offices;

WHEREAS, the SVCE Board authorized the SVCE Chief Executive Officer (CEO) to negotiate and execute the purchase of the commercial office building located at 298 South Sunnyvale Avenue, Sunnyvale, California (the "Office Property") pursuant to a delegation of authority granted in closed session on December 11, 2024;

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE SILICON VALLEY CLEAN ENERGY AUTHORITY DOES HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1. The SVCE Board hereby authorizes the CEO to execute, on behalf of SVCE, a purchase and sale agreement between SVCE, as buyer, and SSA 65 Owner LLC, a Delaware limited liability company, as seller, in such form deemed appropriate by the CEO (the "Agreement") to acquire the Property on behalf of SVCE.

Section 2. The CEO or her designee shall administer the terms of the Agreement on behalf of SVCE and shall execute all documents required of SVCE thereunder or otherwise necessary or convenient for the transaction described herein, including the appropriate certificate of acceptance prescribed by California Government Code Section 27281 to evidence the consent of SVCE to accept the Property, and may enter into amendments to the Agreement provided they are in writing.

Section 3. The CEO shall furnish a copy of the Agreement after it has been approved and fully executed by the CEO on behalf of SVCE, along with a copy of this resolution, to the seller.

Section 4. The acquisition of the Property has been assessed in accordance with the California Environmental Quality Act (CEQA). The acquisition qualifies for a categorical exemption pursuant to Section 15061(b)(3) of the Guidelines (common sense exemption) as it can be "seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment" because there are no plans for changes of use of the Property at this time. Therefore, it can be seen with certainty that the change in ownership will result in no significant effects on the environment. SVCE will conduct further CEQA review at such time that SVCE proposes to undertake a project involving the Property. No such project is contemplated at this time.

ADOPTED AND APPROVED this 20th day of December, 2024 by the following vote:

JURISDICTION	NAME	AYE	NO	ABSTAIN	ABSENT
City of Campbell	Director Scozzola	✓			
City of Cupertino	Director Fruen	✓			
City of Gilroy	Director Hilton	✓			
City of Los Altos	Director Meadows	✓			
Town of Los Altos Hills	Director Tyson	✓			
Town of Los Gatos	Director Rennie				✓
City of Milpitas	Director Chua				✓
City of Monte Sereno	Director Mekechuk	✓			
City of Morgan Hill	Director Martinez Beltran	✓			
City of Mountain View	Director Showalter	✓			
County of Santa Clara	Director Lee	✓			
City of Saratoga	Director Walia	✓			
City of Sunnyvale	Director Klein				✓

Signed by:

Tina Walia

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Chair

ATTEST:

DocuSigned by:

Andrea Pizano

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Clerk