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September 17, 2018

Resolution No. 2018-53

Resolution of the Board of Directors

Marina Coast Water District

Accepting the Infrastructure Improvements Installed Under a  
Water, Sewer, and Recycled Water Infrastructure Agreement

Between Marina Coast Water District,

UCP East Garrison, LLC, and the East Garrison Public Finance Authority  
for the East Garrison – Phase 3 Development Project

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (District, MCWD), at a regular meeting duly called and held on September 17, 2018 at 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, UCP East Garrison LLC, a Delaware limited liability company (Developer), has constructed water, sewer and recycled water infrastructure for their East Garrison – Phase 3 development project in the Ord Community portion of the County of Monterey; and,

WHEREAS, the Developer entered into a Water, Sewer and Recycled Water Infrastructure Agreement (Infrastructure Agreement) with MCWD on November 20, 2017 by the adoption of Resolution No. 2017-68 that was fully executed on December 12, 2017; and,

WHEREAS, construction of the water, sewer and recycled water infrastructure is complete and the Developer has now satisfied all of the close-out conditions required by MCWD in the Infrastructure Agreement for the East Garrison – Phase 3 development project; and,

WHEREAS, the East Garrison Public Finance Authority is party to the Infrastructure Agreement and will request that MCWD certify the acceptable nature of the infrastructure and this transfer of ownership but those future actions have no direct bearing on this transfer of ownership, and,

WHEREAS, the Developer requests that the District take ownership of the installed infrastructure.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby accept the transfer of ownership of the Water, Sewer, and Recycled Water Infrastructure for the East Garrison – Phase 3 development project and directs the General Manager to take all actions and execute all documents, with particular note of the actions needed to satisfy the East Garrison Public Finance Authority, as may be necessary or appropriate to give effect to this resolution.

PASSED AND ADOPTED on September 17, 2018 by the Board of Directors of the Marina Coast Water District by the following roll call vote:

Ayes: Directors Gustafson, Lee, Cortez, Shriner, Moore

Noes: Directors None

Absent: Directors None

Abstained: Directors None



Thomas P. Moore, President

ATTEST:



Keith Van Der Maaten, Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2018-53 adopted September 17, 2018.



Keith Van Der Maaten, Secretary