

Marina Coast Water District
Agenda Transmittal

Agenda Item: 8-B

Meeting Date: September 13, 2011

Submitted By: Sean Knight

Presented By: Carl Niizawa

Reviewed By: Carl Niizawa

Agenda Title: Adopt Resolution No. 2011-66 to Accept the Infrastructure Improvements Installed under a Construction and Transfer of Water, Sewer, and Recycled Water Infrastructure Agreement Between the Marina Coast Water District and Community Hospital Properties for the Community Hospital of the Monterey Peninsula Marina Campus

Detailed Description: The Board of Directors is requested to accept from Community Hospital Properties the water, sewer and recycled water improvements they constructed and are transferring to the District for ownership per the executed Infrastructure Agreement.

The District executed an Infrastructure Agreement for Water, Sewer and Recycled Water Facilities with Community Hospital Properties on September 14, 2010.

Under the terms of the Infrastructure Agreement, the District requires the following items prior to final acceptance:

- Completed easements for all pipelines outside of public rights-of-way
- Conveyance of the property to the District by means of a Bill-of-Sale
- Submission of As-Built drawings for the work
- Submission of a One-Year Warranty Bond to replace the Performance and Payment Bonds

Community Hospital Properties has finished the first phases of construction of the Community Hospital of Monterey Peninsula (CHOMP) Marina Campus which includes the Medical Office Building I and the Health and Wellness Center. The CHOMP Marina Campus is located in Marina on the Former Fort Ord at the corner of Imjin Parkway and 2nd Avenue.

Community Hospital Properties has submitted a signed Grant of Easement Document which was executed by the General Manager per Resolution No. 2010-04. As-built drawings for the infrastructure improvements listed above were received and accepted as of March 23, 2011. A Bill of Sale has also been signed by Community Hospital Properties and included for reference. A One-Year Warranty Bond (for 20% of the construction costs enumerated in the Bill of Sale) has also been submitted. In accord with the Infrastructure Agreement, this list fulfills the District's requirements regarding review of infrastructure as a condition of its acceptance.

Environmental Review Compliance: None required.

Prior Committee or Board Action: Board Resolution No. 2010-04 on January 12, 2010, authorized the General Manager and/or Deputy General Manager/District Engineer to Accept

Easements for the District; Board Resolution No. 2010-55 on August 10, 2010, Approved the Infrastructure Agreement for Community Hospital of Monterey Peninsula.

Board Goals/Objectives: *Strategic Plan, Goal No. 2 – To meet 100% of current and future customers’ needs and make timely improvements and increase infrastructure and level of services and human resources to meet needs of expanding service areas in an environmentally sensitive way.; and Goal No. 4 – To manage the District’s finances in the most effective and fiscally responsible manner.*

Financial Impact: Yes No

Funding Source/Recap: Routine operations and maintenance of infrastructure once owned.

Material Included for Information/Consideration: Resolution No. 2011-66.

Staff Recommendation: The Board of Directors consider adoption of Resolution No. 2011-66 accepting the infrastructure improvements installed under a Construction and Transfer of Water, Sewer, and Recycled Water Infrastructure Agreement between the Marina Coast Water District and Community Hospital Properties for the CHOMP Marina Campus.

Action Required: Resolution Motion Review
(Roll call vote is required.)

Board Action

_____Resolution No_____ Motion By_____ Seconded By_____

Ayes_____ Abstained_____

Noes_____ Absent_____

Reagendized_____ Date_____ No Action Taken_____

September 13, 2011

Resolution No. 2011 - 66
Resolution of the Board of Directors
Marina Coast Water District

Accepting the Infrastructure Improvements Installed Under a
Construction and Transfer of Water, Sewer, and Recycled Water Infrastructure Agreement
between the Marina Coast Water District and Community Hospital Properties
for the Community Hospital of the Monterey Peninsula Marina Campus

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on September 13, 2011 at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, Community Hospital Properties, a California Non-profit Corporation (“Developer”) has constructed water, sewer and recycled water infrastructure for their Community Hospital of Monterey Peninsula (CHOMP) Marina Campus; and,

WHEREAS, the Developer entered into a Construction and Transfer of Water, Sewer and Recycled Water Infrastructure Agreement with the District on September 14, 2010; and,

WHEREAS, construction of the water, sewer and recycled water infrastructure is now completed, and the Developer has satisfied all of the close-out conditions required in the Infrastructure Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby accept the transfer of the Water, Sewer, and Recycled Water Infrastructure through the CHOMP Marina Campus and directs the General Manager and/or Deputy General Manager/District Engineer to take all actions and execute all documents as may be necessary or appropriate to give effect to this resolution.

PASSED AND ADOPTED on September 13, 2011, by the Board of Directors of the Marina Coast Water District by the following roll call vote:

Ayes: Directors _____

Noes: Directors _____

Absent: Directors _____

Abstained: Directors _____

William Y. Lee, President

ATTEST:

Jim Heitzman, 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. 2011-66 adopted September 13, 2011.

Jim Heitzman, Secretary