



East Garrison Community Service District

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Salinas, CA 93901
831.755.5066

Board Order

Resolution No.: 16-263

Upon motion of Supervisor Phillips, seconded by Supervisor Salinas and carried by those members present, the Board of Supervisors acting as the Board of Directors to the East Garrison Community Service District hereby:

Adopted Resolution No.: 16-263 authorizing the Execution and Delivery by the District of an Amended and Restated Joint Exercise of Powers Agreement and Authorizing Related Actions.

PASSED AND ADOPTED on this 20th day of September 2016, by the following vote, to wit:

AYES: Directors Armenta, Phillips, Salinas, Parker and Potter

NOES: None

ABSENT: None

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 79 for the meeting on September 20, 2016.

Dated: October 12, 2016
File ID: EGCSO RES 16-001

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By

Deputy

**Before the Board of Directors
of the East Garrison Community Services District**

Resolution No.: 16-263

Authorizing the execution and delivery by the)
District of an Amended and Restated Joint Exercise)
of Powers Agreement; and Authorizing Related)
Actions.....)
)

WHEREAS, the County of Monterey (the “County”) and the East Garrison Community Services District (the “Community Services District”) entered into the Joint Exercise of Powers Agreement, dated as of March 28, 2006 (the “Original Agreement”), providing for, among other things, the joint exercise of certain common powers of the County and the Community Services District and the creation of the East Garrison Public Financing Authority (the “Authority”);

WHEREAS, the Original Agreement provides that the Original Agreement may be amended at any time by written consent of the County and the Community Services District;

WHEREAS, the County and the Community Services District desire to amend the Original Agreement so as to modify the constitution of the Governing Board of the Authority, to eliminate certain unnecessary provisions of the Original Agreement and to clarify and simplify certain of the remaining provisions of the Original Agreement;

WHEREAS, in order to implement such amendments, the County and the Community Services District propose to enter into an Amended and Restated Joint Exercise of Powers Agreement amending and restating the Original Agreement (such Amended and Restated Joint Exercise of Powers Agreement, in the form presented to this meeting, with such changes, insertions and omissions as are made pursuant to this Resolution, being referred to herein as the “Amended and Restated Agreement”); and

WHEREAS, a form of the Amended and Restated Agreement has been submitted to this meeting;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the East Garrison Community Services District, as follows:

Section 1. All of the recitals herein contained are true and correct and the Board of Directors of the Community Service District (the “District Board”) so finds.

Section 2. The form of the Amended and Restated Agreement, on file with the Clerk of the District Board, is hereby approved. Each of the President of the District Board and the Vice President of the District Board, and any such other member of the District Board as the President may designate (the “Authorized Officers”), is hereby authorized, and any one of the Authorized Officers is hereby directed, for and in the name of the Community Services District, to execute and deliver the Amended and Restated Agreement in the form submitted to this meeting, with such changes, insertions and omissions as the Authorized Officer executing the same may

require or approve, such requirement or approval to be conclusively evidenced by the execution of the Amended and Restated Agreement by such Authorized Officer.

Section 3. The Authorized Officers and the officers, employees and agents of the Community Services District are hereby authorized and directed, jointly and severally, to do any and all things which they may deem necessary or advisable in order to consummate the actions herein authorized and otherwise to carry out, give effect to and comply with the terms and intent of this Resolution.

Section 4. All actions heretofore taken by the officers, employees and agents of the Community Services District with respect to the referred to herein are hereby approved, confirmed and ratified.

Section 5. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED upon motion of Director Phillips, seconded by Director Salinas carried this 20th day of September 2016, by the following vote, to wit:

AYES: Directors Armenta, Phillips, Salinas, Parker and Potter

NOES: None

ABSENT: None

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 79 for the meeting on September 21, 2016.

Dated: October 13, 2016
File Number: EGCSO RES 16-001

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By  _____
Deputy