



# County of Monterey

**Item No.**

## Board Report

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

**Legistar File Number: A 24-436**

**September 24, 2024**

**Introduced:** 8/27/2024

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** BoS Agreement

- a. Approve and authorize execution of Amendment No. 1 to Facility Use Agreement No. A-15585 with Monterey County Regional Fire District, including non-standard insurance provisions, to continue to conduct training events in County of Monterey park facilities, with no associated fees, to extend the term for an additional three years for a revised term of November 2, 2021 through November 1, 2027; and
- b. Authorize the Director of Public Works, Facilities and Parks to execute Amendment No. 1 to the Facility Use Agreement No. A-15585, and two future amendments where the amendments do not significantly alter the scope of work.

**RECOMMENDATION:**

It is recommended that the Board of Supervisors:

- a. approve and authorize execution of Amendment No. 1 to Facility Use Agreement No. A-15585 with Monterey County Regional Fire District, including non-standard insurance provisions, to continue to conduct training events in County of Monterey park facilities, with no associated fees, to extend the term for an additional three years for a revised term of November 2, 2021 through November 1, 2027; and
- b. authorize the Director of Public Works, Facilities and Parks to execute Amendment No. 1 to the Facility Use Agreement No. A-15585, and two future amendments where the amendments do not significantly alter the scope of work.

**SUMMARY/DISCUSSION:**

Monterey County Regional Fire District (MCRFD) has requested the use of County of Monterey park facilities, including County-owned properties on the former Fort Ord for various training exercises and area familiarization. Such trainings ensure staff are prepared to respond to emergency events throughout the County of Monterey. Public Works, Facilities, and Parks (PWFP) supports the use of County facilities for such training purposes as a means of cooperating with and supporting first responders.

Section 14.12.040 of the Monterey County Code authorizes the Director designated to manage one or more County parks to issue permits for the use of park facilities, subject to conditions which ensure public safety and protect the parks from harm. PWFP has implemented various review and approval processes such as Facility Use Agreements to memorialize permit approval conditions authorized under Sections 14.12.040 (Attachment C - Monterey County Code Section 14.12.040).

Facility Use Agreements include the standard County insurance requirements of General Liability coverage in the amount of \$1,000,000 per occurrence/\$2,000,000 aggregate, an Additional Insured endorsement naming the County of Monterey as additional insured, and a Primary, Non-Contributory endorsement. MCRFD’s insurance policy did not include a Primary, Non-Contributory endorsement.

After review of MCRFD insurance by County Counsel-Risk Management, staff believed the available insurance and indemnification language in the Facility Use Agreement provided reasonable protection to County interests for the type of activity proposed. The Board approved the non-standard insurance terms.

A Facility Use Agreement with MCRFD was executed on November 5, 2021 (Agreement) with non-standard insurance terms for training in County parks (Attachment A). MCRFD wishes to continue conducting training events in the furtherance of emergency services and fire prevention and suppression.

Staff requests the Board of Supervisors approve and authorize the Director of PWFP to execute the proposed Amendment No. 1 (Attachment B) for an additional three-year term of November 2, 2021 to November 1, 2027.

OTHER AGENCY INVOLVEMENT:

The Office of County Counsel and Risk Manager reviewed the MCRFD Amendment No. 1 and approved it as to form. MCRFD is required to obtain all insurance, permits and licenses as applicable, including but not limited to, regulatory permits from County, State and Federal agencies and departments.

FINANCING:

There is no fee associated with this Amendment No. 1. MCRFD is required to reimburse the County for any additional County staff time or services provided to MCRFD not specifically listed in the Agreement. MCRFD is also responsible to repay the County for all repairs made for damage to the park as a result of MCRFD training activities.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The recommendation complies with the Board of Supervisors’ Public Safety Strategic Initiative by supporting emergency services response efforts in the County of Monterey.

- Economic Development
- Administration
- Health and Human Services
- Infrastructure
- Public Safety

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Reviewed by: Bryan Flores, Chief of Parks

Approved by: Randell Ishii, MS, PE, TE, PTOE, Director of Public Works, Facilities and Parks

DocuSigned by:  
Randell Ishii

8/28/2024 | 10:19 AM PDT

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The following attachments are on file with the Clerk of the Board:

Attachment A - MCRFD Facility Use Agreement

Attachment B - Proposed Amendment No. 1

Attachment C - Monterey County Code Section 14.12.040