



Legislation Details (With Board Report)

**File #:** 17-1063      **Name:** Sand Bag MOU with Monterey County Regional Fire District  
**Type:** General Agenda Item      **Status:** Passed  
**File created:** 10/11/2017      **In control:** Board of Supervisors  
**On agenda:** 10/24/2017      **Final action:** 10/24/2017

**Title:** a. Approve and authorize the Monterey County Resource Management Agency (RMA) Director to execute a Memorandum of Understanding (MOU), effective November 1, 2017, with Monterey County Regional Fire District, for a term of ten (10) years, for zero dollars (\$00.00) in annual rent for the use of an identified .41 acres of County owned real property (APN: 161-401-039) located in the Toro Creek Estates Subdivision for seasonal sandbag distribution; and  
b. Authorize Contracts/Purchasing Officer to execute future extensions of the MOU with the Monterey County Regional Fire District for an additional two (2), ten (10) year extensions for a total thirty (30) year term.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Board Report, 2. Attachment A - Monterey County Regional Fire District - MOU, 3. Attachment B - Location Map, 4. Completed Board Order

Date	Ver.	Action By	Action	Result
10/24/2017	1	Board of Supervisors	approved	

a. Approve and authorize the Monterey County Resource Management Agency (RMA) Director to execute a Memorandum of Understanding (MOU), effective November 1, 2017, with Monterey County Regional Fire District, for a term of ten (10) years, for zero dollars (\$00.00) in annual rent for the use of an identified .41 acres of County owned real property (APN: 161-401-039) located in the Toro Creek Estates Subdivision for seasonal sandbag distribution; and  
b. Authorize Contracts/Purchasing Officer to execute future extensions of the MOU with the Monterey County Regional Fire District for an additional two (2), ten (10) year extensions for a total thirty (30) year term.

**RECOMMENDATION:**

It is recommended that the Board of Supervisors:

a. Approve and authorize the Monterey County Resource Management Agency (RMA) Director to execute a Memorandum of Understanding (MOU), effective November 1, 2017, with Monterey County Regional Fire District, for a term of ten (10) years, for zero dollars (\$00.00) in annual rent for the use of an identified .41 acres of County owned real property (APN: 161-401-039) located in the Toro Creek Estates Subdivision for seasonal sandbag distribution; and  
b. Authorize Contracts/Purchasing Officer to execute future extensions of the MOU with the Monterey County Regional Fire District for an additional two (2), ten (10) year extensions for a total thirty (30) year term.

**SUMMARY:**

Approval of this Memorandum of Understanding (MOU) (Attachment A) will provide a location for the Monterey County Regional Fire District (District) to distribute sand bags to the public on a seasonal basis for up to thirty (30) years. Sand bags are currently being distributed on the District’s property at Toro Station 1 in the Toro Park area. During times of heavy distribution, the Toro Station 1 site becomes severely congested which impacts emergency vehicle circulation. Due to congestion issues associated with the sand bag distribution, the District approached the County seeking cooperation in expanding the site onto this adjacent County owned property.

**DISCUSSION:**

This property is located within the County Service Area 15 - Toro Park/Serra Village (CSA15) area and is currently utilized as open space. So long as the District continues to provide a public benefit by distributing sand bags to the public during a seasonal need, the use will remain consistent with the intent of the open space. Should the County decide to return the premises to strictly open space

without sand bag distribution, the County has the right to terminate this MOU by providing a six (6) month written notice to the District. The District also has the right to terminate this MOU by providing a six (6) month written notice to the County. Upon termination of the MOU, the District will be obligated to return the premises to its natural state.

OTHER AGENCY INVOLVEMENT:

The Resource Management Agency (RMA) - Administrative Services - Property Management and Special Districts Divisions assisted in development of this report and facilitated negotiations. The Special Districts Division manages County Service Area 15. The Office of the County Counsel has approved the proposed MOU as to form and legality. The Auditor Controller's Office has reviewed and approved the proposed MOU as to fiscal provisions. Risk Management has approved the proposed MOU as to insurance and indemnification provisions.

FINANCING:

There is no additional cost to the County General Fund associated with this recommendation. The rent will be \$00.00 because the proposed MOU will provide a public benefit consisting of a location for the District to distribute sand bags to the public on a seasonal basis.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The response area for Toro Station 1 consists of Toro Park, Serra Village, Indian Springs, the Bluffs, and Las Palmas Ranch. The first -in response area also covers the agricultural lands west of the City of Salinas, wildland areas of the western Salinas Valley, Fort Ord, and the newly planned community of East Garrison. During times of heavy sand bag distribution, the area around the station becomes severely congested which impacts emergency vehicle circulation and response times. Allowing the distribution of sand bags on the adjacent County CSA 15 open space property would ensure that emergency response vehicles are not impeded by traffic congestion during sand bag distribution.

Check the related Board of Supervisors Strategic Initiatives:

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

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Approved by: Shawne Ellerbee, RMA Deputy Director Administrative Services

Approved by: Carl P. Holm, AICP, Director, Resource Management Agency

Attachments:

Attachment A - Monterey County Regional Fire District MOU

Attachment B - Location Map

(Attachments on file with the Clerk of the Board)