



County of Monterey

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

Legislation Details (With Board Report)

File #: A 20-402 **Name:** Red Barn Indemnification Agreement
Type: BoS Agreement **Status:** RMA Administration - Consent
File created: 9/22/2020 **In control:** Board of Supervisors
On agenda: 9/29/2020 **Final action:**
Title: Ratify the Director of Resource Management Agency's execution of and retroactively approve as of the date of execution, an Indemnification Agreement by and between County of Monterey and 101 Red Barn, LLC for temporary use as a staging area to provide emergency supplies to fire victims.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Attachment A - Indemnification Agreement, 3. Exhibit A to Attachment A - Legal Description, 4. Item No. 37 Completed Board Order

Date	Ver.	Action By	Action	Result
9/29/2020	1	Board of Supervisors		

Ratify the Director of Resource Management Agency's execution of and retroactively approve as of the date of execution, an Indemnification Agreement by and between County of Monterey and 101 Red Barn, LLC for temporary use as a staging area to provide emergency supplies to fire victims.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

Ratify the Director of Resource Management Agency's execution of and retroactively approve as of the date of execution, an Indemnification Agreement by and between County of Monterey and 101 Red Barn, LLC for temporary use as a staging area to provide emergency supplies to fire victims.

SUMMARY/DISCUSSION:

American Red Cross started to use the Red Barn structure as a staging site for emergency supplies to fire victims. The Red Barn structure has been "red tagged" by the County Building Official restricting occupancy. As such, it is not suitable for occupancy, primarily due to a lack of fire sprinklers.

In addition, operation and maintenance of the property is governed by a Judgement issued by the Superior Court for the County of Monterey. The Judgement provides that the Director of Planning may allow certain uses. While the building is not safe to occupy, RMA, the Office of the County Counsel, and Fire staff met with representatives of the ownership and tenant (Red Cross) to review actions to help mitigate fire concerns. The group agreed to terms to ensure fire safe operations, including indemnifying the County.

Since Monterey County and Santa Cruz County have declared states of emergency, upon recommendation of the Office of the County Counsel, the RMA Director signed an indemnification agreement ahead of proceeding to the Board of Supervisors. Staff recommends that the Board retroactively approve this agreement and authorize the RMA Director as signatory to said agreement

OTHER AGENCY INVOLVEMENT:

RMA, County Counsel and Fire have coordinated on this matter.

FINANCING:

There is no cost associated with this action.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The recommendation complies with the Board of Supervisors' Strategic Initiative to provide essential public services, to support an emergency need and protect the County's interests.

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

Approved by: Carl P. Holm, AICP, RMA Director

Attachments:

Attachment A- Indemnification Agreement between property owner and the County of Monterey