



County of Monterey

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

Board Report

File #: A 21-477, Version: 1

a. Approve a Facility Use Agreement between the County of Monterey and Monterey County Regional Fire District (MCRFD), including non-standard insurance provisions, to conduct training events in County Parks; and

b. Authorize the Director of Public Works, Facilities, & Parks to execute the Facility Use Agreement.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

a. Approve a Facility Use Agreement between the County of Monterey and Monterey County Regional Fire District (MCRFD), including non-standard insurance provisions, to conduct training events in County Parks; and

b. Authorize the Director of Public Works, Facilities, & Parks to execute the Facility Use Agreement.

SUMMARY/DISCUSSION:

Monterey County Regional Fire District (MCRFD) has requested the use of County parks, including Toro Park, San Lorenzo Park, and County-owned properties on the former Fort Ord, for various training exercises and area familiarization. Such trainings will ensure staff are prepared to respond to emergency events throughout the County. Public Works, Facilities, & 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 a 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 H and I (Attachment A-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 million per occurrence/\$2 million aggregate, an Additional Insured endorsement naming the County of Monterey as an additional insured, and a Primary, Non-Contributory endorsement. MCRFD's insurance policy does not include a Primary, Non-Contributory endorsement. After review of MCRFD insurance by County Counsel-Risk Management, staff believes the available insurance and indemnification language in the Facility Use Agreement provides reasonable protection to County interests for the type of activity proposed.

PWFP recommends the Board approve the Facility Use Agreement between the County of Monterey and Monterey County Regional Fire District (MCRFD), including non-standard insurance provisions as drafted in Attachment B, to conduct training events in County Parks and authorize the PWFP Director to execute the agreement.

OTHER AGENCY INVOLVEMENT:

The Office of County Counsel reviewed the MCRFD Facility Use Agreement 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 the Monterey County Housing and Community Services Department, Monterey County Risk Management, Monterey County Sheriff's Office, Monterey County Office of Emergency Services, Monterey County Health Department, California Highway Patrol, and California Department of Transportation (CalTrans).

FINANCING:

There is no fee associated with this Facility Use Agreement. 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 reimburse County Parks for all repairs for damages to the park required as a result of MCRFD's 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 & Human Services
- ☐ Infrastructure
- ☒ Public Safety

Prepared by: John Snively, Management Analyst III (831) 759-6617

Reviewed by: Jessica Cordiero-Martinez, Finance Manager III

Bryan Flores, Interim Chief of Parks

Tom Bonigut, Interim Assistant Director of Public Works, Facilities, & Parks

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

Attachments:

Attachment A-Monterey County Code Section 14.12.040

Attachment B-Proposed MCRFD Facility Use Agreement

(Attachments are on file with the Clerk of the Board)