



**Contra
Costa
County**

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: May 12, 2020

Subject: License agreement with the United States of America, Dept. of the Navy to use and sublicense a portion of the former Naval Weapon Station in Concord.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to execute a license agreement with the United States of America, Department of the Navy, to use an approximately 80-acre portion of the former Concord Naval Weapon Station ("Premises") for public safety training purposes during the period February 22, 2020 through April 15, 2021. (Project Number 2500-WLP220)

APPROVE and AUTHORIZE the Sheriff Coroner, or designee, to execute sub-license agreements, in the form attached to the license agreement, with other public agencies that require the use of the Premises for public safety training purposes.

FISCAL IMPACT:

No fiscal impact. There is no cost associated with this license agreement.

BACKGROUND:

The United States of America, Department of the Navy (Navy), owns the Marine Ocean Terminal Concord (MOTCO) administrative

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **05/12/2020** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 12, 2020

David Twa, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Karen Laws, 925.
957-2456

cc:

BACKGROUND: (CONT'D)

area on the former Concord Naval Weapons Station. The Sheriff and other agencies have used an approximately 80-acre area ("Premises") of the MOTCO administration area for public safety training purposes. The Navy's management of training scheduling has resulted in scheduling conflicts, double-booking, and other concerns.

The Sheriff requires the Premises for its public safety training and is willing to schedule other agencies' training to reduce the disruptions to scheduled training's that the Sheriff has experienced in the past. The Navy has agreed to allow the Sheriff to continue to manage training scheduling under a yearly license agreement for the Premises. The license agreement allows the Sheriff to grant sub-licenses to other public agencies that will participate in public safety training organized or scheduled by the Sheriff.

The license agreement requires the County to indemnify and hold the Navy harmless for the County's activities under the license. Sub-licenses granted by the County will require the sub-licensee to hold the County harmless from liabilities arising from the sub-licensee's activities under the sub-license. Risk Management has reviewed the indemnity and insurance requirements and has confirmed that the requirements are acceptable.

For these reasons, Office of the Sheriff staff recommend that the Board approve the execution of the license agreement with the United States.

CONSEQUENCE OF NEGATIVE ACTION:

The Sheriff will not be able to enter into an agreement with the Navy for use of the former Concord Naval Weapon Station's MOTCO facilities for public safety training.

ATTACHMENTS

License Agreement