

Attachment B

**AMENDMENT NO. 1
TO FACILITY USE AGREEMENT
BETWEEN COUNTY OF MONTEREY AND
MONTEREY COUNTY REGIONAL FIRE DISTRICT**

THIS AMENDMENT NO. 1 to Facility Use Agreement (hereinafter, "Agreement") between the County of Monterey, a political subdivision of the State of California, (hereinafter, "County") and Monterey County Regional Fire District (hereinafter, "MCRFD") is hereby entered into between the County and MCRFD (collectively, the "Parties") and effective as of the last date opposite the respective signatures below.

WHEREAS, MCRFD entered into a Facility Use Agreement No. A-15585 with County of Monterey on October 21, 2021 (hereinafter, "Agreement"), including non-standard insurance provisions, to conduct training events (hereinafter, "Event") in Toro Park and County-owned properties on the former Fort Ord (hereinafter, "Facility") in Monterey County, California through November 1, 2024; and

WHEREAS, Parties agreed no fees would be due and payable for the rights and privileges granted in the furtherance of emergency services and fire prevention and suppression provided by MCRFD; and

WHEREAS, the Parties wish to amend the Agreement to extend the term for three (3) additional years through November 1, 2027 to allow MCRFD to continue to provide the services identified in the Agreement.

NOW, THEREFORE, the Parties agree to amend the Agreement as follows:

1. Delete Section 1.1 in its entirety and replace it with:

MCRFD desires to secure from the COUNTY certain rights and privileges and to conduct training events(s) ("Event") in County owned Park managed properties (the "Facility") in Monterey County, California.

2. Delete Section 2.1 in its entirety and replace it with:

The term of this Agreement is from November 2, 2021 to November 1, 2027, unless sooner terminated pursuant to this Agreement. This Agreement may be extended for two additional one (1) year terms.

2. All other terms and conditions of the Agreement remain unchanged and in full force.
3. This Amendment No. 1 shall be attached to the Agreement and incorporated therein as if fully set forth in the Agreement.
4. The recitals to this Amendment No. 1 are incorporated into the Agreement and this Amendment No. 1.

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment No. 1 to the Agreement which shall be effective as of the last date opposite the respective signatures below.

COUNTY OF MONTEREY

By:

Randell Ishii, MS, PE, TE, PTOE

Date: _____

Approved as to Form
Office of the County Counsel
Susan K Blitch, County Counsel

By: _____

Michael J. Whilden
Deputy County Counsel

Date: _____

Approved as to Fiscal Provisions
Rupa Shah, Auditor-Controller

By: _____

Auditor/Controller

Date: _____

Approved as to Indemnity and Insurance Provisions
Office of the County Counsel-Risk Management
Susan K. Blitch, County Counsel

By: _____

David Bolton
Risk Manager

Date: _____

*INSTRUCTIONS: If MCRFD is a corporation, including non-profit corporations, the full legal name of the corporation shall be set forth above together with the signatures of two (2) specified officers per California Corporations Code Section 313. If MCRFD is a Limited Liability Corporation (LLC), the full legal name of the LLC shall be set forth above together with the signatures of two (2) managers. If MCRFD is a partnership, the full legal name of the partnership shall be set forth above together with the signature of a partner who has authority to execute this Agreement on behalf of the partnership. If MCRFD is contracting in an individual capacity, the individual shall set forth the name of the business, if any, and shall personally sign the Agreement or Amendment to said Agreement.

MONTEREY COUNTY REGIONAL FIRE DISTRICT

Signed by:

By: *David Sargent*

FDBD8685-F463463

David J. Sargent, Fire Chief

Date: 8/30/2024 | 8:11 AM PDT