

CITY OF GARDEN GROVE

AMENDMENT NO. 1

To: Strawberry Festival Agreement

This Amendment No. **1** to the Strawberry Festival Agreement is made and entered into this ____ day of October 2022, by and between the **CITY OF GARDEN GROVE**, hereinafter referred to as "CITY", and **Strawberry Festival Association**, a California non-profit corporation, hereinafter referred to as "ASSOCIATION".

WHEREAS, ASSOCIATION and CITY entered into the Strawberry Festival Agreement, dated **October 23, 2018** ("Agreement").

WHEREAS, due to the global COVID-19 pandemic, which was beyond the control of the parties, the festivals that were to be held pursuant to the Agreement in 2020 and 2021 were not held.

WHEREAS, on August 16, 2019, the CITY transitioned its fire protection and emergency medical services from CITY's Fire Department to the Orange County Fire Authority.

WHEREAS, ASSOCIATION and CITY desire to amend the Agreement as provided herein.

Now, therefore, it is mutually agreed, by and between the parties as follows:

Section 1. TERM, shall be amended as follows:

The term of the Agreement is hereby extended for two (2) additional years, for the ASSOCIATION to conduct the annual Strawberry Festival on Memorial Day weekend in 2024 and 2025.

Section 19. FIRE REGULATIONS, shall be amended in its entirety to read as follows:

No later than thirty (30) days before the Festival, ASSOCIATION shall provide a general plot plan or site plan to the Orange County Fire Authority. Items to be on the plot plan are: location of all vehicles, generators, stages, emergency lighting, stands, tents/canopies, amusement zone activities/rides, food vendors, medical station, fire lanes and Fire Department access, dates and times of the event, and all emergency contacts for the event (event and tent contact numbers). ASSOCIATION shall comply with all applicable current California Fire Code provisions. All California Fire Code and California Building Code required permits shall be obtained at least three (3) weeks prior to the beginning of the Festival. Permits may be required but are not limited to: generators stages, booths, emergency lighting, cooking booths, tents, egress, and amusement rides. In addition, ASSOCIATION shall obtain approval from the Fire Chief, or authorized representative, of all cooking appliances and fuels before use at the Festival.

Tents over 400 square-feet (tents that are not separated by at least 20 feet shall be considered a single tent for determination of area) require Orange County Fire Authority permits. ASSOCIATION shall have their tent company submit site plans, tent layout plans, and anchorage plans (CFC Section 105.6.24) at least three (3) weeks before the Festival.

ASSOCIATION shall ensure that each cooking booth with cooking equipment involving solid fuels or vegetable or animal oils and fats shall provide and mount a Class K-rated portable extinguisher (and 2-A:10-B:C fire extinguisher where no solid fuels or vegetable or animal oils and fats are used) with adequate pressure and current State Fire Marshal's service tags. (CFC 906.1, Title 19, Sec. 567)

ASSOCIATION shall ensure access and visibility of fire hydrants, Fire Department connections, suppression systems, and appliances at all times.

Use of fireworks is strictly prohibited.

ASSOCIATION shall comply with all exit requirements set forth in the California Fire Code and provide adequate exits for all occupants with the proper exit width and direction.

OTHER TERMS REMAIN IN PLACE.

Except as expressly amended hereby, all terms of the Agreement shall remain in full force and effect.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the parties have caused this Amendment No. 1 to the Existing Agreement to be executed by their respective officers duly authorized on the date first written above.

Date: _____

"CITY"
CITY OF GARDEN GROVE

By: _____

Mayor

ATTESTED:

City Clerk

Date: _____

APPROVED AS TO FORM:

Garden Grove City Attorney

Date

Strawberry Festival Association

By: _____

Title: _____

Date: _____