

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

December 3, 2024

FROM

BEAHTA R. DAVIS, Director, Regional Parks Department

TERRY W. THOMPSON, Director, Real Estate Services Department

SUBJECT

Amendment No. 13 to Revenue Lease Agreement with Live Nation Worldwide, Inc., a Delaware Corporation for Glen Helen Amphitheater in San Bernardino

RECOMMENDATION(S)

1. Find that the approval of Amendment No. 13 to Revenue Lease Agreement No. 92-1023 with Live Nation Worldwide, Inc., a Delaware Corporation, is exempt under the California Environmental Quality Act Guidelines, Section 15301 – Existing Facilities (Class1).
2. Approve **Amendment No. 13** to Revenue Lease **Agreement No. 92-1023** with Live Nation Worldwide, Inc., a Delaware Corporation to extend the term of the lease for one year from November 16, 2024 to November 16, 2025, for approximately 39.68 acres of San Bernardino County-owned property, located at 2475 Glen Helen Parkway in San Bernardino, comprising of a portion of Assessor's Parcel Number 0348-161-01-0000, and additional parking identified as portions of Assessor's Parcel Numbers 0348-161-01-0000, 0349-191-18-0000, and 0349-191-22-0000, for the Regional Parks Department, with an increase of 10% increasing the annual fixed minimum rent from \$1,400,000 to \$1,540,000 or 7.75% of net ticket sales, whichever is greater, and a continued 25% share of "other revenue" exceeding projected revenue, as outlined in the payment terms (Four votes required).
3. Direct the Regional Parks Department to file and post the Notice of Exemption for the project as required under the California Environmental Quality Act.
(Presenter: Terry W. Thompson, Director, 387-5000)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Operate in a Fiscally-Responsible and Business-Like Manner.

Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.

FINANCIAL IMPACT

Approval of this amendment does not require the use of additional Discretionary General Funding (Net County Cost). Pursuant to Amendment No. 13 to Contract No. 92-1023, Live Nation Worldwide, Inc. (Live Nation) will pay an additional 10% rent fee, increasing the annual fixed minimum rent to \$1,540,000 or a percentage of net ticket sales, equal to 7.75% of net, whichever is greater. Live Nation also agrees to pay 25% of the total "other revenue", which is defined as total gross revenue minus net ticket sales, when it exceeds the projected revenue for the designated lease year as set forth in the contract for the extended lease term through November 16, 2025. Additionally, Live Nation will continue to pay the Regional Parks Department (Department) \$1,500 per Electronic Dance Music (EDM) event for a maximum of

**Amendment No. 13 to Revenue Lease Agreement with Live Nation
Worldwide, Inc., a Delaware Corporation for Glen Helen Amphitheater in
San Bernardino
December 3, 2024**

four shows per year. Lease payments will be directly deposited into the Parks budget (1101102730).

BACKGROUND INFORMATION

The Department operates and maintains eight regional parks, including Glen Helen Regional Park (Park). The recommended action will amend Contract No. 92-1023 with Live Nation to extend the term of the contract for the period of November 16, 2024, through November 16, 2025. In fiscal year 2020-21, Live Nation was unable to operate due to the Coronavirus pandemic. This agreement will enable the Department to leverage its park property resources to generate revenue, to reduce reliance on Discretionary General Funding, aligning with the County and Chief Executive Officer's goal and objective to Operate in a Fiscally-Responsible and Business-Like Manner

Live Nation has managed the Glen Helen Amphitheater (Amphitheater) at the Park under Contract No. 92-1023, which was approved by the Board on October 19, 1992 (Item No. 59). This contract has been amended twelve previous times, as indicated in the table below:

Amendment No.	Item No.	Date of Action	Action
1	30	March 22, 1993	The amphitheater name changed to "Glen Helen Blockbuster Pavilion."
2	56	April 5, 1994	Assigned the contract to Pavilion Partners.
3	49	January 13, 1998	Revised the method used for revenue calculations and insurance provision updates.
4	49	January 13, 1998	Removed the Lakeside area from premises.
5	28	June 9, 1998	Additional events can be scheduled by the County.
6	55	April 8, 2003	The amphitheater name changed from the "Glen Helen Blockbuster Pavilion" to "Hyundai Pavilion at Glen Helen." The County received \$120,000 annually for five years for naming rights.
7	13	August 25, 2009	The amphitheater name changed to "San Manual Amphitheater."
8	61	January 29, 2013	Authorized four Electronic Dance Music (EDM) events per calendar year for a fee of \$1,500 per event.
9	53	March 3, 2015	Extended the term for naming rights effective retroactively from January 1, 2014, through December 31, 2017, for a total fee of \$240,000 for naming rights.
10	51	June 26, 2018	Extended the term of the contract through June 30, 2023, and required implementation of recommendations made by the Electronic Dance Music Task Force.
11	76	June 8, 2021	Extended the term of the contract through June 30, 2023.
12	72	November 14,	Extend the term of the contract through

**Amendment No. 13 to Revenue Lease Agreement with Live Nation
Worldwide, Inc., a Delaware Corporation for Glen Helen Amphitheater in
San Bernardino
December 3, 2024**

		2023	November 15, 2024.
--	--	------	--------------------

PROCUREMENT

Government Code Section 25536 allows the Board, by a four-fifths vote, to lease County-owned property devoted to or held for ultimate use for park, fairground, amusement or recreation purposes without complying with the provisions of Government Code Section 25520 et seq. relating to the sale or lease of County property. This Lease amendment is allowed per County Policy 12-05, Paragraph 3 – Exceptions to Policy.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (John Tubbs II, Deputy County Counsel, and Suzanne Bryant, Deputy County Counsel, 387-5455) on October 24, 2024; Regional Parks (Beahta R. Davis, Director, 387-2340) on October 24, 2024; Purchasing (Jessica Barajas, Supervising Buyer, 387-2065) on October 24, 2024; Real Estate Services (Lyle Ballard, Leasing and Property Manager, 387-5252) on October 24, 2024; Finance (Elias Duenas, Administrative Analyst, 387-4052) on November 8, 2024; County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on November 13, 2024.

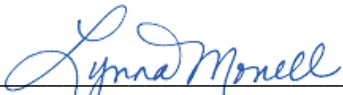
**Amendment No. 13 to Revenue Lease Agreement with Live Nation
Worldwide, Inc., a Delaware Corporation for Glen Helen Amphitheater in
San Bernardino
December 3, 2024**

Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Curt Hagman Seconded: Joe Baca, Jr.
Ayes: Col. Paul Cook (Ret.), Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: December 3, 2024



cc: Regional Parks - Davis w/agree
 Contractor - c/o Regional Parks w/agree
 File - w/agree
MBA 12/5/2024