

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

August 20, 2024

FROM

BEAHTA R. DAVIS, Director, Regional Parks Department

SUBJECT

Revenue Interim Use Permit with Live Nation Entertainment, Inc. for the Exclusive Use of Glen Helen Regional Park During the Nocturnal Wonderland Event

RECOMMENDATION(S)

Approve Interim Use Permit (**Agreement No. 24-767**) with Live Nation Entertainment, Inc. for the exclusive use of Glen Helen Regional Park, including the swim facility, for the Nocturnal Wonderland concert event scheduled for September 13, 2024, through September 16, 2024, and for corresponding set-up and tear-down September 6, 2024, through September 19, 2024, for a total amount of \$72,867.17 in fees.

(Presenter: Beahta R. Davis, Director, 387-2340)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

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

FINANCIAL IMPACT

Approval of this Interim Use Permit (Permit) does not require the use of Discretionary General Funding (Net County Cost). Under this Permit, Live Nation Entertainment, Inc. (Permittee) will pay the Regional Parks Department (Department) a total of \$72,867.17 in fees for the exclusive use of Glen Helen Regional Park (Park) for four days and the use of sections of the park for 10 additional days for set-up and tear-down as listed in the table below.

Description of Fee	Amount
Full Park closure for four days (September 13 to September 16) at \$12,000 per day	\$48,000.00
Use of 41.5 acres total for set-up and tear down	\$20,750.00
Pool maintenance	\$1,439.85
Staff time for pool maintenance	\$667.32
Camping fees	\$1,810.00
Contract preparation fee	\$200.00
Total	\$72,867.17

The Permittee will be responsible for obtaining all necessary permits, licenses, and applicable approvals, as well as securing the required insurance and security for this event. Adequate appropriation and revenue are included in the Department's 2024-25 budget and all fees are consistent with the Board of Supervisors (Board) approved Fee Schedule.

BACKGROUND INFORMATION

**Revenue Interim Use Permit with Live Nation Entertainment, Inc. for the Exclusive Use of Glen Helen Regional Park During the Nocturnal Wonderland Event
August 20, 2024**

The Department operates and maintains eight regional parks, including Glen Helen Regional Park (Park), located in the City of San Bernardino and provides for the rental of park property through Board approved fees. The recommended Permit between the Department and Permittee allows for the exclusive use of the Park, wherein the Department will receive a total of \$72,867.17.

The Permittee currently operates the amphitheater at the Park pursuant to Contract No. 92-1023, which was approved by the Board on October 19, 1992 (Item No. 59), and amended on June 26, 2018 (Item No. 51), June 8, 2021 (Item No. 76), and November 14, 2023 (Item No. 72). This Permit includes a force majeure provision allowing for cancellation of the Nocturnal Wonderland Event due to circumstances beyond either parties' control. The County will refund any license fees paid by Permittee as a result of such cancellation.

This Permit is a separate contract to allow the exclusive use of the Park, which includes the use of the swim facility during the Nocturnal Wonderland event. The swimming facility will officially close for the season on September 2, 2024; therefore, use for this event will not impact the community. The Permittee has been permitted the use of the swim facility in the past for this same event without issue, and will be required to implement safety measures for the swim facility use, which include:

- Increase the number of lifeguards per swim patron. During regular operation of the swim facility, the Park provides one lifeguard for every 75 patrons. During this event, Permittee will provide one lifeguard for every 50 patrons.
- Provide security inside the swim complex and at the entry gates.
- Prohibit alcohol within the swim facility.
- Deny access to the swim facility to intoxicated patrons.
- All swim functions will end at 5:00 pm.

As an additional security measure, all camping patrons, and their cars, will be searched by venue security with K9s. San Bernardino County Sheriffs will also be present for all searches. Furthermore, the Permittee has agreed to adhere to the Health and Safety Measures identified by the Electronic Dance Music (EDM) Task Force for the concerts as received by the Board on August 22, 2017 (Item No. 67) and amended on July 11, 2023 (Item No. 41).

The EDM Task Force is comprised of representatives from the Department, County Administrative Office, County Counsel, Department of Public Health, Arrowhead Regional Medical Center, Sheriff's Department, San Bernardino County Fire Protection District, and Inland Counties Emergency Medical Agency. In July 2024, the EDM Task Force resumed bi-weekly meetings, which will take place until the date of the event. The Permittee is also engaging the local community by distributing informational fliers and holding a community meeting to discuss the implementation of this event, parking issues, and any additional community concerns.

This recommended Permit aligns with the County and Chief Executive Officer's goals and objectives to operate in a fiscally-responsible and business-like manner by allowing the Department to leverage its amenities and land to raise revenue to support park maintenance and development.

PROCUREMENT

Not applicable.

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REVIEW BY OTHERS

This item has been reviewed by County Counsel (Suzanne Bryant, Deputy County Counsel, 387-5455) on June 13, 2024; Finance (Elias Duenas, Administrative Analyst, 387-4052) on June 24, 2024; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) June 28, 2024.

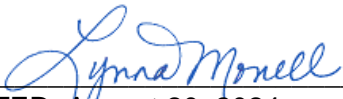
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Record of Action of the Board of Supervisors
San Bernardino County

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: August 20, 2024



cc: Regional Parks - Davis w/agree
Contractor - c/o Regional Parks w/agree
File - w/agree
MBA 08/21/2024