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Contract Number

19-544 A-1

SAP Number

Regional Parks Department

Department Contract Representative	<u>Beahta R. Davis</u>
Telephone Number	<u>909-387-2340</u>
Contractor	<u>Close the Lid Entertainment, LLC</u>
Contractor Representative	<u>Wesley & Michelle Isom</u>
Telephone Number	<u>760-254-3719</u>
Contract Term	<u>August 6, 2024 – August 5, 2029</u>
Original Contract Amount	<u>\$66,000</u>
Amendment Amount	<u>N/A</u>
Total Contract Amount	<u>\$66,000</u>
Cost Center	<u>6522021000</u>

IT IS HEREBY AGREED AS FOLLOWS:

Amend Concession and Lease Agreement No. 19-544 as follows:

**SAN BERNARDINO COUNTY
REGIONAL PARKS DEPARTMENT
CALICO GHOST TOWN REGIONAL PARK
LANE'S GENERAL MERCHANDISE
AMENDMENT NO. 1 TO CONCESSION AND LEASE AGREEMENT**

WHEREAS, San Bernardino County ("COUNTY") and Close the Lid Entertainment LLC ("CONCESSIONAIRE") entered into a Concession and Lease Agreement, Contract No. 19-544 (Agreement) whereby COUNTY allows CONCESSIONAIRE to use a portion ("Premises") of Calico Ghost Town Regional Park ("Park") to operate Lane's General Merchandise concession; and,

WHEREAS, pursuant to Agreement No. 19-544, CONCESSIONAIRE has the option to extend the term of the Agreement for two 5 year periods; and,

WHEREAS, CONCESSIONAIRE now desires to exercise its option for the extended term to extend the term of the Agreement through August 5, 2029; and,

WHEREAS, both Parties now desire to amend the Agreement to reflect the extension of the Term and amend other portions of the Agreement.

NOW, THEREFORE, in consideration of mutual covenants and conditions, the parties hereto agree to amend Agreement No. 19-544 as follows:

1. The Term of the Agreement is extended through August 5, 2029.
2. Revise Paragraph 4, as follows:

LEASE FEE: In consideration for rights granted, CONCESSIONAIRE will pay a minimum monthly fee of:

- a) One thousand one hundred dollars (\$1,100) or eight percent (8%) of Gross Income as defined in Paragraph 5E, whichever is greater for years 1 through 2 of this Term (August 6, 2024 – August 5, 2026),
- b) One thousand one hundred dollars (\$1,100) or eight- and one-half percent (8.5%) of Gross Income as defined in Paragraph 5E, whichever is greater for years 3 through 4 of this Term (August 6, 2026 – August 5, 2028),
- c) One thousand one dollars (\$1,100) or nine percent (9%) of Gross Income as defined in Paragraph 5E, whichever is greater for year 5 of this Term (August 6, 2028 – August 5, 2029).

3. Add Paragraph 53 to the Agreement:

53. Campaign Contribution Disclosure (SB 1439)

Concessionaire has disclosed to the County using Attachment 1, whether it has made any campaign contributions of more than \$250 to any member of the Board of Supervisors or County elected officer [Sheriff, Assessor-Recorder-Clerk, Auditor-Controller/Treasurer/Tax Collector and the District Attorney] within the earlier of: (1) the date of the submission of Concessionaire's proposal to the County, or (2) 12 months before the date this Amendment was approved by the Purchasing Department. Concessionaire acknowledges that under Government Code section 84308, Concessionaire is prohibited from making campaign contributions of more than \$250 to any member of the Board of Supervisors or County elected officer for 12 months after the County's consideration of the Contract.

In the event of a proposed amendment to this Contract, the Concessionaire will provide the County a written statement disclosing any campaign contribution(s) of more than \$250 to any member of the Board of Supervisors or other County elected officer within the preceding 12 months of the date of the proposed amendment.

Campaign contributions include those made by any agent/person/entity on behalf of the Contractor or by a parent, subsidiary or otherwise related business entity of Concessionaire.

All other provisions and terms of the Agreement, Contract No. 19-544, shall remain the same.

This Amendment may be executed in any number of counterparts, each of which so executed shall be deemed to be an original, and such counterparts shall together constitute one and the same Amendment. The parties shall be entitled to sign and transmit an electronic signature of this Amendment (whether by facsimile, PDF, or other email transmission), which signature shall be binding on the party whose name is contained therein. Each party providing an electronic signature agrees to promptly execute and deliver to the other party an original signed Amendment upon request.

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IN WITNESS WHEREOF, the parties hereto have caused their respective names to be subscribed by their respective proper officers hereto duly authorized.

SAN BERNARDINO COUNTY

► Dawn Rowe

Dawn Rowe, Chair, Board of Supervisors

Dated: JUL 23 2024

SIGNED AND CERTIFIED THAT A COPY OF THIS DOCUMENT HAS BEEN DELIVERED TO THE CHAIRMAN OF THE BOARD

Lynna Monell
Clerk of the Board of Supervisors
of San Bernardino County

By [Signature] Deputy



Close the Lid Entertainment LLC

(Print or type name of corporation, company, contractor, etc.)

By ► Wes Isom

(Authorized signature - sign in blue ink)

Name Wes Isom

(Print or type name of person signing contract)

Title Member

(Print or Type)

Dated: 6/18/2024

Address

PO Box 402535

Hesperia, CA 92340

Close the Lid Entertainment LLC

(Print or type name of corporation, company, contractor, etc.)

By ► Michelle Isom

(Authorized signature - sign in blue ink)

Name Michelle Isom

(Print or type name of person signing contract)

Title Member

(Print or Type)

Dated: 6/18/2024

Address

PO Box 402535

Hesperia, CA 92340

FOR COUNTY USE ONLY

Approved as to Legal Form

► Suzanne Bryant

C2A78869B945419

Suzanne Bryant, Deputy County Counsel

6/25/2024

Date

Reviewed for Contract Compliance

► Moe Yousif

2E9D9E9B8DD453

Moe Yousif, Deputy Executive Officer

6/26/2024

Date

Reviewed/Approved by Department

► Beahla R. Davis

78838200897E420

Beahla R. Davis, Director, Regional Parks Department

6/20/2024

Date



ATTACHMENT 1

Campaign Contribution Disclosure (SB 1439)

DEFINITIONS

Actively supporting the matter: (a) Communicate directly with a member of the Board of Supervisors or other County elected officer [Sheriff, Assessor-Recorder-Clerk, District Attorney, Auditor-Controller/Treasurer/Tax Collector] for the purpose of influencing the decision on the matter; or (b) testifies or makes an oral statement before the County in a proceeding on the matter for the purpose of influencing the County's decision on the matter; or (c) communicates with County employees, for the purpose of influencing the County's decision on the matter; or (d) when the person/company's agent lobbies in person, testifies in person or otherwise communicates with the Board or County employees for purposes of influencing the County's decision in a matter.

Agent: A third-party individual or firm who, for compensation, is representing a party or a participant in the matter submitted to the Board of Supervisors. If an agent is an employee or member of a third-party law, architectural, engineering or consulting firm, or a similar entity, both the entity and the individual are considered agents.

Otherwise related entity: An otherwise related entity is any for-profit organization/company which does not have a parent-subsidary relationship but meets one of the following criteria:

- (1) One business entity has a controlling ownership interest in the other business entity;
- (2) there is shared management and control between the entities; or
- (3) a controlling owner (50% or greater interest as a shareholder or as a general partner) in one entity also is a controlling owner in the other entity.

For purposes of (2), "shared management and control" can be found when the same person or substantially the same persons own and manage the two entities; there are common or commingled funds or assets; the business entities share the use of the same offices or employees, or otherwise share activities, resources or personnel on a regular basis; or there is otherwise a regular and close working relationship between the entities.

Parent-Subsidiary Relationship: A parent-subsidiary relationship exists when one corporation has more than 50 percent of the voting power of another corporation.

Contractors must respond to the questions on the following page. If a question does not apply respond N/A or Not Applicable.

Close The Lid Entertainment, LLC

1. Name of Contractor: _____
2. Is the entity listed in Question No.1 a nonprofit organization under Internal Revenue Code section 501(c)(3)?
Yes ☐ If yes, skip Question Nos. 3-4 and go to Question No. 5 No ☒
3. Name of Principal (i.e., CEO/President) of entity listed in Question No. 1, if the individual actively supports the matter and has a financial interest in the decision: Michelle Isom
4. If the entity identified in Question No.1 is a corporation held by 35 or less shareholders, and not publicly traded ("closed corporation"), identify the major shareholder(s):
NA
5. Name of any parent, subsidiary, or otherwise related entity for the entity listed in Question No. 1 (see definitions above):

Company Name	Relationship
NA	na
NA	NA

6. Name of agent(s) of Contractor:

Company Name	Agent(s)	Date Agent Retained (if less than 12 months prior)
NA	NA	NA
NA	NA	NA

7. Name of Subcontractor(s) (including Principal and Agent(s)) that will be providing services/work under the awarded contract if the subcontractor (1) actively supports the matter and (2) has a financial interest in the decision and (3) will be possibly identified in the contract with the County or board governed special district.

Company Name	Subcontractor(s):	Principal and/or Agent(s):
NA	NA	NA
NA	NA	NA

8. Name of any known individuals/companies who are not listed in Questions 1-7, but who may (1) actively support or oppose the matter submitted to the Board and (2) have a financial interest in the outcome of the decision:

Company Name	Individual(s) Name
NA	NA
NA	NA

9. Was a campaign contribution, of more than \$250, made to any member of the San Bernardino County Board of Supervisors or other County elected officer within the prior 12 months, by any of the individuals or entities listed in Question Nos. 1-8?

No ☒ If **no**, please skip Question No. 10.

Yes ☐ If **yes**, please continue to complete this form.

10. Name of Board of Supervisor Member or other County elected officer: NA

Name of Contributor: NA

Date(s) of Contribution(s): NA

Amount(s): NA

Please add an additional sheet(s) to identify additional Board Members or other County elected officers to whom anyone listed made campaign contributions.

By signing the Contract, Contractor certifies that the statements made herein are true and correct. Contractor understands that the individuals and entities listed in Question Nos. 1-8 are prohibited from making campaign contributions of more than \$250 to any member of the Board of Supervisors or other County elected officer while award of this Contract is being considered and for 12 months after a final decision by the County.