

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

August 20, 2019

FROM

BEAHTA R. DAVIS, Director, Regional Parks Department

SUBJECT

Revenue Interim Use Permit with Live Nation for the Exclusive use of Glen Helen Regional Park during the Nocturnal Wonderland Event

RECOMMENDATION(S)

Approve **(County Contract No. 19-598)** Interim Use Permit with Live Nation for the exclusive use of Glen Helen Regional Park, including the swim facility, for the Nocturnal Wonderland concert event scheduled for September 13, 2019 through September 16, 2019 for a total amount of \$49,953.45 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 (Permittee), will pay the Regional Parks Department (Department) a total of \$49,953.45 in fees for the exclusive use of Glen Helen Regional Park (Park) as listed in the table below.

| Description of Fee | Amount |
|--|---------------|
| Full Park Closure for four days (Live Nation fees for closures during the period of May 1- September 30 is \$12,000 per day) | \$48,000 |
| Pool Maintenance | \$1,042.77 |
| Staff time for pool maintenance | \$584.84 |
| Utilities and water charges | \$125.84 |
| Contract preparation fee | \$200.00 |

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 have been included in the Regional Parks Department's 2019-20 budget.

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BACKGROUND INFORMATION

The Department operates and maintains nine regional parks including Glen Helen Regional Park, located in the unincorporated area of Devore, 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 \$49,953.45. 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).

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 swim facility will officially close for the season on September 2, 2019; therefore use for this event will not impact the community.

Permittee has been permitted the use of the swim facility in the past for this same event without issue. Permittee will be required to implement safety measures for the swim facility use which includes:

- Increase the number of lifeguards per swim patrons. (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 patrons camping and their cars will be thoroughly searched by venue security with K9s. San Bernardino County Sheriffs will also be present for all searches. Furthermore, Permittee has agreed to adhere to the Health and Safety Measures identified by the Electronic Dance Music (EDM) Task Force for all concerts as listed in Exhibit C and received by the Board on August 22, 2017 (Item No. 67).

The fees charged to the Permittee are to recover the costs the Department will incur by continuing maintenance of the swim facility after swim season ends.

This recommended Permit aligns with the County and Chief Executive Officer Goal and Objective 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

N/A

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Dawn Martin, Deputy County Counsel, 387-4322) on July 23, 2019; Finance (Elias Duenas, Administrative Analyst, 387-4052) on August 5, 2019; County Finance and Administration (Robert Saldana, Deputy Executive Officer, 387-5423) August 6, 2019.

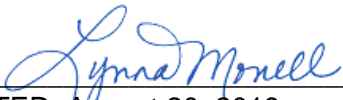
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Record of Action of the Board of Supervisors
County of San Bernardino

APPROVED (CONSENT CALENDAR)

Moved: Josie Gonzales Seconded: Dawn Rowe
Ayes: Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales
Absent: Robert A. Lovingood

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: August 20, 2019



cc: Parks- Davis w/agree
 Contractor- C/O Parks w/agree
 File- w/agree
la 08/26/2019