



# San Bernardino County

## Legislation Text

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**File #: 3909, Agenda Item #: 7**

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

**April 6, 2021**

#### **FROM**

**JAMES E. JENKINS, Director, Department of Airports**

#### **SUBJECT**

Amendment No. 1 to License Agreement with Planes of Fame Air Museum, Inc. for Use of Portions of Chino Airport for Planes of Fame Air Museum Airshow 2021

#### **RECOMMENDATION(S)**

Approve Amendment No. 1 to License Agreement No. 20-1096 with Planes of Fame Air Museum, Inc. to change the dates for use of certain portions of the Chino Airport for the "Planes of Fame Airshow 2021" event from April 24, 2021 through May 4, 2021 to October 23, 2021 through November 2, 2021 at no cost to the County and with no change to agreement terms (Four votes required).  
(Presenter: James E. Jenkins, Director, 387-8810)

#### **COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**

**Create, Maintain and Grow Jobs and Economic Value in the County.**

#### **FINANCIAL IMPACT**

Approval of this item does not require the use of Discretionary General Funding (Net County Cost). The Planes of Fame Air Museum, Inc. (POF) will pay the County a use fee of \$8,500 with the potential of additional revenue of 20% of the net income earned in excess of \$325,000 for the use of certain portions of the Chino Airport to conduct the "Planes of Fame Airshow 2021" event (Event). Cost to the County will be approximately \$8,500 for County Airport personnel to staff the Event and to provide electricity to a portion of the use area. The County costs for the Event will be offset by the use fee to be paid by POF. Sufficient appropriation and revenue have been included in Airport's 2020-21 budget.

#### **BACKGROUND INFORMATION**

On November 17, 2020 (Item No. 11), the Board approved License Agreement No. 20-1096 with POF to permit the use of certain portions of the Chino Airport for the "Planes of Fame Airshow 2021" event for the period of April 24, 2021 through May 4, 2021 for a use fee of \$8,500 plus 20% of net income earned in excess of \$325,000.

Due to the ongoing pandemic and state and local orders, POF is unable to hold its Event on May 1 and 2, 2021 and has requested that the license be amended to delay the permitted use from April 24, 2021 through May 4, 2021 to October 23, 2021 through November 2, 2021 with the airshow to be held on October 30 and 31, 2021.

Amendment No. 1 to the license agreement will permit POF to change the dates for use of certain portions of the Chino Airport for the Event from April 24, 2021 through May 4, 2021 to October 23, 2021 through November 2, 2021 at no cost to the County and with no change to the agreement terms.

POF is an independently operated, non-profit 501(C)(3) aviation museum in its 63<sup>rd</sup> year of operation. POF is dedicated to collecting, restoring, displaying and preserving aircraft and memorabilia for the educational benefit of current and future generations throughout the County of San Bernardino and the world. Since 1999, the Chino Airport has been the site of this two-day POF Event, which attracts a worldwide audience of attendees and will provide an opportunity to promote the County of San Bernardino. Approximately 30,000 people attended the POF Airshow in 2019.

In addition to POF warbird aircraft information, there will be individual flybys and a host of other aircraft including biplanes, supersonic jets and demonstration flights. Other entertainment will include aerobatic routines, static displays of military vehicles, classic and vintage aircrafts, as well as food and beverage concessions and aviation related memorabilia.

The agreement is subject to automatic cancellation if on October 23, 2021 or at any time during the term of the license agreement. The State of California's risk framework for COVID-19 prohibits POF from holding or continuing the Event; in which case the County will refund any license fees paid by POF.

#### **PROCUREMENT**

This license and Amendment No. 1 have been procured in accordance with Government Code Section 25536.

#### **REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Agnes Cheng, Deputy County Counsel, 387-5455) on March 3, 2021; Risk Management (LeAnna Williams, Director, 386-8621) on March 3, 2021; Finance (Elias Duenas, Administrative Analyst, 387-4052) on March 16, 2021; and Finance and Administration (Robert Saldana, Deputy Executive Officer, 387-5423) on March 16, 2021.