

RESOLUTION NO. 2024-194

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN BERNARDINO, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE THE LEASE ASSIGNMENT AGREEMENT FOR THE SAN BERNARDINO SOCCER COMPLEX, LOCATED AT 2500 PACIFIC STREET, SAN BERNARDINO, CALIFORNIA; ASSIGNING THE LEASE WITH SAN BERNARDINO SOCCER, LLC, TO WORLD SPORTS ARENA, LLC

WHEREAS, The City of San Bernardino and San Bernardino Soccer, LLC, have entered into a Lease Agreement for the San Bernardino Soccer Complex, dated October 19, 2015 (the “Agreement”). A copy of the Agreement is attached hereto as Exhibit “A” and is incorporated herein by this reference; and

WHEREAS, San Bernardino Soccer, LLC, (Assignor) now desires to assign the Agreement to World Sports Arena, LLC, (Assignee) all its rights, duties, and obligations in, to, and under the Agreement (“Assignment”); and

WHEREAS, Pursuant to Section 25 (Assignment) of the Agreement, an assignment shall not be permitted without the prior written consent of the City and any attempted assignment without such consent shall be invalid and void; and

WHEREAS, the Assignor and Assignee are now requesting to obtain the City’s prior written consent to allow the Assignment.

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN BERNARDINO AS FOLLOWS:

SECTION 1. Intent to Assign. The Mayor and City Council hereby consent to the Lease Assignment Agreement regarding the San Bernardino Soccer Complex, located at 2500 Pacific Street, San Bernardino, California, and hereby authorize the lease assignment from San Bernardino Soccer, LLC, to World Sports Arena, LLC.

SECTION 2. Representations and Warranties. Assignor and Assignee jointly represent and warrant to the City: That Assignee is an organization in good standing and exists under the laws of the State of California.

SECTION 3. Assignment, Assumption, and No Release. Assignor hereby assigns all of Assignor’s right, title and interest in and to the Agreement to Assignee. Assignee expressly assumes, acknowledges, and agrees for the benefit of City to be bound by, and to perform and comply with, every obligation of Assignor under the Agreement.

SECTION 4. That the Mayor and City Council finds this Resolution is not subject to the California Environmental Quality Act (CEQA) in that the activity is covered by the general rule

that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty, as in this case, that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

SECTION 5. Severability. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications, and to this end the provisions of this Resolution are declared to be severable.

SECTION 6. Effective Date. This Resolution shall become effective immediately.

APPROVED and **ADOPTED** by the City Council and signed by the Mayor and attested by the City Clerk this 4th day of September 2024.

Helen Tran, Mayor
City of San Bernardino

Attest:

Genoveva Rocha, CMC, City Clerk

Approved as to form:

Sonia Carvalho, City Attorney

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO) ss
CITY OF SAN BERNARDINO)

I, Genoveva Rocha, CMC, City Clerk, hereby certify that the attached is a true copy of Resolution No. 2024-194, adopted at a regular meeting held on the 4th day of September 2024 by the following vote:

<u>Council Members:</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
SANCHEZ	_____	_____	_____	_____
IBARRA	_____	_____	_____	_____
FIGUEROA	_____	_____	_____	_____
SHORETT	_____	_____	_____	_____
REYNOSO	_____	_____	_____	_____
CALVIN	_____	_____	_____	_____
ALEXANDER	_____	_____	_____	_____

WITNESS my hand and official seal of the City of San Bernardino this ____ day of _____ 2024.

Genoveva Rocha, CMC, City Clerk