

RESOLUTION NO. 2024-099

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN BERNARDINO, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE THE ASSIGNMENT AND CONSENT TO ASSIGNMENT LEASE AGREEMENT WITH WORLD SPORTS SOLUTIONS INTERNATIONAL, LLC, FOR 2500 PACIFIC STREET, SAN BERNARDINO, CALIFORNIA; ASSIGNING THE LEASE FROM SAN BERNARDINO SOCCER, LLC, TO WORLD SPORTS SOLUTIONS INTERNATIONAL, LLC

WHEREAS, City and Assignor have entered into the 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 incorporated herein by this reference; and

WHEREAS, Assignor now desires to assign to Assignee all of its rights, duties, and obligations in, to, and under the Agreement (“Assignment”); and

WHEREAS, Pursuant to Section 25 of the Agreement, an assignment shall not be operative except upon the written consent of the City and any attempted assignment without such consent shall be invalid and void; and

WHEREAS, Assignor and Assignee desire to obtain City’s consent to the Assignment and City is willing to consent to the Assignment on the following terms and conditions.

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

SECTION 1. Intent to Reassign. The Mayor and City Council hereby declares that it proposes and intends to conduct proceedings for the reassignment of the lease from San Bernardino Soccer, LLC to World Sports Solutions International, LLC described in Exhibit B attached hereto. The Mayor and City Council determines that the business convenience and necessity require that such lease be reassigned to the World Sports Solutions International, LLC.

SECTION 2. Name of the Assignment Agreement. The name of the existing assignment agreement is known as “San Bernardino Soccer, LLC (Lease Agreement)”.

SECTION 3. Name of the New Assignment Agreement. The name of the new assignment agreement is known as “World Sports Solutions International, LLC (Lease Assignment Agreement)”.

SECTION 4. Description of Agreement – Representations and Warranties. Assignor and Assignee jointly represent and warrant to the City: That Assignee is an organization in good

standing and validity existing under the laws of the State of California. That the execution, delivery and performance of the Agreement by Assignee have been duly authorized.

SECTION 5. 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. City shall have the same rights and remedies as against Assignor with the same force and effect as though every such duty, obligation, responsibility, right or remedy were set forth herein in full.

SECTION 6. References. All references and meaning assigned to the term “Lessee” in the Agreement shall be understood to mean Assignee and shall include all of the corresponding rights, obligations and benefits thereof as provided by this covenant.

SECTION 7. 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 8. 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 10. 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 15th day of May 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. 2024-099, adopted at a regular meeting held on the 15th day of May 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 15 day of May 2024.

Genoveva Rocha, CMC, City Clerk