

## RESOLUTION NO. 2026-080

### RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FONTANA, CALIFORNIA, APPROVING AMENDMENTS TO THE NAMING RIGHTS AGREEMENT AND APPROVING THE ADDITION OF A MERCHANDISING ADDENDUM BETWEEN THE CITY OF FONTANA AND RED HEAD INC.

**WHEREAS**, on September 30, 2022, the City of Fontana ("City") entered into a Naming Rights Amendment with Red Head Inc. ("Company") concerning naming rights associated with the Stage Red Venue, in the City of Fontana; and

**WHEREAS**, on December 5, 2023, Company submitted to the United States Patent and Trademark Office an application to register the mark "STAGE RED" (the "Trademark"), and the Trademark has since been approved and duly registered; and

**WHEREAS**, Company is the owner of all right, title, and interest in and to the Trademark and desires to assign, transfer, and convey to City all of Company's right, title and interest therein; and

**WHEREAS**, Company desires to assign, transfer, and convey to City all of Company's right, title, and interest in and to the Trademark, and City desires to accept such assignment; and

**WHEREAS**, City has agreed to grant Company a license to use the Trademark; and

**WHEREAS**, the parties wish to amend the Agreement to reflect the foregoing assignment and license arrangements, and further to expand the scope of the Agreement to include the development, production, marketing, distribution and sale of merchandise bearing either or both (i) the intellectual property "SAMMY HAGAR," which is the subject of the Agreement, (ii) the Trademark, and (iii) such other City intellectual property as described therein.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Fontana, California, as follows:

**Section 1. Recitals.** The above recitals are true, correct and by this reference incorporated herein.

**Section 2. CEQA.** The City Council of the City of Fontana finds that approval of the Amendment to the Naming Rights Agreement and the Merchandising Addendum is not a project subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378 because the action involves the approval of contractual agreements that will not result in a direct or reasonably foreseeable indirect physical change in the environment.

**Section 3. Amendment to Naming Rights Agreement.** The City Council of the City of Fontana hereby approves the Amendment to the Naming Rights Agreement between the City and the Company, substantially in the form attached hereto as Exhibit A.

**Section 4. Merchandising Addendum.** The City Council of the City of Fontana hereby approves the Merchandising Addendum to the Naming Rights Agreement between the City and the Company, substantially in the form attached hereto as Exhibit B.

**Section 5. Authority.** The City Manager, or designee, is hereby authorized to enter into the Amendment, Merchandising Addendum, and any related documents necessary to implement the agreements.

**Section 6. Effective Date.** This Resolution shall become effective immediately upon its adoption.

**Section 7. Severability.** If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The City Council declares that it would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.

**Section 8. Certification.** The City Clerk shall certify to the adoption of this Resolution.

**Section 9. Custodian of Records.** The documents and materials that constitute the record of proceedings on which this Resolution is based are located at the City Clerk's office located at 16860 Valencia Avenue, Fontana, CA 92335. The custodian of records is the City Clerk.

**APPROVED AND ADOPTED** this day of 11<sup>th</sup> day of August, 2026.

**READ AND APPROVED AS TO LEGAL FORM:**

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City Attorney

I, Germaine Key, City Clerk of the City of Fontana, and Ex-Officio Clerk of the City Council of the City of Fontana, hereby certify that the foregoing Resolution is the actual resolution that was duly and regularly adopted by the City Council of the City of Fontana at a regular meeting on the 11<sup>th</sup> day of August, 2026, by the following vote, to wit:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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City Clerk of the City of Fontana

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Mayor of the City of Fontana

**ATTEST:**

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City Clerk of the City of Fontana