

1 FIRST AMENDMENT TO THE AMENDED AND RESTATED  
2 MEMORANDUM OF UNDERSTANDING BETWEEN  
3 THE COUNTY OF FRESNO AND THE CITY OF KERMAN  
4

5 This First Amendment to the Amended and Restated Memorandum of Understanding  
6 (“First Amendment”), executed on this 22nd day of September, 2020, (the “Effective  
7 Date”), by and between the County of Fresno, a political subdivision of the State of California  
8 (hereinafter referred to as “County”) and the City of Kerman, a municipal corporation of the  
9 State of California (hereinafter referred to as “City”). County and City are each a “Party” to this  
10 First Amendment and are sometimes collectively referred to as “the Parties” to this First  
11 Amendment.

12 RECITALS:

13 WHEREAS, the Parties previously entered into a comprehensive agreement covering  
14 development, annexations, sales taxes, property taxes, redevelopment and other matters,  
15 which is entitled “Amended and Restated Memorandum of Understanding Between the County  
16 of Fresno, the City of Kerman, and the Kerman Redevelopment Agency,” dated May 02, 2006,  
17 (hereinafter “MOU”); and

18 WHEREAS, as of February 1, 2012, the Kerman Redevelopment Agency (“KRA”)  
19 automatically dissolved pursuant to ABx1 26, any remaining functions of the KRA were  
20 assumed by the City of Kerman acting as the Successor Agency;

21 WHEREAS, it has become apparent to the Parties that a First Amendment to the MOU  
22 is necessary and desirable to accommodate annexation and development of a city owned and  
23 operated recreational park currently located outside of City’s Sphere of Influence (SOI); and

24 WHEREAS, the City has notified the County of its desire to expand its SOI to include  
25 approximately 17.81 acres of unincorporated areas generally located at the northeast corner of  
26 the intersection of South Goldenrod and West California Avenues (collectively, the “SOI  
27 Expansion”); and  
28

1 WHEREAS, the City has determined that the area proposed for expansion includes  
2 critical public land uses that would provide for orderly growth that ensures services are  
3 available and a high quality of life for both current County residents and future City residents;  
4 and

5 WHEREAS, the County concurs that the proposed SOI Expansion would positively  
6 contribute to the unification of logical urban growth and efficient delivery of urban services  
7 within the City and the City's SOI; and

8 WHEREAS, the Parties recognize that this First Amendment to the MOU is necessary  
9 to accommodate the proposed expansion of the City's SOI.

10 NOW, THEREFORE, County and City hereby agrees to amend the MOU as  
11 follows:

12 **FIRST AMENDMENT TO MOU**

13 The MOU is amended as follows:

- 14 1. "Revised Exhibit 3" attached hereto and incorporated herein by this reference,  
15 shall replace "Exhibit 3" to the MOU as of the Effective Date of this First  
16 Amendment.
- 17 2. Unless expressly modified by the terms of this First Amendment, all other terms  
18 of the MOU remain in full force and effect.

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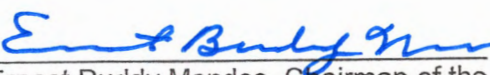
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IN WITNESS WHEREOF, the Parties hereto have executed this First Amendment, on  
the date set forth above.

COUNTY OF FRESNO, a Political  
Subdivision of the State of California


CITY OF KERMAN, a Municipal  
Corporation of the State of California

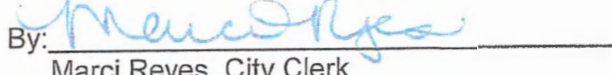
By:   
Ernest Buddy Mendes, Chairman of the  
Board of Supervisors, of the County of  
Fresno

By:   
Mayor, City of Kerman

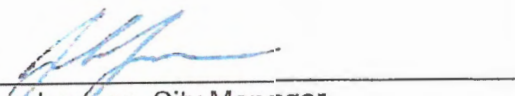
ATTEST:  
Bernice E. Seidel  
Clerk to the Board of Supervisors

ATTEST:  
Marci Reyes  
City Clerk, City of Kerman

By:   
Deputy

By:   
Marci Reyes, City Clerk

REVIEWED AND RECOMMENDED FOR  
APPROVAL:

By:   
John Jansons, City Manager

APPROVED AS TO LEGAL FORM:  
Montoy Law Corporation

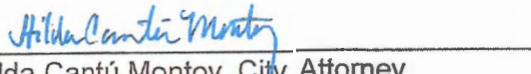
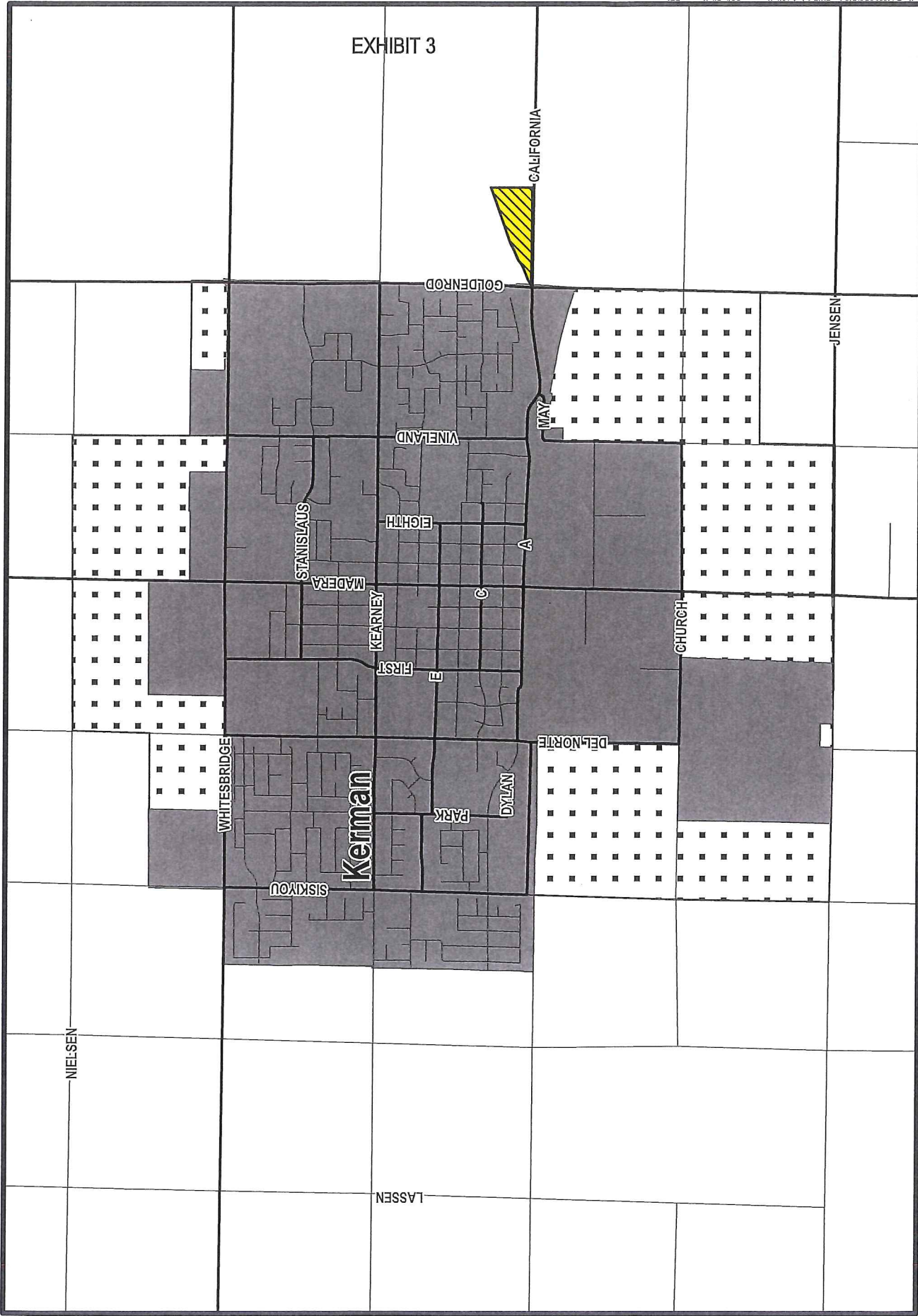
By:   
Hilda Cantú Montoy, City Attorney

EXHIBIT 3



Legend:

- Kerman Sphere of Influence (Dark Gray)
- Kerman City Limits (Black Outline)
- New Growth Area (Yellow Hatched)

Scale: 1" = 2,277'

# City of Kerman Sphere of Influence and New Growth Area

