

**FOURTH AMENDMENT TO FIRST AMENDED  
JOINT POWERS AGREEMENT CREATING  
THE FIVE CITIES ECONOMIC DEVELOPMENT AUTHORITY**

**RECITALS**

WHEREAS, the Cities of Fowler, Parlier, Reedley, Sanger and Selma entered into that certain First Amended Joint Powers Agreement creating the Five Cities Economic Development Authority (the "Agreement"); and

WHEREAS, the County of Fresno ( "County") was added as a Member Agency of the Authority effective November 16, 2004, the City of Kingsburg was added as a Member Agency of the Authority effective December 5, 2006 and the City of Orange Cove was added as a Member of the Authority effective September 27, 2010; and

WHEREAS, the City of Selma, by the authority of it City Council at a regular meeting, relinquished membership to the Five Cities Joint Powers Economic Development Authority effective April 20, 2015, but thereafter approved membership at a regular meeting effective June 5, 2017; and

WHEREAS, the purpose of the Agreement is to permit each Member Agency that is a party to the Agreement to join together with other Member Agencies, under the Joint Powers Law, to create the Authority, as a public entity, separate and apart from the parties to the Agreement; and

WHEREAS, the purposes of the Authority are to provide staff resources, personnel and expertise to assist the local Member Agencies of the Authority, develop local economic development resources, establish cooperative relationships to pursue legislation, seek funding, plan the allocation of resources, and implement the Regional Economic Development Program and strategies for the benefit of the citizens and economies of the Member Agencies of the Authority; and

WHEREAS, the Member Agencies of the Authority have determined that, in order to further broaden the economic development efforts of the Authority, it is desirable to include the City of Selma as a full-voting Member Agency of the Authority and to become a party to the Agreement; and

WHEREAS, Article 21 of the Agreement permits a majority of the Board of the Member Agencies of the Authority to later add the City of Selma as a Member Agency of the Authority and as a signatory to the Agreement; and

WHEREAS ; Article 26 of the Agreement permits a majority of the Member Agencies of the Authority to agree to such addition of the City of Selma by way of an amendment to the Agreement; and

WHEREAS, the Member Agencies approving this Fourth Amendment to the Agreement (the "Fourth Amendment"), and the City of Selma, authorize this Fourth Amendment in order to carry out all such purposes recited above.

NOW, THEREFORE, for and in consideration of all the mutual benefits, covenants, and agreements contained herein, the parties hereto agree to amend the Agreement as follows:

1. Capitalized terms in this Fourth Amendment shall have the same definition thereof as provided in the Agreement, unless otherwise stated in this Fourth Amendment.
2. The last sentence of the second paragraph of page 1 of the Agreement shall be amended and restated as follows:  
"The Member Agencies shall be the local public entities listed in Exhibit 'A-2,' attached hereto and incorporated herein."
3. Exhibit "A-2" replacing original Exhibit "A" is attached to this Fourth Amendment and incorporated herein by reference.
4. Each party to this Fourth Amendment certifies that it intends to, and does, contract with all other parties which are signatory to this Fourth Amendment. Each party to this Fourth Amendment agrees that the addition of the City of Selma (hereinafter, the "City") as a Member Agency is in compliance with all applicable requirements of the Joint Powers Law, the Agreement, and the requirements of the Board, and that the date of admission of the City as a Member Agency to the Authority shall be on the date decided by a majority of the Members of the Board executing this Fourth Amendment. Upon such admission date, the City's membership as a Member of the Authority shall be confirmed.

5. The City's execution of this Fourth Amendment also shall be deemed to be an execution of the Agreement, as further amended by this Fourth Amendment. The foregoing provisions of this Fourth Agreement constitute the full and complete agreement of the parties with respect to the matters set forth in this Fourth Amendment. Except as otherwise amended herein, the Agreement, the First, Second and Third Amendments shall continue in full force and effect and in accordance with their terms and conditions.
6. The Secretary of the Board shall file a copy of this Fourth Amendment, and notice of the execution of this Fourth Amendment, with the Office of the California Secretary of State within thirty (30) days of the effective date of the Fourth Amendment, as required by California Government Code section 6503.5.

IN WITNESS WHEREOF, the parties hereto have executed this Fourth Amendment by their duly authorized officers.

COUNTY OF FRESNO

Dated: 8-8-17

By: 

Brian Pacheco, Chairman

REVIEWED AND RECOMMENDED  
FOR APPROVAL

Jean-Rousseau, County Administrative Officer

By: 

REVIEWED AS TO LEGAL FORM:  
Daniel C. Cederborg, County Counsel

By: 

ATTEST:

BERNICE E. SEIDEL, Clerk  
Board of Supervisors

By: 

Deputy

ATTEST:

Bernice E. Seidel  
Clerk to the Board of Supervisors

By: \_\_\_\_\_

CITY OF FOWLER

Dated: \_\_\_\_\_ By: \_\_\_\_\_  
David Cardenas, Mayor

ATTEST:

\_\_\_\_\_  
Jeannie David, City Clerk

CITY OF KINGSBURG

Dated: \_\_\_\_\_ By: \_\_\_\_\_  
Michelle Roman, Mayor

ATTEST:

\_\_\_\_\_  
Abigail Palsgaard, City Clerk


CITY OF ORANGE COVE

Dated: \_\_\_\_\_ By: \_\_\_\_\_  
Victor Lopez, Mayor


ATTEST:

\_\_\_\_\_  
June V. Lopez-Bracamontes, City Clerk

CITY OF PARLIER

Dated: 9/7/17 By:   
Alma M. Beltran, Mayor

ATTEST:

  
\_\_\_\_\_  
Dorothy Garza, City Clerk

CITY OF REEDLEY

Dated: \_\_\_\_\_ By: \_\_\_\_\_  
Anita Betancourt, Mayor

ATTEST:

\_\_\_\_\_  
Sylvia Plata, City Clerk

CITY OF SANGER

Dated: \_\_\_\_\_ By: \_\_\_\_\_  
Frank Gonzalez, Mayor

ATTEST:

\_\_\_\_\_  
Becky Hernandez, City Clerk

CITY OF SELMA

Dated: \_\_\_\_\_ By: \_\_\_\_\_  
Michael Derr, Mayor

ATTEST:

\_\_\_\_\_  
Reyna Rivera, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Neal Costanzo, City Attorney

\_\_\_\_\_  
Dorothy Garza, City Clerk

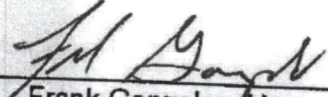
CITY OF REEDLEY

Dated: \_\_\_\_\_ By: \_\_\_\_\_  
Anita Betancourt, Mayor

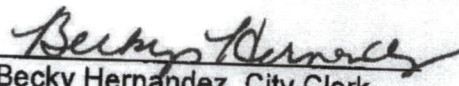
ATTEST:

\_\_\_\_\_  
Sylvia Plata, City Clerk

CITY OF SANGER

Dated: 31 Aug 2017 By:   
Frank Gonzalez, Mayor

ATTEST:

  
Becky Hernandez, City Clerk

CITY OF SELMA

Dated: \_\_\_\_\_ By: \_\_\_\_\_  
Michael Derr, Mayor

ATTEST:

\_\_\_\_\_  
Reyna Rivera, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Neal Costanzo, City Attorney

By: \_\_\_\_\_

CITY OF FOWLER

Dated: 9/5/17

By: \_\_\_\_\_

David Cardenas  
David Cardenas, Mayor

ATTEST:

Jeannie Davis  
Jeannie Davis, City Clerk

CITY OF KINGSBURG

Dated: \_\_\_\_\_

By: \_\_\_\_\_

Michelle Roman  
Michelle Roman, Mayor

ATTEST:

\_\_\_\_\_  
Abigail Palsgaard, City Clerk

CITY OF ORANGE COVE

Dated: \_\_\_\_\_

By: \_\_\_\_\_

Victor Lopez  
Victor Lopez, Mayor

ATTEST:

\_\_\_\_\_  
June V. Lopez-Bracamontes, City Clerk

CITY OF PARLIER

Dated: \_\_\_\_\_

By: \_\_\_\_\_

Armando Lopez  
Armando Lopez, Mayor

ATTEST:

By: \_\_\_\_\_

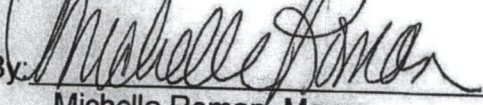
CITY OF FOWLER

Dated: \_\_\_\_\_ By: \_\_\_\_\_  
David Cardenas, Mayor

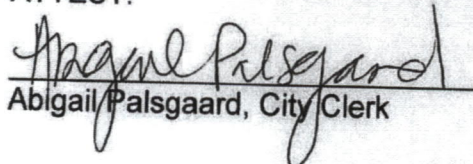
ATTEST:

\_\_\_\_\_  
Jeannie David, City Clerk

CITY OF KINGSBURG

Dated: 9/12/2017 By:   
Michelle Roman, Mayor

ATTEST:

  
Abigail Palsgaard, City Clerk

CITY OF ORANGE COVE

Dated: \_\_\_\_\_ By: \_\_\_\_\_  
Victor Lopez, Mayor

ATTEST:

\_\_\_\_\_  
June V. Lopez-Bracamontes, City Clerk

CITY OF PARLIER

Dated: \_\_\_\_\_ By: \_\_\_\_\_  
Armando Lopez, Mayor

ATTEST:

By: \_\_\_\_\_

CITY OF FOWLER

Dated: \_\_\_\_\_ By: \_\_\_\_\_  
David Cardenas, Mayor

ATTEST:

\_\_\_\_\_  
Jeannie David, City Clerk

CITY OF KINGSBURG

Dated: \_\_\_\_\_ By: \_\_\_\_\_  
Michelle Roman, Mayor

ATTEST:

\_\_\_\_\_  
Abigail Palsgaard, City Clerk

CITY OF ORANGE COVE

Dated: 8-23-17 By: \_\_\_\_\_  
Victor Lopez, Mayor

ATTEST:

\_\_\_\_\_  
June V. Lopez-Bracamontes, City Clerk

CITY OF PARLIER

Dated: \_\_\_\_\_ By: \_\_\_\_\_  
Armando Lopez, Mayor

ATTEST:

Dorothy Garza, City Clerk

CITY OF REEDLEY

Dated: August 22, 2017 By: Anita Betancourt  
Anita Betancourt, Mayor

ATTEST:

Sylvia Plata  
Sylvia Plata, City Clerk

CITY OF SANGER

Dated: \_\_\_\_\_ By: \_\_\_\_\_  
Frank Gonzalez, Mayor

ATTEST:

Becky Hernandez, City Clerk

CITY OF SELMA

Dated: \_\_\_\_\_ By: \_\_\_\_\_  
Michael Derr, Mayor

ATTEST:

Reyna Rivera, City Clerk

APPROVED AS TO FORM:

Neal Costanzo, City Attorney

\_\_\_\_\_  
Dorothy Garza, City Clerk

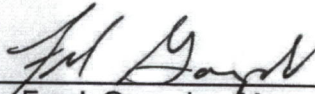
CITY OF REEDLEY

Dated: \_\_\_\_\_ By: \_\_\_\_\_  
Anita Betancourt, Mayor

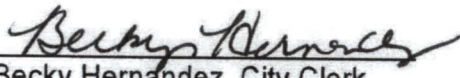
ATTEST:

\_\_\_\_\_  
Sylvia Plata, City Clerk

CITY OF SANGER

Dated: 31 Aug 2017 By:   
Frank Gonzalez, Mayor

ATTEST:

  
Becky Hernandez, City Clerk

CITY OF SELMA

Dated: \_\_\_\_\_ By: \_\_\_\_\_  
Michael Derr, Mayor

ATTEST:

\_\_\_\_\_  
Reyna Rivera, City Clerk


APPROVED AS TO FORM:

\_\_\_\_\_  
Neal Costanzo, City Attorney

CITY OF SELMA

Dated: August 8, 2017

By

  
Michael Derr, Mayor

ATTEST:

  
Reyna Rivera, City Clerk

APPROVED AS TO FORM:

/s/ Neal Costanzo  
Neal Costanzo, City Attorney

**MEMBER AGENCIES OF THE  
FIVE CITIES ECONOMIC DEVELOPMENT AUTHORITY**

City of Fowler  
128 South Fifth Street  
Fowler, CA 93625

City of Kingsburg  
1401 Draper Street  
Kingsburg, CA 93631

City of Orange Cove  
633 Sixth Street  
Orange Cove, CA 93646

City of Parlier  
1100 East Parlier Avenue  
Parlier, CA 93648

City of Reedley  
1717 Ninth Street  
Reedley, CA 93654

City of Sanger  
1700 Seventh Street  
Sanger, CA 93657

City of Selma  
1710 Tucker Street  
Selma, CA 93662

County of Fresno  
2200 Tulare Street, Room 304  
Fresno, CA 93721

**FIVE CITIES ECONOMIC DEVELOPMENT AUTHORITY**  
**Resolution No. 2017-2**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
FIVE CITIES ECONOMIC DEVELOPMENT AUTHORITY  
AUTHORIZING THE ACCEPTANCE OF THE CITY OF SELMA  
AS A MEMBER**

WHEREAS, the Cities of Fowler, Parlier, Reedley, Sanger and Selma entered into that certain Amended Joint Powers Agreement creating the Five Cities Economic Development Authority (the "Agreement"); and

WHEREAS, the County of Fresno (the "County") heretofore has been added as a Member of the Authority effective November 16, 2004 and the City of Kingsburg heretofore has been added as a Member of the Authority effective December 5, 2006 and the City of Orange Cove has been added as a Member of the Authority effective September 27, 2010; and

WHEREAS, the City of Selma, by the authority of the City Council at a regular meeting, relinquished membership to the Five Cities Joint Powers Economic Development Authority effective April 20, 2015 and has hereby approved membership at a regular meeting effective June 5, 2017; hereby directed to execute an Amendment to the Joint Powers Agreement; and

WHEREAS, Article 21 of the Agreement permits a majority of the Board of the Member Agencies of the Authority to later add the City of Selma as a Member Agency of the Authority and as a signatory to the Agreement; and

WHEREAS, Article 26 of the Agreement permits a majority of the Member Agencies of the Authority and the County to agree to such addition of the City of Selma by way of an Amendment to the Agreement; and

WHEREAS, the Member Agencies have approved this Fourth Amendment to the Agreement (the "Third Amendment") and the City of Selma, authorize this Fourth Amendment.

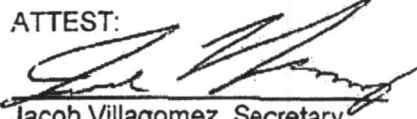
NOW, THEREFORE, BE IT RESOLVED, that in consideration of all the mutual benefits, covenants, and agreements contained herein, the City of Selma is a duly authorized member with all rights and privileges thereof.

**CERTIFICATION**

I do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly approved at a meeting of the Five Cities Economic Development Authority held on June 26, 2017 by the following vote to wit:

AYES:	BOARD MEMBERS: 5
NOES:	BOARD MEMBERS: 0
ABSTAIN:	BOARD MEMBERS: 0
ABSENT:	BOARD MEMBERS: 0

  
Buddy Mendes, Chair  
Five Cities Economic Development Authority

ATTEST:  
  
Jacob Villagomez, Secretary



## REEDLEY CITY COUNCIL

- ☒ Consent
- ☐ Regular Item
- ☐ Workshop
- ☐ Closed Session
- ☐ Public Hearing

ITEM NO: 4

DATE: August 22, 2017

TITLE: APPROVE THE FOURTH AMENDMENT TO THE FIRST AMENDED JOINT POWERS AGREEMENT CREATING THE FIVE CITIES ECONOMIC DEVELOPMENT AUTHORITY

APPROVED: Nicole R. Zieba  
City Manager

### RECOMMENDATION

Approve the Fourth Amendment to the First Amended Joint Powers Agreement Creating the 5 Cities Economic Development Authority.

### BACKGROUND

The City of Reedley is a member agency of the 5 Cities Economic Development Authority. In April, 2015, Selma removed itself as a member agency of the Authority. It now desires to rejoin the Authority as a full member. On June 26, 2017, the Board of Directors of the Authority unanimously approved a resolution accepting Selma as a member. As part of the process to fully authorize Selma as a member, each City Council is required to approve an amendment to the Joint Powers Agreement that confirms its acceptance of Selma as a new (returning) member. Therefore, the Reedley City Council is being asked to approve the attached Amendment.

### FISCAL IMPACT

There is a beneficial fiscal impact associated with Selma rejoining the 5 Cities Economic Development Authority, as dues paid to the Authority is spread amongst the members. Based upon population. With the City of Selma rejoining the Authority, the City of Reedley's dues will be reduced by a prorata share with the other members.

### ATTACHMENTS:

1. Fourth Amendment to the First Amended Joint Powers Agreement Creating the Five Cities Economic Development Authority

2. Resolution No. 2017-2, A Resolution of the Board of Directors of the Five Cities Economic Development Authority Authorizing the Acceptance of the City of Selma as a Member

Motion: \_\_\_\_\_ Second: \_\_\_\_\_