

Gregorio Gomez, Mayor
Rosa Vasquez, Mayor Pro Tem
Paul Boyer, Council Member
Ruben Macareno, Council Member
Tina Hernandez, Council Member

**Farmersville City Council
Regular Meeting**

Monday, September 28, 2020 6:00 PM
Meeting held in Civic Center Council Chambers
– 909 W. Visalia Road Farmersville, California

**Pursuant to Governor Newsom’s Executive Order N-25-20,
the City of Farmersville will be allowing the public, staff, and City
Council to attend this meeting via Zoom Meeting.**

**Please dial 1-669-900-6833
Meeting ID: 999-4760-8064
Password: 589269**

- 1. Call to Order:**
- 2. Roll Call:**
- 3. Invocation:**
- 4. Pledge of Allegiance:**
- 5. Public Comment:**

Provides an opportunity for members of the public to address the City Council on items of interest to the public within the Council's jurisdiction and which are not already on the agenda this evening. It is the policy of the Council not to answer questions impromptu. Concerns or complaints will be referred to the City Manager's office. Speakers should limit their comments to not more than two (2) minutes. No more than twenty (20) total minutes will be allowed for Public Comment. For items which are on the agenda this evening, members of the public will be provided an opportunity to address the council as each item is brought up for discussion. Comments are to be addressed to the Council as a body and not to any individual Council Member.

- 6. Presentations:**
 - A. Introduction of Officer Javier Montoya and Officer Rachel Leboeuf**
- 7. Consent Agenda:**

Under a CONSENT AGENDA category, a recommended course of action for each item is made. Any Council Member or Member of the Public may remove any item from the CONSENT AGENDA in order to discuss and/or change the recommended course of action, and the Council can approve the remainder of the CONSENT AGENDA.

- A. Minutes of Regular City Council Meeting of September 14, 2020.**

Recommend approval of minutes.

Documents: Draft Action Minutes of September 14, 2020.

B. Direct the City's Voting Delegate to approve the one resolution presented in the League of California Cities 2020 Annual Conference Resolutions Packet.

Recommend that the City Council direct the City's Voting Delegate to approve the one resolution at the League of California Cities 2020 Annual Conference.

Documents: Annual Conference Resolutions Packet

C. Completion of the Farmersville Freedom Drive Crosswalk Improvements Project

Recommend that the City Council accept the Notice of Completion for the Farmersville Freedom Drive Crosswalk Improvements Project; the City Council authorize the City Engineer sign the Notice of Completion; and the City Clerk file the Notice of Completion with the County Clerk's office.

Documents: Notice of Completion Certificate

8. General Business

A. Public Hearing to request public input on proposed use of Supplemental Law Enforcement Services Funds (SLESF) and Consideration of Spending Plan Resolution

Recommend adoption of Resolution No. 2020-056 establishing a spending plan for 2020 Citizens Option for Public Safety (COPS) Supplemental Law Enforcement Funds (SLESF).

Documents: Resolution 2020-056

B. Finance Update: FY2020 – 4th Quarter

Informational item only.

Documents: Report

C. Second Amendment to the Fiscal Year 2020-21 Budget by Resolution 2020-059

Recommend that the City Council Adopt the Second Budget Amendment for Fiscal Year 2020-21 by Resolution 2020-059.

Documents: Resolution 2020-059

D. Review of Landscape & Park Maintenance Services

Recommend that the City Council review landscape and park maintenance services and provide direction to staff on short term plans including a revised budget.

Documents: 2010 and 2020 Department Comparison
Power Point Presentation

9. Council Reports

A. City Council Updates and Committee Reports

10. Staff Communications:

11. Future Agenda Items

12. Adjourn to Closed Session

A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Pursuant to Government Code Section 54956.9(d)(2) & (e)(3) – 1 potential case *[This involves the receipt of a claim pursuant to the Government Claims Act from a potential plaintiff threatening litigation]*

Documents: Claim

B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Property: 349 N. Farmersville Blvd.

Agency Negotiators: Jennifer Gomez and Michael Schulte

Negotiating Parties: Kenneth Durrett

Under Negotiation: Terms and Price

C. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code Section 54957(b)(1)

Title: City Manager

13. Reconvene to Open Session:

14. Adjournment:

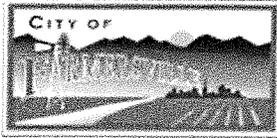
NOTICE TO PUBLIC

The City of Farmersville Civic Center and City Council Chambers comply with the provisions of the Americans with Disabilities Act (ADA). Anyone needing special assistance please contact City Hall at (559) 747-0458 please allow at least six (6) hours prior to the meeting so that staff may make arrangements to accommodate you.

Materials related to an item on this agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City's offices during normal business hours.

Drafted by: J. Gomez

Strong Roots.....Growing Possibilities



Gregorio Gomez, Mayor
Rosa Vasquez, Mayor Pro Tem
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Please dial 1-669-900-6833

Meeting ID: 930-5284-2144

Password: 332161

1. **Call to Order:** *6:00pm*
2. **Roll Call:** *Gomez, Vasquez, Boyer, Hernandez, Macareno (absent)*
3. **Invocation:** *Mayor Gomez*
4. **Pledge of Allegiance:** *Mayor Pro Tem Vasquez*
5. **Public Comment:**

Provides an opportunity for members of the public to address the City Council on items of interest to the public within the Council’s jurisdiction and which are not already on the agenda this evening. It is the policy of the Council not to answer questions impromptu. Concerns or complaints will be referred to the City Manager’s office. Speakers should limit their comments to not more than two (2) minutes. No more than twenty (20) total minutes will be allowed for Public Comment. For items which are on the agenda this evening, members of the public will be provided an opportunity to address the council as each item is brought up for discussion. Comments are to be addressed to the Council as a body and not to any individual Council Member.

Paul Saldana spoke about “Size Up Tulare County”.

6. Presentations:

A. Introduction of Officer Javier Montoya and Officer Rachel Leboeuf

Mario Krstic pulled from agenda.

B. Speed Humps, Bumps, Cushions, and Tables

Lisa Wallis-Durta from QK gave presentation.

7. Consent Agenda:

Under a CONSENT AGENDA category, a recommended course of action for each item is made. Any Council Member or Member of the Public may remove any item from the CONSENT AGENDA in order to discuss and/or change the recommended course of action, and the Council can approve the remainder of the CONSENT AGENDA.

A. Minutes of Regular City Council Meeting of August 24, 2020.

Recommend approval of minutes.

Documents: Draft Action Minutes of August 24, 2020.

B. Finance Update for August 2020: Warrant Register and Investment Summary

Recommend that the City Council:

1. Approve the Warrant Register as presented for the period. This reporting period represents warrants issued for the current Fiscal Year (2020/2021); and
2. Accept the Investment Summary as presented for the period. This reporting period represents investment summary for the previous month.

Documents: August 2020 Warrant Register
Investment Summary August 2020 (*available at meeting*)

C. Contract for Landscape Maintenance Services with Westscapes in the amount of \$27,300 annually.

Recommend that the City Council award the contract for Landscape Maintenance Services to Westscapes in the amount of \$27,300 annually.

Documents: Agreement with Westscapes

D. Authorize Request for Proposal for Construction Management Services for the Farmersville Blvd. Widening Project

Recommend that the City Council authorize staff to prepare and notice a Request for Proposal for Construction Management Services for the Farmersville Blvd. Widening Project.

E. Measure R Program Supplement to Cooperative Agreement with Tulare County Association of Governments (TCAG) for Construction Phase of the North Farmersville Blvd Widening Project

Recommend that the City Council adopt Resolution 2020-057 approving a Supplement to the Measure R Program Cooperative Agreement with

Tulare County Association of Governments (TCAG) to fund the Construction Phase of the North Farmersville Blvd Widening Project.

Documents: Resolution 2020-057
Measure R Program Supplement to Cooperative Agreement

Motion to approve items A thru E

Councilmember Boyer abstained from any warrants regarding Self Help Enterprises.

Result: Approved
Mover: Councilmember Boyer
Seconder: Mayor Pro Tem Vasquez
Ayes: Gomez, Vasquez, Hernandez, Boyer
Noes:
Abstain: Boyer from any warrants regarding Self Help Enterprises
Absent : Macareno

8. General Business

A. Designation of voting delegate and alternates for the League of California Cities Annual Conference

Recommend that the City Council designate a voting delegate and alternates for the League of California Cities Annual Conference, and authorize the City Clerk to complete and submit the Voting Delegate Form.

Documents: Correspondence

Mayor Gomez was selected as the voting delegate. Mayor Pro Tem Vasquez and Councilmember Hernandez are alternates.

Motion to approve.

Result: Approved
Mover: Councilmember Boyer
Seconder: Mayor Pro Tem Vasquez
Ayes: Gomez, Vasquez, Hernandez, Boyer
Noes:
Abstain:
Absent : Macareno

B. Review of March 20, 2020 Local Emergency Declaration

Recommend that the City Council review the March 20, 2020 Local Emergency Declaration and continue with said declaration as previously adopted by Resolution 2020-010 and Urgency Ordinance 501

Documents: Resolution 2020-010
Urgency Ordinance 501

City Manager Jennifer Gomez discussed Local Emergency Declaration, no changes were made.

C. Appointments of Greg Gomez and Danny Valdovinos to the Farmersville City Council

Recommend that the City Council adopt Resolution 2020-055 providing for the Appointment to the Offices of this City that were to be elected on Tuesday, November 3, 2020.

Documents: Resolution 2020-055

Mayor Gomez abstained from the vote due to being one of the appointed on the Resolution.

Motion to approve as presented.

Result: Approved Mover: Councilmember Boyer Seconder: Mayor Pro Tem Vasquez Ayes: Vasquez, Hernandez, Boyer Noes: Abstain: Mayor Gomez abstained due to being on Resolution Absent : Macareno

D. Farmersville 60th Anniversary Celebration

Recommend that the City Council discuss and provide direction to staff for a 60th Anniversary Celebration.

Council discussed. Going to wait until 2021 to celebrate due to COVID.

9. Council Reports

A. City Council Updates and Committee Reports

Boyer- Graffiti on Oakview would like Code Enforcement to go check on it. Glad that work is being done on Walnut. Three Rivers could be evacuated due to fires would like Police Chief to reach out to Red Cross to see if there is a way for Farmersville to help.

Gomez- Thanked Public Works for all the work done at RoundABOUTS. Thanked public for their patience during the work being done on Walnut.

10. Staff Communications:

Jennifer Gomez- Talked to City Planner regarding Downtown Specific Plan. Currently working with City Attorney regarding Measure Q, would like to send out an informational flyer. Has been talking to Gil from Tulare County Hispanic Chamber regarding drive thru Halloween Event. Recently gave out \$15 gift cards to Mexiburger to all staff as a thank you for all their hard work. City Manager and Erika Haro went out and offered 4 Farmersville residents \$100 gift cards for wearing masks. All a part of the "Masked Up Central Valley". City now owns 330 N Farmersville Blvd. and in the process to demo the property.

11. Future Agenda Items

1. Discuss landscape and park maintenance – Sept. 28

12. Adjourn To Closed Session

Mayor Gomez adjourned to closed session at 7:01pm

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
Pursuant to Government Code Section 54956.9(d)(2) & (e)(3) – 1 potential case [This involves the receipt of a claim pursuant to the Government Claims Act from a potential plaintiff threatening litigation]

Documents: Claim

13. Reconvene to Open Session:

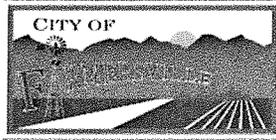
Mayor Gomez reconvened at 7:17pm and had nothing to report.

14. Adjournment:

Mayor Gomez adjourned the meeting at 7:17pm.

Respectfully submitted,

Rochelle Giovani
City Clerk



City Council

Staff Report 7B

TO: Honorable Mayor and City Council

FROM: Jennifer Gomez, City Manager

DATE: September 28, 2020

SUBJECT: Direct the City's Voting Delegate to approve the one resolution presented in the League of California Cities 2020 Annual Conference Resolutions Packet

RECOMMENDED ACTION:

Recommend that the Council direct the City's Voting Delegate to approve the one resolution at the League of California Cities 2020 Annual Conference.

BACKGROUND and DISCUSSION:

The League's 2020 Annual Conference is scheduled for October 7-9 and will be held virtually. An important part of the conference is the Annual Business Meeting scheduled for 11:00 a.m. on Friday, October 9. At this meeting, the League membership considers and takes action on resolutions that establish League policy.

The League sent out the resolutions packet to be reviewed by each of the members' cities. The resolution to be considered is as follows:

1. Resolution Calling for an Amendment of Section 230 of the Communications Decency Act of 1996 to Require Social Media Companies to Remove Materials Which Promote Criminal Activities

ATTACHMENT(S):

Annual Conference Resolutions Packet



*Annual Conference
Resolutions Packet*

2020 Annual Conference Resolutions



October 7 – 9, 2020

INFORMATION AND PROCEDURES

RESOLUTIONS CONTAINED IN THIS PACKET: The League bylaws provide that resolutions shall be referred by the president to an appropriate policy committee for review and recommendation. Resolutions with committee recommendations shall then be considered by the General Resolutions Committee at the Annual Conference.

This year, one resolution has been introduced for consideration at the Annual Conference and referred to League policy committees.

POLICY COMMITTEES: Two policy committees will meet virtually at the Annual Conference to consider and take action on the resolution referred to them. The committees are: Governance, Transparency & Labor Relations and Public Safety. These committees will meet virtually on Tuesday, September 29, with the Governance, Transparency and Labor Relations Policy Committee meeting from 9:30 – 11:30 a.m. and the Public Safety Policy Committee meeting from 1:00 – 3:00 p.m. The sponsor of the resolution has been notified of the time and location of the meeting.

GENERAL RESOLUTIONS COMMITTEE: This committee will meet virtually at 1:00 p.m. on Thursday, October 8, to consider the reports of the policy committees regarding the resolutions. This committee includes one representative from each of the League's regional divisions, functional departments and standing policy committees, as well as other individuals appointed by the League president.

GENERAL ASSEMBLY: This meeting will be held virtually at 11:00 a.m. on Friday, October 9.

PETITIONED RESOLUTIONS: For those issues that develop after the normal 60-day deadline, a resolution may be introduced at the Annual Conference with a petition signed by designated voting delegates of 10 percent of all member cities (48 valid signatures required) and presented to the Voting Delegates Desk at least 24 hours prior to the time set for convening the Annual Business Meeting of the General Assembly. This year, that deadline is 12:30 p.m., Thursday, October 8.

Any questions concerning the resolutions procedures may be directed to Meg Desmond at the League office: mdesmond@cacities.org or (916) 658-8224

GUIDELINES FOR ANNUAL CONFERENCE RESOLUTIONS

Policy development is a vital and ongoing process within the League. The principal means for deciding policy on the important issues facing cities is through the League's seven standing policy committees and the board of directors. The process allows for timely consideration of issues in a changing environment and assures city officials the opportunity to both initiate and influence policy decisions.

Annual conference resolutions constitute an additional way to develop League policy. Resolutions should adhere to the following criteria.

Guidelines for Annual Conference Resolutions

1. Only issues that have a direct bearing on municipal affairs should be considered or adopted at the Annual Conference.
2. The issue is not of a purely local or regional concern.
3. The recommended policy should not simply restate existing League policy.
4. The resolution should be directed at achieving one of the following objectives:
 - (a) Focus public or media attention on an issue of major importance to cities.
 - (b) Establish a new direction for League policy by establishing general principals around which more detailed policies may be developed by policy committees and the board of directors.
 - (c) Consider important issues not adequately addressed by the policy committees and board of directors.
 - (d) Amend the League bylaws (requires 2/3 vote at General Assembly).

KEY TO ACTIONS TAKEN ON RESOLUTIONS

Resolutions have been grouped by policy committees to which they have been assigned.

Number	Key Word Index	Reviewing Body Action		
		1	2	3

1 - Policy Committee Recommendation to General Resolutions Committee
 2 - General Resolutions Committee
 3 - General Assembly

GOVERNANCE, TRANSPARENCY & LABOR RELATIONS POLICY COMMITTEE

		1	2	3
1	Amendment to Section 230 of The Communications Decency Act of 1996			

PUBLIC SAFETY POLICY COMMITTEE

		1	2	3
1	Amendment to Section 230 of The Communications Decency Act of 1996			

KEY TO ACTIONS TAKEN ON RESOLUTIONS *(Continued)*

Resolutions have been grouped by policy committees to which they have been assigned.

KEY TO REVIEWING BODIES

1. Policy Committee
2. General Resolutions Committee
3. General Assembly

KEY TO ACTIONS TAKEN

- | | |
|---|---|
| A | Approve |
| D | Disapprove |
| N | No Action |
| R | Refer to appropriate policy committee for study |

ACTION FOOTNOTES

- | | | |
|--|-----|---|
| * Subject matter covered in another resolution | Aa | Approve as amended+ |
| ** Existing League policy | Aaa | Approve with additional amendment(s)+ |
| *** Local authority presently exists | Ra | Refer as amended to appropriate policy committee for study+ |
| | Raa | Additional amendments and refer+ |
| | Da | Amend (for clarity or brevity) and Disapprove+ |
| | Na | Amend (for clarity or brevity) and take No Action+ |
| | W | Withdrawn by Sponsor |

Procedural Note:

The League of California Cities resolution process at the Annual Conference is guided by the League Bylaws. A helpful explanation of this process can be found on the League's website by clicking on this link: [Resolution Process](#).

1. A RESOLUTION OF THE GENERAL ASSEMBLY OF THE LEAGUE OF CALIFORNIA CITIES CALLING FOR AN AMENDMENT OF SECTION 230 OF THE COMMUNICATIONS DECENCY ACT OF 1996 TO REQUIRE SOCIAL MEDIA COMPANIES TO REMOVE MATERIALS WHICH PROMOTE CRIMINAL ACTIVITIES

Source: City of Cerritos

Concurrence of five or more cities/city officials

Cities: City of Hawaiian Gardens, City of Lakewood, City of Ontario, City of Rancho Cucamonga, City of Roseville

Referred to: Governance, Transparency and Labor Relations and Public Safety Policy Committees

WHEREAS, local law enforcement agencies seek to protect their communities' residents, businesses, and property owners from crime; and

WHEREAS, increasingly, criminals use social media platforms to post notices of places, dates and times for their followers to meet to commit crimes; and

WHEREAS, Section 230 of the Communications Decency Act of 1996 currently provides online platforms (including social media platforms) immunity from civil liability based on third-party content and for the removal of content; and

WHEREAS, in the 25 years since Section 230's enactment, online platforms no longer function simply as forums for the posting of third-party content but rather use sophisticated algorithms to promote content and to connect users; and

WHEREAS, the United States Department of Justice, in its June 2020 report, "Section 230 — Nurturing Innovation or Fostering Unaccountability?," concluded the expansive interpretation courts have given Section 230 has left online platforms immune from a wide array of illicit activity on their services, with little transparency or accountability, noting it "makes little sense" to immunize from civil liability an online platform that purposefully facilitates or solicits third-party content or activity that violates federal criminal law; and

WHEREAS, current court precedent interpreting Section 230 also precludes state and local jurisdictions from enforcing criminal laws against such online platforms that, while not actually performing unlawful activities, facilitate them; and

WHEREAS, amendment of Section 230 is necessary to clarify that online platforms are not immune from civil liability for promoting criminal activities; and

NOW, THEREFORE, BE IT RESOLVED at the League General Assembly, assembled at the League Annual Conference on October 9, 2020 in Long Beach, California, that the League calls upon the U.S. Congress to amend Section 230 of the Communications Decency Act of 1996 to condition immunity from civil liability on the following:

1. Online platforms must establish and implement a reasonable program to identify and take down content which solicits criminal activity; and
2. Online platforms must provide to law enforcement information which will assist in the identification and apprehension of persons who use the services of the platform to solicit and to engage in criminal activity; and
3. An online platform that willfully or negligently fails in either of these duties is not immune from enforcement of state and local laws which impose criminal or civil liability for such failure.

Background Information to Resolution

Source: City of Cerritos

Background:

Social media platforms are now used as a primary means of communication, including by criminals who use them to advertise locations, dates, and times where the criminal acts will take place. Such communications, because they occur online, render the online platform immune from any civil liability for the costs incurred by law enforcement agencies that respond under Section 230 of the Communications Decency Act of 1996. Immunity from civil liability extends even to injunctive relief, thus preventing local governments from merely seeking an injunction against the online platform to have such a post removed.

The City of Cerritos supports the rights of free speech and assembly guaranteed under the First Amendment, but believes cities should have the ability to hold social media companies liable for their role in promoting criminal acts. Recently, the City suffered thousands of dollars in damages to respond to online threats that the Cerritos Mall would be looted. Anonymous posts on Instagram.com invited followers to “work together to loot Cerritos [M]all” only several days after the Lakewood Mall had been looted, causing thousands of dollars in damages. The posts were made under the names “cerritosmalllooting” and “cantstopusall,” among others. The City of Cerritos had no choice but to initiate response to protect the Mall and the public from this credible threat.

At the same time local governments face historic shortfalls owing to the economic effects of COVID-19, the nation’s social media platforms are seeing a record rise in profits. The broad immunity provided by Section 230 is completely untenable. Online platforms should be held responsible—and liable—for the direct harm they facilitate. Local governments are in no position to bear the costs of the crimes facilitated by these companies alone.

Congress is currently reviewing antitrust legislation and by extension, Section 230’s immunity provisions. The League urges Congress to amend Section 230 to limit the immunity provided to online platforms when they promote criminal activity to provide local governments some measurable form of relief.

League of California Cities Staff Analysis on Resolution No. 1

Staff: Charles Harvey, Legislative Representative
Bijan Mehryar, Legislative Representative
Caroline Cirrincione, Policy Analyst
Johnnie Piña, Policy Analyst

Committees: Governance, Transparency and Labor Relations
Public Safety

Summary:

This resolution states that the League of California Cities should urge Congress to amend Section 230 of the federal Communications Decency Act of 1996 (CDA) to limit the immunity provided to online platforms where their forums enable criminal activity to be promoted.

Ultimately, the policy objectives proposed under this resolution, if enacted, would incentivize social media companies to establish and implement a reasonable program to identify and remove content that solicits criminal activity.

Background:

The City of Cerritos is sponsoring this resolution in reaction to events whereby persons, using social media platforms to coordinate locations, dates, and times for their planned criminal activity, have committed acts of looting and vandalism resulting in both actual economic harm for targeted businesses, and pecuniary loss to cities who used resources to prevent such acts from occurring when such plans are discovered.

For example, just days after the Lakewood Mall had been looted, the City of Cerritos uncovered online communications via social media that persons were planning to target the nearby Cerritos Mall. Consequently, the city felt compelled to undertake measures to protect the Cerritos Mall, costing the city thousands of dollars to guard against what officials believed to be a credible threat.

Staff Comments:

Overview:

While there is certainly an argument to substantiate concerns around censorship, the use of social media as a tool for organizing violence is equally disturbing.

Throughout much of the 2020 Summer, there have been many reports of looting happening across the country during what were otherwise mostly peaceful demonstrations. Combined with the speculation of who is really behind the looting and why, the mayhem has usurped the message of peaceful protestors, causing a great deal of property damage in the process. Likewise, these criminal actions have upended the livelihood of some small business owners, many of whom were already reeling in the wake of the COVID-19 pandemic.

While social media allows people to connect in real time with others all over the world, organized illegal activity using social media is made easier by the anonymous nature of virtual interactions.

Nation's Reaction to the Murder of George Floyd:

Shortly after the senseless killing of George Floyd by law enforcement on May 26, 2020, civil unrest began as local protests in the Minneapolis–Saint Paul metropolitan area of Minnesota before quickly spreading nationwide to more than 2,000 cities and towns across the United States, and in approximately 60 countries in support of the Black Lives Matter movement. Protests unfolded across the country throughout the entire month of June and into July, and persisted in a handful of cities such as Portland and Seattle into the month of August.

Although the majority of protests were peaceful, some demonstrations in cities escalated into riots, looting, and street skirmishes with police. While much of the nation's focus has been on addressing police misconduct, police brutality, and systemic racism, some have used demonstrators' peaceful protests on these topics as opportunities to loot and/or vandalize businesses, almost exclusively under the guise of the "Black Lives Matter" movement. It has been uncovered that these "flash robs"¹ were coordinated through the use of social media. The spontaneity and speed of the attacks enabled by social media make it challenging for the police to stop these criminal events as they are occurring, let alone prevent them from commencing altogether.

As these events started occurring across the country, investigators quickly began combing through Facebook, Twitter, and Instagram seeking to identify potentially violent extremists, looters, and vandals and finding ways to charge them after — and in some cases before — they sow chaos. While this technique has alarmed civil liberties advocates, who argue the strategy could negatively impact online speech, law enforcement officials claim it aligns with investigation strategies employed in the past.

Section 230 and other Constitutional Concerns

At its core, Section 230(c)(1) of the CDA provides immunity from liability for providers and users of an "interactive computer service" who publish information provided by third-party users. Essentially, this protects websites from lawsuits if a user posts something illegal, although there are exceptions for copyright violations, sex work-related material, and violations of federal criminal law.

Protections from Section 230 have come under more recent scrutiny on issues related to hate speech and ideological biases in relation to the influence technology companies can hold on political discussions.

Setting aside Section 230, there are some potential constitutional issues one could raise, should there be an attempt to implement such a resolution into statute.

¹ The "flash robs" phenomenon—where social media is used to organize groups of teens and young adults to quickly ransack and loot various retail stores—began to occur sporadically throughout the United States over the past ten years.

In the United States, the First Amendment prohibits the government from restricting most forms of speech, which would include many proposals to force tech companies to moderate content. While “illegal” types of speech enjoy limited or no First Amendment protection, the line for delineating between “legal” and “illegal” speech is very difficult to determine. Consequently, one would expect online platforms to push back on whether there is a constitutionally feasible way for them to “identify” protected speech versus unprotected speech, or whether there is a feasible way to define “content which solicits criminal activity.” A law requiring companies to moderate content based on the political viewpoint it expresses, for example, would likely be struck down as unconstitutional.

Nonetheless, private companies can create rules to restrict speech if they so choose. Online platforms sometimes argue they have constitutionally-protected First Amendment rights in their “editorial activity,” and therefore, it violates their constitutional rights to require them to monitor (i.e., “identify and take down”) content that may be protected under the First Amendment. They may also argue, along the same lines, that the government may not condition the granting of a privilege (i.e., immunity) on doing things that amount to a violation of their first amendment rights. This is why Facebook and Twitter ban hate speech and other verifiably false information, for example, even though such speech is permitted under the First Amendment.

With respect to privacy and the Fourth Amendment, online platforms may argue that requiring them to “provide to law enforcement information that will assist in the identification and apprehension of persons who use the services of the platform to solicit and to engage in criminal activity,” turns them into government actors that search users’ accounts without a warrant based on probable cause, in violation of the Fourth Amendment.

Industry Perspective

Unsurprisingly, industry stakeholders have strong opinions for what such changes could mean for their respective business models.

For instance, a Facebook spokesperson recently noted in a Fortune article that, “By exposing companies to potential liability for everything that billions of people around the world say, this would penalize companies that choose to allow controversial speech and encourage platforms to censor anything that might offend anyone.”

The article acknowledges that in recent years, both political parties have put social media companies under increased scrutiny, but they are not unified in their stated concerns. While Republicans accuse the companies of unfairly censoring their post, Democrats complain that these companies fail to do enough to block misinformation, violent content, and hate speech.

The article concludes that there is no way companies like Facebook and Twitter could operate without Section 230, and that the removal of this section would thereby “eliminate social media as we know it.”

Recent Federal Action on Social Media

The President recently issued an *Executive Order on Preventing Online Censorship*. In it, he notes the following:

“The growth of online platforms in recent years raises important questions about applying the ideals of the First Amendment to modern communications technology. Today, many Americans follow the news, stay in touch with friends and family, and share their views on current events through social media and other online platforms. As a result, these platforms function in many ways as a 21st century equivalent of the public square.

Twitter, Facebook, Instagram, and YouTube wield immense, if not unprecedented, power to shape the interpretation of public events; to censor, delete, or disappear information; and to control what people see or do not see.”

Ultimately the President implores the U.S. Attorney General to develop a proposal for federal legislation that “would be useful to promote the policy objectives of this order.” The President is not subtle in communicating his desire to ultimately see legislation heavily slanted toward the preservation of free speech on social media, which some interpret as a maneuver to preempt Twitter and Facebook from regulating speech they otherwise deem as hateful or demonstrably false.

Considerations for Congress

Courts have generally construed Section 230 to grant internet service providers broad immunity for hosting others’ content. Many have claimed that Section 230’s immunity provisions were critical to the development of the modern internet, and some continue to defend Section 230’s broad scope. But simultaneously, a variety of commentators and legislators have questioned whether those immunity provisions should now be narrowed, given that the internet looks much different today than it did in 1996 when Section 230 was first enacted.

One way for Congress to narrow Section 230’s liability shield would be to create additional exceptions, as it did with FOSTA and SESTA². If a lawsuit does not fall into one of the express exceptions contained in Section 230(e)³, courts may have to engage in a highly fact-specific inquiry to determine whether Section 230 immunity applies: Section 230(c)(1) immunity will be inapplicable if the provider itself has developed or helped to develop the disputed content, while Section 230(c)(2) immunity may not apply if a service provider’s decision to restrict access to content was not made in good faith.

Date Storage and Usage Considerations for Cities

Section 2 of the conditions the resolution applies to civil immunity requires that online platforms provide relevant information to law enforcement to assist in the identification and apprehension of persons who use the services of the platform to solicit and to engage in criminal activity. This section would most likely require the development of new procedures and protocols that govern law enforcements usage and retention of such information. Those new policies and procedures would undoubtedly raise privacy concerns depending on how wide the latitude is for law

² The Fight Online Sex Trafficking Act (FOSTA) and the Stop Enabling Sex Traffickers Act (SESTA) create an exception to Section 230 that means website publishers *would* be responsible if third parties are found to be posting ads for prostitution — including consensual sex work — on their platforms.

³ Section 230(e) says that Section 230 will not apply to: (1) federal criminal laws; (2) intellectual property laws; (3) any state law that is “consistent with” Section 230; (4) the Electronic Communications Privacy Act of 1986; and (5) civil actions or state prosecutions where the underlying conduct violates federal law prohibiting sex trafficking.

enforcement to request such information. In those circumstances cities could end up themselves incurring new liability for the governance of data that could either violate certain privacy rules or increase their data governance costs.

Fiscal Impact:

Unlike the costly resources needed to support or oppose a ballot measure, a federal resolution from the League of California Cities that simply urges Congress to undertake certain action should have a negligible fiscal impact, if any monetary impact at all.

Regarding cities, if social media had no immunity for its failure to police content that solicits criminal activity, then an individual city could theoretically save thousands if not millions of dollars, depending on its size and other subjective circumstances. Collectively, cities across the country could potentially save at least hundreds of millions between redress for actual economic harm suffered and/or the cost of preventative measures taken to stop criminal activity from occurring in the first place.

Conversely, if social media platforms were to shut down, due to an inability to comply with a policy requirement to regulate speech on the internet, it is unclear on how cities might be impacted from a fiscal standpoint.

Existing League Policy:

Public Safety:

Law Enforcement

The League supports the promotion of public safety through:

- Stiffer penalties for violent offenders, and
- Protecting state Citizens' Option for Public Safety (COPS) and federal Community Oriented Police Services (COPS) funding and advocating for additional funding for local agencies to recoup the costs of crime and increase community safety.

Violence

The League supports the reduction of violence through strategies that address gang violence, domestic violence, and youth access to tools of violence, including but not limited to firearms, knives, etc.

The League supports the use of local, state, and federal collaborative prevention and intervention methods to reduce youth and gang violence.

Governance, Transparency & Labor Relations:

Private Sector Liability

The League will work closely with private sector representatives to evaluate the potential for League support of civil justice reform measures designed to improve the business climate in California. These measures should be evaluated on a case-by-case basis through the League police process.

Questions to Consider:

Many cities obviously believe that creating civil liability for social media platforms—due to their role in providing the communication mediums for those who organize looting attacks— is key to deterring this organized criminal activity.

If such a change was actually passed by Congress, it would force social media to essentially police every conversation on stakeholders' respective platforms, putting immense pressure on the industry to make subjective determinations about what conversations are appropriate and what are unacceptable.

At the end of the day, there are a few questions to consider in assessing this proposed resolution:

- 1) *What would this resolution's impact be on free speech and government censorship?*
- 2) *What are the expectations for cities when they receive information from a social media platform about a potentially credible threat in their respective communities? Does a city become liable for having information from a social media platform and the threat occurs?*
- 3) *What would the costs be to develop and maintain new data governance policies, including data infrastructure, to store this information?*
- 4) *What is the role of the League in engaging in issues relating to someone's privacy?*

Support:

The following letters of concurrence were received:

City of Hawaiian Gardens
City of Lakewood
City of Ontario
City of Rancho Cucamonga
City of Roseville

LETTERS OF CONCURRENCE
Resolution No. 1

Amendment to Section 230 of the Communications
Decency Act of 1996



"Our Youth - Our Future"

CITY OF HAWAIIAN GARDENS

August 7, 2020

John Dunbar, President
jdunbar@yville.com
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

Dear President Dunbar:

On August 3, 2020, the Cerritos City Council approved to sponsor a **Resolution of the City Council of the City of Cerritos Submitting to the League of California Cities General Assembly a Proposed Resolution Regarding Support of Legislation Related to Social Media Platform Accountability for Promotion of Criminal Acts.**

This proposed resolution with the required background information will be submitted to the League of California Cities for consideration by the General Assembly at the Annual Conference on October 9, 2020. (Attachments 1 and 2) The intent of the resolution is to address the use of social medial platforms for posting information that leads followers to meet and commit crimes and to also hold these platforms and the persons who post said information civilly and criminally accountable for all costs incurred by the local jurisdictions where the crimes occurred.

The public safety efforts in the City of Hawaiian Gardens would certainly benefit from such legislation. This letter serves to support the City of Cerritos in their efforts to submit of the above mentioned resolution to the League of California Cities for consideration at the 2020 Annual Conference.

Sincerely,

Ernie Hernandez
City Manager

cc Blanca Pacheco, President, LA County Division/League of California Cities - bpacheco@downeyca.org
Meg Desmond, League of California Cities - mdesmond@cacities.org
Kristine Guerrero, LA County Division/League of California Cities - kguerrero@cacities.org
Kathy Matsumoto, Assistant City Manager, City of Cerritos - kmatsumoto@cerritos.us

Jeff Wood
Vice Mayor

Ariel Pe
Council Member

Steve Cunt
Council Member

Diane DuBois
Council Member



Todd Rogers
Mayor

August 5, 2020

John Dunbar, President
jdunbar@yville.com
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

Dear President Dunbar:

On August 3, 2020, the Cerritos City Council approved to sponsor a **Resolution of the City Council of the City of Cerritos Submitting to the League of California Cities General Assembly a Proposed Resolution Regarding Support of Legislation Related to Social Media Platform Accountability for Promotion of Criminal Acts.**

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This letter serves to support the City of Cerritos in their efforts to submit the above mentioned resolution to the League of California Cities for consideration at the 2020 Annual Conference.

Sincerely,

A handwritten signature in black ink, appearing to read "Todd Rogers".

Todd Rogers
Mayor

cc: Blanca Pacheco, President, LA County Division/League of California Cities - bpacheco@downeyca.org
Meg Desmond, League of California Cities - mdesmond@cacities.org
Kristine Guerrero, LA County Division/League of California Cities - kguerrero@cacities.org
Kathy Matsumoto, Assistant City Manager, City of Cerritos - kmatsumoto@cerritos.us

Lakewood

CITY OF

303 EAST "B" STREET, CIVIC CENTER ONTARIO



ONTARIO

CALIFORNIA 91764-4105

(909) 395-2000

FAX (909) 395-2070

PAUL S. LEON
MAYOR

DEBRA DORST-PORADA
MAYOR PRO TEM

ALAN D. WAPNER
JIM W. BOWMAN
RUBEN VALENCIA
COUNCIL MEMBERS

SCOTT OCHOA
CITY MANAGER

SHEILA MAUTZ
CITY CLERK

JAMES R. MILHISER
TREASURER

August 6, 2020

John Dunbar, President
jdunbar@yville.com
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

Dear President Dunbar:

On August 3, 2020, the Cerritos City Council approved to sponsor a **Resolution of the City Council of the City of Cerritos Submitting to the League of California Cities General Assembly a Proposed Resolution Regarding Support of Legislation Related to Social Media Platform Accountability for Promotion of Criminal Acts.**

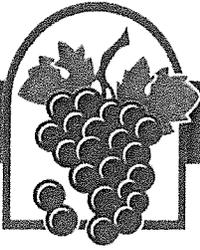
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This letter serves to support the City of Cerritos in their efforts to submit the above-mentioned resolution to the League of California Cities for consideration at the 2020 Annual Conference.

Sincerely,

Alan D. Wapner
Council Member
League of California Cities Board Member

c: Blanca Pacheco, President, LA County Division/League of California Cities - bpacheco@downeyca.org
Meg Desmond, League of California Cities - mdesmond@cacities.org
Kristine Guerrero, LA County Division/League of California Cities - kguerrero@cacities.org
Kathy Matsumoto, Assistant City Manager, City of Cerritos - kmatsumoto@cerritos.us



CITY OF RANCHO CUCAMONGA

10500 Civic Center Drive | Rancho Cucamonga, CA 91730 | 909.477.2700 | www.CityofRC.us

August 6, 2020

John Dunbar, President
jdunbar@yville.com
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

Dear President Dunbar:

On August 3, 2020, the Cerritos City Council approved to sponsor a **Resolution of the City Council of the City of Cerritos Submitting to the League of California Cities General Assembly a Proposed Resolution Regarding Support of Legislation Related to Social Media Platform Accountability for Promotion of Criminal Acts.**

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On behalf of the City of Rancho Cucamonga, this letter serves to support the City of Cerritos in their efforts to submit the above mentioned resolution to the League of California Cities for consideration at the 2020 Annual Conference.

Sincerely,

L. Dennis Michael
Mayor

cc: Blanca Pacheco, President, LA County Division/League of California Cities - bpacheco@downeyca.org
Meg Desmond, League of California Cities - mdesmond@cacities.org
Kristine Guerrero, LA County Division/League of California Cities - kguerrero@cacities.org
Kathy Matsumoto, Assistant City Manager, City of Cerritos - kmatsumoto@cerritos.us



City Council
311 Vernon Street
Roseville, California 95678

August 7, 2020

John Dunbar, President
jdunbar@yville.com
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

Dear President Dunbar:

On August 3, 2020, the Cerritos City Council approved to sponsor a **Resolution of the City Council of the City of Cerritos Submitting to the League of California Cities General Assembly a Proposed Resolution Regarding Support of Legislation Related to Social Media Platform Accountability for Promotion of Criminal Acts.**

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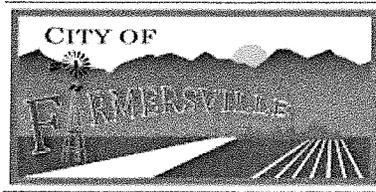
On behalf of the City of Roseville, this letter serves to support the City of Cerritos in their efforts to submit the above mentioned resolution to the League of California Cities for consideration at the 2020 Annual Conference.

Sincerely,

A handwritten signature in black ink, appearing to read "John B. Allard II", written over a horizontal line.

John B. Allard II,
Mayor

Cc: Blanca Pacheco, President, LA County Division/League of California Cities - bpacheco@downeyca.org
Meg Desmond, League of California Cities - mdesmond@cacities.org
Kristine Guerrero, LA County Division/League of California Cities - kguerrero@cacities.org
Kathy Matsumoto, Assistant City Manager, City of Cerritos - kmatsumoto@cerritos.us
Jason Gonsalves, Joe A. Gonsalves and Son



City Council

Staff Report 7C

TO: Honorable Mayor and City Council

FROM: Lisa M. Wallis-Dutra, PE, TE, PTOE, RSP
City Engineer, QK

DATE: September 28, 2020

SUBJECT: Completion of the Farmersville Freedom Drive Crosswalk Improvements Project

RECOMMENDED ACTION:

Staff recommends that the City Council accept the Notice of Completion for the Farmersville Freedom Drive Crosswalk Improvements Project; the City Council authorize the City Engineer sign the Notice of Completion; and the City Clerk file the Notice of Completion with the County Clerk's office.

BACKGROUND:

JT2 Inc. dba Todd Companies, the contractor for the project, began construction on July 9, 2020 and completed the work on September 2, 2020. Work involved installation of a raised concrete, ADA-compliant crosswalk, including pedestrian path of travel leading to the crosswalk, traffic signing, and pavement markings.

DISCUSSION:

The project had one (1) change order that included multiple items: change from Hot Mix Asphalt (HMA) crosswalk to Portland Cement Concrete (PCC) at no cost; compensation to the contractor for saw cutting, removing and replacing city sidewalk to the nearest construction joint per City of Farmersville Construction Standard, resulting in the removal and replacement of 19 SF of concrete.

Base Contract Amount:	\$63,750.00
Change Order 001:	\$247.00
Final Contract Sum:	\$63,997.00

COORDINATION & REVIEW:

The recommendation to accept the Notice of Completion was coordinated and reviewed with the Public Works Department and the project designer, QK.

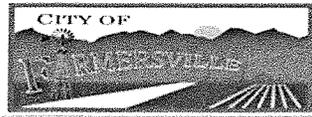
FISCAL IMPACT:

The project was budgeted through TDA/LTF funding.

CONCLUSION:

It is respectfully recommended that the City Council accept the Notice of Completion for the Farmersville Freedom Drive Crosswalk Improvements Project, and the City Council authorize the City Engineer sign the Notice of Completion and the City Clerk file the Notice of Completion with the County Clerk's office.

Attachment(s): Notice of Completion Certificate



City Council

Staff Report 8A

TO: Honorable Mayor and City Council

FROM: Mario Krstic, Chief of Police

DATE: September 28, 2020

SUBJECT: Public Hearing to request public input on proposed use of Supplemental Law Enforcement Services Funds (SLESF) and Consideration of Spending Plan Resolution

RECOMMENDED ACTION:

Consider adoption of Resolution No. 2020-056 establishing a spending plan for 2020 Citizens Option for Public Safety (COPS) Supplemental Law Enforcement Funds (SLESF).

BACKGROUND:

In the State's 2020/2021 budget the Supplemental Law Enforcement Services Funds allocated to the City of Farmersville will remain at a minimum of \$100,000 per year. State law requires local agencies to hold a public hearing and receive public input regarding the proposed use of the Supplemental Law Enforcement Funds.

The Farmersville Police Department has utilized these funds for the filling of a police officer position and the purchase of related law enforcement equipment for the past several years.

DISCUSSION:

Staff has utilized this funding to fill a patrol officer position for the past several years. This is a vital position for supporting our existing law enforcement operations and allows us to provide needed basic services to our community. This funding is an allocation as opposed to a grant. It is not competitive, and the amount is fixed at a minimum of \$100,000 and additional amounts based on population.

As discussed in the background section, State law requires that a public hearing be held to take any input or comments the public may have regarding these funds, the proposed use, and any alternative suggestions. These funds must be used for front line law enforcement purposes. At the conclusion of the public hearing staff recommends that council consider Resolution 2020-056 related to the acceptance and recommended expenditure of these funds.

COORDINATION & REVIEW:

This is a currently adopted budget item for the Farmersville Police Department. Staff has reviewed the financial aspects of the allocation with the Finance Department as well as the City Manager's office and it was determined that there was sufficient funding for the additional position.

ALTERNATIVES:

Staff sees no viable alternative to this spending plan.

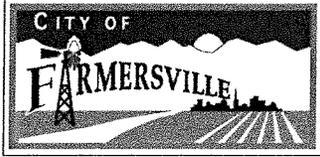
FISCAL IMPACT:

This is currently budgeted and adopted item for the Farmersville Police Department for the 2020/2021 fiscal year. There is no impact to the General Fund.

CONCLUSION:

Staff recommends that following the public hearing Council adopt Resolution No. 2020-056 which will continue funding of Two Police Officer positions through fiscal year 2020/2021 and the purchase of related law enforcement equipment.

ATTACHMENT(S):
Resolution 2020-056



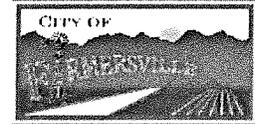
**Public Hearing Notice
Farmersville City Council**

NOTICE OF PUBLIC HEARING:

The Farmersville City Council will be holding a public hearing to solicit comments on recommended expenditures for their 2020 Citizens Option for Public Safety (COPS) allocation. The City expects to receive \$100,000 for the 2020/2021 budget year. The time of the hearing is set for Monday September 28, 2020 at 6:00 PM and will be held at the City of Farmersville Council Chambers 909 W. Visalia Road Farmersville, CA 93223.

Dated: 09/03/2020

By: Mario Krstic, Chief of Police



FINANCE UPDATE: FY 2020 – FOURTH QUARTER

THE END OF FISCAL YEAR 2019-2020

This report serves as the financial update for the City through June 30, 2020; the end of the fourth quarter and the entire 2019-2020 fiscal year (FY 2020). The audit process for the end of Fiscal year 2020 is now underway but is not yet complete. Therefore, this report will primarily touch on where the City ended the prior year (audited results will be presented with the financial statements by our auditors later this winter) and some updates on budget for FY 2021.

REVENUE UPDATE

Overall revenue performance was improved in FY 2020, especially considering the impacts that the COVID pandemic had on other Cities in California and across the Nation. Unlike other Cities that derive a large portion of tax revenues the most hard-hit business sectors during this shutdown, Farmersville avoided much of the pain experienced by other Cities so far.

Increases in revenue due to the Wayfair decision and the introduction of new business income by Highway 198 have impacted the City significantly. All told, the City's General Fund ending up with a 14% carryover amount from FY 2020 into FY 2021 (about \$557,455) which can be appropriated through budget amendment in a separate agenda item.

The table below is the update for the major General Fund revenue sources for the City through the end of FY 2020 compared to budget for FY 2020 and FY 2021:

Major Revenue	FY 2020 Budget	FYE 2020 Actual	Budget Percent	FY 2021 Budget
Sales Tax	645,300	737,240	114%	682,000
Measure U Tax	390,000	505,452	129%	432,000
Measure P Tax	390,000	508,472	130%	432,000
Vehicle License Fees	1,032,594	1,038,583	101%	1,048,083
Property Tax	377,240	401,124	106%	367,240
Franchise Fees	127,000	150,109	118%	127,000
Total	2,962,134	3,340,980	113%	3,088,323

Sales tax performed well this year and the City ended up right where it wanted to be. Since sales tax revenue is highly variable, the ideal situation is to have receipts slightly over 100%, giving the City maximum flexibility with its cash while still fully funding the prior fiscal year. The alternative

of budgeting too high and not meeting budget could be extremely detrimental to essential services and the long-term success of the City. Between the all three Sales and Use Tax sources, a total of \$1,425,300 was budgeted and an additional \$325,864 was received over budget (about 23%). This dollar amount will be critical for off-setting unanticipated expenses, funding future one-time capital improvements, and creating appropriate sinking funds to replace assets per the City Strategic Plan. Sales tax is always paid by the State two months behind the month in which it was incurred so these results are hard to budget and slow to report results.

Vehicle License Fees: This funding sources is actually property tax swapped by the State with School Districts. The budget for FY 2020 was set at \$1,049,468 (anticipating continued growth at about 5.7%). However, the first half of the payment indicated it would be closer to \$1,032,594 and the budget was therefore revised down at mid-year. Now, at the end of the year \$1,038,583 has been received which is 99% of original budget and almost 101% of the revised budget from mid-year.

Property tax received for FY 2020 ended favorably although, growing more than anticipated. There is little development but some change to values contribute change this revenue some. The budget for all property tax categories as \$377,240 but the City received \$56,884 (about 6%) more than budget for the period. Staff recommends allowing more development to expand this important and stable tax revenue. Decreasing the City's dependence upon sales tax is a very important strategic revenue initiative for the future success of the City.

Franchise Fees account for less than 5% of the General Fund major revenues but the income has been steadily increasing (118% of budget received FY 2020 and 117% for FY 2019). This is largely due to the increased presence of Charter Communications (Spectrum) within the City. Additionally, staff recommends revisiting the franchise fees assessed to the Water and Sewer funds as they are a flat fee currently which has not increased appropriately over time.

Cannabis Business Tax is in it's very first year of bringing in revenue and is doing well. Since two dispensaries just opened part way through FY 2020 the original budget was set at \$150,000 and revised to \$420,000 once the first payments were received. By the end of the year the City received \$691,919 (about 165% of the revised budget) or \$271,919 more than expected. As a result, the City has budgeted \$1,020,000 in revenue for FY 2021. Cannabis Business Tax income is tracked in a separate fund but is unrestricted and functions like General Fund revenue.

EXPENSE UPDATE

Expenditure data for FY 2020 is listed below by department as of 6/30/2020. These summary amounts are briefly described below to illustrate the variance amounts. The FY 2020 has still not been completely closed out through the audit process so some of these figures may change. Here are the highlights for where the City stands at the end of FY 2020:

There are several items that stand out worthy of discussing at this point. These will primarily be handled in the discussion below, department by department. However, first, we must note that these budget numbers reflect both the Capital Budget and the Operations Budget relative to the General Fund.

Overall, the City fared well by bringing in \$4,423,916 in General Fund Revenue while only spending \$3,866,461 in the same time period. Compared to budget this means that Revenue was 9.3% higher than budget while expenses were 3.3% under budget for a total amount of revenue exceeding expenses of \$557,455 or about 14%.

Fund	Dept	Revised Budget	Actual 6/30/2020	Percent
1: General Fund	400: Revenues	(3,041,034)	(3,571,458)	117.4%
1: General Fund	401: City Council	15,000	7,962	53.1%
1: General Fund	404: Administration	27,106	46,722	172.4%
1: General Fund	405: Membership Legislation	19,000	19,230	101.2%
1: General Fund	406: Administrative Overhead	230,110	205,911	89.5%
1: General Fund	407: City Sponsorships	6,000	2,019	33.7%
1: General Fund	409: City Properties	-	-	0.0%
1: General Fund	411: Police	1,755,449	1,826,592	104.1%
1: General Fund	414: Community Development	217,370	161,741	74.4%
1: General Fund	415: Code Enforcement	99,243	71,134	71.7%
1: General Fund	420: Fire	341,434	361,143	105.8%
1: General Fund	425: Public Works	210,940	239,311	113.4%
1: General Fund	426: Animal Control	73,865	72,303	97.9%
	Total Revenues	(4,047,420)	(4,423,916)	109.3%
	Total Expenses	4,001,903	3,866,461	96.6%
	Net	(45,517)	(557,455)	

400 REVENUES: This department is a receptacle for all major revenues for the General Fund. It finished the year over 17% more revenue than budgeted at \$3,571,458 (about \$530,424).

401 CITY COUNCIL: This budget functioned appropriately for the year using only 53% of the budget. It can fluctuate a great deal depending upon the activities of the City Councilmembers during the year. Given that most travel was cancelled this year the lower cost makes sense.

404 ADMINISTRATION: This department is unique in that there is significant revenue in it to offset expenses unlike other operational departments. This year the department appears over budget but in fact, the anticipated revenue was \$41,940 less than budgeted and at the same time expenses were also under budget but only by \$22,324. This creates the total difference of \$19,616 from the net budget for the year.

405 MEMBERSHIPS: There were more membership costs than anticipated this year by a small amount. FY 2021 budget is smaller, accordingly because the City no longer pays EDC dues.

406 ADMINISTRATIVE OVERHEAD: There are many factors in this because there are so many expenses that charge in this department. Overall, the department was under budget by about 12%.

407 SPONSORSHIPS: The City Council directed that \$2,019 of the \$6,000 budget be spent this year.

409 PROPERTIES: This department budget was adjusted dramatically and completely housed in Fund 39 to account for the total cost of running additional properties offset by the revenue that they generate.

411 POLICE: This department was over budget by about 4% (\$71,080). Revenue missed its target by \$21,870 while spending was over by \$49,210. Some of the overspending was caused by the hiring of an additional officer relative to COVID emergency provisions and some was due to additional fuel and repair costs over the estimated budgeted amounts.

414 COMMUNITY DEVELOPMENT: Primarily due to a huge growth in income in this department the over budget was only 74% spent. While expenses were in the expected range and ended only \$9,000 under budget, revenue was \$45,715 over budget (360%). These fees are related to the change in City staffing and structure related to planning, permitting, and code enforcement. Staff expects these trends to continue to offset these expenses.

415 CODE ENFORCEMENT: Costs are under budget for the period but there is significant transition with this department right now as it transitions to a full-time position. There was some salary savings and some savings in other categories, but revenues have also increased in this category too.

420 FIRE: Revenues were lower than anticipated because of one-time out-of-county OES reimbursement not performing as expected. Spending was under budget overall with repair costs most notably higher than the budget for the period. Overall, this department is on budget but appears over-spent because revenues were lower.

425 PARKS & GROUND: This budget is about 13% over-budget for the year. Increased professional expense related to hiring temps and other affiliated expenses to handle short term priority projects are charged here and were not anticipated in the normal operations budget.

426 ANIMAL CONTROL: This department was successfully outsourced to the City of Visalia at a competitive rate and is likely to keep expenses stable and provide some savings to the General Fund each year.

ENTERPRISE FUNDS UPDATE

Utility Operations are, outside of the General Fund, the next cost center of primary concern. These operations are housed in the enterprise funds and operate more like businesses than government. Primarily this is reflected in how they are funded through user fees rather than taxes and must turn a profit to exist, where as government must provide services despite the condition of the tax revenues.

The Water Fund is the first major enterprise fund and performed better this year given the new increasing rates. Before accounting for depreciation, the fund earned enough to cover all its expenses this year. This is significant since it had not be able to do this for close to a decade before this year.

Water Fund - FY 2020	Expenses	Revenues	Gain / (Loss)
Budget	1,120,081	1,034,842	(85,239)
Actual	954,364	1,001,699	47,335

The Sewer Fund is defined by the current construction of the new Wastewater Treatment Plant. This is a huge project soaking up all of the resources of the fund and will fundamentally change all aspects of the operation going forward. Currently, there is a very large loss listed as the City is awaiting nearly \$5 million in construction expense to be repaid.

Sewer Fund - FY 2020	Expenses	Revenues	Gain / (Loss)
Budget	15,051,618	14,900,917	(150,701)
Actual	11,814,289	6,022,277	(5,792,012)

The Refuse fund has been performing better over the last several years primarily because of the appropriate rate increases that kept it up to speed with the contracted cost increases from the provider. Now those rates have stopped and staff with working with the trash hauler to create new proposed rates in order to accomplish the goals of this fund. New rates will likely go into effect on July 1, 2021.

Refuse Fund - FY 2020	Expenses	Revenues	Gain / (Loss)
Budget	782,114	823,390	41,276
Actual	824,018	856,970	32,952

CAPITAL PROJECT UPDATE

The first official year with a separate Capital Budget went well and progress has been made to improve this process significantly for FY 2020 with the introduction of a separate Capital Fund for the General Fund. Here is a summary of the spending from the Capital Budget for FY 2020.

Significant progress was made through the Capital Budget with many projects completed in fy 2020 like the fourth phase of the Civic Center remodel, the ADA Planning Project, upsizing the lines for percolation at the sewer plant, various vehicle purchases, CCTV system within the City, various equipment for Public Works, and upgrades for Parks and Water Wells.

CAPITAL BUDGET FOR FISCAL YEAR 2019-20	FISCAL YEAR 2019-20	CIP SPENT 2019-20	PERCENT OF BUDGET	CURRENT STATUS
Civic Center Remodel, Phase IV	\$ 102,000	\$ 102,000	100.0%	COMPLETE
Deep Creek Restoration	\$ 337,000	\$ 87,961	26.1%	IN PROCESS
ADA Planning Project	\$ 47,000	\$ 12,987	27.6%	COMPLETE
Wastewater Treatment Plant	\$ 12,880,686	\$ 10,371,799	80.5%	IN PROCESS
W Walnut ATP Project	\$ 322,000	\$ 3,441	1.1%	IN PROCESS
N Farmersville Blvd Project	\$ 2,500,000	\$ 709,988	28.4%	IN PROCESS
E Walnut ATP Project	\$ 785,929	\$ 145,228	18.5%	IN PROCESS
Pavement Mngment System	\$ 25,000	\$ -	0.0%	CARRIED OVER TO FY 2021
Central Farmersville Blvd	\$ 150,000	\$ 1,640	1.1%	IN PROCESS
W Walnut Reconstruction	\$ 1,102,500	\$ 71,491	6.5%	IN PROCESS
Crosswalks	\$ 135,600	\$ 26,851	19.8%	IN PROCESS
Transit Center Plans	\$ 150,000	\$ -	0.0%	CARRIED OVER TO FY 2021
Railroad Crossing Plans	\$ 150,000	\$ -	0.0%	CARRIED OVER TO FY 2021
Percolation System at WWTP	\$ 1,000,000	\$ 470,090	47.0%	COMPLETE
FLEER units	\$ 10,000	\$ 3,209	32.1%	IN PROCESS
Police Admin Vehicle	\$ 20,000	\$ 21,204	106.0%	COMPLETE
Police Patrol Vehicle (2017)	\$ 31,101	\$ 26,607	85.6%	COMPLETE
Police Office Remodel	\$ 100,000	\$ -	0.0%	IN PROCESS
Portable Radios	\$ 75,000	\$ 56,313	75.1%	COMPLETE
Patrol Vehicles (2020)	\$ 51,200	\$ 25,563	49.9%	IN PROCESS
Police CCTV for Light Industrial	\$ 61,160	\$ 64,857	106.0%	COMPLETE
Sports Park Phase II	\$ 140,000	\$ 29,977	21.4%	COMPLETE
Skate Park	\$ 7,500	\$ -	0.0%	CARRIED OVER TO FY 2021
Park Irrigation Upgrade	\$ 8,500	\$ -	0.0%	CARRIED OVER TO FY 2021
CDBG 2018: Jennings Park	\$ 334,000	\$ -	0.0%	CARRIED OVER TO FY 2021
Water Well Upgrades	\$ 240,000	\$ 195,836	81.6%	COMPLETE
Utility Truck	\$ 40,000	\$ 39,431	98.6%	COMPLETE
Two Pick-Up Trucks	\$ 50,000	\$ 48,756	97.5%	COMPLETE
Water Leak & Pipe Locator	\$ 16,019	\$ 16,242	101.4%	COMPLETE
Sewer Inspection System	\$ 87,000	\$ 87,107	100.1%	COMPLETE
Ground Penetrating Radar	\$ 15,500	\$ 15,500	100.0%	COMPLETE
Walk-behind Scarifier	\$ 11,850	\$ 6,386	53.9%	COMPLETE
Yard Network Upgrades	\$ 5,000	\$ -	0.0%	CARRIED OVER TO FY 2021
Sports Park Phase III (CCNR)	\$ 348,640	\$ 2,796	0.8%	IN PROCESS
Sports Park Phase IV (SPP)	\$ 500,000	\$ 16,527	3.3%	IN PROCESS
Back Up Generator for Well 6	\$ 120,000	\$ -	0.0%	CARRIED OVER TO FY 2021
CDBG 2018: Alley Rebuild	\$ 542,893	\$ -	0.0%	CARRIED OVER TO FY 2021
New Fence at Sports Park	\$ 45,000	\$ 43,576	96.8%	COMPLETE
Two-Way Radio System	\$ 4,926	\$ 4,387	89.1%	COMPLETE
Large Mower Major Repair	\$ 5,700	\$ 3,346	58.7%	COMPLETE
Sports Park Rehabilitation	\$ 17,000	\$ -	0.0%	CARRIED OVER TO FY 2021

Ongoing capital projects are expected to continue into FY 2021 include the Wastewater Treatment Plant Expansion, the Deep Creek restoration project, both West Walnut improvement projects, North Farmersville Blvd improvement project, the crosswalk addition, and grant work relative to alleys among others.

FUND BALANCE UPDATE

This update of the cash balances of each of the funds is independent of what is budgeted in each fund and is only reflective of the cash on hand at the moment the report is generated.

ENDING CASH POSITIONS

9/22/2020

ACCOUNT	6/30/2018	6/30/2019	6/30/2020
01 GENERAL FUND	1,548,446.59	(2,715.49)	463,212.90
02 WATER UTILITY	721,361.69	850,005.45	831,911.33
03 WATER DEVELOPMENT	659,186.31	562,492.16	380,419.72
04 SEWER UTILITY	3,168,933.31	5,253,961.63	2,662,446.54
05 SEWER DEVELOPMENT	955,897.22	980,630.89	1,004,457.45
06 REFUSE	290,351.46	335,393.65	360,391.26
08 SELF INSURED RESERVE	182,000.00	401,000.00	401,000.00
09 CUSTOMER DEPOSITS	69,344.34	72,592.06	78,934.66
10 POLICE DEPT SLESF	-	-	-
11 DRUG ENFORCEMENT	27,940.99	19,795.01	16,962.82
12 FEDERAL AND STATE GRANTS	(264,376.79)	(312,256.74)	(96,734.92)
14 POLICE DEPT SLESF	186,349.98	241,696.58	239,232.43
15 POLICE DEPT AB109	-	-	-
20 STP	1,019,393.46	1,033,306.84	1,048,578.10
21 GAS TAX	415,415.33	395,613.77	409,523.80
22 TDA	1,048,362.66	881,616.01	1,138,543.28
23 STORM DRAIN	143,910.12	148,616.72	152,931.22
25 STREET MITIGATION FUND	31,205.67	31,631.59	32,090.60
26 MEASURE R FUND	2,435,298.31	1,565,892.35	1,399,930.99
27 RMRA (SB1) FUND	(23,671.42)	125,209.15	256,830.88
30 PARK DEVELOPMENT	17,146.70	17,983.46	18,718.68
31 PARK IMPROVEMENTS	14,930.36	(140,334.93)	(11,515.72)
35 MAINTENCE DISTRICT	96,078.17	80,023.45	(3,602.40)
39 MUSEUM FUND	9,500.49	9,630.73	21,944.80
40 CDBG PROGRAM INCOME	16,156.67	29,772.39	3,527.14
41 HOME PROGRAM INCOME	74,730.25	9,907.21	36,383.73
42 CAL HOME PROGRAM INCOME	178,062.77	69,396.01	123,300.11
50 CHILDCARE FUND	-	-	-
71 FIRE DEVELOPER FEES	147,907.34	155,850.91	162,774.50
80 EVIDENCE HOLDING	11,051.45	11,202.29	11,364.85
81 POLICE DEVELOPER FEES	206,683.33	210,972.36	151,768.42
82 ASSET FORFEITURE	6,342.52	2,727.61	2,767.19
83 LIVE SCAN	(2,261.00)	(3,229.00)	(3,765.00)
102 GENERAL FUND RESERVE	-	1,670,709.50	1,439,868.82
103 GENERAL FUND CAPITAL	-	-	44,081.31
104 CANNABIS CAPITAL FUND	-	-	383,619.12
TOTAL	13,391,678.28	14,709,093.62	13,161,898.61

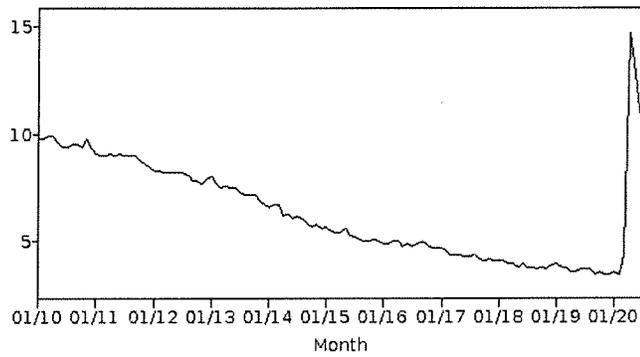
KEY:

UNOBLIGATED
WATER ENTERPRISE ONLY
SEWER ENTERPRISE ONLY
REFUSE ENTERPRISE ONLY
RESTRICTED (VARIOUS)
CLOSED FUND

Job growth was favorable recently considering the impact from the COVID pandemic shut down. As of August 2020, unemployment rates were 8.4% nationally, 11.6% in California, and 13.1% in Tulare County according compared to 3.5% nationally, 4.1% in California, and 9.2% in Tulare County in August 2019.

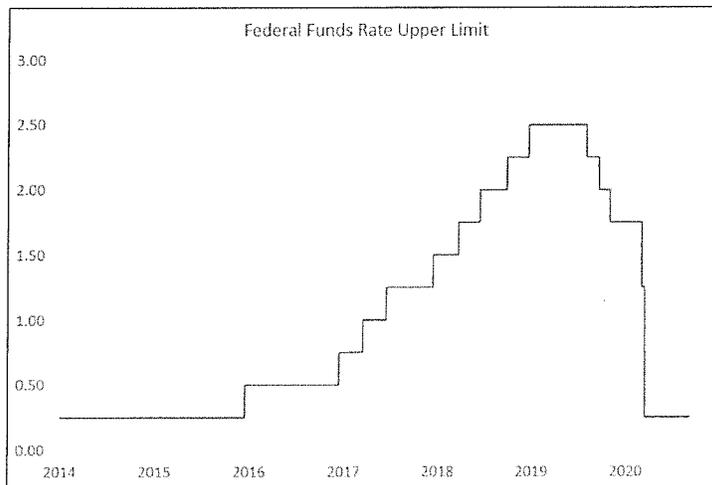
Labor Force Statistics from the Current Population Survey

Series Id: LNS1400000
 Seasonally Adjusted
 Series title: (Seas) Unemployment Rate
 Labor force status: Unemployment rate
 Type of data: Percent or rate
 Age: 16 years and over

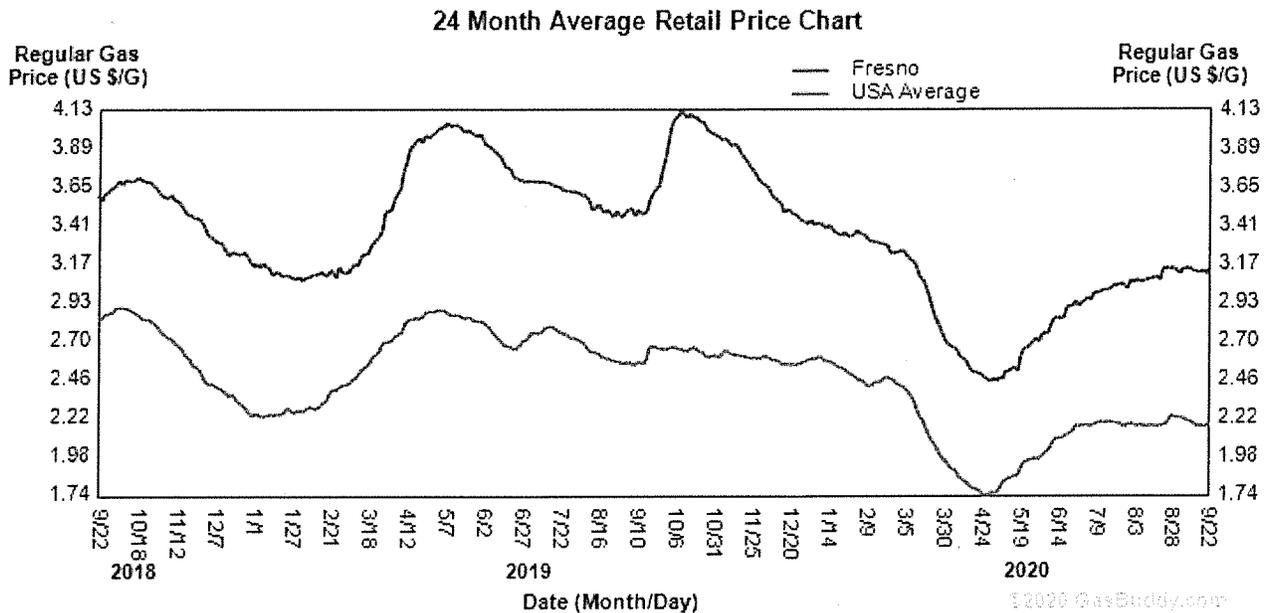


The Federal Funds Rate is the overnight rate on overnight loans set by the Federal Open Market Committee (FOMC) and is considered a baseline for short term investments and cash accounts. The graph below shows the upper bound of the Federal Funds Rate over the past 5 years.

At the most recent meeting on September 16th, the FOMC kept the Federal Funds Rate target range from at 0.0% - 0.25% (compared to 2.25%-2.00% at this time last year). This is consistent with the strategy that they stated after slashing rates dramatically in March 2020.



Gas Prices are back to depressed levels in part due to the COVID pandemic shutdown after a spike at this time last year. Prices are down about \$1 per gallon in the Fresno area compared to September 2019.



So what does this mean for the City?

Economic data is strongly tied to Congress considering additional fiscal relief, the course of the pandemic and expectations for a COVID-19 vaccine, and the potential for chaos regarding election results. As a result, financial market volatility over the next few months is expected and can impact the Farmersville’s investment returns, new housing starts, further economic development, gas prices, unemployment rates, consumer prices and confidence, and sales tax revenue.

The outlook for consumer confidence and the fourth quarter holiday shopping season looks tenuous in the absence of more stimulus, potentially impacting Sales Tax revenues for the City.

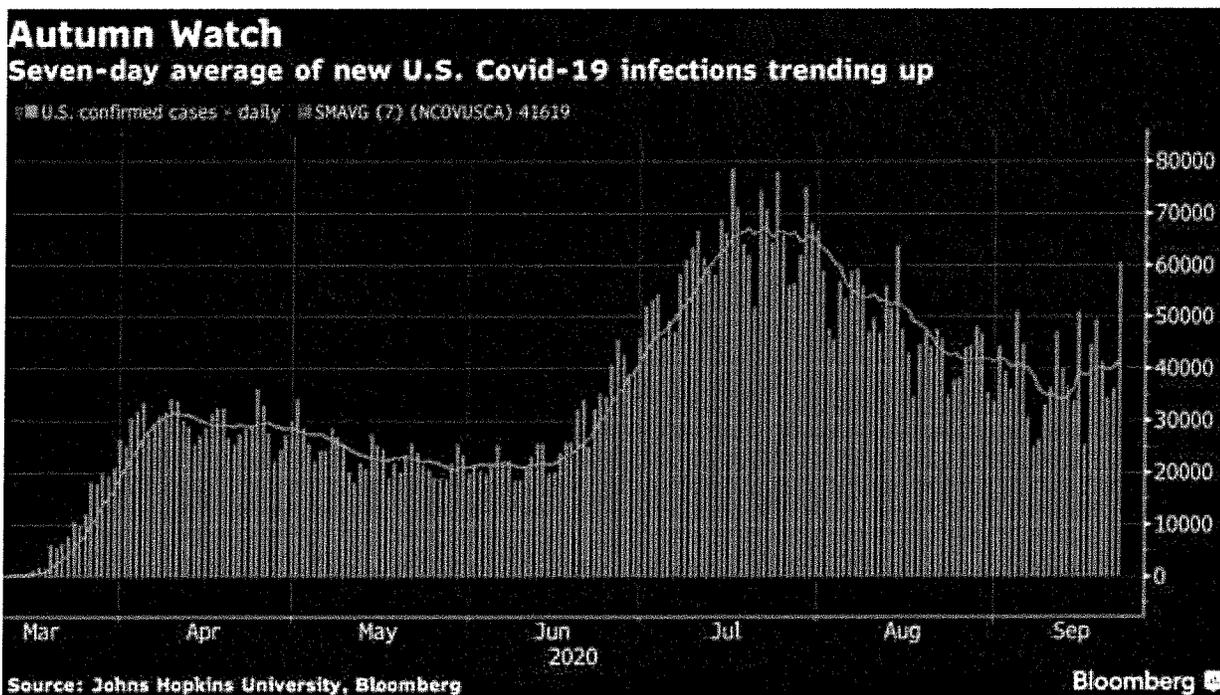
The Fed has recently shifted its monetary policy framework about inflation (i.e. targeting average inflation of 2.0% over time, rather than a static 2.0% inflation rate). So, the Fed’s dual mandate have not changed (maximizing employment and maintaining a stable price environment) but in the absence of elevated inflation, rates should stay low for the long term. This will reduce interest earnings but is good for consumer credit affordability in Farmersville.

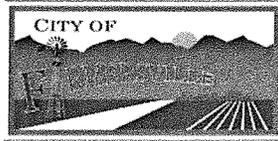
Finance staff anticipates a slightly positive financial update at mid-year (sometime in January 2020) which will lead the preliminary work for the budget for FY 2021-2022.

Currently, audit work is underway for Fiscal Year 2019-2020. So far, the process is going well, and staff expects to present the Final Audited Financial Statements also in January 2021.

Staff is closely watching the development of the COVID-19 Pandemic and responding to changing labor laws and economics. At this point, there is very little that we can do to proactively head off the virus or any changing laws, but rather only react to what we are told.

The trend of active cases is shifting for the fall and so staff is remaining vigilant and waiting for the next round of changes we must adapt to.





City Council

Staff Report 8C

TO: Honorable Mayor and City Council

FROM: Jennifer Gomez, City Manager

DATE: September 28, 2020

SUBJECT: Second Amendment to the Fiscal Year 2020-21 Budget by Resolution 2020-059

RECOMMENDED ACTION:

Adopt the Second Budget Amendment for Fiscal Year 2020-21 by Resolution 2020-059.

BACKGROUND:

Each year, the City goes through a budget process that starts in January and ends with adoption of that budget in June for the following fiscal year starting in July. However, it is necessary from time to time to make further adjustments to keep the budget appropriate and accurate. Many times, this will be caused by a new project or program being started at some point throughout the year, a change in staffing, other one-time expenses that were unanticipated, or an administrative oversight.

This budget amendment is early in the Fiscal Year but was deemed necessary to responsibly allocate the unprecedented revenue carryover from the end of Fiscal Year 2019-20 into the current year.

The details of the proposed amendment are below:

DISCUSSION:

As discussed in the previous staff report, as a result of significant revenue stream changes within the City of Farmersville as of the end of Fiscal Year 2019-20, a larger-than-anticipated amount of revenue exceeding expenses for the period was received. This amount of approximately \$557,455 represents 14% of revenue exceeding expense

for the year. As a result, responsibly using these one-time funds to offset large on-going financial needs in line with City strategic directives is recommended.

City staff believes that it is in the best interest of the City's residents, employees, and partners to responsibly allocate these one-time funds to strengthen the City's ability to weather uncertainty in the future, pay-down existing debt, reward employees for their sacrifices and service during a dangerous pandemic, and allocate the balance of the funds to pay toward future expenses for major projects and deferred maintenance.

First, staff recommends that the City allocate funds to the Budgetary Uncertainty fund per Resolution 2018-011. While the fund was established, it was never fully funded to the appropriate and directed policy amount of 15% of the average of actual revenue received by the General Fund. The fund was funded at only 5% at the time of its creation. This allocation of \$150,000 will move this funding much closer (about 10% of the average revenue) and prepare the City for financial emergencies in the future.

Second, the City will also be able to make a payment to decrease the Unfunded Accrued Liability for CalPERS pension costs. The City has, in the past made small pre-payment toward this debt but more payments are needed to save the City significant interest expense over the coming years. Currently, the City can avoid the full burden of interest cost (7% annually) by pre-paying the annual amount to CalPERS in the July of each year, reducing the interest cost to 3.55%. However, more funding is needed to reduce this significant burden and an allocation of \$150,000 would represent a significant payment (over 11%) toward the estimated Net Pension Liability of \$1,308,300 owed to CalPERS as of 6/30/2019.

Third, in recognition of the work performed by City staff in the last fiscal year, and their contributions to providing a safe work environment through the COVID-19 pandemic, the City Manager recommends a one-time payment for performance to the current employees that were employed prior to July 1, 2020 (excluding the City Manager) and in good standing as of October 15, 2020. This payment will not be a permanent adjustment in their base salary. The recommended amount is 3% of employee's base pay with an estimated total cost of \$58,000.

The final portion, or balance after allocations listed above are completed, will remain in the General Fund to offset any unanticipated expenses in the current fiscal year and/or pay toward several unfunded future Capital Improvement Projects (CIP). This ongoing need is a necessary expense to help the City catch up on deferred maintenance and/or provide for future City fiscal resilience in the uncertain times ahead. There is currently no other vehicle existing for the City to save for these expenses. This amount is estimated at \$199,455 which is about 2% of the estimated \$11,770,380 of unfunded CIP programmed in the next 5 years.

The recommended allocation of the revenue carryover is as follows:

Budgetary Uncertainty Fund (partial)	\$150,000.00	27%
Pre-Pay a Portion of CalPERS UAL (partial)	\$150,000.00	27%
Unfunded Future CIP Projects (partial)	\$199,455.00	36%
Employee Performance Payment	\$58,000.00	10%
Estimated Total Carryover Revenues to be appropriated:	\$557,455	100%

Therefore, it is staff's recommendation to approve resolution 2020-059 to amend the 2020-21 Budget.

ATTACHMENT(S): 1

1. Resolution 2020-059 Adoption of Fiscal Year 2020-21 Budget Amendment.

RESOLUTION 2020-059

**A RESOLUTION OF THE COUNCIL OF THE CITY OF FARMERSVILLE
APPROVING AND ADOPTING THE SECOND BUDGET AMENDMENT
FOR FISCAL YEAR 2020-21**

WHEREAS, the adopted budget for Fiscal Year 2020-21 was approved by the City Council on June 8, 2020 by Resolution 2020-017; and

WHEREAS, on September 28, 2020 the City Council heard a report on the financial status of the City as of the end of Fiscal Year 2019-20 with General Fund revenues exceeding expenses by \$557,455; and

WHEREAS, additional General Fund revenues should be carried over into Fiscal Year 2020-21 to responsibly fund critical financial needs – namely, funding a portion of the Budgetary Uncertainty Fund, Pre-paying a portion of the Unfunded Accrued Liabilities with CalPERS, funding future Capital Improvement Plan projects, and rewarding City employees in good standing with a one-time performance payment; and

WHEREAS, the City Council has considered the recommended amendment to the budget presented in the attached staff report;

NOW, THEREFORE, BE IT RESOLVED, the Farmersville City Council hereby makes the second budget amendment for Fiscal Year 2020-21, as attached hereto as the supporting staff report, regarding the revenues and expenditures are hereby approved and adopted effective September 28th, 2020.

The foregoing resolution was adopted upon motion of Council Member _____ and Council Member _____ seconded the motion at a regular meeting of the City Council held on the 28th day of September, 2020, by the following roll call vote:

AYES: _____

NOES: _____

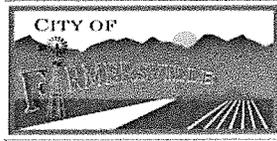
ABSTAIN: _____

ABSENT: _____

Greg Gomez, Mayor

WITNESS my hand and seal this 28th day of September, 2020.

Rochelle Giovani, City Clerk



City Council

Staff Report 8D

TO: Honorable Mayor and City Council

FROM: Jennifer Gomez, City Manager

DATE: September 28, 2020

SUBJECT: Review of Landscape & Park Maintenance Services

RECOMMENDED ACTION:

That the City Council review landscape and park maintenance services and provide direction to staff on short term plans including a revised budget.

BACKGROUND and DISCUSSION:

Despite the recent hiring of additional staff, the Public Works Department is still understaffed compared to ten years ago and for the amount of work they manage compared to neighboring cities. Despite their efforts, daily maintenance has suffered as acreage has increased, and staff addresses other matters such as water or sewer emergencies and capital improvement projects. It will be necessary for the City Council to discuss priorities with the current resources and provide direction for short term strategies to meet their expectations.

FISCAL IMPACT:

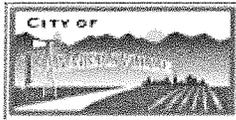
To make any modifications to the current level of services, the City Council may direct staff to allocate funds from the Cannabis Business Tax Fund. Using Cannabis revenue for this purpose falls within the guidelines of using it for only one-time expenses. It is an appropriate use to purchase equipment, supplies, and to hire temporary employees. These funds should not be used to hire additional full-time permanent employees until we are comfortable with the sustainability of this revenue source.

The Finance Director has created a chart that lists the beginning balance as of July 1, 2020; includes projected revenue for each quarter; expenses approved in the Budget for Fiscal Year 2020-2021; unbudgeted expenses that Council has approved since the Budget was adopted; and the projected ending balance.

The following chart illustrates the projected revenue and expenses:

	Q1	Q2	Q3	Q4
Beginning Balance	693,746	923,746	1,047,962	880,540
Budgeted Revenue				
<i>Business Tax</i>	255,000	255,000	255,000	255,000
<i>Interest</i>				4,621
Budgeted Expenses				
<i>FY 2021 CIP</i>			422,422	
<i>Cannabis Costs</i>				120,217
<i>GF "Gap" cover</i>				170,000
Unbudgeted Expenses				
<i>PW Projects</i>	-	-	-	-
<i>Bld Property</i>	25,000			
<i>Deep Creek</i>		130,784		
Ending Balance	923,746	1,047,962	880,540	849,944

ATTACHMENT(S):
2010 and 2020 Department Comparison
Power Point Presentation



City of Farmersville

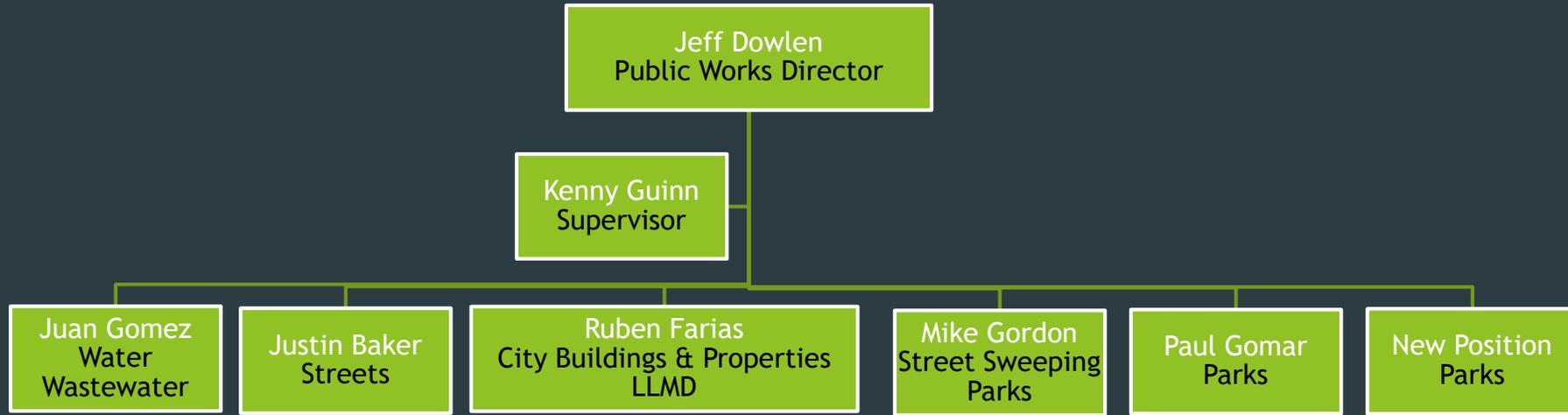
Department of Public Works

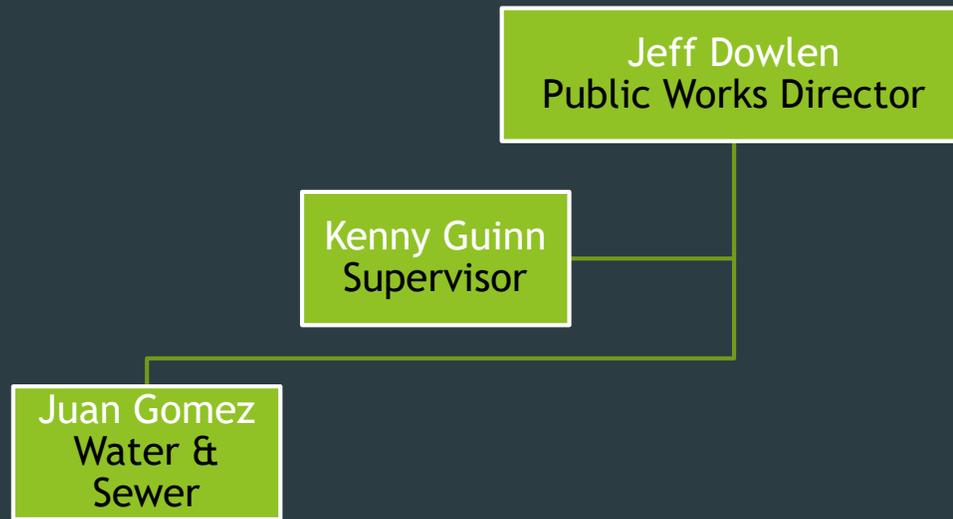
	2010	2020
PERSONNEL	9 Person (7 in field, 2 management)	7 Person (5 in field, 2 management)
BUILDINGS & GROUNDS	6 Facilities - 287,115 sq. ft. (6.59 acres) Civic Center Community Center Museum & Events Center (Church) WIC Turning Point Old Fire Station 4 mow strips - 32,855 sq. ft. (.75 acres) West Front West Petunia Camelia (tear drop) Magnolia (tear drop)	6 Facilities - 287,115 sq. ft. (6.59 acres) Civic Center Community Center Museum & Events Center (Church) WIC Turning Point Old Fire Station 4 mow strips - 32,855 sq. ft. (.75 acres) West Front West Petunia Camelia (tear drop) Magnolia (tear drop)
PARKS	7 Parks (19.9 acres) Armstrong Park (2.56 acres) Jennings Park (1.26 acres) Liberty Park (6.51 acres) Riverbend Park (.23 acres) Roy Park (4.84 acres) Veterans Park (4.33 acres) Well 1 Park (.17 acres)	9 Parks (33.57 acres total) Armstrong Park (2.56 acres) Jennings Park (1.26 acres) Liberty Park (6.51 acres) Riverbend Park (.23 acres) Roy Park (4.84 acres) Sports Park (7.13 acres) Sports Park Trail (6.08 acres) Veterans Park (4.33 acres) Pocket Park (.46 acres) Well 1 Park (.17 acres)
MAINTENANCE DISTRICTS	87,798 sq. ft. (1.58 acres) Walnut Woods Turf & Trees - 26,137 sq. ft. Sierra Woods Turf & Trees - 12,063 sq. ft. Turf, Trees & Shrubs - 23,598 sq. ft. Trees & Shrubs - 6000 sq. ft.	70,217 sq. ft. (1.61 acres) Walnut Woods Turf & Trees - 26,137 sq. ft. Sierra Woods Turf & Trees - 12,063 sq. ft. Turf, Trees & Shrubs - 23,598 sq. ft. Trees & Shrubs - 8000 sq. ft. Walnut Creek Trees & Shrubs - 2,421 sq. ft.
STREETS	Alleyways 121,270 sq. ft. (2.78 acres) Streets (56 lane miles) F'ville Blvd Planters	Alleyways 121,270 sq. ft. (2.78 acres) Streets (61 lane miles) F'ville Blvd Planters Visalia Road Median Roundabouts
WATER	8 wells Distribution System Backflows	7 Wells Distribution System Cameron Creek Metering Backflows
SEWER	WWTP 4 Lift Stations 1 Forced Main Collection System	WWTP 4 Lift Stations 1 Forced Main Collection System
STORM	5 Ponding Basins 2 Lift Stations Collection System	5 Ponding Basins 2 Lift Stations Collection System

The background features a vibrant green-to-yellow gradient on the left side, transitioning into a dark blue-grey area on the right. The right side is further defined by overlapping, semi-transparent green geometric shapes, possibly representing leaves or abstract patterns. In the top-left corner, there is a blurred, curved shape with white and red tones, resembling a wheel or a stylized object.

Landscape & Park Maintenance

Public Works Department



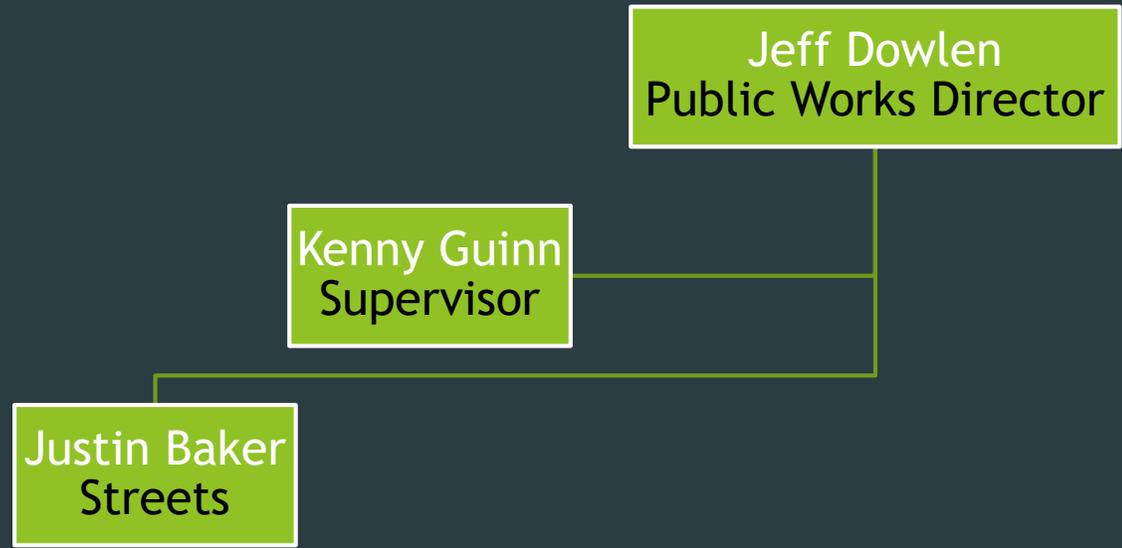


Water

- 7 wells
- 263 fire hydrants
- 576 water valves
- 26 miles of water main pipeline
- Over 2,700 water meters
- Shutoffs and connections

Wastewater

- 4 sewer lift stations
- 29 miles of sewer main pipeline
- Sampling
- Reports
- Maintenance of WWTP
- FOG Program



Street Maintenance

- Potholes
- Signage
- Graffiti
- Alleys
- Ponding basins
- Storm drain
- Sidewalks
- City parking lots
- City owned trees
- Median islands
- Parkway strips

Jeff Dowlen
Public Works Director

Kenny Guinn
Supervisor

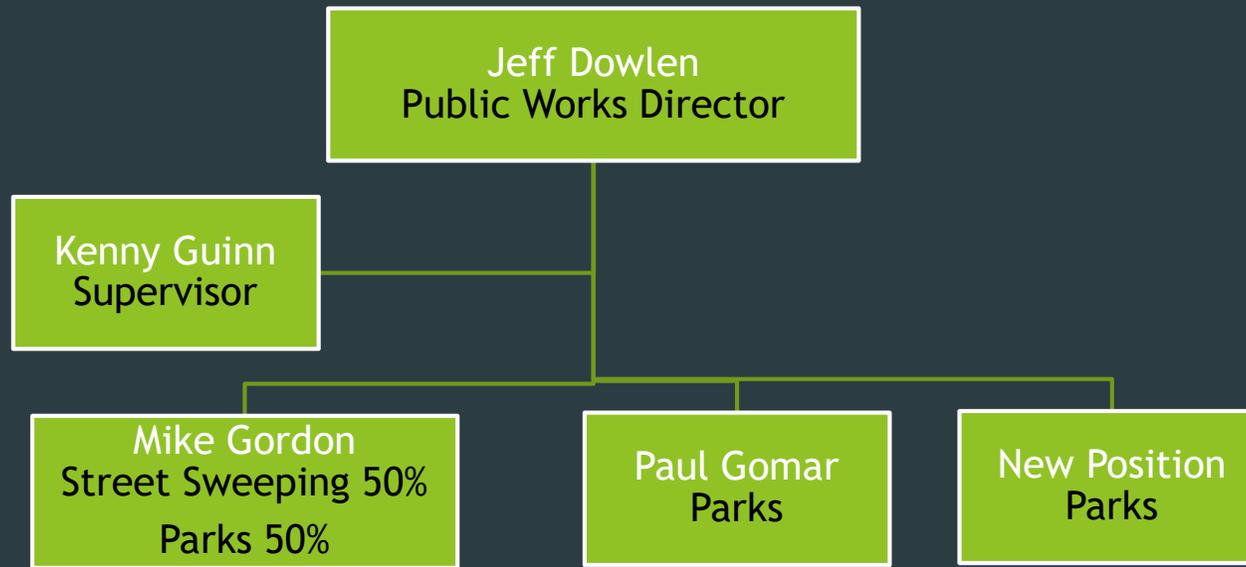
Ruben Farias
City Buildings & Properties 25%
LLMD 75%

City Buildings & Properties

- Maintenance & Repair
- Landscape

Landscape & Lighting Maintenance Districts

- 7 Zones



Street Sweeping

- 65 miles of streets per week (operates 2 weeks a month)

Park Maintenance - 8 parks/32 acres

- Trails
- Turf
- Irrigation
- Trees
- Ballfields
- Playgrounds
- Water park

Capital Improvement Projects



- Irrigation upgrades for Armstrong Park and Veterans Park
- Irrigation and landscape refurbishment at Sports Park Trail (1 of 3 zones)
- Remodel Police Department
- Well 3 Generator
- Well 7 Generator
- HVAC replacement at Civic Center
- Computer Network Upgrade at Corporation Yard
- Equipment purchases
 - Bobcat and trailer
 - F250 Crew Cab (replace 2002 vehicle)
 - Two Ford F150 pick-up trucks (replace two 2006 vehicles)

Unscheduled Improvement Projects



- Irrigation and landscape refurbishment at Roundabout
- Irrigation and landscape refurbishment at Visalia Road medians
- Irrigation and landscape refurbishment of Farmersville Blvd medians and parkway strips

Other Tasks



- Assist Code Enforcement
 - Weed Abatement
 - Property Abatement
- Collaborate with Mid Valley Disposal
 - Recycling program (Dump that Junk)
 - Compliance issues
- Emergencies
- Grant Applications & Projects in Progress
 - Sequoia Gateway Area (design underway)
 - Freedom Field (application submitted; awards in Spring)
 - Sports Park (application due December)
 - Roys Park (application due June 2021)

Capital Improvement Projects

- Irrigation upgrades for Armstrong Park and Veterans Park
- Irrigation and landscape refurbishment at Sports Park Trail (1 of 3 zones)
- Well 3 Generator
- Well 7 Generator
- HVAC replacement at Civic Center
- Computer Network Upgrade at Corporation Yard
- Equipment purchases
 - Bobcat and trailer
 - F250 Crew Cab (replace 2002 vehicle)
 - Two Ford F150 pick-up trucks (replace two 2006 vehicles)

Unscheduled and Not Budgeted Improvement Projects

- Irrigation and landscape refurbishment at Roundabout
- Irrigation and landscape refurbishment at Visalia Road medians
- Irrigation and landscape refurbishment of Farmersville Blvd medians and parkway strips

Other Tasks

- Assist Code Enforcement
 - Weed Abatement
 - Property Abatement
- Assist Mid Valley Disposal
 - Recycling program (Dump that Junk)
 - Compliance issues
- Emergencies
- Grant Applications & Projects in Progress
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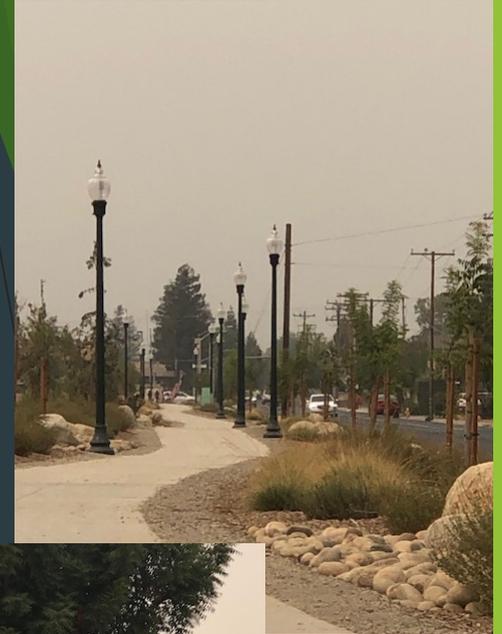
City of Woodlake
City of Exeter
City of Lindsay

City of Woodlake



Parks staff - 5 (Total 10 PW staff)
Wednesday, Thursday, Friday

City of Exeter



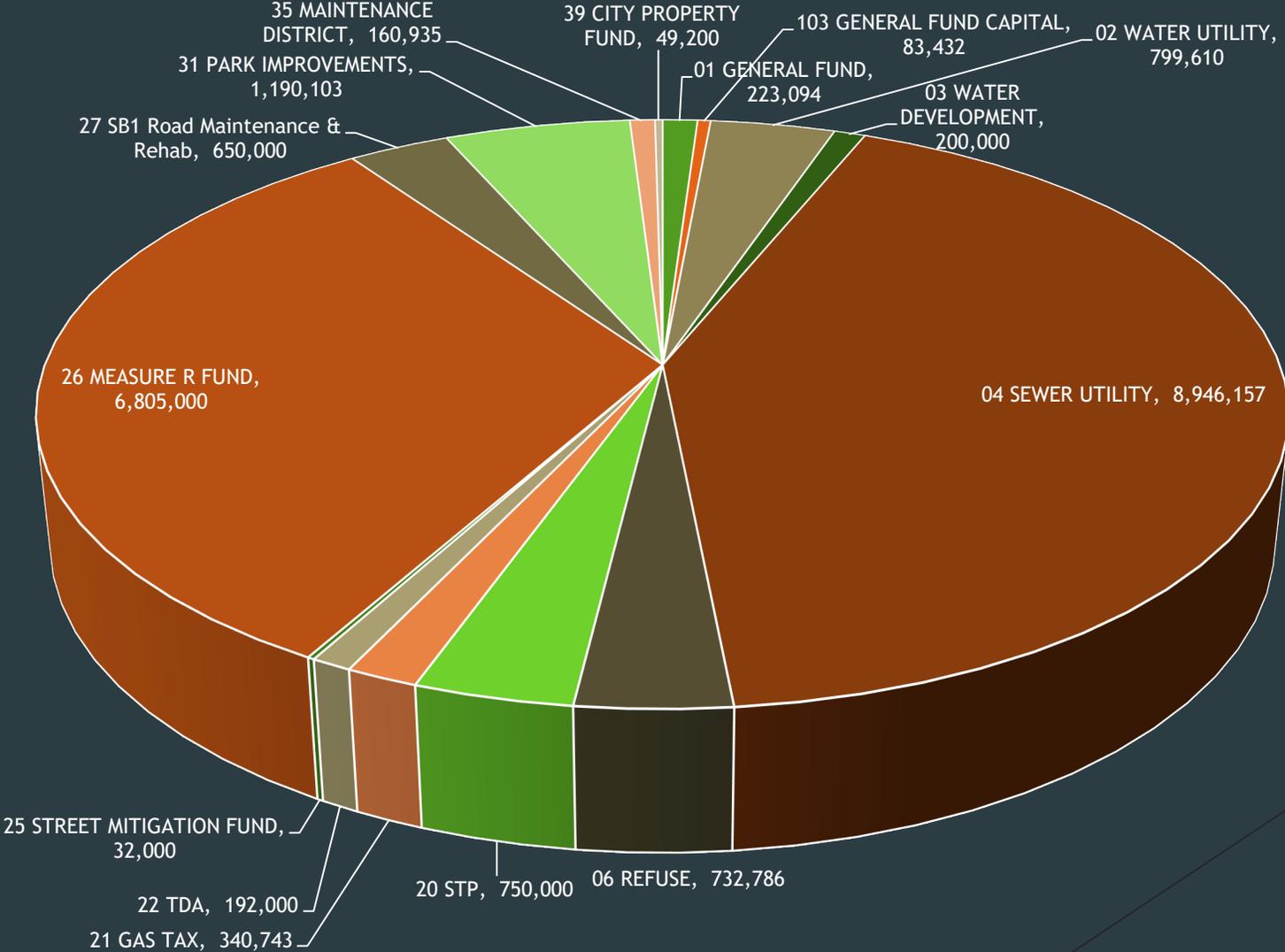
Public Works staff - 6
5% of work spent on playground equipment and irrigation repairs
27 acres - Contracts out parks and landscaping

City of Lindsay

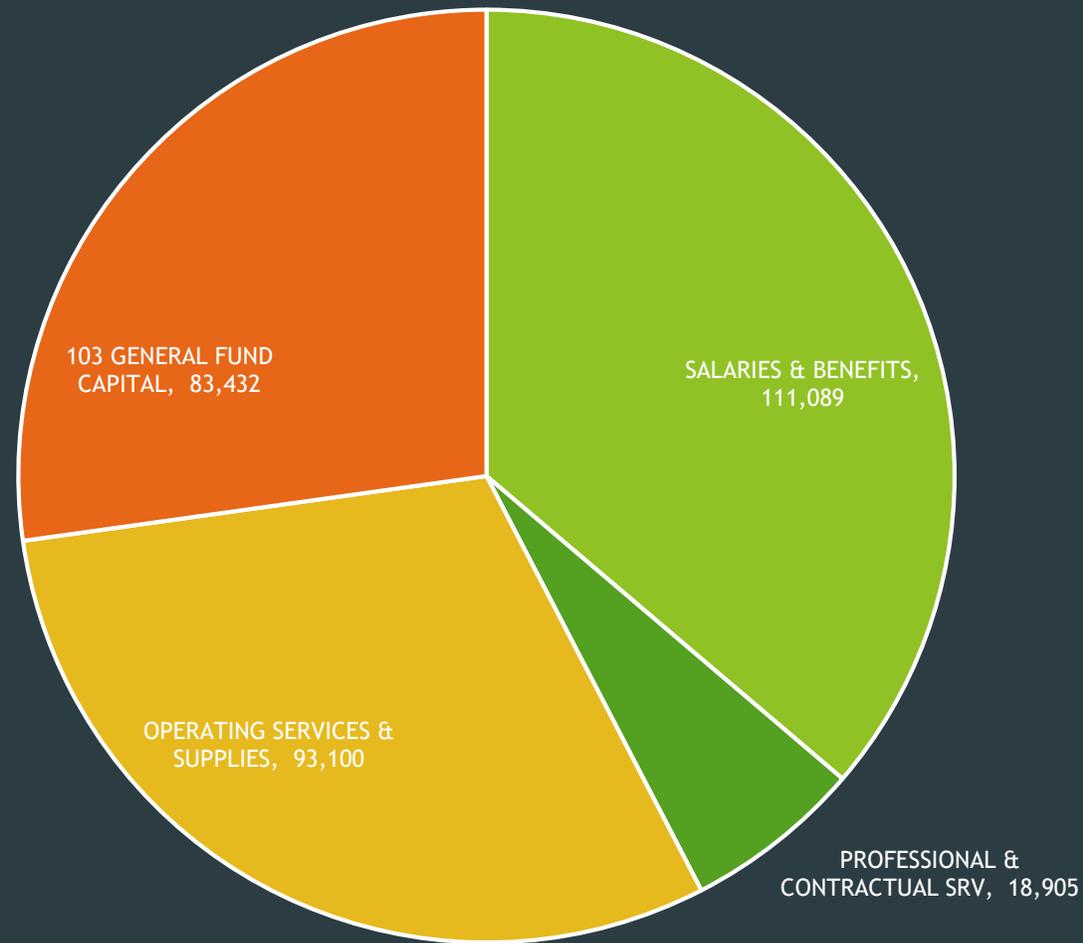


Public Works staff - 13
2 hours everyday
17 acres

Public Works Expenditures by Fund



Public Works General Fund Expense



SWOT ANALYSIS

Internal	STRENGTHS <ul style="list-style-type: none">➤ Increasing staff to 8➤ Flexible staff➤ Workflow & Accountability system➤ Cost recovery improved with fees	WEAKNESSES <ul style="list-style-type: none">➤ Staff coverage➤ Projects requiring staff to be pulled from regular duties➤ Inefficient irrigation systems➤ Dependent on General Fund➤ \$67,000 for salary and benefits➤ Facebook drives course of action with mixed priorities from community
External	OPPORTUNITIES <ul style="list-style-type: none">➤ Additional Temp employees \$1,068.80 each per week➤ Contract out specific services➤ Onetime funding sources➤ Set new expectations➤ Add budget item for misc. projects	THREATS <ul style="list-style-type: none">➤ Deferred Maintenance (storm drain system, water and sewer lines)➤ Long term Sustainability on City budget➤ Community expectations/social media➤ Future growth

CREATE AN ACTION PLAN

Balancing or Sacrificing

OPERATIONS

- What should the City standards be for maintenance?
- What improvements need to be made to meet Council expectations?
 - What will be done, when, and where?
- What resources will be required?
 - Funds
 - People

PROJECTS

- What projects should take priority over daily operations?
 - Scheduled
 - Unscheduled
- What resources will be required?
 - Funds
 - People

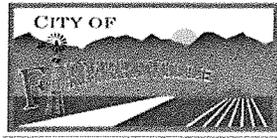
Next Steps

Short Term

Strategies to implement NOW

Long term

Strategies to achieve sustainable parks and landscaping



City Council

Staff Report Closed Session

TO: Honorable Mayor and City Council

FROM: Jennifer Gomez, City Manager

DATE: September 28, 2020

SUBJECT: CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Pursuant to Government Code Section 54956.9(d)(2) & (e)(3) – 1 potential case *[This involves the receipt of a claim pursuant to the Government Claims Act from a potential plaintiff threatening litigation]*

ATTACHMENT(S):

Claim



MANSHOORY LAW GROUP, APC
1200 WILSHIRE BLVD, SUITE 409
LOS ANGELES, CA 90017
TEL: 213.221.7772 FAX: 213.337.8850

August 3, 2020

VIA CERTIFIED U.S. MAIL WITH RETURN RECEIPT REQUESTED

FAMERSVILLE POLICE DEPARTMENT
909 W. Visalia Rd.
Farmersville, CA 93223
ATTN: CLAIMS/JENNIFER GOMEZ

Re: **CLAIM FOR DAMAGES (Gov't Code, § 910 *et seq.*); DEMAND TO PRESERVE EVIDENCE; AND REQUEST FOR PUBLIC RECORDS PURSUANT TO THE CALIFORNIA PUBLIC RECORDS ACT (Gov't Code, § 6250 *et seq.*)**

Claimant(s): Maria Elena Garcia, individually and as Successor-in-Interest to Manuel Garcia, deceased, Adrieana Garcia, individually and as Successor-in-Interest to Manuel Garcia, deceased, Christopher Garcia, individually and as Successor-in-Interest to Manuel Garcia, deceased, by and through his guardian ad litem, Maria Elena Garcia, Sara Garcia, individually and as Successor-in-Interest to Manuel Garcia, deceased, by and through her guardian ad litem, Maria Elena Garcia, Jaelynn Garcia, individually and as Successor-in-Interest to Manuel Garcia, deceased, by and through her guardian ad litem, Maria Elena Garcia, and Gloria Garcia, individually (collectively "claimants").

Date of Injury: On or about June 24, 2020 – June 25, 2020

To Whom It May Concern:

Please be advised that this office has been retained to represent the interest of all claimants with regards to claims arising from the in-custody death of Manuel Garcia ("decedent") that occurred on or about June 24, 2020 involving Farmersville Police Officers and Tulare County Sheriff's Department after decedent was detained and hooked into custody at Tulare County Pre-trial Facility in Tulare County.

Enclosed herewith as **Attachment 1**, please find a copy of our Designation of Attorney form duly signed by each claimant. Please direct any and all communications concerning this matter to this office, attention the undersigned.



MANSHOORY LAW GROUP, APC
1200 WILSHIRE BLVD, SUITE 409
LOS ANGELES, CA 90017
TEL: 213.221.7772 FAX: 213.337.8850

I. CLAIM FOR DAMAGES (Gov't Code, § 910 et seq.)

Pursuant to California Government Code section 910 et seq, the Claimant named herein hereby submits her government claim pertaining to the in-custody death of decedent, and the injuries she sustained as a result of the actions of the above-named agency and entity. The claim forms for the Farmersville Police Department and Tulare County are also enclosed as **Attachment 2** and **Attachment 3**, respectively.

A. THE NAMES AND ADDRESSES OF CLAIMANTS

Each of these Claimants is represented in this matter by Manshoory Law Group, APC, and does not wish to be contacted directly by any of the public entities named in this claim, or other agents or representatives, regarding the subject of this claim. It is requested that all communications be directed to counsel.

1. **Maria Elena Garcia** (DOB: 12/28/1979), c/o Manshoory Law Group, APC, 1200 Wilshire Blvd., Suite 409, Los Angeles, CA 90017;
2. **Adriana Garcia** (DOB: 10/7/2001), c/o Manshoory Law Group, APC, 1200 Wilshire Blvd., Suite 409, Los Angeles, CA 90017;
3. **Christopher Garcia** (DOB: 2/7/2005), c/o a minor by and through his guardian ad litem, Maria Elena Garcia, c/o Manshoory Law Group, APC, 1200 Wilshire Blvd., Suite 409, Los Angeles, CA 90017;
4. **Sara Garcia** (DOB: 5/23/2007), c/o a minor by and through her guardian ad litem, Maria Elena Garcia, c/o Manshoory Law Group, APC, 1200 Wilshire Blvd., Suite 409, Los Angeles, CA 90017;
5. **Jaelynn Garcia** (DOB: 7/9/2018), c/o a minor by and through her guardian ad litem, Maria Elena Garcia, c/o Manshoory Law Group, APC, 1200 Wilshire Blvd., Suite 409, Los Angeles, CA 90017; and
6. **Gloria Garcia** (DOB: 12/17/1955), c/o Manshoory Law Group, APC, 1200 Wilshire Blvd., Suite 409, Los Angeles, CA 90017.



MANSHOORY LAW GROUP, APC
1200 WILSHIRE BLVD, SUITE 409
LOS ANGELES, CA 90017
TEL: 213.221.7772 FAX: 213.337.8850

B. THE POST OFFICE ADDRESS TO WHICH THE PERSONS PRESENTING THE CLAIM DESIRES NOTICE TO BE SENT

MANSHOORY LAW GROUP, APC
Shaheen F. Manshoory
1200 Wilshire Blvd, Suite 409
Los Angeles, CA 90017
Telephone: (213) 221-7772
Fax: (213) 337-8850

C. FACTUAL BACKGROUND

On or about June 24, 2020, Farmersville police officers were called to decedent's home for disturbing the peace. Decedent was detained and taken to the Tulare County Adult Pre-trial Facility, which is believed to be under the jurisdiction of the Tulare County Sheriff's Department. Shortly thereafter, decedent was transported to Kaweah Delta District Hospital. Upon arrival, decedent was found to be unresponsive. Decedent was moved into the emergency room where he was revived by medical personnel. Shortly thereafter, decedent succumbed to his injuries.

D. DESCRIPTION OF CLAIMS

As a result of the events described above, Claimants will bring causes of action including, but not limited to: (1) Excessive Force pursuant to 42 U.S.C § 1983; (2) Denial of Medical Care pursuant to 42 U.S.C. § 1983; (3) Failure to Train, Supervise, and Discipline pursuant to 42 U.S.C. § 1983; (4) Municipal Liability pursuant to 42 U.S.C. § 1983; (5) Interference with Familial Relationship pursuant to 42 U.S.C. § 1983; (6) Wrongful death; (7) Negligence; (8) Negligent Hiring Supervision, and Retention; (9) Battery; (10) violation of *Civil Code* § 52.1; (11) violation of *Civil Code* § 51.7. *Claimants bring these claims in both their individual capacities and in their capacity as successors-in-interest to the decedent's Estate.*

E. GENERAL DESCRIPTION OF THE INDEBTEDNESS, OBLIGATION, INJURY, DAMAGE OR LOSS AS IS PRESENTLY KNOWN

As a result of the events described above, Claimants have sustained substantial economic damages and non-economic damages including, but not limited funeral and burial expenses, medical expenses of decedent, loss of financial support, lost wages, loss of future income, loss of support, services, love, comfort, society, attention, severe mental anguish, emotional distress, worry, fear, anxiety, and difficulty sleeping. Said damages are a direct result of the improper conduct and act of the named public entities and/or their employees, agents, servants, and representatives.



MANSHOORY LAW GROUP, APC
1200 WILSHIRE BLVD, SUITE 409
LOS ANGELES, CA 90017
TEL: 213.221.7772 FAX: 213.337.8850

F. THE NAME(S) OF THE PUBLIC ENTITY(IES) AND EMPLOYEE(S) CAUSING THE INJURY, DAMAGE OR LOSS

1. Farmersville Police Department;
2. Employees or agents of the Farmersville Police Department;
3. Tulare County;
4. Tulare County Sheriff's Department; and
5. Employees or agents of the Tulare County Sheriff's Department

G. THE AMOUNT CLAIMS

Claimants seek damages in the amount of \$10,000,000.00.

II. PRESERVATION OF EVIDENCE AND REQUEST UNDER THE CALIFORNIA PUBLIC RECORDS ACT (Gov't Code § 6250 et seq.)

You are requested to preserve all documents and materials that may reasonably be thought to be pertinent to the abovementioned incident, including the following: (1)

1. All dispatch reports;
2. All incidents reports;
3. All investigative reports;
4. All evidence logs;
5. All use of force reports and evaluations;
6. All officer statements;
7. All witness statements;
8. All charts and diagrams;
9. All audio or visual recordings of 911 calls, dispatch communications, officer and witness statements, surveillance footage, body camera footage, and other audio and visual recordings; and
10. The full names and badge or employee identification numbers of all law enforcement personnel who were involved in or responded to the incident described above.

Please be advised that it is a criminal offense to destroy any evidence. California *Penal Code* Section 135 provides:

“Every person who knowing that any book, paper, record, instrument in writing, or other matter or thing, is about to be produced in evidence upon any trial, inquiry, or investigation authorized by law, willfully destroys or conceals the same, with the intent thereby to prevent it from being produced, is guilty of a misdemeanor.”



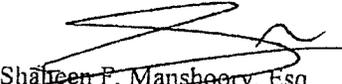
MANSHOORY LAW GROUP, APC
1200 WILSHIRE BLVD, SUITE 409
LOS ANGELES, CA 90017
TEL: 213.221.7772 FAX: 213.337.8850

You are also requested to produce to this firm within thirty-five (35) days of the date of this letter, the abovementioned documents and materials pursuant to the California Public Records Act ("CPRA"), Gov't Code § 6250 *et seq.*

Please be advised that this firm is prepared to pursue all remedies available under the law, including under Gov't Code § 6259(a) and (d), in the event you fail to comply fully with your obligations under the CPRA.

Please feel free to contact me if you have any questions.

Sincerely,


Shaheen P. Manshoory, Esq.
Manshoory Law Group
Attorney for Plaintiff(s)

Enclosures: (1) Designation of Attorney Form; (2) City of Farmersville Claim Form; and (3) Tulare County Claim Form



MANSHOORY LAW GROUP, APC
1200 WILSHIRE BLVD, SUITE 409
LOS ANGELES, CA 90017
TEL: 213.221.7772 FAX: 213.337.8850

CLAIMANT'S DESIGNATION OF ATTORNEY

Pursuant to Title 10, Section 2695.2(c) of the California Code of Regulations:

I, María, Elena García, Adrieana García, minors Christopher García, Sara García, and Jaelynn García, by and through their guardian ad litem, María Elena García, and Gloria García, hereby designate **MANSHOORY LAW GROUP, APC**, to act as my duly authorized and designated attorney to handle any and all claims for property damage, bodily injury or any type of damages whatsoever arising out of the incident dated on or about

This authorization shall be valid for only two (2) years from the date indicated below unless renewed or revoked by the undersigned. Any and all prior authorizations are hereby revoked by the undersigned as of the date of this authorization.

By: María Elena García
María Elena García

Date: 7-10-2020

By: Adrieana García
Adrieana García

Date: 7-10-20

By: Christopher García
Christopher García, by and through his
guardian ad litem, María Elena García

Date: 7-10-2020

By: Sara García
Sara García, by and through her
guardian ad litem, María Elena García

Date: 7-10-2020

By: Jaelynn García
Jaelynn García, by and through her
guardian ad litem, María Elena García

Date: 7-10-2020



MANSHOORY LAW GROUP, APC
1200 WILSHIRE BLVD, SUITE 409
LOS ANGELES, CA 90017
TEL: 213.221.7772 FAX: 213.337.8850

By:

Gloria Garcia
Gloria Garcia

Date: 7-10-2020

City of Farmersville

CLAIM FORM

(Please Type or Print)

CLAIM AGAINST Farmersville Police Dept., Tulare County Sheriff's Dept. and their respective employees/agents

Claimant's name: Gloria Garcia (Name of Entity) SS#: _____ DOB: 12/17/1955

Claimant's address: 1200 Wilshire Blvd. Suite 409, Los Angeles, CA 90017 Phone # 213-221-7772

Address where notices about claim are to be sent, if different from above: _____

Date of incident/accident: June 24, 2020 - June 25, 2020

Date injuries, damages, or losses were discovered: June 24, 2020 - June 25, 2020

Location of incident/accident: While in the custody of Farmersville PD and Tulare County Sheriff's Dept.

What did entity or employee do to cause this loss, damage, or injury? See enclosed correspondence from Manshoory

Law Group

(Use back of this form or separate sheet if necessary to answer this question in detail.)

What are the names of the entity's employees who caused this injury, damage, or loss (if known)?

Claimant is unaware of the identity of the entity's employee(s) responsible.

What specific injuries, damages, or losses did claimant receive? See enclosed correspondence from Manshoory

Law Group

(Use back of this form or separate sheet if necessary to answer this question in detail.)

What amount of money is claimant seeking or, if the amount is in excess of \$10,000, which is the appropriate court of jurisdiction. Note: If Superior and Municipal Courts are consolidated, you must represent whether it is a "limited civil case" [see Government Code 910(f)]

Claimants, collectively, seek \$10,000,000.00 in their individual capacity and as successors to the Estate of decedent.

How was this amount calculated (please itemize)? See enclosed correspondence from Manshoory Law Group

(Use back of this form or separate sheet if necessary to answer this question in detail.)

Date Signed: August 4, 2020 Signature: _____

If signed by representative:

Representative's Name Shaheen F. Manshoory Address 1200 Wilshire Blvd Suite 409

Telephone # 213-221-7772

Relationship to Claimant Attorney

City of Farmersville

CLAIM FORM

(Please Type or Print)

CLAIM AGAINST Farmersville Police Dept., Tulare County Sheriff's Dept. and their respective employees/agents

Claimant's name: Maria Elena Garcia (Name of Entity) SS#: _____ DOB: 12/28/1979

Claimant's address: 1200 Wilshire Blvd, Suite 409, Los Angeles, CA 90017 Phone # (213) 221-7772

Address where notices about claim are to be sent, if different from above: _____

Date of incident/accident: June 24, 2020 - June 25, 2020

Date injuries, damages, or losses were discovered: June 24, 2020 - June 25, 2020

Location of incident/accident: While in the custody of Farmersville PD and Tulare County Sheriff's Dept.

What did entity or employee do to cause this loss, damage, or injury? See enclosed correspondence from Manshoory

Law Group _____

(Use back of this form or separate sheet if necessary to answer this question in detail.)

What are the names of the entity's employees who caused this injury, damage, or loss (if known)?

Claimant is unaware of the identity of the entity's employee(s) responsible.

What specific injuries, damages, or losses did claimant receive? See enclosed correspondence from Manshoory

Law Group _____

(Use back of this form or separate sheet if necessary to answer this question in detail.)

What amount of money is claimant seeking or, if the amount is in excess of \$10,000, which is the appropriate court of jurisdiction. Note: If Superior and Municipal Courts are consolidated, you must represent whether it is a "limited civil case" [see Government Code 910(f)]

Claimants, collectively, seek \$10,000,000.00 in their individual capacity and as successors to the Estate of decedent.

How was this amount calculated (please itemize)? See enclosed correspondence from Manshoory Law Group

(Use back of this form or separate sheet if necessary to answer this question in detail.)

Date Signed: August 4, 2020 Signature: 

If signed by representative:

Representative's Name Shaheen F. Manshoory Address 1200 Wilshire Blvd Suite 409

Telephone # 213-221-7772

Relationship to Claimant Attorney

City of Farmersville

CLAIM FORM

(Please Type or Print)

CLAIM AGAINST Farmersville Police Dept., Tulare County Sheriff's Dept. and their respective employees/agents
Claimant's name: Manuel Garcia (Name of Entity) Manuela Garcia, successor to Estate of SS#: _____ DOB: 12/28/1979
Claimant's address: 1200 Wilshire Blvd., Suite 409, Los Angeles, CA Phone # (213)221-7772
Address where notices about claim are to be sent, if different from above: _____

Date of incident/accident: June 24, 2020 - June 25, 2020
Date injuries, damages, or losses were discovered: June 24, 2020 - June 25, 2020
Location of incident/accident: While in the custody of Farmersville PD and Tulare County Sheriff's Dept.
What did entity or employee do to cause this loss, damage, or injury? See enclosed correspondence from Manshoory Law Group

(Use back of this form or separate sheet if necessary to answer this question in detail.)

What are the names of the entity's employees who caused this injury, damage, or loss (if known)?
Claimant is unaware of the identity of the entity's employee(s) responsible.
What specific injuries, damages, or losses did claimant receive? See enclosed correspondence from Manshoory Law Group

(Use back of this form or separate sheet if necessary to answer this question in detail.)

What amount of money is claimant seeking or, if the amount is in excess of \$10,000, which is the appropriate court of jurisdiction.
Note: If Superior and Municipal Courts are consolidated, you must represent whether it is a "limited civil case" [see Government Code 910(f)]
Claimants, collectively, seek \$10,000,000.00 in their individual capacity and as successors to the Estate of decedent.

How was this amount calculated (please itemize)? See enclosed correspondence from Manshoory Law Group

(Use back of this form or separate sheet if necessary to answer this question in detail.)

Date Signed: August 4, 2020 Signature: _____

If signed by representative:

Representative's Name Shaheen F. Manshoory Address 1200 Wilshire Blvd Suite 409
Telephone # 213-221-7772
Relationship to Claimant Attorney

City of Farmersville

CLAIM FORM

(Please Type or Print)

CLAIM AGAINST Farmersville Police Dept., Tulare County Sheriff's Dept. and their respective employees/agents

Claimant's name: Christopher Garcia (Name of Entity) SS#: _____ DOB: 2/7/2005

Claimant's address: 1200 Wilshire Blvd. Suite 409, Los Angeles, CA 90017 Phone # 213-221-7772

Address where notices about claim are to be sent, if different from above: _____

Date of incident/accident: June 24, 2020 - June 25, 2020

Date injuries, damages, or losses were discovered: June 24, 2020 - June 25, 2020

Location of incident/accident: While in the custody of Farmersville PD and Tulare County Sheriff's Dept.

What did entity or employee do to cause this loss, damage, or injury? See enclosed correspondence from Manshoory

Law Group _____

(Use back of this form or separate sheet if necessary to answer this question in detail.)

What are the names of the entity's employees who caused this injury, damage, or loss (if known)?

Claimant is unaware of the identity of the entity's employee(s) responsible. _____

What specific injuries, damages, or losses did claimant receive? See enclosed correspondence from Manshoory

Law Group _____

(Use back of this form or separate sheet if necessary to answer this question in detail.)

What amount of money is claimant seeking or, if the amount is in excess of \$10,000, which is the appropriate court of jurisdiction. Note: If Superior and Municipal Courts are consolidated, you must represent whether it is a "limited civil case" [see Government Code 910(f)]

Claimants, collectively, seek \$10,000,000.00 in their individual capacity and as successors to the Estate of decedent

How was this amount calculated (please itemize)? See enclosed correspondence from Manshoory Law Group

(Use back of this form or separate sheet if necessary to answer this question in detail.)

Date Signed: August 4, 2020 Signature: _____

If signed by representative:

Representative's Name Shaheen F. Manshoory Address 1200 Wilshire Blvd Suite 409

Telephone # 213-221-7772

Relationship to Claimant Attorney

City of Farmersville

CLAIM FORM

(Please Type or Print)

CLAIM AGAINST Farmersville Police Dept., Tulare County Sheriff's Dept. and their respective employees/agents

Claimant's name: Jaelynn Garcia (Name of Entity) SS#: _____ DOB: 7/9/2018

Claimant's address: 1200 Wilshire Blvd. Suite 409, Los Angeles, CA 90017 Phone # 213-221-7772

Address where notices about claim are to be sent, if different from above: _____

Date of incident/accident: June 24, 2020 - June 25, 2020

Date injuries, damages, or losses were discovered: June 24, 2020 - June 25, 2020

Location of incident/accident: While in the custody of Farmersville PD and Tulare County Sheriff's Dept.

What did entity or employee do to cause this loss, damage, or injury? See enclosed correspondence from Manshoory Law Group

(Use back of this form or separate sheet if necessary to answer this question in detail.)

What are the names of the entity's employees who caused this injury, damage, or loss (if known)?

Claimant is unaware of the identity of the entity's employee(s) responsible.

What specific injuries, damages, or losses did claimant receive? See enclosed correspondence from Manshoory Law Group

Law Group

(Use back of this form or separate sheet if necessary to answer this question in detail.)

What amount of money is claimant seeking or, if the amount is in excess of \$10,000, which is the appropriate court of jurisdiction. Note: If Superior and Municipal Courts are consolidated, you must represent whether it is a "limited civil case" [see Government Code 910(f)]

Claimants, collectively, seek \$10,000,000.00 in their individual capacity and as successors to the Estate of decedent.

How was this amount calculated (please itemize)? See enclosed correspondence from Manshoory Law Group

(Use back of this form or separate sheet if necessary to answer this question in detail.)

Date Signed: August 4, 2020 Signature: 

If signed by representative:

Representative's Name Shaheen F. Manshoory Address 1200 Wilshire Blvd Suite 409

Telephone # 213-221-7772

Relationship to Claimant Attorney

City of Farmersville

CLAIM FORM

(Please Type or Print)

CLAIM AGAINST Farmersville Police Dept., Tulare County Sheriff's Dept. and their respective employees/agents

Claimant's name: Jaelynn Garcia, successor to Estate of Manuel Garcia (Name of Entity) SS#: [redacted] DOB: 7/9/2018

Claimant's address: 1200 Wilshire Blvd, Suite 409, Los Angeles, CA 90017 Phone #: 213-221-7772

Address where notices about claim are to be sent, if different from above: [redacted]

Date of incident/accident: June 24, 2020 - June 25, 2020

Date injuries, damages, or losses were discovered: June 24, 2020 - June 25, 2020

Location of incident/accident: While in the custody of Farmersville PD and Tulare County Sheriff's Dept.

What did entity or employee do to cause this loss, damage, or injury? See enclosed correspondence from Manshoory

Law Group [redacted]

(Use back of this form or separate sheet if necessary to answer this question in detail.)

What are the names of the entity's employees who caused this injury, damage, or loss (if known)?

Claimant is unaware of the identity of the entity's employee(s) responsible.

What specific injuries, damages, or losses did claimant receive? See enclosed correspondence from Manshoory

Law Group [redacted]

(Use back of this form or separate sheet if necessary to answer this question in detail.)

What amount of money is claimant seeking or, if the amount is in excess of \$10,000, which is the appropriate court of jurisdiction. Note: If Superior and Municipal Courts are consolidated, you must represent whether it is a "limited civil case" [see Government Code 910(f)]

Claimants, collectively, seek \$10,000,000.00 in their individual capacity and as successors to the Estate of decedent

How was this amount calculated (please itemize)? See enclosed correspondence from Manshoory Law Group

(Use back of this form or separate sheet if necessary to answer this question in detail.)

Date Signed: August 4, 2020 Signature: [Signature]

If signed by representative:

Representative's Name Shaheen F. Manshoory Address 1200 Wilshire Blvd Suite 409

Telephone # 213-221-7772

Relationship to Claimant Attorney

City of Farmersville

CLAIM FORM

(Please Type or Print)

CLAIM AGAINST Farmersville Police Dept., Tulare County Sheriff's Dept. and their respective employees/agents

Claimant's name: Adrieana Garcia (Name of Entity) SS#: _____ DOB: 10/7/2001

Claimant's address: 1200 Wilshire Blvd, Suite 409, Los Angeles, CA 90017 Phone # 213-221-7772

Address where notices about claim are to be sent, if different from above: _____

Date of incident/accident: June 24, 2020 - June 25, 2020

Date injuries, damages, or losses were discovered: June 24, 2020 - June 25, 2020

Location of incident/accident: While in the custody of Farmersville PD and Tulare County Sheriff's Dept.

What did entity or employee do to cause this loss, damage, or injury? See enclosed correspondence from Manshoory

Law Group

(Use back of this form or separate sheet if necessary to answer this question in detail.)

What are the names of the entity's employees who caused this injury, damage, or loss (if known)?

Claimant is unaware of the identity of the entity's employee(s) responsible.

What specific injuries, damages, or losses did claimant receive? See enclosed correspondence from Manshoory

Law Group

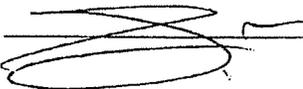
(Use back of this form or separate sheet if necessary to answer this question in detail.)

What amount of money is claimant seeking or, if the amount is in excess of \$10,000, which is the appropriate court of jurisdiction. Note: If Superior and Municipal Courts are consolidated, you must represent whether it is a "limited civil case" [see Government Code 910(f)]

Claimants, collectively, seek \$10,000,000.00 in their individual capacity and as successors to the Estate of decedent.

How was this amount calculated (please itemize)? See enclosed correspondence from Manshoory Law Group

(Use back of this form or separate sheet if necessary to answer this question in detail.)

Date Signed: August 4, 2020 Signature: 

If signed by representative:

Representative's Name Shaheen F. Manshoory Address 1200 Wilshire Blvd Suite 409

Telephone # 213-221-7772

Relationship to Claimant Attorney

City of Farmersville

CLAIM FORM

(Please Type or Print)

CLAIM AGAINST Farmersville Police Dept., Tulare County Sheriff's Dept. and their respective employees/agents

Claimant's name: Sara Garcia (Name of Entity) SS#: _____ DOB: 5/23/2007

Claimant's address: 1200 Wilshire Blvd. Suite 409, Los Angeles, CA 90017 Phone # 213-221-7772

Address where notices about claim are to be sent, if different from above: _____

Date of incident/accident: June 24, 2020 - June 25, 2020

Date injuries, damages, or losses were discovered: June 24, 2020 - June 25, 2020

Location of incident/accident: While in the custody of Farmersville PD and Tulare County Sheriff's Dept.

What did entity or employee do to cause this loss, damage, or injury? See enclosed correspondence from Manshoory

Law Group _____

(Use back of this form or separate sheet if necessary to answer this question in detail.)

What are the names of the entity's employees who caused this injury, damage, or loss (if known)?

Claimant is unaware of the identity of the entity's employee(s) responsible. _____

What specific injuries, damages, or losses did claimant receive? See enclosed correspondence from Manshoory

Law Group _____

(Use back of this form or separate sheet if necessary to answer this question in detail.)

What amount of money is claimant seeking or, if the amount is in excess of \$10,000, which is the appropriate court of jurisdiction. Note: If Superior and Municipal Courts are consolidated, you must represent whether it is a "limited civil case" (see Government Code 910(f))

Claimants, collectively, seek \$10,000,000.00 in their individual capacity and as successors to the Estate of decedent. _____

How was this amount calculated (please itemize)? See enclosed correspondence from Manshoory Law Group

(Use back of this form or separate sheet if necessary to answer this question in detail.)

Date Signed: August 4, 2020 Signature: _____

If signed by representative:

Representative's Name Shaheen F. Manshoory Address 1200 Wilshire Blvd Suite 409

Telephone # 213-221-7772

Relationship to Claimant Attorney

City of Farmersville

CLAIM FORM

(Please Type or Print)

CLAIM AGAINST Farmersville Police Dept., Tulare County Sheriff's Dept. and their respective employees/agents

Claimant's name: Sara Garcia, successor to Estate of Manuel Garcia (Name of Entity) SS#: _____ DOB: 5/23/2007

Claimant's address: 1200 Wilshire Blvd, Suite 400, Los Angeles, CA 90017 Phone # 213-221-7772

Address where notices about claim are to be sent, if different from above: _____

Date of incident/accident: June 24, 2020 - June 25, 2020

Date injuries, damages, or losses were discovered: June 24, 2020 - June 25, 2020

Location of incident/accident: While in the custody of Farmersville PD and Tulare County Sheriff's Dept.

What did entity or employee do to cause this loss, damage, or injury? See enclosed correspondence from Manshoory Law Group

Law Group

(Use back of this form or separate sheet if necessary to answer this question in detail.)

What are the names of the entity's employees who caused this injury, damage, or loss (if known)?

Claimant is unaware of the identity of the entity's employee(s) responsible.

What specific injuries, damages, or losses did claimant receive? See enclosed correspondence from Manshoory Law Group

Law Group

(Use back of this form or separate sheet if necessary to answer this question in detail.)

What amount of money is claimant seeking or, if the amount is in excess of \$10,000, which is the appropriate court of jurisdiction. Note: If Superior and Municipal Courts are consolidated, you must represent whether it is a "limited civil case" [see Government Code 910(f)]

Claimants, collectively, seek \$10,000,000.00 in their individual capacity and as successors to the Estate of decedent.

How was this amount calculated (please itemize)? See enclosed correspondence from Manshoory Law Group

(Use back of this form or separate sheet if necessary to answer this question in detail.)

Date Signed: August 4, 2020 Signature: _____

If signed by representative:

Representative's Name Shaheen F. Manshoory Address 1200 Wilshire Blvd Suite 409

Telephone # 213-221-7772

Relationship to Claimant Attorney

TULARE COUNTY COUNSEL

County Counsel
Deanne H. Peterson

Risk Manager
Susan L. Cox



Supervising Analysts
Robert Anderson
Nancy Chavira

RISK MANAGEMENT DIVISION

P.O. 7300, Visalia, CA 93290

Phone: (559) 623-0280

Fax: (559) 713-3719

Re: Instructions for Filing a Claim against County of Tulare Re: Personal Injury or Property Damages

Attached is a claim form for the filing of a claim against Tulare County for personal injury or property damage. Government Code Section 910, 910.2, 910.6 outline the required content and form for the submission of a claim against a governmental entity. The County of Tulare provides a claim form that conforms to the requirements of Gov. Code Section 910 for your convenience.

Gov. Code Section 911.2 governs the time frame for the presentation of a claim against a governmental entity. Claims for death, injury to person or personal property, or injury to growing crops shall be presented within 6 months of the date of loss or the date damages were incurred. Other claims shall be presented within one year.

The period of notice and any duty to respond after receipt of service of a claim, amendment, or notice is extended five (5) days upon service by mail with the State of California, if mailed from within the United States an additional ten (10) days and twenty (20) days if mailed from outside the United States, pursuant to CCP 1013(a). If the notice of claim is received later than these dates, the claim may be returned as late and no actions will be taken.

You may supplement the claim form with additional facts you believe are important. Submit the claim form and any supporting documentation to the **Clerk of the Board of Supervisors, 2800 W. Burrel, Visalia, CA 93291-4593**. No suit for money or damages may be brought against a public entity until a written claim has been presented and acted upon or rejected pursuant to Gov. Code Section 945.4 with exceptions as noted in Gov. Code Section 905.

If you have a question about how to file a claim against the County of Tulare, you may contact County Counsel Risk Management at (559) 623-0280 between normal business hours of 7:30 a.m. to 5:30 p.m. Monday-Thursday, and 8:00 a.m. to 12:00 p.m. on Friday.

LIABILITY CLAIM REPORT

RETURN FORM TO: Clerk of the Board, TULARE COUNTY BOARD OF SUPERVISORS
2800 W. Burrel, Visalia CA 93291-4593

AGENCY	DIVISION	SECTION	CRMS No. (FOR RMS USER ONLY)
This Report Involves a claim for: <input checked="" type="checkbox"/> Bodily Injury <input type="checkbox"/> Property Damage			
Person To Contact: Manshoory Law Group - 1200 Wilshire Blvd, Suite 409, Los Angeles CA 90017			
Telephone Number: (213-221-7772)			

FACTS (Use another blank sheet if more space is needed)	Date of Loss: June 24-25, 2020	Time: AM <input type="checkbox"/> N/A <input type="checkbox"/> PM <input type="checkbox"/>
	Location: Custody of Farmersville PD and Tulare County Sheriff's Dept.	
	Description of Incident: See attached correspondence from Manshoory Law Group	

CLAIMANT(S) (Use another blank sheet if more space is needed) Six (6) claimants in total	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 30%;">Name</th> <th style="width: 40%;">Address</th> <th style="width: 30%;">Phone No.</th> </tr> <tr> <td>Maria Elena Garcia, individually and as SII</td> <td>Manshoory Law Group</td> <td>H W</td> </tr> <tr> <td colspan="2">Description of Injury and amount sought as damages</td> <td>See attached correspondence from Manshoory Law Group</td> </tr> <tr> <td colspan="3">Description of Property Loss and cost of repair See attached correspondence from Manshoory Law Group</td> </tr> </table>	Name	Address	Phone No.	Maria Elena Garcia, individually and as SII	Manshoory Law Group	H W	Description of Injury and amount sought as damages		See attached correspondence from Manshoory Law Group	Description of Property Loss and cost of repair See attached correspondence from Manshoory Law Group		
	Name	Address	Phone No.										
	Maria Elena Garcia, individually and as SII	Manshoory Law Group	H W										
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Description of Injury and amount sought as damages		See attached correspondence from Manshoory Law Group											
Description of Property Loss and cost of repair See attached correspondence from Manshoory Law Group													

WITNESSES	1) Name: N/A	Address:	Phone No.:
	2) Name:	Address:	Phone No.:
	3) Name:	Address:	Phone No.:

POLICE REPORT	Agency: Farmersville PD and Tulare County Sheriff's Dept.	Officer and ID No.: Unknown at this time	Report No.: Unknown at this time.

REMARKS:

See attached correspondence from Manshoory Law Group

What did entity or employee do to cause this loss, damage, or injury?

See attached correspondence from Manshoory Law Group

What amount of money is claimant seeking or, if the amount is in excess of \$10,000, which is the appropriate court of jurisdiction. Note: If Superior and Municipal Courts are consolidated, you must represent whether it is a "limited civil case"

[see Government Code 910(f)]

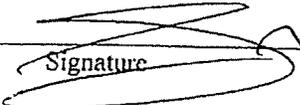
See attached correspondence from Manshoory Law Group

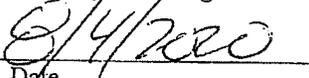
DRAW ROUGH DIAGRAM OF ACCIDENT (OPTIONAL BUT WILL ASSIST IN HANDLING YOUR CLAIM):

Show your car as  ; other car as  the collision occurred.

Show direction and distance traveled before crash by solid line thus: _____. Then indicate point of crash; and positions and distances traveled after collision. Show distance and direction traveled after crash by dotted line thus: (OPTIONAL BUT WILL ASSIST IN HANDLING YOUR CLAIM)

I hereby certify that this is a true statement of the facts to the best of my knowledge and belief.


Signature


Date

Warning

Section 72 of the Penal Code provides: "Every person who, with intent to defraud, presents for allowance or for payment to any state board of officer, or to any county, city, or district board or officer, authorized to allow or pay the same if genuine, any false or fraudulent claim, bill, account, voucher, or writing, is punishable either by imprisonment in the county jail for a period of not more than one year, by a fine of not exceeding one thousand dollars (\$1,000), or by both such imprisonment and fine, or by imprisonment in the state prison for a period of not more than five years, by a fine not exceeding ten thousand dollars (\$10,000), or by both such imprisonment and fine..."