

Entitlement	Project Number	Project Name	Applicant Name	Project Location	Description	Hearing Date	Date Completed	Status	Next Steps
CUP	19-0014	Diversified Wellness			Moving location of existing CUP	6/24/2019	6/24/2019	Approved by PC on 6/24/2019.	Application for Tenant Improvements required if applicant wishes to move forward. Received notification from applicate on 09/17/20 that improvements will not be done until January 2021 when current tenant vacates location.
TSM, PUD, & density bonus	18-0038	Nagra Subdivision Map (10 Lots)	Nick Sahota	2595 Pine Street	a subdivision of 1.49 Acres into 10 single-family residential lots	7/29/2019	8/26/2019	Planning Commission continued the item to the 08/26/2019 hearing at the request of the public. Public hearing on 07/29/2019 for Planning Commission approval.	Final Map application submitted. Applicant working with Engineering staff to get subdivision agreement and street improvement bonds in place.
CUP, SPR	18-0039	Selma Apartments (20-units)	Dwight Nelson	3420 S. McCall Avenue	A20-unit multi-family development consisting of 16 2 br/2ba units and 4 3br/2ba units with enclosed 1-car garages on 1.05 acres	7/29/2019	8/26/2019	Planning Commission continued item to the 08/26/2020 hearing at the request of the applicant. New plans delivered to QK 6/17/2019. Public hearing on 7/29/2020 for Planning Commission approval.	Improvement Plans require corrections. Building permit ready for pick up when fees are paid.
LLA	18-0040	Nebraska 2 SFR w/ADUs	Nick Sahota	2407 W. Nebraska Avenue	Lot Line adjustment to create two equally sized parcels. New lots will allow for a SRR and ADU on each.	NA	8/11/2020	New submittal provided 06/04/2020. Engineering approved LLA on 8/11/2020	Building Permit application is required if applicant wishes to move forward.
CUP & SPR	18-0041	13025 S Van Horn Truck Stop	Bryan Cobb and Bhandal	13025 S Van Horn Avenue	Expansion of an existing site including diesel island expansion, truck scale, truck wash bays, re/office building, truck parking, and a 3,000sf shell building	NA	3/13/2020	Conditions of approval issued.	Awaiting application for Site Improvement Plan and Building Permit.
SPR	18-0045	Highland & Rose Body Shop	Dwight Nelson	2441 S. Highland Avenue	Used auto sales and body shop	NA		Formal application submitted 7/31/2020. Invoiced on 8/11/2020 for fees to be paid. SPR comments sent out 9/18/20. LLA application is incomplete.	Draft Development Agreement in process for off-site improvements. Application for Site Improvement Plan and Building Permit will be required.
TPM	18-0028	3002 Parcel Map	Gaurev Sethi	3000 Floral Avenue	split one commercial property into two	8/26/2019	8/26/2019	Approved	Final Map under review.
SPR	17-0017	Second Street Service Station	Lion Builders	1702 Second street	New construction of Service Station and commercial office building.	NA	9/04/2019	SPR approval issued. CUP under separate application.	Site Improvement Plans not yet submitted. Building Permit ready- extension requested.
CUP	19-0025	Antioquia Ministries	Pastor Joe Alvarez	1426 Grove Street	CUP to allow the use of a Church	12/16/2019	12/16/2019	PC approved	Tenant Improvements required. Applicant has requested an extension of the CUP.
SPR	19-0026	Super Drive-in	Sam	2036 S Highland	SPR to allow new drive-thru	NA	4/23/2020	Conditions of approval issued.	Applicant needs an encroachment permit from Caltrans before plans are reviewed by the City.

Entitlement	Project Number	Project Name	Applicant Name	Project Location	Description	Hearing Date	Date Completed	Status	Next Steps
SPR	19-0027	Fahrney Automotive Group- Pre-Owned car sales	Wells Properties	3168 Highland	Pre-owned car sales. New business	NA	3/6/2020	Conditions of approval issued.	Site Improvement Plans and Building Permit Application submitted. Review is underway.
SPR	20-0003	Solar and Highland and Rose	Nelson	NW corner of Highland and Rose	Ground mounted solar panels to serve neighboring dealership.	NA	4/16/2020	Conditions of approval issued.	Site Improvement Plans and Building Permit Application required if applicant wishes to move forward.
ANX, PZ, GPA, Subdivision Map,	20-0005	Nebraska and Highland Annexation	Hinesley and Josan	Nebraska and Highland	Commercial, Single family, and Multi family.			Reviewing project submittal. Project description is not finalized. Annexation exhibit to be sent to LAFCO. RFP will be developed for CEQA review once project description is complete. Plan for sewer infrastructure is not in place.	
SPR & TPM	20-0006	Fahrney Hampton Inn	Scott Fahrney	northwest of the intersection of E. Floral Ave and Highway 99	Division of 34.19 acres into five parcels varying in size from 2.96 acres to 9.16 acres. New 91-room Hampton Inn.	PC: 5/26/2020 CC: 6/15/2020	6/18/2020	Site Plan Review approved administratively 06/18/2020. TPM recommended for approval by PC on 5/26/2020 and approved by CC on 06/15/2020.	Site Improvement Plans have not been submitted. Building Permit Application is under review, but cannot be issued until Site Improvement Plans are approved. Final Parcel Map has not been finalized due to off-site improvement requirements. Working on Development Agreement.
CUP & SPR	20-0012	Service Station ABC Mt. View	Parminder Singh	11010 E. Mountain View	New gas station, mini-mart with alcohol sales, and fast food service with drive-thru	7/27/2020	7/27/2020	Approved at July's Planning Commission Hearing.	Site Improvement Plans and Building Permit Application required if applicant wishes to move forward.
SPR	20-0014	Chicken Shack	Sonia Sidhu	2940 McCall Avenue Suite 112	Restaurant with type 41 (beer and wine) license	6/22/2020 first hearing	7/27/2020	Was recommended for approval at the June Planning Commission hearing. The item was continued due to a noticing error. Approved at the July PC hearing.	Building Permit issued 5/1/2020 for tenant improvements.
Admin CUP	20-0020	Three Guys Smoke Shop		2835 Highland Avenue Suite 101	Smoke Shop			Project routed. Conditions to be issued by Planning by 9/21/2020.	Business license required.

Ongoing large developments:

Project Name	Applicant Name	Project Location	Description	Status	Next Steps
Amberwood TSM / Zone Change	Arakel A. Arisian	Floral & Dockery	Amberwood 2,571 lot specific plan. Applicant is preparing the Phase 1 tract map, and a specific plan amendment for zone changes	Sewer approved by SKF and City 12/2018; met 4/23/2019 to discuss credits, storm drain master plan, and establish CFD; 4/2020 Call with property owner indicates contract with builder completed. Lennar has been working with staff to get an application submitted soon.	Application for Annexation and Tentative Subdivision Map is required. Applicant will need to track density and unit counts for the Specific Plan area to remain in compliance with CEQA.
Selma Crossing	Tim Jones		Selma Crossing – 288 acres annexed; project/FEIR approved 8/19/2013; Phase 1 NE Area – 75.75 acres commercial/retail; Phase 2 – 135.4 acres commercial/retail/office; Phase 3 – NW Area 66.6 acres commercial/retail/office/residential	City participating in CalTrans Interchange Study; amending resolution of support to go to Council in August 2020; EDC study	No pending applications. City Manager spoke to Applicant Tim Jones on 8/04/2020. Applicant does not have immediate plans to move forward with applications.
Selma Grove	Cliff Tutelian		Selma Grove. The two-phase retail/commercial project was approved with an EIR in 2006. A portion of the approved project was built with a site plan and MND in 2016.	Revised CEQA executed agreement with Scott Odell signed. Odell has completed the environmental work and staff has deemed the Addendum complete.	No pending applications.
Gill Annexation	Gill Family	NEC Saginaw & SR 43	Saginaw-SR43 Gill annexation of 9.87 acres on the SE corner of Saginaw and SR 43. Application submitted incomplete. The applicant has been provided a CEQA MND scope of work required for the project. No CEQA documents have been filed for the project.	Letter sent to applicant noting items still needed to complete application on 5/27/2020. Waiting on traffic study in progress. Peters Engineering is traffic consultant. Meeting held 4/23/20, traffic study is underway.	Applicant needs to complete application as requested in letter sent to applicant 5/27/20. Notified on 09/17/20 that traffic study is done and draft report should be received next week.
	Raven/KB homes	North of Dinuba	Single Family homes	Formal application not submitted. KB and Raven in due diligence; biweekly meetings were held regarding project, infrastructure esp. sewer, and formation of CFD as part of due diligence.	Application for General Plan Amendment, Zone Change, and Tentative Subdivision Map will be required.
Vineyard Estates Phase III	Gill		42 Single Family homes	City Engineer has sent comments back on engineering estimate. Applicate has been approved to move forward with improvements pending approval of estimate and payment of fees.	Final map is approved and will be recorded after improvements are complete.
V-5 Mini Storage	Ron Balakian	NEC Dinuba & McCall		Annexation approved by LAFCo. Applicant to submit Final Map. Engineering approved GAD on 07/24/2020, waiting for final parcel map package to be returned.	After Final Map is approved and recorded, Site Improvement Plans and Building Permits will be required.

**CITY OF SELMA
COUNCIL REGULAR MEETING
December 2, 2019**

The regular meeting of the Selma City Council was called to order at 6:00 p.m. in the Council Chambers. Council members answering roll call were: Avalos, Guerra, Trujillo, Mayor Pro Tem Franco, and Mayor Robertson.

Also present were Special Counsel Costanzo, Assistant City Manager Moreno, City Manager Gallavan, Fire Chief Petersen, Community Services Director Kirchner, Acting Police Chief Dyck, Public Works Director Ferrell, the press, and interested citizens.

The agenda for this meeting was duly posted in a location visible at all times by the general public seventy-two hours prior to this meeting.

INVOCATION: Amrik Singh and Jagtar Singh led the invocation.

ORAL COMMUNICATIONS: Rose Gallardo Robertson, Chair for the Selma Healthcare District invited all to attend the Selma Healthcare District meeting at the Senior Center this Tuesday at 5:30 p.m.

CITY COUNCIL REORGANIZATION: Special Counsel Costanzo discussed the procedure established by Ordinance 2016-6 for the rotation and selection of Mayor and Mayor Pro Tempore based upon seniority, and that a confirmation is required to assume either position.

Special Counsel Costanzo advised that the most senior Council member Louis Franco and the next most senior Council member Sarah Guerra shall occupy the offices of Mayor and Mayor Pro Tempore, respectively.

Mayor Pro Tem Louis Franco confirmed acceptance to the position of Mayor, and Council member Sarah Guerra confirmed acceptance to the position of Mayor Pro Tempore.

At this point in the meeting, Council adjusted seating arrangements on the dais. Mayor Pro Tem Guerra offered best wishes to the new Mayor and looks forward to working together to build a safer and more prosperous community. Mayor Franco expressed appreciation to his family for their support and his honor to serve the community, discussed priorities for strategically maintaining the needs of the City, and the guiding principles of teamwork, planning and service to build a better Selma.

PROCLAMATION OF "GURU NANAK'S 550TH GURPURB, OR BIRTH ANNIVERSARY DAY": Mayor Franco stepped down from the dais to present a proclamation to the Sikh community recognizing Monday, December 2, 2019 as Guru Nanak's 550th Birth Anniversary Day in Selma, CA. On behalf of the Selma City Council and the City of Selma, Mayor Franco commended the Sikh-American community for the historical, cultural and religious values they contribute to the City. Council stood and members of the Sikh community stepped forward for photographs.

2019 LOCAL HERO AWARDS PRESENTATION: Fire Chief Peterson discussed the bravery of those who in heroic ways come to the aid of another, often at risk to themselves.

He then related that on October 20, 2019 five local residents entered a neighbor's home to rescue three occupants trapped inside during a fire, resulting in the safe removal of the disabled homeowner, his caregiver and a child. On behalf of the Selma Fire Department, Chief Petersen then recognized and presented award plaques to the following as they stepped forward to be greeted and congratulated by Council: Josh Shepherd, Brittnee Noris, Travis Dahl, and Chris Romero, and a plaque was also awarded to Andy Noris, who could not be present.

Acting Police Chief Dyck related an act of heroism on May 28, 2019 when a local resident, Robert Norbete, saw a man standing on railroad tracks as a train was approaching, and at his own peril immediately ran to move the suicidal individual to safety. Robert Norbete, though unable to be present, was then awarded a plaque by Acting Police Chief Dyck on behalf of the Selma Police Department, and thanked him for his selfless act on behalf of another.

Nick Sahota stepped forward to thank Council and the City of Selma for all the support given to the Sikh community. He then introduced Mr. Dylan who stepped forward to share expressions on this holy day regarding Guru Nanak, founder of the Sikh religion, and his philosophy.

RECESS: At 6:32 p.m. the meeting was recessed for a short break. Mayor Franco reconvened the meeting at 6:51 p.m.

CONSENT CALENDAR: Council member Robertson requested that agenda item 2.b. be pulled from the Consent calendar for discussion. Mayor Franco requested that agenda item 2.e. also be pulled from the Consent calendar for separate discussion. Motion to approve the remaining Consent calendar items as read was made by Council member Avalos and seconded by Council member Robertson. Motion carried unanimously.

- 2.a. Approved Consideration of the emergency medical services capital expenditures for the purpose of the Selma Ambulance Department
- b. Pulled Consideration of Acceptance of Funds from the Edward Byrne Justice Assistance Grant Program
- c. Approved
2019-4 Second Reading and Adoption of Ordinance No. 2019-4 Amending Subdivision (D) of Section 11-8-10 (Packaged Alcoholic Beverage Sales) Allowing Discretionary Adjustment or Elimination of Density Requirements for Retail Facilities of Less than 15,000 Square Feet in Area Selling Packaged Alcoholic Beverages at Retail
- d. Approved
2019-5
2019-64R Consideration to Amend the City's Land Use Element changing the maximum density of the HD and MU Land Use designations to 24.0 units per acre and to create an R-4 Zone District allowing a density of up to 24.0 units per acre
- e. Pulled Consideration of a Rejection of Claim, Susan Urias, Claimant

- f. Approved Consideration of the check register dated November 26, 2019

AGENDA ITEM 2.b. CONSIDERATION OF ACCEPTANCE OF FUNDS FROM THE EDWARD BYRNE JUSTICE ASSISTANCE GRANT PROGRAM: Council member Robertson discussed allocating a portion of these funds to DUI enforcement details and checkpoints. Acting Police Chief Dyck discussed use of these grant funds to implement DUI checkpoints, the value of doing so as the holiday season approaches, the staff needed for those operations, and variances within annual grant funding amounts. Assistant City Manager Moreno commented on the estimated expense of DUI checkpoint operations but will research and report back to Council. Council member Trujillo recommended having a structured plan for these types of operations for the safety of the City. Motion was made by Council member Trujillo and seconded by Council member Robertson to allocate a portion of the grant funds for emergency DUI checkpoints.

City Manager Gallavan clarified that Council may approve acceptance of the grant without specifying allocation amounts for DUI operations, as these are within the use parameters of the grant funds. Motion made Council member Trujillo and seconded by Council member Robertson to approve ACCEPTANCE OF FUNDS FROM THE EDWARD BYRNE JUSTICE ASSISTANCE GRANT PROGRAM AND AUTHORIZE THE MAYOR TO EXECUTE CERTIFICATIONS AND ASSURANCES FOR ACCEPTANCE OF THE EDWARD BYRNES JUSTICE ASSISTANCE GRANT PROGRAM carried unanimously.

AGENDA ITEM 2.e. CONSIDERATION OF A REJECTION OF CLAIM, SUSAN URIAS, CLAIMANT: Mayor Franco requested that this item be discussed at a future Council meeting in closed session. Special Counsel Costanzo confirmed that due to legal issues, this matter needs to be discussed in a closed session. Motion was made by Council member Avalos and seconded by Council member Trujillo to continue CONSIDERATION OF A REJECTION OF CLAIM, SUSAN URIAS, CLAIMANT TO A CLOSED SESSION OF THE NEXT COUNCIL MEETING. Motion carried unanimously.

3. Approved
2019-6
2019-65R Consideration and Necessary Action on Resolution Placing Measure on March 3, 2020 Ballot Allowing Licensed Gambling Establishment in the City of Selma; and, Public Hearing Second Reading and Adoption of Ordinance No. 2019-6 to be Approved by the Voters Allowing a Licensed Gambling Establishment in the City of Selma, all in Accordance with the Provisions of Business and Professions Code §19960(c)

Special Counsel Costanzo discussed the two separate items involved in this agenda item. The first is a resolution that would place a measure on the March 2020 ballot for voters to choose whether to allow a card room in the City. The second is the adoption of an ordinance to allow the gambling establishment if that is the voters' choice. He then discussed the changes made to the proposed ordinance and answered questions from Council.

Mayor Franco opened the public hearing at 7:19. Public comment was received from Nindy Sandhu, 2416 Rodeo Street. Dwight Nelson, applicant, also stepped forward to discuss benefits of the proposed establishment and answered Council questions. Mayor Franco closed the public hearing at 7:25 p.m.

After much Council discussion and clarification by Special Counsel Costanzo and City Manager Gallavan of several terms of and changes to the proposed ordinance, motion was made by Council member Trujillo to approve RESOLUTION NO. 2019-65R PLACING MEASURE ON MARCH 3, 2020 BALLOT ALLOWING LICENSED GAMBLING ESTABLISHMENT IN THE CITY OF SELMA; AND, TO WAIVE SECOND READING AND ADOPT ORDINANCE NO. 2019-6 TO BE APPROVED BY THE VOTERS ALLOWING A LICENSED GAMBLING ESTABLISHMENT IN THE CITY OF SELMA, ALL IN ACCORDANCE WITH THE PROVISIONS OF BUSINESS AND PROFESSIONS CODE §19960(C). Motion was seconded by Council member Avalos and carried unanimously.

4. Approved Public Hearing, Second Reading and Adoption of Ordinance No. 2019-7 to be Adding Section 14 to Chapter 3 of Title 9 of the Selma Municipal Code Establishing Revolving Loan Fund to Finance Abatement of Certain Public Nuisances and Consideration of a Resolution Establishing User Fees for the Program
2019-7
2019-66R

Assistant City Manager Moreno discussed the purpose of this ordinance as a means to assist property owners in financing the cleanup of their properties, and outlined the structure and terms of the proposed program.

Mayor Franco opened the public hearing at 7:45 p.m. As there were no comments from the public, Mayor Franco closed the public hearing at 7:46 p.m.

After Council discussion, motion was made by Council member Trujillo to approve ADOPTION OF ORDINANCE NO. 2019-7 TO BE ADDING SECTION 14 TO CHAPTER 3 OF TITLE 9 OF THE SELMA MUNICIPAL CODE ESTABLISHING REVOLVING LOAN FUND TO FINANCE ABATEMENT OF CERTAIN PUBLIC NUISANCES AND RESOLUTION NO. 2019-66R ESTABLISHING USER FEES FOR THE PROGRAM. Motion was seconded by Council member Avalos and carried unanimously.

RECESS: At 7:47 p.m. the meeting was recessed for a short break. Mayor Franco reconvened the meeting at 7:50 p.m.

5. Approved Second Reading and Adoption of Ordinance No. 2019-8 of the City Council Amending Chapter 11 of Title 1 of the Selma Municipal Code to Establish the Election of Four Members of the City Council by Four Districts with an Elective Mayor, the Boundaries and Identification Number of Each District, the Election Order of Each District and of the Elective Mayor and the Term of Office of the Elective Mayor
2019-8

Special Counsel Costanzo discussed the progression of the proposed Ordinance and outlined options for Council final consideration.

Motion was made by Council member Avalos and seconded by Mayor Pro Tem Guerra to approve WAIVING THE SECOND READING AND ADOPTION OF ORDINANCE NO. 2019-8 OF THE CITY COUNCIL AMENDING CHAPTER 11 OF TITLE 1 OF THE SELMA MUNICIPAL CODE TO ESTABLISH THE ELECTION OF FOUR MEMBERS OF THE CITY COUNCIL BY FOUR DISTRICTS WITH AN ELECTIVE MAYOR, THE BOUNDARIES AND IDENTIFICATION NUMBER OF EACH DISTRICT, THE ELECTION ORDER OF EACH DISTRICT AND OF THE ELECTIVE MAYOR AND THE TERM OF OFFICE OF THE ELECTIVE MAYOR.

Council member Robertson inquired about the selection of a mayor pro tem under this new ordinance. Special Counsel Costanzo discussed the need of adjusting the existing ordinance and outlined three options for selecting a mayor pro tem. Council consensus was to add this matter as an agenda item to a future Council meeting.

After much Council discussion, the motion on the table was made by Council member Avalos and seconded by Mayor Pro Tem Guerra to approve WAIVING THE SECOND READING AND ADOPTION OF ORDINANCE NO. 2019-8 OF THE CITY COUNCIL AMENDING CHAPTER 11 OF TITLE 1 OF THE SELMA MUNICIPAL CODE TO ESTABLISH THE ELECTION OF FOUR MEMBERS OF THE CITY COUNCIL BY FOUR DISTRICTS WITH AN ELECTIVE MAYOR, THE BOUNDARIES AND IDENTIFICATION NUMBER OF EACH DISTRICT, THE ELECTION ORDER OF EACH DISTRICT AND OF THE ELECTIVE MAYOR AND THE TERM OF OFFICE OF THE ELECTIVE MAYOR carried with the following vote:

AYES: Avalos, Guerra, Robertson
NOES: Trujillo, Franco
ABSTAIN: None
ABSENT: None

DEPARTMENT REPORTS: City Manager Gallavan reported on the progress of the Police Chief recruitment, that the application period has closed and is now in the process of screening for interviews.

Assistant City Manager Moreno reported that the Recognized Obligation Payment Schedule (ROPS) report is ready to be filed and released, and County of Fresno advised that a special meeting is not required because the report can be presented at the next Council meeting in January 2020.

Public Works Director Ferrell reported on the progress of the work at Veteran's Plaza, thanked SKF County Sanitation District for assisting with clearing the storm drain system, and informed that two new employees started today.

Fire Chief Petersen reported on the progress of the Ambulance Department implementation and that with Council's approval tonight of the capital expenditures they will be moving forward, with a formal introduction of new staff taking place sometime next year.

Acting Police Chief Dyck was happy to report that the past holiday weekend was quiet and uneventful.

COUNCIL REPORTS: Council member Avalos reported on attending the Boys and Girls Club Thanksgiving event and the Mill Street Church of God event with the retirement of Pastor Gene Smith, and thanked City staff for all their work.

Council member Trujillo reported on attending the following: Chamber mixer, Sikh Temple's food drive at Poverello House, and the Church of God retirement event for Pastor Gene Smith. He also discussed concerns shared by members of the community regarding the closure of some larger businesses in Selma and appealed to all the community to support local business.

Council member Robertson shared farewell comments with tonight's conclusion of his term as Mayor and expressed his honor to have served and pride in all that has been accomplished for the City. He thanked his family for supporting him, the citizens for allowing him to serve, and offered best wishes to Mayor Franco as he begins his term.

Mayor Pro Tem Guerra reported on attending a Chamber mixer and the Selma Community Church's Thanksgiving service at the Church of God.

Mayor Franco reported on attending a Chamber mixer, the Church of God Thanksgiving service, thanked Public Works for working over the holiday to mitigate street flooding, and congratulated the Selma Bears for winning the Valley Football Championship.

COUNCIL COMMITTEE REPORTS: Mayor Franco discussed the Council Committee assignments he had made and that they are recorded and on file.

ORAL COMMUNICATIONS: Bob Allen, Selma District Chamber of Commerce thanked Public Works for the City's holiday decorations, and reminded of several upcoming Chamber events and invited all to attend.

ADJOURNMENT: There being no further business, the meeting was adjourned at 8:13 p.m.

Respectfully submitted,

Reyna Rivera
City Clerk

**CITY OF SELMA
COUNCIL SPECIAL MEETING
January 21, 2020**

The special meeting of the Selma City Council was called to order at 5:30 p.m. in the Council Chambers. Council members answering roll call were: Avalos, Robertson, Mayor Pro Tem Guerra, and Mayor Franco. Council Member Trujillo was present by teleconference.

Also present were Special Counsel Costanzo, Assistant City Manager Moreno, City Manager Gallavan, and Human Resources Manager Arias.

The agenda for this meeting was duly posted in a location visible at all times by the general public twenty-four hours prior to this meeting.

CLOSED SESSION: At 5:32 p.m., Mayor Franco recessed the meeting into Closed Session to discuss the following:

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION-Pursuant to Government Code Section 54956.9(d)(1)

City of Selma v. Michael Cohen, et al. Superior Court of California, County of Sacramento Case No. 34-2013-80001397

California Department of Finance v. City of Selma Superior Court of California, County of Sacramento Case No. 34-2016-80002507

CONFERENCE WITH LEGAL COUNSEL –ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): One Potential Case

Mayor Franco reconvened the meeting from closed session at 6:02 p.m. with no reportable action from the closed session.

ADJOURNMENT: There being no further business, the meeting was adjourned at 6:03 p.m.

Respectfully submitted,

Reyna Rivera
City Clerk

**CITY OF SELMA
COUNCIL REGULAR MEETING
January 21, 2020**

The regular meeting of the Selma City Council and joint special meeting of the Successor Agency to the Dissolved Selma Redevelopment Agency by teleconference was called to order at 6:04 p.m. in the Council Chambers. Council members and Board members answering roll call were: Avalos, Robertson, Mayor Pro Tem and Vice Chairman Guerra, and Mayor and Chairman Franco. Council Member and Board member Trujillo was present by teleconference.

Also present were Special Counsel Costanzo, Assistant City Manager Moreno, City Manager Gallavan, Fire Chief Petersen, Community Services Director Kirchner, Acting Police Chief Dyck, Public Works Director Ferrell, the press, and interested citizens.

The agenda for this meeting was duly posted in a location visible at all times by the general public seventy-two hours prior to this meeting.

MOMENT OF SILENCE: Mayor Franco called for a moment of silence for Mr. Larry Raven, a long-time local Selma resident and meaningful contributor to the community, recently deceased.

INVOCATION: Shannon Schwamb, Assistant Pastor, Church of the Redeemer led the invocation.

POTENTIAL CONFLICT OF INTEREST: Special Counsel Costanzo advised Council of his potential conflict of interest for agenda item five (5) and that he will recuse himself from the room when that item comes up for consideration.

INTRODUCTION OF PUBLIC WORKS MAINTENANCE EMPLOYEES JERRY FINO JR. AND ANTHONY ANES, AND CODE ENFORCEMENT OFFICER JUAN MENDEZ: Public Works Director Ferrell introduced two new employees, Jerry Fino, Jr. and Anthony Anes, and provided a brief background for each.

City Manager Gallavan introduced the City's new Code Enforcement Officer, Juan Mendez, who had previously worked on a temporary status with the City.

All three new employees approached the dais to be personally greeted by each member of Council.

BEAUTIFICATION AWARDS PRESENTATION: Vice Chair Victoria Lees, Selma District Chamber of Commerce Beautification Committee and Bob Allen, Executive Director of the Selma District Chamber of Commerce stepped forward to present Beautification Awards to the following individuals for building and landscape enhancements: Kevin Delph, McDonald's and Steve Shahadi, Selma Union 76.

CONSENT CALENDAR: Council member Robertson requested that agenda item 1.d. be pulled from the Consent calendar for separate discussion. Motion to approve the remaining Consent calendar items as read was made by Council member Robertson and seconded by Mayor Pro Tem Guerra. Motion carried unanimously.

- 1.a. Approved Consideration of the June 17, 2019 Council meeting minutes
- b. Approved Consideration of the July 1, 2019 Council meeting minutes
- c. Approved Consideration of the July 15, 2019 Council meeting minutes
- d. Pulled Consideration of the check register dated January 14, 2020

AGENDA ITEM 1.d. CONSIDERATION OF THE CHECK REGISTER DATED JANUARY 14, 2020: After Council discussion, motion was made by Council member Robertson to approve THE CHECK REGISTER DATED JANUARY 14, 2020. Motion was seconded by Mayor Pro Tem Guerra and carried unanimously.

- 2. Approved
2020-1R Appeal of Conditional Use Permit No. 2019-0016 -Consideration of a Conditional Use Permit to allow the sale of Beer & Wine (Type 20 Alcoholic Beverage License) at 1702 Second Street, Selma, CA. (APN:388-161-015) and a Notice of Exemption regarding the same

Planning Consultant Kira Noguera discussed a power point presentation on proposed amendments to the current municipal code, as requested at the October 21, 2019 Council Regular meeting, and outlined three options for Council consideration.

Mayor Franco opened the public hearing at 6:31 p.m. As there were no comments from the public, Mayor Franco then closed the public hearing at 6:32 p.m.

Special Counsel Costanzo discussed the options available for Council consideration, outlined the specific findings that must be determined and the process required to amend the ordinance if Council chooses to reverse the Planning Commission's denial, and outlined the format and structure of a proposed resolution if Council wished to amend the ordinance.

After Council discussion and Special Counsel Costanzo's reciting of the contents of a proposed resolution, motion was made by Council member Avalos and seconded by Mayor Pro Tem Guerra to approve RESOLUTION NO. 2020-1R REVERSING PLANNING COMMISSION RESOLUTION NO. 2019-09 DENYING CONDITIONAL USE PERMIT AND GRANTING CONDITIONAL USE PERMIT FOR ALCOHOLIC BEVERAGE CONTROL (ABC) LICENSE TYPE 20, BEER AND WINE SALES AT 1702 SECOND STREET, SELMA, CALIFORNIA (APN:388-161-105) AND A NOTICE OF EXEMPTION REGARDING THE SAME.

Mayor Franco re-opened the public hearing at 6:52 p.m. Public comment was received from Paula Rogers regarding advertising limits. Mayor Franco then closed the public hearing at 6:53.

After further discussion, the motion on the table made by Council member Avalos and seconded by Mayor Pro Tem Guerra to approve RESOLUTION NO. 2020-1R REVERSING PLANNING COMMISSION RESOLUTION NO. 2019-09 DENYING CONDITIONAL USE PERMIT AND GRANTING CONDITIONAL USE PERMIT FOR ALCOHOLIC BEVERAGE CONTROL (ABC) LICENSE TYPE 20, BEER AND WINE SALES AT 1702 SECOND STREET, SELMA, CALIFORNIA (APN:388-161-105) AND A NOTICE OF EXEMPTION REGARDING THE SAME carried unanimously.

3. Information Only Council request to discuss business loans for a Façade Improvement Loan Program

City Manager Gallavan discussed a proposed revolving loan program to assist business owners with revitalization of City business areas, as requested by Council member Robertson, to promote Council's beautification priorities as set forth in April 2019. After much discussion regarding the terms and uses of the proposed program, who would qualify for assistance, funding for the program, and Council agreement of the need for improvement, it was Council consensus to have City Manager Gallavan and City staff to do further research and report back with a more structured program as a future item for Council consideration.

Mayor Franco stated that this item was for discussion only, so no action is needed at this time but will be readdressed at a future Council meeting.

4. Approved Council authorize the City Manager to sign and submit the letter and requests for State Budget Appropriation requests to Senator Hurtado's Office

City Manager Gallavan discussed the City Capital Improvement Plan priority list that was approved by Council in October 2019, the list of funding requests recommended by legislative consultants, and the time constraints necessitated by Senator Hurtado's request for all constituencies to have requests for state budget appropriations submitted by the end of the week.

After Council discussion, motion was made by Council member Avalos to approve to AUTHORIZE THE CITY MANAGER TO SIGN AND SUBMIT THE LETTER AND REQUESTS FOR STATE BUDGET APPROPRIATION REQUESTS TO SENATOR HURTADO'S OFFICE. Motion was seconded by Mayor Pro Tem Guerra and carried unanimously.

RECESS: At 7:18 p.m. the meeting was recessed for a short break. At this point in the meeting, Special Counsel Costanzo recused himself for agenda item five (5) and left the room at 7:18 p.m. due to potential conflict of interest. Mayor Franco reconvened the meeting at 7:24 p.m.

5. Denied Review of proposed timeline and Request for Proposals for procurement of City Attorney legal services

City Manager Gallavan discussed a proposed timeline for procuring City Attorney legal services, as requested by Council in October 2019, and answered questions regarding the current recruitment status of other open City positions.

Public comment was received from Rose Robertson, 1057 Mill Street.

After Council discussion, motion was made by Council member Trujillo and seconded by Mayor Franco to approve the PROPOSED TIMELINE AND REQUEST FOR PROPOSALS FOR PROCUREMENT OF CITY ATTORNEY LEGAL SERVICES.

After further Council discussion, the motion on the table made by Council member Trujillo and seconded by Mayor Franco to approve the PROPOSED TIMELINE AND REQUEST FOR PROPOSALS FOR PROCUREMENT OF CITY ATTORNEY LEGAL SERVICES was denied with the following vote:

AYES: Trujillo, Franco
NOES: Avalos, Robertson, Guerra
ABSTAIN: None
ABSENT: None

Special Counsel Costanzo returned to the dais at 7:38 p.m.

Council member Trujillo lost teleconference connection at 7:39 p.m. and was no longer present.

6. Approved Introduction and First Reading of an Ordinance Amending Section 1 of Chapter 7 of Title 1 of the Selma Municipal Code Relating to the Selection of Mayor Pro Tempore

Special Counsel Costanzo discussed that the November 2020 General Election of the Mayor necessitates amending the existing ordinance governing the selection of both Mayor and Mayor Pro Tempore by a rolling seniority method. He clarified the options available for Council consideration regarding the terms and selection methods of the proposed amendment for the selection of Mayor Pro Tempore only and eliminating the selection of a Mayor.

After Council discussion, motion was made by Council member Robertson and seconded by Mayor Pro Tem Guerra to approve INTRODUCTION AND WAIVE FIRST READING OF A REVISED ORDINANCE AMENDING SECTION 1 OF CHAPTER 7 OF TITLE 1 OF THE SELMA MUNICIPAL CODE RELATING TO THE SELECTION OF MAYOR PRO TEMPORE AT NEXT COUNCIL REGULAR MEETING ON FEBRUARY 3, 2020. Motion carried with the following vote:

AYES: Robertson, Guerra, Avalos
NOES: Franco
ABSTAIN: None
ABSENT: Trujillo

7. Approved Introduction and First Reading of an Ordinance repeal and reenacting Sections 1-9 Chapter 8 of Title 4 of Selma Municipal Code (SMC) Abandoned Shopping Cart Ordinance to define steps for shopping cart containment system, retrieval and abatement

Assistant City Manager Moreno discussed meetings held with local businesses to establish a proposed ordinance to abate abandoned shopping carts in the City as part of Council's April 2019 beautification priorities. He outlined the structure and terms of the proposed ordinance and answered questions. Public Works Director Ferrell and Acting Police Chief Dyck also answered Council questions regarding terms of enforcement under the proposed ordinance.

After Council discussion, Council requested City staff to present a structure for administrative enforcement fees for next Council Regular meeting. Motion was then made by Council member Robertson to approve INTRODUCTION AND WAIVE FIRST READING OF AN ORDINANCE REPEAL AND REENACTING SECTIONS 1-9 CHAPTER 8 OF TITLE 4 OF SELMA MUNICIPAL CODE (SMC) ABANDONED SHOPPING CART ORDINANCE TO DEFINE STEPS FOR SHOPPING CART CONTAINMENT SYSTEM, RETRIEVAL AND ABATEMENT. Motion was seconded by Council member Avalos. Motion carried with the following vote:

AYES: Robertson, Avalos, Guerra, Franco
NOES: None
ABSTAIN: None
ABSENT: Trujillo

RECESS: Mayor Franco recessed the Council Regular meeting at 8:11 p.m. and convened the Successor Agency to the Dissolved Selma Redevelopment Agency Special meeting. At 8:16 p.m. Mayor Franco reconvened the Council Regular meeting.

DEPARTMENT REPORTS: City Manager Gallavan reported on the progress of recruitments for Police Chief, Community Development Director, and Economic Development Analyst, the cleanup work done by Caltrans along northbound Highway 99.

Assistant City Manager Moreno provided an update on the financial statements and reported that the second quarter budget will be presented to Council at the next Council Regular meeting. Council member Robertson requested that Council be provided with notice of the Measure S and Measure P meetings.

Public Works Director Ferrell reported on the progress of the playground and improvements at Peter Ringo Park.

Fire Chief Petersen reported on the progress of the Ambulance Department implementation, EMT and paramedic recruitment, and the training tower move.

Acting Police Chief Dyck reported on the progress a recent shooting case that is now with the District Attorney and the courts, and the purchase of a new vehicle covered by insurance.

Community Services Director Kirchner reported that the details on the opening for the Peter Ringo Park playground will be forthcoming, and provided an update on the status of the Proposition 68 grant.

COUNCIL REPORTS: Council member Avalos reported on attending the following: swearing in of Fresno County Supervisor Buddy Mendes, Free Masons ceremony, prayer breakfast, and Larry Raven's funeral service. He also discussed the new Space Force, and inquired about the timeline for the maintenance facility project and the High-Speed Rail training facility.

Council member Robertson reported on attending a meeting for the Selma swim program, and inquired about the Transit Oriented Development grant funds and possibility of Council attendance at an upcoming International Council of Shopping Centers event. He also expressed his encouragement from tonight's meeting on all the economic development and beautification progress being made and requested staff to look into increasing DUI checkpoints, work on increasing infill projects and greater assistance with business licensing.

Mayor Pro Tem Guerra reported on attending several funerals, rosaries and viewings, including Larry Raven's, and also attended a ribbon cutting.

Mayor Franco reported on attending the following: dinner event with Secretary of State Alex Padilla, Chamber Christmas parade, served food at Selma Business Alliance, Bandit's Youth Football banquet, Fresno Council of Governments meeting, ribbon cuttings, Selma Ministerial Alliance meeting, meeting with City Manager and Father Lupe Rios, Exceptional Sports for Youth with Needs banquet, meeting and tour with Assembly member Arambula, Selma Business Association cultural festival, swearing in of Fresno County Supervisor Buddy Mendes, meeting with mayors of Dinuba and Kingsburg, Economic Development Corporation meeting, Mayor's breakfast, and Selma Rotary. He also discussed City representation at upcoming International Council of Shopping Centers events to explore commercial growth opportunities.

ORAL COMMUNICATIONS: Comments were received from Rose Robertson and Paula Rogers, and Bob Allen, Selma District Chamber of Commerce invited all to attend an upcoming ribbon cutting.

ADJOURNMENT: There being no further business, the meeting was adjourned at 8:48 p.m.

Respectfully submitted,

Reyna Rivera
City Clerk

**SUCCESSOR AGENCY TO THE DISSOLVED
SELMA REDEVELOPMENT AGENCY
SPECIAL MEETING
January 21, 2020**

The special meeting of the Successor Agency to the Dissolved Selma Redevelopment Agency that was held concurrent with the City of Selma Council Regular Meeting that was called to order at 6:04 p.m. in the Council Chambers was convened at 8:12 p.m. Board members present were: Avalos, Robertson, Vice Chairman Guerra, and Chairman Franco. Board member Trujillo was absent.

1. Approved Consideration of a Resolution of the Successor Agency of the Former Selma Redevelopment Agency approving an administrative budget for the period of July 1, 2020 through June 30, 2021

After a report on the administrative budget by Assistant City Manager Moreno and Council discussion, motion was made by Board member Avalos and seconded by Vice Chairman Guerra APPROVING AN ADMINISTRATIVE BUDGET FOR THE PERIOD OF JULY 1, 2020 THROUGH JUNE 30, 2021. Motion carried with the following vote:

AYES: Avalos, Guerra, Robertson, Franco
NOES: None
ABSTAIN: None
ABSENT: Trujillo

2. Approved Consideration of a Resolution of the Successor Agency of the Former Selma Redevelopment Agency Approving a Recognized Obligation Payment Schedule Pursuant to Health and Safety Code Section 34177 for the period of July 1, 2020 through June 30, 2021

Assistant City Manager Moreno discussed the items on the annual Recognized Obligation Payment Schedule and the Fresno County Oversight Board meeting that he will be attending later this week.

After Council discussion, motion was made by Board member Avalos APPROVING A RECOGNIZED OBLIGATION PAYMENT SCHEDULE PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177 FOR THE PERIOD OF JULY 1, 2020 THROUGH JUNE 30, 2021. Motion was seconded by Board member Robertson and carried with the following vote:

AYES: Avalos, Robertson, Guerra, Franco
NOES: None
ABSTAIN: None
ABSENT: Trujillo

ADJOURNMENT: There being no further business, the Successor Agency meeting was adjourned at 8:15 p.m.

City of Selma
Regular City Council Meeting
January 21, 2020
Page 9

Respectfully submitted,

Reyna Rivera
City Clerk

**CITY OF SELMA
SPECIAL MEETING
February 3, 2020**

The special closed meeting of the Selma City Council was called to order at 5:30 p.m. in the Council Chambers. Council members answering roll call were: Avalos, Robertson, Trujillo, Mayor Pro Tem Guerra, and Mayor Franco.

Also present were Special Counsel Costanzo, Assistant City Manager Moreno, City Manager Gallavan, and interested citizens.

The notice for this meeting was duly posted in a location visible at all times by the general public seventy-two hours prior to this meeting.

CLOSED SESSION: At 5:31 p.m., Mayor Franco recessed the meeting into Closed Session to discuss the following:

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2):
One potential case

Mayor Franco reconvened the meeting from closed session at 6:08 p.m., stating that there was no reportable action.

ADJOURNMENT: There being no further business, the meeting was adjourned at 6:09 p.m.

Respectfully submitted,

Reyna Rivera
City Clerk

**CITY OF SELMA
COUNCIL REGULAR MEETING
February 3, 2020**

The regular meeting of the Selma City Council was called to order at 6:10 p.m. in the Council Chambers. Council members answering roll call were: Avalos, Robertson, Trujillo, Mayor Pro Tem Guerra, and Mayor Franco. Council member Trujillo left the meeting at 7:15 p.m.

Also present were Special Counsel Costanzo, Assistant City Manager Moreno, City Manager Gallavan, Community Services Director Kirchner, Fire Chief Petersen, Police Lieutenant Reid, and interested citizens.

The agenda for this meeting was duly posted in a location visible at all times by the general public seventy-two hours prior to this meeting.

INVOCATION: Delfina Vasquez, Selma C.O.M. led the invocation.

POTENTIAL CONFLICT OF INTEREST: Special Counsel Costanzo reported that he would be recusing himself from agenda item two (2).

ORAL COMMUNICATIONS: Ms. Marie Bestensa, Ms. Delfina Sanchez, Ms. Angela Hernandez, Ms. Rita Davis, Mr. Jr. Monzano, all stepped forward to provide oral communications.

COUNCIL PRIORITIES QUARTERLY REPORT: City Manager Gallavan provided a power point presentation regarding Council priorities. She discussed the goals met on the following priorities: Public Safety, Economic Development, Community Culture-Environment, City as an Entity-Customer Service, Community Engagement-Education.

After discussion, Council thanked her for the information.

SELMA COM PRESENTATION REGARDING RESOURCES FOR HOMELESS AND COMMUNITY: Ms. Delfina Vasquez, Selma Community Outreach Ministries (COM) stepped forward to provide a power point presentation on the resources provided to the community. She discussed current services and provided information on local resources available to residents.

After Council discussion, she was thanked for the information.

RECESS: Mayor Franco recessed the Council meeting at 7:15 p.m. for a short break. The meeting reconvened at 7:18 p.m., with Mayor Franco announcing that Council member Trujillo had a conflicting engagement and left the meeting at 7:15 p.m.

CONSENT CALENDAR: Council member Avalos motioned to approve the Consent Calendar as written. Motion was seconded by Council member Robertson and carried with the following vote:

AYES: Avalos, Robertson, Guerra, Franco
NOES: None
ABSTAIN: None
ABSENT: Trujillo

- 1.a. Approved Consideration of the August 5, 2019 Council meeting minutes
- b. Approved Consideration of the August 6, 2019 Council meeting minutes
- c. 2020-2R Consideration of a Resolution authorizing the Participation in the Community Development Block Grant Program for 2021-2022, 2022-23, and 2023-24
- d. Approved Consideration to enter into an interlocal contract for cooperative purchasing between the City of Selma and the Houston-Galveston Area Council for the cooperative purchasing of breathing apparatus
- e. Approved Consideration of the check register dated January 28, 2020

At this point in the meeting, Special Counsel Costanzo left the room at 7:22 p.m.

2. Council Consensus Council request to discuss entering into a City Attorney Legal Services agreement with Special Counsel Costanzo and Associates.

City Manager Gallavan reported on the request received from Council member Avalos.

Council member Avalos discussed his request. After Council discussion, public comment was received from Mr. Cliff Tutelian and Ms. Theresa Salas. After much discussion, it was the consensus of Council to bring the matter back at a future agenda

Special Counsel Costanzo returned to his seat at the Council dais at 7:39 p.m.

3. Approved Consideration and Necessary action to extend rental of the Salazar Center Lease Agreements with Serving and Mobilizing, Assistance, Resources and Training (SMART) Center and Boys and Girls Club

Community Services Director Kirchner discussed the agreements for Council and reported that there was a clerical error on the agreements and that the term expiration is 2023. After discussion, public comment was received from Ms. Diane Carbray and Mr. Bob Allen.

After Council discussion, motion was made by Council member Avalos and seconded by Council member Robertson to APPROVE AND AUTHORIZE CITY MANAGER TO EXECUTE SALAZAR CENTER LEASE AGREEMENTS WITH THE SMART CENTER AND THE BOYS AND GIRLS CLUB. Motion carried with the following vote:

AYES: Avalos, Robertson, Guerra, Franco
NOES: None
ABSTAIN: None
ABSENT: Trujillo

4. 2020-1 Public Hearing, Second Reading and Adoption of an Ordinance Amending Section 1 of Chapter 7 of Title 1 of the Selma Municipal Code Relating to the Selection of Mayor Pro Tempore

Special Counsel Costanzo outlined the proposed amendment which provides for the selection of the Mayor Pro Tempore, for a two-year term, by majority vote of the City Council. After Council discussion, Mayor Franco opened the public hearing at 7:55 p.m.

Public comment was received from Mr. Don Self. There being no further public comment, Mayor Franco closed the public hearing at 7:57 p.m.

After much Council discussion, Council member Robertson motioned to waive the second reading and adopt ORDINANCE NO. 2020-1, AN ORDINANCE AMENDING SECTION 1 OF CHAPTER 7 OF TITLE 1 OF THE SELMA MUNICIPAL CODE RELATING TO THE SELECTION OF MAYOR PRO TEMPORE. Motion was seconded by Council member Avalos and carried with the following vote:

AYES: Robertson, Avalos, Guerra
NOES: Franco
ABSTAIN: None
ABSENT: Trujillo

5. 2020-2 Public Hearing, Second Reading and Adoption of an Ordinance
2020-3R Repeal and Reenacting Sections 1-9 Chapter 4 of Title 8 of Selma Municipal Code (SMC) Abandoned Shopping Cart Ordinance to define steps for shopping cart containment system, retrieval and abatement and Consideration of a Resolution Establishing User Fees for the Program

Assistant City Manager Moreno discussed the proposed Ordinance and user fees for Council. Special Counsel Costanzo explained the changes made at Council's request. After Council discussion, Mayor Franco opened the public hearing at 8:12 p.m. There being no public comment, Mayor Franco closed the public hearing at 8:13 p.m.

After Council discussion, Council member Avalos motioned to waive the second reading and adopt ORDINANCE NO. 2020-2, AN ORDINANCE REPEALING AND REENACTING SECTIONS 1-9 OF CHAPTER 4 OF TITLE 8 OF SELMA MUNICIPAL CODE (SMC) ABANDONED SHOPPING CART ORDINANCE TO DEFINE STEPS FOR SHOPPING CART CONTAINMENT SYSTEM, RETRIEVAL AND ABATEMENT AND RESOLUTION NO. 2020-3R, A RESOLUTION OF THE CITY OF SELMA ESTABLISHING USER FEES FOR THE PROGRAM. Motion was seconded by Mayor Pro Tem Guerra and carried with the following vote:

AYES: Avalos, Guerra, Robertson, Franco
NOES: None
ABSTAIN: None
ABSENT: Trujillo

DEPARTMENT REPORTS: City Manager Gallavan updated Council on the Rockwell Pond Encampment.

Assistant City Manager Moreno responded to the previous Council request regarding the police station project. He reported that \$3.9 million dollars has been expended to Katch Environmental and that they are currently twelve days behind schedule, which according to our construction management consultant is within a tolerance level for a project of its size. He then provided a power point presentation regarding the mid-year budget for fiscal year 2019 - 2020. He stated that general fund revenues are at 47% and expenditures are at 45% of the projected budget for 2019-2020 with a net gain of \$370,921.00. He also discussed Measure "S" revenues and expenditures and stated that the Measure "S" fund is currently at a net gain position of \$82,233.00. He reported on the enterprise funds and stated that the Ambulance fund had a net gain of \$542,671.00, Pioneer Village fund had a net loss of \$10,148.00, Transit fund had a net gain of \$125,032.00, and Cultural Arts fund had a net loss of \$9,107.00.

Fire Chief Petersen reported that the new ambulance had arrived and that they are in the process of hiring staff. He also stated that staff is working on the transfer of the training center.

Police Lieutenant Reid reported that the department participated on a recent multi-agency search warrant detail.

Community Services Director Kirchner reported on the Peter Ringo Park playground project and the pickle ball court sealing project. He also discussed the Warming Center.

COUNCIL REPORTS: Council member Avalos requested a future agenda item to discuss bicycle licenses. He also reported on attending the Boys and Girls Club Youth of the Year contest.

Council member Robertson reported on receiving information from the Fresno County Farm Bureau on the odor due to pre-emergent application for weed control. He reported on attending the Boys and Girls Club Youth of the Year contest and being a judge. He also reported on the Gap Inc. for their recent land donation to the Fresno Boys and Girls Club, and reported on the upcoming Corazones por Selma event, and requested a joint meeting with the Selma Unified School Board.

Mayor Pro Tem Guerra reported on the Boys and Girls Club Youth of Year contest and the Chamber ribbon cutting.

Mayor Franco reported on attending the Chamber ribbon cutting, COG meeting, and meeting with Congressman TJ Cox.

ORAL COMMUNICATIONS: Mrs. Rose Robertson thanked everyone for their continued support of the Selma Boys and Girls Club and stated that they are working on fundraising.

City of Selma
Special City Council Meeting
February 3, 2020
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ADJOURNMENT: There being no further business, the meeting was adjourned at 8:43 p.m.

Respectfully submitted,

Reyna Rivera
City Clerk

ITEM NO: 1.d.

SUBJECT: Consideration on Resolution Approving Intergovernmental Agreement Regarding Transfer of Public Funds between the California Department of Health Care Services and the City , and the Health Plan Provider Agreements between the City and Anthem Blue Cross and CalViva Health and authorization for the City Manager to execute same

RECOMMENDATION: Adopt Resolution Approving the Intergovernmental Agreement Regarding Transfer of Public Funds between the California Department of Health Care Services and the City, and the Health Plan Provider Agreements between the City and Anthem Blue Cross and CalViva Health, and authorizing the City Manager to sign all Agreements and necessary IGT program documents.

DISCUSSION: The Intergovernmental Transfer of Public Funds (“IGT”) program provides an opportunity for the City to receive federal matching funds to support health services for Medi-Cal Managed Care beneficiaries served by the City’s Fire Department. The City does not receive full reimbursement for the provision of medical services to Medi-Cal Managed Care patients. Currently, the City receives approximately 25% in reimbursement of our Medi-Cal Managed Care costs from payments received from Medi-Cal Managed Care Plan Provider(s) (“MMCPP”).

The IGT agreement requires the transfer of eligible local dollars from the City to the Department of Health Care Services (“DHCS”). DHCS in turn uses the funds to receive additional Federal funding from the Centers for Medicare and Medicaid Services. Since the funds must be used to support the Medi-Cal Managed Care program, DHCS transfers both the original contribution from the City and matched funds to the MMCPP, who in turn makes those funds available to the City. The State and Federal governments review and provide approval of the documents the City submits to participate in the IGT program prior to any funds being sent to DHCS.

The amount the City initially transfers is calculated using the Estimated Member Months, which is then reconciled to actual enrollment for the service period of July 1, 2019 through June 30, 2020 and July 1, 2020 through December 31, 2020. Enrollment reconciliation occurs on an ongoing basis as updated figures are made available. If, after the enrollment reconciliation, there is an increase to the amount needed to fund the nonfederal share, the City will be required to transfer additional funds to cover the difference. If, after the enrollment reconciliation, there is a decrease to the amount needed to fund the nonfederal

RESOLUTION NO. 2020-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA APPROVING
AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE
INTERGOVERNMENTAL AGREEMENT REGARDING TRANSFER OF PUBLIC FUNDS
BETWEEN THE CITY AND CALIFORNIA DEPARTMENT OF HEALTHCARE
SERVICES AND AGREEMENTS WITH HEALTHCARE PROVIDERS (ANTHEM AND
CALVIVA) TO IMPLEMENT THE 2019-2020 RATE RANGE INTERGOVERNMENTAL
TRANSFER TO CALIFORNIA DEPARTMENT OF HEALTHCARE SERVICES**

WHEREAS, through a program involving the transfer of Medical reimbursement for ambulance service provided by the City of Selma to the California Department of Healthcare Services the City is able to increase the amount of reimbursement received for ambulance services pursuant to specified provisions of the Welfare and Institutions Code of the State of California; and

WHEREAS, staff has developed and provided for the City Council's review and approval three agreements, one with the California Department of Healthcare Services which administers this program and providing for the enhanced Medical reimbursement to the City for ambulance services provided; and two agreements with healthcare providers to implement Medical managed care capitalization rate increases resulting from the intergovernmental transfers made by the City of Selma to the California Department of Healthcare Services so that enhanced Medical reimbursement is secured at the proper and lawful rates; and

WHEREAS, the City Council has reviewed all three agreements, and wishes to approve each agreement to ensure that it receives as much reimbursement as possible for ambulance services provided.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The forgoing recitals are true and correct.
2. The City Council approves the Intergovernmental Agreement regarding transfer of public funds between the City and the California Department of Healthcare Services and the Health Plan – Provider Agreement to implement the 2019-2020 Rate Range Intergovernmental Transfers from the City to the Department of Healthcare Services.
3. Each approved agreement is attached to this resolution and the City Manager is authorized to execute each agreement and any other documents necessary to implement these agreements.

The forgoing Resolution was duly adopted by the City Council of the City of Selma at a regular meeting on the 21st of September 2020 by the following vote:

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSTAIN:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:

Louis Franco, Mayor

ATTEST:

Reyna Rivera, City Clerk

**INTERGOVERNMENTAL AGREEMENT REGARDING
TRANSFER OF PUBLIC FUNDS**

This Agreement is entered into between the CALIFORNIA DEPARTMENT OF HEALTH CARE SERVICES (“DHCS”) and the CITY OF SELMA (GOVERNMENTAL FUNDING ENTITY) with respect to the matters set forth below.

The parties agree as follows:

AGREEMENT

1. Transfer of Public Funds

1.1 The GOVERNMENTAL FUNDING ENTITY agrees to make a transfer of funds to DHCS pursuant to sections 14164 and 14301.4 of the Welfare and Institutions Code. The amount transferred shall be based on the sum of the applicable rate category per member per month (PMPM) contribution increments multiplied by member months, as reflected in Exhibit 1. The GOVERNMENTAL FUNDING ENTITY agrees to initially transfer amounts that are calculated using the Estimated Member Months in Exhibit 1, which will be reconciled to actual enrollment for the service periods of July 1, 2019 through June 30, 2020, and July 1, 2020 through December 31, 2020, and reconciled to actual PMPMs for the service period of July 1, 2020 through December 31, 2020 in accordance with Sub-Section 1.3 of this Agreement. The funds transferred shall be used as described in Sub-Section 2.2 of this Agreement. The funds shall be transferred in accordance with the terms and conditions, including schedule and amount, established by DHCS.

1.2 The GOVERNMENTAL FUNDING ENTITY shall certify that the funds transferred qualify for Federal Financial Participation pursuant to 42 C.F.R. part 433, subpart B,

and are not derived from impermissible sources such as recycled Medicaid payments, Federal money excluded from use as State match, impermissible taxes, and non-bona fide provider-related donations. Impermissible sources do not include patient care or other revenue received from programs such as Medicare or Medicaid to the extent that the program revenue is not obligated to the State as the source of funding.

1.3 DHCS shall reconcile the “Estimated Member Months,” in Exhibit 1, to actual enrollment in HEALTH PLAN(S) for the service periods of July 1, 2019 through June 30, 2020, and July 1, 2020 through December 31, 2020 using actual enrollment figures taken from DHCS records. Enrollment reconciliation will occur on an ongoing basis as updated enrollment figures become available. Actual enrollment figures will be considered final two years after June 30, 2020 and December 31, 2020, respectively. DHCS shall reconcile the “Projected Contribution PMPM,” in Exhibit 1(b), to actual PMPM for HEALTH PLAN(S) for the service period of July 1, 2020 through December 31, 2020 using actual PMPMs that result from the risk adjustment process as reflected in figures taken from DHCS records. PMPM reconciliation will occur on an ongoing basis as the risk adjustment process is finalized. Actual PMPM amounts will be considered final two years after December 31, 2020. If reconciliation results in an increase to the total amount necessary to fund the nonfederal share of the payments described in Sub-Section 2.2, the GOVERNMENTAL FUNDING ENTITY agrees to transfer any additional funds necessary to cover the difference. If reconciliation results in a decrease to the total amount necessary to fund the nonfederal share of the payments described in Sub-Section 2.2, DHCS agrees to return the unexpended funds to the GOVERNMENTAL FUNDING ENTITY. If DHCS and the GOVERNMENTAL FUNDING ENTITY mutually agree, amounts due to or owed by the GOVERNMENTAL FUNDING ENTITY may be offset against future transfers.

2. Acceptance and Use of Transferred Funds

2.1 DHCS shall exercise its authority under section 14164 of the Welfare and Institutions Code to accept funds transferred by the GOVERNMENTAL FUNDING ENTITY pursuant to this Agreement as IGTs, to use for the purpose set forth in Sub-Section 2.2.

2.2 The funds transferred by the GOVERNMENTAL FUNDING ENTITY pursuant to Section 1 and Exhibit 1 of this Agreement shall be used to fund the non-federal share of Medi-Cal Managed Care actuarially sound capitation rates described in section 14301.4(b)(4) of the Welfare and Institutions Code as reflected in the contribution PMPM and rate categories reflected in Exhibit 1. The funds transferred shall be paid, together with the related Federal Financial Participation, by DHCS to HEALTH PLAN(S) as part of HEALTH PLAN(S)' capitation rates for the service periods of July 1, 2019 through June 30, 2020, and July 1, 2020 through December 31, 2020, in accordance with section 14301.4 of the Welfare and Institutions Code.

2.3 DHCS shall seek Federal Financial Participation for the capitation rates specified in Sub-Section 2.2 to the full extent permitted by federal law.

2.4 The parties acknowledge that DHCS will obtain any necessary approvals from the Centers for Medicare and Medicaid Services.

2.5 DHCS shall not direct HEALTH PLAN(S)' expenditure of the payments received pursuant to Sub-Section 2.2.

3. Assessment Fee

3.1 DHCS shall exercise its authority under section 14301.4 of the Welfare and Institutions Code to assess a 20 percent fee related to the amounts transferred pursuant to Section 1 of this Agreement, except as provided in Sub-Section 3.2. GOVERNMENTAL

FUNDING ENTITY agrees to pay the full amount of that assessment in addition to the funds transferred pursuant to Section 1 of this Agreement.

3.2 The 20-percent assessment fee shall not be applied to any portion of funds transferred pursuant to Section 1 that are exempt in accordance with sections 14301.4(d) or 14301.5(b)(4) of the Welfare and Institutions Code. DHCS shall have sole discretion to determine the amount of the funds transferred pursuant to Section 1 that will not be subject to a 20 percent fee. DHCS has determined that \$0.00 of the transfer amounts will not be assessed a 20 percent fee, subject to Sub-Section 3.3.

3.3 The 20-percent assessment fee pursuant to this Agreement is non-refundable and shall be wired to DHCS separately from, and simultaneous to, the transfer amounts made under Section 1 of this Agreement. If, at the time of the reconciliation performed pursuant to Sub-Section 1.3 of this Agreement, there is a change in the amount transferred that is subject to the 20-percent assessment in accordance with Sub-Section 3.1, then a proportional adjustment to the assessment fee will be made.

4. Amendments

4.1 No amendment or modification to this Agreement shall be binding on either party unless made in writing and executed by both parties.

4.2 The parties shall negotiate in good faith to amend this Agreement as necessary and appropriate to implement the requirements set forth in Section 2 of this Agreement.

5. Notices. Any and all notices required, permitted or desired to be given hereunder by one party to the other shall be in writing and shall be delivered to the other party personally or

by United States First Class, Certified or Registered mail with postage prepaid, addressed to the other party at the address set forth below:

To the GOVERNMENTAL FUNDING ENTITY:

Robert Petersen, Fire Chief
City of Selma
1711 Tucker Street
Selma, CA 93662
robertp@cityofselma.com

With copies to:

Isaac Moreno, Assistant City Manager
City of Selma
1710 Tucker Street
Selma, CA 93662
isaacm@cityofselma.com

To DHCS:

Sandra Dixon
California Department of Health Care Services
Capitated Rates Development Division
1501 Capitol Ave., Suite 71-4002
MS 4413
Sacramento, CA 95814
Sandra.Dixon@dhcs.ca.gov

6. Other Provisions

6.1 This Agreement contains the entire Agreement between the parties with respect to the Medi-Cal payments described in Sub-Section 2.2 of this Agreement that are funded by the GOVERNMENTAL FUNDING ENTITY, and supersedes any previous or contemporaneous oral or written proposals, statements, discussions, negotiations or other agreements between the GOVERNMENTAL FUNDING ENTITY and DHCS relating to the subject matter of this Agreement. This Agreement is not, however, intended to be the sole

agreement between the parties on matters relating to the funding and administration of the Medi-Cal program. This Agreement shall not modify the terms of any other agreement, existing or entered into in the future, between the parties.

6.2 The non-enforcement or other waiver of any provision of this Agreement shall not be construed as a continuing waiver or as a waiver of any other provision of this Agreement.

6.3 Sections 2 and 3 of this Agreement shall survive the expiration or termination of this Agreement.

6.4 Nothing in this Agreement is intended to confer any rights or remedies on any third party, including, without limitation, any provider(s) or groups of providers, or any right to medical services for any individual(s) or groups of individuals. Accordingly, there shall be no third party beneficiary of this Agreement.

6.5 Time is of the essence in this Agreement.

6.6 Each party hereby represents that the person(s) executing this Agreement on its behalf is duly authorized to do so.

7. State Authority. Except as expressly provided herein, nothing in this Agreement shall be construed to limit, restrict, or modify the DHCS' powers, authorities, and duties under Federal and State law and regulations.

8. Approval. This Agreement is of no force and effect until signed by the parties.

9. Term. This Agreement shall be effective as of July 1, 2019 and shall expire as of June 30, 2023 unless terminated earlier by mutual agreement of the parties.

SIGNATURES

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, on the date of the last signature below.

THE CITY OF SELMA:

By: _____ Date: _____
Teresa Gallavan, City Manager

THE STATE OF CALIFORNIA, DEPARTMENT OF HEALTH CARE SERVICES:

By: _____ Date: _____
Rafael Davtian, Division Chief, Capitated Rates Development Division

Exhibit 1

Health Plan:	CalViva Health		
Rating Region:	Fresno		
Service Period	7/2019-12/2019		
		Estimated Member	Estimated
Rate Category	Contribution PMPM	Months*	Contribution (Non-Federal Share)
Child - non MCHIP	\$ 0.30	634,303	\$ 190,291
Child - MCHIP	\$ 0.12	183,970	\$ 22,076
Adult - non MCHIP	\$ 0.75	334,105	\$ 250,579
Adult - MCHIP	\$ 0.29	2,327	\$ 675
ACA Optional Expansion	\$ 0.10	410,800	\$ 41,080
SPD	\$ 2.17	118,579	\$ 257,316
SPD/Full-Dual	\$ 0.54	53,277	\$ 28,770
BCCTP	\$ 1.98	56	\$ 111
Estimated Total		1,737,417	\$ 790,898

Health Plan:	Anthem Blue Cross		
Rating Region:	Fresno		
Service Period	7/2019-12/2019		
		Estimated Member	Estimated
Rate Category	Contribution PMPM	Months*	Contribution (Non-Federal Share)
Child - non MCHIP	\$ 0.14	217,733	\$ 30,483
Child - MCHIP	\$ 0.05	61,603	\$ 3,080
Adult - non MCHIP	\$ 0.34	103,291	\$ 35,119
Adult - MCHIP	\$ 0.13	697	\$ 91
ACA Optional Expansion	\$ 0.06	181,438	\$ 10,886
SPD	\$ 0.91	45,393	\$ 41,308
SPD/Full-Dual	\$ 0.22	18,872	\$ 4,152
Estimated Total		629,027	\$ 125,119

Health Plan:	CalViva Health		
Rating Region:	Fresno		
Rating Region:	1/2020-6/2020		
Rate Category	Contribution PMPM	Estimated Member Months*	Estimated Contribution (Non-Federal Share)
Child - non MCHIP	\$ 0.27	646,288	\$ 174,498
Child - MCHIP	\$ 0.12	187,446	\$ 22,494
Adult - non MCHIP	\$ 0.66	336,854	\$ 222,324
Adult - MCHIP	\$ 0.29	2,346	\$ 680
ACA Optional Expansion	\$ 0.13	414,700	\$ 53,911
SPD	\$ 1.94	120,578	\$ 233,921
SPD/Full-Dual	\$ 0.48	56,112	\$ 26,934
BCCTP	\$ 1.78	56	\$ 100
Estimated Total		1,764,380	\$ 734,862

Health Plan:	Anthem Blue Cross		
Rating Region:	Fresno		
Rating Region:	1/2020-6/2020		
Rate Category	Contribution PMPM	Estimated Member Months*	Estimated Contribution (Non-Federal Share)
Child - non MCHIP	\$ 0.13	220,486	\$ 28,663
Child - MCHIP	\$ 0.05	62,382	\$ 3,119
Adult - non MCHIP	\$ 0.30	104,678	\$ 31,403
Adult - MCHIP	\$ 0.13	706	\$ 92
ACA Optional Expansion	\$ 0.07	184,692	\$ 12,928
SPD	\$ 0.81	46,606	\$ 37,751
SPD/Full-Dual	\$ 0.20	19,678	\$ 3,936
Estimated Total		639,228	\$ 117,892

Exhibit 1(b)

Health Plan:	CalViva Health		
Rating Region:	Fresno		
Rating Region:	7/2020 - 12/2020		
Rate Category	Projected Contribution PMPM**	Estimated Member Months*	Estimated Contribution (Non-Federal Share)
Child - non MCHIP	\$ 0.27	705,589	\$ 190,509
Child - MCHIP	\$ 0.17	204,645	\$ 34,790
Adult - non MCHIP	\$ 0.69	370,794	\$ 255,848
Adult - MCHIP	\$ 0.43	2,583	\$ 1,111
ACA Optional Expansion	\$ 0.13	464,100	\$ 60,333
SPD	\$ 2.00	125,457	\$ 250,914
SPD/Full-Dual	\$ 0.50	58,404	\$ 29,202
BCCTP	\$ 1.82	62	\$ 113
Estimated Total		1,931,634	\$ 822,820

Health Plan:	Anthem Blue Cross		
Rating Region:	Fresno		
Rating Region:	7/2020 - 12/2020		
Rate Category	Projected Contribution PMPM**	Estimated Member Months*	Estimated Contribution (Non-Federal Share)
Child - non MCHIP	\$ 0.13	240,716	\$ 31,293
Child - MCHIP	\$ 0.09	68,106	\$ 6,130
Adult - non MCHIP	\$ 0.31	115,224	\$ 35,719
Adult - MCHIP	\$ 0.20	778	\$ 156
ACA Optional Expansion	\$ 0.07	206,695	\$ 14,469
SPD	\$ 0.81	48,491	\$ 39,278
SPD/Full-Dual	\$ 0.21	20,482	\$ 4,301
Estimated Total		700,492	\$ 131,346

* Note that Estimated Member Months are subject to variation, and the actual total Contribution (Non-Federal Share) may differ from the amount listed here.

** Note that Projected Contribution PMPMs are subject to change based on the risk adjustment process of rate development, and the actual total Contribution (Non-Federal Share) may differ from the amount listed here.

**ANTHEM BLUE CROSS
INTERGOVERNMENTAL (IGT) HEALTH PLAN-PROVIDER AGREEMENT**

This Agreement is made this 2nd of September 2020 by and between Anthem Blue Cross, a California corporation hereinafter referred to as "PLAN", and the City of Selma, acting through its Fire Department, hereinafter referred to as "PROVIDER."

RECITALS:

WHEREAS, Anthem Blue Cross, a corporate entity licensed under Health and Safety code Section 1349 et seq., has a contract with the State Department of Health Care Services ("State DHCS") pursuant to Welfare and Institutions Code Section 14087.3 to act as a Medi-Cal managed care plan and to serve the residents of Fresno County;

WHEREAS, PROVIDER is an incorporated City whose Fire Department provides emergency response and ambulance transport to Plan members residing in Fresno County; and,

WHEREAS, PLAN and PROVIDER desire to enter into an Agreement to provide for Medi-Cal managed care capitation rate increases to PLAN as a result of intergovernmental transfers ("IGTs") from the City of Selma ("GOVERNMENTAL FUNDING ENTITY") to the California Department of Health Care Services ("State DHCS") to maintain the availability of Medi-Cal health care services to Medi-Cal beneficiaries.

NOW, THEREFORE, PLAN and PROVIDER hereby agree as follows:

A. Payment

Should PLAN receive any Medi-Cal managed care capitation rate increases from State DHCS where the nonfederal share is funded by the GOVERNMENTAL FUNDING ENTITY specifically pursuant to the provisions of the Intergovernmental Agreement Regarding Transfer of Public Funds, #19-96400 ("Intergovernmental Agreement") effective for the periods of July 1, 2019 through December 31, 2020 for Intergovernmental Transfer Medi-Cal Managed Care Rate Range Increases ("IGT MMCRRIs"), PLAN shall pay to PROVIDER the amount of the IGT MMCRRIs received from State DHCS, in accordance with paragraph E below regarding the form and timing of Local Medi-Cal Managed Care Rate Range ("LMMCRR") IGT Payments. LMMCRR IGT Payments paid to PROVIDER shall not replace or supplant any other amounts paid or payable to PROVIDER by PLAN.

B. Health Plan Retention

(1) The PLAN shall retain a two and a half percent (2.5%) administrative fee based on the total amount of the IGT MMCRRIs received from DHCS for PLAN's cost to administer this program. Each provider's share of the two and a half percent (2.5%) fee shall be

calculated based on the provider's proportionate share of the LMMCRR IGT payment made by PLAN in Fresno County.

(2) PLAN will not retain any other portion of the IGT MMCRRIs received from the State DHCS other than those mentioned above.

C. Conditions for Receiving Local Medi-Cal Managed Care Rate Range IGT Payments

As a condition for receiving LMMCRR IGT Payments, PROVIDER shall, as of the date the particular LMMCRR IGT Payment is due:

(1) remain a participating provider for PLAN Medi-Cal patients; and,

(2) maintain current emergency response and ambulance transport services for PLAN beneficiaries.

D. Schedule and Notice of Transfer of Non-Federal Funds

The GOVERNMENTAL FUNDING ENTITY shall notify the PLAN within five (5) business days after the funds referred to in the Intergovernmental Transfer Agreement have been transferred to the State.

E. Form and Timing of Payments

PLAN agrees to pay LMMCRR IGT Payments to PROVIDER in the following form and according to the following schedule:

(1) PLAN agrees to pay the LMMCRR IGT Payments to PROVIDER using the same mechanism through which compensation and payments are normally paid to PROVIDER (e.g., electronic transfer).

(2) PLAN will pay the LMMCRR IGT Payments to PROVIDER no later than thirty (30) calendar days after receipt and reconciliation of the IGT MMCRRIs from State DHCS.

F. Consideration

(1) As consideration for the LMMCRR IGT Payments, PROVIDER shall use the LMMCRR IGT Payments for the following purposes and shall treat the LMMCRR IGT Payments in the following manner:

(a) The LMMCRR IGT Payments shall represent compensation for Medi-Cal services rendered to Medi-Cal PLAN members by PROVIDER during the State fiscal year to which the LMMCRR IGT Payments apply.

(b) To the extent that total payments received by PROVIDER for any State fiscal year under this Agreement exceed the cost of Medi-Cal services provided to Medi-Cal beneficiaries by PROVIDER during that fiscal year, any remaining LMMCRR IGT Payment amounts shall be retained by PROVIDER to be expended for health care services. Retained LMMCRR IGT Payment amounts may be used by the PROVIDER in either the State fiscal year for which the payments are received or subsequent State fiscal years.

(2) For purposes of subsection (b) above, if the retained LMMCRR IGT Payments, if any, are not used by PROVIDER in the State fiscal year received, retention of funds by PROVIDER will be established by demonstrating that the retained earnings account of PROVIDER at the end of any State fiscal year in which it received payments based on LMMCRR IGT Payments funded pursuant to the Intergovernmental Agreement, has increased over the unspent portion of the prior State fiscal year's balance by the amount of LMMCRR IGT Payments received, but not used. These retained PROVIDER funds may be commingled with other GOVERNMENTAL FUNDING ENTITY funds for cash management purposes provided that such funds are appropriately tracked and only the depositing facility is authorized to expend them.

(3) Both parties agree that none of these funds, either from the GOVERNMENTAL FUNDING ENTITY or federal matching funds will be recycled back to the GOVERNMENTAL FUNDING ENTITY'S general fund, the State, or any other intermediary organization. Payments made by the health plan to providers under the terms of this Agreement constitute patient care revenues.

G. PLAN's Oversight Responsibilities

PLAN's oversight responsibilities regarding PROVIDER's use of the LMMCRR IGT Payments shall be limited as described in this paragraph. PLAN may request, within thirty (30) calendar days after the end of each State fiscal year in which LMMCRR IGT Payments were transferred to PROVIDER, a written confirmation that states whether and how PROVIDER complied with the provisions set forth in Paragraph F above. In each instance, PROVIDER shall provide PLAN with written confirmation of compliance within thirty (30) calendar days of PLAN's request.

H. Cooperation Among Parties

Should disputes or disagreements arise regarding the ultimate computation or appropriateness of any aspect of the LMMCRR IGT Payments, PROVIDER and PLAN agree to work together in all respects to support and preserve the LMMCRR IGT Payments to the full extent possible on behalf of the PROVIDER.

I. Reconciliation

Within one hundred twenty (120) calendar days after the end of each of PLAN's fiscal years in which LMMCRR IGT Payments were made to PROVIDER, PLAN shall perform a reconciliation of the LMMCRR IGT Payments transmitted to the PROVIDER during the preceding fiscal year to ensure that the supporting amount of IGT MMCRRIs were received by PLAN from State DHCS. PROVIDER agrees to return to PLAN any overpayment of LMMCRR IGT Payments made in error to PROVIDER within thirty (30) calendar days after receipt from PLAN of a written notice of the overpayment error, unless PROVIDER submits a written objection to PLAN. Any such objection shall be resolved in accordance with the dispute resolution processes set forth in Section H of this Agreement or otherwise in good faith by the parties. The reconciliation processes established under this paragraph are distinct from the indemnification provisions set forth below. PLAN agrees to transmit to the PROVIDER any underpayment of LMMCRR IGT Payments within thirty (30) calendar days of PLAN's identification of such underpayment.

J. Indemnification

Notwithstanding anything to the contrary contained in the Agreement, PROVIDER shall indemnify and hold PLAN harmless against any losses, claims, demands, liabilities, court costs, judgments and expenses, imposed by a court or otherwise incurred by PLAN after the execution date of the Agreement as a result of PLAN's receipt of IGT MMCRRIs or payment of LMMCRR IGT, including but not limited to the following circumstances:

(1) In the event that State DHCS, the Department of Health and Human Services or any other federal or state agency recoups, offsets, or otherwise withholds any monies from or fails to provide any monies to PLAN, or PLAN is denied any monies to which it otherwise would have been entitled, for any reason relating to the Medi-Cal managed care capitation rate increases arising from the Intergovernmental Agreement as such increases flow through the Medi-Cal Agreement between PLAN and the State and this Agreement, including but not limited to:

(a) State DHCS' failure to treat the IGT MMCRRISs or LMMCRR IGT Payments as set forth in the applicable sections of the Intergovernmental Agreement;

(b) the failure of the IGT MMCRRIs to qualify for federal participation pursuant to 42 C.F.R. part 433, subpart B; or

(c) overpayment of IGT MMCRRIs to PLAN by State DHCS, PLAN shall have a right to immediately recoup, offset or withhold any and all such amounts from payments otherwise due to PROVIDER. Recovery by PLAN pursuant to this section shall include, but not be limited to, reduction in future LMMCRRs paid to PROVIDER in an amount equal to the amount of IGT MMCRRi payments recovered from PLAN, or by reduction of any other amounts owed to PLAN by PROVIDER.

(2) PLAN shall pursue an appeal, a lawsuit, or any other available legal action to challenge any recoupment by State DHCS, the Department of Health and Human Services, or any other federal or state agency that is not required by law, unless after consultation with PROVIDER and with good cause, PLAN acting reasonably determines that it is not in the best interest of PLAN and/or PROVIDER to do so;

(3) At PLAN's discretion PROVIDER shall either provide or arrange for legal representation on PLAN's behalf or PLAN shall arrange for its own representation and be entitled to reasonable attorney's fees and costs from PROVIDER for such representation, in addition to any and all other relief to which PLAN may be entitled, including but not limited to, the following circumstances:

(a) If any action at law, suit in equity, arbitration, or administrative action is brought against PLAN by State DHCS, the Department of Health and Human Services, or any other federal or state agency or other individual or organization to: (i) enforce or interpret the IGT MMCRRIs or LMMCRRs; or (ii) recoup, offset, or otherwise withhold any monies from PLAN relating to the IGT MMCRRIs or LMMCRR IGT Payments; or

(b) If PLAN brings any appeal, action at law, suit in equity, arbitration or administrative action against the State DHCS, or any other federal or state agency to (i) enforce or interpret the IGT MMCRRIs or LMMCRRs; or (ii) in response to an action described in subparagraph 1 or subparagraph 3(a) above; and

(4) If PLAN prevails in any appeal, action at law, suit in equity, arbitration, or administrative action taken against PLAN to enforce or interpret the IGT MMCRRIs or LMMCRRs, PLAN shall be entitled to reasonable attorney's fees and costs from PROVIDER.

K. Relationship of the Parties

For purposes of this Agreement, PLAN and PROVIDER are and will act at all times as independent contractors. Nothing in this Agreement shall be construed, or be deemed to create, a relationship of employer or employee or principal and agent, or any relationship other than that of independent entities contracting with each other for the purposes of effectuating this Agreement. In no way shall PLAN be construed to be providers of Health Services or responsible for the provision of such Health Services. PROVIDER shall be solely responsible to the Covered Individual for treatment and medical care with respect to the provision of Health Services. PROVIDER may freely communicate with Covered Individuals regarding the treatment options available to them, including medication treatment options, regardless of benefit coverage limitations.

PROVIDER hereby expressly acknowledges its understanding that this Agreement constitutes a contract between PROVIDER and PLAN, that PLAN is an independent corporation operating under a license from the Blue Cross and Blue Shield Association, an association of independent Blue Cross and/or Blue Shield Plans ("Association"), permitting PLAN to use the Blue Cross and/or Blue Shield Service Marks in the state where PLAN is located, and that PLAN is not contracting as the agent of the Association. PROVIDER further acknowledges and agrees that it has not entered into this Agreement based upon representations by any person other than PLAN, and that no person, entity or organization other than PLAN shall be held accountable or liable to PROVIDER for any of PLAN's obligations to PROVIDER created under this Agreement. PROVIDER has no license to use the Blue Cross and/or Blue Shield names, symbols, or derivative marks (the "Brands") and nothing in the Agreement shall be deemed to grant a license to PROVIDER to use the Brands. Any references to the Brands made by PROVIDER in its own materials are subject to review and approval by PLAN. This section shall not create any additional obligations whatsoever on the part of Plan, other than those obligations created under other provisions of this Agreement.

L. Severability

In case any one or more of the provisions of this Agreement shall be invalid, illegal, or unenforceable in any respect, the remaining provisions shall be construed liberally in order to effectuate the purposes hereof, and the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby. If one or more provisions of the Agreement are invalid, illegal or unenforceable and an amendment to the Agreement is necessary to maintain its integrity, the parties shall make commercially reasonable efforts to negotiate an amendment to this Agreement and any attachments or addenda to this Agreement which could reasonably be construed not to contravene such statute, regulation, or interpretation. In addition, if such invalid, unenforceable or materially affected provision(s) may be severed from this Agreement and/or attachments or addenda to this Agreement without materially affecting the parties' intent when this Agreement was executed, then such provision(s) shall be severed rather than terminating the Agreement or any attachments or addenda to this Agreement.

M. Remittance Information

The IGT-funded payments made by the PLAN pursuant only to this Agreement, shall be mailed to the PROVIDER at the address set forth below:

Isaac Moreno, Assistant City Manager
City of Selma
1710 Tucker Street
Selma, CA 93662
Phone: (559) 891-2205

Email: Isaacm@cityofselma.com

Tax ID: 94-6000431

* Please also provide a copy of an updated W-9 if there are any changes from the previous W-9 provided

N. Term

The term of this Agreement shall commence on July 1, 2019 and shall terminate on December 31, 2023.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed personally or by their duly authorized officers or agents.

SIGNATURES

ANTHEM BLUE CROSS

CITY OF SELMA

Signature:  _____

Signature: _____

Name: Paul Pakuckas _____

Name: Teresa Gallavan _____

Title: RVP II, California Medicaid and Medicare _____

Title: City Manager _____

Date: 9/2/2020 _____

Date: _____

HEALTH PLAN-PROVIDER AGREEMENT

AGREEMENT TO IMPLEMENT THE 2019-20 RATE RANGE IGTS

This Agreement is made this 25th day of August 2020, by and between the Fresno-Kings-Madera Regional Health Authority dba CalViva Health, a Medi-Cal Managed Care Plan hereinafter referred to as "PLAN", and City of Selma, acting through its Fire Department, hereinafter referred to as "PROVIDER."

RECITALS:

WHEREAS, CalViva Health licensed under Health and Safety Code Section 1349 et seq. has a contract with the State Department of Health Care Services pursuant to Welfare and Institutions Code Section 14087.3 to act as a Medi-Cal managed care plan and CalViva Health has contracted with Health Net Community Solutions, Inc., (HNCS) which is a subsidiary of Health Net, Inc., which is a wholly owned subsidiary of Centene Corporation, to fulfill its responsibilities for the provision of Medi-Cal covered services for eligible Medi-Cal members. For purposes of this Agreement, Centene Corporation, Health Net of California, Inc., Health Net Community Solutions, Inc. and CalViva Health shall collectively be referred to as "PLAN";

WHEREAS, PROVIDER is an incorporated City whose Fire Department provides emergency response and ambulance transport to Plan members; and

WHEREAS, PLAN and PROVIDER desire to enter into an Agreement to provide for Medi-Cal managed care capitation rate increases to PLAN as a result of intergovernmental transfers ("IGTs") from City of Selma (GOVERNMENTAL FUNDING ENTITY) to the California Department of Health Care Services ("State DHCS") to maintain the availability of Medi-Cal health care services to Medi-Cal beneficiaries.

NOW, THEREFORE, PLAN and PROVIDER hereby agree as follows:

2019-20 IGT MEDI-CAL MANAGED CARE CAPITATION RATE RANGE INCREASES

1. IGT Capitation Rate Range Increases to PLAN

A. Payment

Should PLAN receive any Medi-Cal managed care capitation rate increases from State DHCS where the nonfederal share is funded by the GOVERNMENTAL FUNDING ENTITY specifically pursuant to the provisions of the Intergovernmental Agreement Regarding Transfer of Public Funds, #19-96400 ("Intergovernmental Agreement") effective for the period of July 1, 2019 through June 30, 2020 and July 1, 2020 through December 31, 2020 for Intergovernmental Transfer Medi-Cal Managed Care Rate Range Increases ("IGT MMCRRIs"), PLAN shall pay to PROVIDER the amount of the IGT MMCRRIs received from State DHCS, in accordance with paragraph 1.E below regarding the form and timing of Local Medi-Cal Managed Care Rate Range ("LMMCRR") IGT Payments. LMMCRR IGT Payments paid to

PROVIDER shall not replace or supplant any other amounts paid or payable to PROVIDER by PLAN.

B. Health Plan Retention

(1) The PLAN shall retain a 2% administrative fee based on the total amount of the IGT received from DHCS for PLAN's cost to administer this program. Each providers' share of the 2% fee shall be calculated based on the providers' respective proportionate share of the LMMCRR IGT payment made by PLAN in Fresno County.

(2) PLAN will not retain any other portion of the IGT MMCRRIs received from the State DHCS other than those mentioned above.

C. Conditions for Receiving Local Medi-Cal Managed Care Rate Range IGT Payments

As a condition for receiving LMMCRR IGT Payments, PROVIDER shall, as of the date the particular LMMCRR IGT Payment is due:

(1) Remain a participating PLAN provider;

(2) maintain its current emergency response and ambulance transport services for PLAN beneficiaries.

D. Schedule and Notice of Transfer of Non-Federal Funds

The GOVERNMENTAL FUNDING ENTITY shall notify the PLAN within five business days after the District funds referred to in the Intergovernmental Transfer Agreement have been transferred to the State.

PROVIDER shall provide PLAN with a copy of the schedule regarding the transfer of funds to State DHCS, referred to in the Intergovernmental Agreement, within fifteen (15) calendar days of the PROVIDER receiving such schedule from the State DHCS. Additionally, PROVIDER shall notify PLAN, in writing, no less than seven (7) calendar days prior to any changes to an existing schedule including, but not limited to, changes in the amounts specified therein.

E. Form and Timing of Payments

PLAN agrees to pay LMMCRR IGT Payments to PROVIDER in the following form and according to the following schedule:

(1) PLAN agrees to pay the LMMCRR IGT Payments to PROVIDER using the same mechanism through which compensation and payments are normally paid to PROVIDER (e.g., electronic transfer). After paying any required taxes and retaining the PLAN's administrative fee, as shown in Section B above, PLAN will pay PROVIDER a percent of the remaining LMMCRR IGT payment equal to the PROVIDER's contribution as a percent of total local provider contributions.

(2) PLAN will pay the LMMCRR IGT Payments to PROVIDER no later than sixty (60) calendar days after receipt of the IGT MMCRRIs from State DHCS.

F. Consideration

(1) As consideration for the LMMCRR IGT Payments, PROVIDER shall

(2) use the LMMCRR IGT Payments for the following purposes and shall treat the LMMCRR IGT Payments in the following manner:

(a) The LMMCRR IGT Payments shall represent compensation for Medi-Cal services rendered to Medi-Cal PLAN members by PROVIDER during the State fiscal year to which the LMMCRR IGT Payments apply.

(b) To the extent that total payments received by PROVIDER for any State fiscal year under this Agreement exceed the cost of Medi-Cal services provided to Medi-Cal beneficiaries by PROVIDER during that fiscal year, any remaining LMMCRR IGT Payment amounts shall be retained by PROVIDER to be expended for health care services. Retained LMMCRR IGT Payment amounts may be used by the PROVIDER in either the State fiscal year for which the payments are received or subsequent State fiscal years.

(2) For purposes of subsection (1) (b) above, if the retained LMMCRR IGT Payments, if any, are not used by PROVIDER in the State fiscal year received, retention of funds by PROVIDER will be established by demonstrating that the retained earnings account of PROVIDER at the end of any State fiscal year in which it received payments based on LMMCRR IGT Payments funded pursuant to the Intergovernmental Agreement, has increased over the unspent portion of the prior State fiscal year's balance by the amount of LMMCRR IGT Payments received, but not used. These retained PROVIDER funds may be commingled with other GOVERNMENTAL FUNDING ENTITY funds for cash management purposes provided that such funds are appropriately tracked and only the depositing facility is authorized to expend them.

(3) Both parties agree that none of these funds, either from the GOVERNMENTAL FUNDING ENTITY or federal matching funds will be recycled back to the GOVERNMENTAL FUNDING ENTITY'S general fund, the State, or any other intermediary

organization. Payments made by the health plan to providers under the terms of this Agreement constitute patient care revenues.

G. PLAN's Oversight Responsibilities

PLAN's oversight responsibilities regarding PROVIDER's use of the LMMCRR IGT Payments shall be limited as described in this paragraph. PLAN may request, within thirty (30) calendar days after the end of each State fiscal year in which LMMCRR IGT Payments were transferred to PROVIDER, a written confirmation that states whether and how PROVIDER complied with the provisions set forth in Paragraph 1.F above. In each instance, PROVIDER shall provide PLAN with written confirmation of compliance within thirty (30) calendar days of PLAN's request.

H. Cooperation Among Parties

Should disputes or disagreements arise regarding the ultimate computation or appropriateness of any aspect of the LMMCRR IGT Payments, PROVIDER and PLAN agree to work together in all respects to support and preserve the LMMCRR IGT Payments to the full extent possible on behalf of the safety net in Fresno County.

I. Reconciliation

Within one hundred twenty (120) calendar days after the end of each of PLAN's fiscal years in which LMMCRR IGT Payments were made to PROVIDER, PLAN shall perform a reconciliation of the LMMCRR IGT Payments transmitted to the PROVIDER during the preceding fiscal year to ensure that the supporting amount of IGT MMCRRIs were received by PLAN from State DHCS. PROVIDER agrees to return to PLAN any overpayment of LMMCRR IGT Payments made in error to PROVIDER within thirty (30) calendar days after receipt from PLAN of a written notice of the overpayment error, unless PROVIDER submits a written objection to PLAN. Any such objection shall be resolved in accordance with the dispute resolution processes set forth in Section H. of this Agreement or otherwise in good faith by the parties. The reconciliation processes established under this paragraph are distinct from the indemnification provisions set forth in Section J. below. PLAN agrees to transmit to the PROVIDER any underpayment of LMMCRR IGT Payments within thirty (30) calendar days of PLAN's identification of such underpayment.

J. Indemnification

PROVIDER agrees to indemnify and hold PLAN harmless in all matters relating to the IGT request, subsequent payment and use of such funds.

K. Remittance Information

The IGT-funded payments made by the PLAN pursuant only to this Agreement, shall be mailed to the PROVIDER at the address set forth below:

Isaac Moreno, Assistant City Manager
City of Selma
1710 Tucker Street
Selma, CA 93662

Phone: (559) 891-2205

Email: Isaacm@cityofselma.com

2. Term

The term of this Agreement shall commence on July 1, 2019 and shall terminate on December 31, 2023.

SIGNATURES

BY HEALTH PLAN:  _____ Date: 8/25/2020
Greg Hund, Chief Executive Officer, CalViva Health

BY PROVIDER: _____ Date: _____
Teresa Gallavan, City Manager, City of Selma

CHECK REGISTER REPORT

CHECK NUMBER	CHECK DATE	STATUS	VENDOR NAME	CHECK DESCRIPTION	CATEGORY	AMOUNT
75814	08/27/2020	Printed	U.S. BANK CORPORATE PMT SYSTEM	CALCARD CHARGES 7/23-8/24/20		41,197.24
75815	08/27/2020	Printed	VALLEY SHREDDING LLC	DOCUMENT DESTRUCTION SERVICE		20.00
75816	08/27/2020	Printed	VANIR CONSTRUCTION	POLICE DEPT CONSTRUCTION 7/1-7/31/20	PDSA	28,922.50
75817	08/27/2020	Printed	VERIZON WIRELESS	AIRCARDS 7/19-8/18/20		531.44
75818	08/27/2020	Printed	DANIEL VIVEROS / D&G FENCE	REPAIR CITY YARD FENCE		375.00
75819	08/27/2020	Printed	WASTE MANAGEMENT-USA WASTE	GARBAGE -JULY 2020		128,032.40
75820	09/10/2020	Printed	AIRGAS USA LLC	OXYGEN RENTALS		82.50
75821	09/10/2020	Printed	MARK ALVES / ALVES ELECTRIC	TROUBLE SHOOT SWITCH -CITY HALL BREAKROOM		115.00
75822	09/10/2020	Void				
75823	09/10/2020	Printed	ARAMARK UNIFORM	UNIFORMS/TOWELS/FIRST AID KITS		582.96
75824	09/10/2020	Printed	AT&T	TELEPHONE 8/1-8/31/20		192.50
75825	09/10/2020	Printed	AT&T	TELEPHONE 8/4-9/3/20		1,475.47
75826	09/10/2020	Printed	AT&T	TELEPHONE 8/4-9/3/20		152.18
75827	09/10/2020	Printed	AT&T	TELEPHONE 8/4-9/3/20		117.06
75828	09/10/2020	Printed	BENNY BACA / COOL AIR SPECIALTY	MERV 13 FILERS, AC REPAIR -PD JAIL & FIRE ST, INSTALL 3 TON COMPRESSOR		6,621.00
75829	09/10/2020	Printed	CESAR F. BEJARANO / RAPID JUNK REMOVAL	CLEAN UP 2695 ROSE	R	650.00
75830	09/10/2020	Printed	BLUE LIGHT INC.	COURT REPORTING SERVICE		1,936.50
75831	09/10/2020	Printed	JAY WESLEY BROCK / TOP DOG TRAINING CENTER	K9 MAINTENANCE TRAINING 8/17/20		180.00
75832	09/10/2020	Printed	CALIFORNIA PARK & RECREATION	MEMBERSHIP RENEWAL		150.00
75833	09/10/2020	Printed	CHRISTIAN ADRIAN CANO	SEXUAL ASSAULT TRAINING PER DIEM 9/17-9/18/20	R	22.00
75834	09/10/2020	Printed	JONATHAN CARRILLO	SEXUAL ASSAULT TRAINING PER DIEM 9/18/20	R	11.00
75835	09/10/2020	Printed	ROD CARSEY / ROD CARSEY CONSULTING	PLAN CHECK -AUGUST 2020		11,139.25
75836	09/10/2020	Printed	LACIE CATES	SUICIDE BY COP TRAINING PER DIEM 9/28/20	R	11.00
75837	09/10/2020	Printed	CENTRAL VALLEY TOXICOLOGY INC.	DRUG TESTING 20-2602		245.00
75838	09/10/2020	Printed	COMCAST	INTERNET SERVICE -SEPT 2020		821.45
75839	09/10/2020	Printed	COMCAST	PD TO FCSD -SEPTEMBER 2020		710.82
75840	09/10/2020	Printed	CORELOGIC SOLUTIONS LLC	REALQUEST SERVICES-AUGUST 2020		481.25
75841	09/10/2020	Printed	COUNTY OF FRESNO	RMS/JMS/CASD ACCESS FEES -JULY 20, PRIONER PROCESSING 4/1-6/30/20		713.52
75842	09/10/2020	Printed	COUNTY OF FRESNO TREASURER	GIS TELECOMMUNICATION CHARGES - MAY & JUNE 2020		145.96
75843	09/10/2020	Printed	DATAPATH LLC	PALO ALTO NETWORK FIREWALL		12,967.98
75844	09/10/2020	Printed	JUAN CRUZ DIAZ	BUILDING INSPECTOR SERV-JUL 20		660.00
75845	09/10/2020	Printed	DON BERRY CONSTRUCTION INC.	E FLORAL AVE PROG RETENTION	G	49,766.67
75846	09/10/2020	Printed	PAUL DEREK ESQUIBEL	SEXUAL ASSAULT TRAINING PER DIEM 9/17-9/18/20	R	22.00
75847	09/10/2020	Printed	RYAN EYMIL	SUICIDE BY COP TRAINING PER DIEM 9/30/20	R	11.00
75848	09/10/2020	Printed	FEDEX	PARTS RETURN TO FIRE APPARATUS SOLUTIONS, POSTAGE -COUNCIL		121.52
75849	09/10/2020	Printed	GLOBAL EQUIPMENT COMPANY INC.	MODLEX EARPLUGS -PW		173.29
75850	09/10/2020	Printed	HEALTHEDGE ADMINISTRATORS INC.	DENTAL 8/19/20		1,796.24
75851	09/10/2020	Printed	HEALTHEDGE ADMINISTRATORS INC.	DENTAL 8/26/20		1,586.70
75852	09/10/2020	Printed	HEALTHEDGE ADMINISTRATORS INC.	DENTAL 9/2/20		2,244.40
75853	09/10/2020	Printed	HENRY SCHEIN INC.	MEDICAL SUPPLIES		410.91
75854	09/10/2020	Printed	JONATHAN LAYTON	DOMESTIC VIOLENCE TRAINING PER DIEM 9/8/20, SUICIDE BY COP TRAINING PER DIEM 9/30/20	R	22.00
75855	09/10/2020	Void			0.00	
75856	09/10/2020	Void			0.00	
75857	09/10/2020	Printed	LIEBERT, CASSIDY, WHITMORE	ADVICE LEGAL FEES -JULY & AUGUST 2020		77,418.40
75858	09/10/2020	Printed	LIFE-ASSIST INC.	MEDICAL SUPPLIES		255.18

CHECK REGISTER REPORT

CHECK NUMBER	CHECK DATE	STATUS	VENDOR NAME	CHECK DESCRIPTION	CATEGORY	AMOUNT
75859	09/10/2020	Printed	MONICA LOPEZ	SEXUAL ASSAULT TRAINING PER DIEM 9/21/20, SUICIDE BY COP TRAINING PER DIEM 9/29/20	R	22.00
75860	09/10/2020	Printed	METRO UNIFORM	RESERVE OFFICER UNIFORM		203.82
75861	09/10/2020	Printed	ODELL PLANNING & RESEARCH, INC	SELMA GROVE EIR ADDENDUM PLANNING SERVICES -AUG 2020		346.45
75862	09/10/2020	Printed	OFFICE DEPOT, INC.	OFFICE SUPPLIES		187.68
75863	09/10/2020	Printed	PG&E	UTILITIES -AUGUST 2020		648.76
75864	09/10/2020	Printed	PITNEY BOWES INC.	POSTAGE MACHINE RENTAL -CH		130.17
75865	09/10/2020	Printed	KRYSTLE RICHMOND	SEXUAL ASSAULT TRAINING PER DIEM 9/21/20, SUICIDE BY COP TRAINING PER DIEM 9/30/20	R	22.00
75866	09/10/2020	Printed	NICOLE RYAN	SEXUAL ASSAULT TRAINING PER DIEM 9/21, SUICIDE BY COP TRAINING PER DIEM 9/29/20	R	22.00
75867	09/10/2020	Printed	HUMBERTO SALAS	SEXUAL ASSAULT TRAINING PER DIEM 9/17-9/18/20	R	22.00
75868	09/10/2020	Printed	KENDRA STEFFEN	DOMESTIC VIOLENCE TRAINING PER DIEM 9/8/20, SEXUAL ASSAULT TRAINING 9/21/20, SUICIDE BY COP TRAINING PER DIEM 9/28/20	R	33.00
75869	09/10/2020	Printed	SURVEILLANCE INTEGRATION INC.	VIDEO SURVEILLANCE PROTECTION PLAN		5,678.00
75870	09/10/2020	Printed	RYAN SWAIN	SEXUAL ASSAULT TRAINING PER DIEM 9/17-9/18/20	R	22.00
75871	09/10/2020	Printed	TYLER TECHNOLOGIES, INC.	EXECUTIME/ADVANCED SCHEDULING		593.75
75872	09/10/2020	Printed	U.S. BANK EQUIPMENT FINANCE	COPY MACHINE LEASES -SEPT 20		2,694.13
75873	09/10/2020	Printed	U.S. BANK ST PAUL	SELMA 2017 GENERAL OBLIGATION BONDS ADMIN		990.00
75874	09/10/2020	Printed	UNITY IT	MDT MANAGED SERVICES -JULY 20		2,495.50
75875	09/10/2020	Printed	VALLEY SHREDDING LLC	DOCUMENT DESTRUCTION SERVICE		40.00
75876	09/10/2020	Printed	WASTE MANAGEMENT-USA WASTE	CITY CLEAN UP -AUGUST 2020		13,427.70
75877	09/10/2020	Printed	WASTE MANAGEMENT-USA WASTE	GARBAGE -AUGUST 2020		127,489.88
TOTAL						528,160.13

Grant: G PD State Appropriation: PDSA (457) Reimbursement: R

WIRE/EFT

08/27/20	US BANK	PFA 2014 ASSESSMENT BOND TRUSTEE FEE	2,090.00
08/27/20	US BANK	PFA 2014 ASSESSMENT REVENUE REFUNDING BONDS (SERIES 1999A)	111,787.50

US BANK INVOICE FOR CALCARD CHARGES: 7/23/20-8/24/20

EMPLOYEE NAME	DATE	VENDOR NAME	DESCRIPTION OF PURCHASE	ACCOUNT NUMBER	AMOUNT
CALEB GARCIA	7/22/2020	CHEVRON, FRESNO CA	FUEL-ACT	269-2100-600.257.000	10.00
CALEB GARCIA	7/22/2020	CHEVRON, FRESNO CA	FUEL-ACT	269-2100-600.257.000	58.54
CALEB GARCIA	7/24/2020	QUEST MART, FRESNO CA	FUEL-ACT	269-2100-600.257.000	40.00
CALEB GARCIA	7/28/2020	JOHNNY QUIK, FRESNO CA	FUEL-ACT	269-2100-600.350.000	55.77
CALEB GARCIA	7/31/2020	SHELL OIL, FRESNO CA	FUEL-ACT	269-2100-600.257.000	54.85
CALEB GARCIA	8/6/2020	CIRCLE K, FRESNO CA	FUEL-ACT	269-2100-600.257.000	66.96
CALEB GARCIA	8/13/2020	SHELL OIL, FRESNO CA	FUEL-ACT	269-2100-600.257.000	53.77
CALEB GARCIA	8/17/2020	VALVOLINE, FRESNO CA	VEHICLE MAINTENANCE-ACT	269-2100-620.100.000	58.30
CALEB GARCIA	8/19/2020	CIRCLE K, FRESNO CA	FUEL-ACT	269-2100-600.257.000	65.26
CHRISTINA ARIAS	8/10/2020	RITE AID STORE	SUPPLIES FOR PERSONNEL COMMISSION	100-1400-600.920.000	53.84
CHRISTINA ARIAS	8/12/2020	SUBWAY	PERSONNEL COMMISSION	100-1400-600.920.000	45.54
CITY OF SELMA FIRE QRT MST	7/23/2020	WPGS INC	CREDIT	100-2525-600.250.000	(42.49)
CITY OF SELMA SNG RES 1	7/31/2020	HARBOR FREIGHT TOOLS	SHOP FAN FOR APPARATUS BAY	100-2525-600.250.000	143.32
CITY OF SELMA SNG RES 2	7/21/2020	SHELL OIL	FUEL TO GOLD FIRE	701-9200-600.257.000	72.00
CITY OF SELMA SNG RES 2	8/1/2020	CHEVRON	FUEL FROM GOLD FIRE	701-9200-600.257.000	54.00
CITY OF SELMA SNG RES 2	8/3/2020	EXXON MOBILE	FUEL TO APPLE FIRE	701-9200-600.257.000	77.37
CITY OF SELMA SNG RES 2	8/14/2020	SHELL OIL	FUEL FROM APPLE FIRE	701-9200-600.257.000	29.28
CITY OF SELMA SNG RES 2	8/18/2020	FASTRIP FOOD STORE	FUEL FOR HILLS FIRE	701-9200-600.257.000	32.51
CITY OF SELMA SNG RES 2	8/19/2020	SPEEDWAY	FUEL FOR HILLS FIRE	701-9200-600.257.000	60.07
CITY OF SELMA SNG RES 2	8/20/2020	FASTRIP FOOD STORE	FUEL FOR HILLS FIRE	701-9200-600.257.000	14.15
CITY OF SELMA SNG RES 2	8/22/2020	FASTRIP FOOD STORE	FUEL FOR HILLS FIRE	701-9200-600.257.000	35.00
CITY OF SELMA SNG RES 2	8/23/2020	CHEVRON	FUEL FOR HILLS FIRE	701-9200-600.257.000	40.00
CITY OF SELMA SNG RES 3	8/20/2020	CHEVRON	FUEL FOR STRIKE TEAM	701-9200-600.257.000	17.00
CITY OF SELMA SNG RES 3	8/21/2020	SUGAR BOWL FUEL	FUEL FOR STRIKE TEAM	701-9200-600.257.000	36.12
CITY OF SELMA STATION 1	7/22/2020	WAL-MART	CLEANING SUPPLIES	100-2525-600.250.000	44.95
CITY OF SELMA STATION 1	7/22/2020	NAPA AUTO	EXHAUST TAPE	100-2525-600.250.000	9.97
CITY OF SELMA STATION 1	7/23/2020	NELSONS ACE HARDWARE	CHAIN SAW 311	100-2525-600.250.000	15.50
CITY OF SELMA STATION 1	7/29/2020	NELSONS ACE HARDWARE	STATION 1 SUPPLIES	100-2525-600.250.000	46.13
CITY OF SELMA STATION 1	7/29/2020	THE HOME DEPOT	STATION 1 WATER COOLER BELTS	100-2525-600.250.000	31.50
CITY OF SELMA STATION 1	7/30/2020	NELSONS ACE HARDWARE	HOSE COUPLER	100-2525-600.250.000	6.82
CITY OF SELMA STATION 1	8/1/2020	THE HOME DEPOT	HANGING RACK FOR TOOLS AT STATION	100-2525-600.250.000	142.69
CITY OF SELMA STATION 1	8/3/2020	THE HOME DEPOT	DÉCOR HOOKS	100-2525-600.250.000	84.23
CITY OF SELMA STATION 1	8/4/2020	NELSONS ACE HARDWARE	STATION 1 SIGN HARDWARE	100-2525-600.250.000	15.77
CITY OF SELMA STATION 1	8/6/2020	O'REILLY AUTO	GAS CAP OES 391	100-2525-600.250.000	32.53
CITY OF SELMA STATION 1	8/18/2020	NELSONS ACE HARDWARE	TRUE FUEL OES 391	100-2525-600.250.000	27.11
CITY OF SELMA STATION 2	7/23/2020	HOME DEPOT	CONSTRUCTION SUPPLIES	100-2525-600.250.000	33.24
CITY OF SELMA STATION 2	8/2/2020	O' REILLY AUTO	OIL & FLUIDS	701-9200-600.257.000	14.07
CITY OF SELMA STATION 2	8/4/2020	SHELL OIL	FUEL FOR SQUAD -STRIKE TEAM	701-9200-600.257.000	61.42
CITY OF SELMA STATION 2	8/11/2020	WALMART	OFFICE SUPPLIES	100-1600-600.250.000	16.13
CITY OF SELMA STATION 2	8/11/2020	NAPA AUTO PARTS	TAILGATE NET	100-2525-600.250.000	46.36
CITY OF SELMA STATION 2	8/13/2020	WALMART	CLEANING SUPPLIES	100-2525-600.250.000	66.62
CITY OF SELMA STATION 2	8/21/2020	WALMART	STATION SUPPLIES -CLEANERS	100-2525-600.250.000	22.19

US BANK INVOICE FOR CALCARD CHARGES: 7/23/20-8/24/20

EMPLOYEE NAME	TRANSACTION DATE	VENDOR NAME	DESCRIPTION OF PURCHASE	ACCOUNT NUMBER	AMOUNT
CITY OF SELMA STATION 2	8/21/2020	HOME DEPOT	TRU FUEL FOR STATION	100-2525-600.250.000	44.06
CITY OF SELMA TRAINING DIV	7/25/2020	AMAZON	CLIPBOARDS FOR UNITS	100-2525-600.250.000	112.76
CITY OF SELMA TRAINING DIV	7/28/2020	O' REILLY AUTO	VEHICLE POLISH	100-2525-600.250.000	10.80
CITY OF SELMA TRAINING DIV	8/3/2020	BLUEBELLY	STATION SIGNS	111-2500-600.250.000	246.00
CITY OF SELMA TRAINING DIV	8/6/2020	DPH EMERGENCY	BLACKWELL EMT RECERT	100-2525-610.917.000	82.00
EMS DIVISION 1	8/24/2020	HOME DEPOT	PLASTIC BINS FOR EMS ROOM	600-2600-600.250.000	43.13
FABIAN URESTI	7/23/2020	NELSON'S HARDWARE	PAINT -STATION TOOLS	600-2600-600.250.000	38.99
FABIAN URESTI	7/31/2020	DPH/FRESNO EMS	PARAMEDIC RECERT	100-2525-610.917.000	48.00
FABIAN URESTI	8/17/2020	AMAZON	CARABINEERS -TICS	600-2600-600.250.000	42.18
FINANCE DEPT	7/22/2020	CA SOCIETY OF MUNICIPAL FINANCE OFFICERS	INTERMEDIATE GOVERNMENTAL ACCOUNTING - HEATHER, LUPE & INEZ	100-1600-610.915.000	450.00
FINANCE DEPT	7/22/2020	CA SOCIETY OF MUNICIPAL FINANCE	CALIFORNIA LOCAL BUDGETING -HEATHER	100-1600-610.915.000	150.00
FINANCE DEPT	7/22/2020	COSTCO.COM	2 MICROSOFT SURFACE PRO'S FOR COUNCIL -COVID	100-1100-600.250.000	2,386.43
FINANCE DEPT	7/31/2020	MICROSOFT STORE	MICROSOFT SUBSCRIPTION	704-9600-600.470.000	69.99
GEORGE SIPIN	7/21/2020	NAPA AUTO PARTS	V -BELT, FLEET RUNNER BELT, V-RIBBED	603-5500-600.256.000	519.20
GEORGE SIPIN	7/22/2020	O'REILLY AUTO PARTS	COMPRESSOR, FILTERS-STOCK	603-5500-600.256.000	962.85
GEORGE SIPIN	7/22/2020	NAPA AUTO PARTS	HI POWER V-BELTS - STOCK	603-5500-600.256.000	152.60
GEORGE SIPIN	7/22/2020	McMASTER-CARR	GAS SPRING/END FITTINGS - STOCK	603-5500-600.256.000	111.62
GEORGE SIPIN	7/23/2020	O'REILLY AUTO PARTS	STOPLIGHT SWITCH -CREDIT UNIT 178	603-5500-600.256.000	(23.86)
GEORGE SIPIN	7/23/2020	O'REILLY AUTO PARTS	STOPLIGHT SWITCH -UNIT 178	603-5500-600.256.000	23.86
GEORGE SIPIN	7/24/2020	O'REILLY AUTO PARTS	CAP WRENCH - CRDT	603-5500-600.250.000	(14.08)
GEORGE SIPIN	7/24/2020	O'REILLY AUTO PARTS	FILTER WRENCHES - STOCK	603-5500-600.250.000	(17.33)
GEORGE SIPIN	7/24/2020	O'REILLY AUTO PARTS	CAP WRENCHES - STOCK	603-5500-600.250.000	14.08
GEORGE SIPIN	7/24/2020	O'REILLY AUTO PARTS	FILTER WRENCHES - STOCK	603-5500-600.250.000	17.33
GEORGE SIPIN	7/24/2020	O'REILLY AUTO PARTS	FILTER WRENCHES - STOCK	603-5500-600.250.000	17.33
GEORGE SIPIN	7/24/2020	AMAZON	PORTABLE HARD DRIVE FOR VIDEO SYSTEM	603-5500-600.250.000	47.56
GEORGE SIPIN	7/26/2020	AMAZON	PORTABLE HARD DRIVE FOR VIDEO SYSTEM,	603-5500-600.250.000	138.82
GEORGE SIPIN	7/26/2020	AMAZON	HARD DRIVES FOR LAPTOP, COMPUTER LIGHT,	603-5500-600.250.000	88.92
GEORGE SIPIN	7/27/2020	O'REILLY AUTO PARTS	SERPENTINE BELTS - STOCK	603-5500-600.256.000	388.02
GEORGE SIPIN	7/27/2020	NAPA AUTO PARTS	IGNITION COIL/SPARK PLUGS/WIRE SET	603-5500-600.256.000	202.25
GEORGE SIPIN	7/29/2020	AMAZON	MINI SECURITY CAMERAS FOR BUSES	603-5500-600.250.000	216.45
GEORGE SIPIN	7/29/2020	O'REILLY AUTO PARTS	POWER BAND V-BELT - CRDT	603-5500-600.256.000	(180.06)
GEORGE SIPIN	7/29/2020	O'REILLY AUTO PARTS	AIR FILTERS/PULLEYS	603-5500-600.256.000	246.94
GEORGE SIPIN	7/29/2020	O'REILLY AUTO PARTS	N95 MASKS - COVID 19	603-5500-600.250.000	509.83
GEORGE SIPIN	7/29/2020	AMAZON	CAMERAS FOR ARBOC BUSES	603-5500-600.250.000	320.87
GEORGE SIPIN	7/29/2020	FLEETPRIDE TRUCK & TRAILER PARTS	BRAKES FOR EL DORADO BUSES - STOCK	603-5500-600.256.000	1,303.87
GEORGE SIPIN	7/30/2020	MICHAEL AUTOMOTIVE CENTER	PUMP/RESERVOIR - RT#174	603-5500-600.256.000	433.41
GEORGE SIPIN	7/30/2020	MICHAEL AUTOMOTIVE CENTER	TIE ROD ENDS - RT #139	603-5500-600.256.000	593.62
GEORGE SIPIN	7/31/2020	MICHAEL AUTOMOTIVE CENTER	SEAL - RT#151	603-5500-600.256.000	27.62
GEORGE SIPIN	8/3/2020	FRONTIER FASTENER	NUTS & BITS - STOCK	603-5500-600.256.000	95.86
GEORGE SIPIN	8/3/2020	NAPA AUTO PARTS	RELAYS/PULLEYS-STOK	603-5500-600.256.000	420.15
GEORGE SIPIN	8/4/2020	NAPA AUTO PARTS	BLOWER MOTOR RESISTOR-STOCK	603-5500-600.256.000	36.97
GEORGE SIPIN	8/5/2020	O'REILLY AUTO PARTS	SPARK PLUGS - RT#139	603-5500-600.256.000	73.68
GEORGE SIPIN	8/5/2020	O'REILLY AUTO PARTS	RESISTOR/BATTERY/TENSIONER/FILTERS	603-5500-600.256.000	683.20
GEORGE SIPIN	8/5/2020	MOTION & FLOW CONTROL PRODUC	CNG HOSE - RT #139	603-5500-600.256.000	125.90

US BANK INVOICE FOR CALCARD CHARGES: 7/23/20-8/24/20

EMPLOYEE NAME	TRANSACTION DATE	VENDOR NAME	DESCRIPTION OF PURCHASE	ACCOUNT NUMBER	AMOUNT
GEORGE SIPIN	8/5/2020	NAPA AUTO PARTS	FUEL INJECTOR - RT #139	603-5500-600.256.000	346.51
GEORGE SIPIN	8/5/2020	NAPA AUTO PARTS	LAMPS/BLOWER RESISTOR-STOCK	603-5500-600.256.000	244.85
GEORGE SIPIN	8/5/2020	NAPA AUTO PARTS	PLUG WIRE SET/IGNITION COIL - RT#139	603-5500-600.256.000	336.17
GEORGE SIPIN	8/5/2020	MICHAEL AUTOMOTIVE CENTER	SUNSHADES FOR ARBOCS- STOCK	603-5500-600.256.000	127.51
GEORGE SIPIN	8/5/2020	MICHAEL AUTOMOTIVE CENTER	EXHAUST GASKET FOR ARBOCS-STOCK	603-5500-600.256.000	19.23
GEORGE SIPIN	8/5/2020	MICHAEL AUTOMOTIVE CENTER	GASKET - RT #151	603-5500-600.256.000	18.23
GEORGE SIPIN	8/5/2020	MICHAEL AUTOMOTIVE CENTER	BOOSTERS - STOCK	603-5500-600.256.000	615.91
GEORGE SIPIN	8/6/2020	O'REILLY AUTO PARTS	N95 MASKS - COVID 19 (CRDT)	603-5500-600.250.000	(509.83)
GEORGE SIPIN	8/6/2020	O'REILLY AUTO PARTS	CORE RETURNS	603-5500-600.256.000	(20.00)
GEORGE SIPIN	8/6/2020	O'REILLY AUTO PARTS	N-95 MASKS - COVID 19	603-5500-600.250.000	479.42
GEORGE SIPIN	8/6/2020	NAPA AUTO PARTS	FUEL INJECTORS - RT #139	603-5500-600.256.000	1,039.54
GEORGE SIPIN	8/6/2020	MICHAEL AUTOMOTIVE CENTER	GASKET - RT #151	603-5500-600.256.000	36.45
GEORGE SIPIN	8/6/2020	MICHAEL AUTOMOTIVE CENTER	SUNSHADES - STOCK	603-5500-600.250.000	382.52
GEORGE SIPIN	8/7/2020	O'REILLY AUTO PARTS	CORE RETURN -CRDT	603-5500-600.256.000	(54.00)
GEORGE SIPIN	8/8/2020	NAPA AUTO PARTS	MACS BATTERY CLEANER	603-5500-600.250.000	5.74
GEORGE SIPIN	8/10/2020	MICHAEL AUTOMOTIVE CENTER	RETAINER - STOCK	603-5500-600.256.000	10.86
GEORGE SIPIN	8/10/2020	MICHAEL AUTOMOTIVE CENTER	SENSOR - RT#136	603-5500-600.256.000	52.50
GEORGE SIPIN	8/11/2020	QUALITY ALIGNMENT	CATALYTIC CONVERTER SWAP - RT#151	603-5500-600.256.000	300.00
GEORGE SIPIN	8/12/2020	QUALITY ALIGNMENT	ALIGNMENT - RT#175	603-5500-600.400.000	85.00
GEORGE SIPIN	8/12/2020	QUALITY ALIGNMENT	ALIGNMENT - RT#165	603-5500-600.400.000	85.00
GEORGE SIPIN	8/12/2020	O'REILLY AUTO PARTS	1 GAL - CLEANER	603-5500-600.250.000	73.72
GEORGE SIPIN	8/12/2020	O'REILLY AUTO PARTS	AIR/FUEL FILTERS - STOCK	603-5500-600.256.000	110.83
GEORGE SIPIN	8/12/2020	LES SCHWAB	REPLACE TIRE	603-5500-600.256.000	214.41
GEORGE SIPIN	8/12/2020	NAPA AUTO PARTS	IGNITION COIL - RT #165	603-5500-600.256.000	184.16
GEORGE SIPIN	8/12/2020	NAPA AUTO PARTS	SPARK PLUG WIRE SET - RT #165	603-5500-600.256.000	78.96
GEORGE SIPIN	8/12/2020	TRUCKPRO HOLDING CORP	PUSH LOCKS/CONNECTORS - STOCK	603-5500-600.256.000	111.00
GEORGE SIPIN	8/12/2020	MICHAEL AUTOMOTIVE CENTER	BOOSTERS - STOCK	603-5500-600.256.000	307.96
GEORGE SIPIN	8/13/2020	MANUEL'S TIRE SERVICE INC	REPAIR FLAT TIRE - RT#176	603-5500-600.400.000	18.00
GEORGE SIPIN	8/13/2020	O'REILLY AUTO PARTS	BATTERY - RT #208	603-5500-600.256.000	117.89
GEORGE SIPIN	8/13/2020	O'REILLY AUTO PARTS	ACCUMULATORS - STOCK	603-5500-600.256.000	95.96
GEORGE SIPIN	8/13/2020	ALL AMERICAN GLASS	REPLACE WINDSHIELD - RT #165	603-5500-600.400.000	381.19
GEORGE SIPIN	8/13/2020	WALMART	OFFICE/RESTROOM SUPPLIES	603-5500-600.250.000	189.92
GEORGE SIPIN	8/13/2020	MICHAEL AUTOMOTIVE CENTER	BOOSTER - STOCK	603-5500-600.256.000	307.96
GEORGE SIPIN	8/14/2020	NAPA AUTO PARTS	FREIGHT CRDT (INV#78190) RT 139	603-5500-600.256.000	(45.00)
GEORGE SIPIN	8/14/2020	O'REILLY AUTO PARTS	CORE RETURN - RT #208	603-5500-600.256.000	(18.00)
GEORGE SIPIN	8/14/2020	NAPA AUTO PARTS	FUEL INJECTOR - RT #139	603-5500-600.256.000	1,084.54
GEORGE SIPIN	8/18/2020	ALL AMERICAN GLASS	REPLACE RIGHT SIDE WINDSHIELD -RT195	603-5500-600.400.000	1,250.76
GEORGE SIPIN	8/18/2020	MICHAEL AUTOMOTIVE CENTER	SENSOR - RT #136	603-5500-600.256.000	52.50
GEORGE SIPIN	8/19/2020	O'REILLY AUTO PARTS	AIR/FUEL FILTERS, BRAKE CLEANER-STK	603-5500-600.250.000	134.79
GEORGE SIPIN	8/19/2020	NAPA AUTO PARTS	FUEL INJECTOR - RT #139	603-5500-600.256.000	(1,039.54)
GEORGE SIPIN	8/19/2020	NAPA AUTO PARTS	BELTS - STOCK	603-5500-600.256.000	(78.62)
GEORGE SIPIN	8/19/2020	NAPA AUTO PARTS	AIRFLOW SENSOR - STOCK	603-5500-600.256.000	143.23
GEORGE SIPIN	8/22/2020	AMAZON	MEMBERSHIP FEE	603-5500-600.400.000	14.09
GEORGE SIPIN	8/22/2020	AMAZON	SECURITY CAMERAS FOR BUSES	603-5500-600.250.000	239.22
KELLI TELLEZ	7/30/2020	FAMILY DOLLAR	CLEANING SUPPLIES-COVID	100-1600-600.250.000	44.75

US BANK INVOICE FOR CALCARD CHARGES: 7/23/20-8/24/20

EMPLOYEE NAME	TRANSACTION DATE	VENDOR NAME	DESCRIPTION OF PURCHASE	ACCOUNT NUMBER	AMOUNT
KELLI TELLEZ	8/1/2020	AMAZON	OFFICE SUPPLIES	100-1600-600.250.000	7.58
KELLI TELLEZ	8/5/2020	AMAZON	OFFICE SUPPLIES	100-1600-600.250.000	22.77
KELLI TELLEZ	8/5/2020	AMAZON	OFFICE SUPPLIES	100-1600-600.250.000	29.41
KELLI TELLEZ	8/6/2020	FAMILY DOLLAR	CLEANING SUPPLIES-COVID	100-1600-600.250.000	33.36
KELLI TELLEZ	8/13/2020	AMAZON	OFFICE SUPPLIES	100-1600-600.250.000	18.07
KELLI TELLEZ	8/13/2020	AMAZON	OFFICE SUPPLIES	100-2525-600.250.000	6.66
MIKAL KIRCHNER	7/22/2020	THE HOME DEPOT	SR CENTER SECURITY LIGHT TIMER CLOCK	100-4200-600.250.000	74.83
MIKAL KIRCHNER	7/24/2020	DENNY'S	SR CENTER COVID 19 MEAL DELIVERY	805-0000-226.000.000	954.58
MIKAL KIRCHNER	7/28/2020	THE HOME DEPOT	COVID 19 SUPPLIES -MASKS	100-1700-600.250.000	1,083.88
MIKAL KIRCHNER	8/17/2020	WALMART	SR CENTER CONCESSION SALES	805-0000-226.000.000	41.61
NESTOR GALVAN	7/22/2020	NAPA AUTO PARTS	SERPENTINE BELT - UNIT #191	701-9200-600.256.000	19.03
NESTOR GALVAN	7/23/2020	O'REILLY AUTO PARTS	STOPLIGHT SWITCH - UNIT #178	701-9200-600.256.000	23.86
NESTOR GALVAN	7/23/2020	O'REILLY AUTO PARTS	FAN ASSEMBLY - UNIT #181	701-9200-600.256.000	201.97
NESTOR GALVAN	7/23/2020	O'REILLY AUTO PARTS	HOOD SUPPORT - UNIT #181	701-9200-600.256.000	41.00
NESTOR GALVAN	7/23/2020	CAMACHO TIRE	REPAIR FLAT - UNIT #181	701-9200-600.400.000	20.00
NESTOR GALVAN	7/23/2020	FAST UNDERCAR	CALIPER CORE - STOCK	701-9200-600.256.000	112.83
NESTOR GALVAN	7/23/2020	FAST UNDERCAR	POLICE PADS - UNIT #191	701-9200-600.256.000	585.80
NESTOR GALVAN	7/23/2020	NAPA AUTO PARTS	CONTROL ARM BUSHINGS - UNIT #178	701-9200-600.256.000	206.19
NESTOR GALVAN	7/23/2020	O'REILLY AUTO PARTS	ANTIFREEZE - UNIT #176	701-9200-600.254.000	21.68
NESTOR GALVAN	7/23/2020	VORTEX INDUSTRIES	REPAIR ROLL UP DOOR AT SHOP	702-9300-600.400.000	336.00
NESTOR GALVAN	7/24/2020	O'REILLY AUTO PARTS	ANTIFREEZE FOR FORD UNITS -STOCK	701-9200-600.254.000	130.10
NESTOR GALVAN	7/27/2020	CAMACHO TIRE	REPAIR FLAT - UNIT #804	701-9200-600.400.000	20.00
NESTOR GALVAN	7/27/2020	FAST UNDERCAR	RADIATOR FAN, POLICE PAD -UNIT #175	701-9200-600.256.000	691.33
NESTOR GALVAN	7/28/2020	TIFCO INDUSTRIES	SAFETY GLASSES - PW PARKS	100-5300-600.250.000	97.89
NESTOR GALVAN	7/28/2020	TIFCO INDUSTRIES	SAFETY GLASSES - PW STREETS	210-5400-600.250.000	97.89
NESTOR GALVAN	7/28/2020	TIFCO INDUSTRIES	HEX NUTS, ELECTRICAL TERMINAL-STOCK	701-9200-600.250.000	45.08
NESTOR GALVAN	7/29/2020	LES SCHWAB TIRES	TIRES - UNIT #716	701-9200-600.255.000	361.39
NESTOR GALVAN	7/29/2020	LES SCHWAB TIRES	TIRES - UNIT #716	701-9200-600.255.000	361.39
NESTOR GALVAN	7/29/2020	NAPA AUTO PARTS	JUNE TRACS BILLING	701-9200-600.400.000	169.00
NESTOR GALVAN	7/29/2020	NAPA AUTO PARTS	BLADES,EXTRAC SET FOR XMARKS	701-9200-600.256.000	430.50
NESTOR GALVAN	7/29/2020	NAPA AUTO PARTS	HVLP FINEX-SPRAY GUN	701-9200-600.305.000	205.02
NESTOR GALVAN	7/31/2020	O'REILLY AUTO PARTS	BATTERY - STOCK	701-9200-600.256.000	164.28
NESTOR GALVAN	7/31/2020	CAMACHO TIRE	3 NEW TIRES - UNIT #1000	701-9200-600.255.000	930.00
NESTOR GALVAN	7/31/2020	LES SCHWAB TIRES	ALIGNMENT & ROTATION - UNIT #716	701-9200-600.400.000	89.99
NESTOR GALVAN	8/1/2020	O'REILLY AUTO PARTS	WIN REG ASSY - UNIT #170	701-9200-600.256.000	82.86
NESTOR GALVAN	8/3/2020	O'REILLY AUTO PARTS	HOOD SUPPORT, BATTERY - UNIT #176	701-9200-600.256.000	205.29
NESTOR GALVAN	8/3/2020	O'REILLY AUTO PARTS	SPARK PLUGS FOR EDGERS - STOCK	701-9200-600.256.000	18.16
NESTOR GALVAN	8/4/2020	CAMACHO TIRE	NEW TIRE - UNIT #176	701-9200-600.255.000	330.00
NESTOR GALVAN	8/4/2020	NAPA AUTO PARTS	HARDWARE KITS FOR XMARKS - STOCK	701-9200-600.256.000	358.87
NESTOR GALVAN	8/5/2020	O'REILLY AUTO PARTS	EXTINGUISHER - UNIT #1318	701-9200-600.250.000	32.53
NESTOR GALVAN	8/5/2020	O'REILLY AUTO PARTS	BACK UP LIGHT - UNIT #8511	701-9200-600.256.000	116.83
NESTOR GALVAN	8/5/2020	NAPA AUTO PARTS	LIFT SUPPORT -UNIT #8653	701-9200-600.256.000	47.27
NESTOR GALVAN	8/6/2020	CAMACHO TIRE	REPAIR FLAT - UNIT #316	701-9200-600.400.000	15.00
NESTOR GALVAN	8/6/2020	CAMACHO TIRE	REPAIR FLAT - UNIT #183	701-9200-600.400.000	20.00
NESTOR GALVAN	8/6/2020	NELSON'S POWER CENTER	AUTOCUT,BUSHINGS,SCREWS-UNIT #3206	701-9200-600.256.000	206.95

US BANK INVOICE FOR CALCARD CHARGES: 7/23/20-8/24/20

EMPLOYEE NAME	TRANSACTION DATE	VENDOR NAME	DESCRIPTION OF PURCHASE	ACCOUNT NUMBER	AMOUNT
NESTOR GALVAN	8/6/2020	NAPA AUTO PARTS	ENGRAVER & PAINT	701-9200-600.250.000	40.54
NESTOR GALVAN	8/7/2020	O'REILLY AUTO PARTS	MICRO-V BELT -UNIT #183	701-9200-600.256.000	17.84
NESTOR GALVAN	8/7/2020	O'REILLY AUTO PARTS	MICRO-V BELTS EXCHANGE	701-9200-600.256.000	1.73
NESTOR GALVAN	8/7/2020	FAST UNDERCAR	BRAKE ROTOR, PADS - UNIT #183	701-9200-600.256.000	259.63
NESTOR GALVAN	8/11/2020	TIFCO INDUSTRIES	SAFETY GLASSES, TOWEL STAND	701-9200-600.250.000	178.03
NESTOR GALVAN	8/11/2020	O'REILLY AUTO PARTS	BLOWER RESISTOR/MOTOR - UNIT #720	701-9200-600.256.000	177.95
NESTOR GALVAN	8/11/2020	CAMACHO TIRE	4 NEW TIRES - UNIT #720	701-9200-600.255.000	830.00
NESTOR GALVAN	8/11/2020	CAMACHO TIRE	NEW TIRE - UNIT #180	701-9200-600.255.000	240.00
NESTOR GALVAN	8/11/2020	NELSON'S POWER CENTER	#74007,4012	701-9200-600.256.000	241.58
NESTOR GALVAN	8/11/2020	NELSON'S POWER CENTER	ATTACHMENTS FOR WEEDEATERS- UNIT #4235, 4236	100-5300-600.305.000	737.54
NESTOR GALVAN	8/11/2020	FAHRNEY FORD	REPLACED FRONT ROTORS/PADS-UNIT#186	701-9200-600.457.000	488.03
NESTOR GALVAN	8/11/2020	ARMANDO'S SMOG	CHECKED SHIFTING LINKAGE -UNIT #717	701-9200-600.457.000	100.00
NESTOR GALVAN	8/12/2020	O'REILLY AUTO PARTS	BATTERY-1 FOR UNIT #1002 - 3 STOCK	701-9200-600.256.000	729.13
NESTOR GALVAN	8/12/2020	CAMACHO TIRE	NEW TIRE - UNIT #190	701-9200-600.255.000	310.00
NESTOR GALVAN	8/12/2020	FAST UNDERCAR	POLICE PADS/ROTORS - UNIT #183	701-9200-600.256.000	259.63
NESTOR GALVAN	8/12/2020	SNAP-ON INDUSTRIAL	IMPACT WRENCH KIT	701-9200-600.305.000	500.51
NESTOR GALVAN	8/12/2020	NELSON'S POWER CENTER	STARTER ASSEMBLY - UNIT #4406	701-9200-600.256.000	82.06
NESTOR GALVAN	8/12/2020	NELSON'S POWER CENTER	BEARING & SHAFT - UNIT #3204	701-9200-600.256.000	34.81
NESTOR GALVAN	8/13/2020	O'REILLY AUTO PARTS	CORE RETURNS	701-9200-600.256.000	(54.00)
NESTOR GALVAN	8/13/2020	CAMACHO TIRE	NEW TIRE - UNIT #192	701-9200-600.255.000	310.00
NESTOR GALVAN	8/13/2020	NELSON'S POWER CENTER	EXMARK BLADES - STOCK	701-9200-600.256.000	263.59
NESTOR GALVAN	8/13/2020	NELSON'S POWER CENTER	SERVICE CHAINS, FILTER-UNIT #4004	701-9200-600.400.000	104.11
NESTOR GALVAN	8/13/2020	NELSON'S POWER CENTER	SERVICE CHAINS, FILTER-UNIT #4012	701-9200-600.400.000	104.98
NESTOR GALVAN	8/18/2020	FAST UNDERCAR	WARRANTY RETURNS - CREDIT	701-9200-600.256.000	(364.36)
NESTOR GALVAN	8/20/2020	CAMACHO TIRE	OIL CHANGE - UNIT #198	701-9200-600.400.000	120.00
NESTOR GALVAN	8/21/2020	CAMACHO TIRE	NEW TIRE - UNIT 3191	701-9200-600.255.000	310.00
NICOLETTE ANDERSEN	7/22/2020	SIGN UP GENIUS	ONLINE AUDITION SIGN UP SUBSCRIPTION -COVID	605-4300-600.400.000	24.99
NICOLETTE ANDERSEN	8/22/2020	SIGN UP GENIUS	ONLINE AUDITION SIGN UP SUBSCRIPTION -COVID	605-4300-600.400.000	24.99
POLICE DEPT NO 1	7/30/2020	WALMART	THERMOMETER -COVID	100-2200-600.250.000	48.81
POLICE DEPT NO 1	7/31/2020	AMAZON	MULTI-CHARGING CABLE	100-2100-600.250.000	19.46
POLICE DEPT NO 1	8/4/2020	WALMART	COVID SUPPLIES: DISINFECTANT SPRAY/PLASTIC CONTAINERS	100-2200-600.250.000	10.37
POLICE DEPT NO 1	8/6/2020	THE UPS STORE	GROUND COMMERCIAL POSTAGE: ITEM SENT TO LAB FOR TESTING	100-2100-600.120.000	10.73
POLICE DEPT NO 1	8/19/2020	CHEVRON	CAR WASH	100-2200-600.400.000	14.00
POLICE DEPT NO 2	7/26/2020	PET SMART	K9 FOOD	100-2200-600.250.000	61.53
POLICE DEPT NO 2	7/26/2020	HARBOR FREIGHT TOOLS	MOVING BLANKET / K9 EQUIP FOR CARS	100-2200-600.250.000	16.17
POLICE DEPT NO 2	8/4/2020	RAY ALLEN K9	K9 REPLACEMENT COLLER	100-2200-600.250.000	91.77
RECREATION DEPT	8/3/2020	FOOD 4 LESS	CHIPS FOR SENIOR MEALS	805-0000-226.200.000	130.32
RECREATION DEPT	8/4/2020	WALMART	SANDWICHES FOR SENIOR MEALS	805-0000-226.200.000	479.76
REYNA RIVERA	7/22/2020	G'S RISTORANTE	COUNCIL MEETING SUPPLIES	100-1100-610.920.000	120.30
REYNA RIVERA	7/26/2020	ZOOM	MONTHLY WEBINAR SUBSCRIPTION COVID 19	100-1700-600.470.000	54.99
REYNA RIVERA	8/3/2020	PRECISION PLASTICS	LOBBY SUPPLIES COVID 19	100-1700-600.250.000	405.86
REYNA RIVERA	8/4/2020	DUMONT PRINTING	SUPPLIES COVID 19	100-1700-600.250.000	98.98
REYNA RIVERA	8/11/2020	SAL'S MEXICAN RESTAURANT	PERSONNEL COMMISSION MEETING SUPPLIES	100-1400-610.920.000	49.43

US BANK INVOICE FOR CALCARD CHARGES: 7/23/20-8/24/20

EMPLOYEE NAME	TRANSACTION DATE	VENDOR NAME	DESCRIPTION OF PURCHASE	ACCOUNT NUMBER	AMOUNT
REYNA RIVERA	8/11/2020	DUMONT PRINTING	SUPPLIES COVID 19	100-1700-600.250.000	77.29
REYNA RIVERA	8/11/2020	THE HOME DEPOT	SUPPLIES COVID 19	100-1700-600.250.000	65.05
REYNA RIVERA	8/13/2020	RITE AID STORE	PERSONNEL COMMISSION MEETING SUPPLIES	100-1400-610.920.000	16.99
REYNA RIVERA	8/14/2020	FACEBOOK	ADVERTISEMENT COVID 19	100-1700-600.215.000	20.00
SHANE FERRELL	7/16/2020	PARTYLITE	CREDIT FROM FRAUDULENT CHARGE	800-0000-121.000.000	(36.61)
SHANE FERRELL	8/11/2020	CONSOLIDATED ELECTRICAL DIST	PURCHASE 112-18W LED LAMPS - STREETS	210-5400-600.250.000	4,716.35
SHANE FERRELL	8/13/2020	HOME DEPOT	WORKBENCH,MITER SAW, TABLE SAW	702-9300-600.305.000	571.66
SHANE FERRELL	8/19/2020	HOME DEPOT	BUILDING REPAIR SUPPLIES -SALAZAR CENTER	702-9300-600.370.000	55.54
SHANE FERRELL	8/19/2020	CONSOLIDATED ELECTRICAL DIST	RETURN 24-24W LED LAMPS - STREETS	210-5400-600.250.000	(1,217.96)
SHANE FERRELL	8/19/2020	CONSOLIDATED ELECTRICAL DIST	RETURN 88-24W LED LAMPS - STREETS	210-5400-600.250.000	(4,486.53)
SHANE FERRELL	8/19/2020	CONSOLIDATED ELECTRICAL DIST	SHIPPING & HANDLING FEE FOR LED LAMPS	210-5400-600.250.000	96.85
SHANE FERRELL	8/19/2020	NELSON'S ACE HARDWARE	BUILDING REPAIR SUPPLIES -SALAZAR CENTER	702-9300-600.370.000	56.87
SHANE FERRELL	8/20/2020	HOME DEPOT	IRRIGATION CLOCKS	100-5300-600.250.000	63.28
SHANE FERRELL	8/20/2020	HOME DEPOT	BUILDING REPAIR SUPPLIES -SALAZAR CENTER	702-9300-600.370.000	19.48
STEVEN MARES	7/28/2020	WALMART	CHALK/BAGS FOR VEHICLE ABATEMENT DETAIL	100-2200-600.250.000	6.45
TERESA GALLAVAN	7/23/2020	COSTCO.COM	3 SURFACE PROS -COUNCIL COVID	100-1100-600.250.000	3,579.64
TERESA GALLAVAN	7/28/2020	CITY OF FRESNO PARKING	PARKING	100-1300-610.920.000	0.39
TERESA GALLAVAN	7/28/2020	CITY OF FRESNO PARKING	PARKING	100-1300-610.920.000	6.00
TERRY REID	7/29/2020	SWANSON FAHRNEY FORD	VEHICLE MAINTENANCE	701-9200-600.457.000	57.22
TERRY REID	7/29/2020	SWANSON FAHRNEY FORD	VEHICLE MAINTENANCE	701-9200-600.457.000	88.26
					<u>41,197.24</u>

ITEM NO: 2.

SUBJECT: Consideration of a Resolution approving the application for Community Development Block Grant ("CDBG") funding for fiscal year 2021-2022

RECOMMENDATION: Staff recommends that the City Council: (1) open the public hearing and take public testimony; and (2) adopt the resolution approving the Fresno County Community Development Block Grant Program application package for funding year 2021-2022.

BACKGROUND: Every year Fresno County and the Federal Department of Housing and Urban Development require submittal of an application package for each proposed CDBG project.

DISCUSSION: The project application for the 2021-2022 funding cycle is the Sewer Main Replacement.

The proposed activity includes replacement of approximately 1,650 lineal feet of sewer main and manhole structures in Thompson Avenue from Knowles to Nebraska, and in Nebraska Avenue from Thompson to Mitchell, including trench resurfacing. The project will upsize the existing pipeline to provide additional capacity for a planned sewer extension to a non-sewered area to the west.

The Engineer's estimate for this project is \$345,000. The project exceeds the 2021-2022 CDBG allocation, however 2022-23 CDBG funds will be utilized through processing of an amendment to fully fund the project utilizing CDBG funds. The remainder of the 2022-23 CDBG funds will be deferred for use with the 2023-24 project.

The City Council is required to hold a public hearing to solicit input from the community for the use of CDBG funds for fiscal year 2021-2022. Notice of public hearing was published in the September 9, 2020 Selma Enterprise.

COST: <i>(Enter cost of item to be purchased)</i>		BUDGET IMPACT: <i>(Enter amount this non-budgeted item will impact this years' budget – if budgeted, enter NONE).</i>
\$345,000		None
FUNDING: <i>(Enter the funding source for this item – if fund exists, enter the balance in the fund).</i>		ON-GOING COST: <i>(Enter the amount that will need to be budgeted each year – if one-time cost, enter NONE).</i>
Funding Source: CDBG Fund Balance:		None

RECOMMENDATION: Staff recommends that the City Council: (1) open the public hearing and take public testimony; and (2) adopt the resolution approving the Fresno County Community Development Block Grant Program application package for funding year 2021-2022.

/s/ _____ 09/17/2020
Daniel Bond, City Engineer Date

 _____ 9-16-20
Teresa Gallavan, City Manager Date

RESOLUTION NO. 2020 – R

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA, CALIFORNIA,
APPROVING THE APPLICATION FOR
COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT FUNDING
FOR FISCAL YEAR 2021-2022**

WHEREAS, the City of Selma is applying for the Community Development Block Grant (“CDBG”) funding for the fiscal year 2021-2022 from the County of Fresno Community Development Department for the following proposed project; and

WHEREAS, the proposed Sewer Replacement Project includes replacement of approximately 1650 lineal feet of sewer main and manhole structures in Thompson Avenue from Knowles to Nebraska, and in Nebraska Avenue from Thompson to Mitchell, including trench resurfacing. The project will upsize the existing pipeline to provide additional capacity for a planned sewer extension to a non-sewered area to the west.

WHEREAS, the Engineer’s estimate for this project is \$345,000 and the amount of the application is \$205,000, with additional funding to be utilized by Amendment from the 2022-23 CDBG allocation; and

WHEREAS, on September 21, 2020, the City Council held a duly noticed public hearing to solicit comments and suggestions from the community for the utilization of these funds.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SELMA HEREBY FINDS, DETERMINES AND RESOLVES AS FOLLOWS:

Section 1. The City Council finds that the above recitals are true and correct and are incorporated herein by reference.

Section 2. The City Council does hereby approve the application for the CDBG project for the fiscal year 2021-2022.

Section 3. The City Manager is hereby authorized to sign the necessary project agreement once received from the County of Fresno and any amendments to the agreement thereof, upon approval as to form by the City Attorney, to effectuate the direction set forth in this Resolution.

Section 4. The City Manager is hereby authorized to sign the necessary Engineering agreement once received from the CDBG Engineer and any amendments to the agreement thereof, upon approval as to form by the City Attorney, to effectuate the direction set forth in this Resolution.

Section 5. Severability. The provisions of this Resolution are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the Resolution or their applicability to other persons or circumstances.

Section 6. Effective Date. That the City Clerk shall certify to the adoption of this Resolution and that the same shall be in full force and effect.

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Selma on this 21st day of September 2020, by the following roll call vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:

Louis Franco
Mayor

ATTEST:

Reyna Rivera
City Clerk

**CITY MANAGER'S/STAFF'S REPORT
CITY COUNCIL MEETING:**

September 21, 2020

ITEM NO: 3.

SUBJECT: Council request to discuss homelessness in Selma

RECOMMENDATION: As a Council request, Staff has placed the item on the agenda for discussion.

DISCUSSION:


During the September 8, 2020 Selma City Council meeting, Council member Trujillo requested staff to place the discussion of homelessness on the council agenda.

Staff will be providing a verbal presentation.

RECOMMENDATION: As a Council request, Staff has placed the item on the agenda for discussion.



Teresa Gallavan, City Manager



Date

**CITY MANAGER'S/STAFF'S REPORT
CITY COUNCIL MEETING:**

September 21, 2020

ITEM NO: 4.

SUBJECT: Council request to discuss an annual curbside pickup by Waste Management

RECOMMENDATION: As a Council request, Staff has placed the item on the agenda for discussion.

DISCUSSION:

The City Manager received a request from Council member Robertson to discuss an annual curbside pickup by Waste Management.

RECOMMENDATION: As a Council request, Staff has placed the item on the agenda for discussion.


Teresa Gallavan, City Manager

9-16-20
Date

ITEM NO: 5.

SUBJECT: Consideration of a Resolution Appropriating Funds for and Establishing a COVID-19 Small Business Relief Grant Program

RECOMMENDATION: Council to Adopt Resolution Appropriating Funds for and Establishing a COVID-19 Small Business Relief Grant Program as described in the staff report.

DISCUSSION: Since March 18, 2020 when the City of Selma declared the local state of emergency, residents and businesses have undergone unanticipated economic stress due to the COVID-19 pandemic. Some industries have sustained more damage than others due to extended and repeated closures. These closures have disproportionately affected very small businesses that are common in the City of Selma. Cosmetologists, restaurants, family entertainment facilities, and many other businesses have especially struggled through this crisis.

The proposed grant program would allow Selma businesses in the most affected industries to apply for a grant of up to \$2,500.00. This grant would assist businesses in covering costs related to modifying their facility for social distancing, providing mandated training from their licensing agencies, and PPE. This would be open to for-profit, non-profit businesses and the self-employed in the affected industries listed in the program outline. Total allocated funds for this program would be \$60,000.00. With this allotted amount of funding and the variable award amounts, a minimum of 24 businesses can receive this grant in Selma. If businesses request less funding, then more may be able to participate and receive smaller awards.

Grant applications will be received and reviewed by the Economic Development Department for approximately one month as to allow "hard-to-reach" businesses the opportunity to apply. Gross receipts and income limitations are not included in this program as the variety of industries most affected is a broad spectrum, and many are incomparable other than their risk level for viral transmission. The lottery system for selecting grants will be conducted by city staff. Awarded businesses will receive direct payments processed and disbursed by the City of Selma Finance Department.

Attachments:

1. Resolution for Small Business Relief Grant
 2. COVID-19 Small Business Relief Grant Outline
 3. State of California Risk Tier Summary Guide
-
-

RECOMMENDATION: Council to Adopt Resolution Appropriating Funds for and Establishing a COVID-19 Small Business Relief Grant Program as described in the staff report.

/s/ _____ 09/17/2020
Tracy Tosta, Administrative Analyst Date

/s/ _____ 09/17/2020
Teresa Gallavan, City Manager Date

RESOLUTION NO. 2020-___

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA
APPROPRIATING FUNDS FOR AND ESTABLISHING THE CITY OF
SELMA COVID-19 SMALL BUSINESS RELIEF GRANT PROGRAM**

WHEREAS, the City of Selma (City) is the location of numerous small businesses that have sustained significant losses of revenue, and increased expenses as a result of the Coronavirus pandemic and the consequent forced closure of their businesses or required modifications to their business operations to ensure the safety of their customers and workforce; and

WHEREAS, the City of Selma has received funds through the CARES Act, one of three significant enactments of the United States Government designed to provide monetary relief both to the City, and to persons and businesses affected by the COVID-19 pandemic and subsequent closure or modification of operations of both government and business; and

WHEREAS, the City is using the monies allocated to it by the CARES Act to address, not only the effect on its own finances, but the effect on small business operations that have not received governmental assistance directly from the Federal or State Government in light of the fact that the City's financial standing is dependent upon its tax base, including sales tax and property tax monies it receives as a result of the continuing operation of small business within the City.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The forgoing recitals are true and correct.
2. The City Council hereby appropriates the amount of \$_____ from the CARES Act allocation received by the City to establish a City of Selma COVID-19 Small Business Relief Grant Program. Businesses interested in receiving grant funds of up to \$2,500 per business for incurred or anticipated expenses for modification of operations or business facilities to enable those businesses to safely reopen once allowed by the State of California may apply to the City for this funding. The City Council has reviewed the preliminary, proposed details of the grant funding opportunities being made available and approves that program and authorizes its City Manager to accept applications for grant funding for qualified businesses in accordance with the program parameters, set forth in the attached "City of Selma COVID-19 Small Business Relief Grant Program" and to make determinations and extend grants in accordance with that program. The City Manager is further authorized to adjust and/or expand eligibility requirements for applicants where, in the discretion of the City Manager, the making of a grant to a business that does not fall within the parameters of the grant program are nevertheless deserving and in need of the \$2,500 grant, whether it be for incurred or anticipated expenses for modification of the operation of the business or its facilities, or retention of its workforce or loss of revenue resulting from the pandemic or the forced closure of the business.

3. Each business receiving a grant under the City's Business Relief Grant Program shall be required to execute an acknowledgment of receipt of the grant funding and an agreement to use the money in the manner dictated by the attached COVID-19 Small Business Relief Grant Program outline, or any condition imposed in the discretion of the City Manager on receipt of the grant funding. That acknowledgement shall also reflect that the City makes no representation relative to the taxability or non-taxability of money granted to any business and that each recipient of grant funding must make their own determinations concerning the taxability or non-taxability of the money received through the City's grant program.

The forgoing Resolution was duly adopted by the City Council of the City of Selma at a regular meeting on the 21st of September 2020 by the following vote:

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSTAIN:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:

Louis Franco, Mayor

ATTEST:

Reyna Rivera, City Clerk

CITY OF SELMA

COVID-19 Small Business Relief Grant Program

INTRODUCTION

The City of Selma acknowledges the deep economic impact of the COVID-19 pandemic. It is understood that many industries that suffered the longest sustained closures are also those most in need of modifications to their business operations to ensure the safety of their customers and workforce. In response, the City of Selma is offering a grant of up to \$2,500 per business for incurred or anticipated expenses for the modification of operations or facilities.

APPLICATION PROCESS

The business will submit a maximum one page statement as to their need for the grant and submit receipts for items or services purchased that fit the program guidelines. If modifications are anticipated, an estimate of the goods and services intended to be purchased will need to be attached to the one page statement. A combination of these expenses are also acceptable (Example: receipts for purchased masks, and an estimate for workstation barriers). Applications will be collected through October 31, 2020. At that time all qualified applications will be entered into a lottery for a grant in the amount specified. Grant awards will provided to that lottery ranking until the total program funds of \$60,000 are exhausted.

ELIGIBLE INDUSTRIES AND BUSINESSES

Applicants must have a valid City of Selma business license that was active before March 1, 2020 and no outstanding debts owed to the City. Applicant must provide in their statement a description of their business as it relates to being in one of the affected industries for the most stringent closure regulations imposed across California and in Fresno County. Eligible non-essential industries and businesses include all those required to operate "outdoor only" in the Widespread (purple) Tier. Businesses that are required to be fully closed in this phase are also eligible. Businesses affected by the re-closure that occurred July 1, 2020 are also included in this program. Businesses and industries that are eligible are as follows:

- Hair Salons / Barber Shops (including independent contractors)
- Personal Care Services (including independent contractors)
- Museums, Zoos, and Aquariums
- Places of Worship
- Movie Theaters
- Gyms and Fitness Centers
- Dine- in Restaurants (non-drive thru only)
- Wineries
- Bars, Breweries and Distilleries
- Family Entertainment Centers
- Cardrooms, Satellite Wagering
- Concert Venues and Performing Arts

CITY OF SELMA

COVID-19 Small Business Relief Grant Program

INELIGIBLE BUSINESSES AND INDUSTRIES

- Critical Infrastructure
- Retail
- Shopping Centers (Malls, Destination Centers, Swap Meets)
- Hotels and Lodging
- Offices
- Professional Sports

ELIGIBLE EXPENSES

The grant funds can only be used for expenses related to:

1. Training to fulfill new licensing standards created out of various governing agency responses to COVID-19
2. Personal Protective Equipment (masks, face shields, gloves, gowns, goggles, etc.)
3. Facility upgrades (barriers, signs, temporary outdoor structures, etc.)
4. Software and application costs for transition to digital and contactless services (teleworking software subscription, digital point of sale, contactless card readers, online order fulfillment and delivery services).

INELIGIBLE EXPENSES

Grant funding may not be used for any payroll expense, rent, utilities, or upgrades to facilities that are not directly related to the augmentation of the business in response to COVID-19. Funding should be used to meet state industry guides related to social distancing, sanitation, and any other virus transmission reduction protocols.

Please submit one page statement, copy of receipts, and estimates to:

Economic Development Department
1710 Tucker Street
Selma CA 93662

Any questions please call: 559-891-2200
Email: TracyT@cityofselma.com

State of California Risk Tier Summary Guide

SECTORS	Widespread Tier 1	Substantial Tier 2	Moderate Tier 3	Minimal Tier 4
Critical Infrastructure	Open with modifications	Open with modifications	Open with modifications	Open with modifications
Limited Services	Open with modifications	Open with modifications	Open with modifications	Open with modifications
Hair Salons & Barbershops	Open Indoors with modifications	Open indoors with modifications	Open indoors with modifications	Open indoors with modifications
All Retail (including critical infrastructure, except standalone grocers)	Open Indoors with modifications • Max 25% capacity	Open Indoors with modifications • Max 50% capacity	Open Indoors with modifications	Open Indoors with modifications

SECTORS	Widespread Tier 1	Substantial Tier 2	Moderate Tier 3	Minimal Tier 4
Shopping Centers (Malls, Destination Centers, Swap Meets)	Open Indoors with modifications <ul style="list-style-type: none"> • Max 25% capacity • Closed common areas • Closed food courts 	Open indoors with modifications <ul style="list-style-type: none"> • Max 50% capacity • Closed common areas • Reduced capacity food courts (see restaurants) 	Open indoors with modifications <ul style="list-style-type: none"> • Closed common areas • Reduced capacity food courts (see restaurants) 	Open Indoors with modifications <ul style="list-style-type: none"> • Reduced capacity food courts (see restaurants)
Personal Care Services	Outdoor Only with modifications	Open indoors with modifications	Open indoors with modifications	Open indoors with modifications
Museums, Zoos, and aquariums	Outdoor Only with modifications	Open indoors with modifications <ul style="list-style-type: none"> • Indoor activities max 25% capacity 	Open indoors with modifications <ul style="list-style-type: none"> • Indoor activities max 50% capacity 	Open indoors with modifications

SECTORS	Widespread Tier 1	Substantial Tier 2	Moderate Tier 3	Minimal Tier 4
Places of Worship	Outdoor Only with modifications	Open indoors with modifications <ul style="list-style-type: none"> • Max 25% capacity or 100 people, whichever is fewer 	Open indoors with modifications <ul style="list-style-type: none"> • Max 50% capacity or 200 people, whichever is fewer 	Open indoors with modifications <ul style="list-style-type: none"> • Max 50% capacity
Movie theaters	Outdoor Only with modifications	Open Indoors with modifications <ul style="list-style-type: none"> • Max 25% capacity or 100 people, whichever is fewer 	Open indoors with modifications <ul style="list-style-type: none"> • Max 50% capacity or 200 people, whichever is fewer 	Open indoors with modifications <ul style="list-style-type: none"> • Max 50% capacity
Hotels and lodging	Open with modifications	Open with modifications <ul style="list-style-type: none"> • +Fitness centers (+10%) 	Open with modifications <ul style="list-style-type: none"> • +Fitness centers (+25%) • +Indoor pools 	Open with modifications: <ul style="list-style-type: none"> • +Fitness Centers (50%) • +Spa facilities etc
Gyms and Fitness Centers	Outdoor Only with modifications	Open indoors with modifications <ul style="list-style-type: none"> • Max 10% capacity 	Open indoors with modifications <ul style="list-style-type: none"> • Max 25% capacity • +indoor pools 	Open indoors with modifications <ul style="list-style-type: none"> • +Saunas • +Spas • +Steam rooms • Max 50% capacity

SECTORS	Widespread Tier 1	Substantial Tier 2	Moderate Tier 3	Minimal Tier 4
Restaurants	Outdoor Only with modifications	Open indoors with modifications <ul style="list-style-type: none"> Max 25% capacity or 100 people, whichever is fewer 	Open indoors with modifications <ul style="list-style-type: none"> Max 50% capacity or 200 people, whichever is fewer 	Open indoors with modifications <ul style="list-style-type: none"> Max 50% capacity
Wineries	Outdoor Only with modifications	Outdoor Only with modifications	Open indoors with modifications <ul style="list-style-type: none"> Max 25% capacity indoors, or 100 people, whichever is fewer 	Open indoors with modifications <ul style="list-style-type: none"> Max 50% capacity or 200 people indoors, whichever is fewer
Bars, Breweries, and Distilleries (where no meal provided) (follow restaurants where meal is provided)	Closed	Closed	Open Outdoors with modifications	Open indoors with modifications <ul style="list-style-type: none"> Max 50% capacity
Family Entertainment Centers	Outdoor Only with modifications e.g. <ul style="list-style-type: none"> Kart Racing Mini Golf Batting Cages 	Outdoor Only with modifications e.g. <ul style="list-style-type: none"> Kart Racing Mini Golf Batting Cages 	Open Indoors for naturally distanced activities with modifications <ul style="list-style-type: none"> Max 25% capacity Bowling Alleys Climbing Walls 	Open indoors for activities with increased risk of proximity and mixing with modifications <ul style="list-style-type: none"> Max 50% capacity Arcade Games Ice and roller skating Indoor playgrounds

SECTORS	Widespread Tier 1	Substantial Tier 2	Moderate Tier 3	Minimal Tier 4
Cardrooms, Satellite Wagering	Outdoor Only with modifications	Outdoor Only with modifications	Open indoors with modifications • Max 25% capacity	Open indoors with modifications • Max 50% capacity
Offices	Remote	Remote	Open indoors with modifications • Encourage telework	Open indoors with modifications • Encourage telework
Professional sports	Open • Without live audiences • With modifications	Open • Without live audiences • With modifications	Open • Without live audiences • With modifications	Open • Without live audiences • With modifications

ITEM NO:

6.

SUBJECT: Consideration of City CARES Act Funding Allocation and Associated
FY 2020-21 Budget Adjustments

RECOMMENDATION:

Staff recommends that Council provide direction on the allocation of General Fund dollars in the FY 2020-21 budget, that will be freed up by \$301,715 of direct CARES Act funding the City will receive, to the following categories approved by Council on September 8, 2020:

- 1) COVID-19 related expenses including personal protective equipment (PPE), telework expenses, facility modifications, marketing/outreach materials and training (recommend \$60,000);
 - 2) Business relief grant funds (recommend \$60,000);
 - 3) Senior meals (recommend \$30,000); and,
 - 4) Budget contingency in the event revenue projections fall short due to impacts of COVID-19 on the economy (recommend \$151,715).
-
-

BACKGROUND:

The City of Selma has been allocated \$301,715 in direct CARES Act funding. The State declared Public Safety is presumed to be a substantially dedicated payroll expense, and by dedicating CARES Act funding to that expense it frees up general purpose funds for unforeseen financial needs and risks created by COVID-19. CARES Act funding expenditures must be from March through December 2020 and the City will utilize the CARES Act funding allocation for public safety payroll expenses.

To secure the funding the City submitted: 1) by July 20, 2020, its attestation certification, indicating the City will adhere to State Executive Orders and California Department of Public Health orders, directives, and guidance; and 2) by September 4, 2020, its planned public safety expenditures. CARES Act funding will be received by the City in six disbursements. The first two disbursements were received as follows: \$50,286 on July 30, 2020 and \$50,286 on August 24, 2020.

The Department of Finance will submit the September payment schedule to the State Controller's Office (SCO) on the 10th and payments will be processed within 10-14 days. Following the review of September expenditure information from local governments and consultation with the California Department of Public Health and CalOES, a final payment schedule will be submitted to the SCO for the remaining funds.

DISCUSSION:

The pandemic has had devastating impacts. Businesses have suffered losses from multiple closures and expenses to reconfigure their operations to reopen safely. While our vulnerable senior community continues to shelter in place, meal delivery operations are still a vital part of serving this community. And while the City has adopted a balanced budget based on our best projections for revenues, the pandemic is lasting longer than initially anticipated and its financial impacts difficult to forecast. For these reasons, staff recommends City Council to consider allocating the \$301,715 in freed up general funds to the following allocations:

- 1) \$60,000 to COVID-19 related expenses including PPE, telework expenses, facility modifications, marketing/outreach materials and training; to date the City has spent approximately \$17,289 on such expenses;
- 2) \$60,000 for business relief grant funds; staff will place an item on the next agenda proposing how such a program might work;
- 3) \$30,000 for senior meals for approximately three months until CDBG funding is available; and,
- 4) \$151,715 for budget contingency in the event revenue projections fall short due to impacts of COVID-19 on the economy.

During the September 8, 2020 Selma City Council meeting, Council affirmed the categories listed and requested further information on programing details, provided in a separate staff report on small business relief grants.

RECOMMENDATION:

Staff recommends that Council provide direction on the allocation of General Fund dollars in the FY 2020-21 budget, that will be freed up by \$301,715 of direct CARES Act funding the City will receive, to the following categories approved by Council on September 8, 2020:

- 1) COVID-19 related expenses including personal protective equipment (PPE), telework expenses, facility modifications, marketing/outreach materials and training (recommend \$60,000);
- 2) Business relief grant funds (recommend \$60,000);
- 3) Senior meals (recommend \$30,000); and,
- 4) Budget contingency in the event revenue projections fall short due to impacts of COVID-19 on the economy (recommend \$151,715).

/s/ _____
Teresa Gallavan, City Manag

09/17/2020
Date

ITEM NO: 7.

SUBJECT: **Façade Improvement Revolving Loan Program**

RECOMMENDATION:

Staff recommends Council provide any additional comments on the proposed Façade Improvement Revolving Loan Program, and execute the resolution that authorizes the City Manager to make determinations on loan applications, execute loan agreements and take any other action necessary to implement the resolution.

DISCUSSION:

January 21, 2020 the City Council discussed, per a request from Councilmember Robertson, business loans for a Façade Improvement Loan Program. This program is intended to be a financial incentive to improve the quality of the appearance of Selma businesses.

Based on the initially identified funding source, Transit Fund, it was determined in the January meeting that a grant program was not possible and that a loan program was a more appropriate structure. The amount anticipated for the fund is \$50,000. The loan would be 0% (zero percent) interest with minimal fees and an application similar to the Nuisance Abatement Loan Program. Staff indicated that the Finance Department would administer the loan. City Manager noted that the City is the funding administrator but the borrower would be responsible for the selection and project management of their project including the selection of the licensed contractors

Two geographic areas were considered by Council: citywide and a downtown core area. The City Attorney confirmed that the geographic area could be focused to the downtown area. Staff recommends focusing on the core of downtown; noted in the attached documents as the *High Street Area*. Staff has also recommended a maximum loan amount of \$5,000 that will be a match to the costs paid by the property owner.

In the attached draft of the program uses are limited to the façade of the building for visual or necessary structural improvements that aid in the external beautification and function of the façade. These include and are not limited to:

1. Exterior wall repair, re-plastering, re-surfacing, and painting
2. Awning purchase/repair/replacement and/or cleaning
3. Sign repair/new signs, including design and permitting
4. Lighting purchase/repair/replacement

5. Door and window repair/replacement
6. Code deficiencies including ADA compliance upgrades (excluding sidewalk)
7. Building and zoning permits, title reports, recording, and other related fees which are required to carry out the proposed exterior rehabilitation work

Ineligible activities are:

1. Inventory
2. Fixtures or furnishings that are related to the merchandising or point of sale operations of a business (example: cash registers, display fixtures, furniture, etc.)
3. Prohibited land uses, violations of Municipal Code
4. Working capital
5. Refinancing or repayment of existing debt
6. Regular property maintenance
7. Labor costs for employees of the business to perform façade improvement work
8. Other work not related to the façade
9. Any work which is started before the City issues a final loan determination

Disbursement of the loan will be made directly to the contractor. The borrower will have five years to repay the loan with a minimum annual payment of 20% of the loan amount. The loan is interest free, but a \$100 annual administrative fee shall be assessed and payable as part of the loan. There is also a \$75 application fee.

Attachments:

1. Resolution establishing revolving loan fund
2. City of Selma Façade Improvement Revolving Loan Program including Exhibits A and B (map and application document)
3. Façade Improvement Revolving Loan Program Agreement

RECOMMENDATION:

Staff recommends Council provide any additional comments on the proposed Façade Improvement Revolving Loan Program, and execute the resolution that authorizes the City Manager to make determinations on loan applications, execute loan agreements and take any other action necessary to implement the resolution.

/s/	09/17/2020
Tracy Tosta, Administrative Analyst	Date
/s/	09/17/2020
Teresa Gallavan, City Manager	Date

RESOLUTION NO. 2020-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA ESTABLISHING
A REVOLVING LOAN FUND AND AUTHORIZING THE EXTENSION OF CREDIT FOR
PERSONS AND PROPERTY OWNERS MAKING BUSINESS FAÇADE IMPROVEMENTS**

WHEREAS, the City of Selma (City) has a number of programs which provide loan funding for construction and other activities that benefit the City, as a whole, by beautification or improving the overall environment of the City by making interest free loans to persons or property owners making improvements to their property or to adjacent public property; and

WHEREAS, the outward appearance of businesses located in the City can, in some cases, be enhanced by improvements to the building façade, and the City wishes to encourage such improvements for the purpose of improving the overall atmosphere and environment of business districts within the City; and

WHEREAS, to encourage façade improvements to businesses located within the City, the City Council wishes to establish a revolving loan fund which can be accessed by property owner of business premises within the designated area of the City to provide interest free loans for making such improvements payable over a period of time not to exceed five years.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The forgoing recitals are true and correct.
2. The City Council hereby appropriates the amount of \$50,000 from the City's Enterprise Fund to establish a revolving loan fund to be used to make loans to any owner of real property desiring to finance the construction or improvement of a building façade of a business within the designated area of the City. The maximum amount of the loan that may be requested is \$5,000. If the application is accepted and approved, the owner and the City will enter into a written agreement recorded against the property for payment of the loan amount, without interest, over a period not to exceed 5 years from the execution of such agreement. The loan shall be interest free, but an administrative fee in the amount of \$100 shall be assessed and payable as part of the loan. The agreement providing for the loan shall be recorded against the property and shall constitute a lien against the property for the full amount of the loan until such time it is paid and discharged in full. In addition, in the event the City fails to recover the full amount of the loan within the maximum allowable 5 year repayment period, the City may place the unpaid amount of the loan on the County tax rolls where it will begin to accrue interest.
3. The City Manager is authorized to review and make a determination on any loan application to finance construction or improvement of a façade of any qualified business, to execute all loan agreements and to take any other action necessary to implement the resolution.

The forgoing Resolution was duly adopted by the City Council of the City of Selma at a regular meeting on the 21st of September 2020 by the following vote:

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSTAIN:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:

Louis Franco, Mayor

ATTEST:

Reyna Rivera, City Clerk

CITY OF SELMA

Façade Improvement Revolving Loan Program

INTRODUCTION

The City of Selma is committed to improving the vitality of the Downtown Selma High Street Area (Exhibit A). The City of Selma has initiated a Façade Improvement Revolving Loan Program to assist merchants and commercial property owners with exterior rehabilitation of their property. Financial assistance is being offered in the form of a 0% (zero percent) interest unsecured loan (no collateral needed) for eligible repairs and improvements. The loan is intended to be a 50% (fifty percent) or less match to the investment provided by the property owner to complete eligible improvements.

PROGRAM STATEMENT

The purpose of this program is enhance to the exterior appearance of buildings in the Downtown Selma High Street Area commercial area of the City of Selma, while preserving the historic architectural character and integrity of the existing buildings in order to help with the revitalization of Downtown.

This document contains the guidelines and procedures for the operation of this financial assistance program. It addresses such items as business and property eligibility requirements, eligible activities, and the terms and conditions for financial assistance.

GENERAL PROVISIONS

Applicant Eligibility Requirements

Property owners may apply to the program for assistance however if the building is occupied the tenant should be informed of the intent of the owner to complete exterior upgrades that may affect their business. A tenant wishing to complete improvements should inquire with their property owner for an application to this program and would need to establish their own tenant agreement. Responsibility of the loan will remain with the property owner. An approved Façade Improvement Loan Application is valid for 90 days. If work is not commenced during this time period, the application will expire and the applicant may need to re-apply for assistance. Applicant must fulfill all application requirements (Exhibit B).

Property Eligibility Requirements

In order to be eligible for assistance under the loan program, properties must comply with the following property eligibility requirements:

1. The applicant must satisfy all required permits.

CITY OF SELMA

Façade Improvement Revolving Loan Program

2. The property for which assistance is requested must be used primarily for commercial purposes. Residential property that is an integral part of a commercial mixed use structure is also eligible for assistance in this program.
3. Buildings eligible for the program must be within the bounds of the High Street Area of Downtown Selma. The High Street Area is bound to the west by E Front Street; to the north by Arrants Street; to the east by the alley behind the west facing properties on High Street; and to the south by Second Street (Exhibit A).

ROLES AND RESPONSIBILITIES

City of Selma Loan Program Staff (Program Staff)

Program Staff include city staff from the Finance and Economic Development departments who will coordinate with the Community Development Department to ensure the projects are paid and reported appropriately. Program staff are responsible for ensuring the program's efficient operation and guarantee accountability in accordance with established program guidelines. Program Staff certifies eligibility and level of financial assistance suited for the applicant based on the Scope of Work and contractor bids. Program Staff authorizes disbursements of contractor payments. Program Staff may include consultants, contractors or temporary employees working on behalf of the City. Program Staff will work with each applicant to finalize a Scope of Work composed of desired yet eligible improvements.

Program Applicant/Loan Grantee

As the beneficiary of the loan program, the Program Applicant has primary control over what improvements occur on their property. After being approved for participation the Program Applicant becomes the Loan Grantee and is responsible for scheduling the work, completing the Scope of Work and ensuring payments to the Contractor are completed in accordance with the program requirements. Repayment of the loan is the sole responsibility of the Program Applicant/ Loan Grantee.

Contractor

The selected contractor determines how the improvements identified in the Scope of Work will be completed, provides the program applicant with a bid, and completes work in accordance with the terms of the program. The Contractor must ensure compliance with all applicable codes and permits required for the work performed. All participating contractors shall be properly licensed by the California Contractors State License Board (CSLB), have a current City issued business license, have a general liability insurance policy in an amount not less than \$1,000,000 per occurrence, and not be on any debarment listing. Contractors who do not comply with these requirements may make the Program Applicant ineligible for the program.

CITY OF SELMA

Façade Improvement Revolving Loan Program

ELIGIBLE IMPROVEMENTS

Loans provided under this program are to be used to match cost of allowable improvements. Allowable uses include those that increase the visual and accessible attractiveness of the property from the adjacent parking and pedestrian infrastructure. Typical improvement items are the following:

1. Exterior wall repair, re-plastering, re-surfacing, and painting
2. Awning purchase/repair/replacement and/or cleaning
3. Sign repair/new signs, including design and permitting
4. Lighting purchase/repair/replacement
5. Door and window repair/replacement
6. Code deficiencies including ADA compliance upgrades (excluding sidewalk)
7. Building and zoning permits, title reports, recording, and other related fees which are required to carry out the proposed exterior rehabilitation work

INELIGIBLE USES OF FUNDING

Applications will not be accepted to refinance improvements already completed, for interior building improvements, or general maintenance. Loans provided under this program also may not be used to cover the cost of the following:

1. Inventory
2. Fixtures or furnishings that are related to the merchandising or point of sale operations of a business (example: cash registers, display fixtures, furniture, etc.)
3. Prohibited land uses, violations of Municipal Code
4. Working capital
5. Refinancing or repayment of existing debt
6. Regular property maintenance
7. Labor costs for employees of the business to perform façade improvement work
8. Other work not related to the façade
9. Any work which is started before the City issues a final loan determination

CONTRACTING FOR FAÇADE IMPROVEMENTS

Soliciting and Selecting Bids

Applicant is responsible for soliciting at least three (3) bids from qualified contractors. Contractors must be licensed by the Contractors State Licensing Board, and must also have a current city business license.

CITY OF SELMA

Façade Improvement Revolving Loan Program

Upon completion of the bid process, the Program Applicant has 90 days to select a contractor to perform the specified work. In the event the Program Applicant does not select a contractor within this time frame, without a valid reason and program approval, their application will be closed so that the next applicant waiting in the program can be assisted. The applicant may reapply however resubmitted applications will be considered a new applications and will be at the end of any waiting list that may accumulate.

Repair/Façade Improvements Supervision and Method of Payment

Program Staff will monitor progress to ensure that façade improvements are moving forward in an appropriate manner. Permitted work may require inspection and final inspection records. If structural changes are being made, applicants must submit preliminary plans for review including a plot plan, interior plan, elevations, and detailed description of work as appropriate. Program Applicant will need to coordinate with the Building and Planning department to identify all necessary items including permits and fees. All payment disbursements that are made for each individual project account shall be approved by Program Staff for work authorized by the property owner. Payment will be made to the Contractor within 30 days of a Contractor invoice receipt by the City of Selma from either the Contractor or the Program Applicant/Loan Grantee.

Agreements

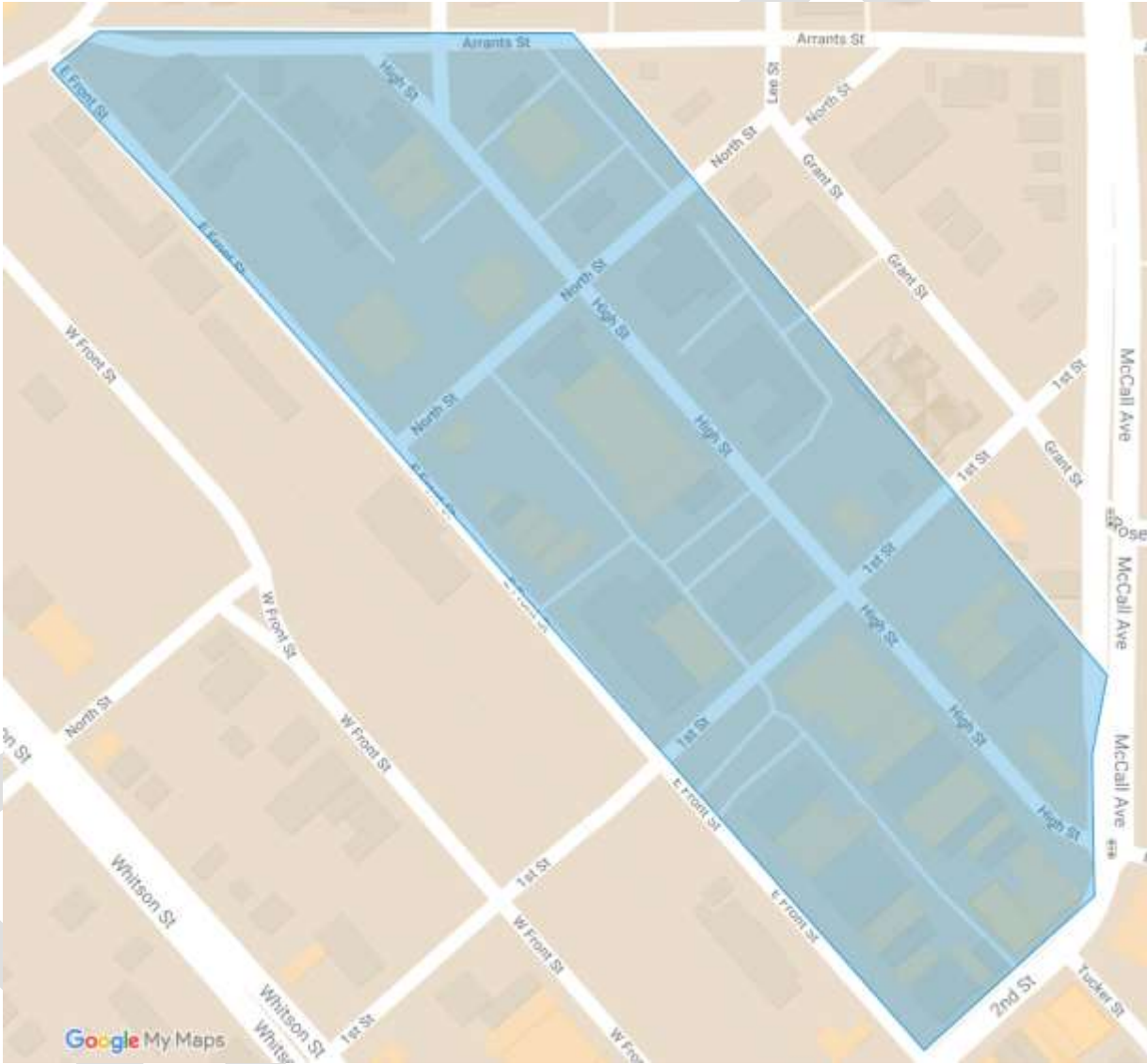
The City will require applicants to execute an agreement with the City of Selma to ensure compliance with program policies and repayment. This agreement will be recorded against the property and will constitute as a lien until the repayment of the loan is complete.

The maximum Loan amount is \$5,000 per individual property. All work outlined in the City's loan funding commitment must be performed within six months of the loan approval. Funds for the proposed and estimated work would be paid directly to the Contractor after the completion of all loan documents, commencement of work, and the receipt of an invoice by Program Staff.

CITY OF SELMA Façade Improvement Revolving Loan Program

Exhibit A

Downtown Selma High Street Area



CITY OF SELMA

Façade Improvement Revolving Loan Program

Exhibit B

CITY OF SELMA FAÇADE IMPROVEMENT REVOLVING LOAN APPLICATION

Applicant Name: _____

Address of Façade Improvements: _____

Mailing Address (if different): _____

Phone Number: _____ Email Address: _____ APN: _____

Loan Request \$ _____ (Maximum amount \$5,000)

APPLICATION CHECKLIST

- Application (completed and signed by Applicant)
- Verification of property ownership (title or deed of trust)
- Scope of Work describing details of planned improvements
- Three (3) contractor estimates or bids
- Payment of application fee: \$75.00

I understand that the Loan is for real property improvements and that the Loan term cannot exceed five (5) years. The City of Selma will bill the Loan Grantee/Applicant annually for up to 20% of the loan amount and the annual administration cost of \$100.

_____ Applicant initials

I understand that in the event that I fail to make any of the payments due hereunder when due as hereinabove provided, City, at its option, may, without notice to Loan Grantee/Applicant, declare the entire amount due and payable immediately and may take such action as it deems necessary and appropriate to collect the same.

_____ Applicant initials

I understand that the waiver by the City of any rights accruing to it from non-payment by subsequent acceptance of such payment shall not be deemed to nor constitute a waiver by City of any of its rights hereunder for subsequent breaches or defaults of this Agreement.

CITY OF SELMA
Façade Improvement Revolving Loan Program

_____Applicant initials

Exhibit B (Continued)

I understand that, if approved, the funds (Loan) will be paid to the Contractor within 30 days of a Contractor invoice receipt by the City of Selma from either the Contractor or the Applicant/Loan Grantee. Work started prior to the approval of the loan is not an eligible use of the funds and may be denied.

_____Applicant initials

I understand that, once the application is approved by the City, the applicant must provide, if applicable, evidence of required permit approvals from the City of Selma Building, Planning, and/or Engineering Departments.

_____Applicant initials

I hereby declare that the foregoing information is true and correct to the best of my knowledge. I authorize the City of Selma to verify the information to determine my eligibility. I understand that as the applicant I will hire the contractor and am responsible for obtaining design approvals. I understand that the program provides that the City will reimburse the applicant for work performed, based on submittal of evidence of work performed, and that the City will pay contractors or vendors directly.

Property Owner Applicant Signature

Printed Name

Date

Mail or deliver completed application with copies of required documents to:

City of Selma
Attn: Economic Development Department
1710 Tucker Street
Selma, CA 93662

CITY OF SELMA
Façade Improvement Revolving Loan Program

Any questions please call: 559-891-2200
Email: TracyT@cityofselma.com

Exhibit B (Continued)

CITY USE ONLY

Loan Application Fee (\$75.00):

Received by: _____

Date Received: _____

Authorization of Loan Program:

City Manager: _____

Date Approved: _____

Finance Dept: _____

Date Approved: _____

Date Check issued: _____

Contractor: _____

Loan Terms:

Total Loan Amount Approved: \$ _____

Loan Terms (Years) \$ _____

Monthly Payment Amount (Including Annual Administration Fee): \$ _____

Recording Requested by:
CITY OF SELMA

When Recorded Mail To:
CITY OF SELMA
1710 Tucker Street
Selma, CA 93662

AGREEMENT FOR FAÇADE IMPROVEMENT

RECITALS

THIS AGREEMENT is made and entered into this ____ day of _____, 20__, by and between _____, "OWNER(S)," and the CITY OF SELMA, a Municipal Corporation, hereinafter referred to as "CITY."

WHEREAS, Resolution No. ____ establishes a revolving loan fund from which property owners may apply for interest free loans for the purpose of constructing or improving any façade of any business establishment located within the designated area of the City of Selma; and

WHEREAS, Resolution No. ____ authorizes payments of the cost of the Improvements over a period not to exceed five years (5) years; and

WHEREAS, Owner is owner of property located at _____ in the City of Selma which is a business establishment and desires to improve, repair or construct the building façade and has applied for financing through an interest free loan from the City.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, the parties hereto do hereby agree as follows:

1. City Agrees that said Improvements qualify under the Façade Improvement Revolving Loan Fund pursuant to Resolution No. _____ and City agrees to pay \$_____, to (name of) Licensed Contractor for said improvements being more particularly located at:

County Assessor's Parcel No. ____ - ____ - ____, Selma, CA

2. Owner(s) agree(s) to pay to the City the Façade Improvement Revolving Loan

Fund for said Improvements, said payment is to be made as follows:

a. The balance in full, no more than 5 years after being invoiced, with minimum annual payments of 20% of the principal loan amount and the annual \$100 administration cost.

b. The Owner(s) further agree(s) that the City will record this Agreement on the above described property to secure the above designated sum as a lien pursuant to the agreement of the owner.

3. It is expressly understood and agreed that all of the work performed under this Agreement shall be performed to the standards of the City of Selma. Such standards require that the Contractor must obtain all necessary permits required by the City of Selma. The City, at its option, may waive any such permit fees. The determination of the City of Selma as to the work and applicable standards are final and conclusive.

4. In the event that either party hereto brings legal action to enforce the terms of the Agreement, the prevailing party in any such legal action shall be entitled to recover all administrative costs and reasonable attorneys' fee from the losing party.

5. In the event Owners fail to make any of the payments due hereunder when due as hereinabove provided, City, at its option, may, without notice to Owner, declare the entire amount due hereunder pursuant to Selma Municipal Code 9-1-13 (D) due and payable immediately and may take such action as it deems necessary and appropriate to collect the same by filing with the County Assessor's Office the Assessment as Taxes against said real property. The waiver by the City of any rights accruing to it from non-payment by subsequent acceptance of such payment shall not be deemed to nor constitute a waiver by City of any of its rights hereunder for subsequent breaches or defaults of this Agreement.

6. This writing contains the entire Agreement of the parties hereto with respect to the matters herein provided.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals this _____ day of _____, 20__.

CITY OF SELMA

Jane Doe – Owner

By: _____
Teresa Gallavan
City Manager

ACKNOWLEDGMENT

STATE OF CALIFORNIA }
COUNTY OF FRESNO } §

On _____, before me, Reyna Rivera, City Clerk, personally appeared _____, _____ Owner, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to be within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

CITY SEAL
(Acknowledgment taken by City Clerk pursuant to California Civil Code Section 1181)

ITEM NO: 8.

SUBJECT: Consideration and direction of City's position on the League Resolution to amend Section 230 of the Decency Act of 1996 to require social media companies to remove materials which promote criminal activities

RECOMMENDATION: Council consider City's position of League Resolution and provide voting delegate(s) direction.

DISCUSSION: The League Resolution for Council consideration calls for an amendment of Section 230 of the Communications Decency Act ("CDA") of 1996 to require social media companies to remove materials which promote criminal activities.

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.

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.

Staff has requested information from the League as to whether there have been cities in opposition, or additional cities in support. There are five cities that have submitted letters of concurrence with this item.

RECOMMENDATION: Council consider City’s position of League Resolution and provide voting delegate(s) direction.

/s/
Teresa Gallavan, City Manager

09/17/2020
Date



CITY OF CERRITOSSM

CIVIC CENTER • 18125 BLOOMFIELD AVENUE
P.O. BOX 3130 • CERRITOS, CALIFORNIA 90703-3130
PHONE: (562) 860-0311 • CERRITOS.US



AGENDA REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Art Gallucci, City Manager *AG*

INITIATED BY: Kathleen Jung Matsumoto, Assistant City Manager *Kelly*

DATE: August 3, 2020

SUBJECT: **REVIEW AND CONSIDERATION OF A RESOLUTION TO BE SUBMITTED TO 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**

BACKGROUND

Attached is additional information prepared for your review as a part of the Agenda Report 4A as referenced above. This is a working document and subject to change prior to submittal to the League of California Cities on August 7, 2020.

yv

Background Information to Resolution

Source: Los Angeles County Division

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.



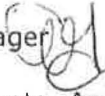
CITY OF CERRITOSSM


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AGENDA REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Art Gallucci, City Manager 

INITIATED BY: Kathleen Jung Matsumoto, Assistant City Manager 

DATE: August 3, 2020

SUBJECT: **REVIEW AND CONSIDERATION OF A RESOLUTION TO BE SUBMITTED TO 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**

BACKGROUND

Attached for your review and consideration is a proposed resolution that upon the approval of City Council will be forwarded to the League of California Cities for consideration at their Annual Conference on October 9, 2020. The resolution is to address our concerns which are shared by several other communities as it relates to the use of social media to facilitate unlawful activities.

The resolution also seeks to clarify that online platforms are not immune from criminal and civil liability for promoting such deeds.

Additional information will be submitted to the City Council prior to this meeting of August 3, 2020.

RECOMMENDATION

Staff recommends that the City Council review subject information and approve the attached resolution and information for transmittal to the League of California Cities for consideration at the Annual Conference in October 2020.

yv
Exhibit
1. Resolution

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

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:

Online platforms must establish and implement a reasonable program to identify and take down content which solicits criminal activity; and

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

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.

EXHIBIT 1



***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
- ** Existing League policy
- *** Local authority presently exists

- a Amend+
- Aa Approve as amended+
- Aaa Approve with additional amendment(s)+
- 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 media 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

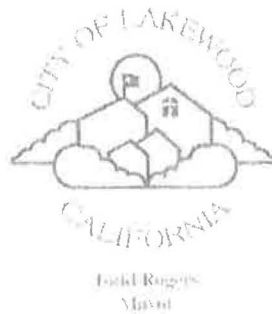
21815 PIONEER BOULEVARD, HAWAIIAN GARDENS, CA 90716-1237 TEL: (562) 420-2641 FAX: (562) 496-3708

Jeff Wood
Vice Mayor

Ariel Pe
Council Member

Steve Clout
Council Member

Deane Dunbar
Council Member



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,

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

5050 Clark Avenue, Lakewood, CA 90712 • (562) 866-9771 • Fax: (562) 866-0505 • www.lakewoodcity.org • E-mail: service1@lakewoodcity.org



PAUL S. LEON
MAYOR

DEBRA DORST-PORADA
MAYOR PRO TEM

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

August 6, 2020

SCOTT OCHOA
CITY MANAGER

SHEILA MAUTZ
CITY CLERK

JAMES R. MILHISER
TREASURER

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.**

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 media 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.

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 - kquerrero@cacities.org
Kathy Matsumoto, Assistant City Manager, City of Cerritos - kmatsumoto@cerritos.us
Jason Gonsalves, Joe A. Gonsalves and Son

ITEM NO:

SUBJECT: Consideration of a Resolution Approving a Request for a Fee Waiver for the March for Jesus Event

RECOMMENDATION: Consider request from the Antioquia Ministries, Inc., Bringing Broken Neighborhoods Back to Life, Central Valley Ministry Alliance, and Selma Legacy Youth Program for a Fee Waive for their March for Jesus.

DISCUSSION: Antioquia Ministries, Inc., Bringing Broken Neighborhoods Back to Life, Central Valley Ministry Alliance, and Selma Legacy Youth Program have requested authorization to have a special event and a fee waiver to hold their annual March for Jesus on October 17, 2020.

Due to the timing of the request, the financial impacts of this event have not been calculated but the following services will be needed:

- Police: Estimated 5 employees of 3 Officers, 1 Sergeant, and 1 Community Service Officer
- Planning: Special Event Permit and Amplified Sound Fee
- Public Works: Barricades and staff time

The event is scheduled from 8 am to noon in the area depicted on the attached Exhibit A. Although the route is not fully identified, the starting point will be at Antioquia Ministries located at 1426 Grove Street then north/east to Rose Avenue then west to end at Lincoln Park. A general area description has been identified within the exhibit but final route will be provided later to identify the necessary barricades and street closures for the event. Once at Lincoln Park there will be multiple speakers and the event will end following the last speaker.

The fee waiver serves a public purpose by allowing for a march that will promote unity and coming together within these difficult times. Since the fees have not been fully calculated, the requested fee waiver will not exceed \$2,500.

RECOMMENDATION: Consider request from the Antioquia Ministries, Inc., Bringing Broken Neighborhoods Back to Life, Central Valley Ministry Alliance, and Selma Legacy Youth Program for a Fee Waive for their March for Jesus.

/s/ Isaac Moreno, Assistant City Manager

/s/ Teresa Gallavan, City Manager

RESOLUTION NO. 2020 – R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA, CALIFORNIA, APPROVING A REQUEST FOR A FEE WAIVER FOR THE ANTIOQUIA MINISTRIES, INC., BRINGING BROKEN NEIGHBORHOODS BACK TO LIFE, CENTRAL VALLEY MINISTRY ALLIANCE, AND SELMA LEGACY YOUTH PROGRAM MARCH FOR JESUS

WHEREAS, the Antioquia Ministries, Inc., Bringing Broken Neighborhoods Back to Life, Central Valley Ministry Alliance, and Selma Legacy Youth Program has requested that the City Council waive fees associated with its March for Jesus event to be held on October 17, 2020; and

WHEREAS, the City Council approved a total fee waiver associated with the March for Jesus event of Two Thousand Five Hundred Dollars (\$2,500.00), which would include the fees for the special events permit, sound permit, street closure permit, barricades, park rental, police and public works staff time; and

WHEREAS, while the City is proposing to waive Two Thousand Five Hundred Dollars (\$2,500.00) associated with the March for Jesus event, Antioquia Ministries, Inc., Bringing Broken Neighborhoods Back to Life, Central Valley Ministry Alliance, and Selma Legacy Youth Program are still required to comply with all other provisions of the City's Municipal Code; and

WHEREAS, Antioquia Ministries, Inc., Bringing Broken Neighborhoods Back to Life, Central Valley Ministry Alliance, and Selma Legacy Youth Program are organizing a peaceful March to promote peace, unity and coming together.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SELMA DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The above recitals are true and correct and are incorporated herein by reference.

SECTION 2. The City Council hereby approves the fee waiver for fees associated with the March for Jesus event in the amount of Two Thousand Five Hundred Dollars (\$2,500.00),

SECTION 3. Antioquia Ministries, Inc., Bringing Broken Neighborhoods Back to Life, Central Valley Ministry Alliance, and Selma Legacy Youth Program shall comply with the City's Municipal Code during the event, and provide the City with all information required by City staff, including, but not limited to, the following:

1. Proof of insurance with the City named as additional insured.
2. Indemnification of the City.

SECTION 4. The provisions of this Resolution are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the Resolution or their applicability to other persons or circumstances.

SECTION 5. That the City Clerk shall certify to the adoption of this Resolution and that the same shall be in full force and effect.

PASSED, APPROVED AND ADOPTED this 21st day of September, 2020, by the following vote:

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSTAIN:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:

Louis Franco, Mayor

ATTEST:

Reyna Rivera, City Clerk

Prospective Area MFJ 2020

Area Map

 Prospective Area

