



# County Counsel COUNTY OF TULARE AGENDA ITEM

## BOARD OF SUPERVISORS

KUYLER CROCKER  
District One

PETE VANDER POEL  
District Two

AMY SHUKLIAN  
District Three

EDDIE VALERO  
District Four

DENNIS TOWNSEND  
District Five

**AGENDA DATE:** March 19, 2019

|   |     |                                     |     |                                     |
|---|-----|-------------------------------------|-----|-------------------------------------|
| Public Hearing Required   | Yes | <input type="checkbox"/>            | N/A | <input checked="" type="checkbox"/> |
| Scheduled Public Hearing w/Clerk  | Yes | <input type="checkbox"/>            | N/A | <input checked="" type="checkbox"/> |
| Published Notice Required   | Yes | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/>            |
| Advertised Published Notice   | Yes | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/>            |
| Meet & Confer Required  | Yes | <input type="checkbox"/>            | N/A | <input checked="" type="checkbox"/> |
| Electronic file(s) has been sent  | Yes | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/>            |
| Budget Transfer (Aud 308) attached  | Yes | <input type="checkbox"/>            | N/A | <input checked="" type="checkbox"/> |
| Personnel Resolution attached   | Yes | <input type="checkbox"/>            | N/A | <input checked="" type="checkbox"/> |
| Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s) | Yes | <input type="checkbox"/>            | N/A | <input checked="" type="checkbox"/> |
| CONTACT PERSON: Jeff Kuhn    PHONE: 636-4950  |     |                                     |     |                                     |

**SUBJECT:** Ordinance Enacting Local Claims Filing Requirements

**REQUEST(S):**

That the Board of Supervisors:

On March 19, 2019

1. Introduce and waive the first reading of an ordinance adding section 170 to the General Provisions of the Ordinance Code of Tulare County, pertaining to claims and demands against the County and/or its officers or employees.
2. Set the second reading for April 2, 2019.
3. Direct the Clerk to publish a summary of the ordinance before the second reading as required by law.

On April 2, 2019

4. Waive the second reading and adopt an ordinance adding section 170 to the General Provisions of the Ordinance Code of Tulare County, pertaining to claims and demands against the County and/or its officers or employees.
5. Direct the Clerk to publish a summary of the ordinance and post a full copy of the ordinance after adoption as required by law.

**SUMMARY:**

The California Tort Claims Act generally requires the filing of an administrative claim for damages as a prerequisite to filing a civil action against a public agency and/or its officers or employees. Fifteen classes of damage claims are exempted from the claim-presentation requirements under Government Code section 905. However, the Tort Claims Act provides local public agencies an opportunity to remove this exemption. Pursuant to Government Code section 935, local public agencies may adopt by local ordinance a claim filing requirement for those classes of claims that would otherwise

**SUBJECT:** Ordinance Enacting Local Claims Filing Requirements  
**DATE:** March 19, 2019

be exempted under section 905. The purpose of this Board agenda item is to discuss the merits of adopting such a requirement and propose an ordinance doing so.

The Tort Claims Act (Gov. Code, § 810 et seq.) establishes the basic principles of public agency liability for damage claims, whether those claims sound in tort or contract. Aside from establishing the substantive rules for public agency damages liability, it establishes the procedural rules pursuant to which a claimant may seek a damage award from a public agency. Compliance with these procedural rules, including those requiring the filing of an administrative claim within the applicable six-month or one-year statute of limitation, operate as prerequisites to the filing of a civil action against the public agency.

Accordingly, where there may be substantive liability, the procedural requirements provide public agencies the opportunity to investigate claims timely, to settle meritorious claims short of litigation, to make appropriate fiscal planning decisions, and to reduce litigation expenses and potential judgments. The Tulare County Risk Management team actively investigates claims and pursues settlement when appropriate, often resulting in early compensation to an aggrieved person as well as lower costs to the County.

In addition, procedural rules such as the statutes of limitations serve to bar some stale claims that might otherwise be substantively valid.

The Tort Claims Act, however, does not treat all claims the same. Specifically, the uniform procedures for claims against local public entities are limited by Government Code section 905, which exempts some damage claims from the Tort Claims Act claims-presentation requirements. Government Code section 905 excludes fifteen categories of claims. Included among the list of excluded categories of claims are:

- claims for refunds of taxes; fees, assessments, and other charges;
- claims for principal or interest upon any bond or other financial instrument;
- claims for employment benefits or salaries;
- claims by the State and other public agencies;
- welfare claims;
- stop notice claims on public work projects;
- claims for which workers' compensation is the exclusive remedy;
- claims for unemployment benefits;
- claims by public employees for fees, salaries, wages, mileage or other expenses and allowances; and
- public retirement or pension system claims.

What the Legislature takes with one hand, however, it gives with the other (at least in this instance). Government Code section 935 provides that claims which are excluded from the claims presentation provisions, and which are not governed by other statutes or regulations expressly related thereto, may be covered by local agency charter, ordinance, or regulation. As such, under section 935, local agencies may adopt ordinances that specifically require the filing of an administrative claim for those

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**DATE:** March 19, 2019

claims that would otherwise be excluded under section 905. This grant of this authority to local agencies has received judicial approval for both charter and general-law agencies.

The enactment of local claims procedures is of great benefit to local agencies. For instance, in the case of *City of Ontario v. Superior Court (1993) 12 Cal.App.4th 894*, the State filed an action against the City for equitable indemnity in a flood damage case. The City demurred on the basis that the State had not filed a claim with the City and that the claim would be barred by the City's statute of limitations. The Court of Appeal agreed. It found that because the State did not comply and could not now comply, the City was saved from a possible indemnity judgment against it.

Another potential benefit of such local claims-filing requirements is to limit an agency's potential liability in the context of delayed/untimely claims for refunds of local taxes, assessments, fees, or other charges.

Similar local claims filing ordinances are in effect in many Counties and Cities, including Fresno, Madera, and Kern Counties, and partially in the City of Visalia.

**FISCAL IMPACT/FINANCING:**

The requested action has no Net County Cost to the General Fund, and could result in some savings to the extent the County is able to investigate and settle claims sooner and less-expensively, and if certain claims become barred for failure to meet the new claims filing requirements.

**LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:**

The requested action will enhance the management of risk and claims against the County, which supports the continued internal growth and development of County departments and services in accordance with the County's Strategic Business Plan Organizational Development Initiative.

**ADMINISTRATIVE SIGN-OFF:**



Jeffrey L. Kuhn  
Chief Deputy County Counsel

Cc: County Administrative Office  
Risk Management Division

Attachments Proposed Ordinance (redline format).  
Proposed Ordinance (clean format)

JLK/2017390/2/27/2019 1286564





ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE ADDING SECTION 170 TO THE GENERAL PROVISIONS OF THE ORDINANCE CODE OF TULARE COUNTY, PERTAINING TO CLAIMS AND DEMANDS AGAINST THE COUNTY AND/OR ITS OFFICERS OR EMPLOYEES.

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THE BOARD OF SUPERVISORS OF THE COUNTY OF TULARE ORDAINS AS FOLLOWS:  
(added provisions are underlined and deleted provisions are in ~~striketrough~~ typeface)

**Section 1.** SECTION 170 ("CLAIMS AND DEMANDS AGAINST THE COUNTY AND/OR ITS OFFICERS OR EMPLOYEES") IS ADDED TO THE GENERAL PROVISIONS of the Ordinance Code of Tulare County, to read as follows:

**170 CLAIMS AND DEMANDS AGAINST THE COUNTY AND/OR ITS OFFICERS OR EMPLOYEES:**

**(a) Authority and purpose.** The provisions of this section are adopted under the authority of and in conformity with the provisions of Government Code Section 935. It is the intention of the Board that claims against the County and/or its officers or employees for money or damages which are excepted by Section 905 of the Government Code from Chapter 1 and Chapter 2 of Division 3.6 of Title 1 of the Government Code and which are not governed by any other statutes or regulations expressly relating thereto shall be governed by the procedure prescribed in the California Tort Claims Act, Division 3.6 of Title 1 of the California Government Code, commencing at Section 900.

**(b) Claims subject to presentation.** Pursuant to the authority contained in Section 935 of the California Government Code, the following claims shall be subject to the procedures established by the California Tort Claims Act:

(1) Claims under the Revenue and Taxation Code or other statute prescribing procedures for the refund, rebate, exemption, cancellation, amendment, modification, or adjustment of any tax, assessment, fee, or charge or any portion thereof, or of any penalties, costs, or charges related thereto.

(2) Claims in connection with which the filing of a notice of lien, statement of claim, or stop notice is required under any law relating to liens of mechanics, laborers, or materialmen.

(3) Claims by public employees for fees, salaries, wages, mileage, or other expenses and allowances.

(4) Claims for which the workers' compensation authorized by Division 4 (commencing with Section 3200) of the Labor Code is the exclusive remedy.

(5) Applications or claims for any form of public assistance under the Welfare and Institutions Code or other provisions of law relating to public assistance programs, and claims for goods, services, provisions, or other assistance rendered for or on behalf of any recipient of any form of public assistance.

(6) Applications or claims for money or benefits under any public retirement or pension system.

(7) Claims for principal or interest upon any bonds, notes, warrants, or other evidences of indebtedness.

(8) Claims that relate to a special assessment constituting a specific lien against the property assessed and that are payable from the proceeds of the assessment, by offset of a claim for damages against it or by delivery of any warrant or bonds representing it.

(9) Claims by the state, by a state department or agency, by another local public entity, or by a judicial branch entity.

(10) Claims arising under any provision of the Unemployment Insurance Code, including, but not limited to, claims for money or benefits, or for refunds or credits of employer or worker contributions, penalties, or interest, or for refunds to workers of deductions from wages in excess of the amount prescribed.

(11) Claims for the recovery of penalties or forfeitures made pursuant to Article 1 (commencing with Section 1720) of Chapter 1 of Part 7 of Division 2 of the Labor Code.

(12) Claims governed by the Pedestrian Mall Law of 1960 (Part 1 (commencing with Section 11000) of Division 13 of the Streets and Highways Code).

(13) Claims made pursuant to Section 340.1 of the Code of Civil Procedure for the recovery of damages suffered as a result of childhood sexual abuse. This subdivision shall apply only to claims arising out of conduct occurring on or after January 1, 2009.

(14) Claims made pursuant to Section 701.820 of the Code of Civil Procedure for the recovery of money pursuant to Section 26680.

(15) Claims made pursuant to Section 49013 of the Education Code for reimbursement of pupil fees for participation in educational activities.

**(c) Compliance with claim—Presentation requirement jurisdictional.** Except as provided in Government Code Sections 946.4 and 946.6, no suit for money or damages may be brought against the County and/or an officer or employee thereof, on a cause of action for which a claim is required to be presented in accordance with requirements of this section until a written claim therefore has been presented to the County and has been acted upon or has been deemed to have been

rejected in accordance with law. This section does not require a shorter time for the presentation of any claim than the time provided in Government Code Section 911.2. This section does not provide a longer time for the taking of action upon any claim than the time provided in Government Code Section 912.4.

**(d) Availability of claim forms and instructions—Contents of claim.** Claim forms and instruction for completing the forms are available at the Risk Management Division offices that specify the information to be contained in claims against the County and/or its officers or employees. If such forms are not used, any claim submitted must contain:

(1) The name and post office address of the claimant.

(2) The post office address to which the person presenting the claim desires notices to be sent.

(3) The date, place, and other circumstances of the occurrence or transaction that gave rise to the claim asserted.

(4) A general description of the indebtedness, obligation, injury, damage, or loss incurred so far as it may be known at the time of presentation of the claim.

(5) The name or names of the public employee or employees causing the injury, damage, or loss, if known.

(6) The amount claimed if it totals less than ten thousand dollars (\$10,000) as of the date of presentation of the claim, including the estimated amount of any prospective injury, damage, or loss, insofar as it may be known at the time of the presentation of the claim, together with the basis of computation of the amount claimed. If the amount claimed exceeds ten thousand dollars (\$10,000), no dollar amount shall be included in the claim. However, it shall indicate whether the claim would be a limited civil case.

If the claim fails to comply substantially with the requirements of this section and the County's Risk Manager mails notice of such insufficiency within twenty days after claim presentation, the claimant shall have an additional fifteen days after such notice is given to amend his or her claim. Failure to amend will result in rejection of the claim for insufficiency.

**(e) Applicability—transitional period.** This section shall apply retroactively to previously accrued claims. However, any claim that would have been timely if presented on the day before this section becomes effective and which claim would be untimely under the requirements of the this section may, notwithstanding this section, be presented not later than the 45th day after the adoption of this section and be considered timely if so presented.



**Section 2. SEVERABILITY AND EFFECT:** The provisions of this Ordinance are hereby declared to be severable. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

**Section 3. PUBLICATION:** The foregoing Ordinance shall take effect thirty (30) days from the date of the passage hereof, and prior to the expiration of fifteen (15) days from the passage hereof [a summary] shall be published once in a newspaper printed and published in the County of Tulare, State of California, together with the names of the members of the Board of Supervisors voting for and against the same.

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**THE FOREGOING ORDINANCE** was passed and adopted by the Board of Supervisors of the County of Tulare, State of California, on \_\_\_\_\_, 2019 at a regular meeting of said Board duly and regularly convened on said day, by the following vote:

AYES: \_\_\_\_\_  
NOES: \_\_\_\_\_  
ABSENT: \_\_\_\_\_

\_\_\_\_\_  
Chairman, Board of Supervisors

ATTEST: JASON T. BRITT, Clerk of the Board of Supervisors/County Administrative Officer

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

Approved as to Legal Form:  
COUNTY COUNSEL

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

Matter # 2017390

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE ADDING SECTION 170 TO THE GENERAL PROVISIONS OF THE ORDINANCE CODE OF TULARE COUNTY, PERTAINING TO CLAIMS AND DEMANDS AGAINST THE COUNTY AND/OR ITS OFFICERS OR EMPLOYEES.**

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THE BOARD OF SUPERVISORS OF THE COUNTY OF TULARE ORDAINS AS FOLLOWS:

**Section 1.** SECTION 170 (“CLAIMS AND DEMANDS AGAINST THE COUNTY AND/OR ITS OFFICERS OR EMPLOYEES”) IS ADDED TO THE GENERAL PROVISIONS of the Ordinance Code of Tulare County, to read as follows:

**170 CLAIMS AND DEMANDS AGAINST THE COUNTY AND/OR ITS OFFICERS OR EMPLOYEES:**

**(a) Authority and purpose.** The provisions of this section are adopted under the authority of and in conformity with the provisions of Government Code Section 935. It is the intention of the Board that claims against the County and/or its officers or employees for money or damages which are excepted by Section 905 of the Government Code from Chapter 1 and Chapter 2 of Division 3.6 of Title 1 of the Government Code and which are not governed by any other statutes or regulations expressly relating thereto shall be governed by the procedure prescribed in the California Tort Claims Act, Division 3.6 of Title 1 of the California Government Code, commencing at Section 900.

**(b) Claims subject to presentation.** Pursuant to the authority contained in Section 935 of the California Government Code, the following claims shall be subject to the procedures established by the California Tort Claims Act:

(1) Claims under the Revenue and Taxation Code or other statute prescribing procedures for the refund, rebate, exemption, cancellation, amendment, modification, or adjustment of any tax, assessment, fee, or charge or any portion thereof, or of any penalties, costs, or charges related thereto.

(2) Claims in connection with which the filing of a notice of lien, statement of claim, or stop notice is required under any law relating to liens of mechanics, laborers, or materialmen.

(3) Claims by public employees for fees, salaries, wages, mileage, or other expenses and allowances.

(4) Claims for which the workers’ compensation authorized by Division 4 (commencing with Section 3200) of the Labor Code is the exclusive remedy.

(5) Applications or claims for any form of public assistance under the Welfare and Institutions Code or other provisions of law relating to public assistance programs, and claims for goods, services, provisions, or other assistance rendered for or on behalf of any recipient of any form of public assistance.

(6) Applications or claims for money or benefits under any public retirement or pension system.

(7) Claims for principal or interest upon any bonds, notes, warrants, or other evidences of indebtedness.

(8) Claims that relate to a special assessment constituting a specific lien against the property assessed and that are payable from the proceeds of the assessment, by offset of a claim for damages against it or by delivery of any warrant or bonds representing it.

(9) Claims by the state, by a state department or agency, by another local public entity, or by a judicial branch entity.

(10) Claims arising under any provision of the Unemployment Insurance Code, including, but not limited to, claims for money or benefits, or for refunds or credits of employer or worker contributions, penalties, or interest, or for refunds to workers of deductions from wages in excess of the amount prescribed.

(11) Claims for the recovery of penalties or forfeitures made pursuant to Article 1 (commencing with Section 1720) of Chapter 1 of Part 7 of Division 2 of the Labor Code.

(12) Claims governed by the Pedestrian Mall Law of 1960 (Part 1 (commencing with Section 11000) of Division 13 of the Streets and Highways Code).

(13) Claims made pursuant to Section 340.1 of the Code of Civil Procedure for the recovery of damages suffered as a result of childhood sexual abuse. This subdivision shall apply only to claims arising out of conduct occurring on or after January 1, 2009.

(14) Claims made pursuant to Section 701.820 of the Code of Civil Procedure for the recovery of money pursuant to Section 26680.

(15) Claims made pursuant to Section 49013 of the Education Code for reimbursement of pupil fees for participation in educational activities.

**(c) Compliance with claim—Presentation requirement jurisdictional.** Except as provided in Government Code Sections 946.4 and 946.6, no suit for money or damages may be brought against the County and/or an officer or employee thereof, on a cause of action for which a claim is required to be presented in accordance with requirements of this section until a written claim therefore has been presented to the County and has been acted upon or has been deemed to have been

rejected in accordance with law. This section does not require a shorter time for the presentation of any claim than the time provided in Government Code Section 911.2. This section does not provide a longer time for the taking of action upon any claim than the time provided in Government Code Section 912.4.

**(d) Availability of claim forms and instructions—Contents of claim.** Claim forms and instruction for completing the forms are available at the Risk Management Division offices that specify the information to be contained in claims against the County and/or its officers or employees. If such forms are not used, any claim submitted must contain:

- (1) The name and post office address of the claimant.
- (2) The post office address to which the person presenting the claim desires notices to be sent.
- (3) The date, place, and other circumstances of the occurrence or transaction that gave rise to the claim asserted.
- (4) A general description of the indebtedness, obligation, injury, damage, or loss incurred so far as it may be known at the time of presentation of the claim.
- (5) The name or names of the public employee or employees causing the injury, damage, or loss, if known.
- (6) The amount claimed if it totals less than ten thousand dollars (\$10,000) as of the date of presentation of the claim, including the estimated amount of any prospective injury, damage, or loss, insofar as it may be known at the time of the presentation of the claim, together with the basis of computation of the amount claimed. If the amount claimed exceeds ten thousand dollars (\$10,000), no dollar amount shall be included in the claim. However, it shall indicate whether the claim would be a limited civil case.

If the claim fails to comply substantially with the requirements of this section and the County's Risk Manager mails notice of such insufficiency within twenty days after claim presentation, the claimant shall have an additional fifteen days after such notice is given to amend his or her claim. Failure to amend will result in rejection of the claim for insufficiency.

**(e) Applicability—transitional period.** This section shall apply retroactively to previously accrued claims. However, any claim that would have been timely if presented on the day before this section becomes effective and which claim would be untimely under the requirements of the this section may, notwithstanding this section, be presented not later than the 45th day after the adoption of this section and be considered timely if so presented.

**Section 2. SEVERABILITY AND EFFECT:** The provisions of this Ordinance are hereby declared to be severable. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

**Section 3. PUBLICATION:** The foregoing Ordinance shall take effect thirty (30) days from the date of the passage hereof, and prior to the expiration of fifteen (15) days from the passage hereof [a summary] shall be published once in a newspaper printed and published in the County of Tulare, State of California, together with the names of the members of the Board of Supervisors voting for and against the same.

\*\*\*\*\*

**THE FOREGOING ORDINANCE** was passed and adopted by the Board of Supervisors of the County of Tulare, State of California, on \_\_\_\_\_, 2019 at a regular meeting of said Board duly and regularly convened on said day, by the following vote:

AYES: \_\_\_\_\_  
NOES: \_\_\_\_\_  
ABSENT: \_\_\_\_\_

\_\_\_\_\_  
Chairman, Board of Supervisors

ATTEST: JASON T. BRITT, Clerk of the Board of Supervisors/County Administrative Officer

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

Approved as to Legal Form:  
COUNTY COUNSEL

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

Matter # 2017390

ORDINANCE NO. \_\_\_\_\_

PURSUANT TO GOVERNMENT CODE SECTION 25124, THE FOLLOWING IS A SUMMARY OF AN ORDINANCE ADDING SECTION 170 TO THE GENERAL PROVISIONS OF THE ORDINANCE CODE OF TULARE COUNTY, PERTAINING TO CLAIMS AND DEMANDS AGAINST THE COUNTY AND/OR ITS OFFICERS OR EMPLOYEES.

SUMMARY OF PROPOSED ORDINANCE

The Ordinance will add section 170 to the General Provisions of the Ordinance Code of Tulare County, pertaining to claims and demands against the County and/or its officers or employees.

The California Tort Claims Act generally requires the filing of an administrative claim for damages as a prerequisite to filing a civil action against a public agency and/or its officers or employees. Fifteen classes of damage claims are exempted from the claim-presentation requirements under Government Code section 905. However, the Tort Claims Act provides local public agencies an opportunity to remove this exemption. Pursuant to Government Code section 935, local public agencies may adopt by local ordinance a claim filing requirement for those classes of claims that would otherwise be exempted under section 905. The purpose of this ordinance is to enact such filing requirements.

This ordinance shall apply retroactively to previously accrued claims. However, any claim that would have been timely if presented on the day before this ordinance becomes effective and which claim would be untimely under the requirements of the this ordinance may, notwithstanding this ordinance, be presented not later than the 45th day after the adoption of this ordinance and be considered timely if so presented.

The effective date of these changes will be thirty (30) days after adoption by the Board of Supervisors.

The ordinance herein summarized will be considered for second reading and adoption by the Tulare County Board of Supervisors on April 2, 2019, at a regular meeting of said Board. At least five (5) days prior to that date, a certified copy of the full text of the proposed ordinance shall be posted in the office of the Clerk of the Board of Supervisors and shall be available for public inspection at that location.

ATTEST: JASON T. BRITT, County Administrative Officer/  
Clerk of the Board of Supervisors  
of the County of Tulare

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

[Second publication]

ORDINANCE NO. \_\_\_\_\_

PURSUANT TO GOVERNMENT CODE SECTION 25124, THE FOLLOWING IS A SUMMARY OF AN ORDINANCE ADDING SECTION 170 TO THE GENERAL PROVISIONS OF THE ORDINANCE CODE OF TULARE COUNTY, PERTAINING TO CLAIMS AND DEMANDS AGAINST THE COUNTY AND/OR ITS OFFICERS OR EMPLOYEES.

SUMMARY OF ADOPTED ORDINANCE

The Ordinance will add section 170 to the General Provisions of the Ordinance Code of Tulare County, pertaining to claims and demands against the County and/or its officers or employees.

The California Tort Claims Act generally requires the filing of an administrative claim for damages as a prerequisite to filing a civil action against a public agency and/or its officers or employees. Fifteen classes of damage claims are exempted from the claim-presentation requirements under Government Code section 905. However, the Tort Claims Act provides local public agencies an opportunity to remove this exemption. Pursuant to Government Code section 935, local public agencies may adopt by local ordinance a claim filing requirement for those classes of claims that would otherwise be exempted under section 905. The purpose of this ordinance is to enact such filing requirements.

This ordinance shall apply retroactively to previously accrued claims. However, any claim that would have been timely if presented on the day before this ordinance becomes effective and which claim would be untimely under the requirements of the this ordinance may, notwithstanding this ordinance, be presented not later than the 45th day after the adoption of this ordinance and be considered timely if so presented.

The effective date of these changes will be thirty (30) days after adoption by the Board of Supervisors.

The ordinance herein summarized was adopted by the Tulare County Board of Supervisors on April 2, 2019, at a regular meeting of said Board.

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

COUNTY OF TULARE

By: \_\_\_\_\_  
Chairman, Board of Supervisors

ATTEST: JASON T. BRITT  
County Administrative Officer/  
Clerk of the Board of Supervisors

By: \_\_\_\_\_  
Deputy Clerk