



Board Agenda Item 34

DATE: May 9, 2023

TO: Board of Supervisors

SUBMITTED BY: Daniel C. Cederborg, County Counsel

SUBJECT: Settlement Agreement and Release - Harpreet Pawar

RECOMMENDED ACTION(S):

Approve and authorize the Chairman to execute a Settlement Agreement and Release to fully resolve the County's lawsuit against Harpreet Pawar (Defendant) for unlawful operation of a commercial trucking depot at 3280 S. Peach Avenue for a settlement sum of \$15,000.

Approval of the recommended action will execute the Settlement Agreement and Release, which will fully resolve the County's claims against Defendant for operating an unlawful commercial trucking depot at 3280 S. Peach Ave., in exchange for Defendant's agreement to cease all unlawful activity, pay the sum of \$15,000, and comply with other terms of the agreement. This item pertains to a location in District 4.

ALTERNATIVE ACTION(S):

There is no alternative action for this item.

FISCAL IMPACT:

Under the recommended Settlement Agreement, the Department of Public Works and Planning would receive six monthly payments of \$1,000 beginning July 1, 2023. If Defendant abides by the terms of the agreement, the remaining balance of \$9,000 would be suspended to ensure continuing compliance with the agreement.

DISCUSSION:

Defendant owns a home at 3280 S. Peach Ave., which is located in an Exclusive Agriculture District where the Zoning Ordinance prohibits commercial trucking. Defendant began operating a commercial trucking depot, was issued administrative citations, and then applied to have the parcel rezoned. The Board ultimately denied Defendant's application to re-zone the parcel, but Defendant committed further violations after the denial. On July 15, 2022, the County sued Defendant to enforce the Zoning ordinance. Since then, Defendant has complied with the Zoning Ordinance and paid all outstanding administrative citations, totaling \$5,650. Defendant is willing to agree to discontinue all commercial trucking operations, and pay the amounts described in the Settlement Agreement.

REFERENCE MATERIAL:

On file with Clerk - Settlement Agreement and Release

CAO ANALYST:

Ahla Yang