



Board Agenda Item 34

DATE: March 11, 2025

TO: Board of Supervisors

SUBMITTED BY: Daniel C. Cederborg, County Counsel

SUBJECT: Stipulation for Entry of Judgment with Property Owners of 20526 S. Garfield

RECOMMENDED ACTION(S):

Approve and authorize Chairman to execute Stipulation for Entry of Judgment and Order Thereon with defendant property owners of 20526 S. Garfield Avenue, Riverdale, California 93656 for issuance of a permanent injunction to compel the property owners to abate all nuisance conditions and payment by defendants of a monetary award in the amount of \$5,000.

Approval of the recommended Stipulation for Entry of Judgment will resolve the code enforcement litigation in *County of Fresno et al. v. Fred Adams, et al.*, Fresno Superior Court Case No. 21CECG01116 against the property owners of 20526 S. Garfield Avenue, Riverdale, California 93656. This item pertains to a location in District 4.

ALTERNATIVE ACTION(S):

There are no viable alternative actions. The recommended action finalizes the resolution of this litigation through execution of the Stipulation for Entry of Judgment on behalf of the County. If your Board does not approve the recommended action, the County will be forced to further litigate and attempt to obtain judgment on terms similar to the Stipulation for Entry of Judgment.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action.

DISCUSSION:

In 2018, County staff inspected the property located at 20526 S. Garfield Avenue, Riverdale, California 93656, a 20-acre parcel, and observed an accumulation of trash, junk and debris throughout the property; and unhoused individuals living in recreational vehicles, trailers, tents and other temporary structures. The property appeared to be used as an unlawful waste disposal site.

On October 20, 2020, the Board authorized this Office to file a complaint for injunctive relief to abate ordinance code and zoning code violations as a public nuisance to demand the defendant property owners remove the trash and debris and cease the unlawful dumping on the property.

The recommended Stipulation for Entry of Judgment imposes a prohibitory injunction against the defendants as follows: (1) prohibit defendants from dumping or allowing others to dump waste and debris on the property; (2) authorize the County to inspect the property without further court orders or warrants over a 1-year period from entry of the judgment to confirm compliance; (3) authorize the County to abate any trash

and debris after providing a written demand for defendants to abate; (4) authorize the County to recover the cost of any subsequent abatement from the defendants; and (5) defendants each individually agree to pay the County a \$1,000 monetary award.

In exchange for this consensual judgment, the County would waive its costs and attorney's fees. This resolution is advantageous to the County because it achieves the desired result of the litigation without the need to continue to incur additional litigation costs.

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Stipulation for Entry of Judgment and Order Thereon

CAO ANALYST:

Amy Ryals