



# Board Agenda Item 30

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DATE: August 19, 2025

TO: Board of Supervisors

SUBMITTED BY: Peter Wall, Interim County Counsel

SUBJECT: Stipulation for Entry of Judgment with the Property Owners of 1270 S. Temperance Avenue

RECOMMENDED ACTION(S):

**Approve and authorize Chairman to execute Stipulation for Entry of Judgment and Order Thereon with defendant property owners of 1270 S. Temperance Avenue, Fresno, California 93727 and defendant Plus Tranz, Inc., for issuance of a permanent injunction to prohibit the property owners from storing commercial trucks on the property and payment by defendants of a monetary award in the amount of \$50,000.**

Approval of the recommended Stipulation for Entry of Judgment will resolve the code enforcement litigation in *County of Fresno, et al. v. Ashok Wadhwa, et al.*, Fresno County Superior Court Case number 24CECG02246, against the property owners of 1270 S. Temperance Avenue, Fresno, California 93727 and Plus Tranz, Inc. 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 May 2023, County staff inspected the property located at 1270 S. Temperance Avenue, Fresno, California 93727, a large parcel zoned Exclusive Agricultural, and observed six commercial trucks parked on the property. County staff also confirmed that Plus Tranz, Inc., a commercial trucking business, operated out of the property.

On May 24, 2024, the Board authorized this Office to file a complaint for injunctive relief to abate ordinance code and zoning code violations as a public nuisance, and to demand the defendant property owners remove all commercial trucks and cease operating the commercial trucking business on the property, and civil penalties under the Unfair Competition Law.

As of October 21, 2024, all commercial trucks have been removed from the property and the unlawful

commercial trucking operation had ceased.

The recommended Stipulation for Entry of Judgment imposes a prohibitory injunction and judgment against the defendants as follows: (1) defendants are prohibited from storing commercial trucks and operating a commercial trucking business on the property; (2) defendants authorize inspections by County Code Enforcement staff to monitor compliance with the injunction; (3) defendant Plus Tranz, Inc. to pay a monetary award in the amount of \$50,000, to be paid in installments, with the first \$5,000 paid within five days of execution of the settlement agreement, and nine payments of \$5,000 made every 90 days thereafter; (4) defendants agree to the recordation of a judgment lien on the property in the event of a failure to timely pay the installments on the monetary award; and (5) the parties agree to a mutual waiver of costs and fees.

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