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File No: 19/44

October 9, 2020

VIA ELECTRONIC TRANSMISSION
mikedelpuppo@fresnocountyfire.org

The Honorable Michael Del Puppo, President
and Members of the District Board of Directors
Fresno County Fire Protection District
210 South Academy Avenue
Sanger, California 93657

Re: Report Upon Return from Closed Session; Skype Virtual Special Meeting of the
Fresno County Fire Protection District Board of Directors; October 7, 2020

Dear President Del Puppo and Members of the Board of Directors:

This communication sets forth reportable action, if any, of the Board of Directors (“Board”) of the Fresno County Fire Protection District (“District”) consistent with provisions of the Ralph M. Brown Opening Meeting Act (Government Code Section 54950, *et seq.*) resulting from the Closed Session of the October 7, 2020 Skype Virtual Special Board Meeting, noticed consistent with Governor Newsome’s Executive Order N-29-20 under the provisions of Government Code Section 54957.1.

Your Board convened in Open Session at 6:12 p.m. to address matters agendized for Board consideration in Open Session. Upon the conclusion of the Open Session, your Board subsequently adjourned into Closed Session by unanimous vote 4-0 (President Del Puppo, Directors Arabian, Chavez, and Richter voting in favor) at 6:18 p.m.

There were two matters agendized for Closed Session consideration:

3. A. Conference with Legal Counsel – Anticipated Litigation
Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): (2 matters).
- B. Conference with Legal Counsel – Existing Litigation
Matter pursuant to Government Code Section 54956.9(d)(1) – Fresno County Fire Protection District v. City of Parlier, Fresno County Superior Court Case No. 20CECG02714

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With respect to Agenda Item 3.A., there was reportable action (4-0) for the first matter considered, in the form of authorization to District Counsel and Special Counsel to proceed with the filing of a Writ of Mandate challenging the October 1, 2020 Resolution of Necessity of the City of Parlier. Additional direction (4-0) was given to District Counsel, Special Counsel and Staff to respond to a request from the Parlier City Manager to meet to address the concerns of both agencies. Except as indicated, there was no other reportable action under the common law attorney-client privilege and that provided by Government Code Section 54956.9(d)(2).

There was no consideration of the second matter agendaized under Agenda Item No. 3.A.

There was no consideration of Agenda Item No. 3.B.

The Closed Session concluded at 6:56 p.m. with a unanimous vote 4-0 (President Del Puppo, Directors Arabian, Chavez and Richter voting in favor) of the Board to reconvene in Open Session with the indication that a written Report Upon Return from Closed Session would be prepared consistent with the provisions of Government Code section 54957.1 for the matters agendaized for Closed Session consideration.

This communication should be added for review under the Consent portion of the Agenda of your next Regular or Special Board Meeting.

If there are any questions concerning its content, it may be taken off the Consent Calendar at that time or our office may be contacted in the interim.

Very truly yours,



William D. Ross
District Counsel

WDR:jf

cc: Mark A. Johnson, District Chief
Josh Chrisman, District Administrative Officer

Ben Nicholson, Esq.
Todd Wynkoop, Esq.
McCormick Barstow LLP