

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: Board of Supervisors

BOARD AGENDA # \*A-2a

Urgent  Routine

AGENDA DATE November 3, 2009

CEO Concur with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval of Appointment of Frank Freitas and Mike Borba to the Newman Drainage District Board of Directors

STAFF RECOMMENDATIONS:

Appoint Frank Freitas and Mike Borba to the Newman Drainage District Board of Directors to terms ending on December 6, 2013.

FISCAL IMPACT:

There is no fiscal impact associated with this item.

BOARD ACTION AS FOLLOWS:

No. 2009-728

On motion of Supervisor Monteith, Seconded by Supervisor Grover

and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Grover, Monteith, and Chairman DeMartini

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) \_\_\_\_\_ Denied

3) \_\_\_\_\_ Approved as amended

4) \_\_\_\_\_ Other:

MOTION:



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.



**LAW OFFICE OF DENNIS L. HAY, ESQ.**

18780 East Highway 88  
P.O. Box 745  
Clements, California 95227  
Tel. (209)759-3222  
Fax (209)759-3105  
e-mail: dennis\_hay@verizon.net

BOARD OF SUPERVISORS

2009 OCT 22 A 11: 23

October 20, 2009

Christine Ferraro Tallman  
Clerk of the Board of Supervisors  
County of Stanislaus  
1010 10<sup>th</sup> Street, Suite 6500  
Modesto, California 95354

Re: Newman Drainage District  
Appointment of Directors

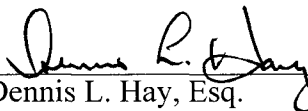
Dear Ms. Ferraro-Tallman:

Enclosed please find the originals of Resolutions numbered 2009-03, -04, -05 which are submitted to you on behalf of the Board of Directors of the Newman Drainage District for presentation to the Board of Supervisors for possible action and appointment of the respective individuals to the Board of Directors of the Newman Drainage District.

Please present the resolutions at the next scheduled Board of Supervisors meeting and advise this office of any action taken with regard to the possible appointment of the individuals named in the resolutions.

Should you have any questions regarding your matter, please feel free to contact me.

Very truly yours,

  
Dennis L. Hay, Esq.

Encls.

**RESOLUTION OF THE BOARD OF DIRECTORS OF  
NEWMAN DRAINAGE DISTRICT  
APPOINTING REPLACEMENT DIRECTOR**  
Resolution 2009-03

WHEREAS, the By-Laws of the Newman Drainage District provides for a Board of Directors to consist of six members;

WHEREAS, the Board of Directors currently consists of four members, namely Patrick Cerutti, Douglas Lucas, Raymond Lopes and Michael Dompe leaving two vacancies to be filled on the Board of Directors (one at large position and one for Division I);

WHEREAS, the Board in its present make-up does not contain sufficient members to fill all the available seats on the Board;

WHEREAS, the Board has authority to present names of persons interested in serving on the Board of Directors to the Stanislaus County Board of Supervisors to fill the vacant positions;

WHEREAS, Frank Freitas has expressed an interest in serving as a director on the Board of Directors for the Newman Drainage District, is a landowner within the geographical boundaries of said District and has submitted his name for consideration as a Director;

THEREFORE, IT IS RESOLVED that Frank Freitas be appointed to fill one of the two vacancies on the Board of Directors of the Newman Drainage District, namely the director-at-large position, to serve in such capacity until the first general election, and that his name be submitted to, and the appointment be the subject of approval of, the Board of Supervisors of Stanislaus County.

**APPROVED AND ADOPTED** October 15, 2009, by the following vote:

Ayes: Directors, Patrick Cerutti, Douglas Lucas, Raymond Lopes, Michael Dompe


Noes: NONE.



\_\_\_\_\_  
Patrick Cerutti, President

Attest:

Dennis L. Hay, District Recording Secretary and Attorney



**RESOLUTION OF THE BOARD OF DIRECTORS OF  
NEWMAN DRAINAGE DISTRICT  
APPOINTING REPLACEMENT DIRECTOR**

Resolution 2009-0~~4~~

WHEREAS, the By-Laws of the Newman Drainage District provides for a Board of Directors to consist of six members;

WHEREAS, the Board of Directors currently consists of four members, namely Patrick Cerutti, Douglas Lucas, Raymond Lopes and Michael Dompe leaving two vacancies to be filled on the Board of Directors (one at large position and one for Division I);

WHEREAS, the Board in its present make-up does not contain sufficient members to fill all the available seats on the Board;

WHEREAS, the Board has authority to present names of persons interested in serving on the Board of Directors to the Stanislaus County Board of Supervisors to fill the vacant positions;

WHEREAS, Mike Borba has expressed an interest in serving as a director on the Board of Directors for the Newman Drainage District, is a landowner within the geographical boundaries of said District, and specifically within Division I, and has submitted his name for consideration as a Director;

THEREFORE, IT IS RESOLVED that Mike Borba be appointed to fill one of the two vacancies on the Board of Directors of the Newman Drainage District, namely the director for Division I, to serve in such capacity until the first general election, and that his name be submitted to, and the appointment be the subject of approval of, the Board of Supervisors of Stanislaus County.

**APPROVED AND ADOPTED** October ~~15~~, 2009, by the following vote:

Ayes: Directors, Patrick Cerutti, Douglas Lucas, Raymond Lopes, Michael Dompe

Noes: NONE.



Patrick Cerutti, President

Attest:

Dennis L. Hay, District Recording Secretary and Attorney

