

THE BOARD OF SUPERVISORS
OF THE COUNTY OF STANISLAUS
STATE OF CALIFORNIA

Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

September 22, 2009

Two adoptable pets were shown by the Department of Animal Services and the Adopt a Pet program was discussed.

The Chairman presented a resolution proclaiming 09/20-26/2009 as Fall Prevention Awareness Week.

Deborah Harper voiced concerns about her experience in contacting law enforcement regarding drug use in her apartment complex. She also spoke regarding the services at HSA and her need for a medical procedure.

Chiesa/Grover unan. Adopted the consent calendar

- *A1 Approved the minutes of 09/15/2009
- *A2 Appointed Joy Madison to the Economic Development Action Committee 2009-637
- *A3 Appointed in lieu of election John Beltran and Glen Crow to the Orestimba Creek Flood Control District Board of Directors 2009-638
- *A4 Accepted the resignation of Guadalupe Castillion from the Mental Health Board 2009-639
- *A5 Proclaimed the Week of 09/27/2009 through 10/03/2009 as Stanislaus County Diversity Awareness Week 2009-640
- *B1 Adopted a resolution supporting the original Merced-Bakersfield High Speed Rail segment and urging the rejection of any alternative proposal for a Bakersfield-Fresno segment – CEO 2009-641
- *B2 Approved the revised District Attorney’s office hours open to the public from Monday through Friday from 8:00 a.m. to 5:00 p.m. to Monday through Friday, 8:00 a.m. to 4:30 p.m. with phone access until 5:00 p.m. – DA 2009-642
- *B3 Approved the request from On Your Mark Events to have exclusive use of Woodward Reservoir areas designated as trails, Bay View Boat Ramp, and the Group Picnic area on Saturday, 09/26/2009 and Saturday, 10/17/2009; each event date will begin at 4:00 a.m. and end no later than 1:15 p.m. for the 2nd Annual Central Valley Triathlon; and, directed On Your Mark Events to adhere to the requirements set forth by the Department of Parks and Recreation – Parks and Recreation 2009-643
- *C1 Approved entering into a lease agreement with the City of Modesto for the use of the Modesto Transportation Center for an initial five-year period with the option to extend for three additional five-year periods; and, authorized the CEO to sign the Lease Agreement on behalf of Stanislaus County – PW 2009-644

O’Brien/Monteith unan. **9:15 am** Conducted the public hearing; closed the public review period for the FY 2008-2009 Consolidated Annual Performance Evaluation Report (CAPER); and, adopted the FY 2008-2009 Consolidated Annual Performance Evaluation Report (CAPER) – Planning 2009-645

Corr 1 Referred to the Fish and Wildlife Commission, a letter from the State Fish and Game Commission regarding proposed regulatory action relating to hybrid animals and plants.

Corr 2 Referred to the Department of Planning and Community Development, a letter from the U.S. Department of Housing and Urban Development regarding the approval of the Consolidated Plan and grant assistance for Stanislaus County in the amount of \$2,601,386.

Corr 3 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Justin and Kirsten Cicairos; and, Nichole Dowdy.

Supervisor Chiesa reported that he and Sheriff Christianson went to the South Modesto zone which has a gang injunction, and that it was a very eye-opening experience. He hopes that the gang injunction will work to keep gangs in this area under wraps.

Chairman DeMartini spoke regarding a letter to the editor by Jose Garza concerning grant funds used for the Heron Point boat launching facility. He noted that the funds used were restricted grant funds that the County could not have used for sidewalks. He stated that this Board and past Boards have spent millions on infrastructure in South Modesto and other areas in the County including Empire and Keyes.

Adjourned to closed session at 9:41 a.m. for conference with Legal Counsel - Existing Litigation: Two Cases: Building Industry Association of Central California vs. County of Stanislaus, et al, Stanislaus County Superior Court Case No. 622705; and, Arenivaz, et al. vs. County of Stanislaus, et al., Stanislaus County Superior Court Case No. 628471. Government Code §54956.9 (a).

Closed Session Announcement: DeMartini/Chiesa (3-2)(O'Brien and Monteith opposed) Authorized the filing of an appeal of the trial court decision in the case of Building Industry Association of Central California vs. County of Stanislaus, Stanislaus County Superior Court Case No. 622750

Adjourned at 11:17 a.m.

ATTESTED: CHRISTINE FERRARO TALLMAN, Clerk
of the Board of Supervisors
of the County of Stanislaus
State of California

BY: ELIZABETH A. KING, Assistant Clerk of the Board of Supervisors
(The above is a summary of the minutes of the Board of Supervisors. Complete minutes are available from the Clerk of the Board's Office.)