



# SUMMARY ACTION MINUTES

## BOARD OF SUPERVISORS

### Regular Meeting

**TUESDAY, SEPTEMBER 09, 2003**

Closed Session – 8:00 a.m.  
Regular Meeting – 10:00 a.m.

MERCED COUNTY  
ADMINISTRATION BUILDING  
2222 "M" STREET  
BOARD ROOM, THIRD FLOOR  
MERCED, CALIFORNIA 95340  
(209) 385-7366

GLORIA CORTEZ KEENE.....DISTRICT 1  
CHAIR KATHLEEN M. CROOKHAM....DISTRICT 2  
MICHAEL G. NELSON.....DISTRICT 3  
DEIDRE F. KELSEY....DISTRICT 4  
JERRY O'BANION.....DISTRICT 5  
Lydia A. Beiswanger, Chief Clerk

DEMITRIOS O. TATUM  
COUNTY EXECUTIVE OFFICER

RUBEN E. CASTILLO  
COUNTY COUNSEL

*All supporting documentation is available for public review in the Office of the Clerk of the Board of Supervisors located in the County Administration Building, Third Floor, 2222 "M" Street, Merced, California, 95340  
During regular business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday.  
(209) 385-7366*

### **SCHEDULED ITEMS**

8:00 A. M.

**CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:** It is the intention of the Board to meet in Closed Session concerning significant exposure to litigation pursuant to Subdivision (b) of Section 54956.9: Two Case(s)

**CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION:** It is the intention of the Board to meet in Closed Session concerning Existing Litigation pursuant to Subdivision (a) of Section 54956.9:  
Leesa Thoreson et al v. County of Merced, et al, Case No. 146266  
Lenee Pearson and Thomas Schmidt v. County of Merced, et al, Case No. 146901  
Hernandez, et al v. Merced County, et al. CIV-F-03-6147 OWW DLB

8:00 A. M. **CLOSED SESSION:** It is the intention of the Board to meet in Closed Session pursuant to Subdivision (f) of Section 54957.6 concerning Conference with County of Merced Staff Negotiator(s) concerning labor relations with American, Federation of State, County and Municipal Employees (AFSCME) Units 4, 5, 6 and 8 and Independent Employees of Merced County (IEMC) , Unit 3

**THE BOARD RECESSED AT 8:00 A.M. AND RECONVENED AT 10:00 A.M. WITH ALL MEMBERS PRESENT AND THE CHAIRMAN ADVISED STAFF WAS GIVEN DIRECTION**

9:00 A. M. **IN HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY**  
**ADJOURN AS A BOARD OF SUPERVISORS AND MEET AS AN IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY**  
**SEE SEPARATE AGENDA**

10:00 A. M. **PLEDGE OF ALLEGIANCE**  
  
**PUBLIC OPPORTUNITY TO SPEAK ON ANY MATTER OF PUBLIC INTEREST WITHIN THE BOARD'S JURISDICTION INCLUDING ITEMS ON THE BOARD'S AGENDA, EXCEPT FOR THOSE ITEMS SPECIFICALLY SCHEDULED AS PUBLIC HEARINGS (See Board Clerk - Testimony limited to five minutes per person)**

**UC MERCED PROJECT - LIAISON REPORT**  
**NO REPORT**

**APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 - 31)**  
**APPROVED AS RECOMMENDED AYES: ALL**

**GOVERNMENT CODE SECTION 54950 COMPLIANCE (LATE AGENDA ITEMS)**

10:30 A. M. **BUSINESS-ECONOMIC OPPORTUNITIES – PUBLIC HEARING**  
To consider selected contracts under Request for Joint Venture Proposal No. 6833 for the Fast Open Contracts Utilization Services Program covering Homeland Security Technology Solutions  
**REVIEW BOARD ORDER – SEE PAGE 9**

10:30 A. M. **COUNTY COUNSEL - PROPOSED ORDINANCE, FIRST READING - SET SECOND READING FOR SEPTEMBER 16, 2003 AT 10:30 A.M.**  
An Ordinance to prohibit loud, unnecessary, and unusual noise which disturbs the peace or quiet of any neighborhood or which causes discomfort or annoyance to any reasonable person or normal sensitiveness residing in the area (Amends Title 10 of the County Code)  
**REVIEW BOARD ORDER – SEE PAGE 10**

## REPORTS/BOARD DIRECTION

County Executive Officer, County Counsel, County Auditor, Board of Supervisors Members

## LUNCH BREAK

### **CONSENT CALENDAR (Items # 1 - 31)**

**APPROVED AS RECOMMENDED AYES: ALL**

#### Public Works

1. Approve Planada Community Development Corporation request to use Houlihan Park on September 16, 2003 to host the First Annual Celebration in the Park and waive restriction on the use of amplified sound equipment for musical entertainment and to authorize closure of Sutter Street between Standford and Broadway.
2. Approve and authorize Chairman to sign Amendment to Contract No. 8978 with Bible Christian Church for church services at the Le Grand Courts Building Conference Room.
3. Approve and authorize Chairman to sign Addendum to Contract No. 2003091 with Tower Asset Sub, Inc. for the lease of existing County owned land at the Correctional Facility for a communications tower.

#### Travel Request

4. Approve Travel Requests submitted by District Attorney (4) as recommended by Executive Office.

#### Health

5. Adopt Resolution authorizing Chairman to sign Amendment to Contract No. 6929 with State Water Resources Control Board for oversight of the Underground Storage Tank Program.  
**ADOPTED RESOLUTION NO. 2003-155**
6. Approve and authorize Chairman to sign Renewal Contract No. 9568 with James Andrews, M.D. to serve as Medical Director of the Merced County EMS Agency.

#### District Attorney

7. Adopt Resolution authorizing Chairman to sign Renewal Contract No. 9502 with California Dept. of Justice for continued participation in the Career Criminal Justice Prosecution Program.  
**ADOPTED RESOLUTION NO. 2003-156**
8. Adopt Resolution authorizing Chairman to sign Renewal Contract No. 9529 with California Dept. of Justice for continued participation in the Spousal Abuser Prosecution Program.  
**ADOPTED RESOLUTION NO. 2003-157**
9. Adopt Resolution authorizing Chairman to sign Renewal Contract No. 99115 with Office of Criminal Justice Planning for continued participation in the Victim/Witness Assistance Program.  
**ADOPTED RESOLUTION NO. 2003-158**
10. Approve and authorize the Chairman to sign the Federal Annual Certification Report for the Federal Equitable Sharing Program (21 U.S.C. Section 881(E)(3).) accounting for funds

received and expended in the FY 2002/2003 by the District Attorney Office to be submitted to the U.S. Dept. of Justice and U.S. Dept. of the Treasury.

#### Mental Health

11. Approve and authorize Chairman to sign Subordination, Non-Disturbance and Attornment, Contract No. 5655 with Terry Allen/Thorington Building Properties for leased space of the Alcohol and Drug Services Division to allow refinancing of the facilities by the owner.

#### H.S.A.-Area Agency on Aging

12. Approve and authorize Chairman to sign Amendment to Contract No. 5868 with Calif. Dept. of Aging for Title III/VII Senior Services.

#### Dept. of Workforce Investment

13. Approve and authorize Chairman to sign Renewal of Contract No. 9899 with Brocchini Family Partnership for office space for Workforce Investment Act Program.

#### Sheriff

14. Approve and authorize Chairman to sign Amendment to Contract No. 6436 with City of Gustine Police Department for Dispatch Services.

#### Community Action Agency

15. Approve and authorize the CAB Chair to sign Renewal Contract with 35th District Ag. Association for the Head Start Facilities at the Fairgrounds.
16. Approve and authorize the CAB Chair to sign Renewal Contract with the 35th District Ag. Association for the Head Start Program at the Fairgrounds Cafeteria Building.
17. Approve and authorize the CAB Chair to sign Renewal Contract with Arnaudo Brothers Enterprise for the Santa Nella Head Start Center Facility.
18. Approve and authorize the CAB Chair to sign Renewal Contract with the Gustine Unified School District for the Gustine Head Start Center.
19. Approve and authorize the CAB Chair to sign Contract with H and H Properties for the Self-Sufficiency Division Facility.
20. Approve and authorize the CAB Chair to sign Amendment to Contract with Jobs for Calif. Graduates-Merced County, Inc. to change invoices to reflect actual expenses instead of percentages listed on the original budget.
21. Approve and authorize Community Action Agency to sign the Fatherhood Coalition Coordinator Employment Agreement and approve position description.
22. Accept and place CAA Information, Staff and Committee Reports on file.

#### Board of Supervisors

23. Set public hearing for September 23, 2003 at 10:30 a.m. to consider an Appeal to Planning Commission decision on Administrative Permit Application No. 03033 submitted by Graciano Magallan.
24. Set public hearing for September 23, 2003 at 10:30 a.m. to consider an Appeal to Planning Commission decision on Zone Variance Application No. 03006 and Minor Subdivision Application No. 03039 submitted by Nathan Silva.

25. Set public hearing for October 7, 2003 at 10:30 a.m. to consider an Appeal to Planning Commission decision on Minor Subdivision Application No. 03030 submitted by Carleen Baylea, et al.
26. Set public hearing for October 7, 2003 at 10:30 a.m. to consider an Appeal to Planning Commission decision on Minor Subdivision Application No. 03035 submitted by John Zoria.
27. Adopt Resolutions and adjourn meeting in memory of Dick Ford, Eufrasia Torres Hernandez and Robert L. Anderson.

Board Recognition

28. Authorize Certificate of Recognition to Richard Hawthorne in celebration of appointment as Atwater Chief of Police.
29. Authorize Certificate of Recognition in celebration of Lowe's Home Improvement Store Grand Opening and Ribbon Cutting.

Auditor

30. PULLED

Budget Transfer

31. Approve Budget Transfer for Special Board Projects-District No. Five in the amount of \$2,000 for Los Banos Library Restroom Remodel as recommended by Executive Office.

**REGULAR CALENDAR**

**BOARD ACTION**

PUBLIC WORKS

32. Contract with Merced Irrigation District to provide electrical services for the Human Services Agency and Agricultural Center.

**REVIEW BOARD ORDER – SEE PAGE 10, 11 AND 12**

33. Authorize transfer of \$1,250 of Special Board Project Funds-District Four for payment for security provided to the Winton Spring Festival held on April 25-27, 2003.

**APPROVED AS RECOMMENDED AYES: ALL**

34. Authorize expenditure of \$2,900 of Special Board Project Funds-District Four for Delhi Senior Center Parking Lot Capital Improvement Project and approve the necessary budget transfer. (#003)

**APPROVED AS RECOMMENDED AYES: ALL**

35. Authorize transfer of \$1,000 of Special Board Project Funds-District Five to the Sheriff Department for Dos Palos Cotton Festival security held on August 7-10, 2003 at O'Banion Park.

**APPROVED AS RECOMMENDED AYES: ALL**

36. Authorize expenditure of \$676 of Special Board Project Funds-District Five to City of Dos Palos for one-half the cost of chairs purchased for the Dos Palos City-County Building and approve the necessary budget transfer. (#022)

**APPROVED AS RECOMMENDED AYES: ALL**

37. Addendum Contract No. 7300 with Robert and Janice Hilder, Revocable Trust extending the Lake Yosemite Grazing Land Lease Agreement to October 31, 2006. (4/5 Vote Required)  
**APPROVED AS RECOMMENDED AYES: ALL**
38. Authorize rejection of Bid #1 and Bid #2 and accept Bid #3 from Siemens Building Technologies, Inc. for the Annual Building Fire Protection Equipment Maintenance, Inspection and Testing Services and authorize Purchase Order.  
**AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2003177 AYES: ALL**
39. Contract with Mark Thomas & Company for Engineering and Environmental Services for the Santa Nella Community Specific Plan Transportation Improvement Plan.  
**AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2003176 AYES: ALL**

SHERIFF

40. Authorize on-going Alternate Work Schedule ((4) 10 Hour Shift per week) Agreement for Swing and Midnight Deputy Sheriff and Sheriff Sergeant Assigned Staff.  
**AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2003178 WITH MERCED COUNTY SHERIFF-OPERATIONS ASSOCIATION UNIT 10 AND CONTRACT NO. 2003179 WITH MERCED COUNTY SHERIFF-OPERATIONS ASSOCIATION UNIT P AYES: ALL**
41. Authorize aligned Extra Help Deputy Sheriff I, Step 1 for BU 22100.  
**ADOPTED RESOLUTION NO. 2003-159 AYES: ALL**

HEALTH

42. Contract with Merced County Children and Families Commission for the First Steps Project.  
**AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2003180 AYES: ALL**

HUMAN SERVICES AGENCY

43. Contract with Public Health Institute for operation of a pilot project linking Child Welfare Services, CalWORKs and Eligibility Services.  
**AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2003181 AYES: ALL**

AUDITOR-CONTROLLER

44. Approve assessing Santa Nella Assessment District parcels in excess of the 50% maximum (assessment/current value) provided for in the assessment engineer's preliminary report.  
**APPROVED AS RECOMMENDED AYES: ALL**
45. Accept and approve the Supplemental Law Enforcement Services Fund (SLESF) Report to be filed with the State Controller and the Board of Corrections for the Year Ended June 30, 2001 of the County COPS Funds for the District Attorney, Sheriff and Corrections.  
**APPROVED AS RECOMMENDED AYES: ALL**

TREASURER-TAX COLLECTOR

46. Reject RFP No. 5825 and subsequent responses, in connection with Interactive Voice Response and Internet Tax Payment System, terminate Contract negotiations with Electronic Data Systems Corporation (EDS) and authorize solicitation of an RFP to include the enhancements noted as critical issues.  
**APPROVED AS RECOMMENDED AYES: ALL**

## RETIREMENT

47. Retirement System Contribution Rates for FY 03/04 and Information on Merced County Employees Retirement Association Interest Credit Policy.

**REVIEW BOARD ORDER – SEE PAGE 12**

**APPROVED AS RECOMMENDED AYES: ALL**

## COUNSEL

48. Authorize Contract with Marderosian, Runyon, Cercone, Lehman & Armo, LLP for Special Legal Services in connection with Superior Court Case Number 146901

**AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2003182 AYES: ALL**

49. Contract with Marguerite M. Leoni and Law Firm of Nielsen, Merksamer, Parrinello, Mueller & Naylor, LLP as special counsel in connection with Dept. of Justice pre-clearance for October 7, 2003 Election and Associated Litigation filed in Federal District Court.

**AUTHORIZED COUNSEL TO SIGN CONTRACT NO. 2003183 AYES: ALL**

## MENTAL HEALTH

50. Accept Grant Award Renewal Application with State Dept. of Mental Health for Substance Abuse and Mental Health Services Administration (SAMHSA) Block Grant Funding.

**AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2003184 AYES: ALL**

## BOARD APPOINTMENTS

### **BOARD INFORMATION & POSSIBLE ACTION**

**ACCEPTED AND PLACED ON FILE AYES: ALL**

51. Sheriff re: Sponsor 2003 State Search and Rescue (SAREX) Convention on September 5-7, 2003 at O'Neil Forebay, San Luis Creek, State Recreational Area in conjunction with the Governor's Office of Emergency Services.
52. Human Services Agency re: State Mandated Redesign of Child Welfare.
53. Human Services Agency re: Report of Persons Receiving Assistance for the Month of May and June, 2003.
54. Placer County Water Agency re: Schedule for Public Scoping Meetings for the Sacramento River Water Reliability Study. (On file with Clerk)
55. State Water Resources Control Board re: Notice of Petition for Temporary Change involving the Transfer of 26,428 acre-feet of water from the Calif. Dept. of Water Resources to Del Puerto Water District, Panoche Water District, San Luis Water District and Tranquility Irrigation District under Permit 16482 (Application 17512).
56. California Dept. of Social Services re: Letter expressing appreciation for Merced's outstanding participation in the CalWORKs/Child Welfare Partnership Project.
57. State Dept. of Social Services re: County Children's Trust Fund Share of Kid's Plate Revenue.
58. Calif. Assoc. of the following: Realtors, BIA, Business Properties, Cattlemen, Chamber, Forestry, Grain and Feed, CSAC, Wool Growers, Farm Bureau, Engineering & Land

Surveyors, Forest Landowners, Lumber, RCRC and Resource Landowners Coalition re: Opposition to SB 711, Kuehl, State Permitting of oak removal.

59. State Wildlife Conservation Board re: Minutes of May 14, 2003. (On file with Clerk)
60. National Association of Counties re: 2002-03 Annual Report. (On file with Clerk)
61. Calif. State Association of Counties re: 2003 CSAC Challenge Award Winners and Merit Award Winners.

**ADOPTED RESOLUTIONS AND ADJOURNED MEETING IN MEMORY OF DICK FORD, EUFRASIA TORRES HERNANDEZ, ROBERT L. ANDERSON AND TRINITY COUNTY SUPERVISOR DAVID KLIPP UNTIL SEPTEMBER 16, 2003 AT 10:00 A.M.**



**BOARD ORDERS – SUMMARY ACTION MINUTES – SEPTEMBER 9, 2003**

**10:30 A.M. SCHEDULED ITEM**

**2003-09-09 BUSINESS-ECONOMIC OPPORTUNITIES – PUBLIC HEARING**

The time and date previously set for a public hearing to consider the Request for Joint Venture Proposal No. (RFJVP) No. 5833 for the Fast Open Contracts Utilization Services (FOCUS) Program covering Homeland Security Technology Solutions Contract Awards as submitted by Business-Economic Opportunities.

The Chairman asks if there is anyone present who wishes to speak. No one speaks.

Upon motion of Supervisor O'Banion, seconded by Supervisor Cortez Keene, duly carried, the Board approves the Request for Joint Venture Proposal No. (RFJVP) No. 5833 categorical awards to vendors as follows:

- Category 1: Bluecrane, Inc.; Engage Integrated Systems Technology; Evolve Technology Group; Interplex International, LLC; SBC DataComm Products, Inc.; Wire One Technologies.
- Category 2: Bluecrane, Inc.; Engage Integrated Systems Technology; Evolve Technology Group; Interplex International, LLC; SBC DataComm Products, Inc.; Wire One Technologies.
- Category 3: Bluecrane, Inc.; Engage Integrated Systems Technology; Evolve Technology Group; Interplex International, LLC; SBC DataComm Products, Inc.; Wire One Technologies.
- Category 4: Bluecrane, Inc.; Engage Integrated Systems Technology; Evolve Technology Group; Interplex International, LLC; SBC DataComm Products, Inc.; Wire One Technologies.
- Category 5: Abatix Corp.; Bluecrane, Inc.; Engage Integrated Systems Technology; Evolve Technology Group; Interplex International, LLC; SBC DataComm Products, Inc.; Wire One Technologies.
- Category 6: Abatix Corp.; Bluecrane, Inc.; Engage Integrated Systems Technology; Evolve Technology Group; Interplex International, LLC; SBC Core Products, Inc.; SBC DataComm Products, Inc.; Wire One Technologies.

And based on the evidence in the record, that the provision of special services described in the proposed contracts will not adversely impact the provision of similar services by private sector companies or individuals within the County, and authorize completion of initial two year contracts with each selected vendor, subject to Counsel Counsel approval and for submission of the final contracts for Board approval.

Ayes: Crookham, Cortez Keene, Nelson, Kelsey, O'Banion

**10:30 A.M. SCHEDULED ITEM**

**2003-09-09 COUNTY COUNSEL – PROPOSED ORDINANCE – NOISE ORDINANCE**

The time and date previously set to consider First Reading of proposed ordinance titled – An Ordinance to prohibit loud, unnecessary, and unusual noise which disturbs the peace, or quiet of any neighborhood or which causes discomfort or annoyance to any reasonable person or normal sensitiveness residing in the area (Amends Title 10-Public Peace, Morals and Welfare of the Merced County Code) as submitted by Counsel.

Supervisor O'Banion requests additional information on the definition of noise and if a current ordinance exists in Merced County.

Supervisor Kelsey requests consideration and protection of ag. land uses in this ordinance.

County Counsel Ruben Castillo requests the matter be tabled in order to address concerns expressed by the Board and the ordinance come back at a later date.

The Chairman asks if there is anyone present who wishes to speak.

Beverly Kensley, Winton resident, speaks in support of the noise ordinance.

Jerry McAdams, Lake Yosemite resident, speaks on behalf of adopting the noise ordinance.

Following a lengthy discussion, the Board accepts Counsel's recommendation understanding the matter will come back to the Board at a later date.

Present: Crookham, Cortez Keene, Nelson, Kelsey, O'Banion

**ACTION ITEM NO. 32**

**2003-09-09 PUBLIC WORKS**

Supervisor O'Banion moves, seconded by Supervisor Nelson, the Board accepts the recommendation of Public Works to select Merced Irrigation District (MID) to provide electrical services for the Human Services Agency and Agricultural Center located on Wardrobe in Merced and authorizes the Chairman to sign the Contract.

Public Works Director Paul Fillebrown reviews the Staff Report and states representatives from PG&E and MID are present to answer questions. Mr. Fillebrown reviews the history of electrical services for the county buildings and the proposal process. He states for the record the one complication would be the exit fee, which would be the surcharge, charged by PG&E to exit.

Mark Hendricksen, PG&E representative, states PG&E has concerns for a multitude of reasons and he is present to provide accurate information. He reviews the CPUC authorized refunds and states the fee submitted by PG&E does not include the rate reductions to the original proposal submitted and did not consider the rate reductions of the bankruptcy court. He briefly reviews the CPUC changes, updates to fees, refunds and credits stating if Merced County exits they are not eligible to receive the credit.

Mr. Hendricksen further states Merced County will only save money by staying with PG&E and requests consideration of a no vote or table the information based on information received. He states for the record that this is no fault to county staff and they now have updated information.

Supervisor O'Banion questions the guarantee of the PG&E proposal of the rate reductions.

County Counsel, Ruben Castillo, states the settlement agreement between PG&E and CPUC is subject to the Bankruptcy Court final approval.

Mr. Fillebrown rebuttals stating he takes issue with the errors and omissions statement by PG&E, reviews the past history of the building and the cost savings shown by MID and other county buildings and recommends to the Board that the Board select MID.

Supervisor Kelsey questions the new information and requests that the Board wait to make a decision until the Board can see the additional information which has not been provided.

The Board discusses the RFP process and the correct steps to take in the event new information is submitted.

MID Assistant General Manager-Energy Resources Garith Krause reviews the rate refunds stating the exit fee charge was incorporated in their evaluation and there is a range of savings with or without the exit fees. He further states MID is in its 9<sup>th</sup> year of developing electrical utility services and provide services to 2200 customers. He urges Merced County's support.

Public Works Administrative Engineer Curt Royer appears and reviews the change over period.

Supervisor O'Banion withdraws the motion on the floor.

Following further discussion, Supervisor O'Banion moves, seconded by Supervisor Nelson, the Board accept the recommendation of Public Works to select Merced Irrigation District (MID) to provide electrical services for the Human Services Agency and Agricultural Center located on Wardrobe in Merced and authorizes the Chairman to sign the contract.

Concern is expressed by the Board on not having all the information before the Board.

Supervisor O'Banion amends the Original Motion to include: the time period from the date of power service begins be extended for this amount of time.

The Chairman calls for the vote on the Original Motion.

Supervisors Cortez Keene, Nelson and Kelsey vote "no". Motion fails.

The Chairman calls for the vote on the Original Motion with the Amendment.

Supervisors Cortez Keene, Nelson and Kelsey vote "no". Motion fails.

Following discussion, Supervisor Cortez Keene moves, seconded by Supervisor Nelson, the Board hold back on this item until further information is received from PG&E and MID and then the Board will make a decision.

Following further discussion, the Board amends the Motion to include: and sets September 30, 2003 as the deadline to submit information with the matter to come to the Board on October 7, 2003.

County Counsel, Ruben Castillo states this information is based on both parties providing additional information and will not jeopardize the RFP process.

The Board discusses whether or not this is ample time to come forward with a recommendation to the Board.

The Chairman calls for a vote on the Amendment to the Motion. Motion carries.  
Ayes: Crookham, Cortez Keene, Nelson, Kelsey, O'Banion

**ACTION ITEM NO. 47**  
**2003-09-09 RETIREMENT**

Upon motion of Supervisor Nelson, seconded by Supervisor O'Banion, duly carried, the Board adopts the recommended Retirement contribution rates for FY 2003-2004 as follows:

	<u>Normal Cost</u>	<u>Unfunded Liability (UAAL)</u>	<u>Total</u>
TIER 1 General	6.94%	(0.27)%	6.67%
TIER 2 General	5.92%	(0.27)%	5.65%
TIER 1 Safety	17.26%	4.71%	21.97%
TIER 2 Safety	12.08%	4.71%	16.79%

And accepts Merced County Employees Retirement Association, MCERA Resolution No. 2003-02, Resolution to establish a policy for the crediting of interest to the various reserves within the MCERA Trust as the Interest Credit Policy effective September 10, 2003.

Ayes: Crookham, Cortez Keene, Nelson, Kelsey, O'Banion

# SUMMARY ACTION MINUTES

## MERCED COUNTY IN-HOME SUPPORTIVE SERVICES (IHSS) PUBLIC AUTHORITY

**Regular Meeting**  
**TUESDAY, SEPTEMBER 9, 2003**  
**9:00 A. M.**

MERCED COUNTY  
ADMINISTRATION BUILDING  
2222 "M" STREET  
BOARD ROOM, THIRD FLOOR  
MERCED, CALIFORNIA 95340  
(209) 385-7366

DEMITRIOS O. TATUM  
COUNTY EXECUTIVE OFFICER

GLORIA CORTEZ KEENE.....DISTRICT 1  
CHAIR KATHLEEN M. CROOKHAM....DISTRICT 2  
MICHAEL G. NELSON.....DISTRICT 3  
DEIDRE F. KELSEY....DISTRICT 4  
JERRY O'BANION.....DISTRICT 5  
Lydia A. Beiswanger, Chief Clerk

RUBEN E. CASTILLO  
COUNTY COUNSEL

*All supporting documentation is available for public review in the Office of the Clerk of the Board of Supervisors located in the County Administration Building, Third Floor, 2222 "M" Street, Merced, California, 95340  
During regular business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday.  
(209) 385-7366*

9:00 A. M.

### **IN-HOME SUPPORTIVE SERVICES (IHSS) PUBLIC AUTHORITY**

**CLOSED SESSION:** It is the intention of the IHSS Public Authority to meet in Closed Session pursuant to Subdivision (f) of Section 54957.6 concerning Conference with County of Merced Staff Negotiators(s) and United Domestic Workers (UDW)

**THE BOARD RECESSED AT 9:00 A.M. AND RECONVENED AT 10:00 A.M. WITH ALL MEMBERS PRESENT AND THE CHAIRMAN ADVISED STAFF WAS GIVEN DIRECTION**