



SUMMARY OF PROCEEDINGS

KERN COUNTY HOSPITAL AUTHORITY BOARD OF GOVERNORS

**Kern Medical Center
1700 Mount Vernon Avenue
Conference Room 1058
Bakersfield, California 93306**

Regular Meeting
Wednesday, November 14, 2018

11:30 A.M.

BOARD RECONVENED

Directors Present: Berjis, Bigler, Brar, Lawson, Pelz, Sistrunk
Directors Absent: McLaughlin

NOTE: The vote is displayed in bold below each item. For example, Lawson-McLaughlin denotes Director Lawson made the motion and Vice Chair McLaughlin seconded the motion.

CONSENT AGENDA/OPPORTUNITY FOR PUBLIC COMMENT: ALL ITEMS LISTED WITH A "CA" WERE CONSIDERED TO BE ROUTINE AND APPROVED BY ONE MOTION.

BOARD ACTION SHOWN IN CAPS

PUBLIC PRESENTATIONS

- 1) This portion of the meeting is reserved for persons to address the Board on any matter not on this agenda but under the jurisdiction of the Board. Board members may respond briefly to statements made or questions posed. They may ask a question for clarification, make a referral to staff for factual information or request staff to report back to the Board at a later meeting. Also, the Board may take action to direct the staff to place a matter of business on a future agenda. **SPEAKERS ARE LIMITED TO TWO MINUTES. PLEASE STATE AND SPELL YOUR NAME BEFORE MAKING YOUR PRESENTATION. THANK YOU!**

NO ONE HEARD

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 2) On their own initiative, Board members may make an announcement or a report on their own activities. They may ask a question for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda (Government Code section 54954.2(a)(2))

NO ONE HEARD

PUBLIC REQUEST

- 3) Request to accept restricted monetary donation from Kern Health Systems for use by the Kern Medical Valley Fever Institute –
RUSSELL V. JUDD, KERN MEDICAL CENTER, ROYCE H. JOHNSON, M.D., KERN MEDICAL CENTER, DOUGLAS A. HAYWARD, KERN HEALTH SYSTEMS, AND ASHLEY VILLEGAS, HEARD; MADE PRESENTATION OF RESTRICTED MONETARY DONATION IN THE AMOUNT OF \$100,000 TO THE KERN MEDICAL VALLEY FEVER INSTITUTE; APPROVED
Berjis-Brar: 6 Ayes; 1 Absent - McLaughlin

RECOGNITION

- 4) Presentation by the Chief Executive Officer recognizing Kalina Downs, RN, Clinical Nurse Leader, Inpatient Psychiatry Unit as recipient of a Gold and Silver Medal at the 2018 International Adult Figure Skating Competition in Burnaby, British Columbia –
MADE PRESENTATION

TEMS FOR CONSIDERATION

CA

- 5) Minutes for Kern County Hospital Authority Board of Governors regular meeting on October 17, 2018 –
APPROVED
Lawson-Pelz: 6 Ayes; 1 Absent - McLaughlin

CA

- 6) Proposed Amendment No. 2 to Agreement 582-2015 with Michael G. Meyers, M.D. and Eric Trefelner, M.D., Inc. doing business as NightShift Radiology, an independent contractor, for after-hours teleradiology services for the period September 1, 2015 through November 30, 2018, extending the term for two years from December 1, 2018 through November 30, 2020, and increasing the maximum payable by \$60,000, from \$900,000 to \$960,000, to cover the extended term –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 075-2018
Lawson-Pelz: 6 Ayes; 1 Absent - McLaughlin

CA

- 7) Proposed purchase of real property located at 3551 Q Street, Bakersfield, California, Kern County Assessor Parcel Number 120-181-54, from Mushtaq Ahmed and Rehmat Ahmed, for a purchase price of \$2.9 million and closing costs not to exceed \$30,000 – MADE FINDING PROJECT IS EXEMPT FROM FURTHER CEQA REVIEW PER SECTIONS 15301, 15302, 15303, 15304, 15305, 15306, AND 15061(b)(3) OF STATE CEQA GUIDELINES; APPROVED; ADOPTED RESOLUTION 2018-014; AUTHORIZED CHIEF EXECUTIVE OFFICER TO ACCEPT GRANT DEED ON BEHALF OF KERN COUNTY HOSPITAL AUTHORITY AND SIGN ALL ESCROW DOCUMENTS INCLUDING AGREEMENT 076-2018; DIRECTED STAFF TO ISSUE WARRANT PAYABLE TO CHICAGO TITLE COMPANY
Lawson-Pelz: 6 Ayes; 1 Absent - McLaughlin

CA

- 8) Proposed Incumbency Certificate with Presidio Technology Capital, LLC, an independent contractor, designating the Chief Executive Officer to sign documents in connection with the financing of data storage equipment – APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 077-2018; AUTHORIZED CHIEF EXECUTIVE OFFICER TO SIGN DOCUMENTS IN CONNECTION WITH FINANCING OF EQUIPMENT FROM PRESIDIO TECHNOLOGY CAPITAL, LLC
Lawson-Pelz: 6 Ayes; 1 Absent - McLaughlin

CA

- 9) Proposed Agreement with Ray A Morgan Company, an independent contractor, containing nonstandard terms and conditions, for lease and maintenance of printers and facsimile machines from November 20, 2018 through November 19, 2023, in an amount not to exceed \$1,862,334 – APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 078-2018
Lawson-Pelz: 6 Ayes; 1 Absent - McLaughlin

CA

- 10) Proposed Agreement with Eugene H. Roos, D.O., an independent contractor, for professional medical services in the Department of Radiology from December 17, 2018 through December 16, 2020, in an amount not to exceed \$730,000 – APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 079-2018
Lawson-Pelz: 6 Ayes; 1 Absent - McLaughlin

CA

- 11) Proposed Agreement with Voya Institutional Trust Company, an independent contractor, for services as custodian of assets held in trust for the benefit of participants in the Kern County Hospital Authority Defined Contribution Plan for Management, Mid-Management and Confidential Employees – APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 080-2018
Lawson-Pelz: 6 Ayes; 1 Absent - McLaughlin

CA

- 12) Proposed Application for Group Annuity Contract with Voya Retirement Insurance and Annuity Company, and Agreement with Voya Retirement Insurance and Annuity Company and Voya Financial Partners, LLC, for administrative services related to the Kern County Hospital Authority Defined Contribution Plan for Management, Mid-Management and Confidential Employees –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENTS 081A-2018 and 081B-2018
Lawson-Pelz: 6 Ayes; 1 Absent - McLaughlin

CA

- 13) Proposed adoption of the Kern County Hospital Authority Defined Contribution Plan for Management, Mid-Management and Confidential Employees and approval of Adoption Agreement and Summary of Plan Provisions –
APPROVED AGREEMENTS 082A-2018, 082B-2018 AND 082C-2018; ADOPTED RESOLUTION 2018-015; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 082C-2018
Lawson-Pelz: 6 Ayes; 1 Absent - McLaughlin

CA

- 14) Proposed Resolution providing for changes in the terms and conditions of employment for unrepresented employees classified as management, mid-management and confidential –
APPROVED; ADOPTED RESOLUTION 2018-016; DIRECTED CHIEF EXECUTIVE OFFICER, CHIEF FINANCIAL OFFICER AND HUMAN RESOURCES TO IMPLEMENT CHANGES
Lawson-Pelz: 6 Ayes; 1 Absent - McLaughlin

- 15) Proposed regular meeting dates of the Kern County Hospital Authority Board of Governors for calendar year 2019 –
DISCUSSED; PROVIDED DIRECTION FOR REGULAR MEETING DATES IN APRIL AND MAY 2019

- 16) Kern County Hospital Authority Chief Financial Officer report –
RECEIVED AND FILED
Pelz-Berjis: 6 Ayes; 1 Absent - McLaughlin

- 17) Kern County Hospital Authority Chief Executive Officer report –
RECEIVED AND FILED
Sistrunk-Berjis: 6 Ayes; 1 Absent - McLaughlin

CA

- 18) Claims and Lawsuits Filed as of October 31, 2018 –
RECEIVED AND FILED
Lawson-Pelz: 6 Ayes; 1 Absent - McLaughlin

ADJOURNED TO CLOSED SESSION

Berjis-Pelz

CLOSED SESSION

- 19) Request for Closed Session regarding peer review of health practitioners (Health and Safety Code Section 101855(j)(2)) – SEE RESULTS BELOW
- 20) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Fatima Leon Tinoco, et al. v. County of Kern, et al., Kern County Superior Court Case No. BCV-17-100657 TSC – SEE RESULTS BELOW
- 21) PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Title: Chief Executive Officer (Government Code Section 54957) – SEE RESULTS BELOW
- 22) Request for Closed Session for the purpose of discussion or taking action on authority trade secrets (Health and Safety Code Section 101855(e)(1)) – SEE RESULTS BELOW
- 23) CONFERENCE WITH LABOR NEGOTIATORS - Agency designated representatives: Vice President & General Counsel Karen S. Barnes and designated staff – Unrepresented Employee: Chief Executive Officer (Government Code Section 54957.6) – SEE RESULTS BELOW

RECONVENED FROM CLOSED SESSION

Berjis-Sistrunk

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

Item No. 19 concerning Request for Closed Session regarding peer review of health practitioners (Health and Safety Code Section 101855(j)(2)) – HEARD; BY A UNANIMOUS VOTE OF THOSE DIRECTORS PRESENT (MOTION BY DIRECTOR PELZ, SECOND BY DIRECTOR SISTRUNK; 1 ABSTENTION - DIRECTOR BERJIS; 1 ABSENT - DIRECTOR MCLAUGHLIN), THE BOARD APPROVED ALL PROVIDERS RECOMMENDED FOR INITIAL APPOINTMENT, REAPPOINTMENT, RELEASE OF PROCTORING, VOLUNTARY RESIGNATION OF PRIVILEGES, AND AUTOMATIC TERMINATION OF PRIVILEGES; NO OTHER REPORTABLE ACTION TAKEN

Item No. 20 concerning CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Fatima Leon Tinoco, et al. v. County of Kern, et al., Kern County Superior Court Case No. BCV-17-100657 TSC – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 21 concerning PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Title: Chief Executive Officer (Government Code Section 54957) – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 22 concerning Request for Closed Session for the purpose of discussion or taking action on authority trade secrets (Health and Safety Code Section 101855(e)(1)) – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 23 concerning CONFERENCE WITH LABOR NEGOTIATORS - Agency designated representatives: Vice President & General Counsel Karen S. Barnes and designated staff – Unrepresented Employee: Chief Executive Officer (Government Code Section 54957.6) – HEARD; NO REPORTABLE ACTION TAKEN

ADJOURNED TO WEDNESDAY, DECEMBER 12, 2018, AT 11:30 A.M.

Berjis



/s/ Mona A. Allen
Authority Board Coordinator



/s/ Russell E. Bigler
Chairman, Board of Governors
Kern County Hospital Authority