



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, August 21, 2019

11:30 A.M.

BOARD RECONVENED

Board Members: Alsop, Berjis, Bigler, Brar, McLaughlin, Pelz, Sistrunk
ROLL CALL: 5 Present; 2 Absent – McLaughlin, Pelz

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

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

BOARD ACTION SHOWN IN CAPS

NOTE: DIRECTOR PELZ ARRIVED AFTER THE VOTE ON THE CONSENT AGENDA

NOTE: CHIEF FINANCIAL OFFICER ANDREW CANTU ARRIVED AFTER THE VOTE ON THE CONSENT AGENDA

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. In addition, 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))

CHAIRMAN BIGLER REPORTED ON HIS ATTENDANCE AT THE VALLEY FEVER WALK AND THE PUBLIC INFORMATION AND EDUCATIONAL OPPORTUNITY OFFERED

RECOGNITION

- 3) Presentation by the Chief Executive Officer recognizing the American Heart Association Stroke Gold Plus Achievement Award presented to Kern Medical Center –
MADE PRESENTATION; KATAYOUN SABETIAN, M.D., AND KIRON THOMAS, M.D.,
HEARD

ITEMS FOR CONSIDERATION

CA

- 4) Minutes for Kern County Hospital Authority Board of Governors regular meeting on July 17, 2019 –
APPROVED
Berjis-Brar: 5 Ayes; 2 Absent - McLaughlin, Pelz

CA

- 5) Proposed Resolution in the matter of compliance with Health and Safety Code Section 130066 (AB 2190) regarding the deadline for substantial compliance the seismic safety regulations and standards described in Health and Safety Code Section 130065 –
APPROVED; ADOPTED RESOLUTION 2019-007
Berjis-Brar: 5 Ayes; 2 Absent - McLaughlin, Pelz

CA

- 6) Proposed retroactive Allied Health Education Program Agreement with Kern Community College District, an independent contractor, containing non-standard terms and conditions, for clinical laboratory instruction of students at Kern Medical Center and its affiliated clinics, from July 1, 2019 through June 30, 2022 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 048-2019
Berjis-Brar: 5 Ayes; 2 Absent - McLaughlin, Pelz

CA

- 7) Proposed Agreement with Cantu Management Group, Inc., an independent contractor, for Chief Financial Officer and healthcare consulting and financial management services from September 1, 2019 through August 31, 2023, in an amount not to exceed \$7,200,000 for the period September 1, 2019 through August 31, 2021 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 049-2019
Berjis-Brar: 5 Ayes; 2 Absent - McLaughlin, Pelz

CA

- 8) Proposed request to close Kern County Hospital Authority fiduciary fund (Fund 42930) within the Financial Management System of the County of Kern –
APPROVED; ADOPTED RESOLUTION 2019-008; AUTHORIZED CHIEF FINANCIAL OFFICER TO DIRECT KERN COUNTY AUDITOR-CONTROLLER-COUNTY CLERK TO CLOSE FUND 42930 AND TRANSFER ANY REMAINING FUNDS TO KERN COUNTY HOSPITAL AUTHORITY
Berjis-Brar: 5 Ayes; 2 Absent - McLaughlin, Pelz

CA

- 9) Proposed retroactive Amendment No. 1 to Agreement 011-1019 with PNC Bank, National Association (PNC Bank), for a revolving line of credit for the period March 1, 2019 through February 28, 2021, to permit an increase in the principal amount to \$50,000,000 at any time within the two-year term of the Agreement, effective July 1, 2019, and delegating authority to certain officers –
APPROVED; ADOPTED RESOLUTION 2019-009; AUTHORIZED AND DIRECTED ANY TWO OF THE FOLLOWING OFFICERS (EACH, AN “AUTHORIZED OFFICER”), FOR AND IN THE NAME OF AND ON BEHALF OF THE AUTHORITY, TO EXECUTE THE FIRST AMENDMENT CREDIT AGREEMENT AND PROMISSORY NOTE 050-2019, SUBSTANTIALLY IN THE FORM PRESENTED TO THIS BOARD, WITH SUCH CHANGES AS THE AUTHORIZED OFFICERS EXECUTING THE SAME, TOGETHER WITH THE VICE PRESIDENT & GENERAL COUNSEL OF THE AUTHORITY, SHALL APPROVE: CHAIRMAN OF THIS BOARD, VICE-CHAIRMAN OF THIS BOARD, CHIEF EXECUTIVE OFFICER OF THE AUTHORITY, CHIEF STRATEGY OFFICER OF THE AUTHORITY OR CHIEF FINANCIAL OFFICER OF THE AUTHORITY
Berjis-Brar: 5 Ayes; 2 Absent - McLaughlin, Pelz

CA

- 10) Proposed retroactive Amendment No. 1 to Agreement 01419 with Kaufman, Hall & Associates, LLC, an independent contractor, for treasury services implementation support for the period February 1, 2019 through July 31, 2019, extending the term for a period of four months from August 1, 2019 through November 30, 2019, and increasing the maximum payable by \$120,600, from \$193,500 to \$314,100, to cover the extended term –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 051-2019
Berjis-Brar: 5 Ayes; 2 Absent - McLaughlin, Pelz

CA

- 11) Proposed Resolution in the matter of revising the extension of excess medical professional liability coverage for Kern Medical Center employed and independent contractor physicians, effective August 21, 2019 –
APPROVED; ADOPTED RESOLUTION 2019-010
Berjis-Brar: 5 Ayes; 2 Absent - McLaughlin, Pelz

CA

- 12) Proposed Agreement with Pacific Gynecologic Specialists, an independent contractor, for professional medical services in the Department of Obstetrics and Gynecology from September 1, 2019 through August 31, 2021, in an amount not to exceed \$800,000 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 052-2019
Berjis-Brar: 5 Ayes; 2 Absent - McLaughlin, Pelz

- 13) Kern County Hospital Authority Chief Financial Officer report –
RECEIVED AND FILED
Pelz-Sistrunk: 6 Ayes; 1 Absent - McLaughlin
 - 14) Kern County Hospital Authority Chief Executive Officer report –
RECEIVED AND FILED
Sistrunk-Brar: 6 Ayes; 1 Absent - McLaughlin
- CA
- 15) Claims and Lawsuits Filed as of July 31, 2019 –
RECEIVED AND FILED
Berjis-Brar: 5 Ayes; 2 Absent - McLaughlin, Pelz

ADJOURNED TO CLOSED SESSION
Pelz-Sistrunk

CLOSED SESSION

- 16) Request for Closed Session regarding peer review of health practitioners (Health and Safety Code Section 101855(j)(2)) – SEE RESULTS BELOW
- 17) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Government Code Section 54956.9(d)(1)) Name of case: Eric vanSonnenberg, M.D. v. County of Kern, et al., Kern County Superior Court Case No. BCV-15-100859 TSC – SEE RESULTS BELOW
- 18) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Government Code Section 54956.9(d)(1)) Name of case: Service Employees International Union, Local 521 v. County of Kern, et al., Public Employment Relations Board Case No. LA-CE-1084-M – SEE RESULTS BELOW
- 19) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
(Government Code Section 54956.9(d)(2), (e)(2).) Number of cases: Two (2) Significant exposure to litigation in the opinion of the Board of Governors on the advice of legal counsel, based on: Facts and circumstances, including, but not limited to, an accident, disaster, incident, or transactional occurrence that might result in litigation against the Authority and that are known to a potential plaintiff or plaintiffs – SEE RESULTS BELOW
- 20) PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Title: Chief Executive Officer
(Government Code Section 54957) – SEE RESULTS BELOW
- 21) 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

RECONVENED FROM CLOSED SESSION
Berjis-Brar

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

Item No. 16 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 BRAR; 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. 17 concerning CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Eric vanSonnenberg, M.D. v. County of Kern, et al., Kern County Superior Court Case No. BCV-15-100859 TSC – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 18 concerning CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Service Employees International Union, Local 521 v. County of Kern, et al., Public Employment Relations Board Case No. LA-CE-1084-M – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 19 concerning CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Government Code Section 54956.9(d)(2), (e)(2).) Number of cases: Two (2) Significant exposure to litigation in the opinion of the Board of Governors on the advice of legal counsel, based on: Facts and circumstances, including, but not limited to, an accident, disaster, incident, or transactional occurrence that might result in litigation against the Authority and that are known to a potential plaintiff or plaintiffs – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 20 concerning PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Title: Chief Executive Officer (Government Code Section 54957) – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 21 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

ADJOURNED TO WEDNESDAY, SEPTEMBER 18, 2019, 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