



## **SUMMARY OF PROCEEDINGS**

### **KERN COUNTY HOSPITAL AUTHORITY BOARD OF GOVERNORS**

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

Regular Meeting  
Wednesday, July 20, 2016

11:30 A.M.

BOARD RECONVENED

Directors present: Berjis, Bigler, McGauley, McLaughlin, Sistrunk

Directors absent: Nilon, Pelz

NOTE: The vote is displayed in bold below each item. For example, Nilon-McLaughlin denotes Director Nilon 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**

ITEMS FOR CONSIDERATION

- 3) Certificates of Recognition honoring George Bratton, RN, Valorie Farquharson, RN, Jesika Henry, RN, and Lucinda Sager, RN, for their volunteer efforts to evacuate and transport patients during the Erskine fire –  
MADE PRESENTATION

CA

- 4) Minutes for Kern County Hospital Authority Board of Governors regular meeting on June 22, 2016 –  
APPROVED  
**McGauley-Berjis: 5 Ayes; 2 Absent - Nilon, Pelz**

CA

- 5) Proposed Amendment No. 5 to Agreement 194-2012 with Ravi Patel, M.D., doing business as Comprehensive Blood and Cancer Center, an independent contractor, for medical practice management services at Kern Medical-leased clinics, extending the term for one year from August 1, 2016 through July 31, 2017, and increasing the maximum payable by \$573,000, from \$1,573,000 to \$2,146,000, to cover the extended term –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN **AGREEMENT 2016-049**  
**McGauley-Berjis: 5 Ayes; 2 Absent - Nilon, Pelz**

***CORRECTION PER SUMMARY OF OCTOBER 19, 2016, ITEM 17***

CA

- 6) Proposed Agreement with Oracle America, Inc., an independent contractor, for purchase of a perpetual software license in conjunction with the PeopleSoft core financial system (Fiscal Impact: None) –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN **AGREEMENT 2016-050**  
**McGauley-Berjis: 5 Ayes; 2 Absent - Nilon, Pelz**

***CORRECTION PER SUMMARY OF OCTOBER 19, 2016, ITEM 17***

CA

- 7) Proposed Resolution authorizing Counsel for the Kern County Hospital Authority to settle claims pursuant to Government Code Section 935.4 –  
APPROVED; ADOPTED RESOLUTION 2016-014  
**McGauley-Berjis: 5 Ayes; 2 Absent - Nilon, Pelz**

CA

- 8) Proposed Agreement with Mission Linen Supply, an independent contractor, for linen supply items from August 1, 2016 through July 31, 2018, in an amount not to exceed \$1,880,000 –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN **AGREEMENT 2016-051**  
**McGauley-Berjis: 5 Ayes; 2 Absent - Nilon, Pelz**

***CORRECTION PER SUMMARY OF OCTOBER 19, 2016, ITEM 17***

CA

- 9) Proposed retroactive Agreement with Best Electric, an independent contractor, for C wing emergency power distribution upgrade, in an amount not to exceed \$669,800, effective July 1, 2016 –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN **AGREEMENT 2016-052**  
**McGauley-Berjis: 5 Ayes; 2 Absent - Nilon, Pelz**

***CORRECTION PER SUMMARY OF OCTOBER 19, 2016, ITEM 17***

- 10) Kern County Hospital Authority Chief Executive Officer report -  
RECEIVED AND FILED  
**McLaughlin-Sistrunk: 5 Ayes; 2 Absent - Nilon, Pelz**

- 11) Kern County Hospital Authority Chief Financial Officer report -  
RECEIVED AND FILED  
**McGauley-McLaughlin: 5 Ayes; 2 Absent - Nilon, Pelz**

- 12) Proposed retroactive Agreement with Kapsis Investments, Inc., doing business as Kapsis Technical Services, an independent contractor, for temporary staffing of information technology personnel from July 1, 2016 through June 30, 2017, in an amount not to exceed \$1,650,000 –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN **AGREEMENT 2016-053**;  
AUTHORIZED CHIEF FINANCIAL OFFICER TO SIGN STATEMENTS OF WORK  
**Berjis-McGauley: 5 Ayes; 2 Absent - Nilon, Pelz**

***CORRECTION PER SUMMARY OF OCTOBER 19, 2016, ITEM 17***

- 13) Proposed Premium Finance Agreement with IPFS Corporation of California, doing business as IPFS Corporation, an independent contractor, for financing of insurance premiums, effective August 1, 2016, in an amount not to exceed \$778,268 –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN **AGREEMENT 2016-054**  
**Berjis-McLaughlin: 5 Ayes; 2 Absent - Nilon, Pelz**

***CORRECTION PER SUMMARY OF OCTOBER 19, 2016, ITEM 17***

ADJOURNED TO CLOSED SESSION

**Sistrunk-McGauley**

CLOSED SESSION

- 14) Request for Closed Session regarding peer review of health practitioners (Health and Safety Code Section 101855(j)(2)) – SEE RESULTS BELOW
- 15) Request for Closed Session regarding peer review of health facilities (Health and Safety Code Section 101855(j)(2)) – SEE RESULTS BELOW
- 16) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Bravo v. County of Kern, et al., Kern County Superior Court Case No. S-1500-CV-280293 – SEE RESULTS BELOW
- 17) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Winston v. County of Kern, et al., Kern County Superior Court Case No. S-1500-CV-280158 LHB – SEE RESULTS BELOW
- 18) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Jackson v. County of Kern, Kern County Superior Court Case No. BCV-15-101497 SPC – SEE RESULTS BELOW
- 19) 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
- 20) PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Title: Kern County Hospital Authority Chief Financial Officer (Government Code Section 54957) – SEE RESULTS BELOW
- 21) CONFERENCE WITH LABOR NEGOTIATORS - Agency designated representatives: Chief Executive Officer Russell V. Judd and designated staff - Unrepresented Employee: Kern County Hospital Authority Chief Financial Officer (Government Code Section 54957.6) – SEE RESULTS BELOW

RECONVENED FROM CLOSED SESSION

**Berjis-McLaughlin**

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

Item No. 14 concerning a 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 (2 ABSENT - NILON, PELZ), THE BOARD APPROVED ALL PRACTITIONERS RECOMMENDED FOR INITIAL APPOINTMENT, REAPPOINTMENT, RELEASE FROM PROCTORING, AND TERMINATION OF PRIVILEGES (AUTOMATIC AND VOLUNTARY); THERE WERE NO ABSTENTIONS

Item No. 15 concerning a Request for Closed Session regarding peer review of health facilities (Health and Safety Code Section 101855(j)(2)) – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 16 concerning CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Bravo v. County of Kern, et al., Kern County Superior Court Case No. S-1500-CV-280293 – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 17 concerning CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Winston v. County of Kern, et al., Kern County Superior Court Case No. S-1500-CV-280158 LHB – 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: Jackson v. County of Kern, et al., Kern County Superior Court Case No. BCV-15-101497 SPC – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 19 concerning a Request for Closed Session regarding discussion or taking action on authority trade secrets (Health and Safety Code Section 101855(e)(1)) – HEARD; NO REPORTABLE ACTION TAKEN

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

Item No. 21 concerning CONFERENCE WITH LABOR NEGOTIATORS – Agency designated representatives: Chief Executive Officer Russell V. Judd and designated staff – Unrepresented Employee: Kern County Hospital Authority Chief Financial Officer (Government Code Section 54957.6) – HEARD; NO REPORTABLE ACTION TAKEN

ADJOURNED TO WEDNESDAY, AUGUST 17, 2016 AT 11:30 A.M.

**Berjis**

/s/ Raquel D. Fore  
Authority Board Coordinator

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