



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, January 18, 2017

11:30 A.M.

BOARD RECONVENED

Directors present: Berjjs, Bigler, Lawson, McGauley, McLaughlin, Pelz, Sistrunk
Directors absent: None

NOTE: The vote is displayed in bold below each item. For example, Lawson-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!**

COUNSEL REPORTED ON TWO IMPORTANT ACTIONS TAKEN BY THE KERN COUNTY BOARD OF SUPERVISORS IN DECEMBER 2016, EACH CONCERNING THE KERN COUNTY HOSPITAL AUTHORITY. FIRST, ON DECEMBER 6, 2016, THE BOARD OF SUPERVISORS INTRODUCED AN AMENDMENT TO THE

ENABLING ORDINANCE CONCERNING THE DESIGNATION BY THE COUNTY ADMINISTRATIVE OFFICER OF A DESIGNEE APPOINTED BY THE BOARD OF SUPERVISORS TO ACT IN MATTERS RELATED TO THE AUTHORITY AND APPOINTED ASSISTANT COUNTY ADMINISTRATIVE OFFICER FOR BUDGET AND FINANCE NANCY LAWSON WITH A TERM TO EXPIRE DECEMBER 31, 2017; THE AMENDED ORDINANCE IS EFFECTIVE JANUARY 13, 2017. SECOND, ON DECEMBER 13, 2016, THE BOARD OF SUPERVISORS INTRODUCED AN AMENDMENT TO THE ENABLING ORDINANCE TO AUTHORIZE THE KERN COUNTY HOSPITAL AUTHORITY TO PROVIDE OR ARRANGE FOR LEGAL COUNSEL AND RELATED SERVICES; THE AMENDED ORDINANCE IS EFFECTIVE JANUARY 20, 2017

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

RECOGNITION

- 3) Presentation recognizing John Nilon, County Administrative Officer (Ret.), for his years of service to Kern Medical and the Kern County Hospital Authority Board of Governors –
MADE PRESENTATION; JOHN NILON HEARD

ITEMS FOR CONSIDERATION

- CA
4) Minutes for Kern County Hospital Authority Board of Governors regular meeting on December 14, 2016 –
APPROVED
Pelz-Lawson: All Ayes
- 5) Proposed retroactive Agreement with Zones, Inc. of Washington, an independent contractor, for purchase of software licenses (Quote K0499520) in an amount not to exceed \$1,145,006 and hardware (Quote K0499502) in an amount not to exceed \$3,546,874, effective January 10, 2017, to support the hospital and clinic IT infrastructure project –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 2017-001; AUTHORIZED CHIEF EXECUTIVE OFFICER TO SIGN PURCHASE ORDERS
Berjis-McGauley: All Ayes

CA

- 6) Proposed Resolution authorizing the Kern County Hospital Authority to participate in the group purchasing program with Quorum Purchasing Advantage, LLC, an independent contractor, Enhanced Purchasing Services Agreement with Quorum Purchasing Advantage, LLC, for access to group purchasing services through HealthTrust Purchasing Group, L.P., and Participation Agreement with HealthTrust Purchasing Group, L.P., from February 1, 2017 through January 31, 2022, in exchange for an administrative fee equal to 3% or less of the purchase price of the goods and services purchased from participating vendors –
APPROVED; ADOPTED RESOLUTION 2017-001; AUTHORIZED CHAIRMAN TO SIGN AGREEMENTS 2017-002 AND 2017-002-A SUBJECT TO APPROVAL AS TO FORM BY COUNSEL
Pelz-Lawson: All Ayes

CA

- 7) Proposed Change Order No. 1 to Agreement 2016-52 with Best Electric, an independent contractor, for construction management services related to the emergency power distribution upgrades, providing a credit in the amount of \$5,579, for labor, material, and equipment, and decreasing the maximum payable to a new amount not to exceed \$664,222 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 2017-003
Pelz-Lawson: All Ayes

CA

- 8) Proposed Change Order No. 1 to Agreement 2016-086 with Black/Hall Construction, Inc., an independent contractor, for construction management services related to the G wing decommission project, increasing of the maximum payable by \$70,800, to cover the cost of additional services –
MADE FINDING PROJECT IS EXEMPT FROM FURTHER CEQA REVIEW PER SECTIONS 15301 AND 15061(b)(3) OF STATE CEQA GUIDELINES; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 2017-004
Pelz-Lawson: All Ayes

CA

- 9) Proposed Amendment No. 8 to Agreement 1324502 with Vantage Technology Consulting Group, an independent contractor, for construction management services related to completion of the B wing emergency power project and IDF closet upgrades, increasing the maximum payable by \$49,522, to cover the cost of additional services –
MADE FINDING PROJECT IS EXEMPT FROM FURTHER CEQA REVIEW PER SECTIONS 15301 AND 15061(b)(3) OF STATE CEQA GUIDELINES; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 2017-005
Pelz-Lawson: All Ayes

CA

- 10) Proposed Resolution authorizing Counsel to contract for expert legal services for claims and litigation management –
APPROVED; ADOPTED RESOLUTION 2017-002
Pelz-Lawson: All Ayes

CA

- 11) Proposed retroactive Amendment No. 4 to Agreement 883-2010 with Quest Diagnostics Clinical Laboratories, Inc., an independent contractor, for clinical laboratory services, extending the term for two years from September 21, 2016 through September 20, 2018, adding an updated price list, and increasing the maximum payable by \$1,800,000, from \$5,440,000 to \$7,240,000, to cover the extended term –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 2017-006
Pelz-Lawson: All Ayes

CA

- 12) Proposed Amendment No. 3 to Agreement 682-2011 with Orange Health Solutions, Inc., doing business as Citra Health Solutions, an independent contractor, for EZ-CAP software and maintenance, extending the term for five years from February 1, 2017 through January 31, 2022, and increasing the maximum payable by \$294,000, from \$239,276 to \$533,276, to cover the extended term –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 2017-007
Pelz-Lawson: All Ayes

CA

- 13) Proposed retroactive Amendment No. 2 to Agreement 358-2015 with Mercer (US) Inc., an independent contractor, for human resources consulting services, adding a statement of work for development of performance metrics and related compensation strategies, and increasing the maximum payable by \$80,000, from \$520,000 to \$600,000, to cover the cost of services –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AMENDMENT 2017-008;
AUTHORIZED COUNSEL TO SIGN STATEMENT OF WORK
Pelz-Lawson: All Ayes

CA

- 14) Kern County Hospital Authority Chief Executive Officer report –
RECEIVED AND FILED
Pelz-Lawson: All Ayes

- 15) Kern County Hospital Authority Chief Financial Officer report -
RECEIVED AND FILED
McGauley-Pelz: All Ayes

CA

- 16) Claims and Lawsuits Filed as of December 31, 2016 –
RECEIVED AND FILED
Pelz-Lawson: All Ayes

ADJOURNED TO CLOSED SESSION
Sistrunk-McLaughlin

CLOSED SESSION

- 17) PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Title: Chief Executive Officer (Government Code Section 54957) – SEE RESULTS BELOW
- 18) CONFERENCE WITH LABOR NEGOTIATORS - Agency designated representatives: Chief Deputy County Counsel Karen S. Barnes and designated staff – Unrepresented Employee: Kern County Hospital Authority Chief Executive Officer (Government Code Section 54957.6) – 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) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Jose Ramirez v. County of Kern, Workers' Compensation Appeals Board Case Nos. ADJ-7279531, ADJ-8654762, ADJ-8654827, ADJ-8654832 – SEE RESULTS BELOW
- 21) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Government Code Section 54956.9(d)(2), (e)(1).) Number of cases: Three hundred sixty-seven (367) Significant exposure to litigation in the opinion of the Board of Governors on the advice of legal counsel, based on: Facts and circumstances that might result in litigation against the authority but which the authority believes are not yet known to a potential plaintiff or plaintiffs, which facts and circumstances need not be disclosed – SEE RESULTS BELOW

RECONVENED FROM CLOSED SESSION
Berjis-Pelz

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

Item No. 17 concerning PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Title: Chief Executive Officer (Government Code Section 54957) – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 18 concerning CONFERENCE WITH LABOR NEGOTIATORS - Agency designated representatives: Chief Deputy County Counsel Karen S. Barnes and designated staff - Unrepresented Employee: Kern County Hospital Authority Chief Executive Officer (Government Code Section 54957.6) – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 19 concerning a 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. 20 concerning CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Jose Ramirez v. County of Kern, Workers' Compensation Appeals Board Case Nos. ADJ-7279531, ADJ-8654762, ADJ-8654827, ADJ-8654832 – HEARD; BY A UNANIMOUS VOTE OF THOSE DIRECTORS PRESENT (MOTION BY DIRECTOR MCLAUGHLIN, SECONDED BY DIRECTOR LAWSON; 1 ABSENT - SISTRUNK), THE BOARD APPROVED SETTLEMENT BY WAY OF A COMPROMISE AND RELEASE FOR \$90,000; AUTHORIZED THE CHIEF EXECUTIVE OFFICER OR HIS DESIGNEE TO ISSUE SETTLEMENT CHECKS AS REQUESTED BY COUNSEL; AND AUTHORIZED COUNSEL TO PRESENT THE PROPOSED SETTLEMENT TO THE WORKERS' COMPENSATION APPEALS BOARD AND TO EXECUTE ALL NECESSARY CLOSING DOCUMENTS

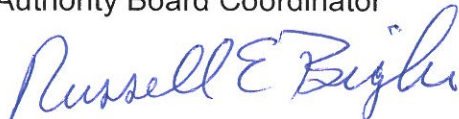
Item No. 21 concerning CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Government Code Section 54956.9(d)(2), (e)(1).) Number of cases: Three hundred sixty-seven (367) Significant exposure to litigation in the opinion of the Board of Governors on the advice of legal counsel, based on: Facts and circumstances that might result in litigation against the authority but which the authority believes are not yet known to a potential plaintiff or plaintiffs, which facts and circumstances need not be disclosed – HEARD; NO REPORTABLE ACTION TAKEN

ADJOURNED TO WEDNESDAY, FEBRUARY 15, 2017 AT 11:30 A.M.

Berjis



/s/ Raquel D. Fore
Authority Board Coordinator



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