



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, May 17, 2017

11:30 A.M.

BOARD RECONVENED

Directors present: Berjis, Bigler, Lawson, McGauley, McLaughlin, Pelz
Directors absent: Sistrunk

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!**

**DALE ROBBINS HEARD REGARDING STATUS OF CONTRACT NEGOTIATIONS
WITH SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 521**

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 the results of the Kern Medical Research Forum –
MADE PRESENTATION

ITEMS FOR CONSIDERATION

CA

- 4) Minutes for Kern County Hospital Authority Board of Governors regular meeting on April 19, 2017 –
APPROVED

Pelz-Lawson: 6 Ayes; 1 Absent - Sistrunk

- 5) Proposed Agreement with Ruby A. Skinner, M.D., a contract employee, for professional medical services in the Department of Surgery from July 1, 2017, through June 30, 2020, in an amount not to exceed \$1,950,000 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 2017-036

Berjis-McGauley: 6 Ayes; 1 Absent - Sistrunk

CA

- 6) Proposed Agreement with ATA Properties, LLC, an independent contractor, for lease of medical office space at 2920 F Street, Suites B-1 and B-2 for a term of 10 years commencing upon completion of Tenant Improvements, in an amount not to exceed \$914,204 –

APPROVED; MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA REVIEW PER SECTIONS 15301 AND 15061 (b)(3) OF STATE CEQA GUIDELINES; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 2017-037

Pelz-Lawson: 6 Ayes; 1 Absent - Sistrunk

- 7) Report on Graduate Medical Education Annual Institutional Review for 2016-2017 –
RECEIVED AND FILED

McLaughlin-Pelz: 6 Ayes; 1 Absent - Sistrunk

- 8) Kern County Hospital Authority Chief Financial Officer report –
RECEIVED AND FILED

Berjis-Lawson: 6 Ayes; 1 Absent - Sistrunk

- 9) Proposed Kern County Hospital Authority operating and capital budget for Fiscal year 2017-2018 –
APPROVED; REFERRED TO KERN COUNTY BOARD OF SUPERVISORS FOR APPROVAL
Pelz-McGauley: 6 Ayes; 1 Absent - Sistrunk
- 10) Kern County Hospital Authority Chief Executive Officer report –
RECEIVED AND FILED
Berjis-McLaughlin: 6 Ayes; 1 Absent - Sistrunk
- CA
- 11) Claims and Lawsuits Filed as of April 30, 2017 –
RECEIVED AND FILED
Pelz-Lawson: 6 Ayes; 1 Absent - Sistrunk

ADJOURNED TO CLOSED SESSION
McGauley-Pelz

CLOSED SESSION

- 12) Request for Closed Session regarding peer review of health practitioners (Health and Safety Code Section 101855(j)(2)) – SEE RESULTS BELOW
- 13) PUBLIC EMPLOYEE PERFORMANCE EVALUATION – Title: Chief Executive Officer (Government Code Section 54957) – SEE RESULTS BELOW
- 14) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Government Code Section 54956.9(d)(2), (e)(3)) Number of cases: One (1) Significant exposure to litigation in the opinion of the Board of Governors on the advice of legal counsel, based on: The receipt of a claim pursuant to the Government Claims Act or some other written communication from a potential plaintiff threatening litigation, which non-exempt claim or communication is available for public inspection – SEE RESULTS BELOW
- 15) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Elizabeth Tidwell, et al. v. County of Kern, et al., United States District Court, Case No. 1:16-CV-01697-JLT – SEE RESULTS BELOW
- 16) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Maria G. Villanueva v. County of Kern, et al., Kern County Superior Court, Case No. BCV-15-101614-SPC – SEE RESULTS BELOW

RECONVENED FROM CLOSED SESSION
Berjis-McGauley

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

Item No. 12 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 (MOTION BY DIRECTOR PELZ, SECONDED BY DIRECTOR BERJIS; 1 ABSENT - SISTRUNK), THE BOARD APPROVED ALL PROVIDERS RECOMMENDED FOR INITIAL APPOINTMENT, REAPPOINTMENT, RELEASE OF PROCTORING, ADVANCE IN STAFF STATUS, FOCUSED PROFESSIONAL PRACTICE EVALUATION, AND VOLUNTARY TERMINATION OF PRIVILEGES; NO OTHER REPORTABLE ACTION TAKEN

Item No. 13 concerning PUBLIC EMPLOYEE PERFORMANCE EVALUATION – Title: Chief Executive Officer (Government Code Section 54957) – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 14 concerning CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Government Code Section 54956.9(d)(2), (e)(3)) Number of cases: One (1) Significant exposure to litigation in the opinion of the Board of Governors on the advice of legal counsel, based on: The receipt of a claim pursuant to the Government Claims Act or some other written communication from a potential plaintiff threatening litigation, which non-exempt claim or communication is available for public inspection – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 15 concerning CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Elizabeth Tidwell, et al. v. County of Kern, et al., United States District Court, Case No. 1:16-CV-01697-JLT – 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: Maria G. Villanueva v. County of Kern, et al., Kern County Superior Court, Case No. BCV-15-101614 – HEARD; NO REPORTABLE ACTION TAKEN

ADJOURNED TO WEDNESDAY, JUNE 21, 2017 AT 11:30 A.M.

Pelz

/s/ Raquel D. Fore
Authority Board Coordinator

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