



REGULAR MEETING AGENDA
EAST KERN HEALTH CARE DISTRICT
BOARD OF DIRECTORS

5 p.m. Tuesday, July 2, 2024 (Hybrid Meeting)
9300 N Loop Blvd, California City, CA 93505

A QUORUM OF THE BOARD WILL BE PRESENT IN PERSON

MISSION STATEMENT: *“Building health, well-being, and resiliency”*

JOIN ZOOM MEETING

<https://us02web.zoom.us/j/81941748307?pwd=oCy3jDLWnNCat3oEeKHXXhC9taS0Re.1>

Meeting ID: 889 7759 9824

Passcode:793847

One tap mobile: +16699006833,,88977599824# US (San Jose)

1. PLEDGE OF ALLEGIANCE/INVOCATION
2. ROLL CALL AND CALL TO ORDER
3. APPROVAL OF AGENDA

Board members can amend the agenda before or after someone makes a motion to adopt the agenda. To do this, any board member can motion to add items, delete items, or change things around. Once someone motions to amend the agenda, the board takes a vote, and the majority rules. The meeting will proceed according to the approved agenda.

Motion: _____ Second: _____ Action: _____

4. PUBLIC COMMENTS

Members of the public are welcome to address the Board on any matter NOT on the agenda and over which the Board has authority. If you wish to speak, please state your name for the record and limit your comments to five (5) minutes.

5. COMMUNITY ANNOUNCEMENTS

6. CONSENT CALENDAR

All items on the Consent Calendar are considered routine, non-controversial, and will be approved by one (1) motion if no member of the Board, Staff, or Public wishes to comment or ask questions. Public comment to be limited to five (5) minutes. Roll Call vote is required.

A. APPROVE WARRANTS

1. Vendor Payment Approval
2. Debit Card Transmissions

B. APPROVAL OF MINUTES

1. Special Meeting: June 26, 2024

Motion: _____ Second: _____ Action: _____

7. FACILITY REPORTS

- A. 9278, 9300, and 9350 N Loop
- B. 8101 Bay Ave

Motion: _____ Second: _____ Action: _____

8. CONTINUED BUSINESS

- A. Approve Fiscal Year 2024-25 Budget
- B. Strategic Plan Status/Update RRH Annexation - Tom Hayes (RRH) and Karen Macedonio (EKHCD)
- C. Response to Grand Jury Report
- D. Website Review

Motion: _____ Second: _____ Action: _____

9. PRESIDENTS COMMENTS

Update on Afghan family refugee relocation into Mojave County, K. Macedonio

10. DIRECTORS COMMENTS

AB 1234

11. FUTURE AGENDA ITEMS

A. Logic Model

B. Grant Policies and Procedures

C. Employee Handbook Update

D. Strategic Partnerships and Key Relationships

12. ADJOURNMENT

Motion: _____ Second: _____ Action: _____

Next Regular Meeting: Tuesday, July 16, 2024, at 5 p.m.

In person 9300 N Loop Blvd., California City, CA 93505 (and via Zoom)

“Pursuant to Government Code section 54952(a), any request for a disability-related modification or accommodation, including auxiliary aids or services, that is sought in order to participate in this agendized public meeting should be directed to the District’s office at (760) 373-2804 at least 48 hours prior to said meeting”.

DATE: July 2, 2024

VENDOR PAYMENT LIST

Board approval _____

VENDOR	MEMO LINE	AMOUNT
City of California City - Water	2024 – 0514 to 0613 Act 101730.03, 8101 Bay Ave, \$70.00 Act 103347.01, 9300 N Loop, \$290.16	\$360.16
Golden Hills IT	2024 – 0801, Inv 2682	\$1113.30
Mobile Modular	2024 – 0617, 2580520	\$855.33
W M	2024 – 0601 to 0630, Inv 3933400-4808-0	\$372.05
		4 Checks
		Total \$2700.84

VENDOR	MEMO LINE	AMOUNT
Starbucks	Coffee potential employee	\$8.90
Amazon	2024 – 0626, Inv 112-6190424-92907042, File Folders	\$34.28
		Total \$43.18

Summary of Proceedings - Minutes
EAST KERN HEALTH CARE DISTRICT
BOARD OF DIRECTORS
Special Meeting of JUNE 26, 2024, 5 p.m.

MISSION STATEMENT: "Building health, well-being, and resiliency."

(Note: Motions are identified by maker's name in bold **First: Second**)

Video Time Code	Item	Action
2:02	1. Pledge of Allegiance	At 5:20 pm
2:27	2. Roll Call and Call to Order	<p>General Counsel Alex Lemieux stated, "AB 2449 amended Government Code Section, 540953 by allowing remote attendance by telephone for a Board Member if there is a 'Just Cause' or emergency situation. Just Cause can mean things such as contagious illness, childcare, caregiving needs of a child, parent, et cetera. An emergency situation refers to a physical or family emergency that prevents a member from attending in person. Director Patrick, do you believe that a Just Cause or emergency situation applies to you in this situation?"</p> <p>Director Patrick stated that she had a Just Cause need, due to childcare, to utilize the provisions of AB 2449. Counsel Alex Lemieux said, "Okay, so based on my understanding of AB 2449, the Board can treat that as the Just Cause for purposes of allowing remote attendance for Director Patrick at this meeting."</p> <p>Present were: L. Peralta, K. Macedonio, L. Patrick, and the meeting was called to order by Chair Macedonio at 5:20 p.m.</p>
4:32	3. Approval of Agenda	<p>Chair Macedonio removed item 6D from the Consent Calendar for the District's budget for FY 2024-25 to bring back at the July 2 meeting. This moves item 9 A and B to immediately after the approval.</p> <p>Motion: Approve agenda</p> <p>L Peralta: L. Patrick Motion Carried, 3-0</p>
8:45	4. Public Comment	A member of the public identified as Jessica asked questions related to the video recording of the April 16, 2024, meeting, and regarding a Public Records Act Request that was submitted via email. General Counsel Alex Lemieux stated the estimated date of

		<p>completion would be by the middle of August, and if that date changes, he'll provide a written update.</p> <p>A member of the public, Patty, stated on behalf of the Mojave Desert News her condolences to the East Kern Health Care District on the passing of Director Richard Macedonio. She further extended her sympathies and condolences to Madam President, Karen Macedonio.</p>
12:56	5. Community Announcements	A member of the public, Jessica, stated that the Desert Rose Garden Club's release of ladybugs is occurring on June 29 th at 10am, at Central Park in California City; the community is invited. .
14:15 6A-pp. 5-12 of packet 54:20 6B – pp.33-34 of packet 6C - pp. 13-16/pkt	6. Consent Calendar: 6A. Financial Reports 6B. Approve Warrants 6C. Minutes of 06/04/24 6D. Review and discuss FY Budget 2024-25	6A. A financial report was made on the District's finances which included updated cash assets, a recent catch-up in tax revenue collection, stable ongoing expenses, and regular payroll operations with voluntary employee contributions to a savings program. 6B. The Board reviewed the warrant list. 6C. No questions. 6D. Item was pulled and will be moved to July 2 nd regular meeting. Motion: Approve Consent Calendar. L Peralta: L Patrick. Motion Carried, 3-0.
18:49 pp. 9-10 of agenda	7. Facility Reports 7A. 8101 Bay Ave. 7B. 9278, 9300, and 9350 N. Loop	7.A-B Joselito reported there was an issue with flickering lights in an office at the West Point in the 9300 building. The decision was made to upgrade those lights to LED during a service call, as it was more cost-effective than paying for the service call alone. The upgrade was completed last week. This item and reports were information-only; no votes were taken.
19:23 pp.35-50/pkt	8. Continued Business 8A. Status of Annexation application submission to LAFCo 8.B Strategic Plan	8A. It was reported that the annexation application has been submitted to LAFCO; there are some questions to LAFCO regarding documents submitted versus model documents. The CEQA Declaration of Exemption has been signed. 8B. Tom from Ridgecrest Regional stated they will be working on a community needs assessment to determine the community's primary care coverage and access to healthcare services. There will be more discussion on the Strategic Plan process at the July16th meeting. Chair Macedonio stated they found historical documents from 1975 that provide valuable insights into past and

		<p>present changes. These documents contain interesting information about the evolution of the strategic plan.</p> <p>There was no action related to this item.</p>
<p>25:01 9A- pp.17- 18 of packet</p>	<p>9. New Business 9A. RESOLUTION NUMBER 2024-0618-1: Election Resolution Kern County: Requesting the Board of Supervisors of the County of Kern to Permit Election Services for a General District Election in November 2024</p>	<p>9A. General Counsel Alex Lemieux stated these resolutions are necessary to request Kern County and San Bernardino County to render election services for the East Kern Healthcare District for the November 5 election, to cover the seats that are up in November.</p> <p>Motion: Approve Resolution L Peralta: L. Patrick Motion Carried, 3-0.</p>
<p>9B- pp.19- 20 of packet</p>	<p>9B. RESOLUTION NUMBER 2024-0618-2: Election Resolution San Bernardino County: Requesting the Board of Supervisors of the County of San Bernardino to Permit Election Services for a General District Election in November 2024</p>	<p>9B. Chair Macedonio stated this election resolution for San Bernardino County requesting that the Board of Supervisors of the County of San Bernardino permit election services for a general district election In November of 2024,</p> <p>Motion: Approve Resolution L Peralta: L. Patrick Motion Carried, 3-0.</p>
<p>9C- p.21-28 of packet</p>	<p>9C. Approve Nigro & Nigro audit contract fiscal year 2023-24 ending 6/30/24</p>	<p>9C. It was reported the District is satisfied with Nigro & Nigro's services, appreciates their consistent pricing, and anticipates a smooth transition into the new fiscal year with improved financial statements.</p> <p>Motion: Approve Contract L Peralta: L Patrick Motion Carried, 3-0.</p>
	<p>9D. Consideration of Award of Shade Covering Project at 9350 N. Loop to Clearview Homes, Inc, in the amount of \$69,000.00.</p>	<p>9D. It was reported the successful receipt and evaluation of a single bid for a construction project, with the bid amount deemed reasonable and within the expected range.</p> <p>Motion: Approve Contract L Peralta: L. Patrick Motion Carried, 3-0.</p>
<p>32:03</p>	<p>10. Closed Session</p>	<p>The Board moved into Closed Session for discussion of those items enumerated on the agenda cover.</p>

49:08	11. Report Out of Closed Session	Upon return to Open Session, General Counsel Alex Lemieux stated, “The Board met in Closed Session on the four items indicated on the agenda, CS1, CS2 and CS3 are each conference with real property negotiator, the agency negotiator is Alex Lemieux and under negotiation is price in terms of payment. CS1 concerns the property located at 9300 North Loop Boulevard and 8101 Bay Avenue, both in California City. CS2 concerns the property at 9350 North Loop Boulevard, including the modular unit in California City. CS3 includes the properties at North Loop and B Avenue locations. Generally speaking, CS4 was public employee appointment pursuant to Government Code Section 54957, B1, and title, Administrative Assistant. The Board took no reportable action on any of these four items, CS1-4. That concludes the attorney’s Closed Session report.”
55:38	12. President’s Comments	Chair Macedonio shared the need to complete the employee handbook update, review the administrative code from 2019, and ensure the agenda management by RGS aligns with the administrative code. These actions are part of ongoing administrative efforts to maintain organizational efficiency and compliance.
56:10	13. Directors’ Comments	Director Peralta shared the need to complete the Ad Hoc Committee Handbook and asked attorney Alex Lemieux to continue with the revisions.
1:05:26 pp.29-30 and 31-32	14. Future Agenda Items	Others future agenda items include the urgent response to the Grand Jury report, updates on the Logic Model, grants and procedures, the employee handbook, strategic partnerships, and a review of the website. The President emphasizes the need to comply with deadlines and ensure the Board is informed and prepared to address these issues.
1:08:02	Adjournment	Motion to Adjourn at 6:26 p.m. L Peralta: L Patrick Motion Carried, 3-0



Date: July 2, 2024
To: Board of Directors
From: Karen Macedonio, Board Chair
Subject: **DRAFT RESPONSE TO KERN COUNTY CIVIL GRAND JURY REPORT: EAST KERN HEALTH CARE DISTRICT – *Rural Health Care Crisis!***

BACKGROUND AND DISCUSSION

The 2023-2024 Kern County Grand Jury released a report on April 29, 2024, titled, “East Kern Health Care District – *Rural Health Care Crisis!*” The District must respond to the investigation findings and report one of the following responses for each recommendation:

- (1) The recommendation has been implemented, with a summary regarding the implemented action.
- (2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.
- (3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.
- (4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation, therefore.

Directors R Macedonio and K Macedonio met with the Grand Jury to review the District’s present work and how it intersects with the Grand Jury report. As Chair of the Board, I, Karen Macedonio, have worked with staff of Regional Government Agency to prepare a draft response to the Grand Jury’s findings.

The District must submit its response to the Grand Jury Foreperson, Melissa H. Brown, and the Kern Superior Court Presiding Judge, by July 26, 2024. Attached to this report is the drafted response.

RECOMMENDATION AND PROPOSED ACTION

Review, comment and approve draft response.

ALTERNATIVES CONSIDERED

None

ATTACHEMENTS

Drafted response to the Kern County Grand Jury



July 2, 2024

2023-2024 Kern County Grand Jury
c/o Foreperson Melissa H. Brown
1415 Truxtun Avenue, Suite 600
Bakersfield, CA 93301

Dear Grand Jury Foreperson Brown:

The East Kern Health Care District has received the 2023-2024 Kern County Grand Jury's Report, titled "East Kern Health Care District – *Rural Health Care Crisis!*"

The Board has considered the report with attention and regard for the work the Grand Jury has done on behalf of our community, and with gratitude for the time each of the esteemed members of the Grand Jury has spent thoughtfully considering the ways in which the District can improve.

The Grand Jury's report provided our Board with important and timely considerations that impact many of those who live here. This thorough examination of health care in our rural area brings needed attention to the critical issues our community is facing.

We acknowledge the findings presented in the report and take them seriously. Our District is committed to upholding the highest standards of integrity, transparency, and accountability throughout all areas of our work, including this response. To that end, we initiated meaningful conversations on our Board, have wrapped in expert government consultants, and have re-committed to engaging with all our stakeholders.

While we have taken to heart the Grand Jury's recommendations and are responding to them now, we will also continue this reflective process to ensure our practices are aligned with all legal requirements and, beyond that, the best practices that are intended to provide transparency.

The Board has reviewed the report's recommendations and have found nearly all of them to have important merit. In the spirit of continuous improvement, we intend to follow through with those noted in the enclosed response, and moreover, we intend to provide updates on our progress twice yearly.

Thank you for the valuable opportunity you've given EKHCD to improve our health care operations and administration. We appreciate the Grand Jury's dedication to the well-being of our community.

Sincerely,

Karen Macedonio, Chair
EKHCD Board of Directors

East Kern Health Care District – Board of Directors’ Responses to the 2023-2024 Kern County Grand Jury Report “East Kern Health Care District – *Rural Health Care Crisis!*”

EKHCD Responses to FINDINGS

F1. *The EKHCD Board Meeting agendas are posted in a timely manner on their website. Meetings are held in a small office on North Loop Boulevard and made accessible via Zoom. Unfortunately, the live audio-visual feed is poor quality and does not show all Board Members participating in the meeting. The audio-visual shortcomings can be distracting and frustrating, therefore making the flow of information difficult for the public to follow. Board Members sit facing the camera, meaning that they sit with their backs to the public. This makes it difficult for the Board to engage with community members.*

RESPONSE: EKHCD agrees with this finding.

F2. *Not all previous meetings are available on the website for the public to review. In addition, some archived Zoom videos are poor quality, as the sound frequently cuts out, and Board Members in some meetings used only audio without the visual aspect. This does not meet the requirements of AB 2449.*

RESPONSE: EKHCD agrees with this finding.

F3. *Board Meetings are scheduled for 5:00 pm and usually begin on time; however, one board member frequently arrives late or attends via Zoom from another location. This disrupts the flow of the meeting. Zooming from an alternate location raises the question by the Grand Jury, “Can this member be considered part of the quorum, and is the remote location open to the public?” This may not meet the requirements of AB 2449.*

RESPONSE: EKHCD agrees with this finding.

F4. *Board Members generally follow the guidelines of The Brown Act, and their legal counsel provides guidance in times of uncertainty; however, Robert’s Rules of Order are not always followed. Some Board Members have been observed using cell phones throughout the meeting and engaging in side conversations, sometimes behind notepads preventing the public from hearing the topic of conversation. Some Board Members also sporadically leave the room for a few minutes, thus affecting the quorum status.*

RESPONSE: EKHCD agrees with this finding.

F5. *The aftermath of the fire at the building on Bay Avenue revealed that the building was not up to current building codes. The building sustained fire, water, and structural damages resulting in an*

unsafe condition. Asbestos was also detected during an inspection. Code upgrades may not be covered by their insurance claim, leaving the EKHCD to pay for the upgrades.

RESPONSE: EKHCD agrees with this finding.

F6. Annexation of Ridgecrest Regional Hospital will benefit Eastern Kern County communities with improved access to health care and governmental funding sources. During the annexation process, the EKHCD will have to update their Administrative Code of Operating Procedures and Municipal Service Review (MSR) to include the operations of RRH facilities and its other entities.

RESPONSE: EKHCD agrees with this finding.

F7. The EKHCD Board opted not to fill a position left vacant in 2023. This has led to voting difficulties and maintaining a quorum. Three Board Member positions will be open for election in November 2024, filling all five seats.

RESPONSE: EKHCD agrees with this finding.

F8. The EKHCD website is well maintained; however, the Staff and Board Meeting Minutes webpages need to be updated regularly and made available to the public.

RESPONSE: EKHCD agrees with this finding.

EKHCD Responses to RECOMMENDATIONS

R1. Relocate the Board meetings to a room that can accommodate the entire Board and the public. Audio-visual equipment should be properly positioned so that all Board Members can be seen and heard at the same time anytime there is a quorum. This should be in place by September 1, 2024. (Finding 1)

RESPONSE: The recommendation is a goal of the District and the Board understands why it is important for all parties to see and be seen when there is a quorum present.

The District has explored multiple ways in which it would be able to accommodate the entire Board with audio-visual equipment installed in a way that would allow for full view of and by the Board and public. Currently, the District does not have viable options to accomplish this objective. Obstacles include lack of viable meeting space in the jurisdiction of the District, a Brown Act requirement. Those spaces that would be potential meeting locations large enough to physically accommodate the Board and public have audio-visual and WiFi limitations that would create new, additional challenges.

It is the Board's intention to complete upgrades necessary to enlarge the meeting room at the North Loop location, to fulfill this recommendation. Better meeting space and optics is important and will be accomplished, with steps being taken between now and June 2026.

Once a full timeline is established by the Board, it will be made public to the community.

R2. *Ensure both Board Meeting minutes and videos are made available to the public prior to the next meeting. This should be in place by September 1, 2024. (Findings 2 and 4)*

RESPONSE: This recommendation has been accomplished by the Board as of the June 30, 2024, meeting. The District has performed its due diligence related to identifying all minutes and video - any minutes and video not currently published on the agency website remain absent due to those materials not appearing to be in the possession of the District.

R3. *Change the Board Meetings to a time that is more convenient to accommodate all Board Members and the public. This will reduce meeting distractions (Board Members coming in late or having to leave the room) and ensure a quorum is met at all times. This should be completed by September 1, 2024. (Finding 3)*

RESPONSE: The Board agrees with this recommendation and has instituted more frequent breaks so that Board members and the public who need these breaks, have them.

When a Board member must leave and this creates a lack of quorum, the Board meeting is paused, and this pause will be noted in the minutes.

Prior experiments with moving the meeting time have failed. Less members of the public participate when the meeting time has moved, and the 5 o'clock hour has proven to create the most engagement.

The District's Directors are committed to ensuring a quorum and recognizes the need to participate from the beginning of the meeting until the end.

R4. *Establish and adhere to a decorum policy for the Board Meetings to ensure public transparency. Follow Robert's Rules of Order, eliminate cell phone usage, and reduce side bar conversations during the meeting. This should be in place by September 1, 2024. (Finding 4)*

RESPONSE: The Board will establish a decorum policy by September 1, 2024, to ensure public transparency. The Board will abide by Robert's Rules of Order, will eliminate cell phone usage will in meetings, and will reduce side bar conversations. The District is willing to invest in Board training as relates to these objectives.

R5. *Work with California City's Building Planning Department to ensure that repairs of the Bay Avenue Building will be up to current building codes. This should be initiated by September 1, 2024. (Finding 5)*

RESPONSE: The objectives of this recommendation were already initiated when the repair permits were pulled for the Bay Avenue Building. The Board will continue to ensure that repairs will be up to current building codes as it continues to implement work.

R6. *Develop and publish a strategic plan with the Ridgecrest Regional Hospital on how to use the annexation to benefit all residents of Eastern Kern County with convenient access to medical and health care. This should be in place by November 30, 2024. (Finding 6)*

RESPONSE: The Board agrees with this recommendation, and wishes to fulfill develop and publish a strategic plan with the Ridgecrest Regional Hospital on how to harness an annexation to benefit the community with accessible health care. The process to develop this strategic plan was begun several months ago.

The strategic plan is envisioned to address multiple areas in three categories: Year One, Years Two through Five, and Years 10 – 50. These partitions in the plan will address near-range and future deliverables that will be identified in the Community Health Needs Assessment (CHNA) that will identify the gaps and need for grants.

DRAFT