



July 11, 2024

TO: Legal Counsel

News Media

Salinas Californian

El Sol

Monterey County Herald

Monterey County Weekly

KION-TV

KSBW-TV/ABC Central Coast

KSMS/Entravision-TV

The next regular meeting of the **TRANSFORMATION, STRATEGIC PLANNING AND GOVERNANCE COMMITTEE – COMMITTEE OF THE WHOLE** of the **SALINAS VALLEY HEALTH**<sup>1</sup> will be held **WEDNESDAY, JULY 17, 2024, AT 12:00 P.M.**, in the **DOWNING RESOURCE CENTER, ROOMS A, B, & C, SALINAS VALLEY HEALTH MEDICAL CENTER, 450 E. ROMIE LANE, SALINAS, CALIFORNIA.** (*Visit [SalinasValleyHealth.com/virtualboardmeeting](https://SalinasValleyHealth.com/virtualboardmeeting) for Public Access Information*).

A handwritten signature in black ink, appearing to read "Allen Radner".

Allen Radner, MD  
President/Chief Executive Officer

Committee Voting Members: **Victor Rey, Jr.**, Chair, **Rolando Cabrera, MD**, Vice-Chair, **Allen Radner**, President/CEO, **Gary Ray**, Chief Legal Officer; **Nikolas Greenson, MD**, Medical Staff Member.

Advisory Non-Voting Members: Jim Gattis, Jib Martins, and Anne McCune, Community Members, Administrative Executive Team.

**TRANSFORMATION, STRATEGIC PLANNING & GOVERNANCE COMMITTEE  
COMMITTEE OF THE WHOLE  
SALINAS VALLEY HEALTH<sup>1</sup>**

**WEDNESDAY, JULY 17 2024, 12:00 P.M.  
DOWNING RESOURCE CENTER, ROOMS A, B, & C**

**Salinas Valley Health Medical Center  
450 E. Romie Lane, Salinas, California**

**(Visit [SalinasValleyHealth.com/virtualboardmeeting](https://www.SalinasValleyHealth.com/virtualboardmeeting) for Public Access Information)**

**AGENDA**

1. Call to Order / Roll Call
2. Public Comment  
This opportunity is provided for members of the public to make a brief statement, not to exceed three (3) minutes, on issues or concerns within the jurisdiction of this District Board, which are not otherwise covered under an item on this agenda.
3. Approve Minutes of the Transformation, Strategic Planning and Governance Committee Meeting of April 17, 2024. (REY)
  - Motion/Second
  - Action by Committee/Roll Call Vote
4. Presentation on Levine Act Rules (OTTONE)
5. Closed Session
6. Reconvene Open Session
7. Adjournment

The Transformation, Strategic Planning and Governance Committee meets quarterly. The next meeting is scheduled for **Wednesday, October 16, 2024 at 12:00 p.m.**

This Committee meeting may be attended by Board Members who do not sit on this Committee. In the event that a quorum of the entire Board is present, this Committee shall act as a Committee of the Whole. In either case, any item acted upon by the Committee or the Committee of the Whole will require consideration and action by the full Board of Directors as a prerequisite to its legal enactment.

The Committee packet is available at the Committee Meeting, at [www.SalinasValleyHealth.com](https://www.SalinasValleyHealth.com), and in the Human Resources Department of the District. All items appearing on the agenda are subject to action by the Committee.

Requests for a disability related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting should be made to the Board Clerk during regular business hours at 831-759-3050. Notification received 48 hours before the meeting will enable the District to make reasonable accommodations.

**TRANSFORMATION, STRATEGIC PLANNING & GOVERNANCE COMMITTEE  
COMMITTEE OF THE WHOLE  
SALINAS VALLEY HEALTH**

**AGENDA FOR CLOSED SESSION**

*Pursuant to California Government Code Section 54954.2 and 54954.5, the board agenda may describe closed session agenda items as provided below. No legislative body or elected official shall be in violation of Section 54954.2 or 54956 if the closed session items are described in substantial compliance with Section 54954.5 of the Government Code.*

**CLOSED SESSION AGENDA ITEMS**

**REPORT INVOLVING TRADE SECRET**

(Government Code §37606 & Health and Safety Code § 32106)

Discussion will concern: (Specify whether discussion will concern proposed new service, program, or facility):

Trade Secret, Strategic Planning, Proposed New Programs and Services

**Estimated date of public disclosure:** (Specify month and year): Unknown

**ADJOURN TO OPEN SESSION**

*CALL TO ORDER*  
*ROLL CALL*

*(Chair to call the meeting to order)*

*PUBLIC COMMENT*

**DRAFT SALINAS VALLEY HEALTH<sup>1</sup>**  
**TRANSFORMATION, STRATEGIC PLANNING AND GOVERNANCE COMMITTEE**  
**COMMITTEE OF THE WHOLE**  
**MEETING MINUTES APRIL 17, 2024**

Committee Member Attendance:

Voting Members Present: **Rolando Cabrera, MD**, Vice-Chair, **Allen Radner, MD**, Interim President/CEO, and **Nikolas Greenson, MD**, Medical Staff Member.

Voting Members Absent: Victor Rey, Jr., Chair, and Gary Ray; CLO.

Advisory Non-Voting Attendees Present: Jib Martins, Anne McCune; Clement Miller, Augustine Lopez, James A. Gilbert, MD, Interim CMO/SVHMC, Orlando Rodriguez, MD, Interim CMO/SVHC.

Other Board Members Present, Constituting Committee of the Whole Via Teleconference: Director Juan Cabrera and Director Hernandez Laguna.

## **1. CALL TO ORDER/ROLL CALL**

A quorum was present and Vice-Chair Cabrera called the meeting to order at 12:02 p.m. in the Downing Resource Center, Rooms A, B & C.

## **2. PUBLIC COMMENT**

None

## **3. APPROVAL OF MINUTES FROM THE TRANSFORMATION, STRATEGIC PLANNING AND GOVERNANCE COMMITTEE MEETING OF JANUARY 17, 2024**

### **PUBLIC COMMENT:**

None

### **MOTION:**

Upon motion by committee member Dr. Radner, second by committee member Dr. Greenson the Transformation, Strategic Planning, and Governance Committee approved the minutes of the January 17, 2024 meeting, as presented.

### **Roll Call Vote:**

Ayes: Dr. Cabrera, Dr. Radner, and Dr. Greenson;

Noes: None;

Abstentions: None;

Absent: Ray and Rey.

**Motion Carried.**

<sup>1</sup> Salinas Valley Memorial Healthcare System operating as Salinas Valley Health

#### **4. CLOSED SESSION**

Vice-Chair Cabrera announced that the item to be discussed in Closed Session is *Report Involving Trade Secret: Trade Secret, Strategic Planning, Proposed New Programs and Services*. The meeting recessed into Closed Session under the Closed Session protocol at 12:04 p.m.

#### **5. RECONVENE OPEN SESSION/REPORT ON CLOSED SESSION**

The Committee reconvened Open Session at 1:03 p.m., Vice-Chair Cabrera reported that in Closed Session, the Committee received a *Report Involving Trade Secret: Trade Secret, Strategic Planning, Proposed New Programs and Services*. No action was taken in Closed Session.

#### **6. ADJOURNMENT**

There being no other business, the meeting was adjourned at 1:03 p.m. The Transformation, Strategic Planning, and Governance Committee meets quarterly. The next meeting is scheduled for **Wednesday, July 17, 2024, at 12:00 p.m.**

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Victor Rey, Jr., Chair  
Transformation, Strategic Planning and Governance

# The Levine Act

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California Government Code § 84308



# Previous Rules

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- Political Reform Act – Generally, campaign contributions are not considered a source of income that gives rise to a conflict of interest with certain exceptions.
- Levine Act (Original Legislation) – limited to apply only to “appointed” members of legislative bodies – not elected officials.
- Applied to proceedings for licenses, permits, entitlements and contracts. Aimed at construction/development projects, but can apply to hospital contracts with vendors.

# Levine Act Amendment (SB 1439)

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- The Levine Act applies to both appointed and elected boards, including SVH Board and Committees
- While a proceeding is pending, and for 12 months following decision, a Board/Committee members **must not**:
  - **Accept, solicit, or direct** a contribution of more than \$250.00 from a party, a party's agent, or participant (or participant's agent)
  - Applies to contributions to the Board/Committee member and contributions to others directed by the Board/Committee member
  - For contributions following the final decision, the Board/Committee member can cure the violation if contribution is returned within 14 days if certain conditions are met

# Levine Act – Disclosure and Participation

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- Disclosure – Board/Committee Member **must disclose** on the record during action item of contributions of more than \$250.00 for a party or a participant, or their agents
- Participation – Board/Committee Member **must not participate** in the action item if the Board/Committee member has willfully or knowingly received a contribution of more than \$250.00 from a party, party's agent, or participant or participant's agent (if Board/Committee member knows the participant has a financial interest) within the past 12 months.
  - Does not apply if contribution is returned within 30 days of receipt.

# Levine Act – Agents and Parties

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- Agent – A person is an agent of a party to, a participant in, or a pending proceeding involving a license, permit or other contract if:
  - Person represents that party or participant for compensation (attorneys, consultants, architects, etc.); AND
  - Appears before or otherwise communicates with governmental agency for the purpose of influencing the decision
- Party – the Party must disclose to Board/Committee if they have made a contribution to a member of more than \$250.00 within the prior 12 months. Also cannot make any further contributions during pendency of matter and for 12 months thereafter.

# Application to Health Care District

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- Applies to both Board Action and Committee Recommendations by Appointed and Elected Officials
- Contracts – Most applicable to parties supplying goods and services to the District, including **architects, attorneys, contractors**, etc., that will have contracts up for approval before the Committee and Board.
  - **Exceptions** – All contracts that are competitively bid, labor or personal employment contracts. RFPs are not considered competitively bid.
- Contributions by Physicians
  - Will not apply to physician recruitment agreements (deemed personal employment contracts), and will not apply to decisions regarding privileges to practice medicine at SVH (governed by Medical Executive Committee).
  - Could apply if physician appeals decision from MEC to the Board. Rare Circumstance.

# Questions?

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*CLOSED SESSION*

*(Report on Item to be  
Discussed in Closed Session)*

*RECONVENE OPEN SESSION/  
REPORT ON CLOSED SESSION*



# *ADJOURNMENT*