



October 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, OCTOBER 16, 2024, AT 12:00 P.M., in the HEART CENTER TELECONFERENCE ROOM, SALINAS VALLEY HEALTH MEDICAL CENTER, 450 E. ROMIE LANE, SALINAS, CALIFORNIA.** (Visit <https://www.salinasvalleyhealth.com/~/about-us/healthcare-district-information-reports/board-of-directors/board-committee-meetings-virtual-link/> 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, OCTOBER 16, 2024, 12:00 P.M.  
HEART CENTER TELECONFERENCE ROOM**

**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 July 17, 2024. (REY)
  - Motion/Second
  - Action by Committee/Roll Call Vote
4. Closed Session
5. Reconvene Open Session
6. Adjournment  
The Transformation, Strategic Planning and Governance Committee meets quarterly. The next meeting is scheduled for 2025, date and time to be determined.

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 <https://www.salinasvalleyhealth.com/about-us/healthcare-district-information-reports/board-of-directors/meeting-agendas-packets/2024/>, and in the Human Resources Department of the District located at 611 Abbott Street, 2<sup>nd</sup> Floor, Salinas, California, 93901. 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.

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

**TRANSFORMATION, STRATEGIC PLANNING AND 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 JULY 17, 2024**

Committee Member Attendance:

Voting Members Present: **Victor Rey, Jr.**, Chair, **Allen Radner, MD**, President/CEO, **Gary Ray**, CLO, and **Nikolas Greenson, MD**, Medical Staff Member;

Absent: **Rolando Cabrera, MD**, Vice-Chair;

Advisory Non-Voting Attendees Present: In Person: James A. Gilbert, MD, Interim CMO/SVHMC, Jim Gattis; and via WebEx: Jib Martins, Anne McCune.

Other Board Members Present, Constituting Committee of the Whole: In Person: Catherine Carson; Rolando Cabrera, MD, via Webex.

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

A quorum was present and Chair Rey called the meeting to order at 12:04 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 APRIL 17, 2024**

### **PUBLIC COMMENT:**

None

### **MOTION:**

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

### **Roll Call Vote:**

Ayes: Rey, Dr. Radner, Ray and Dr. Greenson;

Noes: None;

Abstentions: None;

Absent: Dr. Cabrera.

**Motion Carried.**

## **4. PRESENTATION ON LEVINE ACT RULES AND REGULATIONS**

District Legal Counsel, Matthew Ottone, Esq., reported on the Levine Act of California Government Code § 84308 explaining previous rules and the Levine Act Amendment (SB 1439). Previously the act applied to “appointed” members of legislative bodies. The Levine Act Amendment (SB 1439) changed application to both appointed and elected board, including

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

SVH Board and Committees. While a proceeding is pending, and for 12 months following decision, a Board/Committee members **must not** (1) **Accept, solicit, or direct** a contribution of more than \$250.00 from a party, a party's agent, or participant (or participant's agent), (2) Applies to contributions to the Board/Committee member and contributions to others directed by the Board/Committee member, or (3) 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

**Disclosure:** The Board/Committee Member must disclose contributions of more than \$250.00 for a party or a participant, or their agents on the record during the action item. **Participation:** The 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. This does not apply if contribution is returned within 30 days of receipt.

**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 (1) the 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 they cannot make any further contributions during pendency of matter and for 12 months thereafter.

The rule applies to both Board Action and Committee recommendations by appointed and elected officials. Contracts are 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 are all contracts that are competitively bid, labor or personal employment contracts. RFPs are not considered competitively bid.

The rules 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). In a rare circumstance it could apply if physician appeals decision from MEC directly to the Board.

**Committee Discussion:** The Rule applies if a contribution is requested to be paid to a non-profit organization. The rule applies to providing goods and services. If a party is hosted for a candidate, a value would need to be computed and the Rule applies. Any contract that was awarded and contribution or gifts had not been disclosed would be considered void. Board and Committee members must disclose contributions and can excuse themselves during a vote. If a physician is part of a physician group, and there is a vote pertaining to the group, the contribution/gift must be disclosed. Does the rule apply if you attend a social function provided by a vendor? If other members of the company are present, it is not considered an individual gift. Endorsements and/or photographs with candidates do not apply. The key is if there is a monetary benefit.

## 5. CLOSED SESSION

Chair Rey 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.

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

The Committee reconvened Open Session at 1:14 p.m., Chair Rey 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.

## **7. ADJOURNMENT**

There being no other business, the meeting was adjourned at 1:15 p.m. The Transformation, Strategic Planning, and Governance Committee meets quarterly. The next meeting is scheduled for **Wednesday, October 16, 2024, at 12:00 p.m.**

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



*CLOSED SESSION*

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

*RECONVENE OPEN SESSION/  
REPORT ON CLOSED SESSION*

# *ADJOURNMENT*