



AGENDA

REGULAR MEETING OF THE EL CAMINO HEALTHCARE DISTRICT BOARD OF DIRECTORS

Friday, December 7, 2018 – 4:00pm

El Camino Hospital | Conference Rooms F&G (ground floor)
2500 Grant Road Mountain View, CA 94040

PURPOSE: The purpose of the District shall be (i) to establish, maintain and operate, or provide assistance in the operation of, one or more health facilities (as that term is defined in California Health and Safety Code Section 1250) or health services at any location within or without the territorial limits of the District, for the benefit of the District and the people served by the District; (ii) to acquire, maintain and operate ambulances or ambulance services within or without the District; (iii) to establish, maintain and operate, or provide assistance in the operation of free clinics, diagnostic and testing centers, health education programs, wellness and prevention programs, rehabilitation, aftercare, and such other health care services provider, groups, and organizations that are necessary for the maintenance of good physical and mental health in the communities served by the District; and (iv) to do any and all other acts and things necessary to carry out the provisions of the District's Bylaws and the Local Health District Law.

AGENDA ITEM	PRESENTED BY		ESTIMATED TIMES
1. CALL TO ORDER/ROLL CALL	Peter C. Fung, MD, Board Chair		4:00 – 4:02pm
2. SALUTE TO THE FLAG	Peter C. Fung, MD, Board Chair		4:02 – 4:05
3. POTENTIAL CONFLICT OF INTEREST DISCLOSURES	Peter C. Fung, MD, Board Chair		information 4:05 – 4:06
4. PUBLIC COMMUNICATION a. Oral Comments <i>This opportunity is provided for persons in the audience to make a brief statement, not to exceed three (3) minutes on issues or concerns not covered by the agenda.</i> b. Written Correspondence	Peter C. Fung, MD, Board Chair		information 4:06 – 4:09
5. RESOLUTION TO ACCEPT THE SANTA CLARA COUNTY ELECTION RESULTS OF NOVEMBER 6, 2018 ATTACHMENT 5	Peter C. Fung, MD, Board Chair	<i>public comment</i>	motion required 4:09 – 4:14
6. ADOPTION OF SANTA CLARA COUNTY BOARD OF SUPERVISORS RESOLUTION 2018-114 ATTACHMENT 6	Peter C. Fung, MD, Board Chair	<i>public comment</i>	motion required 4:14 – 4:19
7. ADMINISTRATION OF OATH OF OFFICE a. Peter C. Fung, MD b. Gary Kalbach c. George O. Ting, MD	Peter C. Fung, MD, Board Chair		information 4:19 – 4:29
8. STANDARDS OF CONDUCT ATTACHMENT 8	Peter C. Fung, MD, Board Chair		information 4:29 – 4:34
9. ELECTION OF DISTRICT BOARD MEMBERS TO THE EL CAMINO HOSPITAL BOARD OF DIRECTORS	Peter C. Fung, MD, Board Chair	<i>public comment</i>	possible motion 4:34 – 4:39
10. ADJOURNMENT	Peter C. Fung, MD, Board Chair	<i>public comment</i>	motion required 4:39 – 4:40pm

Upcoming Meetings: January 22, 2019, March 19, 2019, May 21, 2019, June 18, 2019, October 22, 2019

A copy of the agenda for the Regular Board Meeting will be posted and distributed at least seventy-two (72) hours prior to the meeting. In observance of the Americans with Disabilities Act, please notify us at (650) 988-7504 prior to the meeting so that we may provide the agenda in alternative formats or make disability-related modifications and accommodations.



EL CAMINO HEALTHCARE DISTRICT BOARD MEETING COVER MEMO

To: El Camino Healthcare District Board of Directors
From: Cindy Murphy, Director of Governance Services
Date: December 7, 2018
Subject: Acceptance of the Santa Clara County Election Results of the November 6, 2018 Election

Recommendation(s):

To accept the Santa Clara County Election Results of November 6, 2018

Summary:

1. **Situation:** Four individuals filed Declarations of Candidacy for the two four-year term vacancies to be filled with the November 2018 election. As of November 29, 2018 the Santa Clara County Registrar of Voters reported (per its website) that 99% of ballots were counted and candidate Peter C. Fung, MD received 37,831 votes (38.2%) and candidate George O. Ting, MD received 36,609 votes (36.96%). The next closest candidate received 16,609 votes (16.77%).
2. **Authority:** The Santa Clara County Registrar of Voters ("ROV") advised ECHD staff that the ROV intends to certify the November 6, 2018 election results on December 6, 2018 and will make Notices of Eligibility to Office available that afternoon.
3. **Background:** N/A
4. **Assessment:** N/A
5. **Other Reviews:** N/A
6. **Outcomes:** N/A

List of Attachments:

1. Assuming the ROV certifies the election results on December 6, 2018, documents provided to ECHD by the Santa Clara County ROV, including Notices of Eligibility to Office for Dr. Fung and Dr. Ting, will be made available to the Board and the public on December 7, 2018.

Suggested Board Discussion Questions: None



EL CAMINO HEALTHCARE DISTRICT BOARD MEETING COVER MEMO

To: El Camino Healthcare District (“ECHD”) Board of Directors
From: Cindy Murphy, Director of Governance Services
Date: December 7, 2018
Subject: Adoption of Santa Clara County Board of Supervisors (“SCC BOS”) Resolution 2018-114

Recommendation(s):

To adopt SCC BOS Resolution 2018-114 appointing Gary Kalbach to a “short” two term on the ECHD Board.

Summary:

1. Situation: As noted in the attached SCC BOS Resolution 2018-114, only one individual, Gary Kalbach, filed a Declaration of Candidacy for the one short term two year vacancy on the ECHD Board to be filled with the November 2018 election, and no petition requesting that an election be held to fill this vacancy was presented to the Registrar of Voters. Accordingly, on October 16, 2018, the SCC BOS adopted Resolution 2018-114 appointing Gary Kalbach to the ECHD Board for a “short” two year term.
2. Authority: N/A
3. Background: N/A
4. Assessment: N/A
5. Other Reviews: N/A
6. Outcomes: N/A

List of Attachments:

1. Certificate of Election Facts and Request To Fill Vacant Office By Appointment
2. SCC BOS Resolution 2018 -114
3. Notice of Eligibility to Office

Suggested Board Discussion Questions: None

**CERTIFICATE OF ELECTION FACTS AND REQUEST
TO FILL VACANT OFFICE BY APPOINTMENT**

STATE OF CALIFORNIA)
)ss.
COUNTY OF SANTA CLARA)

I, Shannon Bushey, Registrar of Voters of the County of Santa Clara, State of California, pursuant to Elections Code Section 10515, do hereby certify that as of the 83rd day prior to November 6, 2018, the day fixed by law for an election for the **El Camino Healthcare District, Short Term** Board of Directors, **one (1)** had filed Declarations of Candidacy for the **one (1) Short Term** vacancy for Director and no petitions requesting that the election be held had been presented to the Registrar of Voters. Under the provision of the Elections Code, it is hereby requested that the Santa Clara County Board of Supervisors, as supervising authority of the district at a regular or special meeting held prior to the Monday before the first Friday in December in which the election is held appoint to the above-referenced office the persons who have filed Declarations of Candidacy.

I hereby request that Santa Clara County Board of Supervisors appoint **Gary Kalbach**, being duly qualified for office, to the office of **Short Term Director, El Camino Healthcare District**.




Shannon Bushey, Registrar of Voters

September 25, 2018

RESOLUTION NO. BOS-2018-114

**RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA CLARA
APPOINTING DIRECTORS TO SPECIAL DISTRICT
BOARDS OF DIRECTORS
IN LIEU OF THE
NOVEMBER 6, 2018 GENERAL ELECTION**

WHEREAS, an election is scheduled to be held on Tuesday, November 6, 2018 for: two (2) Full-Term Directors for the Board of Directors of Cupertino Sanitary District; one (1) Short-Term Director of El Camino Healthcare District; two (2) Full-Term Directors of Purissima Hills Water District; one (1) Full-Term Director of Santa Clara Valley Open Space Authority, District 2; one (1) Full-Term Director of Santa Clara Valley Open Space Authority, District 5; one (1) Full-Term Director of Santa Clara Valley Open Space Authority, District 7; one (1) Full-Term Director of Santa Clara Valley Water District, District 1; one (1) Full-Term Director of Santa Clara Valley Water District, District 4; one (1) Full-Term Director of Santa Clara Valley Water District, District 7; two (2) Full-Term Commissioners of Saratoga Fire Protection District; three (3) Full-Term Directors of Silver Creek Valley Country Club Geologic Hazard Abatement District (GHAD); and, two (2) Full-Term Directors of South Santa Clara Valley Memorial District;

WHEREAS, by five o'clock p.m. on the 83rd day before the day fixed for the general district election, sixteen (16) persons had filed Declarations of Candidacy for the vacancies to be filled at this election, as follows: for Cupertino Sanitary District, two (2) persons filed Declarations of Candidacy for the two (2) Full-Term vacancies for Director; for El Camino Healthcare District, one (1) person had filed a Declaration of Candidacy for the one (1) Short-Term vacancy for Director; for Purissima Hills Water District, one (1) person had filed Declaration of Candidacy for the one (1) Full-Term vacancy for Director; for Santa Clara Valley Open Space Authority, District 2, one (1) person had filed Declaration of Candidacy for the one (1) vacancy for Director; for Santa Clara Valley Open Space Authority, District 5, one (1) person had filed Declaration of Candidacy for the one (1) Full-Term vacancy for Director; for Santa Clara Valley Open Space Authority, District 7, one (1) person had filed Declaration of Candidacy for the one (1) Full-Term vacancy for Director; for Saratoga Fire Protection District, two (2) persons had filed Declarations of Candidacy for the two (2) vacancies for Commissioner; for Silver Creek Valley Country Club Geologic Hazard Abatement District, two (2) persons had filed Declarations of Candidacy for the two (2) vacancies for Director; for South Santa Clara Valley Memorial District, two (2) persons had filed Declarations of Candidacy for the two (2) vacancies for Director;

WHEREAS, no petitions requesting that any of these elections be held were presented to the Registrar of Voters with signatures from ten percent of the voters or 50 voters, whichever is the smaller number, in the above-named Districts;

WHEREAS, in accordance with the California Elections Code Section 10515, the Registrar of Voters has submitted a certificate of these facts to the Board of Supervisors of the County of Santa Clara; and,

WHEREAS, the Registrar of Voters requests that the Board of Supervisors of the County of Santa Clara appoint to each such office the person who has filed a Declaration of Candidacy.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Santa Clara, State of California, that pursuant to Section 10515 of the Elections Code the following persons are appointed as Full-Term Directors of the Board of Directors to the referenced District:

Taghi S. Saadati	Cupertino Sanitary District
Patrick S. Kwok	Cupertino Sanitary District
Peter Evans	Purissima Hills Water District
Mike Flaughner	Santa Clara Valley Open Space Authority, District 2
Shay Franco-Clausen	Santa Clara Valley Open Space Authority, District 5
Kalvin Gill	Santa Clara Valley Open Space Authority, District 7
John L. Varela	Santa Clara Valley Water District, District 1
Linda J. Lezotte	Santa Clara Valley Water District, District 4
Gary Kremen	Santa Clara Valley Water District, District 7
James Forsberg	Silver Creek Valley Country Club GHAD
Reyad Katwan	Silver Creek Valley Country Club GHAD
Philip N. Garcia	South Santa Clara Valley Memorial District
Gabe Perez	South Santa Clara Valley Memorial District

BE IT FURTHER RESOLVED that pursuant to Section 10515 of the Elections Code Joe Long and Ernie Kraule are appointed as Full-Term Commissions to the Board of Commissioners for the Saratoga Fire Protection District;

BE IT FURTHER RESOLVED that pursuant to Section 10515 of the Elections Code Gary Kalbach is appointed as Short-Term Director of the Board of Directors to the El Camino Healthcare District;

//
//
//
//
//
//
//
//
//
//
//
//
//

BE IT FURTHER RESOLVED that the Purissima Hills Water District and Silver Creek Valley Country Club GHAD have vacancies for which no Declarations of Candidacy were filed; therefore, pursuant to Elections Code Section 10515(b), the Board of Supervisors is required to appoint any person to the office who is qualified on the date when the election would have been held. The person appointed shall qualify and take office and serve exactly as if elected at a general election for that office. Therefore, the Board of Supervisors directs the Clerk of the Board and the Registrar of Voters to commence the process to receive nominations and appoint qualified persons to fill these vacancies.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Clara, State of California, on October 16, 2018, by the following vote:

AYES: **CHAVEZ, CORTESE, SIMITIAN, WASSERMAN, YEAGER**

NOES: **NONE**

ABSENT: **NONE**

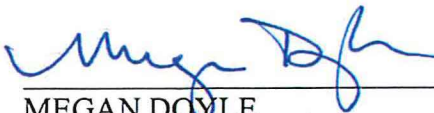
ABSTAIN: **NONE**



S. JOSEPH SIMITIAN, President
Board of Supervisors

Signed and certified that a copy of this document has been delivered by electronic or other means to the President, Board of Supervisors.

ATTEST:



MEGAN DOYLE
Clerk of the Board of Supervisors

APPROVED AS TO FORM AND LEGALITY:



MARY HANNA-WEIR
Deputy County Counsel

NOTICE OF ELIGIBILITY TO OFFICE

STATE OF CALIFORNIA)
) ss.
COUNTY OF SANTA CLARA)

Notice is hereby given that, **Gary Kalbach**, filed a Declaration of Candidacy for the office of **Director** of the **El Camino Healthcare District, Short Term** of Santa Clara County at the Consolidated Election scheduled to be held on November 6, 2018;

That not more than **one (1)** person filed for the **one (1)** office to be filled at said election;

That pursuant to Elections Code Section 10515, a petition signed by the requisite number of voters of the District requesting that the election be held was not presented to the Registrar of Voters by the 83rd day prior to the day fixed for the election; and,

That pursuant to Elections Code Section 10515, an election was not held and the person who filed a Declaration of Candidacy shall be seated at the Organizational Meeting of the Governing Board of the District as if elected at a District Election.

WITNESS my hand and Official Seal this 16th day of October, 2018.



Shannon Bushey
Shannon Bushey, Registrar of Voters



2500 Grant Road
Mountain View, CA 94040
Phone: 650-940-7300
www.elcaminohealthcaredistrict.org

Standards of Conduct

Adopted March 17, 2015

Affirmed - December 6, 2016; January 16, 2018

Proposed for Affirmation and Signing – December 5, 2018

BOARD OF DIRECTORS

*Peter C. Fung, MD
Gary Kalbach
Julia E. Miller
George O. Ting, MD
John L. Zoglin*

Preamble: The proper operation of democratic government requires that decision makers be independent, impartial, and accountable to the community they serve. The El Camino Healthcare District ("District") has adopted these Standards of Conduct to promote and maintain the highest standards of personal and professional behavior in the conduct of the District's business. Each District Board member is required to subscribe to these standards, understand them, apply them to his or her work as a Board member, and commit to them in writing annually. As a member of the District Board of Directors I agree to the following commitments while serving the District:

1. To place the community's best interests above my own; to positively promote the purpose of the District as stated in the Bylaws; to forego personal interests when making decisions as a Board member; to act as a fiduciary of the District in financial matters and decisions that may have material effect; and to comply with the District's Conflict of Interest Code as amended biennially.
2. To engage in lawful acts to the best of my ability and to comply with the governing documents of the District and the law.
3. To maintain a high standard of conduct that is above reproach and to avoid the appearance of impropriety.
4. To demonstrate mutual respect for my fellow Board members, and to respect decisions passed by the required number of votes of the Board. If I disagree with a vote of the Board, I will communicate with respect and behave professionally.
5. To prepare for, attend and participate thoughtfully in all meetings of the Board to the best of my ability; to allow the Chair of the meeting to do so and refrain from interrupting.
6. To communicate professionally and respectfully, whether in person, by telephone, by electronic mail or in writing, with the other Directors, community members, and District and El Camino Hospital staff.
7. To maintain confidentiality with respect to all closed session Board meeting discussions and materials.

Peter C. Fung, MD (Date) Gary Kalbach (Date) Julia E. Miller (Date)

George O. Ting, MD (Date) John L. Zoglin (Date)

Dedicated to improving the health and well-being of the people in our community.