

**Tulare Local Health Care District
Board of Directors Meeting
Wednesday, July 28, 2021, 6:30 PM
Evolutions Plaza Conference Room
1425 E. Prosperity Ave., Tulare, CA
(Use Prosperity Avenue entrance on north side of Plaza)**

Electronic participation will be available via Zoom Webinar link/phone number below.

Zoom Webinar link and call in information¹:

<https://us06web.zoom.us/j/81449932166?pwd=WHZNNjVPME9Bcmo3Y1R0ZTIzdk9jZz09>

You can also dial in using your phone

United States: +1 669 900 9128 or +1 253 215 8782 or +1 346 248 7799 or +1 301 715 8592

Webinar ID: 814 4993 2166

Passcode: 501435

Special notice to individuals with disabilities:

Please email kmelendez@tulareregional.org or call [\(559\) 685-3879](tel:(559)685-3879) in order to request any reasonable modification or accommodation as may be needed to observe or participate in this meeting telephonically/electronically.

Availability of Public Records.² All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the board members will be available for public inspection at TLHCD Administrative Offices, Annex Lab Building, 2nd Floor, 869 North Cherry Street, Tulare, California at the same time that the public records are distributed or made available to the board members.

¹ Pursuant to Executive Order N-29-20 dated March 17, 2020, in order to further combat the spread of the COVID-19 virus, California Governor Gavin Newsom has temporarily suspended certain provisions of the Brown Act respecting notice, quorum and accessibility requirements applicable to meetings of local legislative bodies. In accordance with said Order—a copy of which will be made available upon request—and related recommendations by the CDC, a physical location for public participation will be provided on a limited occupancy basis for the July 28, 2021, regular meeting of the Board. To avoid unintentional transmission of COVID-19, interested members of the public are encouraged to observe and participate in this meeting telephonically or electronically using the information provided above. Any member of the public requiring assistance in accessing these offsite technologies should email Kathy Melendez at kmelendez@tulareregional.org or call [\(559\)685-3879](tel:(559)685-3879) at least three (3) hours prior to the scheduled commencement of this meeting.

² Due to present restrictions related to COVID-19, the District is operating under a modified schedule. Please call [\(559\)685-3879](tel:(559)685-3879) or email kmelendez@tulareregional.org to arrange viewing access to documents.

MINUTES

Tulare Local Health Care District Board Members:

Kevin Northcraft	President	District 4 (left meeting @ 7:13PM)
Mike Jamaica	Vice President	District 2
Phil Smith	Treasurer	District 1
Xavier J. Avila	Secretary	District 5

1. **Call to Order**
Vice President Mike Jamaica called the meeting to order at 6:35 PM.
2. **Public Comment**
Emily Englesgaard, CrisCom Company, Inc., provided information on IIH community plans as it pertains to Medicare Advantage Health Plan services and a potential partnership with the District.
3. **Announcements – Board**
Vice President Jamaica announced that agenda items #15 and #13 will be moved up and will be reviewed after agenda item #4.
4. **Consent Agenda**
 - a. 6/23/2021 Regular Board Meeting Minutes
 - b. 7/14/2021 Special Board Meeting MinutesMotion was made by Xavier Avila and seconded by Phil Smith to approve consent items as presented. Motion approved 4-0.
5. **Tulare Hospital Foundation Update – Jan Smith, Executive Director**
Jan Smith announced the second Community Forum is being planned for August 26; the Foundation is holding “It’s a Girl Thing” on August 8 at Country M Ranch; Adventist Health is its Grand Sponsor; Smith presented a snippet of a virtual tower tour to the Board. Smith is thankful for continued community support.
6. **Evolutions Fitness & Wellness Center**
 - a. Gym Status Update – Jayne Presnell, Executive Director: Presnell reported that memberships in June have decreased due to 209 cancellations, however, there were 129 new memberships in June and 63 in July; check-ins for June are approximately 4,100; beginning August 1, the gym will open on Sundays; broken pipes from the pool have been repaired and both pools are in operation; there have been some staffing challenges but there were 5 newly hired employees.
 - b. Transition Update – Sandra Ormonde, District CEO
 - i. Discussion and Potential Action Related to Gym Management Consulting Services: Motion was made by Kevin Northcraft and seconded by Xavier Avila to authorize the CEO to proceed with request for proposals from gym management consultants. Motion approved 4-0.
 - ii. Discussion and Potential Action Related to Gym Ownership Transition: No action at this time. Information will be provided to the Board in August.
 - c. Discussion and Action Related to Child Care Facility Shade Structure: Presnell received a bid for \$32,000 and will seek additional bids. Xavier Avila feels this bid is

too high and would like to meet with CEO and Facilities Manager. This item will be tabled to next month.

7. **Adventist Health Tulare Update – Sheri Pereira, Site Administrator**
Administrator Pereira was not available.
8. **Adventist Health Tulare – Capital Improvements**
 - a. NPC-2 Emergency Lighting: Ormonde stated that NPC-2 projects are ready to be finished out and is hopeful to have approval by the State by the end of August.
 - b. NPC-2 Exit Lighting
 - c. Miscellaneous Projects: No update.
9. **Discussion and Potential Action Related to District Real Properties Sales/Use/Development Opportunities – Randy Dodd, Dodd Consulting**
 - a. Update: Dodd provided a brief report on the proposed changes to the RFP as a design build project and will present to the Board next month.
 - b. Discussion and Action Related to Request for Proposals for Medical Office Space
This item is tabled to the Special meeting in August.
10. **Tower Construction Committee – Phil Smith, Committee Chair**
 - a. Update: Smith provided an update from the last Tower Committee meeting.
 - b. Discussion and Potential Action Related to Committee Liaison Proposed Discussions with Adventist Health Regarding Tower Buildout
Motion was made by Xavier Avila and seconded by Phil Smith to empower Tower Committee members Kevin Northcraft and Mike Shaffer to have conversations with Adventist Health Central Valley Network. Motion approved 3-0.
11. **Discussion and Action Related to Request for Qualifications for Inspector of Record**
This item is tabled to the August meeting.
12. **Discussion and Action Related to Tower Construction Committee’s Recommendation Regarding Direct Hire and/or Contract Project Manager(s)**
 - a. Project Manager Job Description
Motion was made by Xavier Avila and seconded by Phil Smith to approve the job description for Project Manager as presented. Motion approved 3-0.
 - b. Direct Hire Project Manager
Motion was made by Xavier Avila and seconded by Phil Smith to allow CEO the authority to begin the hiring process for a new Project Manager position. Motion approved 3-0.
 - c. Interim Contract Project Manager
Motion was made by Xavier Avila and seconded by Phil Smith to accept the proposal for an Interim Project Manager proposal from Vanir Construction Management, Inc., as presented. Motion approved 3-0.
13. **Discussion and Potential Action Based on Status Update of Request for Lease Proposals No. 36C26120R0059 for Veterans Administration Facility**
CEO Ormonde reported that the VA has called for a final on conditions to those parties who provided a lease proposal by the July 16 deadline. The VA is expected to award a contract in early August.

14. **Discussion and Action Related to Independent Consulting Contracts Renewal:**
 - a. Dan Heckathorne
Motion was made by Xavier Avila and seconded by Phil Smith to approve the renewal of consultant contract as presented. Motion approved 3-0.
 - b. Randy Dodd
Motion was made by Xavier Avila and seconded by Phil Smith to approve the renewal of consultant contract as presented. Motion approved 3-0.

15. **Presentation by General Counsel Regarding Adventist Health Purchase Options under Current Lease – Jason O. Howard**

Legal Counsel Howard wanted to provide information for a complete understanding of the lease terms as it pertains to purchasing options of the hospital and tower. Howard confirmed there is no current plan to purchase the hospital, and stated this agenda item is purely an academic presentation. Howard also stated that any future sale of hospital property would need to go through the voters of the District.

16. **Discussion and Action Related to Establishing Cell Phone Policy for Board Directors**

Motion was made by Xavier Avila and seconded by Mike Jamaica to approve Cell Phone policy for Board Directors and staff as presented. Motion approved 2-0, Phil Smith abstained.

17. **Discussion and Action Related to Request for Proposal for Demography/Redistricting Services**

Motion was made by Phil Smith and seconded by Xavier Avila to approve the RFP for Demography Services as presented. Motion approved 3-0.

18. **Discussion and Action on Resolution 903 Declaring Certain Medical and Non-Medical Equipment as Surplus Property**

Kathy Melendez reported on the upcoming surplus sale to be held at 939 N. Gem Street and the Industrial Warehouse at 446 W. Prosperity Avenue.

Motion was made by Phil Smith and seconded by Xavier Avila to approve Resolution 903 as presented. Motion approved 3-0.

19. **Discussion and Action Related to Removal of Evaporative Cooler/Exhaust System at Real Property Located at 890 N. Cherry Street**

Motion was made by Phil Smith and seconded by Xavier Avila to deny the request by Microcorre Diagnostics to remove equipment from the building. Motion approved 3-0.

20. **Chief Executive Officer Report**
 - a. Property Management Update
 - i. Leases: All leases are current.
 - ii. Property Repairs: Ge has been working on preventative maintenance.
 - b. IT Update: District will be moving into the Cloud soon.
 - c. Tower Update: Morris Levin & Son will be working on the storm piping to keep the permit active.
 - d. District Office Relocation Update: Executive Assistant Melendez gave an update on the move to the construction trailer.

21. Financial Report

- a. Discussion and Action to Approve TLHCD Financial Statements – June 2021
Motion was made by Phil Smith and seconded by Xavier Avila to approve the financial statements, as amended by the recommendation of the Finance Committee. Motion approved 3-0.
- b. Cash Report Update – July 22, 2021: Ormonde provided an update to the report.
- c. Budget FY2021-22 status: Ormonde advised there will be a special Board meeting on August 17 for review of the budget.

22. Suspend Open Session at 8:38 PM – Recess to Closed Session

23. Closed Session at 8:50 PM

- a. Potential Litigation (pursuant to Ca. Govt. Code § 54956.9).
- b. Conference with Legal Counsel – Existing litigation (pursuant to Ca. Govt. Code § 54956.9):
 - i. *In re Tulare Local Healthcare District dba Tulare Regional Medical Center* – United States Bankruptcy Court Eastern District of California Case No. 17-13797
 - ii. *Tulare Local Health Care District v. Bruce R. Greene, et al.*, Superior Court for the State of California for Tulare County Case No. 278333
- c. Instructions to designated representative related to leases of real property located in Evolutions Plaza at 1425 E. Prosperity Avenue (pursuant to Ca. Govt. Code § 54956.8)
- d. Instructions to designated representative related to lease of real property located at 890 N. Cherry Street (pursuant to Ca. Govt. Code § 54956.8)
- e. End closed session at 9:32 PM

24. Reconvene Open Session at 9:34 PM – Public Report of Action Taken in Closed Session (If Necessary) pursuant to Government Code 54957.1

Legal Counsel Howard reported that, at the request of Microcorre Diagnostics, the District will allow an early release from their rental lease at the end of September 2021, due to the passing of Dr. Walter.

25. Adjournment at 9:34 PM– Next regular meeting scheduled for 6:30 PM on Wednesday, August 25, 2021, at a location to be determined