

SPECIAL MEETING

**Tulare Local Health Care District
Board of Directors Meeting
Thursday, August 13, 2020 6:30 PM
Evolutions Plaza Conference Room
1425 E. Prosperity Ave., Tulare, CA**

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

Zoom Meeting link and call in information¹:

<https://zoom.us/j/2771572997>

You can also dial in using your phone

United States: [+1 253 215 8782](tel:+12532158782) Use Meeting ID: [277 157 2997](tel:2771572997)

Special notice to individuals with disabilities:

Please email sormonde@tulareregional.org or call [\(559\) 685-3465](tel:5596853465) 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 August 13, 2020 special 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 Sandra Ormonde at sormonde@tulareregional.org or call [\(559\) 685-3465](tel:5596853465) 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 [\(559\) 685-3465](tel:5596853465) or email sormonde@tulareregional.org to arrange viewing access to documents.

AGENDA

Tulare Local Health Care District Board Members:

Kevin Northcraft	President	District 4
Mike Jamaica	Vice President	District 2
Senovia Gutierrez	Secretary	District 3
Xavier J. Avila	Director	District 5
Steve Harrell	Treasurer	District 1

1. Call to Order

Kevin Northcraft called the meeting to order at 6:34 pm.

2. Public Comment:

Paul Atlas asked if there were any plans to hold the previous board accountable for violating their fiduciary responsibilities to the taxpayers? He asked that this item be placed on the agenda for the next regular meeting on the 26th.

3. Announcements – Board

Xavier congratulated Mike and Kevin on being elected to serve on the Board again. He thinks Evolutions should open back up and would like to add it to the next agenda.

Senovia thinks Evolutions should remain closed until the COVID numbers decrease.

Steve agrees with Xavier and thinks Evolutions should open back up. He also wants to thank Tim Ward and the DA's office for the outstanding job they did investigating and filing charges.

Mike received a call from Larry Blitz congratulating the Board on the charges being filed.

4. Consent Agenda

No items.

5. Adventist Health Tulare – Capital Improvements

- a. NPC-2 Emergency Lighting Electric Construction Services
 - i. Discussion and Action to Approve Electric Construction Services PCO #007 to Howe Electric Proposal 18177 R4

Steve Harrell made a motion to approve the HOWE change order for \$54,000. Xavier Avila seconded the motion. Approved 5-0.

- ii. Discussion and Action Determining Financial Responsibility

Xavier Avila made a motion to determine the financial responsibility as TLHCD. Steve Harrell seconded the motion. Approved 5-0.

- iii. Discussion and Action to Approve Adventist Health Payment of Project Expenses as Offset Against Rent Pursuant to the Lease

Mike Jamaica made a motion to approve Adventist Health payment of project expenses as offset against rent pursuant to the lease. Xavier Avila seconded the motion. Approved 5-0.

- b. NPC-2 Emergency Lighting Access Panel Installation, Patch & Paint
Will discuss further at next meeting.
- c. NPC-2 Exit Signs
Will be complete by Monday.
- d. 90's Tower Chillers
 - i. Discussion and Action to Approve 90's Tower Chillers Adjustment No. 1 to New England Sheet Metal Job No. 3396

Steve Harrell made a motion to approve the NESM change order for \$26,450. Xavier Avila seconded the motion. Approved 5-0.
 - ii. Discussion and Action Determining Financial Responsibility

Xavier Avila made a motion to determine the financial responsibility as TLHCD. Steve Harrell seconded the motion. Approved 5-0.
 - iii. Discussion and Action to Approve Adventist Health Payment of Project Expenses as Offset Against Rent Pursuant to the Lease

Steve Harrell made a motion to approve Adventist Health payment of project expenses as offset against rent pursuant to the lease. Xavier Avila seconded the motion. Approved 5-0.
- e. IT Server Room AC Upgrade
There was a delay in receiving the large unit.
- f. Miscellaneous Projects
Air compressors will be installed on the roof.

6. Discussion and Action to Approve JWT Engagement Letter to Audit the District Financial Statements for Fiscal Year Ending June 30, 2020

Senovia Gutierrez made a motion to approve the JWT engagement letter. Xavier Avila seconded the motion. Approved 5-0.

7. Resolution No. 894 Declaring Tulare Medical Lots Exempt Surplus Land Pursuant to the California Surplus Land Act (pursuant to Ca. Govt. Code §§ 54221 et seq.)

Steve Harrell made a motion to approve Resolution 894. Senovia Gutierrez seconded the motion. Approved 5-0.

8. Discussion and Action to Produce Statement to Public Encouraging Following CDC (or similar) Guidelines to Prevent Spread of Coronavirus

Xavier Avila made a motion for the District to produce a statement to encourage the public to follow CDC guidelines. Steve Harrell seconded the motion. Approved 5-0.

9. Suspend Open Session – Recess to Closed Session at 7:10 pm.

10. Closed Session

- a. Potential Litigation (*pursuant to Ca. Govt. Code § 54956.9*)
- b. Conference with Interim 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, Kevin Northcraft, related to real property APNs 170-340-023, 170-340-040 and 170-340-035 commonly known as Lots 24, 26 and 35 of the Tulare Medical Center (*pursuant to Ca. Govt. Code § 54956.8*)
- d. Instructions to designated representative, Kevin Northcraft, related to 4 acres real property contiguous to but not a part of the real property at 1425 E. Prosperity Avenue commonly known as Evolutions (*pursuant to Ca. Govt. Code § 54956.8*)
- e. Instructions to designated representative, Kevin Northcraft, related to real property at 1425 E. Prosperity Avenue commonly known as Evolutions (*pursuant to Ca. Govt. Code § 54956.8*)
- f. 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*)
- g. Instructions to designated representative related to lease of real property located at 1050 N. Cherry St, commonly known as Veterans Administration Clinic (*pursuant to Ca. Govt. Code § 54956.8*)
- h. End closed session

11. Reconvene Open Session – Public Report of Action Taken in Closed Session (If Necessary) pursuant to Government Code 54957.1

12. Adjournment – Next regular meeting scheduled for 6:30 PM on Wednesday, August 26, 2020 at location to be determined.