

**Tulare Local Health Care District
Board of Directors Meeting
Wednesday, March 24, 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://zoom.us/j/93561383918?pwd=ejRZbzZ0SmJpbFNqZk4xbWp6VUw5QT09>

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: **935 6138 3918**

Passcode: **967934**

Special notice to individuals with disabilities:

Please email sormonde@tulareregional.org or call [\(559\) 685-3465](tel:559-685-3465)
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 March 24, 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 Sandra Ormonde at sormonde@tulareregional.org or call [\(559\) 685-3465](tel:559-685-3465) 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:559-685-3465) or email sormonde@tulareregional.org to arrange viewing access to documents.

MINUTES

Tulare Local Health Care District Board Members:

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

1. **Call to Order**

President Kevin Northcraft called the meeting to order at 7:06 PM (delay was due to technical difficulties.)

2. **Public Comment:**

None.

3. **Announcements – Board**

President Kevin Northcraft presented Steve Harrell with a plaque and thanked him for his efforts in reopening the hospital, assisting with contract negotiations and his compassion and dedication to the Board and the community. All other board members shared their sentiments as well.

Northcraft advised that Mike Jamaica, Sandra Ormonde and he met with the executive committee of Adventist Health Central Valley Network. Northcraft provided an update of their discussion. Ormonde stated it was an encouraging collaborative.

Northcraft also reported out from the February 24 closed session meeting regarding the rent reduction for Fugazzi's through the month of February 2021.

4. **Consent Agenda**

- a. 2/24/2021 Regular Board Meeting Minutes
Motion was made by Xavier Avila and seconded by Senovia Gutierrez to approve the minutes as presented. Motion approved 4-0.

5. **District 1 Director Appointment**

- a. Discussion regarding interview process:
Being that Phil Smith was the only interested party and he was recently interviewed by the Board for the Tower Construction Committee, the Board felt no need for additional interviewing.
- b. Review letters of interest and conduct interviews:
Only one letter of interest was received from Phil Smith. Appointment term is through November 2022.
- c. Discussion and Action to Appoint District 1 Director:
Motion was made by Xavier Avila and seconded by Senovia Gutierrez to appoint Phil Smith as Director of District 1. Motion approved 4-0.

6. **Election of Officers of the Board of Directors**

- a. Election of Treasurer:

Motion was made by Xavier Avila and seconded by Senovia Gutierrez to nominate Phil Smith as Treasurer. Motion approved 4-0.

- b. Discussion and Action to Appoint Director to the Finance Committee:
Motion was made by Senovia Gutierrez and seconded by Xavier Avila to appoint Phil Smith to the Finance Committee. Motion approved 4-0.

7. Tulare Hospital Foundation Update – Jan Smith

In the absence of Jan Smith, Barbara Harrell announced Doctor’s Day will be held on March 30 where the Foundation will welcome new doctors with a continental breakfast.

8. Evolutions Fitness & Wellness Center

- a. Gym Status Update – EVO Management Company
Paul Atlas reported Evolutions is advertising the re-opening of the gym for March 29. There have been some staffing issues since some employees have found other job, since the closure of the gym; Evolutions will reopen with reduced hours; there is a no-mask requirement for members but staff will be required to wear masks; EVO Management is offering a special to bring in new and returning members. Returning members will not pay membership until May 1. Northcraft thanked the efforts of EVO Management during the closure of the gym.
- b. Transition Update – Sandra Ormonde advised EVO has received \$300,000 in PPP. The original PPP loan has been forgiven and another request for forgiveness will be submitted.

9. Adventist Health Tulare Update – Sheri Pereira, Site Administrator

Sheri Pereira reported on the successful certification by DNV; Med/Surg and ICU floors are at capacity – not Covid related; visitor policy is less strict allowing one visitor per block of time. Sheri attended an After Hours Chamber event and she will be going into the community and service clubs to advise of what services are available at the hospital. AH has met with LifeStar Ambulance to capture ambulance services and making them aware of the services available at the hospital; the lactation room has been revamped for employee use.

10. Adventist Health Tulare – Capital Improvements

- a. NPC-2 Emergency Lighting Construction Administration Services
 - i. Discussion and Action to Approve Construction Administration Services Amendment Number 6 to Kluger Contract 19-105
Motion was made by Mike Jamaica and seconded by Xavier Avila to approved amendment as presented. Motion approved 4-0.
 - ii. Discussion and Action Determining Financial Responsibility
Motion was made by Xavier Avila and seconded by Mike Jamaica to accept financial responsibility. Motion approved 4-0.
 - iii. Discussion and Action to Approve Adventist Health Payment of Project Expenses as Offset Against Rent Pursuant to the Lease
Motion was made by Xavier Avila and seconded by Mike Jamaica to approve payment of project expenses. Motion approved 4-0.
- b. NPC-2 Emergency Lighting Construction Additional AOR Services: These items are tabled to the next meeting.

- i. Discussion and Action to Approve Construction Administration Services Amendment Number 7 to Kluger Contract 19-105
- ii. Discussion and Action Determining Financial Responsibility
- iii. Discussion and Action to Approve Adventist Health Payment of Project Expenses as Offset Against Rent Pursuant to the Lease
- c. NPC-2 Exit Lighting: Waiting on an approved route to be approved by AH for compliance with OSHPD and will be moving forward.
- d. IT Server Room AC Upgrade: Still waiting on for the UPC to be in place.
- e. Miscellaneous Projects: Assured that data archive for patient data is secure.

11. **AB 922 Presentation – Jason Howard, District General Counsel**

Legal Counsel Jason Howard provided clarification to the Board on what AB 922 allows and prohibits. AB 922 states that a public official may communicate on social media platforms to answer questions, provide information to the public regarding a matter within the District. However, communications are only allowed if the board members do not use social media to discuss official business amongst themselves meaning making posts, commenting, or using digital emojis to react to comments.

12. **Tower Construction Committee**

- a. Appointment of Two District Board Members to the Committee
Motion was made by Mike Jamaica and seconded by Xavier Avila to appoint Directors Kevin Northcraft and Phil Smith to the Tower Construction Committee. Motion approved 4-0.
- b. Discussion and Action Related to Committee Meeting Schedule: Ormonde will contact committee and schedule Grant Management Associates to go over status and figure out priorities of the committee. The first meeting will be held in April.
- c. Discussion and Action Related to Appointment of Community Member to the Committee (if necessary, as a result of appointing District 1 Board Director)
Motion was approved by Senovia Gutierrez and seconded by Xavier Avila to appoint Ross Gentry to the Tower Construction Committee. Motion approved 4-0.

13. **Discussion and Action Related to LAFCO Call to Vote for the Appointment of an Independent Special District Representative to the Countywide RDA Oversight Board**

Motion was made by Senovia Gutierrez to nominate David Francis. No second was made. Motion failed due to lack of a second.

Motion was made by Xavier Avila and seconded by Senovia Gutierrez to allow Northcraft the authority to consult with Board of Supervisor Chair and vote on behalf of the District. Motion approved 4-0.

14. **Chief Executive Officer Report**

- a. Property Management Update
 - i. Leases: Lease negotiation will be discussed during closed session for Sequoia Surgical Institute.
 - ii. Property Repairs: Ge has been making repairs at Evolutions in preparation for opening.

- iii. Sales/Use of Properties Update: Teter has surveyed the property at 591 Merritt and will return for additional inspection of the premises. Ormonde advised that JV Recycling will be notified to start demolition of 922 Cherry St.
 - b. IT Update: District should have access to the cloud in about a month.
 - c. Tower Update: Work continues by Morris Levin & Son putting in permanent cast iron drains. Ormonde will contact GMA to search for smaller building grants for the smaller projects.
 - d. Redistricting Update: It is expected that census data will not be available until the end of September so the redistricting deadlines will not be met. However, there are no new deadlines provided by the State of California.
15. **Financial Report**
Discussion and Action to Approve Financials:
- a. TLHCD Internal Financial Statements – February 2021
 - b. Cash Report Update – March 19, 2021
 Motion was made by Senovia Gutierrez and seconded by Xavier Avila to accept the financial reports as presented. Motion approved 4-0.
16. **Suspend Open Session – Recess to Closed Session at 8:28 PM**
17. **Closed Session 8:30 PM**
- 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 related to real property at 1425 E. Prosperity Avenue commonly known as Evolutions (*pursuant to Ca. Govt. Code § 54956.8*)
 - d. 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*)
 - e. Staff Evaluation
 - i. *Public Employee Performance Evaluation of District CEO* (*pursuant to Ca. Govt. Code § 54957(b)(1)*)
 - f. End closed session at 9:32 PM
18. **Reconvene Open Session at 9:34 PM – Public Report of Action Taken in Closed Session (If Necessary) pursuant to Government Code 54957.1**
 Nothing to report.
19. **Adjournment at 9:34 PM– Next regular meeting scheduled for 6:30 PM on Wednesday, April 28, 2021, at a location to be determined.**