

**Tulare Local Health Care District
Board of Directors Meeting
Wednesday, October 27, 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/88292548639?pwd=MWMrb2oxSWczSVdRd055N0tFQVRsdz09>

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: **882 9254 8639**

Passcode: **904266**

Special notice to individuals with disabilities:

Please email kmelendez@tulareregional.org or call [\(559\) 685-3879](tel:5596853879)
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, Construction Trailer, 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 Government Code Section 54953(e) (as amended by AB-361), when a legislative body holds a meeting during a proclaimed state of emergency and either (a) state or local officials have imposed or recommended measures to promote social distancing, or (b) the board of the local agency, by majority vote within the last 30 days, has determined that, as a result of said emergency, meeting in person would present imminent risks to the health or safety of attendees, certain provisions of the Brown Act respecting notice, quorum and accessibility requirements applicable to meetings of local legislative bodies are modified to accommodate overriding public health concerns. A physical location for public participation in the October 27, 2021, regular meeting of the Board of Directors will therefore be provided on a limited occupancy basis. 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:5596853879) 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:5596853879) or email kmelendez@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
Phil Smith	Treasurer	District 1
Xavier J. Avila	Secretary	District 5

1. **Call to Order**

President Northcraft called the meeting to order at 6:32 PM.

2. **Public Comment**

Citizen Paul Atlas requested to move agenda item 15 prior to the discussion regarding Evolutions agenda item 6.

Evolutions member and citizen Sean Smiley spoke in favor of Evolutions and gave accolades to the services provided at Evolutions. Northcraft made clarifications on maintaining discussions with the VA and keeping open communications. Mr. Atlas spoke in opposition to allowing the VA to take over Evolutions and wanted assurance that the facility was not going to be utilized by the VA.

Jayne Presnell spoke in favor of Evolutions.

Citizen Bill Barker spoke in favor of the VA Clinic.

Female citizen spoke in favor of the VA Clinic stating this type of facility would provide more jobs and more facilities are needed for the veterans.

Female citizen spoke in favor of the VA Clinic but stated, however, there are many empty buildings in town and cannot see why those empty buildings could not be utilized.

Tom Beekle spoke in favor of Evolutions noting there are many veterans using the gym.

3. **Announcements – Board**

Secretary Xavier Avila explained his position stating that all aspects of the gym need to be considered; both entities can exist in one building while providing services to the veterans and improving the District's financial picture. Avila encouraged the public to contact him with any questions.

Treasurer Phil Smith reported that he has reached out to the board member of Kaweah Health in regards to a statement CEO made in a recent news article. Smith also stated that he was involved in a veterans expansion about 5 years ago that did not happen. Smith has reached out to Devin Nunes' office regarding the VA not pursuing build to suit for this facility as it has in other states and encouraged others to do the same.

President Northcraft announced that he has reached out to the City and County expressing an interest in the American Rescue Funds Act that are available to our city and county should be considered to assist the District in the tower development. We

will be considering a formal letter from the Board at its next meeting. Northcraft also requested that item 6 be moved before item 4, as well as item 10.c.i. Northcraft also spoke about the positive article in the Times Delta regarding the residency program at Adventist Health. The Sun Gazette wrote a positive article about the 3 year anniversary of the hospital opening. Northcraft spoke about a quarterly meeting held with Adventist Health.

4. Consent Agenda

- a. 9/22/2021 Regular Board Meeting Minutes
- b. 9/24/2021 Special Board Meeting Minutes
- c. 10/14/2021 Special Board Meeting Minutes
- d. 10/20/2021 Special Board Meeting Minutes
- e. 10/21/2021 Special Board Meeting Minutes

Motion was made by Xavier Avila and seconded by Mike Jamaica to approve consent agenda as presented. Motion approved 4-0.

5. Tulare Hospital Foundation – Jan Smith, Executive Director

No report.

6. Evolutions Fitness & Wellness Center

- a. Gym Status Update – Jayne Presnell, Executive Director: No report.
- b. Transition Update – Sandra Ormonde, District CEO

- i. Discussion and Action to Approve Proposal for Gym Management Consulting Services

- 1) Jim Thomas Fitness & Sports Management Consulting – Jim Thomas
 - 2) Cooper Wellness Strategies – David L. Evans, Vice President

- After presentations by both consultants and discussion amongst the Board, a motion was made by Phil Smith and seconded by Xavier Avila to accept the proposal from Jim Thomas Fitness & Sports Management Consulting. Motion approved 4-0.

- ii. Update on Energy Audit Proposals: Ormonde advised she has received two responses and waiting on a third. Ormonde will evaluate and will present a recommendation to the Board in November.

- iii. Discussion and Potential Action Related to Gym Ownership Transition

- 1) Transitioning Employees from EVO Management to TLHD

- CEO Ormonde reported that EVO contracts are being reviewed by CEO, Jason Howard and Joseph Soares. Ormonde has engaged with attorney to work on employee handbook and with Presnell on job descriptions and performance evaluation criteria. Legal Counsel Howard reminded the Board that California is an at-will state. Northcraft stated there will be set standards and work expectations for all employees. Motion was made by Xavier Avila and seconded by Phil Smith to transition all Evolution employees to the Tulare Local Healthcare District. Motion approved 4-0.

7. Adventist Health Tulare – Sheri Pereira, Site Administrator

No report.

8. Adventist Health Tulare Capital Improvements Update – Sandra Ormonde, CEO

- a. NPC-2 Emergency Lighting: The NPC-2 emergency and exit lighting projects should be complete in the next 2-3 weeks.
 - b. NPC-2 Exit Lighting
 - c. Miscellaneous Projects – Arc Flash Survey: Ormonde advised that proposals will be sought for this survey to safety test areas where employees are working. Informational item only.
9. **Tower Construction Committee – Phil Smith, Committee Chair**
No report.
10. **Hospital Tower Project**
- a. Update on Tower Projects – Roy Magdaleno, Project Manager
Mr. Magdaleno has been working with Ormonde and provided an update on proposed projects including electrical work, generator servicing, and storm drain installation.
 - i. Discussion and Action to Approve Proposal for Installation of Storm and Overflow Drains on the First Floor of the Tower
Motion was made by Phil Smith and seconded by Xavier Avila to approve proposal as presented. Motion approved 4-0.
 - b. Discussion and Action Related to Presentation of Statement of Qualifications and Selection of Inspector of Record
 - i. TYR, Inc. – Youssef Sobhi, President and Senior Inspector
Ormonde advised that TYR withdrew their proposal due their inability to commit staff. Motion was made by Phil Smith and seconded by Mike Jamaica to continue with Vanir on a month to month basis for interim Inspector of Record services. Motion approved 4-0.
 - c. Discussion and Action Related to Presentation of Statement of Qualifications and Selection of Architectural Services Firm
 - i. Mangini Associates, Inc. – Ryan Morrelli, Principal Architect: Mangini Associates provided a letter to the District to withdraw their proposal due to their current volume of business.
 - ii. Davis Stokes Collaborative, P.C., Architects – Willie O. Stokes, President and Principal Architect
An online presentation was made by Davis Stokes highlighting medical projects they have designed and reviewed administrative processes. Motion was made by Mike Jamaica and seconded by Xavier Avila to accept the proposal for architectural services as presented. Motion approved 4-0.
11. **Discussion and Action Related to Review of Proposals Received in Response to Request for Proposals for Medical Office – Randy Dodd, Dodd Consulting**
Dodds provided a brief update summarizing work in response to the RFP. Dodds stated that all three candidates are qualified and recommends each proposal be presented to the Board. Northcraft suggested that Dodds, Ormonde and Phil Smith review the proposals and down-select, and the final proposal be brought back to the Board for consideration. It was consensus of the Board to have Dodds, Ormonde and Smith review proposals and bring back a final proposal for consideration.

12. **Discussion and Action on Resolution 905 Declaring Certain Medical and Non-Medical Equipment as Surplus Property**
Motion was made by Mike Jamaica and seconded by Phil Smith to approve Resolution 905 as presented. Motion approved 4-0.
13. **Discussion and Action to Approve Request to Amend Records Retention and Destruction Schedule – Kathy Melendez, Executive Administrative Assistant**
Ormonde advised there are only minor changes requested to the Schedule. Motion was made by Phil Smith and seconded by Mike Jamaica to approve the records retention and destruction amendment as presented. Motion approved 4-0.
14. **Discussion and Action Related to Redistricting Services and Public Hearing Requirement – Josh Chism, Cooperative Strategies**
Mr. Chism made a presentation to the Board regarding the adjustment of trustee boundaries after each decennial census, most noticeably an 11% increase in the Hispanic/Latino population, and reviewed demographics in each trustee area. An analysis resulted in a population variance of 21.9% and the maximum allowed is 10%. Thus, requiring a trustee area boundary adjustment. Cooperative Strategies (CS) will come back to the Board after some scenarios are developed for consideration. Treasurer Smith asked if CS could locate arterial streets, highways, railways, etc., on the maps to easily identify each area. Chism welcomed any suggestions to adjust boundaries. Chism explained the public hearings are not required but is encouraged for public involvement. It is expected to have the public hearing on January 26, 2022, to review and approve final maps.
15. **Status Update of Request for Lease Proposals No. 36C26120R0097 for Veterans Administration Facility – Sandra Ormonde, CEO**
Ormonde reported a site survey will determine if the location is suitable for their purposes. Amendment to the existing lease proposal is expected in late November. At that time, the developer will present to the Board if the site is being considered.
16. **Discussion and Action Related to Continuation of Remote Attendance Accommodations (by Zoom) in Accordance with AB 361 – Jason O. Howard, General Counsel**
Legal Counsel Howard explained that AB 361 modified the Brown Act. The Board will be required to place this item for discussion on each agenda going forward through January 1, 2024, and will need to be approved for all board and standing committee meetings.

Motion was made by Xavier Avila and seconded by Kevin Northcraft to approve, as a result of the present emergency and in-person attendance strictly presents an interference to the health and safety of attendees, the continuation of remote attendance accommodations by Zoom. Motion approved 4-0.
17. **Discussion and Action to Approve Proposal for Security Services – Sandra Ormonde**
CEO Ormonde stated that the current security service has not been effective and their contract expires in January 2022. Ormonde recommends acceptance of the proposal from Echelon Security. Motion was made by Xavier Avila and seconded by Phil Smith to approve the proposal as presented. Motion approved 4-0.

18. **Chief Executive Officer Report**
 - a. Property Management Update
 - i. Leases: Microcorre is still vacant.
 - ii. Property Repairs: Nothing major to report. Ge has replaced some exit lighting at the VA building.
 - b. IT Update: District is in the Cloud and working on email issues. Ormonde will be working with an IT service provider next week.
 - c. Project Manager Recruiting Effort Update: Awaiting the hiring of new CEO to make final interviews for Project Manager.
 - d. CEO Recruiting Effort Update: The Board will meet in closed session to discuss.
 - e. District 3 Director Vacancy Update: Ormonde stated that the notice has been published and no responses have been received. An appointment must be made within 60 days of notice of vacancy.
 - f. Unclaimed Property: Asst Controller Trueblood has viewed the State's website and reported there is approximately \$50,000 in unclaimed funds and a claim has been submitted.

19. **Financial Report**
 - a. Discussion and Action to Approve TLHCD Financial Statements – October 2021 Motion was made by Phil Smith and seconded by Mike Jamaica to approve the financial statements for September as presented. Motion approved 4-0.
 - b. Cash Report Update – October 21, 2021
 - c. Audit Status: Status will be provided at the November regular meeting.

20. **Suspend Open Session – Recess to Closed Session at 9:50 PM.**

21. **Closed Session at 9:51 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
 - c. Instructions to designated representative related to real property commonly known as Lots 24, 26 and 35 of the Tulare Medical Center located on North Cherry Street in Tulare (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. Instructions to designated representative related to real property at 890 N. Cherry Street, formerly Microcorre Diagnostic Lab (pursuant to Ca. Govt. Code § 54956.8)
 - f. Discussion and Action on public employee appointment of Chief Executive Officer (*pursuant to Govt. Code § 54957(b)(1)*)
 - g. End closed session at 10:32 PM

22. **Reconvene Open Session at 10:32 PM – Public Report of Action Taken in Closed Session (If Necessary) pursuant to Government Code 54957.1**

It was reported out that the Board approved a six-month lease with Re.Vive and waived the 3% rent increase. In addition, the Board also approved Fugazzi's proposed repayment schedule of past due rent and a zero rent increase this renewal period 11/2021 through 10/2022.

23. **Adjournment at 10:35 PM – Next regular meeting scheduled for 6:30 PM on Wednesday, November 17, 2021, at Evolutions Plaza, Conference Room.**

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