

SPECIAL MEETING

**Tulare Local Health Care District
Board of Directors Meeting
Tuesday, November 23, 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/84817521087?pwd=cG9XS1FYTGROVfoekRBS1hGNnVudz09>

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: 848 1752 1087
Passcode: 190146

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 November 23, 2021, special 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.

² Due to present restrictions related to COVID-19, the District is operating under a modified schedule. Please call (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
Mike Jamaica	Vice President	District 2
Xavier J. Avila	Secretary	District 5
Philip Smith	Treasurer	District 1

1. Call to Order

President Kevin Northcraft called the meeting to order at 6:35 PM.

2. Public Comment

Over 26 public comments were received. Of those comments, six citizens wanted to listen to the Catalyst proposal, two had concerns with the terms of the Memorandum of Understanding, and eighteen spoke in favor of maintaining the gym at its current size and request that the Board not consider the proposal to lease space to the VA in Evolutions Plaza.

3. Announcements – Board

Director Smith advised that he will be recusing himself from agenda item #5 (interviews).

Director Avila announced that the Board should have been more open and had better communication with the public. Avila stated that no one wants to take the facility away from the community. The Board needs to review its option and make more additions to the facility.

President Northcraft restated that he previously spoke in rejection of the VA proposal and respectfully disagrees with the proposal. Northcraft feels the gym is viable and stated that the gym is a health facility that serves our community.

4. Discussion and Action to Approve Memorandum of Understanding with Catalyst Capital Related to Request for Lease Proposals No. 36C26121R0097 for Department of Veterans Affairs (VA) Facility – Sandra Ormonde, CEO

A presentation was made by Catalyst Capital. Mr. Cody stated that this presentation is to review the MOU to move forward with a concept; it is their intention to keep the gym. Mr. Cody did state that the VA is only considering existing buildings in Tulare and Visalia. The deadline for lease proposals is December 14, 2021. If approved, the next steps would be to draw up a conceptual design and conceptual pricing.

Director Avila stated that, under the previous administration, maintenance was deferred for 16 years, and it is the Board's obligation to move forward and put together a preliminary concept. Avila further stated that positive cashflow would allow the District to put money back into the facility and it would be a risk to not consider a proposal. President Northcraft stated that the gym is a valuable asset, and a worst-case scenario would be that a new VA facility would be 5 miles away (Visalia). Director Smith stated he prefers the VA would choose a build to suit facility. Vice President Jamaica feels the gym does help veterans.

Motion was made by Kevin Northcraft and seconded by Phil Smith to reject the proposal presented by Catalyst Capital. Motion approved 3-1 with Xavier Avila voting no.

5. District 3 Director Appointment

(Prior to discussion to appoint a new District 3 Director, Phil Smith left the meeting.)

- a. Discussion regarding interview process: Letters of interest were received up until noon on Monday, November 22, 2021.
- b. Review letters of interest and conduct interviews: Interviews were conducted by the Board with Cecilia Herrera and Maria Macedo.
- c. Discussion and Action Related to Appointment of District 3 Director: After consideration of all interviews conducted, a motion was made by Xavier Avila and seconded by Mike Jamaica to appoint Margaret Fidler as District 3 Director. Motion approved 3-0.

6. Discussion and Action Related to American Rescue Plan Act Funds Request – Sandra Ormonde, CEO

Ormonde advised that the City of Tulare had a study session in how to utilize ARPA funds. The next meeting of the City Council will be December 7 to discuss the allocation of ARPA funding. It was the direction of the Board of Directors to have the CEO work with the City to allow Police Department officers the same benefits at Evolutions as the City's Firefighters, work with the City to have Yoga in Zumwalt Park and can distribute the \$2 million request over a 5-year period.

7. Financial Report

- a. Discussion and Action to Approve TLHCD Financial Statements – October 2021
After review of financial reports, a motion was made by Mike Jamaica and seconded by Xavier to approve financial reports as presented with one modification (line 57 of the Balance Sheet should be 591 Merritt, not 922 Cherry). Motion approved 4-0.
- b. Update on FY 2021-22 Quarter 1 Budget and Cash Flow Review: Presented and reviewed. There were no significant changes in the budget.
- c. Cash Report Update – November 11, 2021: Presented and reviewed.

8. Suspend Open Session – Recess to Closed Session at 10:01 PM.

9. Closed Session at 10:03 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 leases of real property located in Evolutions Plaza at 1425 E. Prosperity Avenue (pursuant to Ca. Govt. Code § 54956.8)

- d. Conference with agency designated representative, Kevin Northcraft, on labor negotiations regarding Chief Executive Officer position (*pursuant to Govt. Code § 54957.6*)
- e. End closed session at 10:07 PM.

10. Reconvene Open Session at 10:08 PM – Public Report of Action Taken in Closed Session (If Necessary) pursuant to Government Code 54957.1

Legal Counsel Jason Howard reported that a motion was made by Kevin Northcraft and seconded by Xavier Avila to approve a true-up 401(k) match for CEO Ormonde from June 2020 to current. Motion approved 3-0 (Director Smith was not present).

11. Adjournment at 10:08 PM – Next regular meeting scheduled for 6:30 PM on Wednesday, December 15, 2021, at the Evolutions Plaza Conference Room.