

**Tulare Local Health Care District
Board of Directors Special Meeting
Tuesday, November 29, 2022, 6:30 PM
Administrative Offices, Modular Building
842 N. Gem, Tulare, CA
(Northeast corner of Terrace and Gem Street)**

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

Zoom Webinar link and call-in information¹:

<https://us06web.zoom.us/j/88568882506?pwd=bzdsMUErS2Q5TncwHVQV3ZRSXNsZz09>

You can also dial in using your phone.

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

Meeting ID: 885 6888 2506

Passcode: 965657

Special notice to individuals with disabilities:

Please email cwatkins@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, Modular Building, 842 N. Gem 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 29, 2022, 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 Philip Smith at psmith@tulareregional.org or call 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 or email psmith@tulareregional.org to arrange viewing access to documents.

MINUTES

November 29, 2022

Tulare Local Health Care District Board Members Present:

Kevin Northcraft	President	District 4
Xavier J. Avila	Secretary	District 5
Margaret Fidler	Treasurer	District 3
Brandon Taylor	Director	District 1
Mike Jamaica	Director	District 2

1. Call to Order

President Northcraft called the special meeting to order at 6:33 PM.

2. Public Comment

Jevon Price commented the solar project that would be located on the gym property will be beneficial for the district, and be long-time sustainable.

3. Board Announcements

Director Northcraft shared Jevon that Price is in the audience at this time he is in lead for District 3; Director Fidler was conceded by Jevon Price. On December 14st the District will administer the Oath of Office to two Board Members. Director Taylor and Jevon Price.

Director Jamaica commented that the Festival of Trees was a nice event and well attended.

Director Fidler advised the Historical Society will have a Reverse Drawing on December 13th, 2022; tickets are \$100.00 each.

4. Discussion and Potential Action regarding Western Alliance Bank Financing proposal for the Energy Services Contract with ENGIE Services U.S. Inc. – Roy Nelson, Bud Levine, Rob Pankratz, Wulff & Hansen.

Roy Nelson clarified the solar project interest rate details and reviewed the solar savings analysis with the group. Jacob Goering from ENGIE advised that ENGIE will take care of the paperwork for the project. A motion was made by Director Northcraft, seconded by Director Jamaica, to approve the Western Alliance Bank Financing Proposal. Approved 5-0

5. Discussion and Potential Action to Approve Resolution 914 Approving the Form and Authorizing the Execution of a First Supplemental Indenture of Trust Relative to Energy Services Contract with ENGIE Services U.S. Inc.

A motion was made by Director Jamaica, seconded by Director Taylor, to approve Resolution 914. Approved 5-0

6. Discussion and Potential Action to Approve Resolution 915 Approving the Form and Authorizing the Execution and Delivery of an Indenture and a Bond Purchase Agreement in Connection with the Issuance, Sale, and Delivery of the Tulare Local Healthcare District Revenue Bonds, Series 2022.

The board considered Resolution 915 with a motion from Director Fidler, seconded by Director Taylor, to approve the Resolution as presented. Approved 5-0 Following approval Roy Nelson advised that the loan documents will be delivered tomorrow between 10 am and noon.

7. Chief Executive Officer Report

- a. The Board agreed to send the State Audit 2018 response letter as presented.
- b. CEO advised there will be a charge to the district for closing the Evolution Management account.

8. Suspend Open Session – Recess to Closed Session 7:40 PM

9. Closed Session at 7:51 PM

- a. Conference with Legal Counsel – Existing litigation (*pursuant to Ca. Govt. Code § 54956.9*):
 - i. *Tulare Local Health Care District v. Bruce R. Greene, et al.*, Superior Court for the State of California for Kern County Case No. BCV-19-103514;
 - ii. *Boneso Bros. Construction v. Tulare Local Healthcare District*, Superior Court for the County of Tulare, Case No. VCU292615.
- b. Discussion and Potential Action regarding public employee evaluation/dismissal of Chief Executive Officer (*pursuant to Govt. Code § 54957(b)(1)*).
- b. End closed session.

10. Reconvene Open Session – Public Report of Action Taken in Closed Session (If Necessary) pursuant to Government Code 54957.1 NOT SURE IF WE NEED TO RECORD DISMISSAL

11. Adjournment at 8:30 PM – Next regular meeting is scheduled for 6:30 PM on Wednesday, December 21, 2022, at the Administrative Offices, Modular Building, Northeast corner of Terrace and Gem Street.

Xavier Avila, Board Secretary

