

**Tulare Local Health Care District  
Board of Directors Meeting  
Wednesday, November 16, 2022, 6:30 PM  
Administrative Offices, Modular Building  
842 N. Gem Street  
(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 information<sup>1</sup>:**

<https://us06web.zoom.us/j/82883037342?pwd=Z0w5MnZ3ZDErejcvQ21xQXNxSFBkZz09>

**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: 828 8303 7342

Passcode: 202256

**Special notice to individuals with disabilities:**

Please email [cwatkins@tulareregional.org](mailto:cwatkins@tulareregional.org) or call [\(559\) 656-1301](tel:5596561301)  
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.** 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 North Gem Street, Tulare, California at the same time that the public records are distributed or made available to the board members.

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<sup>1</sup> 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 November 16, 2022, regular meeting of the Board of Directors will therefore be provided at the address listed above 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](mailto:psmith@tulareregional.org) or call 559-685-3465 at least three (3) hours prior to the scheduled commencement of this meeting.

# AGENDA

November 16, 2022

## **Tulare Local Health Care District Board Members:**

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

- 1. Call to Order**
  - a. Roll Call
  - b. Welcome/Introductions
  - c. Pledge of Allegiance
  
- 2. Public Comment:** The public may comment on any item of public interest within the jurisdiction of the Tulare Local Healthcare District Board of Directors. In the interest of time and equal opportunity, speakers are requested to observe a 3-minute maximum time limit (subject to change at the Chair's direction). In accordance with the Brown Act, if a member of the public addresses an item, not on the posted agenda, no response, or action on the item may occur during the meeting.
  
- 3. Announcements – Board**
  
- 4. Consent Agenda**
  - a. 10/26/22 Regular Board Meeting Minutes
  - b. Discussion and Action Related to Continuation of Remote Attendance Accommodations (by Zoom) in Accordance with AB 361
  
- 5. Hospital Tower Construction Committee – Roy Magdaleno/Nancy Overstreet**
  - a. Update on Tower Project(s)
  
- 6. Tulare Hospital Foundation Update – Jan Smith, Director of Philanthropy**
  
- 7. Adventist Health Tulare Update – Sheri Pereira, Site Administrator**
  
- 8. Discussion and Potential Action Regarding the Updated Proposal and Potential Savings for the Energy Services Contract with ENGIE Services U.S. Inc. –ENGIE Services, Inc.**

Board to consider the updated financial benefit regarding the energy services contract for the Evolutions solar project.

  - a. ENGIE Services U.S. Inc. update
  - b. Wulff, Hansen & Co. update

- 9. Discussion and Potential Action to Approve MDM Proposal – John Roberts**  
Board to consider parking lot repair adjacent to the Panera project at the Prosperity Center. The proposed repairs to the drive aisles are potentially covered under the Access and Ingress/Egress Easement Agreement previously signed by the District and Mr. Robert’s development company. A portion of the north/south drive aisles along the shared property boundary are in poor condition and in need of repair.

  - a. Discussion regarding additional resurfacing of the Evolutions parking lot
  
- 10. Presentation by General Counsel regarding AB 2449**  
General Counsel will briefly present the rules for Board member remote meeting participation found in newly enacted AB 2449, which goes into effect January 1, 2023. AB 2449 amends the Brown Act to provide somewhat complex alternative teleconference procedures by which members of a legislative body may participate remotely, the application of which turns on individual facts and circumstances.
  
- 11. Chief Executive Officer Report**

  - a. Discussion and Possible Action related to the State Audit 2018 response
  - b. Audit update for TLHCD
  - c. Tenant Lease update
  - d. Personnel update
  - e. IT transition
  - f. Evolutions- Jayne Presnell
    - i. Membership update
  
- 12. Financial Report**  
Discussion and Action to Approve Financials:

  - a. TLHCD Internal Financial Statements – October 2022
  - b. Evolutions Internal Financial Statements – October 2022
  
- 13. Suspend Open Session – Recess to Closed Session**
  
- 14. Closed Session**

  - 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 of Chief Executive Officer (*pursuant to Govt. Code § 54957(b)(1)*).
  - c. End closed session.
  
- 15. Reconvene Open Session – Public Report of Action Taken in Closed Session (If Necessary) pursuant to Government Code 54957.1**

16. **Adjournment – 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.**