

**Tulare Local Health Care District
Board of Directors Special Meeting
Wednesday, November 16, 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/81897317212?pwd=OWpFQVZKVGVmQks1cmFGSWVtUzE0dz09>

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: 818 9731 7212

Passcode: 530276

Special notice to individuals with disabilities:

Please email cwatkins@tulareregional.org or call [\(559\) 656-1301](tel:559-656-1301)
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 on November 16, 2022, a 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 16, 2022

Tulare Local Health Care District Board Members Present:

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

1. Call to Order

President Northcraft called the meeting to order at 6:31 PM.

2. Public Comment

Sally Boucher commented on the Evolutions parking lot asphalt deterioration.

3. Board Announcements

Director Jamacia shared that the Festival of Trees is taking place tomorrow at the Veterans Memorial Building from 6:00 PM- 11:00 PM

Director Avila commented on the "Open Letter to the Public" drafted by Gary Herbst, CEO of Kaweah Health Care District, noting the uncertainty ahead. We do our part to make sure we can possibly fill in the gaps to help.

Director Northcraft introduced Jevon Price, candidate for Director of area 3, to serve on the Tulare Local Health Care District Board of Directors, further advising that Jevon Price is in the lead at this time.

4. Consent Agenda

Director Avila made the motion, seconded by Director Taylor, to approve the consent agenda with one correction to the minutes. The correction noted Mike Jamaica's title reads "Director". It should be "Vice President" Motion made by Director Avila, seconded by Director Taylor to approve the consent agenda with the change noted 5-0.

5. Hospital Tower Construction Committee – John Atilano/Roy Magdaleno/Nancy Overstreet

Nancy Overstreet gave an update on Tower Project(s) such as awning painting, parking lot bids, basement stairs, and generators. Nancy Overstreet presented the idea of obtaining bids to repaint the purple bands that are on the outside of the tower. The Board concurred with the request to obtain bids on the repainting.

6. Tulare Hospital Foundation Update

Not present

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

Sheri Pereira commented that there was an increase in discharges by 244% for the year. She further advised that this is a busy flu and RSV season, and she urged everyone to get their flu shot.

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.

Ashu Jain from ENGIE Services U.S. Inc. gave an update to the group noting the rebate and changes to the Inflation Reduction Act. Ashu Jain advised that the District would be eligible to receive a 25.5 % cash subsidy from the total project. The PTC decided on the NCC 4.0. You will have until April 14, 2023, to file an extension and be grandfathered into the current savings.

Roy Nelson from Wulff, Hansen & Co. presented clarification of the rebate. Roy Nelson agrees with Ashu Jain from ENGIE and believes this project would be beneficial for the District. He continued that the District would always see a net positive. Wulff Hansen received a 5.34% interest rate from Western Alliance. After further evaluation, the Board elected to reconsider the energy services contract with ENGIE Services U.S. Inc. at a Special Board Meeting on November 29th. A motion was made by Director Northcraft, seconded by Director Taylor, to approve holding a Special Meeting to reconsider the two Resolutions (914 & 915). Approved 4-1, with Director Avila voting against.

9. Discussion and Potential Action to Approve MDM Proposal – John Roberts

Mr. Smith advised that he has yet to receive an update from John Roberts regarding the parking lot proposal there will be more to come. Approved by consensus to

10. Presentation by General Counsel regarding AB 2449

General Counsel briefly presented the rules for Board members' 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. The Board concurred with the request to send the State Audit 2018 letter.
- b. Audit update for TLHCD: The IT disruption caused some delay.
- c. Tenant Lease update: There is a possibility of Evergreen Fit Meals & Café occupying a space within the Evolutions building; she will be at the next Board meeting.
- d. Complete reviews for Nancy Overstreet, Christie Watkins, Ge Thao, and Jayne Presnell. Please submit feedback to Philip Smith. A Ford Maverick small pickup truck has been ordered for Ge Thao as he uses his personal vehicle for District purposes. It will be branded with the District logo.
- e. IT transition almost complete: working with AT & T to obtain a dedicated fiber line

- f. Jayne Presnell reported has been working with The Carpet Shoppe regarding the new flooring. Jayne Presnell shared that she had an amazing meeting with Adventist Health and discussed improving the health and wellness of the employees by offering memberships to new employees.
 - i. Memberships have increased

12. Financial Report

Discussion and Action to Approve Financials:

- a. TLHCD Internal Financial Statements – October 2022
- b. Evolutions Internal Financial Statements – October 2022

A motion was made by Director Fidler, seconded by Director Taylor, to approve the Financial Statements as presented. Approved 5-0.

13. Suspend Open Session at 8:21 PM– Recess to Closed Session

14. Closed Session at 8:23 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 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

Nothing to report.

16. Adjournment at 9:10 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