

SPECIAL MEETING MINUTES

**Tulare Local Health Care District
Board of Directors Meeting
Thursday, October 15, 2020 6:30 PM
Evolutions Plaza Conference Room
1425 E. Prosperity Ave., Tulare, CA**

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

Zoom Webinar link and call in information¹:

<https://zoom.us/j/97906393116?pwd=OFROY2pqQnJwcHc3dmppmU05XZkpWZz09>

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: 979 0639 3116

Passcode: 415602

Special notice to individuals with disabilities:

Please email sormonde@tulareregional.org or call (559) 685-3465

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, Annex Lab Building, 2nd Floor, 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 Executive Order N-29-20 dated March 17, 2020, in order to further combat the spread of the COVID-19 virus California Governor Gavin Newsom has temporarily suspended certain provisions of the Brown Act respecting notice, quorum and accessibility requirements applicable to meetings of local legislative bodies. In accordance with said Order—a copy of which will be made available upon request—and related recommendations by the CDC, a physical location for public participation will be provided on a limited occupancy basis for the October 15, 2020 special meeting of the Board. 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 Sandra Ormonde at sormonde@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 sormonde@tulareregional.org to arrange viewing access to documents.

AGENDA

Tulare Local Health Care District Board Members:

Kevin Northcraft	President	District 4
Mike Jamaica	Vice President	District 2
Senovia Gutierrez	Secretary	District 3
Xavier J. Avila	Director	District 5
Steve Harrell	Treasurer	District 1

1. Call to Order

Kevin Northcraft called the meeting to order at 6:34 pm.

2. Public Comment:

Public comment was received by Alberto Aguilar regarding Government Code section 54954.3c.

3. Announcements – Board

Senovia Gutierrez announced that the Hospital has now been open for two years now.

Kevin Northcraft announced that the rural health clinic opened today. Northcraft also stated he will be providing an update on a meeting that was held with Adventist Health regarding the tower. In addition, Northcraft received a subpoena regarding the District malpractice lawsuit against its former counsel.

4. Discussion and Action Related to Virtual Only District Meetings in Lieu of In-Person

Amy Benton provided brief summary of differences between Zoom meeting and Zoom webinar formats. Motion was made by Senovia Gutierrez and seconded by Kevin Northcraft to conduct virtual only district meetings. The motion failed 3 to 2. Meetings will remain in a hybrid format.

5. Discussion and Action to Approve Resolution 895 to Adopt Rules of Decorum for TLHCD Meetings

Motion was made by Steve Harrell, seconded by Xavier Avila, to adopt Resolution 895 with modifications – remove “slanderous” from second paragraph and “loud, threatening, intimidating or” from third paragraph. Motion passed with changes 4 to 1.

6. Discussion and Action to instruct Legal Counsel to File a Supplement to the Complaint Filed with the State Bar of California on April 3, 2020, against Bruce R. Greene and Baker & Hostetler, LLP

Motion was made by Steve Harrell and seconded by Xavier Avila to approve the submission of supplement to the complaint filed with the State Bar of California. Vote 5-0.

7. Discussion and Action Related to Continued Need for EVO Oversight Committee

It was the consensus of the Board to have EVO Oversight Committee meet one additional time to wrap up business. Alberto Aguilar requested that EVO Management financials be provided at the next meeting for committee review. Sandra Ormonde will provide a

resolution at the next meeting to direct the Board to dissolve the EVO Oversight Committee.

8. Hospital Tower

a. Update

Kevin Northcraft gave a brief report on a meeting held with Adventist Health staff regarding options available to complete the tower including negotiations to lease/sell the tower.

b. Discussion and Action Related to Approval of Proposal to Provide Services for the Design, Development, Implementation and Support of a Fundraising Strategy and Related Efforts by the District to Support Its Completion of the District's Hospital Tower

Kristin Cooper Carter of Grant Management Associates (GMA) gave a brief presentation via Zoom on its proposal to provide services. Motion was made by Senovia Gutierrez and seconded by Mike Jamaica to accept the proposal submitted by GMA as presented. Vote 5-0.

c. Discussion and Action Related to Dissolving the Tower Funds Committee

Motion was made by Senovia Gutierrez and seconded by Mike Jamaica to dissolve the Tower Funds Committee. Vote 5-0.

9. Study Session on Status and Sales/Use/Development of District Real Properties Randy Dodd, Dodd Consulting

Randy Dodd provided a PowerPoint presentation highlighting District properties around the hospital that are relevant to District mission and providing ideas/suggestions on the health care needs for Tulare.

10. Suspend Open Session – Recess to Closed Session 9:07 p.m.

11. Closed Session

- a. Potential Litigation (*pursuant to Ca. Govt. Code § 54956.9*).
- b. Conference with Interim 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*
 - ii. *Tulare Local Health Care District v. Bruce R. Greene, et al.*, Superior Court for the State of California for Tulare County Case No. 278333
- c. Instructions to designated representative, Kevin Northcraft, related to 4 acres real property contiguous to but not a part of the real property at 1425 E. Prosperity Avenue commonly known as Evolutions (*pursuant to Ca. Govt. Code § 54956.8*)
- d. Instructions to designated representative related to real property at 1425 E. Prosperity Avenue commonly known as Evolutions (*pursuant to Ca. Govt. Code § 54956.8*)
- e. 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*)
- f. End closed session

- 12. Reconvene Open Session – Public Report of Action Taken in Closed Session (if necessary) pursuant to Government Code 54957.1, 10:08 p.m.**

Nothing to report.

- ~~13.~~ Adjournment – 10:10 p.m. Next Regular meeting scheduled for 6:30 PM on Wednesday, October 28, 2020 at location to be determined**

**Senovia Gutierrez
Board Secretary**