

**Tulare Local Health Care District  
Board of Directors Meeting  
Wednesday, January 26, 2022, 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 information<sup>1</sup>:**

<https://us06web.zoom.us/j/82979391556?pwd=RIVmbzh6N1NZeW5WVlBnZnRrUGJpQT09>

**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: 829 7939 1556  
Passcode: 577418

**Special notice to individuals with disabilities:**

Please email [kmelendez@tulareregional.org](mailto:kmelendez@tulareregional.org) or call (559) 685-3879  
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.**<sup>2</sup> 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.

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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 the January 26, 2022, regular 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](mailto:kmelendez@tulareregional.org) or call 559-685-3879 at least three (3) hours prior to the scheduled commencement of this meeting.

<sup>2</sup> 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](mailto: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
Marmie Fidler	Treasurer	District 3

#### **1. Call to Order**

President Northcraft called the meeting to order at 6:37 PM.

#### **2. Public Comment**

Citizen Paul Atlas requested the Board place an agenda item for next month's meeting regarding the status of the legal proceedings regarding Bruce Greene.

#### **3. Announcements – Board**

Xavier Avila agreed with Mr. Atlas to place his request on the next agenda for transparency purposes.

Mike Jamaica shared that the World Ag Expo will be held next month stating this will be good for our economy.

#### **4. Consent Agenda**

a. 12/15/2021 Regular Board Meeting Minutes

b. 1/5/2022 Special Board Meeting Minutes

Motion was made by Xavier Avila and seconded by Marmie Fidler to approve the consent agenda as presented. Mike Jamaica abstained from voting. Motion approved 3-0.

#### **5. Conduct Public Hearing to Receive Public Input regarding the Redrawing of District Boundaries; Review and Provide Direction Relative to Submitted Proposed Maps**

A presentation was made by Josh Chism from Cooperative Strategies. After the short presentation and review of the two scenarios, the public hearing was opened at 6:57 PM. There being no comments from the public in person or online via Zoom, the public hearing was closed at 6:57 PM.

#### **6. Discussion and Action Related to District 1 Letters of Interest**

a. Discussion regarding interview process

b. Review letters of interest and conduct interviews

c. Discussion and Action Related to Filling the District 1 Director Vacancy

Smith advised no letters of interest were received by the deadline. Smith has reached out to County Supervisor Pete Vander Poel III and requested that the position remain vacant in hopes there will be a candidate for the November election.

#### **7. Tulare Hospital Foundation Update – Jan Smith**

Foundation Director Smith reported that Board trustees will be attending a retreat on February 18-19 in Wonder Valley. Smith announced that Adventist Health will be covering the expense for the facilitator to help in the efforts for tower planning; Summer Jubilee will be held on May 21 at Country M Ranch which will focus on wellness; the 2021

youth football champions, Ducks, from Visalia contributed \$75 to the Foundation to go towards the purchase of mammography equipment. Smith encouraged citizens to come forward to contribute to the Foundation.

- 8. Evolutions Fitness & Wellness Center**
  - a. Gym Status Update – EVO Management Company: Presnell reported that revenues are increasing and there were 49 new memberships since December 2021.
  - b. Transition Update – Phil Smith, CEO: Smith advised that the transition will occur on March 31/April 1, 2022. Smith has been working with Evolutions staff to minimize issues.
  - c. Update on Gym Management Consulting Services: Presnell advised she has engaged with the consultant. Northcraft requested that a report be provided at the February meeting.
  
- 9. Adventist Health Tulare Update – Sheri Pereira, Site Administrator**

No report.
  
- 10. Hospital Tower Construction Committee – John Atilano and/or Roy Magdaleno**
  - a. Update on Tower Projects: CEO Smith met with Roy Magdaleno regarding completion of the parking lot east of the Tower. Magdaleno will be reaching out to the architect. Northcraft suggested that window grates can be installed to show frontage improvements, however, it is not an OSHPD/HCAI issue, and inquired if any lighting, curb, gutter, or sidewalk improvements are needed along Cherry Street. Smith advised that John Atilano is the new Chairperson for the Tower Construction Committee.
  
- 11. Update on District Real Properties Sale/Use/Development Opportunities – Randy Dodd, Dodd Consulting**

Randy Dodd has reached out to Zumwalt Construction and G.L. Bruno to advise them the District has selected Legacy Construction but encouraged them to keep in touch as there will be other opportunities in the near future. Smith has reached out to Legacy to discuss the scope of work. Dodd has met with Smith and talked about opportunities for occupancy of the new building and provided names of current tenants in the hoteling spaces. Dodd stated that this community needs family practice physicians to build a base for specialty service physicians and this could help with recruitment of physicians.
  
- 12. Discussion and Action Related to the Continuation of NPC-2 Work and the Exemption Filing for NPC-3**

No action is needed at this time. Smith advised that the remainder of work is due to filing final paperwork by Kluger Architects. This will allow Adventist Health to install their mammography unit. Smith will bring back to the Board, if needed.
  
- 13. Discussion and Action Related to Pollution, Cyber and Fiduciary Insurance Policies – Phil Smith, CEO**

Motion was made by Marmie Fidler and seconded by Mike Jamaica to continue insurance coverage as presented. Motion approved 4-0.

- 14. Discussion and Action Related to the Appointment of Xavier Avila to the Tulare Hospital Foundation Board as an Ex-Officio Board Member**  
Motion was made by Kevin Northcraft and seconded by Mike Jamaica to appoint Xavier Avila as Ex-Officio Board Member of the Tulare Hospital Foundation. Motion approved 4-0.
- 15. Discussion and Possible Action Related to Review of Consultant Agreement for Grant Management Associates – Phil Smith, CEO**  
Smith reported that GMA has not been a good fit for the District. Motion was made by Xavier Avila and seconded by Marmie Fidler to give discretion to the CEO. Motion approved 4-0.
- 16. Discussion and Authorization for Potential Negotiation on Contract with Connie Conway**  
Motion was made by Mike Jamaica and seconded by Marmie Fidler to defer this item until the outcome of the special congressional elections in April. Motion approved 4-0.
- 17. Discussion and Action Related to Scheduling Board of Directors Retreat and/or Study Session and District Strategy Session Special Meeting – Phil Smith, CEO**
  - a. Set Date, Time, and Location: March 5, 2022, at the Administrative Offices
  - b. Set Agenda Items to Discuss: Smith encouraged board members to submit suggestions for review at the strategy session.
  - c. Healthcare Service(s) to be Provided by District: Smith advised he has been working with Jayne Presnell on possible services at Evolutions. Fidler suggested bereavement group and mental health information. Avila suggested classes for type 2 diabetes focusing on exercise and diet.
- 18. Chief Executive Officer Report**
  - a. Property Management Update
    - i. Leases: Re.Vive lease expires April 30, 2022.
    - ii. Property Repairs – Sidewalk Repair in Coordination with Demolition
  - b. Project Manager Recruiting Effort Update: Smith advised that two candidates were interviewed. It was the consensus of the interview panel and Smith that a new recruitment be advertised.
- 19. Financial Report**  
**Discussion and Action to Approve Financials:**
  - a. TLHCD Internal Financial Statements – December 2021  
Motion was made by Mike Jamaica and seconded by Marmie Fidler to approve the financial reports as provided. Motion approved 4-0.
  - b. Cash Report Update – January 20, 2022: Reviewed with Board.
- 20. Suspend Open Session – Recess to Closed Session at 8:04 PM**
- 21. Closed Session at 8:05 PM**
  - 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 related to 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 leases of real property located in Evolutions Plaza at 1425 E. Prosperity Avenue (pursuant to Ca. Govt. Code § 54956.8)
- e. End closed session at 8:30 PM.

**22. Reconvene Open Session at 8:30 PM – Public Report of Action Taken in Closed Session (If Necessary) pursuant to Government Code 54957.1**

Nothing to report.

**23. Adjournment at 8:30 PM– Next regular meeting scheduled for 6:30 PM on Wednesday, February 23, 2022, at Evolutions Plaza Conference Room.**

  
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Xavier Avila  
Board Secretary