

PAJARO VALLEY HEALTH CARE DISTRICT
BOARD OF DIRECTORS

REGULAR MEETING AGENDA

Virtual/Teleconference Only

5:00 PM

ZOOM LINK: <https://zoom.us/j/93443061917>

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July 7, 2022

Agenda documents are available for review in person at the office of the Clerk of the Board, Government Center, 5th Floor, 701 Ocean Street, Rm 520; and electronically on the District's website, at: PVHCD.org

To view online, visit the Board's website at: PVHCD.org. Select the meeting date to view the agenda and supporting documents.

Written comments must be received before 4:00 p.m. the day of the meeting to be included with agenda materials. Comments received after 4:00 p.m. on meeting day will be included in the minutes record. For additional information, call the Clerk of the Board's office at 831-454-2323 (TTY/TDD call 711).

CONSENT AGENDA

Consent items include routine business that does not call for discussion. One roll call vote is taken for all items. Only a Board Member may pull items from Consent to Regular agenda. Members of the public must request that a Board Member pull an item from the Consent Agenda prior to the start of the meeting.

Staff is available to address public concerns Monday through Friday, 8:00 a.m. to 5:00 p.m.

TRANSLATION SERVICES/SERVICIOS DE TRADUCCION

Spanish language translation is available on an as needed basis. Please make advance arrangements at Clerk of the Board, Room 520, 701 Ocean St., Santa Cruz; or by telephone at (831) 454-2323.

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ACCOMMODATIONS FOR PERSONS WITH DISABILITIES

The Pajaro Valley Health Care District does not discriminate on the basis of disability, and no person shall, by reason of a disability, be denied the benefits of its services, programs, or activities. If you are a person with a disability and wish to participate in the meeting and require special assistance in order to participate, please contact the Clerk of the Board at (831) 454-2323 [TDD: call 711] at least 72 hours in advance of the meeting to make arrangements. Persons with disabilities may request a copy of the agenda in an alternative format.

**Pajaro Valley Health Care District – Board of Directors
Public Participation Guidelines**

PUBLIC COMMENT

Participating by Phone:

To address the Board, dial the telephone number provided and you will be prompted to enter the meeting ID number. After that, you will be able to listen to the meeting and speak during public comment as announced by the Chair. The Clerk will call on people by the last four digits of their phone number.

The following commands can be entered via DTMF tones using your phone's dial pad while in a Zoom meeting:

- *6 - Toggle mute/unmute
- *9 - Raise hand

Participating online via Zoom:

You may download the Zoom client or connect to the meeting in-browser. If using your browser, make sure you are using a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer.

You will be asked to enter an email address and name. **Please identify yourself by any name you choose (you are not required to state your real name to participate)** as this appears online and is how we notify you when it is your turn to speak.

When the Board Chair calls for the item on which you wish to speak, click on "raise hand." The Clerk will activate and unmute speakers in turn. Speakers will be notified shortly before they are called to speak.

When called, please limit your remarks to the time allotted.

RELATED CORRESPONDENCE -

Written comments on agenda items may also be submitted to the Board by email or US Mail

Email: info@pvhcd.org

- Emailed documents may take up to 24 hours to be posted
- Please include the agenda item number

U.S. Mail:

PVHCD Board of Directors
c/o Clerk of the Board
701 Ocean Street, Room 520
Santa Cruz, CA 95060

Comments received after 4 p.m. the day of the meeting and before the end of the meeting will be included with the minutes record. General comments not related to topics on the agenda will be included with the next Written Correspondence Listing.

For the latest COVID-19 updates,
please visit the County Health
Services Agency website at:
<http://santacruzhealth.org>

*Published in PDF, and available online at:
PVHCD.org

INTRODUCTORY ITEMS

1. **CALL TO ORDER**

2. **CONSIDERATION OF LATE ADDITIONS TO THE AGENDA**

3. **PUBLIC COMMENT**

Any person may address the Board during its Public Comment period. Speakers must not exceed two (2) minutes in length, or the time limit established by the Chair, and individuals may speak only once during Public Comment. All Public Comments must be directed to an item listed on today's Consent Agenda, Closed Session Agenda, yet to be heard on Regular Agenda, or a topic not on the agenda that is within the jurisdiction of the Board. Board members will not take actions or respond immediately to any public communication presented regarding topics not on the agenda but may choose to follow up later, either individually, or on a subsequent Board of Director's Agenda. Public Comments will normally be received by the Board for a period not to exceed thirty (30) minutes. If, at the end of this period, additional persons wish to address the Board, the Public Comment period may be continued to the last item on the agenda.

4. **ACTION ON THE CONSENT AGENDA (ITEMS 7-9)**

5. **REPORT BACK OF AD HOC SUBCOMMITTEES OF THE BOARD (IF NECESSARY)**

REGULAR AGENDA

6. **BOARD MEMBER AND STAFF ANNOUNCEMENTS AND REQUESTS TO PLACE ITEMS ON A FUTURE AGENDA**

CONSENT AGENDA

7. **Approval of Minutes**

- a) Board of Directors – Regular Meeting – June 16, 2022 - 5:00 p.m.

8. **Fundraising Update**

Recommended Action(s):

Accept and file the eighth of recurring updates on fundraising for the acquisition and operation of Watsonville Community Hospital.

9. **AB361 Resolution Authorizing Teleconference Meetings**

Recommended Action(s):

- 1) Adopt resolution making findings and ordering the use of teleconference meetings of the Board of Directors due to COVID-19, pursuant to the requirements of Assembly Bill 361: and
- 2) Direct Interim District Administrative Staff to return within 30 days with a new resolution addressing the need to continue holding teleconference meetings consistent with the requirements of Assembly Bill 361.

- **End of Consent Agenda** -

**PAJARO VALLEY HEALTH CARE DISTRICT
BOARD OF DIRECTORS**

REGULAR MEETING MINUTES

JUNE 16, 2022

5:00 p.m.

Meeting was held via teleconference

INTRODUCTORY ITEMS

1. CALL TO ORDER

PRESENT: Directors Gabriel-Cox, Nájera, Nuñez, Pimentel (arrived at 5:10 p.m.) and Friel

ABSENT: None

2. CONSIDERATION OF LATE ADDITIONS TO THE AGENDA – None

3. PUBLIC COMMENT – None

4. ACTION ON THE CONSENT AGENDA (ITEMS 7-9)

MOTION: Director Nuñez motion to approve the Consent Agenda. Seconded by Director Nájera and carried by the following vote:

AYES: Directors: Gabriel-Cox, Nájera, Nuñez, and Friel

NOES: NONE

ABSENT: Directors: Pimentel

5. REPORT BACK OF AD HOC SUBCOMMITTEES OF THE BOARD

Director Gabriel-Cox provided an update on the Clinical Business Planning Subcommittee's conversations regarding surgical services staffing and obtaining clinical input.

Chair Friel spoke about the Transition Subcommittee's continuing work towards finalizing a Business Plan and other Pajaro Valley Health Care District related events.

Director Nájera spoke about the Fundraising Committee's progress on the second phase of requesting donations.

Director Nuñez stated the Fundraising Committee had launched a GoFundMe campaign to raise additional funds.

REGULAR AGENDA

6. BOARD MEMBER AND STAFF ANNOUNCEMENTS AND REQUESTS TO PLACE ITEMS ON A FUTURE AGENDA

Director Nuñez and Director Nájera expressed their condolences for the passing of Laura Segura and spoke of her work in the community.

ADJOURNMENT

The meeting adjourned at 5:15 p.m.

CONSENT AGENDA

7. APPROVAL OF MINUTES

a) Board of Directors – Regular Meeting – June 2, 2022 – 5:00 p.m.

8. Fundraising Update

1) Accept and file the seventh of recurring updates on fundraising for the acquisition and operation of Watsonville Community Hospital.

9. AB 361 Resolution Authorizing Teleconference Meetings

1) Adopt resolution making findings and ordering the use of teleconference meetings of the Board of Directors due to COVID- 19, pursuant to the requirements of Assembly Bill 361.

2) Direct Interim District Administrative Staff to return within 30 days with a new resolution addressing the need to continue holding teleconference meetings consistent with the requirements of Assembly Bill 361.

Approved: _____

John Friel, Chair

Attest: _____

Irwin Ortiz, City Clerk

Consent Item 8**From:** Interim District Administrative Staff**Subject:** Fundraising Update**Meeting Date:** July 7, 2022**Recommended Actions**

Accept and file the eighth of recurring updates on fundraising for the acquisition and operation of Watsonville Community Hospital.

Executive Summary

Staff have prepared an update on fundraising for the acquisition and operation of Watsonville Community Hospital. The Capital requirements for the purchase and operational deficits of the hospital total \$62,710,000, with a stretch goal of \$63,000,000. As of June 28, 2022, the Pajaro Valley Healthcare District Project's efforts have raised \$25,438,501 in committed funds towards this effort. Staff anticipate a projected \$25,000,000 from the State of California, which was recommended in its FY23 budget, but as of 6/28/22 has not yet been approved by a final vote of the State legislature and signed by the Governor of California.

Background/Analysis

Notable Contributions as of June 23, 2022 include:

PVHDP Donors over \$5,000	
To be listed as:	Amount
Blue Shield of California	\$1,000,000
Central California Alliance for Health	\$3,000,000
Chinese Community of Watsonville	\$50,000
City of Watsonville	\$130,000
Donald Cooley	\$10,000
Community Health Trust of Pajaro Valley	\$6,000,000
County of Santa Cruz	\$5,500,000
Dobler & Sons	\$100,000
Dominican Hospital	\$300,000
Bruce and Heidi Donald	\$5,000
Driscoll's, Inc.	\$1,750,000
John & Caroline Eiskamp and J.E. Farms, Inc.	\$10,000
Graniterock	\$10,000
Graniterock/Woolpert Family Fund	\$10,000
Kaiser Permanente	\$3,000,000

Kimberly and Paul Lego	\$10,000
Michael and Mary Anne Lutz	\$5,000
County of Monterey	\$3,000,000
Amy Newell	\$10,000
Rowland and Pat Rebele	\$50,000
Robert and Carol Simpkins Family Fund	\$50,000
Stanford Children's Hospital	\$1,084,000
Betty Sutherland	\$20,000
Tut Family	\$10,000
Watsonville Community Hospital Medical Staff	\$55,000
WCH Emergency Department Vituity Providers	\$50,000
Connie and Tom Wilson	\$5,000
Geo H. Wilson Fund	\$7,500
Sue H. Wilson and Family	\$25,000

During the period from June 6 through June 28, 2022:

- As of June 28, 2022, the Driscoll's challenge grant raised \$3,424,502; Driscoll's confirmed that they will donate \$1.75 million
- As of June 23, 2022, 310 donors have contributed to the hospital campaign
- On June 9, the PVHDP Capital Campaign Fundraising Committee hosted a Meet and Greet event at Watsonville Community Hospital, where donors and prospective donors learned more about the fundraising campaign and celebrated the impact of their generosity.

Financial Impact

There is no financial impact associated with this item.

Consent Item 9

From: Interim District Administrative Staff

Subject: AB 361 Resolution Authorizing Teleconference Meetings

Meeting Date: July 7, 2022

Recommended Actions:

- 1) Adopt resolution making findings and ordering the use of teleconference meetings of the Board of Directors due to COVID-19, pursuant to the requirements of Assembly Bill 361; and
- 2) Direct Interim District Administrative Staff to return within 30 days with a new resolution addressing the need to continue holding teleconference meetings consistent with the requirements of Assembly Bill 361.

Executive Summary

As a result of the continuing impacts of the COVID-19 pandemic, many local agencies have been holding teleconference meetings under the modified rules authorized under Assembly Bill 361. This item asks the Board to adopt a resolution ordering the use of teleconference meetings under the modified rules. This will allow District Board members to appear at meetings remotely if they choose to do so.

Background

On March 4, 2020, Governor Newsom issued a Proclamation of State of Emergency in response to the COVID-19 pandemic pursuant to Government Code section 8550 et seq., which remains in effect. Assembly Bill 361 ("AB 361") allows legislative bodies to hold teleconference meetings during declared emergencies as long as they follow designated rules, and the legislative body routinely reviews the need to continue holding such teleconference meetings.

On September 30, 2021, Santa Cruz County Public Health Officer Dr. Gail Newel issued a strong recommendation that legislative bodies in Santa Cruz County continue to engage in physical/social distancing by meeting via teleconference as allowed by AB 361 and confirmed that she will regularly review and reconsider this recommendation and notify the public when it is no longer recommended. Dr. Newel's recommendation remains in effect.

Analysis

Many local legislative bodies have recognized that COVID-19 presents a continuing threat to the Santa Cruz County community and that there is an important governmental interest in protecting the health, safety, and welfare of those who participate in public meetings. Requiring all members of legislative bodies to appear in-person at meetings presents greater risk to the health and safety of meeting participants, including reduced social distancing among people of different communities, increased exposure for those who are immunocompromised or unvaccinated, and challenges associated with fully ascertaining and ensuring compliance with vaccination, face coverings, and other safety measures at such public meetings.

Pursuant to AB 361, a legislative body can hold teleconference meetings under the modified AB 361 teleconferencing rules if a state of emergency remains active, or local officials have recommended measures to promote social distancing, as long as the legislative body reconsiders the circumstances of the state of emergency and determines either that the state of emergency continues to directly impact the ability of the members to meet safely in person or that local officials continue to recommend measures to promote social distancing.

The Governor's emergency proclamation has not been lifted and Dr. Newel's social distancing recommendation remains in effect. The dangers presented by returning to non-emergency meeting protocols remain. Staff recommends that the Board adopt the draft resolution accompanying this item, which contains the findings necessary to hold teleconference meetings under the modified Brown Act rules.

Financial Impact

There is no financial impact associated with this item.

Attachment(s)

- A. Resolution AB361

**BEFORE THE BOARD OF DIRECTORS
OF THE PAJARO VALLEY HEALTH CARE DISTRICT**

RESOLUTION NO. _____

On the motion of Director
Duly seconded by Director
The following resolution is adopted.

**RESOLUTION AUTHORIZING TELECONFERENCE MEETINGS UNDER ASSEMBLY
BILL 361 AS A RESULT OF THE CONTINUING COVID-19 PANDEMIC STATE OF
EMERGENCY AND HEALTH OFFICER RECOMMENDATION FOR SOCIAL
DISTANCING**

WHEREAS, on March 4, 2020, Governor Newsom issued a Proclamation of State of Emergency in response to the COVID-19 pandemic pursuant to California Government Code section 8550 et seq., which remains in effect; and

WHEREAS, on March 17, 2020, Governor Newsom issued Executive Order N-29-20 that suspended the teleconferencing rules set forth in the California Open Meeting law, known as the Ralph M. Brown Act, and codified in California Government Code section 54950 et seq., provided that certain requirements were met and followed; and

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21 which further extended the suspension of the teleconferencing rules set forth in the Brown Act and clarified that the provisions issued in N-29-20 would remain in effect through September 30, 2021; and

WHEREAS, on September 16, 2021, Governor Newsom signed Assembly Bill 361 ("AB 361"), which amended Government Code section 54953 to permit legislative bodies subject to the Brown Act to continue to meet under modified teleconferencing rules provided that they comply with specific requirements set forth in the statute; and

WHEREAS, pursuant to AB 361, a legislative body may hold an initial teleconference meeting under the modified teleconferencing rules during a proclaimed state of emergency where local officials have imposed or recommended measures to promote social distancing; and

WHEREAS, on September 30, 2021, Santa Cruz County Public Health Officer Dr. Gail Newel strongly recommended that legislative bodies in Santa Cruz County

continue to engage in physical/social distancing by meeting via teleconference as allowed by AB 361 and confirmed that she will regularly review and reconsider this recommendation and notify the public when it is no longer recommended; and

WHEREAS, after its initial AB 361 teleconference meeting, a legislative body can continue to hold such teleconference meetings if a state of emergency remains active, or local officials have recommended measures to promote social distancing, if the legislative body has reconsidered the circumstances of the state of emergency and determined either that the state of emergency continues to directly impact the ability of the members to meet safely in person or that local officials continue to recommend measures to promote social distancing; and

WHEREAS, the findings set forth in the paragraph immediately above must be made within 30 days of the date the legislative body first held a teleconferenced meeting pursuant to AB 361, and every 30 days thereafter, for as long as the legislative body wishes to hold such teleconference meetings; and

WHEREAS, the District has an important governmental interest in protecting the health, safety, and welfare of those who participate in meetings of the District; and

WHEREAS, this Board finds that there is a continuing threat of COVID-19 to the community and finds that requiring all Board members to appear in-person at meetings presents greater risk to the health and safety of meeting participants stemming from reduced social distancing among people of different communities, increased exposure for those who are immunocompromised or unvaccinated, and challenges associated with fully ascertaining and ensuring compliance with vaccination, face coverings, and other safety measures at such public meetings; and

WHEREAS, this Board meets in-person in a facility where other functions take place, such that increasing the number of people present may impair the safety of participants and members of the public; and

WHEREAS, as required by AB 361, this Board has considered the circumstances of the current state of emergency and finds that the COVID-19 pandemic continues to directly impact the ability of Board members to meet safely in person and further finds that the Santa Cruz County Public Health Officer continues to recommend measures to promote social distancing; and

WHEREAS, in the interest of public health and safety, due to the emergency caused by the spread of COVID-19 the Board of Directors deems it necessary to utilize the modified teleconferencing rules set forth in AB 361;

NOW, THEREFORE, the Board of Directors of the Pajaro Valley Health Care District hereby RESOLVES and ORDERS as follows:

Section 1. The foregoing recitals are adopted as findings of the Board of Directors as set forth within the body of this Resolution.

Section 2. Effective immediately, for the next 30 days the Board of Directors will meet using the modified teleconference rules authorized under AB 361 and Government Code section 54953(e)(3).

Section 3. Interim District Administrative Staff is directed to return no later than thirty (30) days after the adoption of this Resolution with an item requesting the Board to reconsider the circumstances of the COVID-19 state of emergency and, if necessary, consider adoption of a subsequent Resolution to continue using the modified teleconference rules for meetings in accordance with Government Code section 54953(e)(3).

Section 4. Interim District Administrative Staff is authorized and directed to take all such other necessary or appropriate actions to implement the intent and purposes of this Resolution.

PASSED AND ADOPTED by the Board of Directors of the Pajaro Valley Health Care District this ____ day of _____, 20__, by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

Chair, Board of Directors

ATTEST: _____
Clerk of the Board

Approved as to Form:

District Counsel