
West Contra Costa Healthcare District

Board of Directors

Wednesday, November 30, 2016

2:00 PM

San Pablo City Council Chambers

13831 San Pablo Avenue

San Pablo, CA

**WEST CONTRA COSTA HEALTHCARE DISTRICT
DOCTORS MEDICAL CENTER**

BOARD OF DIRECTORS MEETING

**WCCHD DOCTORS MEDICAL CENTER
BOARD OF DIRECTORS
MEETING
November 30, 2016 – 2:00 P.M. PST
San Pablo City Council Chambers
13831 San Pablo Ave.
San Pablo, CA 94806**

Board of Directors
Eric Zell, Chair
Deborah Campbell, Vice Chair
Irma Anderson
Nancy Casazza
Beverly Wallace

AGENDA

1. **CALL TO ORDER** E. Zell, Chair
2. **ROLL CALL**
3. **PUBLIC COMMENTS** E. Zell, Chair
*[At this time persons in the audience may speak on any items not on the agenda
and any other matter within the jurisdiction of the District Board]*
4. **APPROVAL OF MINUTES OF November 3, 2016**
5. **ADJOURN TO CLOSED SESSION**
 - a. Conference with Real Property Negotiators (Gov. Code Section 54956.8) Regarding
Hospital Property Sale E. Shaffer, Legal Counsel
Agency Negotiators: K. White, E. Shaffer
 - b. Conference with Legal Counsel, existing litigation (Government Code 54956.9(d)(1). In
Re: West Contra Costa County Healthcare District: United States Bankruptcy Court for
the Northern District of California: Chapter 9 Case No. 16-42917
C. Coffey, Legal Counsel
6. **ANNOUNCEMENT OF REPORTABLE ACTION(S) TAKEN IN CLOSED SESSION, IF ANY**
7. **RESOLUTION AUTHORIZING DISTRICT TO AMEND AND REVOKE PRIOR DIRECTION
TO CONTRA COSTA COUNTY REGARDING PARCEL TAX PROCEEDS** E. Zell, Chair
 - a. Presentation
 - b. Public Comment
 - c. Discussion
 - d. *ACTION: Adopt Resolution*
8. **ADJOURNMENT OF MEETING**

In compliance with the Americans with Disabilities Act, if you require special accommodations to participate in a District meeting, please contact the District Clerk at 510-970-5250 at least 48 hours prior to the meeting.

MINUTES
NOVEMBER 3, 2016

Agenda Item 4

WEST CONTRA COSTA HEALTHCARE DISTRICT

BOARD OF DIRECTORS

WCCHD DOCTORS MEDICAL CENTER

BOARD OF DIRECTORS

November 3, 2016 – 2:00 P.M.

San Pablo City Council Chambers

13831 San Pablo Ave.

San Pablo, CA 94806

Board of Directors

Eric Zell, Chair

Deborah Campbell, Vice Chair

Irma Anderson

Nancy Casazza

Beverly Wallace

MINUTES

1. CALL TO ORDER

The meeting was called to order at 2:05 P.M.

2. ROLL CALL

Quorum was established and roll was called:

Present:

Eric Zell, Chair

Beverly Wallace

Nancy Casazza

Irma Anderson

Deborah Campbell

3. PUBLIC COMMENTS

M. Mellander

4. APPROVAL OF MINUTES OF October 19, 2016

The motion made by Director Anderson and seconded by Director Wallace to approve the October 19, 2016 minutes passed unanimously.

5. CLOSED SESSION

The meeting adjourned to Closed Session at 2:10 pm.

6. ANNOUNCEMENT OF REPORTABLE ACTION(S) TAKEN IN CLOSED SESSION, IF ANY

There were no reportable actions.

7. ADOPT RESOLUTION AUTHORIZING AND DIRECTING NEGOTIATION AND EXECUTION OF AGREEMENT FOR PURCHASE AND SALE OF REAL PROPERTY

Ed Shaffer, Legal Counsel presented a Resolution which would authorize and direct negotiation and execution of an agreement for purchase and sale of the hospital property to the Lytton Rancheria for a purchase price of \$13M.

PUBLIC COMMENTS

W. Lack

The motion made by Director Wallace and seconded by Director Anderson to approve the Resolution authorizing and directing negotiation and execution of agreement for purchase and sale of real property, passed with Director Campbell abstaining.

Ayes: Chair Zell, Director Casazza, Director Wallace, Director Anderson

Noes: None

Abstain: Director Campbell

Absent: None

THE MEETING WAS ADJOURNED AT 3:20 P.M.

**RESOLUTION AUTHORIZING
DISTRICT TO AMEND AND
REVOKE PRIOR DIRECTION TO
CONTRA COSTA COUNTY
REGARDING PARCEL TAX
PROCEEDS**

Agenda Item 7

**RESOLUTION OF THE WEST CONTRA COSTA HEALTHCARE
DISTRICT AUTHORIZING DISTRICT TO AMEND AND REVOKE
PRIOR DIRECTION TO CONTRA COSTA COUNTY REGARDING
PARCEL TAX PROCEEDS**

The Board of Directors of the West Contra Costa Healthcare District (the "District"), a political Subdivision of the State of California, hereby adopts the following resolution this November 30, 2016.

WHEREAS, on October 20, 2016 (the "Petition Date"), the District filed a voluntary petition for relief under Chapter 9 of Title 11 of the United States Code, 11 U.S.C. § 901 *et seq.* ("Chapter 9"), in the United States Bankruptcy Court for the Northern District of California, thereby commencing Chapter 9 Case No. 16-42917 (the "Bankruptcy Case"); and

WHEREAS, prior to the Petition Date, by letter dated July 19, 2004 (the "Prior Direction"), the District directed the Auditor-Controller's Office of the County of Contra Costa (the "County") with respect to the parcel tax (the "Parcel Tax") approved by voters of the District pursuant to a special election held June 8, 2004 to remit the proceeds of the Parcel Tax to U.S. Bank, National Association, rather than to the District; and

WHEREAS, the Prior Direction, by its terms, may be amended or revoked by the District at any time upon written instruction by the District to the County; and

WHEREAS, as a result of the filing of the Bankruptcy Case, the District, as a debtor under Chapter 9, is entitled pursuant to 11 U.S.C. § 928(b) to use the Parcel Tax proceeds to pay the necessary operating expenses of the District; and

WHEREAS, the District desires to avail itself of its rights under 11 U.S.C. § 928(b) to use the Parcel Tax proceeds to pay the necessary operating expenses of the District and, in furtherance thereof, to amend and revoke the Prior Direction so that the Parcel Tax proceeds may be paid directly to the District.

THEREFORE, BE IT RESOLVED, that in accordance with the terms of the Prior Direction and 11 U.S.C. § 928(b), the Board hereby authorizes the District, through its Chief Executive Officer, to amend and revoke the Prior Direction and direct the County that the Parcel Tax proceeds are to be paid directly to the District henceforth; and

BE IT FURTHER RESOLVED, that the Chief Executive Officer of the District and all other officers of the District, be, and hereby are, authorized to prepare and execute the necessary documents to amend and revoke the Prior Direction, including, without limitation, by sending a letter of amendment and revocation to the Auditor-Controller's Office of the County.

PASSED AND ADOPTED on this 30th day of November, 2016 by the following

vote:

Ayes: _____

Noes: _____

Absent: _____

Chair of the Board of Directors

Secretary of the Board of Directors