



Contra Costa County

To: Board of Supervisors
From: David Twa, County Administrator
Date: February 14, 2017

Subject: CONSENT to the West Contra Costa Healthcare District's Resolution of February 1, 2017

RECOMMENDATION(S):

CONSENT to the West Contra Costa Healthcare District's resolution of February 1, 2017, dissolving the Governing Body for Doctor's Medical Center, terminating the Governing Body Bylaws, and amending the District's Bylaws to reflect the change; and AFFIRM that such actions are appropriate in light of closure of the Hospital and do not contravene certain agreements between the County and District.

FISCAL IMPACT:

None.

BACKGROUND:

To support the West Contra Costa Healthcare District (the "District") and its operation of Doctors Medical Center in San Pablo, California (the "Hospital"), the County and district entered into a Second Agreement for Property Tax Transfer (the "Agreement") on April 5, 2011. The County and District further amended the Agreement in the subsequent actions approved by the BOS on June 21, 2011, July 16, 2013, December 3, 2014; and April 12, 2016 (collectively, the "Amended Agreement").

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **02/14/2017** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: February 14, 2017

David Twa, County Administrator and Clerk of the Board of Supervisors

By: Stephanie Mello, Deputy

Contact: Rebecca Hooley,
925-335-1800

As part of the Amended Agreement, the District (1) established a subcommittee of the Board with overall administrative and professional responsibility for the Hospital (the “Governing Body”) to serve as the “governing body” of the Hospital as that term is used in Section 70035 of Title 22 of the California Code of Regulations and to include County representatives on the Governing Body, (2) adopted bylaws for the Governing Body (the “Governing Body Bylaws”), and (3) amended the District’s Bylaws accordingly.

BACKGROUND: (CONT'D)

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The Amended Agreement requires that until certain financial terms have been satisfied, the County's consent is required for the District to amend the Governing Body Bylaws or the District Bylaws to remove, reduce or impair participation by the County's representatives in the Governing Body. Such financial terms have not yet been satisfied.

Due to continued financial difficulties, the Board permanently closed the Hospital in April 2015. Because the District no longer operates any medical service facilities, there are no duties or responsibilities for the Governing Body to perform or oversee.

As such, the Governing Body is no longer necessary, and these facts support and justify dissolving the Governing Body and terminating the Governing Body Bylaws. Dissolution of the Governing Body and termination of the Governing Body Bylaws does not contravene the terms of the Amended Agreement.

For these reasons, the County Administrator is recommending that the Board consent to the District (a) dissolving the Governing Body, (b) terminating the Governing Body Bylaws, and (c) amending the District's Bylaws accordingly, and affirm that such actions are appropriate in light of closure of the Hospital and are consistent with and not in breach of the Amended Agreement.

CONSEQUENCE OF NEGATIVE ACTION:

If the Board of Supervisors does not approve this recommendation, then the District will not be able to take the actions necessary to eliminate the Governing Body.