

THE HEFFERNAN MEMORIAL HEALTHCARE DISTRICT MET IN REGULAR SESSION ON THE 5th OF JUNE 2019 AT 608 HEBER AVE. CALEXICO, CA. CITY OF CALEXICO ON THE DATE, HOUR AND PLACE DULY ESTABLISHED OR THE HOLDING OF SAID MEETING.

TO CALL ORDER:

The meeting was called to order at 5:31p.m. by Gloria Romo and Mrs. Chen led those present in the pledge of allegiance.

ROLL CALL-DETERMINATION OF QUARUM:

Chairperson	Gloria G. Romo
Vice Chairperson	Rodolfo Valdez
Secretary	Norma M. Apodaca
Chief Financial	Gloria Grijalva
Trustee	Hector Martinez

GUESTS:

Tomas Virgen-Executive District Manager
Eduardo Rivera- Attorney
Brenda Ryan-Board Clerk
Tony Pimentel-Public Relations

APPROVAL OF AGENDA:

Motion was made by Board Member Martinez and second by Board Member Valdez to approve the agenda for June 5, 2019. Motion passed by the following vote wit:

AYES: Romo, Valdez, Apodaca, Grijalva, Martinez

NOES: None

PUBLIC COMMENT TIME:

Mrs. Chen from Imperial Valley Cancer Support Center is inviting the board to attend an open house here at Heffernan next Wednesday, June 12th from 5pm-8pm. The open house is to spend some time with them and their patients to find out a little bit of what they are doing. They left flyers and individual invitations.

Javier Moreno from the Calexico Wellness Center also inviting the board to attend a Health Fair on Friday called Soy Hombre Soy Sano.

Christian Ponce from Proactive Health here to report that they had a very successful grand opening last Friday, May 31st. With an attendance of 25 community members and as well as some of the proactive members that were in class at the time. They had the honor of having Assemblyman Garcia and the Officer of Senator Ben Hueso who recognized President Romo and the Heffernan Board for their dedicating services to the wellness and fitness to the Calexico.

CONSENT CALENDAR:

Motion was made by Board Member Martinez and seconded by Board Member Apodaca to approve the minutes for April 3, 2019, April 10, 2019 and April 17, 2019. Motion passed by the following wit to table the minutes:

AYES: Romo, Apodaca, Martinez

NOES: None

UPSTAIN: Valdez, Grijalva

REPORTS ON MEETING AND EVENTS ATTENDED BY DIRECTORS AND AUTHORIZATION FOR DIRECTOR ATTENDANCE AT UPCOMING MEETINGS AND EVENTS/DIRECTORS COMMENTS

Board Member Romo attended the inauguration of Proactive with Mr. Valdez and Mrs. Grijalva.

COMMENTS BY TONY PIMENTEL

Mr. Pimentel reported on the Elderly Abuse conference. He is working together with the county and Karla. She is putting a lot of time on this one. All people attending will need to fill out a form to have a count on how many people are attending. They have about 40 people and about 10 agencies registered for the event.

COMMENTS BY EXECUTIVE DISTRICT MANAGER:

Mr. Virgen reported that in the last meeting we submitted a report to LAFCO and it was a quarterly report on updates on the way we manage projects. We presented documents on how we are doing our project management and going into this new era. We did present a preview of our Strategic Plan and bylaws because they did ask for them and that was a good discussion as well. He thanked the board for all their hard work and time. He also reported that we have 25 scholarship applications. The scholarship committee will be meeting soon to over those applicants. Mr. Virgen thanked the board finance and board by-law committee they did a lot of reading. It is a big project. He also thanked the planning committee.

COMMENTS BY GENERAL COUNSEL:

None

INFORMATION ITEMS:

1. Update on Heffernan Wellness Parks

Mr. Virgen reported that we have been talking back and forth about our parks needing shade and needing maintenance. He thanked everyone who spoke with City Council. We have a signed agreement that they accepted the maintenance for the parks. Now we just need to start working on the schedule. In the last week he called President Romo because he bumped into some shades at a local park in El Centro and we don't have to spend \$30-\$40 thousand dollars in shades. It is something that we can probably get done for under \$75 hundred dollars per park. It is very simple and nice looking. It is material that will survive this weather. The plan is Mr. Pimentel and Mr. Virgen will be meeting with IVC and local schools that have welding programs and see if we can do a joint program. That way we benefit our community students and benefit the project with something that is done here in the valley.

DISCUSSION/ACTION ITEMS:

1. Discussion: Acknowledgement of receipt of written request for funding Imperial County Public Administrator/Area Agency on Aging Home Delivered Meals.

Mr. Virgen informed the board that the cost per meal is going up by \$1 dollar and they do want to cover a few more seniors and it is an increase. We did receive this and as of now we acknowledge that we received it and it is something that we evaluate our programs and move forward in the next and final meeting of the year which is the next board meeting. That will be when we evaluate all the programs and it will be up to the board to decide whether to roll over these programs. They can go month to month or quarterly until we have RFP's in place and then we can go out and bid and right now because of where we are right now it may be better to go and roll them over until the evaluation time.

This is just for acknowledgement and will be placed on the next agenda.

2. Discussion and/or action on proposed adoption of revised By-laws of Heffernan Memorial Healthcare District.

The Governance committee worked on the by-laws and Mr. Virgen went over the modifications that were made.

Section 5.2.1.2: Duties of the President – Reviewing and approving all agendas. Board Member Grijalva clarified that in other words she will be reviewing all agenda's and approving and Board Member Martinez asked that isn't there a committee for the agenda to go over the agenda and Mr. Virgen replied to yes there is a committee and this is just a suggestion. Board Member Apodaca disagrees with giving the authority to the President to review the agenda after the committee because then what is the purpose of having the committee to review everything than we are wasting our time. Mr. Virgen suggested leaving this item till the end and when approving the by-laws the board will make the changes they want to make and agree on.

Mr. Virgen went over all modifications and there were no changes or concerns on the modification by the board except for section 5.2.1.2. Mr. Rivera informed the board that this opens up a series of questions and that is if we have determined that our agenda cutoff day is Wednesday at 5:00 pm preceding our meeting and that is what we have decided. Then the review of the agenda can not include any additions. The approval of the agenda can not include any additions. If the board wants it to be compatible to the policy you have adopted then on the other side if the agenda committee approves and agenda item and it goes to the president and the president vetoes an item is that what the board wants done because it is not specific here and it will create confusion. It will create controversy depending on what action takes place. If the agenda committees meet on Wednesday at 5:00 pm before the regular meeting and on Thursday the board president decided to delete an item on the agenda then really basically you have sabotage the system for trying to give notice to the people and try to streamline the agenda adoption process. Those are the things the board needs to decide. With this the way it is written, it is written in a very in artful way because there is to many possibilities of undermining what the agenda committee has done which all of the board have decided and if that is what you want in order to get more of a streamline project. Mr. Rivera really recommends for the board to take care as to what the board wants done with this particular claws. It creates difficult that you have to anticipate and we can clarify them and includes them in the agenda but we kind of need board direction as to what you want us to do.

Board Member Grijalva asked if we can delete this item now or do we have to wait for the next meeting. Mr. Virgen replied to that it can be deleted now but needs two more votes.

Board Member Grijalva feels that she is on the agenda committee and we have a cut of date to receive information and we review it and we set it up. Now nothing against our president but if she is going to review it and she wants it then why have an agenda committee. That is the way she feels about it. Board Members Martinez and Apodaca feel the same way.

Motion was made by Board Member Grijalva and second by Board Member Apodaca to strike 5.2.1.2. Motion passed by the following wit:

AYES: Romo, Valdez, Apodaca, Grijalva, Martinez

NOES: None

Motion was made by Board Member Grijalva and second by Board Member Valdez to approve adopting the amended and restated by-laws with the modification on that one section. Motion passed by the following wit:

AYES: Romo, Valdez, Apodaca, Grijalva, Martinez

NOES: None

3. Discussion and/or action on funding the swimming pool program with Calexico Unified School District, City of Calexico and Heffernan Memorial Healthcare District in the amount of \$34,937.50 for the summer of 2019.

Mr. Virgen clarified that at the last meeting the board had approved to not exceed \$30 thousand dollars for the pool program. Then we went to a meeting and then we were under the idea that it was an additional for close to \$5 thousand dollars to add on it would add more time. At that point there might have been a different in the intent that it would be almost a double cost of the program. The cost for the actual pool to have what we had last year is about \$27 thousand dollars. The other fees that apply are for more things and if we want it all is close to \$65 thousand dollars but we can pick what we had last year for about \$27 thousand dollars.

Before the board votes on this Mr. Rivera wanted the board to know that they have already voted on \$32 thousand plus and that was the maximum. The board has already voted on this. The agreement does not contain that. He just wanted to let the board know that, that is the action that we have already taken. The document that was already prepared evidentially by the school district or the city he is not sure whom does not contain that amount in the actual contract. What it does contain is some language where the district is responsible open ended for cost and that cannot obviously remain in the agreement unless we modify it based upon our past action. Now today after Mrs. Taulers and Mrs. Calderon presentation if we wish to make a decision to increase the money amount now that is a different question. He just wanted to let the board know that we have already taken action and we have set an amount that is not reflected on the contract, therefore the recommendation that you not accept this contract as written but if you do wish to accept that you do accept it with the actual amount that the board has already voted on.

Mrs. Tauler is explained to the board that the additional cost of \$34,937.50 is to add Friday evenings, Saturday all day long open to the public and swimming lessons because of summer school hours. In August the hours change swimming lessons would be Monday-Thursday in the morning. Senior aerobics are included this schedule. Friday nights will continue to be public

swimming; Saturday mornings will be public swimming and will include Saturday night public swimming.

Mr. Rivera did inform the board that they cannot take any action on this request because there has not been absolutely no notice to the public that you are considering in this meeting and increase of over \$30 thousand dollars for additional funding. In other words it is improper for the board to take any action. The board will either need to call a special meeting and include that amount in the notice to the public. You cannot act on item that supposedly should have been \$34 thousand dollar item. You can't act on it today and increase it to \$64 thousand dollars. You just can't do it. It is improper and a violation of the brown act. Mr. Rivera recommends having special meeting.

Mr. Virgen recommendation is to pass this on to the finance committee or bring it back to the next regular meeting. Mr. Rivera agrees with Mr. Virgen and he also gave the board another option and that is that they can adopt this agreement with the \$34 thousand dollar amount. You have already taken action on it and just because it was not drafted correctly does not mean that the action was not valid. The board can approve this right now with the \$34 thousand dollar language and you adopt it with the contingent of that being included in the agreement and this unlimited cost for items B,C, and D has to be stricken out by the school district and the city and you have an approval of you have already acted upon. At the next meeting you get a request for additional funded and that will probably clear. Mrs. Tauler requested if they can go ahead and approve that amount because it would be real helpful because they can go ahead and start hiring and moving on that section.

Mr. Virgen question is he still does not know what the \$34 thousand and change applies because it was \$27 thousand and change for the basic. When we first voted we said not to exceed \$30 thousand dollars then we got presented today that the program the last time we did it cost \$27 thousand dollars and change. If you approve this agreement for \$34 thousand dollars and change what does the additional \$6 thousand dollars buy you? Do you know what it does? We don't because these sections here we do not know what they add up to. It was our perception that that money covered the weekends and it's not, so that is why if you make that decision it has to be an informed decision and it wouldn't fly today. Mrs. Tauler clarified that the \$34 thousand and change is for additional services. Mr. Virgen informed the board that what initially happen was in our first meeting it was said to not exceed and it was something similar to last year. Then the agreement came back and we thought that the additional \$4 thousand that was the total amount was to cover all the additional stuff but it wasn't. It was \$34 thousand dollars more to cover all other stuff. He wants the board to know that if you approve the agreement as it is you are only approving part B which you shouldn't be discussing because we didn't give the public enough time to see that. Board Member Apodaca made a comment that there was confusion. What was originally approved was \$27 thousand dollars not to exceed \$30 thousand dollars and we should respect that for her to continue whatever she needs to do. Mr. Virgen agrees and that will give us time to digest it and bring it back for the second part. The agreement has to match; the agreement has to be addressed for those changes to happen because that respects the first motion that was approved. For everything additional we need to bring it back.

Mr. Rivera recommends for the board to reaffirm its prior motion of the \$27 plus not to exceed \$30 thousand dollars and that the school district and city modify the agreement to reflect those amounts and delete the language of the Heffernan district being responsible for any and all cause in section F and then they can come back to make a presentation for the additional amount and we can put it on the agenda for the additional money amount they are requesting thereby give notice to everybody. What he recommends is for the board to approve the agreement with the following modifications that the amount of \$27 thousand plus not to exceed \$30 thousand dollars be

included and that section F any and all cost born by Heffernan be deleted. Make a motion and get a second and if it passes they can move forward and they can present the agreement to us and we review it have the board president sign it. Board Member Valdez requested to also include the amount into the contract. Mr. Rivera replied that yes it will include the \$27 thousand and not to exceed the \$30 thousand and delete sub section F. Once you make that motion they can get that going and they can start their program.

Motion was made by Board Member Apodaca and second by Board Member Valdez to approve \$27 thousand and not to exceed \$30 thousand dollars program for the swimming pool and delete section F and the contract to reflect the amount. Motion passed by the following wit:

AYES: Romo, Valdez, Apodaca, Grijalva, Martinez

NOES: None

4. Discussion and/or action on adoption of RFP plan for the future funding of all Heffernan Memorial Healthcare District grant proposals.

Mr. Virgen this is a new discussion that he would like to have on adopting a new process on the way do project management. He believes in all our programs and likes them because they are all community programs but at the end of day we are held for higher standers because you as a board are trusted with public funds to carry on our mission and vision. We get a lot of agreements and some of them are not fully based, some come late and some come early. A lot of these programs are not necessarily aligned with the mission and vision if direction is going to be taken by a strategic plan does. We need to start looking at ways of doing things that align with the mission and vision that we believe. You are trusted to force the future healthcare in Calxico and that is a big under taking. So as we take this new strategic plan that he is very proud of and wants to thank the committee members for it that you are going to see how that everything that is on that plan every time you see it you are going to remember the mission and the vision statement because this is where the programs go. What are we going to do if somebody says we want to make brighter stop signs and Heffernan has to pay for them because it is a safety issue for people that have bad eye sight? That really is not a Heffernan issue because follow the mission and vision statement. It is a city issue and they have to address that. Instead of that we are going to do an RFP which is a request for proposal. What does that mean for us right now well it doesn't mean that we have to start with all these changes immediate right now because the new year is here. He would suggest that as we go into the new fiscal year that we take some time just roll over a lot of the programs that we have right now after we evaluate them until we get the sophistication of having the RFP's because we don't have to have them right July 1st. We have time to do them. People will try to confuse you and say we need to do it July 1st. It's your money and it's their urgency but it's the money you have been trusted to guard and safety for the right purposes which is healthcare. So, then we will do that and that will take some process. Case in point we are going to start talking about our projects and clinics RFP's right? We want to get a big net out there so we can draw people in that are going to want bring in that talent. The one thing we want to focus on all the programs we have and them all into RFP's.

Motion was made by Board Member Valdez and second by Board Member Martinez to approve adoption of RFP plan for the future funding of all Heffernan Memorial Healthcare District grant proposals. Motion passed by the following wit:

AYES: Romo, Valdez, Apodaca, Grijalva, Martinez

NOES: None

ITEMS FOR FUTURE AGENDA:

Swimming Pool

Budget

Area Agency on Aging

Strategic Plan

Evaluation of all programs

ADJOURNMENT:

With no future business to discuss Board Member Apodaca made motion to adjourn the meeting at 7:01 p.m. Second by Board Member Martinez. All in favor.