

THE HEFFERNAN MEMORIAL HEALTHCARE DISTRICT MET IN REGULAR SESSION ON THE 1ST OF NOVEMBER 2017 AT THE 601 HEBER AVE. CALEXICO, CA. THE DATE, HOUR AND PLACE DULY ESTABLISHED OR THE HOLDING OF SAID MEETING.

TO CALL ORDER:

The meeting was called to order at 5:30p.m. by Sylvia Bernal and Mr. Moreno led those present in the pledge of allegiance.

ROLL CALL-DETERMINATION OF QUARUM:

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

GUESTS:

Eduardo Rivera- Attorney
Brenda Ryan-Board Clerk

APPROVAL OF AGENDA:

Board member Bernal informed the board that it was suggested by Mr. Ramirez if we could move up item E to A because they have another prior commitment.

Motion was made by Board Member Martinez and second by Board Member Apodaca to approve moving the item E to A. Motion passed by the following vote wit:

AYES: Bernal, Romo, Martínez, Apodaca, Valdez
NOES: None

Motion was made by Board Member Martinez and second by Board Member Valdez to approve the agenda for November 1, 2107. Motion passed by the following vote wit:

AYES: Bernal, Romo, Martínez, Apodaca, Valdez
NOES: None

PUBLIC COMMENT TIME:

Mrs. Padilla from the Brown Bag Coalition reported that she went to the City Council and told them about the hepatitis out break and that the district is helping. They really appreciate the help with showers but we need to do more because now we have a reported case in El Centro. They come out from San Diego and got sent to El Centro. Many people say they don't deal with the homeless but we all do on a daily basis. We have to be proactive and do something. They are here to ask to think about buying portable toilets and set up down town. Mrs. Padilla informed the City Council that she is going to ask the district to purchase the portable toilets but the city will have to do the maintenance on the portables because we all have to work together. She is requesting for the help of the district and to think about this.

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

Board Member Valdez reported that they went to a conference in New Orleans and it was for the exercise equipment that was bought for the parks and different other things. Most of what he was geared to was to find whatever he can bring to the elderly and the youth.

Board Member Romo reported that she also attended the New Orleans. She had the opportunity to meet important suppliers who offer equipment to exercise in climate as hot as Calexico. It is very important for her because it is very hot in Calexico. She liked this equipment because it is special for this climate. She hopes that with the support of the City of Calexico we can have better health parks and more recreational programs for children and seniors. She was impressed of how everything that can be done in a community park. Heffernan installed equipment in 5 parks and few people are currently using it and it is because of the climate. We need more publicity to motivate the people.

Board Member Martinez also attended the conference in New Orleans. All the directors attended 7 hours of different speeches. He went to the ones focused on parks and recreation of focus of either managing data from the city and applying to what we need here or focusing on young people. What he found is that there is a lot very important equipment that we can bring to our parks that is a little more advanced that we can bring out our teenagers. He will be joining a network professionals that he met there that is called YPN its young professional network and are based off of Louisiana. This is just a once a month meeting and that is going to help him bring more ideas to Calexico. This was a very interesting conference.

Board Member Bernal they have been communicating with the school district and apparently about 6 months ago we went to the school district and we spoke with Mrs. Randal about lending us some of the facility where the continuation school use to be before it has been vacant. They had a chance to speak with Hortencia Armendariz and told the ladies that they would be helping them to be able to get a room and be able to use the cafeteria to do some demonstrations and green area outside. She will keep everybody informed on this item.

COMMENTS BY TONY PIMENTEL

Pimentel reported tomorrow and Friday there is going to be a health event at Club LooHoo. He spoke the people for the Christmas Parade and everything is set up. He presented a detail report for the Health Fair.

COMMENTS BY GENERAL COUNSEL:

None

DISCUSSION/ACTION ITEMS:

1. Discussion and/or action on the Diabetic Centro de Salud sin Frontreas in conjunction with FLX Fitness.

FLX, Dr. Creek and Dr. Vo gave a brief presentation to the board on this project

Mrs. Romo asked that he changed the original presentation and he replied that it is the same proposal. The only difference is they will be working in conjunction with the doctors and FLX will not just be a gym it will be a medical facility where they are going to conjoin and work with everyone together and are going to incorporate an office where they do all the assessments there at the gym where they do not have to be coming and going. Everything will be done there. The proposal and its self is the same.

Apodaca would like to read more on this project.

Mr. Rivera informed the board that this item was going to be discussed in closed session. This letter that came in twists the presentation that was initially made. It really needs a more formal proposal incorporated everything without having us to guess what the protocols are going to be , what the relationship are going to be and what the functions are going to be done by and when the qualifications of getting the participants. You have a profit making organization in FLX that we have to analyze. Mr. Rivera has no idea what the relationship or partnership with the doctors is. The doctor agreement/partnership with the doctor at the moment it is none existing. He thinks it premature for the board to take any action at this time and he suggest for the board to give direction that they make a presentation with all those factors so the board can analyze to see the illegibility. There is the guideline request application on our web page and he suggested to FLX to look at those guidelines and incorporate what you have now with Dr. Creek and part of that would be a formalized agreement between the doctors and FLX because we do not have that here. It is proposed in a language that we see in the letter. It is a little premature so they should put it together and then present it to us so the board can review it. Once we get that proposal we will review it in closed session so the board can discuss all the ratifications if the board wishes to discuss in executive session. But first we do need the formal proposal pursuant to our guidelines that are contained on our website and they can incorporate the current letter from Dr. Creek and their past proposal and let us know what the business plan is, expenses are, who is getting paid and who is not getting paid, what the cost is going to be a so forth. Board Member Bernal suggested for them to take the application to Mr. Rivera that way he can review and inform them what is wrong and right and if more information needs to be provided.

No action was taken on this item.

2. Discussion and/or action on a specified report on the results of purchases made for the HMHD Health Fair.

Mr. Pimentel presented to the board and reviewed with the board a detail report of what was spent for the HMHD Health Fair.

Mr. Pimentel made a video of the Health Fair and is already on the website for the public to view. About 70-80 pictures of the fair were uploaded to the website.

3. Discussion and/or action on making the HMHD Health Fair an annual event.

Motion was made by Board Member Romo and second by Board Member Valdez to have this event be held each year by our district. Motion passed by the following wit:

AYES: Bernal, Romo, Martinez, Apodaca, Valdez

NOES: None

4. Discussion and/or action on HMHD credit card # XXXX-XXXX-XXXX-6095, 1) Cancellation of all the members, 2) Credit card billing, 3) Any other action on the District credit card.

Board Member Romo at this time would like to know why the credit card was cancelled and the majority of the board was not notified.

Board Member Bernal informed the board that everyone was notified and mentioned to the board that someone had clone the card and that there was a Southwest trip and did not know who's it was. She even brought the note pad and gave the name of the person who bought these tickets name Richard Swain and we didn't know who it was. The first thing southwest told her was to call the bank and have the card cancelled because somebody had cloned the credit card. Come to find out later on and we have here from Southwest from Tracey who lets us know that there had been a mistake made and is sending out her apology in a letter where she it is saying that Southwest made a mistake and given us the wrong information and Board Member Bernal had told the board that they were flying out form Colorado to Texas because that is the information that had been given to us. We did not know anybody who was flying out form Colorado to Texas so automatically we had to cancel the card. Then we found out that this airline flight was Cynthia Moreno that was flying with Richard Swain and that is where the confusion came in and she did tell the board and she even mentioned it to Mrs. Romo that she was worried that they were not going to receive the debit card on time for the trip and lucky enough we received the card on Friday and they were leaving that weekend. We were told to cancel the card. Hector said to you all where we got the letter from Tracey saying that she was apologizing for giving us the wrong information on this. When we found out that it was Cynthia we went and called the bank and told them that we had made a mistake that, that person did fly so the money was reversed back to Southwest and has been paid. When we wanted to send the check back to Cynthia we received an email saying that she could not no except that check because then it would be admitting that she had committed fraud and that is why we never sent it because she did not want to except the check. When we found out it was Cynthia she called Tracey back and told her what was happening and told Tracey that Cynthia received a letter from Southwest and Tracey informed Sylvia that if somebody had sent her a letter from Southwest she wanted to know about it because in her computer it shows no record. Sylvia told Tracey what Cynthia had said and also sent her the emails. Tracey told her that she could not find anything on the computer and if a letter was sent it would say on the computer that a letter was sent to Cynthia and if the letter was sent it would have been sent to the card holder which is Sylvia. Board Member Bernal presented the letter that was sent by southwest apologizing for what had happen. The error was not ours, the error belonged to Southwest. They were the ones that made that request. They were the ones that gave us the wrong information. Really no one is at fault except for Southwest. It was an innocent mistake that was done and they apologized and everyone received the letter that says it was a mistake. Everything has been taken care of has been paid. Rosario presented to the board proof that the account was paid and Cynthia will not need to pay anything.

Board Member Valdez informed the board that he does not recall that Board Member Bernal informed the board about cancelling the card. Board Member Martinez informed the board that she did tell him but he would not authorize that blame if he knew it was Cynthia Moreno's name because they knew they were there. The name was Richard Swain and that was the confusion. Board Member Valdez told the board that there was an email sent out to everyone from Southwest to Cynthia. Board Member Bernal forwarded that email to Tracey from Southwest. Board Member Martinez informed the board that, that email that was sent from Southwest to Cynthia was from the finance department and Sylvia had contacted the fraud department and that

department was not aware of that, that email had been sent to Cynthia and therefore when Sylvia sent that email to the fraud department they said it was a mistake because they were not aware. But all that has been taken care of and that money is being charged to Heffernan that way it should have been done from the beginning.

Board Member Valdez informed the board that he also was not informed that the card was canceled. Board Member Romo also said that she was not informed about the cancellation. The Card was canceled September 22 the card was canceled and she was not informed about the cancellation until October 25 when Cynthia sent out the email informing that Southwest was charging her. Board Member Romo informed Rosario the bookkeeper that when she reviewed the statement and noticed something out of the ordinary she should have contacted all board members of the situation because they were not contacted. The ones that attended the retreat were not contacted of the situation and were not aware that the card had been cancelled until October 25. Board Member Martinez informed the board that what happen is that this error was made by all board members for letting Angelica manage all the retreat. The board gave her too much power to do all that and that is what brought us here. It was all confusion and is already resolved and does not understand what the problem is if everything has already been resolved. Board Member Valdez informed the board that we may have litigation on this and not something to take lightly and for his part he was not informed about anything until he received these emails. Board Member Romo informed the board that a card was authorized by the board to use but when a board card is canceled with public funds that also needs to be voted by the board. The Board has to be in agreement to make this cancellation. Board Member Bernal informed the board and the public that she did not lend the card to anyone and that Mrs. Romo and Mrs. Tellechea were both sitting on the computer when they both were doing the reservation and never was her credit card used. Board Member Martinez informed everyone that his credit card was the one that was used for these charges and Rosario has the proof.

Mr. Rivera interjected and informed everyone that there is a difference of opinions and they are never going to be resolved at the board meeting. If the board wants to take action go ahead and take action. You can make a motion on any cancellation of any district credit card or debit card in the further has to be done at a public meeting. You can take action that you can designate who the people are that access to the card but to continue to have the discussion where there is never an agreement of what happens it really doesn't seem right.

Board Member Romo proposal is to do an investigation of this matter because it is very important.

Motion was made by Board Member Romo and second by Board Member Valdez to approve cancelling all personal cards and have one card under Heffernan's name. Motion passed by the following wit:

Board Member Bernal informed the board that the President and the Treasurer have always had the card and this has been done for years and we had never had any problems.

Board Member Valdez explained that we do not need someone to be caring the card. The card will be here in the office and if there needs to be purchases made one member of the board can come pick up the card and do the purchases and bring it back and leave it in the office.

Board Member Apodaca believes that the Treasurer and President should both have a card because she trusts the board.

AYES: Romo, Valdez
NOES: Bernal, Martinez, Apodaca

This motion dies due to lack of motion.

Motion was made by Board Member Romo and second by Board Member Apodaca to approve a protocol for the use of card and to notify all board members when the debit card is going to be used 30 minutes ahead of time. Motion passed by the following wit:

Board Member Martinez suggests that if you send an email and no one answers within 30 mins then its okay to do the purchase and that is a simple protocol.

Board Member Valdez thinks that the protocol should also be to have all the receipts with the treasurer for the board to see and review.

AYES: Bernal, Romo, Martinez, Apodaca, Valdez
NOES: None

5. Discussion and/or action on unpaid expenses of the District Retreat in La Jolla, California and any other detail expense.

Board Member Romo is questioning the expenses for Alejandro and is questioning Rosario on what happen to this matter.

Rosario informed the board that the reimbursement for Alejandro the check cannot be reimbursed to Mrs. Tellechea. It has to be directly with Alejandro because of tax purposes because there are no original receipts and so this going to be carried as a 1099 when we close the year. Rosario is just waiting for the board's approval as this form to send this check to Alejandro.

Board Member Romo asked if in the report it was taken off what each board member paid back from the retreat and Rosario informed the board that all that was taken out. Board Member Romo informed Rosario that she really like the report that was presented but she noticed that she did not charge Mrs. Bernal neither for the 2 nights of hotel and food that was charged nor for Mrs. Apodaca for the 1 night and food. Also Mr. Heuburgers who did not attend but said he was going to be there food was charged for him and for Mr. Renison. As you all know that in these type of events you need to calculate how many people are going so for all these people that said they were going and did not go they were all paid for and it is only right that from here on we cannot be saying that we are going to go somewhere and then not be present in the event and that is very important.

Board Member Bernal again corrected Mrs. Romo that from the beginning she had said that she was not going to attend the retreat and does not know why a room was rented for her and Tellechea's daughter ended up using her room and that is why Mrs. Tellechea had to end up paying for that room. She told everyone from the beginning that she was not going to go and Mrs. Tellechea's used that room for her daughter and there were expenses made in that room from the gift shop, \$5.00 candy bars, \$5.00 sodas and for room service. Why does she have to pay for something that she had already said she was not going to attend from the beginning and Mrs. Tellechea's daughter used that room and they paid for those expenses?

Board Member Martinez reminded the board that the board authorized 10 rooms with no names and Mrs. Tellechea's daughter used the room that was under Sylvia's name which the board made

her pay for that but the other 10 rooms were authorized before for the speakers or whoever was going so he does not understand who you want them to be charged for when originally we had authorized 10 rooms.

Board Member Apodaca did say that she was going to attend on Saturday but unfortunately her mother got sick and was not able to attend.

Board Member Bernal informed the board that the check has been signed for Alejandro and is ready to be sent. This motion had already been made to make the check out and does not need another motion. The check will be mailed out.

ITEMS FOR FUTURE AGENDAS:

Personal contracts and responsibilities
Mr. Rioseco presentation
Purchasing of equipment for the parks
Imperial Valley Cancer Support

CLOSED SESSION:

No action taken in closed session

ADJOURNMENT:

With no future business to discuss Board Member Apodaca made motion to adjourn the meeting at 7:46 pm. Second by Board Member Martinez. All in favor.