



**DESERT HEALTHCARE DISTRICT  
BOARD AND STAFF COMMUNICATIONS AND POLICIES  
Board and Staff Communications and Policies Committee Meeting**

**March 07, 2023**

**3:00 p.m.**

Jerry Stergios Building, 2<sup>nd</sup> Floor  
Arthur H. "Red" Motley Boardroom  
1140 N. Indian Canyon Drive, Palm Springs, California 92262

***This meeting is handicapped-accessible***

**In lieu of attending the meeting in person, members of the public can participate by webinar by using the following Zoom link:**

<https://us02web.zoom.us/j/87546558804?pwd=dnQ2UE5WMFBmNmJTVmJhM25XVGdOQT09>

**Webinar ID: 875 4655 8804**

**Password: 669579**

**Members of the public may also participate by telephone, using the follow dial in information:**

**(669) 900-6833 or Toll Free (833) 548-0282**

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<i>Page(s)</i>	<b>AGENDA</b>	<i>Item Type</i>
	I. <b>CALL TO ORDER</b> – Director Leticia De Lara, Chairperson	
1-2	II. <b>APPROVAL OF AGENDA</b>	<b>Action</b>
3-7	III. <b>MEETING MINUTES</b> 1. October 18, 2022	<b>Action</b>
	IV. <b>PUBLIC COMMENTS</b> At this time, comments from the audience may be made on items <u>not</u> listed on the agenda that are of public interest and within the subject-matter jurisdiction of the District. The Committee has a policy of limiting speakers to not more than three minutes. The Committee cannot take action on items not listed on the agenda. Public input may be offered on an agenda item when it comes up for discussion and/or action.	
	V. <b>OLD BUSINESS</b>	
	VI. <b>NEW BUSINESS – EXISTING POLICY REVISIONS</b>	
8-18	1. Policy #BOD-03 – Appointment to Committees	<b>Action</b>
19-26	2. Policy #BOD-06 – Filling a Vacancy on the Board	<b>Action</b>
27-32	3. Policy #BOD-07 – Board & Committee Meeting Agenda	<b>Action</b>
33-34	4. Policy #BOD-09 – Rules of Order for Board and Committee Meetings	<b>Action</b>
35-40	5. Policy #BOD-10 – Board Meeting Conduct	<b>Action</b>



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<b>41-54</b>	6. Policy #OP-5 – Grant & Mini Grant Policy	<b>Action</b>
<b>55-56</b>	7. Policy #OP-06 – Delegating Minor Claims Settlement to the CEO	<b>Action</b>
<b>57-62</b>	8. Policy #OP-07 – Lease Compliance	<b>Action</b>
<b>63-64</b>	9. Policy #OP-08 – Strategic Plan	<b>Action</b>
<b>65-100</b>	10. Policy #OP-10 – Policies and Procedures - Bidding Regulations Governing Purchases of Supplies and Equipment, and Bidding for Public Works Contracts	<b>Action</b>
<b>101-108</b>	11. Policy #OP-13 – Sustainability Program	<b>Action</b>
<b>109-126</b>	12. Policy #OP-16 – CEO Discretionary Fund & Sponsorships	<b>Action</b>

**VII. FUTURE TOPICS & ISSUES**

**VIII. ADJOURNMENT**

The undersigned certifies that a copy of this agenda was posted in the front entrance to the Desert Healthcare District offices located at 1140 North Indian Canyon Drive, Palm Springs, California, and the front entrance of the Desert Healthcare District office located at the Regional Access Project Foundation, 41550 Eclectic Street, Suite G 100, Palm Desert, California at least 72 hours prior to the meeting.

If you have any disability which would require accommodation to enable you to participate in this meeting, please email Andrea S. Hayles, Special Assistant to the CEO and Board Relations Officer, at [ahayles@dhcd.org](mailto:ahayles@dhcd.org) or call (760) 567-0298 at least 24 hours before the meeting.

*Andrea S. Hayles*

Andrea S. Hayles, Board Relations Officer



**BOARD AND STAFF COMMUNICATIONS & POLICIES COMMITTEE MEETING  
MEETING MINUTES  
October 18, 2022**

<b>Directors Present</b>	<b>District Staff Present</b>	<b>Absent</b>
Chair/Director Leticia De Lara, Chair Director Les Zendle, MD	Conrado E. Bázquez, MD, CEO Chris Christensen, CAO Donna Craig, Chief Program Officer Alejandro Espinoza, Chief of Community Engagement Jana Trew, Senior Program Officer, Behavioral Health Eric Taylor, Accounting Manager Andrea S. Hayles, Board Relations Officer	Vice-President Evet PerezGil

<b>AGENDA ITEMS</b>	<b>DISCUSSION</b>	<b>ACTION</b>
<b>I. Call to Order</b>	The meeting was called to order at 5:05 p.m. by Chair De Lara.	
<b>II. Approval of Agenda</b>	Chair De Lara asked for a motion to approve the agenda.	<b>Moved and seconded by Director Zendle and Director De Lara to approve the agenda. Motion passed unanimously.</b>
<b>III. Meeting Minutes</b>	Chair De Lara asked for a motion to approve the June 15, 2022, meeting minutes.	<b>Moved and seconded by Director Zendle and Director De Lara to approve the June 15, 2022, meeting minutes. Motion passed unanimously.</b>
<b>IV. Public Comment</b>	There were no public comments.	
<b>V. Old Business</b>	There was no Old Business to report.	
<b>VI. New Business – Existing Policy Revisions</b>  <b>1. Policy #OP-05 – Grant &amp; Mini Grant Policy</b>	Conrado Bázquez, MD, CEO, described the revisions to the grant and mini grant policy describing the request to the board incorporating a declination appeals process and increasing the mini grants requirements from \$5,000 to \$10,000. The policy has existed for the past 20-25 years when \$5,000 had a higher value. Additionally, it is an equity issue for agencies that serve communities of color and their	<b>Moved and seconded by Director Zendle and Director De Lara to approve Policy #OP-05 – Grant &amp; Mini Grant Policy and forward to the Board for approval an increase in mini-grants from \$5,000 to \$10,000, and the recommended modifications to 2.a., with the removal of 5.a. Motion passed unanimously.</b>

**BOARD AND STAFF COMMUNICATIONS & POLICES COMMITTEE MEETING  
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	<p>need for funding, including their structure and limitations, such as audited financials.</p> <p>The committee suggested rephrasing the increase in the mini-grant policy for organizations that assist the underserved without a wealthy donor base and audited financials while also broadening the scope to include language related to equity.</p> <p>Dr. Bárzaga, CEO, described the moderate and high priority goals as prerequisites for application submissions, explaining the internal review process and the eligibility requirements, the criteria of the grant policy, and the Program Committee’s role, such as a declination and the board directing the final determination of the policy decision.</p> <p>The committee discussed the declination grant review process suggesting the removal of 5.a. – declined due to the stated criteria area since the matter is forwarded to the board for further discussion. The appeal in 2.a. should clarify the language that involves informing the Program Committee for possible review of the appeal, including staff and legal counsels’ evaluation in the grant appeal process section. Further, the committee discussed the inclusion of any declined applications submitted to the</p>	
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**BOARD AND STAFF COMMUNICATIONS & POLICIES COMMITTEE MEETING  
MEETING MINUTES  
October 18, 2022**

<p><b>2. Policy #BOD-03 – Appointment &amp; Duties for Committees</b></p>	<p>board for review and possible approval, outlined in the staff report to the Program Committee, including acceptance with modifications or submission to the board.</p> <p>The committee suggested reinforcing the Program Committee policy to recommend, approve with modifications, or decline and defer to the board of directors for review.</p> <p>Dr. Bárzaga, CEO, described minor modifications with the addition of item 6. to the appointment and duties for committee policy.</p>	<p><b>Moved and seconded by Director Zendle and Director De Lara to approve Policy #BOD-03 – Appointment &amp; Duties for Committees and forward to the Board for approval. Motion passed unanimously.</b></p>
<p><b>3. Policy #BOD-07 – Board Meeting Agenda</b></p>	<p>Dr. Bárzaga, CEO, described the minor modifications to the board meeting agenda policy.</p>	<p><b>Moved and seconded by Director Zendle and Director De Lara to approve Policy #BOD-07 – Board Meeting Agenda and forward to the Board for approval. Motion passed unanimously.</b></p>
<p><b>4. Policy #BOD-16 – Proprietary, Confidentiality and Personal Information</b></p>	<p>Dr. Bárzaga, CEO, described the minor modifications to the proprietary, confidentiality and personal information policy.</p>	<p><b>Moved and seconded by Director Zendle and Director De Lara to approve Policy #BOD-16 – Proprietary, Confidentiality and Personal Information and forward to the Board for approval. Motion passed unanimously.</b></p>
<p><b>5. Policy #OP-01 – Access to Public Records</b></p>	<p>Dr. Bárzaga, CEO, described the minor modifications to the access to public records policy.</p>	<p><b>Moved and seconded by Director Zendle and Director De Lara to approve Policy #OP-01 – Access to Public Records and forward to the Board for approval. Motion passed unanimously.</b></p>

**BOARD AND STAFF COMMUNICATIONS & POLICIES COMMITTEE MEETING  
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<p><b>6. Policy #OP-03 – Records Retention</b></p>	<p>Dr. Bárzaga, CEO, described the minor modifications to the records retention policy.</p>	<p><b>Moved and seconded by Director Zendle and Director De Lara to approve Policy #OP-03 – Records Retention and forward to the Board for approval. Motion passed unanimously.</b></p>
<p><b>7. Policy #OP-04 – Electronic Communications Usage and Retention</b></p>	<p>Dr. Bárzaga, CEO, described the minor modifications to the electronic communications usage and retention policy.</p>	<p><b>Moved and seconded by Director Zendle and Director De Lara to approve Policy #OP-04 – Electronic Communications Usage and Retention and forward to the Board for approval. Motion passed unanimously.</b></p>
<p><b>8. Policy #OP 15 – Engagement of the Community, Public, and Subject Matter Experts</b></p>	<p>Dr. Bárzaga, CEO, described the minor modifications to the engagement of the community, public, and subject matter experts.</p>	<p><b>Moved and seconded by Director Zendle and Director De Lara to approve Policy #OP 15 – Engagement of the Community, Public, and Subject Matter Experts and forward to the Board for approval. Motion passed unanimously.</b></p>
<p><b>VI. Future Topics &amp; Issues</b></p>	<p>Chair De Lara inquired about the new appointment of officers in December with the committee assignments in January.</p> <p>Staff and the committee discussed the policy of the newly elected board members assuming office at noon on the first Friday of December following the general election and sworn in by or at the first Board meeting following the date. The committee requested that staff obtain clarification from legal counsel.</p>	
<p><b>VII. Adjournment</b></p>	<p>Chair De Lara adjourned the meeting at 5:44 p.m.</p>	<p><b>Audio recording available on the website at <a href="https://www.dhcd.org/Agendas-and-Documents">https://www.dhcd.org/Agendas-and-Documents</a></b></p>



**BOARD AND STAFF COMMUNICATIONS & POLICIES COMMITTEE MEETING  
MEETING MINUTES  
October 18, 2022**

ATTEST: \_\_\_\_\_

Leticia De Lara, Chair/Director

Board and Staff Communications & Policies Committee

*Minutes respectfully submitted by Andrea S. Hayles, Board Relations Officer*



**DESERT HEALTHCARE**  
DISTRICT & FOUNDATION

Date: March 7, 2023  
To: Board & Staff Communications and Policies Committee  
Subject: Consideration to Approve Policies

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**Staff Recommendation:** Consideration to approve updated policies

**Background:**

- The policies listed below have been determined to need review and/or revision.
- Policy #BOD-03 – Minor revisions
- Policy #BOD-06 – Review only
- Policy #BOD-07 – Revisions to include committee meeting agenda
- Policy #BOD-09 – Review only
- Policy #BOD-10 – Review only
- Policy #OP-05 – Revisions to include additional language for AB2019
- Policy #OP-06 – Review only
- Policy #OP-07 – Review only
- Policy #OP-08 – Minor revisions
- Policy #OP-10 – Review only
- Policy #OP-13 - Minor revisions
- Policy #OP-16 – Minor revisions

**Fiscal Impact:**

None





**POLICY TITLE:** APPOINTMENT & DUTIES FOR COMMITTEES  
**POLICY NUMBER:** BOD-03  
**COMMITTEE APPROVAL:** 03-07-2023  
**BOARD APPROVAL:** 03-28-2023

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**POLICY #BOD-03:** It shall be the policy of the Desert Healthcare District (“District”) that the Board of Directors (“Board”) President shall appoint Board members to all committees and all committees shall be advisory only to the full Board of Directors unless otherwise specifically authorized to act by the Board. The District encourages community engagement to ensure the community’s voice is heard. For guidelines, reference Policy #OP-15 Engagement of the Community, Public, and Subject Matter Experts.

**1. DISTRICT BOARD COMMITTEES:**

**1.1. Ad-hoc Committees.** Special Ad-hoc Committees of less than a quorum of the Board may be appointed by the Board President for specific tasks or for a limited or a single purpose that is not perpetual. Ad hoc Committees shall not be created by formal action of the Board and shall be dissolved once the specific task is completed.

**1.2. Standing Committees.** The District Bylaws shall reference and list the Board Standing Committees which shall meet regularly to review reports from District staff, legal counsel, and consultants relating to the subject matter of the committee. Annually at the first Board meeting following the election of officers the Board President shall appoint three Board members to each Standing Committee and a chairperson. The Board Treasurer shall serve as the Chair of the Finance, Legal and Administrative Committee (F&A Committee). There shall be the following Standing Committees:

**1.2.1. Finance, Legal, Administration, and Real Estate Committee (F&A).** This committee shall be responsible for making recommendations to the Board where appropriate on matters related to finance, administration, human resources, property management, legal affairs (including legislation), real estate, and information systems (IS).



**DESERT HEALTHCARE**  
DISTRICT & FOUNDATION

**1.2.2. Strategic Planning Committee.** This committee shall meet quarterly, or more often if needed, and shall be responsible for monitoring the District's progress in achieving the goals and expectations outlined in its strategic plan.

**1.2.3. Hospital Lease Oversight Committee.** This committee shall meet quarterly, or more often if needed, and shall be charged with oversight responsibilities to ensure compliance with the terms of the current Lease of Desert Regional Medical Center.

**1.2.4. Program Committee.** This committee shall be responsible for oversight and for making recommendations to the Board on District matters related to grant-making and related programs.

**1.2.5. Board and Staff Communications & Policies Committee.** This committee shall meet quarterly, or more often if needed, and shall be responsible for monitoring and developing the District's Board and staff communications and relations. The committee is also responsible for developing and maintaining the District's policies and policies manual.

**2. F&A COMMITTEE.** In accordance with the District Bylaws, this committee shall be responsible for oversight and for making recommendations to the Board where appropriate on matters related to finance, administration, human resources, property management, legal affairs (including legislation) real estate, and information systems (IS).

**2.1. Responsibilities.** The responsibilities of the F&A Committee include the following:

- To understand the financial needs and conditions of the District.
- To provide objective perspective regarding financial and administrative needs.
- To provide advice, counsel and feedback to the committee as requested during budget development.



**DESERT HEALTHCARE**  
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**3. STRATEGIC PLANNING COMMITTEE.** In accordance with the District Bylaws, this committee shall meet quarterly, or more often if needed, and shall be responsible for monitoring the Districts' progress in achieving the expectations outlined in the District's strategic plan.

**3.1. Responsibilities.** The responsibilities of the Strategic Planning Committee include the following:

- Responsible for monitoring the District's progress in achieving the expectations outlined in its strategic plan.
- To provide vision and guidance on the development of the District's strategic plan.
- To monitor implementation of the District's strategic plan and program-related activities to ensure programs/initiatives are achieving the desired impact.

**4. HOSPITAL LEASE OVERSIGHT COMMITTEE.** In accordance with the District Bylaws, this committee shall meet quarterly, or more often if needed, and shall be charged with oversight responsibilities to ensure compliance with the terms of the current lease of Desert Regional Medical Center.

**4.1. Responsibilities.** The responsibilities of the Hospital Lease Oversight Committee include the following:

- Review of all mandated Hospital operation scores and reports performed by independent third parties.
- Review of quarterly inspections of Hospital facilities.
- Provide updates to the Board of Directors.
- Provide an annual report reflective of lease requirements from lessee.

**5. PROGRAM COMMITTEE.** In accordance with the District's mission and strategic plan, the grant program provides funds to qualified nonprofit and governmental grantees to make positive impacts on community health and improve access to health care. The Program Committee recommends grant making policy to the



Board of Directors and guides and monitors District grant making functions and program-related activities through which the District carries out its strategic plan to achieve optimal health for all stages of life for all District residents.

**5.1 Responsibilities.** The responsibilities of the Program Committee include the following:

- To identify trends and healthcare needs that can be addressed by the District and provide input on needs assessments conducted by District staff.
- To provide advice, counsel and feedback to staff as needed during program development.
- To monitor implementation of grant making and program-related activities to ensure alignment with the District's Strategic Plan.
- To identify key program issues to be discussed at the Board level.
- To consider grant proposals and recommendations provided by staff and make recommendations of grants to the District's Board of Directors to approve as presented, approve with modification, request additional information, or decline.

**6. BOARD AND STAFF COMMUNICATIONS & POLICIES COMMITTEE.** In accordance with the District's bylaws, this committee shall meet quarterly or more often, if needed, and shall be responsible for monitoring and developing the District's Board and staff communications and relations. The committee is also responsible for developing and maintaining the District's policies and policies manual.

**6.1 Responsibilities.** The responsibilities of the Board and Staff Communications & Policies Committee include the following:

- To inquire, monitor and develop details for communication between the Board and Staff.
- To review and develop policies applicable to the District & Foundation.
- To review and revise, as needed, policies on a two (2) year rotation to ensure policies are up-to-date.



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- Some policies may require review of the respective committee (i.e F&A Committee and Program Committee) prior to review by the Board and Staff Communications & Policies Committee.

**AUTHORITIES**

Desert Healthcare District Bylaws Article VI

**DOCUMENT HISTORY**

Revised	03-28-2023
Revised	11-24-2020
Revised	04-23-2019
Approved	03-22-2016

DRAFT



**POLICY TITLE:** APPOINTMENT & DUTIES FOR COMMITTEES

**POLICY NUMBER:** BOD-03

**COMMITTEE APPROVAL:** 03-07-2023

Deleted: 11-09-2020

**BOARD APPROVAL:** 03-28-2023

Deleted: 11-24-2020

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**DESERT HEALTHCARE**  
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- To monitor implementation of grant making and program-related activities to ensure alignment with the District's Strategic Plan.
- To identify key program issues to be discussed at the Board level.
- To consider grant proposals and recommendations provided by staff and make recommendations of grants to the District's Board of Directors to approve as presented, approve with modification, request additional information, or decline.

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**Commented [ET1]:** Revision from 10.25.22 Board meeting

**6. BOARD AND STAFF COMMUNICATIONS & POLICIES COMMITTEE.** In accordance with the District's bylaws, this committee shall meet quarterly or more often, if needed, and shall be responsible for monitoring and developing the District's Board and staff communications and relations. The committee is also responsible for developing and maintaining the District's policies and policies manual.

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**AUTHORITIES**

Desert Healthcare District Bylaws Article VI

**DOCUMENT HISTORY**

<u>Revised</u>	<u>03-28-2023</u>
Revised	11-24-2020
Revised	04-23-2019
Approved	03-22-2016

DRAFT



**DESERT HEALTHCARE**  
DISTRICT & FOUNDATION

**POLICY TITLE:** FILLING A VACANCY ON THE BOARD  
**POLICY NUMBER:** BOD-06  
**COMMITTEE APPROVAL:** 03-07-2023  
**BOARD APPROVAL:** 03-28-2023

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**POLICY #BOD-06:** It is the policy of the Desert Healthcare District (“District”) to fill a vacancy on the Board of Directors per the Desert Healthcare District Bylaws, Article IV, section 4.4.

**GUIDELINES:**

**1. District Bylaws - Article IV, section 4.4 – VACANCIES**

“The remaining Board members may fill any vacancy on the Board by appointment in accordance with Government Code Section 1780, as amended, which set forth the procedure for filling a vacancy of an elective office on a governing board of a special district.”

Government Code Section 1780

1780. (a) Notwithstanding any other provision of law, a vacancy in any elective office on the governing board of a special district, other than those specified in Section 1781, shall be filled pursuant to this section.

(b) The district shall notify the county elections official of the vacancy no later than 15 days after either the date on which the district board is notified of the vacancy or the effective date of the vacancy, whichever is later.

(c) The remaining members of the district board may fill the vacancy either by appointment pursuant to subdivision (d) or by calling an election pursuant to subdivision (e).

(d) (1) The remaining members of the district board shall make the appointment pursuant to this subdivision within 60 days after either the date on which the district board is notified of the vacancy or the effective date of the vacancy, whichever is later. The district shall post a notice of the vacancy in three or more conspicuous places in the district at least



15 days before the district board makes the appointment. The district shall notify the county elections official of the appointment no later than 15 days after the appointment.

(2) If the vacancy occurs in the first half of a term of office and at least 130 days prior to the next general district election, the person appointed to fill the vacancy shall hold office until the next general district election that is scheduled 130 or more days after the date the district board is notified of the vacancy, and thereafter until the person who is elected at that election to fill the vacancy has been qualified. The person elected to fill the vacancy shall hold office for the unexpired balance of the term of office.

(3) If the vacancy occurs in the first half of a term of office, but less than 130 days prior to the next general district election, or if the vacancy occurs in the second half of a term of office, the person appointed to fill the vacancy shall fill the balance of the unexpired term of office.

(e) (1) In lieu of making an appointment the remaining members of the board may within 60 days of the date the district board is notified of the vacancy or the effective date of the vacancy, whichever is later, call an election to fill the vacancy.

(2) The election called pursuant to this subdivision shall be held on the next established election date provided in Chapter 1 (commencing with Section 1000) of Division 1 of the Elections Code that is 130 or more days after the date the district board calls the election.

(f) (1) If the vacancy is not filled by the district board by appointment, or if the district board has not called for an election within 60 days of the date the district board is notified of the vacancy or the effective date of the vacancy, whichever is later, then the city council of the city in which the district is wholly located, or if the district is not wholly located within a city, the board of supervisors of the county representing the larger portion of the district area in which the election to fill the vacancy will be held, may appoint a person to fill the vacancy within 90 days of the date the district board is notified of the vacancy or the effective date of the



vacancy, whichever is later, or the city council or board of supervisors may order the district to call an election to fill the vacancy.

(2) The election called pursuant to this subdivision shall be held on the next established election date provided in Chapter 1 (commencing with Section 1000) of Division 1 of the Elections Code that is 130 or more days after the date the city council or board of supervisors calls the election.

(g) (1) If within 90 days of the date the district board is notified of the vacancy or the effective date of the vacancy, whichever is later, the remaining members of the district board or the appropriate board of supervisors or city council have not filled the vacancy and no election has been called for, then the district board shall call an election to fill the vacancy.

(2) The election called pursuant to this subdivision shall be held on the next established election date provided in Chapter 1 (commencing with Section 1000) of Division 1 of the Elections Code that is 130 or more days after the date the district board calls the election.

(h) (1) Notwithstanding any other provision of this section, if the number of remaining members of the district board falls below a quorum, then at the request of the district secretary or a remaining member of the district board, the appropriate board of supervisors or the city council shall promptly appoint a person to fill the vacancy or may call an election to fill the vacancy.

(2) The board of supervisors or the city council shall only fill enough vacancies by appointment or by election to provide the district board with a quorum.

(3) If the vacancy occurs in the first half of a term of office and at least 130 days prior to the next general district election, the person appointed to fill the vacancy shall hold the office until the next general district election that is scheduled 130 or more days after the date the district board is notified of the vacancy, and thereafter until the person who is



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elected at that election to fill the vacancy has been qualified. The person elected to fill the vacancy shall hold office for the unexpired balance of the term of office.

(4) If the vacancy occurs in the first half of a term of office, but less than 130 days prior to the next general district election, or if the vacancy occurs in the second half of a term of office, the person appointed to fill the vacancy shall fill the balance of the unexpired term of office.

(5) The election called pursuant to this subdivision shall be held on the next established election date provided in Chapter 1 (commencing with Section 1000) of Division 1 of the Elections Code that is held 130 or more days after the date the city council or board of supervisors calls the election.

**PUBLIC NOTICE**

Pursuant to Government Code Section 1780, notice is hereby given that effective (date) there exists a vacancy on the Board of Directors of the Desert Healthcare District, a local governmental entity. Pursuant to California law, the remaining District Board members may fill the vacancy by appointment or by holding a special election

**AUTHORITIES**

Desert Healthcare District Bylaws Article IV, section 4.4  
California Government Code Section 1780

**DOCUMENT HISTORY**

Reviewed	03-28-2023
Revised	02-23-2021
Approved	01-26-2016



**POLICY TITLE:** FILLING A VACANCY ON THE BOARD

**POLICY NUMBER:** BOD-06

**COMMITTEE APPROVAL:** 03-07-2023

Deleted: 02-09-2021

**BOARD APPROVAL:** 03-28-2023

Deleted: 02-23-2021

**POLICY #BOD-06:** It is the policy of the Desert Healthcare District ("District") to fill a vacancy on the Board of Directors per the Desert Healthcare District Bylaws, Article IV, section 4.4.

**GUIDELINES:**

**1. District Bylaws - Article IV, section 4.4 – VACANCIES**

"The remaining Board members may fill any vacancy on the Board by appointment in accordance with Government Code Section 1780, as amended, which set forth the procedure for filling a vacancy of an elective office on a governing board of a special district."

**Government Code Section 1780**

1780. (a) Notwithstanding any other provision of law, a vacancy in any elective office on the governing board of a special district, other than those specified in Section 1781, shall be filled pursuant to this section.

(b) The district shall notify the county elections official of the vacancy no later than 15 days after either the date on which the district board is notified of the vacancy or the effective date of the vacancy, whichever is later.

(c) The remaining members of the district board may fill the vacancy either by appointment pursuant to subdivision (d) or by calling an election pursuant to subdivision (e).

(d) (1) The remaining members of the district board shall make the appointment pursuant to this subdivision within 60 days after either the date on which the district board is notified of the vacancy or the effective date of the vacancy, whichever is later. The district shall post a notice of the vacancy in three or more conspicuous places in the district at least



15 days before the district board makes the appointment. The district shall notify the county elections official of the appointment no later than 15 days after the appointment.

(2) If the vacancy occurs in the first half of a term of office and at least 130 days prior to the next general district election, the person appointed to fill the vacancy shall hold office until the next general district election that is scheduled 130 or more days after the date the district board is notified of the vacancy, and thereafter until the person who is elected at that election to fill the vacancy has been qualified. The person elected to fill the vacancy shall hold office for the unexpired balance of the term of office.

(3) If the vacancy occurs in the first half of a term of office, but less than 130 days prior to the next general district election, or if the vacancy occurs in the second half of a term of office, the person appointed to fill the vacancy shall fill the balance of the unexpired term of office.

(e) (1) In lieu of making an appointment the remaining members of the board may within 60 days of the date the district board is notified of the vacancy or the effective date of the vacancy, whichever is later, call an election to fill the vacancy.

(2) The election called pursuant to this subdivision shall be held on the next established election date provided in Chapter 1 (commencing with Section 1000) of Division 1 of the Elections Code that is 130 or more days after the date the district board calls the election.

(f) (1) If the vacancy is not filled by the district board by appointment, or if the district board has not called for an election within 60 days of the date the district board is notified of the vacancy or the effective date of the vacancy, whichever is later, then the city council of the city in which the district is wholly located, or if the district is not wholly located within a city, the board of supervisors of the county representing the larger portion of the district area in which the election to fill the vacancy will be held, may appoint a person to fill the vacancy within 90 days of the date the district board is notified of the vacancy or the effective date of the





vacancy, whichever is later, or the city council or board of supervisors may order the district to call an election to fill the vacancy.

(2) The election called pursuant to this subdivision shall be held on the next established election date provided in Chapter 1 (commencing with Section 1000) of Division 1 of the Elections Code that is 130 or more days after the date the city council or board of supervisors calls the election.

(g) (1) If within 90 days of the date the district board is notified of the vacancy or the effective date of the vacancy, whichever is later, the remaining members of the district board or the appropriate board of supervisors or city council have not filled the vacancy and no election has been called for, then the district board shall call an election to fill the vacancy.

(2) The election called pursuant to this subdivision shall be held on the next established election date provided in Chapter 1 (commencing with Section 1000) of Division 1 of the Elections Code that is 130 or more days after the date the district board calls the election.

(h) (1) Notwithstanding any other provision of this section, if the number of remaining members of the district board falls below a quorum, then at the request of the district secretary or a remaining member of the district board, the appropriate board of supervisors or the city council shall promptly appoint a person to fill the vacancy or may call an election to fill the vacancy.

(2) The board of supervisors or the city council shall only fill enough vacancies by appointment or by election to provide the district board with a quorum.

(3) If the vacancy occurs in the first half of a term of office and at least 130 days prior to the next general district election, the person appointed to fill the vacancy shall hold the office until the next general district election that is scheduled 130 or more days after the date the district board is notified of the vacancy, and thereafter until the person who is



elected at that election to fill the vacancy has been qualified. The person elected to fill the vacancy shall hold office for the unexpired balance of the term of office.

(4) If the vacancy occurs in the first half of a term of office, but less than 130 days prior to the next general district election, or if the vacancy occurs in the second half of a term of office, the person appointed to fill the vacancy shall fill the balance of the unexpired term of office.

(5) The election called pursuant to this subdivision shall be held on the next established election date provided in Chapter 1 (commencing with Section 1000) of Division 1 of the Elections Code that is held 130 or more days after the date the city council or board of supervisors calls the election.

#### PUBLIC NOTICE

Pursuant to Government Code Section 1780, notice is hereby given that effective (date) there exists a vacancy on the Board of Directors of the Desert Healthcare District, a local governmental entity. Pursuant to California law, the remaining District Board members may fill the vacancy by appointment or by holding a special election

#### AUTHORITIES

Desert Healthcare District Bylaws Article IV, section 4.4  
California Government Code Section 1780

#### DOCUMENT HISTORY

<u>Reviewed</u>	03-28-2023
Revised	02-23-2021
Approved	01-26-2016



**POLICY TITLE:** BOARD & COMMITTEE MEETING AGENDA  
**POLICY NUMBER:** BOD-07  
**COMMITTEE APPROVAL:** 03-07-2023  
**BOARD APPROVAL:** 03-28-2023

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**POLICY #BOD-07:** It is the policy of the Desert Healthcare District (“District”) to prepare an agenda for each regular and special meeting of the Board of Directors.

**GUIDELINES:**

1. The Chief Executive Officer or designee shall prepare an agenda for each regular and special meeting of the Board of Directors. For items to be placed on the agenda, the Board President, or any three Board Members may call the Board President and request the item(s) no later than 5:00 p.m. five (5) business days prior to a regular meeting date.
2. In accordance with Government Code Section 54956(a), the Board President, or a majority of the members of the Board (4) may call a special meeting by delivering written notice to each member of the Board. The Chief Executive Officer or designee shall then develop an agenda forecast with the Board President.
3. This policy does not prevent the Board from taking testimony at regular and special meetings of the Board on matters which are not on the agenda that a member of the public may wish to bring before the Board. However, the Board shall not discuss or take action on such matters at that meeting. The Board may ask clarifying questions of public testimony.
4. At least 72 hours prior to all regular meetings and 24 hours for all special meetings, an agenda which includes but is not limited to all matters on which there may be discussion and/or action by the Board, shall be posted conspicuously for public review within the District offices, in accordance with the Ralph M. Brown Act (California Government Code §54950 through §54926), and on the District’s website at [www.dhcd.org](http://www.dhcd.org).



The following outlines the agenda of both type meetings:

- A. Call to Order
  - B. Approval of Agenda
  - C. Public Comment and/or Presentations (non-agendized)
  - D. Consent Calendar
  - E. CEO Report
  - F. DRMC Governing Board of Directors Report
  - G. Committee Reports
  - H. Old Business
  - I. New Business
  - J. Directors Comments and Reports
  - K. Informational Items
  - L. Adjournment
5. On occasion, as needed, a closed session of the Board is required, properly announced and conducted for only those purposes allowed in the Ralph M. Brown Act (California Government Code §54950 through §54926) and are generally held (but not limited to) following the regular or special meeting agenda.
6. For Committee meetings, the Chief Executive Officer or designee shall prepare an agenda for each committee meeting. For items to be placed on the agenda, the Committee Chairperson may contact the Chief Executive Officer and request the item(s) no later than 5:00 p.m. five (5) business days prior to a committee meeting date.

#### **AUTHORITIES**

Desert Healthcare District Bylaws Article V

#### **DOCUMENT HISTORY**

Revised	03-28-2023
Revised	10-25-2022
Revised	11-24-2020
Revised	07-23-2016

POLICY #BOD-07

Page 2 of 3



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**POLICY TITLE:** BOARD & COMMITTEE MEETING AGENDA

**POLICY NUMBER:** BOD-07

**COMMITTEE APPROVAL:** 03-07-2023

Deleted: 10-18-2022

**BOARD APPROVAL:** 03-28-2023

Deleted: 10-25-2022

**POLICY #BOD-07:** It is the policy of the Desert Healthcare District ("District") to prepare an agenda for each regular and special meeting of the Board of Directors.

**GUIDELINES:**

1. The Chief Executive Officer or designee shall prepare an agenda for each regular and special meeting of the Board of Directors. For items to be placed on the agenda, the Board President, or any three Board Members may call the Board President and request the item(s) no later than 5:00 p.m. five (5) business days prior to a regular meeting date.
2. In accordance with Government Code Section 54956(a), the Board President, or a majority of the members of the Board (4) may call a special meeting by delivering written notice to each member of the Board. The Chief Executive Officer or designee shall then develop an agenda forecast with the Board President.
3. This policy does not prevent the Board from taking testimony at regular and special meetings of the Board on matters which are not on the agenda that a member of the public may wish to bring before the Board. However, the Board shall not discuss or take action on such matters at that meeting. The Board may ask clarifying questions of public testimony.
4. At least 72 hours prior to all regular meetings and 24 hours for all special meetings, an agenda which includes but is not limited to all matters on which there may be discussion and/or action by the Board, shall be posted conspicuously for public review within the District offices, in accordance with the Ralph M. Brown Act (California Government Code §54950 through §54926), and on the District's website at www.dhcd.org.

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The following outlines the agenda of both type meetings:

- A. Call to Order
- B. Approval of Agenda
- C. Public Comment and/or Presentations (non-agendized)
- D. Consent Calendar
- E. CEO Report
- F. DRMC Governing Board of Directors Report
- G. Committee Reports
- H. Old Business
- I. New Business
- J. Directors Comments and Reports
- K. Informational Items
- L. Adjournment

**5.** On occasion, as needed, a closed session of the Board is required, properly announced and conducted for only those purposes allowed in the Ralph M. Brown Act (California Government Code §54950 through §54926) and are generally held (but not limited to) following the regular or special meeting agenda.

**6.** For Committee meetings, the Chief Executive Officer or designee shall prepare an agenda for each committee meeting. For items to be placed on the agenda, the Committee Chairperson may contact the Chief Executive Officer and request the item(s) no later than 5:00 p.m. five (5) business days prior to a committee meeting date.

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#### **AUTHORITIES**

Desert Healthcare District Bylaws Article V

#### **DOCUMENT HISTORY**

<u>Revised</u>	<u>03-28-2023</u>
Revised	10-25-2022
Revised	11-24-2020
Revised	07-23-2016

POLICY #BOD-07

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POLICY #BOD-07

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**POLICY TITLE:** RULES OF ORDER FOR BOARD AND COMMITTEE MEETINGS

**POLICY NUMBER:** BOD-09

**COMMITTEE APPROVAL:** 03-07-2023

**BOARD APPROVAL:** 03-28-2023

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**POLICY #BOD-09:** It is the policy of the Desert Healthcare District (“District”) Board of Directors to conduct meetings in accordance with the following rules of order.

**GUIDELINES:**

1. Unless otherwise provided by law, bylaws, or Board rules, Board meeting procedures shall be in accordance with *Robert’s Rules of Order Newly Revised*. However, technical failure to follow *Robert’s Rules of Order* shall not invalidate any action.
2. The President may make and second motions and vote in the same manner as other Board members.

**AUTHORITIES**

Desert Healthcare District Bylaws Article V, section 5.7

**DOCUMENT HISTORY**

Reviewed	03-28-2023
Reviewed	02-23-2021
Reviewed	07-23-2019
Approved	03-23-2016



**POLICY TITLE:** RULES OF ORDER FOR BOARD AND COMMITTEE MEETINGS

**POLICY NUMBER:** BOD-09

**COMMITTEE APPROVAL:** 03-07-2023

Deleted: 02-09-2021

**BOARD APPROVAL:** 03-28-2023

Deleted: 02-23-2021

**POLICY #BOD-09:** It is the policy of the Desert Healthcare District ("District") Board of Directors to conduct meetings in accordance with the following rules of order.

**GUIDELINES:**

1. Unless otherwise provided by law, bylaws, or Board rules, Board meeting procedures shall be in accordance with *Robert's Rules of Order Newly Revised*. However, technical failure to follow *Robert's Rules of Order* shall not invalidate any action.
2. The President may make and second motions and vote in the same manner as other Board members.

**AUTHORITIES**

Desert Healthcare District Bylaws Article V, section 5.7

**DOCUMENT HISTORY**

<u>Reviewed</u>	<u>03-28-2023</u>
Reviewed	02-23-2021
Reviewed	07-23-2019
Approved	03-23-2016



**POLICY TITLE:** BOARD MEETING CONDUCT

**POLICY NUMBER:** BOD-10

**COMMITTEE APPROVAL:** 03-07-2023

**BOARD APPROVAL:** 03-28-2023

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**POLICY #BOD-10:** It is the policy of the Desert Healthcare District (“District”) to conduct meetings in a manner consistent with Policy numbers #BOD-08, “Board Meetings” and #BOD-09, “Rules of Order for Board and Committee Meetings”.

**GUIDELINES:**

1. All Board of Directors (“Board”) meetings shall commence at the time stated on the agenda and shall be guided by the agenda.
2. The conduct of meetings shall, to the fullest possible extent, enable Directors to:
  - 2.1 Consider problems to be solved, weigh evidence related thereto, and make wise decisions intended to solve the problems;
  - 2.2 Hear public testimony, and
  - 2.3 Receive, consider and take any action with respect to reports of accomplishment of District operations.
3. To ensure that all members of the General Public have the opportunity to participate in the meetings of the Board of Directors of the Desert Healthcare District, the Board has established the following provisions for permitting any individual or group to address the Board concerning any item on the agenda of a special meeting, or to address the Board at a regular meeting on any subject that lies within the jurisdiction of the Board:
  - 3.1 It is the policy of the Board to allow three (3) minutes (exclusive of translation services) for any item not on the agenda that a member of the



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public identifies at the beginning of the meeting under the agenda item “Public Comments”.

**3.2** For agenda items, members of the public may speak for five (5) minutes (exclusive of translation services) any time prior to a vote.

**3.3** A maximum of fifteen (15) minutes (exclusive of translation services) total per meeting shall be allowed for each member of the public.

**3.4** No disruptive and/or boisterous conduct shall be permitted at any Board meeting. Persistence in boisterous conduct shall be grounds for summary termination by the Board President/Chair of that person’s privilege of address. If unacceptable conduct persists, the Board President/Chair may request removal of the person from the meeting and/or clear the room, allowing only accredited members of the press, for the duration of the meeting. Only matters appearing on the agenda may be considered. The Board President/Chair may allow for those members of the public not responsible for the disruptive conduct back in the room, if desired.

**4.** A copy of this policy shall be made available to the public at each Board Meeting.

**5.** In order to adhere to this policy, the Board President/Chair of the Meeting shall follow the procedures as outlined below:

**5.1** During the “Public Comments” agenda item, the Board President/Chair shall advise any members of the public wishing to address the Board on items not on the agenda that they may do so at this time.

**5.2** After each agenda item has been motioned and seconded (if applicable), members of the Board and public will be given an opportunity to speak.

**5.3** The Board President/Chair shall advise any member of the public wishing to address the Board that they will have a time limit for each item identified with a maximum time of fifteen (15) minutes for the entire meeting.



**5.4** As the member of the public addresses each previously identified agenda item, their remarks shall be timed to ensure that the policy is followed.

**EXCEPTIONS:**

**6.** The Board President/Chair, their designated alternate or the majority of the Board, are authorized to make exceptions to this policy during meetings. The Board as a whole may update this policy as it wishes.

**AUTHORITIES**

Desert Healthcare District Bylaws Article V & VI

**DOCUMENT HISTORY**

Revised	03-28-2023
Revised	02-23-2021
Revised	07-23-2019
Approved	03-23-2016



**POLICY TITLE:** BOARD MEETING CONDUCT

**POLICY NUMBER:** BOD-10

**COMMITTEE APPROVAL:** 03-07-2023

Deleted: 02-09-2021

**BOARD APPROVAL:** 03-28-2023

Deleted: 02-23-2021

**POLICY #BOD-10:** It is the policy of the Desert Healthcare District (“District”) to conduct meetings in a manner consistent with Policy numbers #BOD-08, “Board Meetings” and #BOD-09, “Rules of Order for Board and Committee Meetings”.

**GUIDELINES:**

1. All Board of Directors (“Board”) meetings shall commence at the time stated on the agenda and shall be guided by the agenda.
2. The conduct of meetings shall, to the fullest possible extent, enable Directors to:
  - 2.1 Consider problems to be solved, weigh evidence related thereto, and make wise decisions intended to solve the problems;
  - 2.2 Hear public testimony, and
  - 2.3 Receive, consider and take any action with respect to reports of accomplishment of District operations.
3. To ensure that all members of the General Public have the opportunity to participate in the meetings of the Board of Directors of the Desert Healthcare District, the Board has established the following provisions for permitting any individual or group to address the Board concerning any item on the agenda of a special meeting, or to address the Board at a regular meeting on any subject that lies within the jurisdiction of the Board:
  - 3.1 It is the policy of the Board to allow three (3) minutes (exclusive of translation services) for any item not on the agenda that a member of the



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public identifies at the beginning of the meeting under the agenda item "Public Comments".

**3.2** For agenda items, members of the public may speak for five (5) minutes (exclusive of translation services) any time prior to a vote.

**3.3** A maximum of fifteen (15) minutes (exclusive of translation services) total per meeting shall be allowed for each member of the public.

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**4.** A copy of this policy shall be made available to the public at each Board Meeting.

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**5.1** During the "Public Comments" agenda item, the Board President/Chair shall advise any members of the public wishing to address the Board on items not on the agenda that they may do so at this time.

**5.2** After each agenda item has been motioned and seconded (if applicable), members of the Board and public will be given an opportunity to speak.

**5.3** The Board President/Chair shall advise any member of the public wishing to address the Board that they will have a time limit for each item identified with a maximum time of fifteen (15) minutes for the entire meeting.



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5.4 As the member of the public addresses each previously identified agenda item, their remarks shall be timed to ensure that the policy is followed.

**EXCEPTIONS:**

6. The Board President/Chair, their designated alternate or the majority of the Board, are authorized to make exceptions to this policy during meetings. The Board as a whole may update this policy as it wishes.

**AUTHORITIES**

Desert Healthcare District Bylaws Article V & VI

**DOCUMENT HISTORY**

<u>Revised</u>	<u>03-28-2023</u>
Revised	02-23-2021
Revised	07-23-2019
Approved	03-23-2016

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**POLICY TITLE:** GRANT & MINI GRANT POLICY  
**POLICY NUMBER:** OP-05  
**COMMITTEE APPROVAL:** 03-07-2023  
**BOARD APPROVAL:** 03-28-2023

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**POLICY #OP-05:** In accordance with Desert Healthcare District’s mission and strategic plan it is the policy of the Desert Healthcare District (“District” or “DHCD”) to establish guidelines for Grants & Mini Grants to provide health and wellness programs/projects for the benefit of the District residents and in alignment with the California Health and Safety Code requirements. Each fiscal year the Board of Directors will allocate a budget for both grants and mini grants awards.

The District Board may amend this policy as needed to be consistent with any state legislation regarding healthcare district grant programs.

**GUIDELINES:**

1. The District will administer the grant funds to assure transparent and responsible distribution of monies and to maximize the benefit to community members and fairness to grant recipients.
  - 1.a. All grants must align with the Desert Healthcare District & Foundation’s (“DHCD/F”) strategic plan. The strategic plan is available on our website, [www.dhcd.org](http://www.dhcd.org)
  - 1.b. The Board will adopt a grant budget allocation each fiscal year during the annual budget process covering the period of July 1-June 30.
  - 1.c. Grant recipients should not assume there exists an entitlement to continued funding nor that similar funding will be available in future



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years. However, this does not preclude a grant recipient from submitting additional grant applications.

1.d. Grant recipients must accept and adhere to the District's standard grant/contract terms and conditions as a stipulation of any grant award. This includes timely submission of required reports to allow District to monitor the fiscal and programmatic requirements of the grant. A Grantee who is not in compliance as identified in the Grant Contract may become ineligible to apply for future grants for a period of up to two (2) years.

1.e. The District will place a priority on collaboration with community agencies applying for grants, to maximize use of funds and impact while avoiding the fostering of competing programs that may make each such competing programs to become less effective.

Applicants who choose not to collaborate must demonstrate a distinction between their proposed services and those that may already be in place.

1.1 Grant requestors utilizing a fiscal agent may be considered; the application shall include a copy of a resolution adopted by the fiscal agent organization's board of directors approving of the action to act as an agent on behalf of the requestor.

1.2 Per AB 2019 and revised California Health and Safety Code Section 32139(c)(5), individual meetings regarding grants between an applicant and a District Board member, officer, or staff outside of the established grant process is prohibited. Staff may provide technical assistance, upon request, from potential and current Grantees.

**2. Mini Grants** allow the Desert Healthcare District community to access support for small health initiatives that possibly do not have the capacity for a large program or



project. The mini grant application is processed by the administration of DHCD. Consideration is contingent upon the availability of funds, community health priorities, and the ability of the applicant to effectively administer the project programmatically and financially. The mini grant provides up to \$10,000 per one request in a fiscal year. The request must align with the DHCD strategic goals and objectives.

**3. Grant Application Process** – The grant application is available on the District’s website at [www.dhcd.org](http://www.dhcd.org). The online application details the information necessary to submit an application such as required documents, detail of strategic plan focus areas, and other information based on specific grant application needs. The visual representation of the process of a submitted application is noted in the attached application process flowchart.

a. **Program Committee**

The Program Committee shall be responsible for oversight and for making recommendations to the Board, where appropriate, on District matters related to grant-making and related programs.

b. **Eligibility/Criteria**

3.b.1 The District awards grants only to organizations exempt from federal taxation under Section 501(c) (3) of the Internal Revenue Code or equivalent exemption; such as a public/governmental agency, program or institution. Except for mini grant recipients, all organizations must have current audited financial statements.

3.b.2 Some small organizations (annual revenue of \$500,000 or less) may be financially unable to provide audited financial statements. Under certain circumstances defined by the ability of the organization and if the organization is able to provide a service to meet the mission of the District, the District may consider providing grant funds to



complete a financial audit. The District may also consider providing grant funds to develop capacity building.

3.b.3 Organizations must directly serve residents of the Desert Healthcare District. Agencies physically located outside District boundaries would be eligible for funds upon demonstration that the residents of the District will be proportionately served.

3.b.4 Grants are available to organizations whose activities improve residents' health within at least one priority area of the District's strategic plan. Through investment of its grant dollars, the District supports programs, organizations and community collaborations with potential for achieving measurable results to underserved individuals and communities. Through the use of a grant scoring structure, consideration is given to projects or organizations that:

- Have proven records of success and capacity
- Have potential to impact the greatest numbers of District residents in alignment with strategic goals
- Can demonstrate the greatest potential to positively change health-related behaviors
- Are based on research and/or best practices that demonstrate effectiveness
- Have data available to measure progress, outcomes and relevance
- Have strong fiscal and operational governance

#### **4. Funding Restrictions**

4.1 The District's grants will NOT support the following:

- Individuals
- Endowment campaigns



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- Retirement of debt
- Annual campaigns, fundraising events, or expenses related to fundraising
- Programs that proselytize or promote any religion or sect, or deny services to potential beneficiaries based upon religious beliefs
- Expenses related to lobbying public officials
- Political campaigns or other partisan political activities
- Unfunded government mandates
- Replacement funds to allow funding to be shifted to other programs or budget areas
- Any organization who discriminates against others based on, including, but not limited to race, color, creed, gender, gender identity, sexual orientation or national origin.

## 5. Application Process

**Please refer to attached Application Process flowchart**

### 5.1 Grant Declination Appeals Process

Any applicant who wishes to appeal their grant declination must follow the guidelines below:

1. Submit in writing the request for appeal and the specific focus point/criteria the DHCD/F is being asked to consider.
2. The written request must be submitted to the Chief Program Officer within 30 calendar days of receipt of the declination notification.
3. The DHCD/F will review said request and will respond in writing within 60 calendar days of receipt of the grant declination appeal request (process for review and final determination).



## 6. No-Cost Grant Extension

6.1 Under a No-Cost Extension, grantees may extend a grant's project period one time for up to 12 months. A No-Cost Extension may be requested when the following conditions are met:

- 6.1.1 No term of award specifically prohibits the extension
- 6.1.2 Project's originally approved scope will not change
- 6.1.3 The end of the project/grant period is approaching
- 6.1.4 There is a programmatic need to continue
- 6.1.5 There are sufficient funds remaining to cover the extended effort

6.2 The Desert Healthcare District always retains the right to decline the request. Examples of reasons to decline might include:

- a. An extension may not be granted solely because there is money left over. Programmatic benefit must be justified.
- b. Deliverables as outlined in Exhibit B (Payment Schedule, Requirements & Deliverables) have been met.

6.3 Process:

Grantee must submit a written request to the DHCD/F at least 30 days before the end of the current project period. The request should be sent to the Grant Department and include the following information:

- 1. The amount of funds remaining, and an explanation for why they have not been spent
- 2. Rationale for continuing the project
- 3. An explanation of why the project has not been completed
- 4. Inclusion of a detailed work plan and how all unfinished activities will be completed by the proposed end date



**AUTHORITIES**

Desert Healthcare District Bylaws Article V, section 5.6  
California Health and Safety Code section 32132

**DOCUMENT HISTORY**

Revised	03-28-2023
Revised	12-20-2022
Revised	02-22-2022
Revised	02-23-2021
Revised	03-24-2020
Revised	05-28-2019
Revised	05-24-2016
Approved	02-20-2012

DRAFT



**POLICY TITLE:** GRANT & MINI GRANT POLICY

**POLICY NUMBER:** OP-05

**COMMITTEE APPROVAL:** 03-07-2023

Deleted: 12-13-2022

**BOARD APPROVAL:** 03-28-2023

Deleted: 12-20-2022

**POLICY #OP-05:** In accordance with Desert Healthcare District’s mission and strategic plan it is the policy of the Desert Healthcare District (“District” or “DHCD”) to establish guidelines for Grants & Mini Grants to provide health and wellness programs/projects for the benefit of the District residents and in alignment with the California Health and Safety Code requirements. Each fiscal year the Board of Directors will allocate a budget for both grants and mini grants awards.

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The District Board may amend this policy as needed to be consistent with any state legislation regarding healthcare district grant programs.

**GUIDELINES:**

1. The District will administer the grant funds to assure transparent and responsible distribution of monies and to maximize the benefit to community members and fairness to grant recipients.

1.a. All grants must align with the Desert Healthcare District & Foundation’s (“DHCD/F”) strategic plan. The strategic plan is available on our website, [www.dhcd.org](http://www.dhcd.org)

1.b. The Board will adopt a grant budget allocation each fiscal year during the annual budget process covering the period of July 1-June 30,

Deleted: (July – June)

1.c. Grant recipients should not assume there exists an entitlement to continued funding nor that similar funding will be available in future





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years. However, this does not preclude a grant recipient from submitting additional grant applications.

1.d. Grant recipients must accept and adhere to the District's standard grant/contract terms and conditions as a stipulation of any grant award. This includes timely submission of required reports to allow District to monitor the fiscal and programmatic requirements of the grant. A Grantee who is not in compliance as identified in the Grant Contract may become ineligible to apply for future grants for a period of up to two (2) years.

1.e. The District will place a priority on collaboration with community agencies applying for grants, to maximize use of funds and impact while avoiding the fostering of competing programs that may make each such competing programs to become less effective.

Applicants who choose not to collaborate must demonstrate a distinction between their proposed services and those that may already be in place.

1.1 Grant requestors utilizing a fiscal agent may be considered; the application shall include a copy of a resolution adopted by the fiscal agent organization's board of directors approving of the action to act as an agent on behalf of the requestor.

1.2 Per AB 2019 and revised California Health and Safety Code Section 32139(c)(5), individual meetings regarding grants between an applicant and a District Board member, officer, or staff outside of the established grant process is prohibited. Staff may provide technical assistance, upon request, from potential and current Grantees.

2. **Mini Grants** allow the Desert Healthcare District community to access support for small health initiatives that possibly do not have the capacity for a large program or



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project. The mini grant application is processed by the administration of DHCD. Consideration is contingent upon the availability of funds, community health priorities, and the ability of the applicant to effectively administer the project programmatically and financially. The mini grant provides up to \$10,000 per one request in a fiscal year. The request must align with the DHCD strategic goals and objectives.

**3. Grant Application Process** – [The grant application is available on the District's website at www.dhcd.org. The online application details the information necessary to submit an application such as required documents, detail of strategic plan focus areas, and other information based on specific grant application needs. The visual representation of the process of a submitted application is noted in the attached application process flowchart.](http://www.dhcd.org)

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**a. Program Committee**

The Program Committee shall be responsible for oversight and for making recommendations to the Board, where appropriate, on District matters related to grant-making and related programs.

**b. Eligibility/Criteria**

3.b.1 The District awards grants only to organizations exempt from federal taxation under Section 501(c) (3) of the Internal Revenue Code or equivalent exemption; such as a public/governmental agency, program or institution. Except for mini grant recipients, all organizations must have current audited financial statements.

3.b.2 Some small organizations (annual revenue of \$500,000 or less) may be financially unable to provide audited financial statements. Under certain circumstances defined by the ability of the organization and if the organization is able to provide a service to meet the mission of the District, the District may consider providing grant funds to



complete a financial audit. The District may also consider providing grant funds to develop capacity building.

3.b.3 Organizations must directly serve residents of the Desert Healthcare District. Agencies physically located outside District boundaries would be eligible for funds upon demonstration that the residents of the District will be proportionately served.

3.b.4 Grants are available to organizations whose activities improve residents' health within at least one priority area of the District's strategic plan. Through investment of its grant dollars, the District supports programs, organizations and community collaborations with potential for achieving measurable results to underserved individuals and communities. Through the use of a grant scoring structure, consideration is given to projects or organizations that:

- Have proven records of success and capacity
- Have potential to impact the greatest numbers of District residents in alignment with strategic goals
- Can demonstrate the greatest potential to positively change health-related behaviors
- Are based on research and/or best practices that demonstrate effectiveness
- Have data available to measure progress, outcomes and relevance
- Have strong fiscal and operational governance

#### 4. Funding Restrictions

4.1 The District's grants will NOT support the following:

- Individuals
- Endowment campaigns



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- Retirement of debt
- Annual campaigns, fundraising events, or expenses related to fundraising
- Programs that proselytize or promote any religion or sect, or deny services to potential beneficiaries based upon religious beliefs
- Expenses related to lobbying public officials
- Political campaigns or other partisan political activities
- Unfunded government mandates
- Replacement funds to allow funding to be shifted to other programs or budget areas
- Any organization who discriminates against others based on, including, but not limited to race, color, creed, gender, gender identity, sexual orientation or national origin.

**5. Application Process**

**Please refer to attached Application Process flowchart**

**5.1 Grant Declination Appeals Process**

Any applicant who wishes to appeal their grant declination must follow the guidelines below:

1. Submit in writing the request for appeal and the specific focus point/criteria the DHCD/F is being asked to consider.
2. The written request must be submitted to the Chief Program Officer within 30 calendar days of receipt of the declination notification.
3. The DHCD/F will review said request and will respond in writing within 60 calendar days of receipt of the grant declination appeal request (process for review and final determination).



## 6. No-Cost Grant Extension

6.1 Under a No-Cost Extension, grantees may extend a grant's project period one time for up to 12 months. A No-Cost Extension may be requested when the following conditions are met:

- 6.1.1 No term of award specifically prohibits the extension
- 6.1.2 Project's originally approved scope will not change
- 6.1.3 The end of the project/grant period is approaching
- 6.1.4 There is a programmatic need to continue
- 6.1.5 There are sufficient funds remaining to cover the extended effort

6.2 The Desert Healthcare District always retains the right to decline the request.

Examples of reasons to decline might include:

- a. An extension may not be granted solely because there is money left over. Programmatic benefit must be justified.
- b. Deliverables as outlined in Exhibit B (Payment Schedule, Requirements & Deliverables) have been met.

6.3 Process:

Grantee must submit a written request to the DHCD/F at least 30 days before the end of the current project period. The request should be sent to the Grant Department and include the following information:

- 1. The amount of funds remaining, and an explanation for why they have not been spent
- 2. Rationale for continuing the project
- 3. An explanation of why the project has not been completed
- 4. Inclusion of a detailed work plan and how all unfinished activities will be completed by the proposed end date



### AUTHORITIES

Desert Healthcare District Bylaws Article V, section 5.6  
[California Health and Safety Code section 32132](#)

### DOCUMENT HISTORY

<u>Revised</u>	<u>03-28-2023</u>
Revised	12-20-2022
Revised	02-22-2022
Revised	02-23-2021
Revised	03-24-2020
Revised	05-28-2019
Revised	05-24-2016
Approved	02-20-2012

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**POLICY TITLE:** DELEGATING MINOR CLAIMS TO THE CEO  
**POLICY NUMBER:** OP-06  
**COMMITTEE APPROVAL:** 03-07-2023  
**BOARD APPROVAL:** 03-28-2023

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**POLICY #OP-06:** It is the policy of the Desert Healthcare District (“District”) Board of Directors (“Board”) to provide an efficient procedure for handling minor claims filed against the District per Government Code Section 935.4.

1. Minor claims are considered claims which do not exceed \$5,000.
2. The Board delegates authority to the Chief Executive Officer to take all administrative actions necessary to resolve minor claims against the District which do not exceed \$5,000.

**AUTHORITIES**

Desert Healthcare District Resolution #11-04

**DOCUMENT HISTORY**

Reviewed	03-28-2023
Revised	11-24-2020
Approved	05-24-2016



**POLICY TITLE:** DELEGATING MINOR CLAIMS TO THE CEO

**POLICY NUMBER:** OP-06

**COMMITTEE APPROVAL:** 03-07-2023

**BOARD APPROVAL:** 03-28-2023

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Deleted: 11-09-2020

Deleted: 11-24-2020

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**AUTHORITIES**

Desert Healthcare District Resolution #11-04

**DOCUMENT HISTORY**

<u>Reviewed</u>	<u>03-28-2023</u>
Revised	11-24-2020
Approved	05-24-2016





**POLICY TITLE:** LEASE COMPLIANCE POLICY  
**POLICY NUMBER:** OP-07  
**COMMITTEE APPROVAL:** 03-07-2023  
**BOARD APPROVAL:** 03-28-2023

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**POLICY #OP-07:** During the course of business, the Desert Healthcare District (“District”) employees, its Chief Executive Officer (“CEO”), or Board of Directors (“Board”) may occasionally receive complaints regarding the Desert Regional Medical Center (“Medical Center”) and its operations. When such complaints are received, it is the policy of the Board to forward the complaint to the Chief Executive Officer and Compliance Officer of the Medical Center through the District CEO, with a request to address the complaint in writing and provide a copy of the response to the District Board.

Should the District receive complaints specific to the Lease between the District and leaseholder of the Medical Center, the District CEO will address the complaint in writing and provide any recommendations to the District Board.

**Hospital Lease Oversight Committee:**

The Hospital Lease Oversight Committee (“Committee”) shall conduct a quarterly walk-through inspection of portions of the Medical Center. The walk-through shall be coordinated with Hospital Management and the Committee may utilize the services of a consultant who has experience in hospital facilities. After each inspection, the Committee shall provide an inspection report (including notation of any deficiencies) to the District Board, and the Medical Center CEO and Local Governing Board.

1. The Hospital Lease Oversight Committee shall be a standing committee and hold regular meetings per the Brown Act and Bylaws of the District.
2. The Committee shall meet quarterly or more often if needed, to review the status of open issues, resolutions, and any new reporting items from the quarterly walk-throughs and other reporting.



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3. The Management of the Medical Center shall be invited to attend Committee and District Board meetings and provide written reports on activities at the Hospital.
4. The Committee shall provide monthly updates to the Board.
5. During the fiscal year, the Committee shall review the following information provided by Management at the Medical Center:
  - A list of current Hospital licenses and their expiration dates.
  - A list of current accreditations and their expiration dates.
  - Copies of all insurance policies including property (including earthquake insurance), general liability, professional liability, and employer's compensation insurance.
  - Confirmation of the Hospital's participation in Medicare and Medi-Cal.
6. The Committee shall periodically provide updates to the full Board on Lease compliance.
7. On an annual basis, Management at the Medical Center shall be requested to provide a comprehensive report on the activities and operations at the Hospital. The report shall include and address the following:
  - Overall operations of the Hospital.
  - Maintenance budget and ongoing maintenance programs.
  - Charity care policy and estimated dollar amount provided for indigent care.
  - Substantiation of benefits of the Hospital to the Community.
  - Confirmation that Core Services are being maintained at the Hospital.
  - List and status of any Subleases and or Assignments.
  - List of donor identifications and documentation of efforts to support District and Foundation efforts to generate additional donor support.

**Resolution of Disputes:**

In the event of any dispute or disagreement over enforcement or interpretation of Lease compliance, and in accordance with Section 16.12 of the May 30, 1997 Lease, the following Dispute Resolution process shall apply:

- Meet and Confer: The District Board through the CEO shall provide written notice to Management at the Medical Center setting forth the nature of the



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dispute and the parties shall meet and confer in good faith to discuss the dispute within 30 days in an attempt to resolve the dispute.

- Arbitration: Any dispute which cannot be resolved by the meet and confer process may be submitted to binding arbitration. The Arbitration shall be conducted in Riverside County and a single disinterested third party shall be selected by mutual agreement or if the parties cannot agree on the selection of an arbitrator within 15 days, either party may elect to have the dispute arbitrated through JAMS/Endispute. The decision of the arbitrator shall be final and binding and as part of the award the arbitrator may award reasonable and necessary costs incurred by the prevailing party as determined by the arbitrator.
- Mediation: In lieu of Arbitration the parties may by mutual agreement of, have the dispute resolved through non-binding mediation.

**AUTHORITIES**

Desert Healthcare District Bylaws Article V, section 5.6; Article VI, section 6.2 (c)

**DOCUMENT HISTORY**

Revised	03-28-2023
Revised	11-24-2020
Revised	02-28-2017
Approved	06-28-2016



**POLICY TITLE:** LEASE COMPLIANCE POLICY

**POLICY NUMBER:** OP-07

**COMMITTEE APPROVAL:** 03-07-2023

Deleted: 11-09-2020

**BOARD APPROVAL:** 03-28-2023

Deleted: 11-24-2020

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  - List of donor identifications and documentation of efforts to support District and Foundation efforts to generate additional donor support.

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- Mediation: In lieu of Arbitration, the parties may, by mutual agreement of, have the dispute resolved through non-binding mediation.

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**AUTHORITIES**

Desert Healthcare District Bylaws Article V, section 5.6; Article VI, section 6.2 (c)

**DOCUMENT HISTORY**

<u>Revised</u>	<u>03-28-2023</u>
Revised	11-24-2020
Revised	02-28-2017
Approved	06-28-2016



**POLICY TITLE:** STRATEGIC PLAN  
**POLICY NUMBER:** OP-08  
**COMMITTEE APPROVAL:** 03-07-2023  
**BOARD APPROVAL:** 03-28-2023

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**POLICY #OP-8:** The Desert Healthcare District’s mission is to achieve health at all stages of life for all District residents. In the Desert Healthcare District Bylaws, Section 6.2 (b), the Board of Directors established a standing committee to monitor the District’s strategic plan, which is established to improve decision making, to enhance organizational responsiveness, to improve performance, and to strengthen the organization.

1. The Board of Directors will meet at least annually to assess, review, and update its strategic plan. This may take the form of a retreat, workshop, special meeting or part of a regularly scheduled meeting, as appropriate.

**AUTHORITIES**

Desert Healthcare District Bylaws Article VI, section 6.2 (b)

**DOCUMENT HISTORY**

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**POLICY TITLE:** STRATEGIC PLAN

**POLICY NUMBER:** OP-08

**COMMITTEE APPROVAL:** 03-07-2023

Deleted: 11-09-2020

**BOARD APPROVAL:** 03-28-2023

Deleted: 11-24-2020

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**AUTHORITIES**

Desert Healthcare District Bylaws Article VI, section 6.2 (b)

**DOCUMENT HISTORY**

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Revised	11-24-2020
Approved	05-24-2016





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**POLICY TITLE:** POLICIES AND PROCEDURES INCLUDING BIDDING REGULATIONS GOVERNING PURCHASES OF SUPPLIES AND EQUIPMENT, AND BIDDING FOR PUBLIC WORKS CONTRACTS

**POLICY NUMBER:** OP-10

**COMMITTEE APPROVAL:** 03-07-2023

**BOARD APPROVAL:** 03-28-2023

**POLICY #OP-10:** Government Code section 54202 requires the District to adopt policies and procedures, including bidding regulations, governing purchases of supplies and equipment by the District. In addition, with limited exceptions, Health & Safety Code section 32132 requires the District to competitively bid contracts involving expenditures of more than Twenty-Five Thousand Dollars (\$25,000) for materials and supplies to be furnished, sold, or leased to the District, as well as contracts involving expenditures of more than Twenty-Five Thousand Dollars (\$25,000) for work to be done.

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**I. FORMAL COMPETITIVE BIDDING REQUIREMENTS**

A. Contracts Requiring Formal Bids.

Unless exempted by this Policy or applicable law, any contract for work to be done or for materials and supplies to be furnished, sold, or leased to the District shall be awarded by the District through the “formal” bidding procedures specified in this Section “I” (Formal Bidding Requirements) if they involve an expenditure of more than Twenty-Five Thousand Dollars (\$25,000). (H&S Code § 32132(a).) Such contracts involving an expenditure of Twenty-Five Thousand Dollars (\$25,000) or less may be made without soliciting or securing bids. As used herein, “work to be done” may include, among other things, general maintenance work or public works contracts.

B. Bid Procedures.

1. Preparation of Bid Package.

Before entering into any contract which requires formal bidding, the District shall prepare or cause to be prepared a bid package. Unless exempted by the Board of Directors (“Board”) or designee pursuant to Section “III” (Flexibility and Waiver of Policy Requirements) below, the bid package shall include a notice inviting bids, instructions to bidders, bid form (which shall include a provision as to the method for determining the lowest bidder, whether on: 1. Base bid alone; 2. Identified alternates; 3. Prioritized order of alternates within identified budget; or 4. Other “fair manner”), contractors qualification statement contract form, conditions of the contract, required bonds and other forms, drawings, and full, complete, and accurate plans and specifications, giving such directions as will enable any competent supplier or contractor to ascertain and carry out the contract requirements.

The Board or designee shall endeavor to include all required contract documents in the bid package. To the extent that the Board or their designee determines, pursuant to Section “III” (Flexibility and Waiver of Policy Requirements) below, that any required contract document



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cannot be incorporated into the bid package, its terms shall be negotiated with the lowest responsible bidder prior to the award of the contract.

To the extent possible, the plans and specifications shall also be reviewed and approved by the District's authorized representative prior to their insertion in the bid package.

2. Notice Inviting Bids – Contents

All bid packages shall include a notice inviting bids. The notice inviting bids shall include, among other things determined necessary for a particular contract by the Board or designee, information as to the type, quality and quantity of materials, supplies or work to be provided, the contract performance schedule, the project location, the basis for determining the lowest bidder (whether on: 1. Base bid alone; 2. Identified alternates; 3. Prioritized order of alternates within identified budget; or 4. Other “fair manner”), a contact person, and other bid requirements and information regarding how to obtain a bid package, the place where bids are to be received, and the time by which they are to be received. For contracts involving public works projects, the notice inviting bids shall also contain any other information required by state law or Section “II” (Provisions Applicable to Public Works Contracts) of this Policy.

3. Notice Inviting Bids - Distribution by Mail, Posting or Other Means.

Except in cases of emergency or where not practicable, all suppliers and contractors who have notified the District in writing that they desire to bid on contracts, and all suppliers and contractors which the District would like to bid on contracts, shall be furnished with the notice inviting bids by postal or electronic mail.

In addition to notifying all such persons by mail, the District shall post the notice inviting bids in one or more public places typically used by the District. It shall be posted in sufficient time in advance of the bid opening to allow bidders to bid, as determined by the Board or designee. The notice shall remain posted until an award has been



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made. Notice may also be made by telephone, facsimile, telegram, personal contact, letter, or other informal means.

4. Notice Inviting Bids - Advertising/Publication.

Except in cases of emergency or where circumstances require that less notice be given, as determined by the Board pursuant to Section “III” (Flexibility and Waiver of Policy Requirements) below, the notice inviting bids shall be published once a week for at least two (2) consecutive weeks, as follows:

- a. In a newspaper of general circulation published in Riverside County; or
- b. In trade journals or papers of general circulation as the Board, or designee, deems proper.

In the event that the Board determines, pursuant to Section “III” (Flexibility and Waiver of Policy Requirements) below, that circumstances require less than the prescribed notice period, they shall endeavor to provide notice by publication to the extent practicable under the circumstances.

For cost efficiency purposes, the published notice inviting bids need not be as detailed as that provided by other means, including by mail, posting or inclusion in the bid package, but should contain the legally and practically required essential contents of the notice, including but not limited to, where and how to obtain the complete bid package, Labor Code notice provisions, and bonding requirements.

5. Bid Form.

As part of the bid package, the District shall furnish to each bidder an appropriate bid form prepared by the District for the type of contract being let. Bids not presented on forms so furnished, or exact copies thereof, shall be rejected as non-responsive.

6. Presentation of Bids.



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All bids shall be presented under sealed cover. Upon receipt, the bid shall be date and time stamped.

Any bids received after the due date and specified time shall be returned unopened. (Gov. Code § 53068.)

7. Withdrawal of Bids.

Bids may be withdrawn at any time prior to the time fixed in the public notice for the opening of bids only by written request made to the person or entity designated in charge of the bidding procedure. The withdrawal of a bid does not prejudice the right of the bidder to timely file a new bid. Except as authorized by law for public works contracts (Pub. Contract Code §5100 et seq.), no bidder may withdraw its bid after opening for the period of time indicated in the bid package, which period shall be at least forty-five (45) days.

C. Award of Contracts.

1. Opening of Bids.

On the day named in the public notice, the District shall publicly open the sealed bids. Award of the contract shall be to the lowest responsive and responsible bidder, if at all. All bidders shall have complied with the foregoing bid procedures, except as otherwise provided herein and except for any minor errors or irregularities which may be waived by the District. After a bid is opened it shall be deemed irrevocable for the period specified in the invitation to bid.

The Board of Directors is under no obligation to accept the lowest responsive and responsible bid received, since the District has absolute discretion in the acceptance of bids and reserves the right to reject all bids if it is desires. The Board of Directors also reserves the right to determine the conditions of responsibility including matters such as delivery date, product quality, and the service and reliability of the supplier.

2. Responsible Bidder.



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The District's determination of whether a bidder is responsible shall be based on an analysis of each bidder's ability to perform, financial statement (if required), experience, past record and any other factors it shall deem relevant. If the lowest bidder is to be rejected because of an adverse determination of the bidder's responsibility based on the District's staff review, the bidder shall be entitled to be informed of the adverse evidence and afforded an opportunity to rebut that evidence and to present evidence of responsibility. In such event, the District shall give the rejected bidder and the bidder to be awarded the contract at least five (5) working days' notice of a public board meeting at which the responsibility issue shall be considered by the Board. No other notice, other than that required for Agenda descriptions by the Ralph M. Brown Act, shall be required. The Board may, in its discretion, continue its consideration and determination of the issue to future meetings of the Board within the time authorized for the award of the contract. The Board's decision shall be conclusive.

3. Bid Challenges.

If any bidder wishes to challenge a potential bid award, they shall file a written objection within five (5) calendar days following bid opening. The written objection shall include specific reasons why the District should reject the bid questioned by the bidder. The District may, in its discretion, consider the protest during the public meeting at which the contract award is to be considered, or it may consider it at a prior meeting. The District shall give the challenging bidder and the bidder to be awarded the contract at least five (5) working days' notice of the board meeting at which the challenge shall be considered by the Board. No other notice, other than that required for Agenda descriptions by the Ralph M. Brown Act, shall be required. The Board may, in its discretion, continue its consideration and determination of the issue to future meetings of the Board within the time authorized for the award of the contract. The Board's decision shall be final.

4. Notice to Bidders Not Awarded the Contract; Return of Bid Security.





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Whenever a contract is not to be awarded to a bidder, such bidder shall be notified by regular mail not more than five (5) working days after the award of the contract to another bidder. The bid security supplied by the bidder shall be returned with the notice.

D. Emergencies.

The District may, by majority vote of the Board of Directors, award any contract for work to be done or for materials and supplies to be furnished, sold, or leased to the District without soliciting or securing bids if it determines that an emergency exists as provided for in Health & Safety Code section 32136 as it may be amended from time to time.

E. Contracts Not Requiring Formal Bids Pursuant to Law.

Medical or Surgical Equipment or Supplies: Contracts for purchases of medical or surgical equipment or supplies may be made without soliciting or securing bids. (H&S Code § 32132(b).) As used herein, "medical or surgical equipment or supplies" shall be defined as provided in Health & Safety Code section 32132(d), as that section may be amended from time to time. Currently, Section 32132(d) defines these terms to include "only equipment or supplies commonly, necessarily, and directly used by, or under the direction of, a physician and surgeon in caring for or treating a patient in a hospital." (H&S Code § 32132(d).) If bids are solicited, the "formal" bidding procedures specified in this Section "I" (Formal Bidding Requirements), modified as the Board or designee shall determine to be in the District's best interest, shall be followed.

**II. PROVISIONS APPLICABLE TO PUBLIC WORKS CONTRACTS**

The following provisions govern all contracts awarded by the District for public works:

A. Prequalification for Bids \$100,000 or Over.

1. Prequalification Requirements.



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The District shall, on contracts in which the estimated cost is equal to or exceeds One Hundred Thousand Dollars (\$100,000), require all prospective bidders to prequalify by completing an appropriate "Contractor's Qualification Statement" and submitting a listing of experience in performing the type of contract being let, a current Dunn & Bradstreet report, a summary of current trade agreements, and such other information as the District shall deem relevant.

The requirement of pre-qualification shall be indicated in the notice inviting bids. The second newspaper publication shall be published to allow potential bidders at least seven (7) days to submit pre-qualification requirements and the District at least five (5) days to review submitted pre-qualification packages prior to distribution of bid packages, which distribution shall be at least thirty (30) days prior to the time by which bids are to be received.

The Contractors Qualification Statement shall be verified under oath and submitted on or before the due date specified in the notice inviting bids. The documents submitted for pre-qualifications shall remain confidential and not open to public inspection. The decision as to prequalification shall be made by the Board, or designee. Pre-qualification procedures are intended to assist the District in determining "responsibility" of bidders but shall not be conclusive evidence thereof.

2. Notice and Protest Requirements.

The District shall notify each potential bidder in writing by regular mail within seventy-two (72) hours after the District's decision as to pre-qualification. A duplicate of all such notices shall be mailed to the Secretary of the Board of Directors of the District. Bid packages shall only be provided to pre-qualified contractors, except as set forth below.

Whenever a contractor is notified of the District's denial of pre-qualification to bid on a contract, the contractor may file a written protest to the disqualification within seventy-two (72) hours of its receipt of notice of disqualification. Receipt shall be deemed to be



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two (2) days after mailing of the notice. The written objection shall include specific reasons why the District should not disqualify the bidder. The District may, in its discretion, consider the protest during a public meeting prior to the circulation of bid packages, or it may allow the protestor to submit a bid under protest.

If the District chooses to consider the protest prior to the circulation of bid packages, it shall give the challenging bidder at least five (5) working days' notice of the board meeting at which the challenge shall be considered by the Board. No other notice, other than that required for Agenda descriptions by the Ralph M. Brown Act, shall be required. The Board may, in its discretion, continue its consideration and determination of the issue to future meetings of the Board prior to circulation of bid packages. The Board's decision shall be final.

If the District allows the bidder to bid under protest the bid package will be provided only after the bidder has made payment therefore in an amount equal to the District's cost of printing and reproduction of the bid package.

If a written protest is not timely received from the bidder, the bidder waives any right to bid under protest.

**B. Qualification for Bids Under \$100,000.**

The District shall, on contracts in which the estimated cost is less than One Hundred Thousand Dollars (\$100,000), require all prospective bidders to complete an appropriate "Contractor's Qualification Statement," submit a list of the contractor's experience in performing the type of contract being let and such other information as the District shall deem relevant. The Statement shall be verified under oath and submitted prior to or with the contractor's bid, as determined by the Board or designee. The documents submitted for qualification shall remain confidential and not open to public inspection. These documents shall be considered by the District in making its award to the lowest responsible bidder but shall not be deemed conclusive evidence of responsibility.



C. Bid Security.

All bids shall be accompanied by bid security in an amount equal to at least ten percent (10%) of the total bid price. The security shall be in a form as follows:

1. Cashier's or Certified Check in the required amount; or
2. Bidder's Bond executed by an admitted surety insurer and made payable to the District.

Any bid not accompanied by one of the foregoing forms of bidder's security shall be rejected as non-responsive.

An "admitted surety insurer" means a corporate insurer or a reciprocal or interinsurance exchange to which the Insurance Commissioner of the State of California has issued a certificate of authority to transact surety insurance in this state. (Code of Civ. Proc. § 995.120.)

The bid security for all other unsuccessful bidders shall be returned to them within five (5) working days after the contract is awarded.

D. License Requirement.

In every completed bid, and in all construction contracts and subcontracts, shall be included the license number of the contractor and all subcontractors working under them. No project may be awarded to a contractor which is not licensed pursuant to state law or which utilizes subcontractors not so licensed.

E. Insurance.

All contracts shall require insurance of the type, in amounts and with provisions approved by District Legal Counsel and management. All contractors awarded contracts shall furnish the District with original certificates of insurance and endorsements effecting coverage required by the contract. The certificates and endorsements for each insurance policy shall be signed by a person authorized by that insurer to bind coverage on its behalf and shall be on forms supplied or approved by the District. All



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certificates and endorsements must be received and approved by the District before work commences, or sooner if indicated by the contract documents. The District shall reserve the right to require complete, certified copies of all required insurance policies, at any time.

At a minimum, all general liability and automobile insurance policies shall contain the following provisions, or contractor shall provide endorsements on forms supplied or approved by the District to add the following provisions to the insurance policies: (1) the District, its directors, officers, employees and agents shall be covered as additional insureds with respect to the work or operations performed by or on behalf of the contractor, including materials, parts or equipment furnished in connection with such work; and (2) the insurance coverage shall be primary insurance as respects the District, its directors, officers, employees and agents, or if excess, shall stand in an unbroken chain of coverage excess of the contractor's scheduled underlying coverage. Any insurance or self-insurance maintained by the District, its directors, officers, employees and agents shall be excess of the contractor's insurance and shall not be called upon to contribute with it in any way.

At a minimum, all workers' compensation and employers' liability policies shall contain the following provision, or contractor shall provide endorsements on forms supplied or approved by the District to add the following provision to the insurance policies: (1) the insurer shall agree to waive all rights of subrogation against the District, its directors, officers, employees and agents for losses paid under the terms of the insurance policy which arise from work performed by the contractor.

At a minimum, all policies shall contain the following provisions, or contractor shall provide endorsements on forms supplied or approved by the District to add the following provisions to the insurance policies: (1) coverage shall not be canceled except after thirty (30) days prior written notice by mail has been given to the District; and (2) any failure to comply with reporting or other provisions of the policies, including breaches of warranties, shall not affect coverage provided to the District, its directors, officials, officers, employees and agents. Insurance carriers shall be qualified to do business in California and maintain an agent for process



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within the state. Such insurance carrier shall have not less than an “A” policyholder's rating and a financial rating of not less than “Class VII” according to the latest Best Key Rating Guide.

All insurance required by the contract shall contain standard separation of insureds provisions. In addition, such insurance shall not contain any special limitations on the scope of protection afforded to the District, its directors, officers, employees or agents.

All builders'/all-risk insurance policies shall provide that the District be named as loss payee. In addition, the insurer shall waive all rights of subrogation against the District. The making of progress payments to the contractor shall not be construed as creating and insurable interest by or for the District, or as relieving the contractor or its subcontractors of any responsibility for loss from any direct physical loss, damage or destruction covered by the builders'/all-risk policy occurring prior to final acceptance of the work by the District.

The District shall not be liable for loss or damage to any tools, machinery, equipment, materials or supplies of the contractor. The contractor shall supply to the District an endorsement waiving the insurance carrier's right of subrogation against the District for all policies insuring such tools, machinery, equipment, materials or supplies.

F. Contract Requirements.

1. Performance Bond.

A Performance Bond is an undertaking furnished by a contractor for the faithful performance of the contract by the contractor guaranteeing that performance of the contract will be accomplished according to its terms. Every public works contract or contract for a work of improvement over Twenty-Five Thousand (\$25,000) or contracts of one contractor with the District which aggregate Twenty-Five Thousand Dollars (\$25,000) or more, shall provide for the filing of a separate performance bond by the contractor executed by an Admitted Surety. An “admitted surety insurer” means a corporate insurer or a reciprocal or interinsurance exchange to which the



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Insurance Commissioner of the State of California has issued a certificate of authority to transact surety insurance in this state. (Code of Civ. Proc. § 995.120.) Each Performance Bond shall be in a sum equal to One Hundred percent (100%) of the contract price or equal to the sum of the aggregate outstanding contracts. In any notice giving call for bids for any contract, the notice shall state that the Performance Bond is required. The Performance Bond shall not be used as a substitute for a determination of bidder responsibility. The District shall also require the Performance Bond to comply with any other legal requirements, as they may be amended from time to time.

2. Materials and Labor Payment Bond.

A Payment Bond means a bond which insures the payment in full of the claims of all persons supplying labor and/or materials to the project. (Civil Code § 3096.) In contrast to the Performance Bond, the Payment Bond guarantees payment of the obligation of all claimants who have furnished labor or materials to a work of improvement.

A Payment Bond executed by an Admitted Surety Insurer, as defined above, shall be required for all public works contracts or contracts for works of improvement in amounts and in a form required by Civil Code sections 3247 and 3248, as these sections may be amended from time to time. The bond must be in the form of a Payment Bond and not a deposit in lieu of bond. The District shall also require the Payment Bond to comply with any other legal requirements, as they may be amended from time to time.

3. Time for Completion/Liquidated Damages.

Every contract shall state the time when the whole or any specified portion of the work shall be completed. In the discretion of the Board of Directors, giving consideration to the size and nature of the project, the contract may provide that for each day completion is delayed beyond the specified time(s), the contractor shall forfeit and pay to the District a specified sum of money, to be deducted from any



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payments due or to become due to the contractor. The provision for liquidated damages shall be in a form approved by District Legal Counsel. (Civil Code § 1671; Gov. Code § 53069.85.)

4. Retentions; Substitution of Securities in Lieu of Retentions.

Contract Retentions shall be withheld and released in compliance with Public Contract Code sections 7107 and 9203. In accordance with California Public Contract Code section 22300, a provision shall be included in every invitation for bid and in every contract to permit the substitution of security for any monies withheld to insure performance (Retentions).

5. Bonus for Early Completion.

Any contract may also provide for the payment of extra compensation to the contractor as a bonus for completion of the project prior to the specified contract time. If such bonus for early completion is to be awarded to the contractor, the bid specifications shall also state the availability of such bonus compensation and the requirements therefore. (Gov. Code § 53069.85.)

6. Listing and Substitution of Subcontractors.

Subcontractors shall be listed by the general contractor in its bid in accordance with, and shall not be substituted in violation of, the provisions of the Subletting and Subcontracting Fair Practices Act. (Pub. Contract Code § 4100 et seq.)

7. Contract Terms.

All contract terms, including, but not limited to, the contract form, general conditions and special conditions shall be approved by District Legal Counsel.

G. Changes in Plans and Specifications

Every contract shall provide that the District may make changes in the plans and specifications for the project after execution of the contract. Bid





procedures as set forth in this Policy need not be secured for change orders which do not materially change the scope of the project, as set forth in the original contract, if each individual's change order does not total more than five percent (5%) of the original contract. (H&S Code § 32132(c).)

However, if the original contract met all of the competitive bidding requirements set forth in this Policy, the contract may be terminated, amended or modified as provided in the original contract and according to the terms and provisions set forth in the original contract without regard to the five percent (5%) limitation set forth above. The compensation payable, if any, shall be determined as set forth in the original contract or applicable state law.

All changes or amendments to the original contract must be in writing and signed by both the contractor and a duly authorized representative of the District.

### **III. FLEXIBILITY AND WAIVER OF POLICY REQUIREMENTS**

In recognition of the fact that the contracting and procurement needs of the District may from time to time render certain procedures or requirements herein impracticable, the Board or designee is authorized to permit or waive deviations from this Policy, to the extent permitted by law, upon making a written finding that such deviations are in the District's best interests in consultation with District Legal Counsel as to legal issues involved. This written finding will be included with the Staff Report when item is presented to the Finance and Administration Committee and Board of Directors for approval.



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**AUTHORITIES**

California Gov. Code section 54202

California Health and Safety Code – HSC § 32132

Desert Healthcare District Bylaws Article V, section 5.6

**DOCUMENT HISTORY**

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Revised 11-24-2020

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Approved 12-18-2012

DRAFT



**POLICY TITLE:** **POLICIES AND PROCEDURES INCLUDING BIDDING REGULATIONS GOVERNING PURCHASES OF SUPPLIES AND EQUIPMENT, AND BIDDING FOR PUBLIC WORKS CONTRACTS**

**POLICY NUMBER:** OP-10

**COMMITTEE APPROVAL:** 03-07-2023

Deleted: 11-09-2020

**BOARD APPROVAL:** 03-28-2023

Deleted: 11-24-2020

**POLICY #OP-10:** Government Code section 54202 requires the District to adopt policies and procedures, including bidding regulations, governing purchases of supplies and equipment by the District. In addition, with limited exceptions, Health & Safety Code section 32132 requires the District to competitively bid contracts involving expenditures of more than Twenty-Five Thousand Dollars (\$25,000) for materials and supplies to be furnished, sold, or leased to the District, as well as contracts involving expenditures of more than Twenty-Five Thousand Dollars (\$25,000) for work to be done.

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**I. FORMAL COMPETITIVE BIDDING REQUIREMENTS**

A. Contracts Requiring Formal Bids.

Unless exempted by this Policy or applicable law, any contract for work to be done or for materials and supplies to be furnished, sold, or leased to the District shall be awarded by the District through the “formal” bidding procedures specified in this Section “I” (Formal Bidding Requirements) if they involve an expenditure of more than Twenty-Five Thousand Dollars (\$25,000). (H&S Code § 32132(a).) Such contracts involving an expenditure of Twenty-Five Thousand Dollars (\$25,000) or less may be made without soliciting or securing bids. As used herein, “work to be done” may include, among other things, general maintenance work or public works contracts.

B. Bid Procedures.

1. Preparation of Bid Package.

Before entering into any contract which requires formal bidding, the District shall prepare or cause to be prepared a bid package. Unless exempted by the Board of Directors (“Board”) or designee pursuant to Section “III” (Flexibility and Waiver of Policy Requirements) below, the bid package shall include a notice inviting bids, instructions to bidders, bid form (which shall include a provision as to the method for determining the lowest bidder, whether on: 1. Base bid alone; 2. Identified alternates; 3. Prioritized order of alternates within identified budget; or 4. Other “fair manner”), contractors qualification statement contract form, conditions of the contract, required bonds and other forms, drawings, and full, complete, and accurate plans and specifications, giving such directions as will enable any competent supplier or contractor to ascertain and carry out the contract requirements.

The Board or designee shall endeavor to include all required contract documents in the bid package. To the extent that the Board or their designee determines, pursuant to Section “III” (Flexibility and Waiver of Policy Requirements) below, that any required contract document



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cannot be incorporated into the bid package, its terms shall be negotiated with the lowest responsible bidder prior to the award of the contract.

To the extent possible, the plans and specifications shall also be reviewed and approved by the District's authorized representative prior to their insertion in the bid package.

2. Notice Inviting Bids – Contents

All bid packages shall include a notice inviting bids. The notice inviting bids shall include, among other things determined necessary for a particular contract by the Board or designee, information as to the type, quality and quantity of materials, supplies or work to be provided, the contract performance schedule, the project location, the basis for determining the lowest bidder (whether on: 1. Base bid alone; 2. Identified alternates; 3. Prioritized order of alternates within identified budget; or 4. Other "fair manner"), a contact person, and other bid requirements and information regarding how to obtain a bid package, the place where bids are to be received, and the time by which they are to be received. For contracts involving public works projects, the notice inviting bids shall also contain any other information required by state law or Section "II" (Provisions Applicable to Public Works Contracts) of this Policy.

3. Notice Inviting Bids - Distribution by Mail, Posting or Other Means.

Except in cases of emergency or where not practicable, all suppliers and contractors who have notified the District in writing that they desire to bid on contracts, and all suppliers and contractors which the District would like to bid on contracts, shall be furnished with the notice inviting bids by postal or electronic mail.

In addition to notifying all such persons by mail, the District shall post the notice inviting bids in one or more public places typically used by the District. It shall be posted in sufficient time in advance of the bid opening to allow bidders to bid, as determined by the Board or designee. The notice shall remain posted until an award has been



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made. Notice may also be made by telephone, facsimile, telegram, personal contact, letter, or other informal means.

4. Notice Inviting Bids - Advertising/Publication.

Except in cases of emergency or where circumstances require that less notice be given, as determined by the Board pursuant to Section "III" (Flexibility and Waiver of Policy Requirements) below, the notice inviting bids shall be published once a week for at least two (2) consecutive weeks, as follows:

- a. In a newspaper of general circulation published in Riverside County; or
- b. In trade journals or papers of general circulation as the Board, or designee, deems proper.

In the event that the Board determines, pursuant to Section "III" (Flexibility and Waiver of Policy Requirements) below, that circumstances require less than the prescribed notice period, they shall endeavor to provide notice by publication to the extent practicable under the circumstances.

For cost efficiency purposes, the published notice inviting bids need not be as detailed as that provided by other means, including by mail, posting or inclusion in the bid package, but should contain the legally and practically required essential contents of the notice, including but not limited to, where and how to obtain the complete bid package, Labor Code notice provisions, and bonding requirements.

5. Bid Form.

As part of the bid package, the District shall furnish to each bidder an appropriate bid form prepared by the District for the type of contract being let. Bids not presented on forms so furnished, or exact copies thereof, shall be rejected as non-responsive.

6. Presentation of Bids.





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All bids shall be presented under sealed cover. Upon receipt, the bid shall be date and time stamped.

Any bids received after the due date and specified time shall be returned unopened. (Gov. Code § 53068.)

7. Withdrawal of Bids.

Bids may be withdrawn at any time prior to the time fixed in the public notice for the opening of bids only by written request made to the person or entity designated in charge of the bidding procedure. The withdrawal of a bid does not prejudice the right of the bidder to timely file a new bid. Except as authorized by law for public works contracts (Pub. Contract Code §5100 et seq.), no bidder may withdraw its bid after opening for the period of time indicated in the bid package, which period shall be at least forty-five (45) days.

C. Award of Contracts.

1. Opening of Bids.

On the day named in the public notice, the District shall publicly open the sealed bids. Award of the contract shall be to the lowest responsive and responsible bidder, if at all. All bidders shall have complied with the foregoing bid procedures, except as otherwise provided herein and except for any minor errors or irregularities which may be waived by the District. After a bid is opened it shall be deemed irrevocable for the period specified in the invitation to bid.

The Board of Directors is under no obligation to accept the lowest responsive and responsible bid received, since the District has absolute discretion in the acceptance of bids and reserves the right to reject all bids if it desires. The Board of Directors also reserves the right to determine the conditions of responsibility including matters such as delivery date, product quality, and the service and reliability of the supplier.

2. Responsible Bidder.



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The District's determination of whether a bidder is responsible shall be based on an analysis of each bidder's ability to perform, financial statement (if required), experience, past record and any other factors it shall deem relevant. If the lowest bidder is to be rejected because of an adverse determination of the bidder's responsibility based on the District's staff review, the bidder shall be entitled to be informed of the adverse evidence and afforded an opportunity to rebut that evidence and to present evidence of responsibility. In such event, the District shall give the rejected bidder and the bidder to be awarded the contract at least five (5) working days' notice of a public board meeting at which the responsibility issue shall be considered by the Board. No other notice, other than that required for Agenda descriptions by the Ralph M. Brown Act, shall be required. The Board may, in its discretion, continue its consideration and determination of the issue to future meetings of the Board within the time authorized for the award of the contract. The Board's decision shall be conclusive.

3. Bid Challenges.

If any bidder wishes to challenge a potential bid award, they shall file a written objection within five (5) calendar days following bid opening. The written objection shall include specific reasons why the District should reject the bid questioned by the bidder. The District may, in its discretion, consider the protest during the public meeting at which the contract award is to be considered, or it may consider it at a prior meeting. The District shall give the challenging bidder and the bidder to be awarded the contract at least five (5) working days' notice of the board meeting at which the challenge shall be considered by the Board. No other notice, other than that required for Agenda descriptions by the Ralph M. Brown Act, shall be required. The Board may, in its discretion, continue its consideration and determination of the issue to future meetings of the Board within the time authorized for the award of the contract. The Board's decision shall be final.

4. Notice to Bidders Not Awarded the Contract; Return of Bid Security.



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Whenever a contract is not to be awarded to a bidder, such bidder shall be notified by regular mail not more than five (5) working days after the award of the contract to another bidder. The bid security supplied by the bidder shall be returned with the notice.

D. Emergencies.

The District may, by majority vote of the Board of Directors, award any contract for work to be done or for materials and supplies to be furnished, sold, or leased to the District without soliciting or securing bids if it determines that an emergency exists as provided for in Health & Safety Code section 32136 as it may be amended from time to time.

E. Contracts Not Requiring Formal Bids Pursuant to Law.

Medical or Surgical Equipment or Supplies: Contracts for purchases of medical or surgical equipment or supplies may be made without soliciting or securing bids. (H&S Code § 32132(b).) As used herein, "medical or surgical equipment or supplies" shall be defined as provided in Health & Safety Code section 32132(d), as that section may be amended from time to time. Currently, Section 32132(d) defines these terms to include "only equipment or supplies commonly, necessarily, and directly used by, or under the direction of, a physician and surgeon in caring for or treating a patient in a hospital." (H&S Code § 32132(d).) If bids are solicited, the "formal" bidding procedures specified in this Section "I" (Formal Bidding Requirements), modified as the Board or designee shall determine to be in the District's best interest, shall be followed.

**II. PROVISIONS APPLICABLE TO PUBLIC WORKS CONTRACTS**

The following provisions govern all contracts awarded by the District for public works:

A. Prequalification for Bids \$100,000 or Over.

1. Prequalification Requirements.



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The District shall, on contracts in which the estimated cost is equal to or exceeds One Hundred Thousand Dollars (\$100,000), require all prospective bidders to prequalify by completing an appropriate "Contractor's Qualification Statement" and submitting a listing of experience in performing the type of contract being let, a current Dunn & Bradstreet report, a summary of current trade agreements, and such other information as the District shall deem relevant.

The requirement of pre-qualification shall be indicated in the notice inviting bids. The second newspaper publication shall be published to allow potential bidders at least seven (7) days to submit pre-qualification requirements and the District at least five (5) days to review submitted pre-qualification packages prior to distribution of bid packages, which distribution shall be at least thirty (30) days prior to the time by which bids are to be received.

The Contractors Qualification Statement shall be verified under oath and submitted on or before the due date specified in the notice inviting bids. The documents submitted for pre-qualifications shall remain confidential and not open to public inspection. The decision as to prequalification shall be made by the Board, or designee. Pre-qualification procedures are intended to assist the District in determining "responsibility" of bidders but shall not be conclusive evidence thereof.

2. Notice and Protest Requirements.

The District shall notify each potential bidder in writing by regular mail within seventy-two (72) hours after the District's decision as to pre-qualification. A duplicate of all such notices shall be mailed to the Secretary of the Board of Directors of the District. Bid packages shall only be provided to pre-qualified contractors, except as set forth below.

Whenever a contractor is notified of the District's denial of pre-qualification to bid on a contract, the contractor may file a written protest to the disqualification within seventy-two (72) hours of its receipt of notice of disqualification. Receipt shall be deemed to be



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two (2) days after mailing of the notice. The written objection shall include specific reasons why the District should not disqualify the bidder. The District may, in its discretion, consider the protest during a public meeting prior to the circulation of bid packages, or it may allow the protestor to submit a bid under protest.

If the District chooses to consider the protest prior to the circulation of bid packages, it shall give the challenging bidder at least five (5) working days' notice of the board meeting at which the challenge shall be considered by the Board. No other notice, other than that required for Agenda descriptions by the Ralph M. Brown Act, shall be required. The Board may, in its discretion, continue its consideration and determination of the issue to future meetings of the Board prior to circulation of bid packages. The Board's decision shall be final.

If the District allows the bidder to bid under protest the bid package will be provided only after the bidder has made payment therefore in an amount equal to the District's cost of printing and reproduction of the bid package.

If a written protest is not timely received from the bidder, the bidder waives any right to bid under protest.

**B. Qualification for Bids Under \$100,000.**

The District shall, on contracts in which the estimated cost is less than One Hundred Thousand Dollars (\$100,000), require all prospective bidders to complete an appropriate "Contractor's Qualification Statement," submit a list of the contractor's experience in performing the type of contract being let and such other information as the District shall deem relevant. The Statement shall be verified under oath and submitted prior to or with the contractor's bid, as determined by the Board or designee. The documents submitted for qualification shall remain confidential and not open to public inspection. These documents shall be considered by the District in making its award to the lowest responsible bidder but shall not be deemed conclusive evidence of responsibility.



C. Bid Security.

All bids shall be accompanied by bid security in an amount equal to at least ten percent (10%) of the total bid price. The security shall be in a form as follows:

1. Cashier's or Certified Check in the required amount; or
2. Bidder's Bond executed by an admitted surety insurer and made payable to the District.

Any bid not accompanied by one of the foregoing forms of bidder's security shall be rejected as non-responsive.

An "admitted surety insurer" means a corporate insurer or a reciprocal or interinsurance exchange to which the Insurance Commissioner of the State of California has issued a certificate of authority to transact surety insurance in this state. (Code of Civ. Proc. § 995.120.)

The bid security for all other unsuccessful bidders shall be returned to them within five (5) working days after the contract is awarded.

D. License Requirement.

In every completed bid, and in all construction contracts and subcontracts, shall be included the license number of the contractor and all subcontractors working under them. No project may be awarded to a contractor which is not licensed pursuant to state law or which utilizes subcontractors not so licensed.

E. Insurance.

All contracts shall require insurance of the type, in amounts and with provisions approved by District Legal Counsel and management. All contractors awarded contracts shall furnish the District with original certificates of insurance and endorsements effecting coverage required by the contract. The certificates and endorsements for each insurance policy shall be signed by a person authorized by that insurer to bind coverage on its behalf and shall be on forms supplied or approved by the District. All



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certificates and endorsements must be received and approved by the District before work commences, or sooner if indicated by the contract documents. The District shall reserve the right to require complete, certified copies of all required insurance policies, at any time.

At a minimum, all general liability and automobile insurance policies shall contain the following provisions, or contractor shall provide endorsements on forms supplied or approved by the District to add the following provisions to the insurance policies: (1) the District, its directors, officers, employees and agents shall be covered as additional insureds with respect to the work or operations performed by or on behalf of the contractor, including materials, parts or equipment furnished in connection with such work; and (2) the insurance coverage shall be primary insurance as respects the District, its directors, officers, employees and agents, or if excess, shall stand in an unbroken chain of coverage excess of the contractor's scheduled underlying coverage. Any insurance or self-insurance maintained by the District, its directors, officers, employees and agents shall be excess of the contractor's insurance and shall not be called upon to contribute with it in any way.

At a minimum, all workers' compensation and employers' liability policies shall contain the following provision, or contractor shall provide endorsements on forms supplied or approved by the District to add the following provision to the insurance policies: (1) the insurer shall agree to waive all rights of subrogation against the District, its directors, officers, employees and agents for losses paid under the terms of the insurance policy which arise from work performed by the contractor.

At a minimum, all policies shall contain the following provisions, or contractor shall provide endorsements on forms supplied or approved by the District to add the following provisions to the insurance policies: (1) coverage shall not be canceled except after thirty (30) days prior written notice by mail has been given to the District; and (2) any failure to comply with reporting or other provisions of the policies, including breaches of warranties, shall not affect coverage provided to the District, its directors, officials, officers, employees and agents. Insurance carriers shall be qualified to do business in California and maintain an agent for process



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within the state. Such insurance carrier shall have not less than an "A" policyholder's rating and a financial rating of not less than "Class VII" according to the latest Best Key Rating Guide.

All insurance required by the contract shall contain standard separation of insureds provisions. In addition, such insurance shall not contain any special limitations on the scope of protection afforded to the District, its directors, officers, employees or agents.

All builders/all-risk insurance policies shall provide that the District be named as loss payee. In addition, the insurer shall waive all rights of subrogation against the District. The making of progress payments to the contractor shall not be construed as creating and insurable interest by or for the District, or as relieving the contractor or its subcontractors of any responsibility for loss from any direct physical loss, damage or destruction covered by the builders/all-risk policy occurring prior to final acceptance of the work by the District.

The District shall not be liable for loss or damage to any tools, machinery, equipment, materials or supplies of the contractor. The contractor shall supply to the District an endorsement waiving the insurance carrier's right of subrogation against the District for all policies insuring such tools, machinery, equipment, materials or supplies.

F. Contract Requirements.

1. Performance Bond.

A Performance Bond is an undertaking furnished by a contractor for the faithful performance of the contract by the contractor guaranteeing that performance of the contract will be accomplished according to its terms. Every public works contract or contract for a work of improvement over Twenty-Five Thousand (\$25,000) or contracts of one contractor with the District which aggregate Twenty-Five Thousand Dollars (\$25,000) or more, shall provide for the filing of a separate performance bond by the contractor executed by an Admitted Surety. An "admitted surety insurer" means a corporate insurer or a reciprocal or interinsurance exchange to which the





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Insurance Commissioner of the State of California has issued a certificate of authority to transact surety insurance in this state. (Code of Civ. Proc. § 995.120.) Each Performance Bond shall be in a sum equal to One Hundred percent (100%) of the contract price or equal to the sum of the aggregate outstanding contracts. In any notice giving call for bids for any contract, the notice shall state that the Performance Bond is required. The Performance Bond shall not be used as a substitute for a determination of bidder responsibility. The District shall also require the Performance Bond to comply with any other legal requirements, as they may be amended from time to time.

2. Materials and Labor Payment Bond.

A Payment Bond means a bond which insures the payment in full of the claims of all persons supplying labor and/or materials to the project. (Civil Code § 3096.) In contrast to the Performance Bond, the Payment Bond guarantees payment of the obligation of all claimants who have furnished labor or materials to a work of improvement.

A Payment Bond executed by an Admitted Surety Insurer, as defined above, shall be required for all public works contracts or contracts for works of improvement in amounts and in a form required by Civil Code sections 3247 and 3248, as these sections may be amended from time to time. The bond must be in the form of a Payment Bond and not a deposit in lieu of bond. The District shall also require the Payment Bond to comply with any other legal requirements, as they may be amended from time to time.

3. Time for Completion/Liquidated Damages.

Every contract shall state the time when the whole or any specified portion of the work shall be completed. In the discretion of the Board of Directors, giving consideration to the size and nature of the project, the contract may provide that for each day completion is delayed beyond the specified time(s), the contractor shall forfeit and pay to the District a specified sum of money, to be deducted from any



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payments due or to become due to the contractor. The provision for liquidated damages shall be in a form approved by District Legal Counsel. (Civil Code § 1671; Gov. Code § 53069.85.)

4. Retentions; Substitution of Securities in Lieu of Retentions.

Contract Retentions shall be withheld and released in compliance with Public Contract Code sections 7107 and 9203. In accordance with California Public Contract Code section 22300, a provision shall be included in every invitation for bid and in every contract to permit the substitution of security for any monies withheld to insure performance (Retentions).

5. Bonus for Early Completion.

Any contract may also provide for the payment of extra compensation to the contractor as a bonus for completion of the project prior to the specified contract time. If such bonus for early completion is to be awarded to the contractor, the bid specifications shall also state the availability of such bonus compensation and the requirements therefore. (Gov. Code § 53069.85.)

6. Listing and Substitution of Subcontractors.

Subcontractors shall be listed by the general contractor in its bid in accordance with, and shall not be substituted in violation of, the provisions of the Subletting and Subcontracting Fair Practices Act. (Pub. Contract Code § 4100 et seq.)

7. Contract Terms.

All contract terms, including, but not limited to, the contract form, general conditions and special conditions shall be approved by District Legal Counsel.

G. Changes in Plans and Specifications

Every contract shall provide that the District may make changes in the plans and specifications for the project after execution of the contract. Bid



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procedures as set forth in this Policy need not be secured for change orders which do not materially change the scope of the project, as set forth in the original contract, if each individual's change order does not total more than five percent (5%) of the original contract. (H&S Code § 32132(c).)

However, if the original contract met all of the competitive bidding requirements set forth in this Policy, the contract may be terminated, amended or modified as provided in the original contract and according to the terms and provisions set forth in the original contract without regard to the five percent (5%) limitation set forth above. The compensation payable, if any, shall be determined as set forth in the original contract or applicable state law.

All changes or amendments to the original contract must be in writing and signed by both the contractor and a duly authorized representative of the District.

### **III. FLEXIBILITY AND WAIVER OF POLICY REQUIREMENTS**

In recognition of the fact that the contracting and procurement needs of the District may from time to time render certain procedures or requirements herein impracticable, the Board or designee is authorized to permit or waive deviations from this Policy, to the extent permitted by law, upon making a written finding that such deviations are in the District's best interests in consultation with District Legal Counsel as to legal issues involved. This written finding will be included with the Staff Report when item is presented to the Finance and Administration Committee and Board of Directors for approval.



**AUTHORITIES**

California Gov. Code section 54202  
California Health and Safety Code – HSC § 32132  
Desert Healthcare District Bylaws Article V, section 5.6

**DOCUMENT HISTORY**

<u>Revised</u>	<u>03-28-2023</u>
Revised	11-24-2020
Revised	05-24-2016
Approved	12-18-2012

DRAFT



**POLICY TITLE:** SUSTAINABILITY PROGRAM

**POLICY NUMBER:** OP-13

**COMMITTEE APPROVAL:** 03-07-2023

**BOARD APPROVAL:** 03-28-2023

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**POLICY #OP-13:** The Desert Healthcare District (“District”) recognizes the importance of sustainability in developing and promoting healthy behaviors and healthy communities. The District is committed to being a leader in implementing sustainable measures in all facets of its operations and to model sustainable practices that promote, encourage and empower the community to take actions that will improve the environment, the economy, and the quality of life and health for future generations.

With this in mind, the District seeks to instill a culture of sustainability by investing in improvements to our residents’ health and environment and promoting sustainable healthy communities throughout the District. In addition to a commitment to expand and share its knowledge on general sustainability, the District intends to lead by example by utilizing available technology and supporting the infrastructure necessary for sustainable programs and practices. This includes building public spaces and buildings to high green standards, enhancing energy efficiency, and promoting the use of renewable resources and sustainable products.

For sustainable development, a structure is necessary in which environmental, economic and social factors are coordinated for a healthy community. The District needs to lead this coordination as well as advocate to the policy makers to remove environmental, cultural and institutional barriers to good health and ensure sustainable health care services for all residents. Long term action is the key to achieve sustainability with the overlapping issues in health and environment.

**GUIDELINES:**

The following guidelines shall be considered and when possible, included in District efforts. The examples provided are not intended to be a fully inclusive list, but to provide ideas on how the District, grantees and District residents can take action to support sustainability in their everyday lives for the benefit of the community as a whole.



**1) Improve air quality and reduce local emissions:**

- a) Encourage contractors, grantees, and the public to attend meetings via web conferencing
- b) Enhance technology used to accommodate web conferencing
- c) Enhance website utility to reduce trips, promote transparency and ease of access to information
- d) Support alternatives to gas powered engines used in vehicles, lawnmowers, and leaf blowers

**2) Reduce waste and amount of materials consumed:**

- a) Replace Styrofoam or single-use plastic products with reusable or compostable items such as corn based degradable products
- b) Utilize glassware or other compostable or reusable items for meetings
- c) Waste Separation - Hire a recycling company to pick up office recyclables
- d) Reduce paper used in board and committee packets – utilize web posting, conferencing and digital distribution of packets to the extent feasible
- e) Utilize technology where possible to eliminate need for copying

**3) Reduce amount of potable water used:**

- a) Incorporate smart controllers
- b) Water efficient landscape
- c) Install low flow toilets
- d) Install automatic faucets
- e) Use filtered water instead of purchasing plastic water bottles

**4) Reduce trip miles:**

- a) Support efforts to promote ride sharing, public transportation, walking and biking to reduce trip miles

**5) Adopt sustainable business and purchasing practices and utilize local suppliers:**

- a) Adopt sustainable purchasing policies including cleaning and office supplies
- b) Promote the use of local vendors for products and services when feasible



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**6) Increase energy efficiency and promote renewable resources:**

- a) Improve building and system energy efficiency
- b) Change lighting to utilize occupancy sensors
- c) Apply window tinting to reduce heat
- d) Install automatic/programmable thermostats

**7) Incorporate renewable energy in facility design and operations:**

- a) Integrate renewable, solar energy in new parking facility
- b) Work with DRMC (lessee) to identify opportunities to enhance the hospital campus by investing in sustainable infrastructure enhancements and/or programs that socially, physically and environmentally contribute to a healthy campus and community

**8) Embed sustainable principles and practices:**

- a) Incorporate sustainability best practices into the DHCD work culture
- b) Establish a District “Green Team” to identify sustainable practices and opportunities, vet proposals and monitor/report progress
- c) Seek employee suggestions and implement when feasible
- d) Develop an online “suggestion box” for feedback on policy/suggestions/implementation and additional ideas for improving operations
- e) Incorporate sustainability into recruitment, hiring, and performance evaluation processes
- f) Add sustainability expectations into recruitment efforts, job descriptions, and performance evaluations
- g) Inform, train, and educate board, staff, agencies, and public
- h) Incorporate ongoing sustainability education and training for employees and grant agencies

**9) Be an early adopter and become a model for sustainable programs and practices:**

- a) Update employees on a regular basis of new sustainable programs and office practices to improve energy use, reduce paper usage, and engage in recycling
- b) Enhance the website to highlight District sustainability practices, lifting the District up as an example for the rest of the Valley
- c) Participate in Mayor’s Leadership Council and share policies, progress, data, and reports



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**10) Incorporate sustainability principles and practices into grant making policies and procedures:**

- a) Add sustainable principles and practices into grant and agency expectations
- b) Share sustainability policies and programs with grant agencies and encourage their adoption
- c) Utilize web conferencing and paperless meetings where possible.

**AUTHORITIES**

Desert Healthcare District Bylaws Article V, section 5.6

**DOCUMENT HISTORY**

Revised	03-28-2023
Revised	11-24-2020
Revised	05-24-2016
Approved	06-22-2010





**POLICY TITLE:** SUSTAINABILITY PROGRAM

**POLICY NUMBER:** OP-13

**COMMITTEE APPROVAL:** 03-07-2023

Deleted: 11-09-2020

**BOARD APPROVAL:** 03-28-2023

Deleted: 11-24-2020

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With this in mind, the District seeks to instill a culture of sustainability by investing in improvements to our residents’ health and environment and promoting sustainable healthy communities throughout the District. In addition to a commitment to expand and share its knowledge on general sustainability, the District intends to lead by example by utilizing available technology and supporting the infrastructure necessary for sustainable programs and practices. This includes building public spaces and buildings to high green standards, enhancing energy efficiency, and promoting the use of renewable resources and sustainable products.

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- f) Add sustainability expectations into recruitment efforts, job descriptions, and performance evaluations
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**AUTHORITIES**

Desert Healthcare District Bylaws Article V, section 5.6

**DOCUMENT HISTORY**

<u>Revised</u>	<u>03-28-2023</u>
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Approved	06-22-2010

DRAFT



**POLICY TITLE:** CEO DISCRETIONARY FUND

**POLICY NUMBER:** OP-16

**COMMITTEE APPROVAL:** 03-07-2023

**BOARD APPROVAL:** 03-28-2023

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**POLICY #OP-16:** Discretionary funds awarded to the Chief Executive Officer (“CEO”) are intended to supplement existing and available funds and can be used to fund any qualified non-salaried District expenditure, except as noted in #3 below. Such expenditures, while not integral to District grant-making activities, support the overall activities of the CEO and the Desert Healthcare District community at large.

Discretionary Funds operate under the following guidelines:

1. The CEO Discretionary Fund is structured as a restricted account in the fiscal year awarded. The budget is established at \$50,000 per year.
2. The CEO Discretionary Fund cannot operate with a deficit balance
3. Legitimate Business Purpose – The CEO must ensure expenses charged to Discretionary Fund are for legitimate business purposes as defined under IRS regulations and District policies. Examples of eligible expenditures are:
  1. Travel to meetings of professional associations or for research activities
  2. Temporary positions (consultants)
  3. Subscriptions to professional periodicals, memberships in professional organizations, reference books
  4. Sponsorship of events, conferences, and donations to local organizations
  5. Business-related meals and beverages, or hosted professional functions
4. Expenses Not Eligible – Personal expenses of any kind are not eligible for use of discretionary Fund. Examples of items not allowable include:
  1. Home office costs such as furniture and equipment, maintenance expenses, and supplies
  2. Political contributions under any circumstances
  3. Postage for personal correspondence
  4. Office phone sets, or ordinary line charges
  5. Memberships in social clubs or airline travel clubs
  6. Donations to organizations currently supported by District/Foundation grants are capped at \$5,000.



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**AUTHORITIES**

Desert Healthcare District Bylaws Article V, section 5.6

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**POLICY TITLE:** CEO DISCRETIONARY FUND

**POLICY NUMBER:** OP-16

**COMMITTEE APPROVAL:** 03-07-2023

Deleted: 02-10-2022

**BOARD APPROVAL:** 03-28-2023

Deleted: 02-22-2022

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**AUTHORITIES**

Desert Healthcare District Bylaws Article V, section 5.6

**DOCUMENT HISTORY**

<u>Revised</u>	<u>03-28-2023</u>
Approved	02-22-2022

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**BOARD AND STAFF COMMUNICATIONS & POLICIES COMMITTEE MEETING  
MEETING MINUTES  
February 10, 2022**

<b>Directors Present</b>	<b>District Staff Present</b>	<b>Absent</b>
President Leticia De Lara, Chair Vice-President/Secretary Evett PerezGil Director Les Zendle, MD	Conrado E. Bázquez, MD, CEO Chris Christensen, CAO Donna Craig, Chief Program Officer Alejandro Espinoza, Chief of Community Engagement Eric Taylor, Accounting Manager Andrea S. Hayles, Clerk of the Board	

<b>AGENDA ITEMS</b>	<b>DISCUSSION</b>	<b>ACTION</b>
<b>I. Call to Order</b>	The meeting was called to order at 3:00 p.m. by Chair De Lara.	
<b>II. Approval of Agenda</b>	Chair De Lara asked for a motion to approve the agenda.	<b>Moved and seconded by Director Zendle and Vice-President PerezGil to approve the agenda. Motion passed unanimously.</b>
<b>III. Meeting Minutes</b>	Chair De Lara asked for a motion to approve the September 14, 2021, meeting minutes.	<b>Moved and seconded by Director PerezGil and Director Zendle to approve the September 14, 2021, meeting minutes. Motion passed unanimously.</b>
<b>IV. Old Business –</b>  <b>1. Policy #OP-16 – Chief Executive Officer Discretionary Funds</b>	Conrado Bázquez, MD, CEO, described the prior discussion for revisions to the CEO Discretionary Funds policy regarding donations to organizations supported by the District/Foundation up to \$5k. The committee discussed the district's strategic priorities for grants considering that the CEO has the discretion to make the determination for funding from the discretionary funds while also supporting the staff's actions for funding various organizations. Dr. Bázquez further described the reason for the discretionary fund due to sponsorships as requested by	<b>Moved and seconded by Director Zendle and Director PerezGil to approve Policy #OP-16 – Chief Executive Officer Discretionary Funds and to forward to the Board for approval. Motion passed unanimously.</b>



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	the Board to provide the CEO with the discretion or responsibility for funding specific events related to health matters.	
<b>V. New Business – Existing Policy Revisions</b>		
<b>1. District Bylaws – Set apart the Vice-President and Secretary Officer Positions &amp; Term Limits</b>	Chris Christensen, CAO, provided an overview of the modified bylaws concerning the November Workshop discussions related to officer elections, term limits, and dividing the Vice-President and Secretary into to positions. After a lengthy discussion about separating the two positions, including its relations to BOD-02, and consistency with the treasurer position, the committee moved to table the matter.	<b>Moved and seconded by Director Zendle and Director PerezGil to table the District Bylaws – Set apart the Vice-President and Secretary Officer Positions &amp; Term Limits. Motion passed unanimously.</b>
<b>2. Policy #PROC-01 Purpose of Board Policies</b>	Chris Christensen, CAO, described the minor revisions to policy PROC-01 of the review date.	<b>Moved and seconded by Director Zendle and Director PerezGil to approve Policy #PROC-01 Purpose of Board Policies and to forward to the Board for approval. Motion passed unanimously.</b>
<b>3. Policy #BOD-01 Swearing in of Board Members</b>	Chris Christensen, CAO, described the minimal revisions to policy BOD-01 of the review date.	<b>Moved and seconded by Director Zendle and Director PerezGil to approve Policy #BOD-01 Swearing in of Board Members and to forward to the Board for approval. Motion passed unanimously.</b>
<b>4. Policy #BOD-02 Election, Appointment, and Duties of Officers</b>	Chris Christensen, CAO, described the modifications to policy BOD-02 related to the bylaws and separating the Vice-President and Secretary positions with two-year term limits. Each year the board will review and validate the second	<b>Moved and seconded by Director PerezGil and Director Zendle to table Policy #BOD-02 Election, Appointment, and Duties of Officers. Motion passed unanimously.</b>



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	<p>year for a rotation of positions, which is not mandatory.</p> <p>The Committee discussed the term limits of the President, Vice-President, and Secretary terms up to two years, the position requiring nominations of the board for the next term and reviewing verbiage modifications with legal counsel. Not reaching a consensus, Director Zendle motioned to table the matter until March or the next scheduled committee meeting, including the bylaws.</p>	
<p><b>5. Policy #BOD-04 Attendance at Meetings</b></p>	<p>Chris Christensen, CAO, described the minor modifications to the review dates of policy BOD-04.</p>	<p><b>Moved and seconded by Director PerezGil and Director Zendle to approve Policy #BOD-04 Attendance at Meetings and to forward to the Board for approval.</b>  <b>Motion passed unanimously.</b></p>
<p><b>6. Policy #BOD-05 Basis of Authority</b></p>	<p>Chris Christensen, CAO, described the minimal changes to the review dates of policy BOD-05.</p>	<p><b>Moved and seconded by Director Zendle and Director PerezGil to approve Policy #BOD-05 Basis of Authority and to forward to the Board for approval.</b>  <b>Motion passed unanimously.</b></p>
<p><b>7. Policy #BOD-08 Board Meetings</b></p>	<p>Chris Christensen, CAO, described the minor verbiage and review date changes to policy BOD-08.</p>	<p><b>Moved and seconded by Director Zendle and Director PerezGil to approve Policy #BOD-08 Board Meetings and to forward to the Board for approval.</b>  <b>Motion passed unanimously.</b></p>
<p><b>8. Policy #BOD-11 Board Actions and Decisions</b></p>	<p>Chris Christensen, CAO, described the minor verbiage revisions and review dates changes to policy BOD-11.</p>	<p><b>Moved and seconded by Director Zendle and Director PerezGil to approve Policy #BOD-11 Board Actions and Decisions and to forward to the Board for approval.</b></p>



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<p><b>9. Policy #BOD-15 Conflict-of-Interest</b></p>	<p>Chris Christensen, CAO, described the title change to Alejandro Espinoza's position and other minor verbiage and review date modifications. The committee's lengthy discussion of fiduciary duty conflicts in the best interest of the district, contacting legal counsel in certain circumstances, and suggesting the inclusion of legal counsel for consultation where applicable, the committee moved to table policy BOD-15 to March or the next scheduled meeting.</p>	<p><b>Motion passed unanimously.</b></p> <p><b>Moved and seconded by Director Zendle and Director PerezGil to table Policy #BOD-15 Conflict-of-Interest. Motion passed unanimously.</b></p>
<p><b>10. Policy #BOD-17 Compensation &amp; Performance Evaluation of the CEO</b></p>	<p>Chris Christensen, CAO, described the minor changes to the review date and language to remove President from CEO. The committee recommended modifying "March" to "annually" in policy BOD-17, Section 3.</p>	<p><b>Moved and seconded by Director Zendle and Director PerezGil to approve Policy #BOD-17 Compensation &amp; Performance Evaluation of the CEO and to forward to the Board for approval. Motion passed unanimously.</b></p>
<p><b>11. Policy #OP-05 Grant &amp; Mini Grant Policy</b></p>	<p>Chris Christensen, CAO, described the strategic plan related to policy OP-05 removing item 5 and guiding the process to the flowchart.</p>	<p><b>Moved and seconded by Director Zendle and Director PerezGil to approve Policy #OP-05 Grant &amp; Mini Grant Policy and to forward to the Board for approval. Motion passed unanimously.</b></p>
<p><b>VI. Future Topics &amp; Issues</b></p>	<p>There was no discussion for future topics and issues.</p>	
<p><b>VII. Adjournment</b></p>	<p>Chair De Lara adjourned the meeting at 5:50 p.m.</p>	<p><b>Audio recording available on the website at <a href="https://www.dhcd.org/Agendas-and-Documents">https://www.dhcd.org/Agendas-and-Documents</a></b></p>



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DocuSigned by:  
*Leticia De Lara*  
ATTEST: \_\_\_\_\_  
Leticia De Lara, Chair/President  
Board and Staff Communications & Policies Committee

*Minutes respectfully submitted by Andrea S. Hayles, Clerk of the Board*



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Directors Present – Video Conference	District Staff Present – Video Conference	Absent
President Karen Borja Director Arthur Shorr Acting Vice-President/Secretary Carole Rogers, RN Director Les Zendle, MD Director Leticia De Lara Director Carmina Zavala	Conrado E. Bázquez, MD, CEO Chris Christensen, CAO Donna Craig, Chief Program Officer Alejandro Espinoza, MPH, Chief of Community Engagement Jana Trew, Senior Program Officer Will Dean, Marketing and Communications Director Meghan Kane, MPH, Senior Program Officer, Public Health Andrea S. Hayles, Clerk of the Board  <u>Legal Counsel</u> Jeff Scott	Vice-President/Secretary Evett PerezGil

AGENDA ITEMS	DISCUSSION	ACTION
<b>A. Call to Order</b>  <b>Roll Call</b>	President Borja called the meeting to order at 5:31 p.m.  The Clerk of the Board called the roll with all directors' present.	
<b>B. Pledge of Allegiance</b>	President Borja asked Director Shorr to lead the Pledge of Allegiance.	
<b>C. Approval of Agenda</b>	President Borja asked for a motion to approve the agenda.	<b>#21-84 MOTION WAS MADE by Director Rogers and seconded by Director Zendle to approve the agenda.</b> <b>Motion passed unanimously.</b> <b>AYES – 6 President Borja, Director Shorr, Director Rogers, Director Zendle, Director De Lara, and Director Zavala</b> <b>NOES – 0</b> <b>ABSENT – 1 Vice-President/Secretary PerezGil</b>
<b>D. Public Comment</b>	Hank Goodrow, RN, Desert Regional Medical Center, described a letter and flyer for	



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	<p>distribution to the Board. Mr. Goodrow was encouraged by Jeff Scott, Legal Counsel, to provide the letter to Andrea Hayles, Board Relations Officer for distributing to the Board.</p>	
<p><b>E. Consent Agenda</b></p> <p><b>1. BOARD MINUTES</b></p> <p>    a. Board of Directors Meeting – January 25, 2022</p> <p><b>2. FINANCIALS</b></p> <p>    a. Approval of the January 2022 Financial Statements – F&amp;A Approved February 08, 2022</p> <p>    b. Transition and Letters of Engagement with Coachella Valley Accounting and Auditing (CV A&amp;A) for the District, Foundation, and Retirement Protection Plan for FY2022-2023</p> <p><b>3. GRANT FUNDING</b></p> <p>    a. Grant #1306 Olive Crest: General Support for Counseling and Mental Health Services to Vulnerable Children and Families in the Coachella Valley – \$123,451 – Strategic Plan Alignment - Goal #3: Proactively expand community access to behavioral/mental health services. Strategy #3.3 – Provide funding to CBOs enabling an increase in the number and the geographic dispersion of sites providing behavioral/mental health services (consider co-location with other health services)</p> <p><b>4. LEASES</b></p> <p>    a. Las Palmas Medical Plaza – Lease Extension Addendum #3</p>	<p>President Borja asked for a motion to approve the consent agenda.</p>	<p><b>#21-85 MOTION WAS MADE by Director Zendle and seconded by Director De Lara to approve the consent agenda.</b></p> <p><b>Motion passed unanimously.</b></p> <p><b>AYES – 6</b> President Borja, Director Shorr, Director Rogers, Director Zendle, Director De Lara, and Director Zavala</p> <p><b>NOES – 0</b></p> <p><b>ABSENT – 1</b> Vice-President/Secretary PerezGil</p>



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<p>– Eyecare Services Partners Management, LLP</p> <p><b>5. POLICIES</b></p> <ul style="list-style-type: none"> <li>a. Policy #OP-16 – Chief Executive Officer Discretionary Funds</li> <li>b. Policy #PROC-01 Purpose of Board Policies</li> <li>c. Policy #BOD-01 Swearing in of Board Members</li> <li>d. Policy #BOD-04 Attendance at Meetings</li> <li>e. Policy #BOD-05 Basis of Authority</li> <li>f. Policy #BOD-08 Board Meetings</li> <li>g. Policy #BOD-11 Board Actions and Decisions</li> <li>h. Policy #BOD-17 Compensation &amp; Performance Evaluation of the CEO</li> <li>i. Policy #OP-05 Grant &amp; Mini Grant Policy</li> </ul> <p><b>RESOLUTIONS</b></p> <ul style="list-style-type: none"> <li>a. Subsequent Emergency Resolution #22-04 Re-Ratifying the State of Emergency and Re-Authorizing Remote Teleconference Meetings</li> </ul>		
<p><b>F. Desert Healthcare District CEO Report</b></p> <ul style="list-style-type: none"> <li>1. <b>Association of California Healthcare Districts (ACHD) Trustee of the Year Award Presented to Director Carmina Zavala by Cathy Martin, Chief Executive Officer, ACHD</b></li> </ul>	<p>Conrado E. Bárzaga, MD, CEO, welcomed and introduced Cathy Martin, CEO, Association of California Healthcare Districts (ACHD). Ms. Martin, on behalf of ACHD, awarded Director Zavala with the Trustee of the Year Award, providing an overview of the lifelong Coachella Valley</p>	





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<p><b>2. COVID-19 in the Coachella Valley</b></p> <p><b>3. Mobile Unit Progress and Community Partnerships</b></p>	<p>resident, Director Zavala, dedicated to the community in addressing COVID, homelessness, and working to achieve equity for disadvantaged communities. Ms. Martin thanked Director Zavala for her service and dedication to the community.</p> <p>Director Zavala thanked ACHD, describing the honor and privilege of receiving the award.</p> <p>Dr. Bázquez, CEO, provided details on the COVID response in the state while continuing to promote vaccines with 75% of the Coachella Valley population fully vaccinated, describing the potential for a third and fourth dose of the vaccine for effectiveness and the highest level of protection against COVID.</p> <p>Alejandro Espinoza, Chief of Community Engagement, discussed the next steps for utilizing the mobile unit and the Mobile Health Care Services Act related to licensing for the district or as a partnership option. Mr. Espinoza presented the budget for the annual operating expenses and his interaction with Borrego Health Foundation for guidance since the organization currently operates a mobile unit.</p>	
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<p><b>4. 2022 Palm Springs Black History Month Awards Gala Award Honoree</b></p>	<p>Dr. Bárzaga, CEO, provided an overview of the Palm Springs Black History Month Awards Gala Award and the district as this year’s honoree due to the initiative to address racial inequities in healthcare and health professions for Black communities in the Coachella Valley.</p>	
<p><b>5. 2022 City of Palm Springs Human Rights Commission Community Service Award</b></p>	<p>Dr. Bárzaga, CEO, described the district’s Community Service Award at this year’s Palm Springs Human Rights Commission virtual event.</p> <p>President Borja thanked the staff for their work and the recognition as a collective.</p>	
<p><b>6. CEO Community Engagements and District Media Visibility</b></p>	<p>Dr. Bárzaga, CEO, highlighted the staff’s invitation to present at the Grantmakers in Health annual meeting given the district’s COVID response and collaboration with Riverside County Public Health. UC Berkeley showcased the district in a documentary To Live for the Harvest emphasizing the district’s educational and testing awareness in the Agricultural communities of the Coachella Valley. Additionally, Dr. Bárzaga is invited to speak at the launch of National Public Health Week presented by the Public Health Association on the importance of public health.</p> <p>President Borja thanked the staff for their work as an</p>	



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	<p>acclamation to the recognitions, including the Board as change-makers throughout the Coachella Valley.</p>	
<p><b>G. Desert Regional Medical Center CEO Report</b></p>	<p>Michelle Finney, CEO, Desert Care Network (DCN), Desert Regional Medical Center (DRMC), provided an overview of the most recent developments with the COVID census level declining. DRMC has twenty (20) positive cases per day and JFK Memorial with seven (7) compared to last month with one hundred (100) at DRMC and JFK Memorial with triple digit numbers. Since September, there are twelve (12) diagnosed Flu A and three (3) Flu B cases with a high acuity level of in-house patients, while continuing to serve the community and accepting patient admissions.</p> <p>DCN is has progressed with the March 1<sup>st</sup> booster shot compliance date for eligible health workers in the state of California.</p> <p>Some key positions have been filled with additional resources to the quality department, a supplemental patient safety officer, and a new infection preventionist. RN recruitment fairs have been successful with new onboarding and its importance to care for patients at the facility.</p>	



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	<p>In celebrating Black History Month in collaboration with Catherine Finch Elementary School, DRMC is co-hosting a float with a theme of black health and wellness with additional messaging for encouraging careers in healthcare.</p> <p>DRMC is supporting the FIND Food Bank Circle of Giving on March 4 with fundraising and community education events of various partners.</p> <p>An assessment of the landscaping is underway with an arborises opinion of the palm tree removal and replacement for the row outside the Stergios building at the entry way to the facility and considering another opinion for alternatives of removal.</p> <p>Residence appreciation day is upcoming at the Stergois building for their work and efforts.</p>	
<p><b>H. Desert Regional Medical Center Governing Board</b></p>	<p>Director Rogers, RN, provided an overview of the most recent Governing Board meeting describing the Residence Appreciation Day, the Bariatric Service Program weight management team service of excellence award, and the obesity medicine qualification. The Board discussed issues with patient discharge to skilled nursing facilities and staffing and onboarding</p>	



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	shortages in the Coachella Valley.	
<b>I. Committee Meetings –</b>  <b>I.1. Finance, Legal, Administration &amp; Real Estate</b>  <b>1. Draft Meeting Minutes – February 08, 2022</b>  <b>I.2. Program Committee</b>  <b>1. Draft Meeting Minutes – February 08, 2022</b> <b>2. Grant Payment Schedule</b> <b>3. Progress and Final Reports Update</b>  <b>I.3. Board and Staff Communications and Policies Committee</b>  <b>1. Draft Meeting Minutes – February 10, 2022</b>	<p>Director Shorr highlighted the F&amp;A Committee meeting with Chris Christensen, CAO, providing an overview of the audit firm transition from Lund &amp; Guttry to Coachella Valley Accounting and Auditing.</p> <p>President Borja provided a brief overview of the Program Committee meeting minutes.</p> <p>Director De Lara President Borja inquired with the Board concerning any questions of the Board and Staff Communications and Policies Committee February 10, meeting minutes.</p>	
<b>J. Legal</b>	Jeff Scott, Legal Counsel, did not provide a legal report but explained that a legislative report is forthcoming at the March meeting.	
<b>K. Immediate Issues and Comments</b>	Director Rogers, RN, described the Coachella Valley Association of Governments (CVAG) and Lift to Rise (LTR) developments on affordable housing and homelessness efforts. LTR received \$3.5M for the catalyst fund and construction for units with	



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	<p>projects initiating developments on permanent supportive housing funded through the catalyst fund. Riverside County submitted a grant to the state for Project Room Key and identified two hundred (200) chronically homeless in 2021, with seventy-five (75) placed in permanent supportive housing.</p> <p>Director Zendle expressed returning to in-person Board meetings possibly in April, with public access and staff recommendations to discuss next month. President Borja and Director De Lara favor Director Zendle’s recommendation.</p> <p>President Borja requested in April at each committee level for Dr. Bárzaga, CEO, and Chris Christensen, CAO, to provide a detailed overview of the financials to each committee for any questions on specific line items.</p>	
<p><b>L. Adjournment</b></p>	<p>President Borja adjourned the meeting at 6:35 p.m.</p>	<p><b>Audio recording available on the website at <a href="http://dhcd.org/Agendas-and-Documents">http://dhcd.org/Agendas-and-Documents</a></b></p>

ATTEST: \_\_\_\_\_

  
 Carole Rogers, RN, Acting Vice-President/Secretary  
 Desert Healthcare District Board of Directors

*Minutes respectfully submitted by Andrea S. Hayles, Clerk of the Board*