

BOARD POLICY MANUAL

TABLE OF CONTENTS

POLICIES # G - GENERAL

Policy #	Policy Title	PAGE	APPROVED OR DATE FOR APPROVAL
PROC -1	Purpose of Board Policies Combined with PROC-2		APPROVED 01-26-16

POLICIES # BOD - BOARD OF DIRECTORS

Policy #	Policy Title		APPROVED OR DATE FOR APPROVAL
BOD- 1	Swearing in of Board Members		APPROVED 01-26-2016
BOD - 2	Election and Appointments and Duties of Board Officers		APPROVED 12-15-2015
BOD - 3	Appointment & Duties for Committees		APPROVED 12-15-2015
BOD - 4	Attendance at Meetings		APPROVED 2-24-2016
BOD - 5	Basis of Authority		APPROVED 01-26-2016
BOD - 6	Filling a Vacancy on the Board Public Notice		APPROVED 01-26-2016
BOD - 7	Board Meeting Agenda		APPROVED 03-24-16
BOD - 8	Board Meetings		APPROVED 03-24-16
BOD- 9	Rules of Order for Board and Committee Meetings		APPROVED 03-24-16
BOD-10	Board Meeting Conduct		APPROVED 03-24-16
BOD-11	Board Actions and Decisions		APPROVED 03-24-16
BOD-12	Minutes of Board Meetings		APPROVED 03-24-16
BOD-13	Memberships in Organizations, Training, Education, Conferences, and Reimbursement Procedure		APPROVED 2-24-2016
BOD-14	Ethics & Sexual Harassment Training		APPROVED

			3-24-2016
BOD-15	Conflict of Interest Code		APPROVED 2-24-2016
BOD-16	Policy for Propriety, Confidential, Personal Information		APPROVED 03-24-16
BOD-17	Annual Performance Evaluation of the Chief Executive Officer & Procedure		APPROVED 2-24-2016

POLICIES # OP-: OPERATIONS

Policy #	Policy Title		APPROVED OR DATE FOR APPROVAL
OP-1	Access to Public Records & OP-2 COMBINED Application for Inspection of Public Records		APPROVED 2-24-2016
OP-3**	Records Retention		APPROVED 05-24-16
OP-4	Desert Healthcare District Electronic Communications Usage & Retention Policy		APPROVED 05-24-16
OP-5**	BEING UPDATED: Grant & Mini Grant Policy		
OP-6	Delegating Minor Claims Settlement to CEO		APPROVED 05-24-16
OP-7	Lease Compliance Policy – (Formerly Complaints Against Desert Regional Medical Center)		APPROVED 02-28-17
OP-8	Strategic Plan		APPROVED 06-27-17
OP-9	Appointment of Community Committee Members – Combined with BOD-3		APPROVED 12-15-2015
OP-10	Policies and Procedures Including Bidding Regulations Governing Purchases of Supplies and Equipment and Bidding for Public Works Co		APPROVED 05-24-16
OP-11	Policies and Procedures Governing Professional Services and Schedule for Issuing RFP		APPROVED 12-15-2015
OP-13	Sustainability Program		APPROVED 05-24-16

POLICIES # LPMP-: LAS PALMAS MEDICAL PLAZA PROPERTY

Policy #	Policy Title		APPROVED OR DATE FOF APPROVAL
LPMP-01	LPMP Policy for Leasing		APPROVED 05-24-16
LPMP-02	LPMP Lease Executive Policy		APPROVED 05-24-16

POLICIES # FIN- : FINANCIAL

Policy #	Policy Title		APPROVED OR DATE FOR APPROVAL
Fin-01	Financial Operations		APPROVED 06-28-16
Fin-02	Authorized Check Signers, Transfer of Funds (Use of Tokens) Number of Signers, Dollar Limit for Signers		APPROVED 03-24-16
Fin-03	Investment Policy		APPROVED 06-28-16
Fin-04	Budget Preparation		APPROVED 06-28-16
Fin-05	Credit Card Usage		APPROVED 06-28-16



POLICY TITLE:	PURPOSE OF BOARD POLICIES & ADOPTION/AMENDMENT OF POLICIES
POLICY NUMBER:	PROC-1
DRAFT DATE:	01/22/16
BOARD APPROVAL DATE:	01/26/2016

POLICY: PURPOSE OF BOARD POLICIES & ADOPTION & AMENDMENT OF POLICIES

Policy #PROC-1: It is the intent of the Desert Healthcare District District (“District”) Board of Directors to maintain a Policies Manual.

GUIDELINES:

1. The manual will be a comprehensive listing of the Board's current policies, being the rules and regulations approved by the Board, reviewed every two years or as needed. The Board of Directors may update any policy at and time at their discretion. The Manual of Policies will serve as a resource for the Board, staff and members of the public in determining the manner in which matters of District business are to be conducted.
2. Policies are clear, simple statements of how the District intends to conduct its services, actions or business. They provide a set of guiding principles to help with decision making.
3. If any policy or portion of a policy contained within the Policy Manual is in conflict with rules, regulations or legislation having authority over the District, those rules, regulations or legislation shall prevail. Where this occurs, the Board of Directors will clarify either the rules or policy to assure that they are compatible.
4. Consideration by the Board of Directors to adopt a new policy or to amend an existing policy may be initiated by the Board President, two Board Members or by Staff. The proposed adoption or amendment is initiated by requesting that the item be included for consideration on the agenda of the Finance and Administration (F&A) Committee.
5. The F&A Committee shall review all policies and make recommendations for approval to the Board of Directors. If there is no consensus at the F&A Committee, the policy may be referred for action to the full Board of Directors without a recommendation.



6. Policies will be reviewed by legal counsel as applicable.

7. Adoption of a new policy or revision of an existing policy shall be accomplished at a regular meeting of the Board of Directors and shall require a majority vote of all Board Members present.

8. Before considering adopting or revising any policy, Board Members and the public shall have the opportunity to review the proposed adoption or revision prior to the meeting at which consideration for adoption or revision is to be given. Copies of the proposed policy adoption or revision shall be included in the agenda information packet for any meeting of consideration. The agenda information packets with said copies shall be made available to each Board Member for review at least three (3) days prior to any meeting at which the policies are to be considered.



POLICY TITLE:	SWEARING IN OF BOARD MEMBERS
POLICY NUMBER:	BOD-1*
DRAFT DATE:	01/26/16
BOARD APPROVAL DATE:	01/26/16
* DHCD By-Laws Article IV -4.3	03/03/2014

POLICY: SWEARING IN OF BOARD MEMBERS

Policy #BOD-1: It is the policy of the Desert Healthcare District (“District”) to perform a swearing-in ceremony for newly elected or appointed Board members.

GUIDELINES:

1. Newly elected Board Members assume office at noon on the first Friday of December following the general election. He/she shall be sworn in by or at the first Board meeting following that date. Appointed Board members are sworn in by or at the first Regular Board Meeting after the Board approves the appointment. Newly elected or appointed Board members must be sworn in prior to performing any official duties.
2. Using the standard form (see attached), the Board President shall appoint the Clerk of the Board or Legal Counsel to have the newly elected Board Members repeat after him/her the words of the oath.
3. The Clerk of the Board or Legal Counsel will obtain required signatures.



STATE OF CALIFORNIA

City of _____ County of _____

OATH OR AFFIRMATION OF ALLEGIANCE FOR PUBLIC OFFICERS AND
EMPLOYEES

The Execution of this Oath is Required by Article XX, Section 3, of the Constitution of the State of California.

I, _____, do

solemnly swear that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____ 20____

SIGNATURE OF OFFICER ADMINISTERING OATH TITLE

SIGNATURE OF PERSON TAKING OATH



POLICY TITLE: ELECTION & APPOINTMENT AND DUTIES OF BOARD OFFICERS
POLICY NUMBER: BOD-2
DRAFT DATE: 11/17/15 – Revised from comments at 12-15-15 BOD Meeting
BOARD APPROVAL DATE: 12/15/15

POLICY: APPOINTMENT OF BOARD OFFICERS

POLICY #BOD-2: It is the policy of the Desert Healthcare District (“District”) to establish the rules for appointment of Board officers and sets forth the election process and the duties of the officers. Further, the roles and responsibilities of said officers are as described in this policy.

GUIDELINES:

1. Appointment and Term of Office of Board Officers

To codify the process that has been used in previous years, the following language will be added:

Process for the Election of Board Officers

The officers of the Board shall be chosen by the Board as the first agenda item at the first regular board meeting in December. Legal Counsel calls for nominations for Board President, closes nominations and a vote is taken. The process continues for the Vice-President/Secretary (the position of Vice-President is both Vice-President/Secretary) and for the Treasurer. The term of the officers are for one year, but officers may be re-elected in subsequent years.

2. Board President



The President shall serve as chairperson at all Board meetings and shall have the same rights as the other Board Members in voting; introducing motions, resolutions; and participating in discussions. The President assures the integrity of the Board's process and, secondarily, occasionally represents the Board to

outside parties. In public meetings, the Board President adheres to and implements the rules of order as approved by the Board. The President behaves consistently with District policies and those legitimately imposed upon it from outside the organization. In the absence of the President, the Vice President shall serve as chairperson. If both the President and Vice President are absent, the remaining Board Members shall select one of themselves to act as chairperson.

In addition, the duties of the President include:

2.1 The President shall execute Board documents on behalf of the Board unless such authority has been delegated to the Chief Executive Officer under specific circumstances.

2.2 The President is empowered to chair Board meetings with all the commonly accepted authorities of that position (e.g., ruling, recognizing, keeping order, changing the order of announced agenda items.).

2.3 The President shall appoint Board committee members and committee's chair position.

2.4 The President has no authority to supervise or direct the Chief Executive Office. The President has no more authority than any other board members do.

2.5 The President shall work with the Chief Executive Officer in monitoring and planning the agenda forecast.

2.6 The President may represent the Board to outside parties in announcing and presenting of the Board after formal Board action has been taken.

2.7 The President may determine, in concert with the Chief Executive Officer as necessary, whether to place on an agenda consideration of documents of



support or recognition (e.g., resolutions, commendations, certificates of appreciation, etc.) for individuals, organizations or efforts in the community by evaluating whether the individual, organization or effort has a clear nexus to issues relevant to the District.

2.8 The President may also sign such certificates.

2.9 The President may make and second motions and vote in the same manner as other Board members.

2.10 Agenda items may be added by the President or at the request of two board members.

2.11 There is no veto power from the President.

3. Board Vice-President/Secretary

The Board shall elect one of its members as Vice President/Secretary at the first regular meeting in December of each year.

3.1 In the absence of the President, the Vice-President/Secretary shall perform the duties of the President.

3.2 The Board Vice-President/ Secretary shall provide for keeping of the minutes of all meetings of the Board in accordance with the adopted rules of the Board.

3.3 The Vice President/Secretary shall give or cause to be given appropriate notices in accordance with the policies and bylaws or as required by law and shall act as custodian of District records and reports.

3.4 The Vice-President/Secretary may delegate the Board Secretary duties to a District Staff member and not a member of the Board of Directors.

4. Board Treasurer

The Board shall appoint a Treasurer at the first regular meeting in December of each year.

4.1 The Treasurer shall be charged with the safekeeping and disbursement of the funds in the treasury of the District.



4.2 The Treasurer will serve as chair of the F&A Committee.



POLICY TITLE: **APPOINTMENT & DUTIES FOR COMMITTEES**
POLICY NUMBER: BOD-3
DRAFT DATE: 12/15/15 -Revised at 3-22-16 BOD Mtg
BOARD APPROVAL DATE: 12/15/2015 & Revision on 3-22-16

POLICY: APPOINTMENT TO COMMITTEES

Policy #BOD-3: It is the policy of the Desert Healthcare District (“District”) that the Board President appoints board members to the standing committee:

GUIDELINES:

1. The standing committees are the 1) Finance, Legal and Administration, and 2) Program Committee, and 3) Strategic Planning Committee.

1-1 It is the responsibility of the Board President to appoint Board members to the committees and appoint the chairperson annually at the first Board meeting following the election of officers. The Board Treasurer will serve as the chair of the F&A Committee

1-2 AD-Hoc committees may be appointed by the President, for specific tasks and objectives as circumstances warrant, and upon completion of the task for which appointed, such ad-hoc committee shall stand discharged.

1-2. All committees are advisory only to the full Board of Directors unless otherwise specifically authorized to act by the Board.

2. Standing Committees: Standing committees shall meet periodically to review reports from District staff, legal counsel, and consultants relating to the particular



subject matter of the committee. There shall be the following standing committees:

2.1 Finance, Legal and Administration Committee. 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).

2.1.1 Two District Board members shall be assigned to this committee. The F&A Committee may include up to four community members (Volunteer Members) to be appointed by the Board to participate as advisory members for financial matters pertaining to the District and Foundation. Volunteer Members guidelines are in Policy Addendum 1 – Desert Healthcare District Committee Volunteer Guidelines.

2.2 Program Committee. This 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.

2.2.1 Two District Board members shall be assigned to this committee. This committee shall also include community members (Volunteer Members) as outlined in the relevant policy addendum 1, *Desert Healthcare District Committee Volunteer Guidelines*.

2.2.2 A student representative will be added to both the Program Committee & F&A Committee and for the board meetings

3. Committee Volunteer Appointment Process and Guidelines will be the same for both the Program and F&A Committee.

3.1. All volunteer committee members will be approved by the Board.



Interviews for volunteer members are up to the committee.

3.2, All community members are subject to the DHCD Conflict of Interest Code.

3.2.1. Volunteer committee members have three (3) three year terms. At the end of each three year term for which community members are eligible they will provide a written request to the Board requesting the Board's consideration to continue on the committee. Any openings or reappoints to the committee will be considered at the end of the terms. Any committee members who terms out or who have received grants will need to terminate their seats on the committee. All community members who termed out or resigns due to applying or receiving a grant must wait for one year before reapplying to become a community member. For positions where members are currently serving unexpired terms, this policy will be implemented after the members' current unexpired term ends.

4. Strategic Planning Committee. This committee represented by the full Board of Directors, shall be responsible for monitoring the District's progress in achieving the expectation outlined in its strategic plan. In addition, the full Board of Directors is charged with reviewing the District's community relations program.



Addendum 1:
DESERT HEALTHCARE DISTRICT
COMMITTEE VOLUNTEER GUIDELINES

INTRODUCTION

These guidelines are intended to outline guidelines for volunteer members to participate in two standing committees of the Board of Directors of the Desert Healthcare District. Described herein are those criteria for the Program Committee and the Finance, Legal and Administrative Committees. Criteria are described for both.

FINANCE, LEGAL AND ADMINISTRATIVE COMMITTEE MISSION STATEMENT

In accordance with the Desert Healthcare District By-Laws 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).

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 finances.
- To provide advice, counsel and feedback to the committee as requested during budget development.



MEMBERSHIP TERMS & VACANCIES

The Finance, Legal and Administrative Committee ("F&A Committee") Committee shall consist of four to seven members all of whom shall either reside or be primarily employed within the Desert Healthcare District:

- Two members of the District Board of Directors ("District Board Representatives"). The Board Treasurer shall serve as chair.
- Up to four public members may be appointed by the Board to participate as advisory members for financial members pertaining to the District and Foundation.
- Volunteer committee members have a three year term. If a volunteer committee member is currently processing or anticipates filing a grant proposal within one year of appointment, they will not be eligible to serve
- Vacancies: Volunteer Members who miss three consecutive unexcused meetings may be removed in the discretion of the Committee chairperson. In the event of the vacancy of a Volunteer Member, notice of the vacancy and application process shall be published on the District website for a minimum of 14 days. The Committee chairperson shall also have the discretion to publish notice of the vacancy and application process in a local newspaper of general circulation. Community members shall submit applications for membership and their qualifications in writing to the District office. At a duly noticed District Board meeting applicants shall be interviewed, process decided by the committee, and appointed to serve the applicable term by a majority vote of the District Board of Directors.

PROGRAM COMMITTEE MISSION STATEMENT

In accordance with Desert Healthcare 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 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 Desert Healthcare District carries out its strategic plan to improve the health of the District's residents.

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 vision and guidance on the development of the District's strategic plan.
- To provide advice, counsel and feedback to staff as needed during program development.
- To monitor implementation of the District's strategic plan and program-related activities to ensure programs are achieving the desired impact.
- 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 approve to the District's Board of Directors.

MEMBERSHIP TERMS & VACANCIES

The Program Committee shall consist of seven to eleven (11) members all of whom either shall reside or be primarily employed within the Desert Healthcare District:

- Two members of the District Board of Directors ("District Board Representatives") shall be appointed by the President of the District Board, one of which shall be appointed Chairperson of the Program Committee;
- The remaining members ("Volunteer Members") shall be appointed by



the District Board of Directors and shall be:

- Three members from significant community partner agencies.
- Two to four community members at large
- One member from the office of the Supervisor, Riverside County Fourth District
- One student representative
- Volunteer committee members have a three year term. If a volunteer committee member is currently processing or anticipates filing a grant proposal within one year of appointment, they will not be eligible to serve
- Vacancies: Volunteer Members who miss three consecutive unexcused meetings may be removed in the discretion of the Committee chairperson. In the event of the vacancy of a Volunteer Member, notice of the vacancy and application process shall be published on the District website for a minimum of 14 days. The Committee chairperson shall also have the discretion to publish notice of the vacancy and application process in a local newspaper of general circulation. Community members shall submit applications for membership and their qualifications in writing to the District office. At a duly noticed District Board meeting applicants shall be interviewed and appointed to serve the applicable term by a majority vote of the District Board of Directors.

VOLUNTEER MEMBER QUALIFICATIONS AND RESPONSIBILITIES

MEETINGS AND VOTING

Meetings: The Committees meet prior to those meetings of the full Board of Directors on a monthly basis as necessary and appropriate to fulfill their purpose. Meetings are convened by the committee chairperson in coordination with District staff.



Voting and Recommendations: In accordance with their responsibilities, Volunteer Members shall participate in the committee process including participating in voting at the Committee meetings and making grant recommendations to the full Board. However, votes and recommendations of Volunteer Members while noted in the record shall be advisory in nature only. The votes of the District Board Representatives shall be the recommendation, which shall be forwarded to the full District Board of Directors for consideration.

CONFLICTS OF INTEREST

Volunteer Members shall not make or influence a recommendation or decision related to any committee recommendation which will benefit the member's outside employment, business, or personal financial interest or benefit an immediate family member, such as a spouse, child or parent. A Volunteer Member shall not participate, discuss or vote on any issue, or recommendation which directly inures to his or her financial interest or with respect to which he or she has any other conflict of interest. District Representatives shall follow the adopted District Conflict of interest Code in accordance with California law.

As a Volunteer Committee Member, I understand and agree that I am responsible, collectively with my fellow committee members, for guiding and monitoring District financial and grant making functions and program-related activities through which the Desert Healthcare District pursues its strategic plan to improve the health of the District's residents. I agree to the following responsibilities and criteria:

Responsibilities and Volunteer Agreement:

Volunteer Members of the District Committees are expected to, and agree to:

1. Make every effort to attend all Committee meetings, including any special



scheduled meetings. If any member is absent for three or more meetings, within a calendar year, that individual's appointment to this committee will be reviewed

2. Thoroughly read and understand all the materials in the Committee Orientation Manual and attend any orientation or training sessions and be willing to be a "continual learner" about all matters of importance to philanthropy and to the District, and take advantage of learning opportunities offered.
3. To participate in providing vision and guidance on the development of the District's strategic plan.
4. To provide advice, counsel and feedback to staff as needed during program development, including being available for site visits.
5. To participate in monitoring implementation of the District's strategic plan and program related activities to ensure programs are achieving the desired impact.
6. Review all respective committee packets , and any other materials provided by staff prior to each meeting.
7. Actively participate in committee discussions and deliberations and wisely consider each matter on which the committee is asked to vote.
8. Consider all matters brought before the committee objectively and "on the merits" and make decisions that best represent the interests of the District.
9. Be supportive of the decisions of the committee and the District.
10. Be willing to compromise, if necessary, in order to foster a cooperative atmosphere for all the people who participate in the work of the District.
11. Abide by the Conflict of interest Policy by disclosing any potential conflicts and abstaining from voting or advocating on issues related to conflicts of interest.



Volunteer Name

Date

Committee Chair Person

Date



POLICY TITLE: ATTENDANCE AT MEETINGS
POLICY NUMBER: BOD-4
DRAFT DATE: 02/24/2016
BOARD APPROVAL DATE: 02/24/2016

POLICY: ATTENDANCE AT MEETINGS

Policy# BOD-4: It is the policy of the Desert Healthcare District (“District”) Board of Directors that members of the Board of Directors shall attend all regular and special meetings of the Board unless there is good cause for absence.

GUIDELINES:

1. For all absences, the Board member shall notify the Chief Executive Officer (CEO) prior to the Board or Board Committee meeting in which they will be absent with the reason for the absence. The CEO will subsequently notify the Chair of the absence and the reason.
2. A vacancy shall occur if any member ceases to discharge the duty of his/her office for the period of three consecutive regular meetings of the Board, or from three of any five consecutive meetings of the Board, except as authorized by the Board of Directors. (Ref. H&S Code Section 32100.2).



POLICY TITLE:	BASIS OF AUTHORITY
POLICY NUMBER:	BOD-5
DRAFT DATE:	01/26/16
BOARD APPROVAL DATE:	01/26/2016

POLICY: BASIS OF AUTHORITY

Policy #BOD-5: It is the policy of the Desert Healthcare District (“District”) Board of Directors to serve as the unit of authority within the District.

GUIDELINES:

1. The Board of Directors is the unit of authority within the District. Apart from his/her normal function as a part of this unit, Directors have no individual authority. As individuals, Directors may not commit the District to any policy, act or expenditure.
2. Directors do not represent any fractional segment of the community, but are, rather, a part of the body that represents and acts for the community as a whole.



POLICY TITLE:	FILLING A VACANCY ON THE BOARD
POLICY NUMBER:	BOD-6*
DRAFT DATE:	01/26/16
BOARD APPROVAL DATE:	01/26/2016
*DHCD By-Laws Article IV -4.4	03/03/2014

POLICY: FILLING A VACANCY ON THE BOARD

Policy #BOD-6: It is the policy of the Desert Healthcare District (“District”) to fill a vacancy on the Board of Directors as per the Desert Healthcare District By-Laws, Article IV, 4.4.

GUIDELINES:

1. DHCD By-Laws - Article IV -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



POLICY TITLE: BOARD MEETING AGENDA
POLICY NUMBER: BOD-7
DRAFT DATE: 03/23/2016
BOARD APPROVAL DATE: 03/23/2016

POLICY: BOARD MEETING AGENDA

Policy #BOD-7: 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 shall prepare an agenda for each regular and special meeting of the Board of Directors. To be placed items on the agenda, the Board President, or any two 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 the meeting date. The Chief Executive Officer shall develop an agenda forecast with the Board President. The Agenda forecast will project out 3 months and list known items for future Board agendas.
- 2.** This policy does not prevent the Board from taking testimony at regular and special meetings of the Board on matters that 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.
- 3.** At least seventy-two (72) hours prior for 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 office, in accordance with the Ralph M. Brown Act (California Government Code §54950 through §54926).

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. Old Business
- F. New Business
- G. Committee Reports
- H. Directors Comments and Reports
- I. DRMC Governing Board of Directors report
- J. Informational Items
- K. CEO Report
- L. Adjournment

4. 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 held generally (but not limited to) following the regular agenda.



POLICY TITLE: BOARD MEETINGS
POLICY NUMBER: BOD-8
DRAFT DATE: 03/23/2016
BOARD APPROVAL DATE: 03/23/2016

POLICY: BOARD MEETINGS

Policy #BOD-8: It is the policy of the Desert Healthcare District (“District”) Board of Directors to hold Regular meetings and Special meetings when necessary of the Board of Directors.

GUIDELINES:

1. Regular meetings are held on the fourth Tuesday of each calendar month, except August, at 2:00 p.m. in the Arthur H. “Red” Motley Boardroom in the Jerry Stergios Building, 2nd Floor, Desert Healthcare District, 1140 North Indian Canyon Drive, Palm Springs, California 92262. If that date falls upon a legal holiday, of a quorum of the Board of Directors is known to be unavailable for a regular meeting date, the meeting shall be held at the same time on the next business day as an adjourned meeting. In accordance with California Govt. code 54955, and the methods described therein, an adjourned regular meeting is a regular meeting for all purposes.

The location of regular meeting may be changed at times, must be held within the District service boundaries and properly noticed. It is the policy of the Board of Directors that if the regular meeting location is changed, that a notification will be made in the Desert Sun newspaper and the District website.

2. Organizational Meeting. At the regular Board meeting in December, the Board shall organize by the election of one of its members as President, one as Vice-President/Secretary and one as Treasurer.

3. Special meetings (non-emergency) of the Board of Directors may be called by the Board President, or by three (3) Board members by delivering written notice to each Board member and to each local newspaper of general circulation, radio or television stations requesting such notice in writing, personally or by mail. Such notice must be delivered personally or by mail at least twenty-four (24 hours before



the time of such meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at special meetings. Such written notice may be dispensed with as to any board member who, at or prior to the time of the meetings convenes, files with the Secretary a written waiver of notice. Such waiver may be given by email. Such written notice may also be dispensed with as to any member who is actually present at the meeting at the time it convenes.

3.1 All Directors, the Chief Executive Officer, and District Counsel shall be notified of the special Board meeting and the purpose or purposes for which it is called. Said notification shall be in writing, delivered to them at least twenty-four (24) hours prior to the meeting.

3.2 Any organization or individual who have requested notice of special meetings in accordance with the Ralph M. Brown Act (California Government Code §54950 through §54926) shall be notified, including business to be transacted, will be given by email during business hours as soon after the meeting is scheduled as practicable.

3.3 An agenda shall be prepared as specified for regular Board meetings in Policy# BOD-8 and shall be delivered with the notice of the special meeting to those specified above.

3.4 Only those items of business called for the special meeting shall be considered by the Board at any special meeting.

4.. Emergency Meetings. In the event of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, the Board of Directors may hold an emergency special meeting without complying with the 24-hour notice required 3.1, above. An emergency situation means a crippling disaster that severely impairs public health, safety, or both, as determined by the Chief Executive Officer, Board President or Vice-President in the President's absence.

4.1 Any organizations or individuals that have requested notice of special meetings in accordance with the Ralph M. Brown Act (California Government Code §54950 through §54926) shall be notified by telephone or email at least one hour prior to the emergency special meeting. In the event that telephone or email services are not functioning, the notice requirement of one hour is waived, but the Chief Executive Officer, or his/her designee, shall notify such organizations or individuals of the fact of the holding of the emergency special



meeting, and of any action taken by the Board, as soon after the meeting as possible.

4.2 No closed session may be held during an emergency special meeting, and all other rules governing special meetings shall be observed with the exception of the twenty-four (24)-hour notice. The minutes of the emergency special meeting, a list of persons the Chief Executive Officer or designee notified or attempted to notify, a copy of the roll call vote(s), and any actions taken at such meeting shall be posted for a minimum of ten (10) days in the District office as soon after the meeting as possible.

5. Quorum A majority of the members of the Board shall constitute a quorum for the transaction of business. The act of a majority of the Board members present at the meeting at which a quorum is present shall be the act of the Board.

6. Adjournment The Board may adjourn any regular, adjourned regular, special, or adjourned special meeting to a time and place specified in the order of adjournment. A copy of the order or notice of adjournment shall be conspicuously posted on or near the door of the place where the meeting was held within twenty-four (24) hour after the time of adjournment.



POLICY TITLE:	RULES OF ORDER FOR BOARD AND COMMITTEE MEETINGS
POLICY NUMBER:	BOD-9
DRAFT DATE:	03/23/2016
BOARD APPROVAL DATE:	03/23/2016
*DHCD By-Laws Article V -5.7	03/03/2014

POLICY: RULES OR ORDER FOR BOARD AND COMMITTEE MEETINGS

Policy #BOD-9: 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 or, 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.



POLICY TITLE: BOARD MEETING CONDUCT
POLICY NUMBER: BOD-10
DRAFT DATE: 03/23/2016
BOARD APPROVAL DATE: 03/23/2016

POLICY: BOARD MEETING CONDUCT

Policy #BOD-11: It is the policy of the Desert Healthcare District (“District”) to conduct meetings in a manner consistent with Policy numbers BOD-#10, “Rules of Order for Board and Committee Meetings” and BOD-#9, “Board Meetings”.

GUIDELINES:

1. All 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 of Directors:
 - 3.1 It is the policy of the Board to allow three (3) minutes for any item not on the agenda that a member of the 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 any time prior to a vote.

3.3 A maximum of fifteen (15) minutes total per meeting will 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 he/she 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, his/her remarks shall be timed to ensure that the policy is followed.



EXCEPTIONS:

6. The Board President/Chair, his/her 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.



POLICY TITLE: BOARD ACTIONS AND DECISIONS
POLICY NUMBER: BOD-11
DRAFT DATE: 03/23/2016
BOARD APPROVAL DATE: 03/23/2016

POLICY: BOARD ACTIONS AND DECISIONS

Policy #BOD-12: It is the policy of the Desert Healthcare District ("District") Board of Directors to conduct business in an orderly and comprehensive manner.

GUIDELINES:

1. Actions by the Board of Directors may include, but are not limited to, the following:
 - 1.1 Adoption or rejection of regulations or policies;
 - 1.2 Adoption or rejection of a resolution;
 - 1.3 Approval or rejection of any contract or expenditure;
 - 1.4 Approval or rejection of any proposal that commits District funds or facilities, including employment and dismissal of personnel; and,
 - 1.5 Approval or disapproval of matters that require or may require the District or its employees to take action and/or provide services.
2. Action can only be taken or directed by the vote of the majority of the Board of Directors. Three (3) Directors represent a quorum for the conduct of business. Actions taken at a meeting where only a quorum is present, therefore, require all three (3) votes to be effective (unless a 4/5 vote is required by policy or law).
 - 2.1 A member abstaining in a vote is considered as absent for that vote. A member abstaining from a vote should state the basis or reason for abstention.
 - 2.1.1 Example. If three (3) of five (5) Directors are present at a meeting, a quorum exists and business can be conducted. However, if one Director abstains on a particular action and the other two cast "aye" votes, no action is taken because a "majority of the Board" did not vote in favor of the action.



2.1.2 Example. If an action is proposed requiring a two-thirds vote and 2 Directors abstain, the proposed action cannot be approved because 4 of the 5 Directors would have to vote in favor of the action.

2.1.3 Example. If a vacancy exists on the Board and a vote is taken to appoint an individual to fill said vacancy, three (3) Directors must vote in favor of the appointment for it to be approved. If two (2) of the four (4) Directors present abstain, the appointment is not approved.



POLICY TITLE: MINUTES OF BOARD MEETINGS
POLICY NUMBER: BOD-12
DRAFT DATE: 03/23/2016
BOARD APPROVAL DATE: 03/23/2016

POLICY #BOD-12 MINUTES OF BOARD MEETINGS

Policy# BOD-12 - It is the policy of the Desert Healthcare District (“District”) Board of Directors to keep minutes of all regular and special meetings of the Board.

GUIDELINES:

1 The Secretary of the Board of Directors shall keep minutes of all regular and special meetings of the Board. The Secretary of the Board of Directors shall be appointed by the Board as described in Policy BOD-2.

1.1 Copies of a meeting’s minutes shall be distributed to Directors as a part of the information packet for the next regular meeting of the Board, at which time the Board will consider approving the minutes as presented or with modifications. Once approved by the Board, the official minutes shall be kept and available for public review.

1.2 Unless directed otherwise, an electronic recording of regular and special meetings of the Board of Directors will be made. The device upon which the recording is stored shall be kept in a fire-resistant, locked cabinet for a minimum of two (2) years, or in accordance with Board Policy OP-3, “Records Retention”. Members of the public may inspect recordings of Board meetings without charge on a playback machine that will be made available by the District or on the District website. Electronic versions of regular Board meetings shall be available online on the District’s website.

1.3 Motions, resolutions or ordinances shall be recorded in the minutes as having passed or failed, and individual votes will be recorded for all actions. All resolutions adopted by the Board shall be numbered consecutively. In addition to other information that the Board may deem to be of importance, the following information (if relevant) shall be included in each meeting’s minutes:



- 1.3.1** Date, place and type of each meeting;
- 1.3.2** Directors present and absent by name;
- 1.3.3** Administrative staff present by name;
- 1.3.4** Call to order;
- 1.3.5** Time and name of late arriving Directors;
- 1.3.6** Time and name of early departing Directors;
- 1.3.7** Names of Directors absent during any agenda item upon which action was taken;
- 1.3.8** Summary record of staff reports and recommendations;
- 1.3.9** Summary record of public comment regarding matters not on the agenda, including names of commentators if provided;
- 1.3.10** Approval of the minutes or modified minutes of preceding meetings;
- 1.3.11** Approval of financial reports;
- 1.3.12** Record by number (a sequential range is acceptable) of all warrants approved for payment;
- 1.3.13** Record of the vote of each Director on every action item for which the vote was not unanimous and if any, names and reasons for abstentions from voting;
- 1.3.14** Resolutions described as to their substantive content and sequential numbering;
- 1.3.15** Record of all contracts and agreements, and their amendment, approved by the Board;
- 1.3.16** Approval of the annual budget;
- 1.3.17** Approval of all policies;
- 1.3.18** Approval of all dispositions of District assets;
- 1.3.19** Approval of all purchases of District assets; and,
- 1.3.20** Time of meeting adjournment.

1.4 The functions of Board Secretary may be delegated to a District Staff member and not a member of the Board of Directors in accordance with Policy BOD-2.



POLICY TITLE: Memberships in Organizations, Training, Education, Conferences, and Reimbursement Procedure

POLICY NUMBER: BOD-13

DRAFT DATE: 02/24/2016

BOARD APPROVAL DATE: 02/24/2016
Ref: *Resolution No. 11-01 03/22/2011

POLICY: Memberships in Organizations, Training, Community Events, Conferences; Reimbursement Procedure

Policy #BOD-13: It is the policy of the Desert Healthcare District (“District”) Board of Directors to encourage members of the Board of Directors to attend educational conferences, professional meetings, trainings and community events when the purpose of such activities is to improve District operation. Directors shall be mindful that public funds are being spent and that only a reasonable and necessary level of expense is warranted.

Participation of its elected officials in community events will expand the District's visibility in the community and increasing the access of District residents to their elected officials. In turn, this will lead to a broader understanding of the District's mission and to improve community ties.

GUIDELINES:

1. On March 22, 2011 (Resolution No. 11-01) the Desert Healthcare District Board of Directors has determined that it will serve the best interests of the District to maintain membership in the following affiliated national, state and local organizations. Further, attending these are hereby designated as reimbursable:
 - 1.1 Meetings of organizations in which the District is a member (e.g. Association of California Health Care Districts, California Special Districts Association).
 - 1.2 Meetings directly related to the conduct of District business. Included in this category are groundbreaking and special events sponsored by healthcare organizations, both governmental and non-profit, receiving financial support from the District.
 - 1.3 Meetings of non-political community groups that extend a specific



invitation to attend and at which the Board member actively participates in the program.

1.4 Attendance at symposia and conventions, the primary purpose of which is to discuss or demonstrate health care issues or matters relating to special districts.

1.5 Attendance at educational conference workshops which include curricula concerning district hospitals, special districts, or board administration.

1.6 Attendance at other meetings which the Board of Directors specifically approves at a regular meeting of the Board, and which the Board determines as an occasion that constitutes the performance of official duties.

1.7 Personally owned vehicles used in the conduct of District business must be insured for property and liability damage in an amount not less than the minimum limits required by the California Financial Responsibility Act.

2. Each Director shall be entitled to payment and/or reimbursement for all actual and necessary expenses incurred in the performance of official duties including expenses incurred relating to travel, meals, lodging, and other actual and necessary expenses incurred for attendance at meetings and conferences of organizations listed. Lodging expenses may not exceed the maximum group rate published by the conference or activity sponsor. Requests for Reimbursement must be submitted on a District approved Expense Form and shall include receipts documenting each expense. Director's expenses shall be reported on a quarterly basis.

3. Upon returning from seminars, workshops, conferences, etc., where expenses are reimbursed by the District, Directors will either prepare a written report for distribution to the Board, or make a verbal report during the next regular meeting of the Board. Such report(s) shall be specified as an agenda item for that board meeting. The report shall detail what was learned at the session(s) that will be of benefit to the District. Materials from the session(s) may be delivered to the District office for the future use of other Directors and staff.



POLICY TITLE: ETHICS TRAINING AND EDUCATION TRAINING RELATING TO WORKPLACE HARASSMENT

POLICY NUMBER: BOD-14

DRAFT DATE: 03/23/2016

BOARD APPROVAL DATE: 03/23/2016
Ref: *Resolution No. 11-02

POLICY: ETHICS TRAINING AND EDUCATION TRAINING RELATING TO WORKPLACE HARASSMENT

Policy #BOD-14: It is the policy of the Desert Healthcare District (“District”) to ensure that District Board members and District staff receive training in ethics pursuant to California Government Code sections 53234, *et seq.* (AB 1234) and training/education regarding sexual harassment in the workplace.

GUIDELINES:

1. Each District Board member and designated staff are required to complete a minimum of two hours ethics training sufficient to meet the legal requirements of AB1234 every two years.
2. All District Board members and District staff are required to complete at least two hours of training and education relating to workplace harassment every two years.
3. This policy shall be incorporated into the District Employee Handbook.



POLICY TITLE:	CONFLICT OF INTEREST CODE
POLICY NUMBER:	BOD-15*
DRAFT DATE:	03/28/2017
BOARD APPROVAL DATE:	03/28/2017
Resolution #14-03	12/16/2014

POLICY: CONFLICT OF INTEREST CODE

Policy #BOD-15: It is the policy of the Desert Healthcare District (“District”) to ensure complete transparency and follow The Political Reform Act which require all public agencies to adopt and maintain a conflict of interest code establishing the rules for disclosure of personal assets and the disqualification from making or participating in the making of any decisions that may affect any personal asset. The California Fair Political Practices Commission has adopted a regulation (2 California Code of Regulations Section 18730, hereinafter “Regulation”) which contains the terms of a standard Conflict of Interest Code which can be incorporated by reference and may be amended by the Fair Political Practices Commission (“FPPC”) after public notice and hearings to conform to amendments in the Political Reform Act. The Regulation further provides that incorporation of its terms by reference along with the designation of employees and the formulation of disclosure categories by the District shall constitute the adoption and promulgation of a conflict of interest code within the meaning of Government Code Section 87300 or the amendment of a conflict of interest code within the meaning of Government Code Section 87307. Therefore, the terms of the Regulation and any amendments to it, duly adopted by the Fair Political Practices Commission, are hereby incorporated by reference, as augmented herein, as the Conflict of Interest Code of the District.

A public official at any level of state or local government has a prohibited conflict of interest and may not make, participate in making, or in any way use or attempt to use his or her official position to influence a governmental decision when he or she knows or has reason to know he or she has a disqualifying financial interest. A financial interest can exist when the decision impacts the official’s personal financial interests or the financial interests of a source of income to the official. A financial interest can also exist when the decision impacts an asset or investment of the public official’s, or a business entity in which the public official is associated by ownership, officer status, or employment. It is the responsibility of each Board member and officer of the District to identify any conflicts of interest, actual or potential, that they may have in a decision to be made or an action to be taken by the District. If a Board member or officer becomes



aware of an actual or potential conflict of interest, he or she shall promptly disclose the conflict or potential conflict to the Board President, the District CEO, or legal counsel. The Board member shall not participate in the subject matter of the conflict, or shall have the matter assessed by legal counsel, or shall seek the advice of the FPPC.

GUIDELINES:

1. The Board of Directors are mandated to file the California Fair Political Practices Commission Form 700 disclosure statements (Form 700) under Government Code Section 87200 et seq. (Regulations 18730(b)(3)).
2. The following designated staff positions and committee members are governed by the Conflict of Interest Code (Resolutions #14-03) and must file the Form 700 designated categories as listed for each position:

<u>Designated Positions</u>	<u>Disclosure Categories</u>
Chief Executive Officer	1, 2
Chief Financial Officer/Chief Operating Officer	1, 2
Chief Grants Officer	4, 5
Community Relations Director/Clerk of the Board	3
Controller	
Director Nutrition Education & Obesity Prevention Program	4, 5
General Counsel	1, 2
Program Manager	1, 2
Members of Board Committees & Consultants	
Program Committee	5
Consultants and New Positions	See *

*Individuals providing services as a Consultant defined in Regulation 18701 or in a new position created since this Code was last approved that makes or participates in making decisions shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:

The Chief Executive Officer may determine that, due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. (Gov. Code Sec. 82019; FPPC Regulations 18219 and 18734.) The Chief Executive Officer's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code. (Gov. Code Sec. 81008.)

2.1 The disclosure categories listed below identify the types of economic interests that the designated position must disclose for each disclosure category to which he or she is assigned.3 Such economic interests are reportable if they are either located in or doing business in the jurisdiction,



are planning to do business in the jurisdiction, or have done business during the previous two years in the jurisdiction of the District.

Category 1: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are located in, that do business in or own real property within the jurisdiction of the District.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of the District.

Category 3: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles, or equipment of a type purchased or leased by the District.

Category 4: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles, or equipment of a type purchased or leased by the designated position's department, unit or division.

Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, or income from a nonprofit organization" if the source is of the type to receive grants or other monies from or through the District.

2.2 The Conflict of Interest Code does not require the reporting of gifts from outside the agency's jurisdiction if the source does not have some connection with or bearing upon the functions or duties of the position.

3. All officials and designated positions required to submit a statement of economic interests shall file their statements with the Director of Community Relations as the District's Filing Officer. The Director of Community Relations shall make and retain a copy of all statements filed by members of the Board of Directors and the Chief Executive Officer, and forward the originals of such statements to the Clerk of the Board of Supervisors of the County of Riverside. The Director of Community Relations shall retain the originals of the statements filed by all other officials and designated positions and make all statements available for public inspection and reproduction during regular business hours.

4. The Conflict of Interest Code will be amended when necessitated by changed circumstances which include the need to designate new positions or revise disclosure categories.



POLICY TITLE:	PROPRIETY, CONFIDENTIALITY AND PERSONAL INFORMATION
POLICY NUMBER:	BOD-16
DRAFT DATE:	03/24/2016
BOARD APPROVAL DATE:	03/23/2016
Resolution #14-03	12/16/2014

POLICY: PROPRIETY, CONFIDENTIAL AND PERSONAL INFORMATION

Policy #BOD-16: During the course of business the Desert Healthcare District (District) may occasionally be provided with confidential medical information related to its employees, directors, or other affiliates (collectively referred to herein as “employees”). This policy is intended to be in compliance with all state and federal laws mandating confidentiality of medical information, including but not limited to the California Confidentiality of Medical Information Act (CMIA) and, to the extent applicable, the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA). The law shall supersede any provision of this policy that is in conflict.

GUIDELINES:

1. Employee medical information is considered confidential and shall be protected from unnecessary disclosure. When provision of medical records by a third party provider is necessary or anticipated, an Authorization to Release Medical Information to Employer form (see attached) must be executed by the employee.

1.1 Definitions. “Medical information” means any individually identifiable information, in electronic or physical form, in possession of or derived from a provider of health care, health care service plan, health insurance plan, pharmaceutical company, or contractor regarding an employee’s medical history, mental or physical condition, or treatment. Such information includes, but is not limited to, medical records, doctor reports, disability certifications, or any written or oral disclosure of health conditions, illnesses, diseases, or requests for accommodation on account of health condition. “Medical information” shall be further defined to include any individually identifiable medical information provided



by the employee directly, unless confidentiality has been waived by the employee. "Individually identifiable" means that the medical information includes or contains any element of personal identifying information sufficient to allow identification of the individual such as the patient's name, address, electronic mail address, telephone number, or social security number, or other information that, alone or in combination with other publicly available information, reveals the individual's identity.

1.2 Designation of a Privacy Officer. The Privacy Officer of the District shall be the staff Human Resources (HR) representative for the District. Should that position be unfilled, the CEO will serve in the Privacy Officer position. The Privacy Officer shall be responsible for the implementation of this policy; the receipt and maintenance of employee medical information; obtaining required authorizations when necessary; and for maintaining adequate protections to ensure the confidentiality and security of employee medical information.

1.3 Prohibition Against Unauthorized Disclosure. No employee who is through necessity or inadvertence provided another employee's confidential medical information may disclose or use such information without the express authorization from the Privacy Officer. Employees may not use or disclose employee medical information obtained at the District for any reason after the employment relationship with the District ends. Misuse or unauthorized disclosure of confidential medical information will result in discipline, up to and including termination of employment. Employees should relay or provide medical information, when necessary, only to the Privacy Officer. The Privacy Office shall make every effort to maintain the confidentiality of any employee communication, oral or otherwise, containing an employee's confidential medical information.

1.4 Medical Files. All employee medical information documentation, whether obtained from any post-offer examination, workers' compensation examination, or directly from the employee, shall be maintained in separate, secure medical files. Employee medical files shall be treated as confidential. Employee medical files shall be kept in a locked location, accessible to only the Privacy Officer or his/ her authorized designee. No employee may place any medical-related material into an employee's general personnel file.



1.5 Mandate to Report Violations. Any violation of this policy shall be reported to the Privacy Officer as soon as reasonably possible. Because report of violation may necessarily disclose apparent confidential medical information, employees are prohibited from relaying or repeating the report or the conveyed medical information to any party other than the Privacy Officer or his/her authorized designee. This prohibition does not prevent employees from reminding others about the requirements of this policy.



Acknowledgement of Receipt/ Confidentiality of Medical Information Policy

I acknowledge receipt of this policy by signing this form. I understand it is my duty to familiarize myself with this policy and to adhere to its terms. I have been advised of my right to seek clarification on any of the contents herein I do not understand.

This policy is subject to change. I understand I can obtain a copy of the revised policy by requesting one from the Human Resources Department/Privacy Officer.

Employee Signature

Date

Please print name in full

To be completed only if no signed acknowledgement of receipt is obtained. If it is not possible to obtain the individual's acknowledgement, indicate the reason why the acknowledgement was not obtained.

___ Refused to sign

___ Unable to sign

___ Mailed to employee Date: _____

HR Representative/Privacy Officer

Date



Authorization to Release Medical Information to Employer

This authorization to release medical information is in compliance California Confidentiality of Medical Information Act of 1981 (Cal. Civil Code Section 56 *et seq.*) and is for the purpose of allowing the Desert Healthcare District (“District”) to coordinate personnel matters for employees.

I, _____ (print name of employee), hereby authorize the Custodian of Records of (Doctor and/or facility) _____ to furnish to the District medical records and information pertaining to my medical history, mental or physical condition, services rendered or treatment. Such information may be provided to the Privacy Officer for the District.

Duration: This authorization shall become effective immediately and shall remain in effect until (date) _____, 201___. I understand that I may revoke this authorization at any time, even before the end of this duration, by submitting a written request for revocation to the District’s Privacy Officer.

Uses: The requestor may use the medical records and information hereby released for the coordination of personnel matters, including but not limited to leave requests or medical accommodation requests. I understand that disclosure could lead to re-disclosure that would not be protected under my right to medical confidentiality.

Restrictions: I understand that the District may not further use or disclose the medical information unless another authorization is obtained from me or unless such use or disclosure is specifically required or permitted by law.

Additional Copy: I have been provided a copy of this authorization, and I further understand that I have a right to receive another copy upon request.

Signature:

Date: _____ Time: _____ A.M./P.M.

Employee’s Signature



(if employee is incompetent, signature of legal representative)



POLICY TITLE: PERFORMANCE EVALUATION OF THE CHIEF EXECUTIVE OFFICER

POLICY NUMBER: BOD-17

DRAFT DATE: 02/24/2016

BOARD APPROVAL DATE: 02/24/2016

***DHCD By-Law Article VI**

POLICY: ANNUAL PERFORMANCE EVALUATION AND PROCEDURE FOR THE CHIEF EXECUTIVE OFFICER AND PROCEDURE

Policy #BOD-17: It is the policy of the Desert Healthcare District ("District") to establish the methodology and schedule for evaluating the performance of the Chief Executive Officer (CEO).

- 1. The CEO of the District is retained and serves at the will of the Board of Directors and has general authority over operations, personnel matters and authority to administer the District. The Board of Directors shall review the performance of the CEO after the initial six months of service after appointment and then annually thereafter, using a process that allows Board members to provide a fair and collective evaluation to the CEO that provides for discussion and encourages feedback in the development of goals, objectives and requirements of the District Strategic Plan.**
- 2. Annually, the evaluation process will begin on a date that will support the process to accomplish the formal CEO Evaluation in March. The Board of Directors will utilize the evaluation methodology below. Board of Directors shall be encouraged to prepare input on the form below prior to the Board of Directors meeting. In some cases, the Board may choose to get third party input on performance from various sectors such as employees, or other stakeholders as defined by the Board. The Board President has lead responsibility for accomplishing the evaluation each year. In some cases, an organizational consultant or District Legal Counsel will be used to assist the Board through the process.**
- 3. Prior to the scheduled formal evaluation meeting the Board should meet as a group with the CEO to verbally discuss the components of the performance evaluation and received feedback from the CEO relative to his/her assessment. The Board of Directors and CEO should jointly develop mutually agreed upon written goals and objectives for the subsequent evaluation period. These goals and objectives should include expectation that coincide with the District Strategic**



DESERT HEALTHCARE DISTRICT

Plan deliverables for a given year. If requested by the Board and/or the CEO, the District's Legal Counsel, or organizational consultant may attend the evaluation session.

4. A copy of this written assessment should be provided to the CEO and a copy kept in the CEO's personnel file. The performance evaluation shall be kept confidential. Any decision on a change in compensation award shall be made at a public meeting following the closed session evaluation meeting.

**CHIEF EXECUTIVE OFFICER
ANNUAL PERFORMANCE EVALUATION PROCESS**

**BOARD PRESIDENT'S
GUIDE**

DHCD CEO PERFORMANCE EVALUATION BOARD INPUT FORM

Annual Performance Evaluation Process for the Chief Executive Officer of the Desert Healthcare District

INTRODUCTION -

The following seven-step process shall be used by the Board of Directors (Board) for the evaluation of the performance of the Chief Executive Officer (CEO) of the Desert Healthcare District. The Board President shall be responsible for initiating the process each year in January with the goal of completion in March of each year. At the discretion of the Board of Directors, the process will be facilitated by either a Consultant, designated sub-committee or the Board President. Every three years, however, the Board of Directors will engage a qualified consultant to facilitate the process with the addition of interviews with individual Board members and potentially other stakeholders such as employees or community leaders. The Process allows for periodic feedback from individual Board members on CEO performance yet yields a collective performance evaluation from the full Board. The cycle for the evaluation method will follow the following schedule:

STEP PROCESS -

Step 1 (Week 1) - Request Year In Review self-evaluation report from the CEO regarding performance. If requested by the Board, request input from third party groups such as employees and/or community stakeholders. Allow one-week turn around.

Step 2 (Week 2)- Circulate the CEO's self-evaluation input to the Board members and others along with the Appendix A, CEO Standard Evaluation form, requesting two-week response turn-around from Board members.

Guidance: In a facilitated process step 2 may be replaced with interviews with each Board member by Consultant.

Step 3 (Week 3) - Board President or Facilitator will gather all Board member inputs for collation into evaluation form (Appendix A) by filling in all sections of the forms from Board input. Board President must be able to take all inputs and meld them into one draft Board message to the CEO. A statement of overall performance should be provided. This entire step may be done by the President directly, a designated sub-committee, Consultant or District Counsel.

Guidance: Scores (middle column) should be an averaged score of all those received. Since the standard form table on Success factor allows for comments (right column) on individual attributes, these should be listed into the table in the designated space (see example table below).

DHCD CEO PERFORMANCE EVALUATION BOARD INPUT FORM

Step 4 (Week 4) – President or Facillator will share draft evaluation with Board in closed session seeking comment. Refinement and/or endorsement of the completed draft collective evaluation.

Step 5 (Week 4) –Sub-committee/Board President share evaluation with CEO about 4-7 days prior to the Board evaluation meeting.

Guidance: this allows for the CEO to consider the evaluation and prepare responses (where needed) to the Board for the upcoming evaluation meeting. At least one week should be allowed for the CEO to consider responses if any.

Step 6 (Week 5-6) –Agendize closed session for CEO performance evaluation. Board conducts the session to formally deliver the evaluation and discuss the position or thoughts with the CEO, if any, regarding the collective evaluation. At times, this could take two meetings since changes to the evaluation could result from this meeting. Discussion of CEO Contract or compensation adjustments should not be discussed at this meeting.

When reconvened to open session, the President will make public any actions from the closed session. A vote of the Board may be necessary.

Step 7 (Week 5-6) – Sign and file completed evaluation with confidential secretary or District Counsel.

Appendix A

CEO standard evaluation form

INSTRUCTIONS TO BOARD MEMBERS: The following form is used to evaluate the performance of the CEO for the Desert Healthcare District. Upon completion return the form to the designated process facilitator. Add comments that you'd like to see shared with our CEO relative to each area evaluated and in Part 4, general comments. These will be discussed with the entire Board for the collective evaluation. Note that room exists for you to provide comments on each attribute as well as for your goals and expectations for the upcoming year.

**DHCD Board Input FORM
(Annual)**

The 20XX/XX DHCD CEO Performance Evaluation process has been upgraded this year to include a number of essential steps. Input for your evaluation will be provided to you from employees, stakeholders and the CEO as a self-evaluation and last's years CEO evaluation. These will be available to you as you complete your own individual evaluation form herein. The accompanying schedule outlines the general steps through which the process will move in order to support a March final evaluation completion. The process begins with the consultant gathering the input above in December/early January. Next you will received all of that information and your own blank form looking much like the one below.

With this form, you are assessing the following executive level traits. Additionally you will be assessing last years established Goals and Objective (confirmed in July 2015)

- Leadership
- Strategic Development
- Financial Management
- Management Style
- Problem Solving
- Communications
- Community Relations
- Talent Management
- Board Relations
- Ethics

Please rate your agreement with the statements below using the following scale. Insert your rating in the corresponding yellow box:

Level 5: Strongly agree- CEO always practices this.

Level 4: Generally agree: CEO usually practices this.

Level 3: Somewhat agree: CEO often practices this.

Level 2: Mostly agree: CEO inconsistently practices this.

Level 1: Disagree: CEO doesn't practice this.

N/A: You have no means of evaluating this.

SECTION 1.0 - SKILLS/KNOWLEDGE/ABILITIES AND PRACTICES

1- INTERNAL OPERATIONS

1.0 Plans, organizes, manages, evaluates and regularly reports to key constituents on the critical activities impacting organizational

Narrative input: <i>(please provide written input if needed)</i>	Rating

operations.

2.0 Ensures an effective system of internal controls that safeguard the physical, financial and human resources of the organization, directing corrective actions as necessary.

Narrative input: <i>(please provide written input if needed)</i>	Rating

3.0 Identifies, develops, and recommends to the Board of Directors the required policies, procedures and standards necessary to ensure smooth functioning of organizational operations.

Narrative input: <i>(please provide written input if needed)</i>	Rating

4.0 Develops policy statements for consideration and approval by the Board of Directors.

Narrative input: <i>(please provide written input if needed)</i>	Rating

5.0 Ensures compliance with regulatory agencies governing health care delivery.

Narrative input: <i>(please provide written input if needed)</i>	Rating
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6.0 Regularly reports to the Board of Directors, compliance with required

Narrative input: <i>(please provide written input if needed)</i>	Rating
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filings.

2- LEADERSHIP AND STRATEGIC DEVELOPMENT

7.0 Creates a productive, open communication environment in which all affected parties are motivated to achieve, feel appreciated and work to their highest levels of efficiency and productivity.

Narrative input: <i>(please provide written input if needed)</i>	Rating
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8.0 Provides evident and effective leadership to employees to ensure they understand and are focused in their support of the organization's mission and vision.

Narrative input: <i>(please provide written input if needed)</i>	Rating
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9.0 Provides periodic strategic development reports to the Board of

Narrative input: <i>(please provide written input if needed)</i>	Rating

Directors.

10.0 Regularly informs and advises the Board of Directors and employees on trends and other forces that affect the performance of the organization.

Narrative input: <i>(please provide written input if needed)</i>	Rating

11.0 Stays current with national and local issues affecting the organization.

Narrative input: <i>(please provide written input if needed)</i>	Rating

12.0 Provides leadership to promote the organization's role as a vital community health improvement resource.

Narrative input: <i>(please provide written input if needed)</i>	Rating

13.0 Monitors key statistical indicators that measure organizational performance, taking timely action as appropriate.

Narrative input: <i>(please provide written input if needed)</i>	Rating
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14.0 Analyzes and develops new business opportunities which promote organizational growth, profitability and service to the community.

Narrative input: <i>(please provide written input if needed)</i>	Rating
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3- FINANCIAL DEVELOPMENT

15.0 Utilizes financial and analytical skills to take effective action on long-range financial planning and short-term financial decision-making.

Narrative input: <i>(please provide written input if needed)</i>	Rating
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16.0 Understands financial data and leads the analysis of that data to determine required strategic decisions.

Narrative input: <i>(please provide written input if needed)</i>	Rating
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17.0 Establishes and monitors long-range facilities plans, and coordinates those plans with financial capabilities and strategic needs.

Narrative input: <i>(please provide written input if needed)</i>	Rating
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18.0 Develops the annual budget with active participation of department managers, Board and others, as appropriate.

Narrative input: <i>(please provide written input if needed)</i>	Rating
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19.0 Ensures that capital expenditure budgets are developed to reflect the program and service needs of the organization in meeting the health improvement needs of the community.

Narrative input: <i>(please provide written input if needed)</i>	Rating
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20.0 Effectively negotiates contracts that are advantageous to the

Narrative input: <i>(please provide written input if needed)</i>	Rating
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organization.

4- COMMUNITY RELATIONS

21.0 Works effectively with community leaders, and with other health providers in the region to maintain awareness of and respond to unmet

Narrative input: <i>(please provide written input if needed)</i>	Rating
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community needs.

22.0 Encourages integration of the organization with the community.

Narrative input: <i>(please provide written input if needed)</i>	Rating
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23.0 Perceived by community leaders as a resource.

Narrative input: <i>(please provide written input if needed)</i>	Rating
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5- BOARD RELATIONS

24.0 Effectively communicates with Board through written and verbal notification and through formal meeting related communications

Narrative input: <i>(please provide written input if needed)</i>	Rating
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methods.

25.0 Regularly informs and advises the Board of Directors on health care trends and other factors impacting organizational performance.

Narrative input: <i>(please provide written input if needed)</i>	Rating

6- COMMUNICATIONS

26.0 Effective public speaker.

Narrative input: <i>(please provide written input if needed)</i>	Rating

27.0 Grasps important information in one-on-one and group communications, and interprets in a way which avoids or solves problems.

Narrative input: <i>(please provide written input if needed)</i>	Rating

28.0 Able to synthesize complex issues into easily understood messages.

Narrative input: <i>(please provide written input if needed)</i>	Rating

29.0 Maintains open lines of communication at all level.

Narrative input: <i>(please provide written input if needed)</i>	Rating

7- PROBLEM SOLVING/CREATIVITY

30.0 Willing to assume risk and explore creative methods for addressing difficult challenges.

Narrative input: <i>(please provide written input if needed)</i>	Rating

31.0 Handles ambiguous situations well, always bringing focus to the organization's pursuit of its mission and strategic objectives.

Narrative input: <i>(please provide written input if needed)</i>	Rating

32.0 Understands the need for balance between, process, structure and

Narrative input: <i>(please provide written input if needed)</i>	Rating

outcome.

8- ETHICS

33.0 Demonstrates strong values of fairness, honesty and compassion in dealing with all constituencies.

Narrative input: <i>(please provide written input if needed)</i>	Rating

34.0 Demonstrates a high level of commitment to the mission and vision, and to the community served by the organization.

Narrative input: <i>(please provide written input if needed)</i>	Rating

35.0 Effectively combines strong ethical judgment with technical and management skills.

Narrative input: <i>(please provide written input if needed)</i>	Rating

2.0 CURRENT GOALS AND OBJECTIVES (2015-2016) – In March of 2015 the CEO was provided with the following goals and objectives. These were re-iterated in July 2015. Using the rating guidance above, please rate the performance of the CEO on each of these

1. Board policies and procedures manual has been completed – need dates for delivery of overall milestones, first set of drafts, target date for 1st draft of manual and for final approval.

Narrative input: <i>(please provide written input if needed)</i>	Rating
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2. An annual planning calendar has been completed which includes a clear process and timeline for developing a five year strategic plan for the District and Foundation, the annual budget process and other important processes and activities

Narrative input: <i>(please provide written input if needed)</i>	Rating
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– need dates for milestones.

3. Improved Communications with the Board

Narrative input: <i>(please provide written input if needed)</i>	Rating
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4. Ad Hoc Committees for Mental Health, DRMC Facility Plans, Urgent Care and CEO Evaluation have completed their work, drafted reports and delivered recommendations to the board.

Narrative input: <i>(please provide written input if needed)</i>	Rating

5. A Strategic Planning process has been completed that includes the publishing of a five-year strategic plan. This process should be inclusive and broad in its approach to include a strong inclusion of the Board, the public process and more, culminating in a clear strategy and accompanying implementation plan.

Narrative input: <i>(please provide written input if needed)</i>	Rating

3.0 GOALS AND OBJECTIVES (2016-2017) – Please list Goals and Objectives for the next appraisal year for your CEO. Be as specific as you need. These will be discussed by the full Board with those emerging from the meeting going forward for discussion with the CEO.

1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	

4.0 SUPPLEMENTAL INPUT Use the following space to provide to provide other input for the CEO such as Things to Work on, etc. .

A large, empty rectangular box with a black border, intended for providing supplemental input for the CEO. The box is currently blank.

APPENDIX A; Part 6.0: COMMENTS FROM GENERAL MANAGER/CEO
– *(Guidance: this area is reserved for any comments that the GM/CEO would like to make in the evaluation.*



POLICY TITLE: ACCESS TO PUBLIC RECORDS
POLICY NUMBER: OP-1
COMMITTEE UPDATE: N/A
BOARD APPROVAL DATE: 02/24/2016

POLICY: ACCESS TO PUBLIC RECORDS

Policy# OP-1: The California Legislature has declared that access to information concerning the conduct of the people's business is a fundamental and necessary right of every person in this state. The California Public Records Act (PRA), Government Code Sections 6250 to 6270, requires the Desert Healthcare District (DHCD) to make public records available for inspection by the public and to provide copies upon request. DHCD has established the following guidelines to ensure that all persons understand and are afforded the opportunity to use their right to access public records. A copy of these guidelines will be provided free of charge upon request.

GUIDELINES:

- 1.** "Public records" include any writing containing information relating to the conduct of the public's business prepared, owned, used or retained by DHCD regardless of physical form or characteristics. "Writing" means handwriting, typewriting, printing, photocopying, photographing, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing, any form of communication or representation, including letters, words, pictures, sounds or symbols or any combination thereof, and any record thereby created, regardless of the manner in which the record has been stored.
- 2.** Public records are open to inspection during DHCD office hours, generally 8:30 a.m. – 5:00 p.m. Monday through Friday, except for holidays. Advanced notice is not required to inspect public records; however, the inspection of records is subject to a rule of reason and must be consistent and available within the DHCD offices.
 - 2.1** Records available for immediate inspection include the Statement of Economic Interest (FPPC Form 700) of designated DHCD employees and this Access to Public Records Guidelines.



2.2 It is the policy of DHCD that records not exempt from disclosure by state law will be open for public inspection with the least possible delay. There is no charge to inspect records. In order to prevent records from being lost, damaged or destroyed during inspection, DPR staff may determine the location of, and may monitor, the inspection.

- 3.** While a written request is not required, DHCD prefers that all Public Records Requests for records be in writing so that DHCD can more accurately identify the records sought and process the request more efficiently. Requests may be in person, by phone, email or directed to DHCD's office at the following address:

Desert Healthcare District
1100 North Indian Canyon Drive
Palm Springs, CA 92262
Phone: (760) 323-6113
Fax: (760) 323-6509
Email: sbrown@dhcd.org

Please include the following information in your request, so that we may respond to your request in a timely manner:

3.1 A clear and specific description of the information you are requesting. If possible, identify dates, subjects, titles and authors of the records requested. If needed, DHCD staff may ask for additional information if the request is not specific enough to permit identification of the records sought.

3.2 Contact information is recommended so DHCD can get clarifying information if needed and send you a response or copies of records.

3.3 The District strives to fulfill requests as soon as possible but not beyond ten (10) days from the date the request is received, DHCD will determine whether the request, in whole or in part, seeks copies of disclosable public records in DHCD's possession and notify the requester of such determination. In unusual circumstances, the 10-day time limit may be extended up to an additional fourteen (14) days by written notice to the requester, setting forth the reason for the time extension. Unusual circumstances include:

3.3.1 The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request;

3.3.2 The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records that are demanded in a single request;



3.4 If DHCD determines it will comply with the request, the records will be made available as promptly as possible upon payment, if required, of any applicable copying fees.

3.5 Upon request, DHCD will make an electronic public record available in any electronic format in which DHCD hold the information.

3.6 The cost for all other copies is the direct cost of duplication, or a statutory fee if applicable.

4. In balancing the public's right to access public records with other rights and interests, including the individual right of privacy and the need for DHCD to be able to competently perform its duties, the Legislature has established certain categories of records that may be exempt from public disclosure under specified circumstances. These include but are not limited to, certain personnel records, investigative records, drafts, confidential legal advice, records prepared in connection with litigation, real estate appraisals and evaluations made relative to pending acquisition of property, trade secrets, communications with the Governor's Office and information that is confidential pursuant to other state or federal statutes.

5. Upon a Court Order or receipt of a Subpoena Duces Tecum (a notice to appear and to bring records, or to produce records without appearance) should be forwarded to the Chief Executive Officer and the DHCD legal counsel. While a Subpoena Duces Tecum is issued by a court, it is not always an order of the court declaring that the particular records are subject to disclosure. Such records may still be subject to protection against disclosure by reason of the existence of a privilege or other legal excuse. Therefore, receipt of such a subpoena does not permit disclosure of records in and of itself and legal counsel shall determine the appropriate response.



POLICY TITLE: RECORDS RETENTION

POLICY NUMBER: OP-3

COMMITTEE UPDATE: N/A

BOARD APPROVAL DATE: 02/23/2016
Resolution #11-05 05/24/2011

POLICY: RECORDS RETENTION

Policy #OP-3:

It is the policy of the Desert Healthcare District's Board of Directors to provide guidelines regarding the retention or disposal of Desert Healthcare District records; provide for the identification, maintenance, safeguarding and disposal of records in the normal course of business; ensure prompt and accurate retrieval of records; and ensure compliance with legal and regulatory requirements.

GUIDELINES:

1. The California Secretary of State has issued local government records management guidelines in accordance with Government Code Section 60200 et seq., which augments the authority of local governments and districts to establish records retention schedule. The Board of Directors of Desert Healthcare District ("District") is authorized by the provisions of California Government Code sections 60200 et seq., to establish a records retention schedule applicable to District records. The records retention policy assists the District in documenting the records that (i) require office or temporary storage, (ii) have historic or research value, and (iii) should be destroyed because they no longer have any administrative, fiscal, or legal value

1.1 Authorization for Destruction of Records. . The record retention schedule, Exhibit "A", is the approved schedule for the District which is in compliance with Government Code sections 60200 et seq. The schedule give the time periods documents must remain open/active for the public, the time



period documents will remain closed (saved but may be boxed or in storage) and the process for destroying documents.

1.2 Destruction of Records after Scanning. Any record not expressly required by law to be filed and preserved in original form may be destroyed at any time after it is electronically stored in conformance with the requirements of Government Code section 60203.

1.3 Destruction of Duplicates. Pursuant to Government Code section 60200, any duplicate record, paper, or document which has the original or a permanent photographic copy of in the files of the District, may be destroyed after confirmation that the original or permanent photographic copy remains on file in the District.

1.4 Retention of Records Not Mentioned. All records, papers, and documents not mentioned in this policy may be scanned as archival records or destroyed so long as such disposal is consistent with the recommendations of the Local Government Records Management Guidelines as set forth by the Secretary of State as the same may be amended from time to time.

1.5 Retained Records. Following Government Code section 60201, the District shall retain records that

- relate to formation, change of organization, or reorganization of the District;
- District ordinance unless it has been repealed or is invalid or unenforceable for a period of five years;
- minutes of a meeting of the legislative body of the District;
- pending claims and litigation records for two (2) years after the disposition;
- records that are the subject of a pending Public Records Act request until the request is granted or two (2) years have passed since denial;
- records of construction projects prior to notice of completion and release of stop notices, if any;



- records related to non-discharged contracts or debts; records of title for District real property;
- unaccepted construction bids/proposals until two (2) years old;
- records that specify the amount of compensation paid to District employees, officers, or independent contractors until seven (7) years old;
- records for which the administrative, fiscal, or legal purpose has not yet been fulfilled.



EXHIBIT "A"

Review Period

Record Series (Description)	Open/Active	Closed	Disposal	Notes
Accident reports and logs	2 years	2 years	Shred	
Accounting files, miscellaneous	5 years	5 years	Shred	
Accounts payable (vendor files, invoices, employee travel and expense records)	1 year	6 years	Shred	
Accounts receivable	1 year	4 years	Shred	
Agendas, minutes and supporting materials for Board/Committee packet	1 year	Indefinite	Archive	
Agreements with agencies, firms, individuals	1 year	5 years	Shred	Depending on type of agreement, some will be indefinite
Appraisal Reports	1 year	5 years	Shred	Originals to be filed in project file
Audit Reports	10 years	10 years	Shred	
Bank statements (with cancelled checks)	1 year	4 years	Shred	
Board correspondence	1 year	4 years	Shred	Dispose after leaving the Board
Budgets, annual	1 year	Indefinite	Archive	
Cash receipt books with backup and deposit tickets	1 year	4 years	Shred	
Claim or litigation on behalf of DHD	1 year	Indefinite	Archive	
Claim or litigation against DHD		Indefinite	Archive	
Computer maintenance files	1 year	3 years	Toss	
Computer programs	1 year	6 years	Toss	



Computer tape disks/backup	2 years	2 years	Toss	
Computer tracking records	1 year	3 years	Toss	
Conflict of Interest Statements	1 year	Indefinite	Archive	Include oath of office, economic statements, etc.
Correspondence, general	1 year	2 years	Toss	
Deeds	1 year	Indefinite	Archive	
Director's compensation and reimbursement	1 year	4 years	Shred	Dispose after Director leaves Board
Director's fees	1 year	6 years	Shred	Dispose after Director leaves Board
Disability Claims	1 year	Indefinite	Archive	
Easements	1 year	Indefinite	Archive	
Employee records	1 year	6 years	Shred	
Employee records terminated	1 year	6 years	Shred	
Employee time records (i.e. payroll files) including deduction authorizations and overtime	1 year	6 years	Shred	
Employee travel and expense records	6 years	6 years	Shred	
Equipment maintenance records and contracts	1 year	5 years	Toss	
Financial reports, miscellaneous	10 years	10 years	Shred	
Financial Statements, annual	1 year	Indefinite	Archive	
Historical files (history of the former DHD)	1 year	Indefinite	Archive	
Insurance certificates and policies	1 year	6 years	Shred	
Inventory Records	1 year	6 years	Toss	



Investment Portfolio	1 year	Indefinite	Archive	Permanent for research/historical value
Investments (Certificates of Deposit)	1 year	6 years	Shred	
Lease Agreements	1 year	6 years	Shred	Permanent for research/historical value
Ledgers, General and Journal	1 year	Indefinite	Archive	
Legal opinions	1 year	Indefinite	Archive	
Policies and Procedures	1 year	Indefinite	Archive	
Resolutions	1 year	Indefinite	Archive	
Retirement plan agreements, amendments, and related documents	1 year	Indefinite	Archive	Permanent for historic value
Vehicle operation records	1 year	3 years	Toss	
Vendor files, misc. correspondence	1 year	1 year	Shred	Dispose when no longer relevant
Workers' compensation files	1 year	6 years	Shred	

***Schedule Instructions**

1. Records are Open/Active files for at least the period stated as a matter of general practice. After the Open/Active period has passed, to the extent possible, records will be identified to the applicable department for closure recommendation, via electronic records management systems.
2. Records placed in closed files will be retained for the scheduled period. Notice to the applicable department will be made prior to disposal.



POLICY TITLE: ELECTRONIC COMMUNICATIONS USAGE AND RETENTION

POLICY NUMBER: OP-4

COMMITTEE UPDATE: N/A

BOARD APPROVAL DATE: 02/23/2016
Resolution #11-05 05/24/2011

POLICY: ELECTRONIC COMMUNICATIONS USAGE AND RETENTION POLICY

Policy #OP-4:

It is the policy of the Desert Healthcare District to provide guidelines for Electronic Communication and Retention Policy.

GUIDELINES:

1. The purpose of the Electronic Communications Usage and Retention Policy is to:

- Provide clear and concise direction regarding use of the District's electronic communications systems, including electronic mail (e-mail), text messaging and voicemail.
- Minimize any disruptions to District services related to electronic communications.
- Enhance work productivity through the use of electronic communications.
- Comply with applicable State and federal laws and District policies related to the use of e-mail and all other forms of electronic communication.

This policy applies to all employees, elected officials, appointed officials, consultants, volunteers or other non-employees who use electronic



communications regarding District business. All such persons shall be referred to throughout this policy as “District personnel.”

1.1 Definition of “Official District Record” Under this Policy, the definition of “Official District Record” follows the definitions provided in the California Public Records Act (Cal. Gov. Code § 6250 et seq.) for “public records” and “writing”:

“...any writing containing information relating to the conduct of the public’s business prepared, owned, used or retained by any state or local agency regardless of physical form or characteristics...”

“...‘Writing’ means handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combination thereof, and any record thereby created, regardless of the manner in which the record has been stored.”

1.2 District Email is an Official District Record. E-mail and other forms of electronic communications, such as text messaging and voicemail, generate correspondence and other types of records that can be recognized as Official District Records and may be subject to disclosure under the Public Records Act. In addition, any Official District Records created through email and other forms of electronic communications must be protected and retained in accordance with records retention laws.

Messages transmitted using the District’s email system or using District-owned equipment, such as cell phones, smartphones, or pagers with capabilities for text messaging and voicemail, should be messages which involve District business activities and contain information essential to accomplishment of business-related tasks, or can otherwise be recognized as Official District Records. However, the incidental use of electronic communications (email, text, or voice)



that may contain non-District related (personal) matters is permitted. This incidental use shall be limited, and must not interfere with employee productivity or the provision of District services. Any incidental (personal) email, text or voice messages are NOT considered public records, but may still be discoverable in litigation. All electronic communications as described in this policy are the property of the Desert Healthcare District.

1.3 Social Networking and Official District Records.

Communications regarding District business that are sent or received through any social networking site may also be subject to the Public Records Act and records retention laws. Until the District adopts and implements an official policy regarding social networking, all District personnel should be cautious in using social networking sites to communicate regarding District business. At a minimum, District personnel should notify social media users that their communications regarding District business may be subject to disclosure. In addition, District personnel should caution all users that social media is not the official method of communicating with the District and should direct users to contact the District via telephone, in writing, or through the District's website

1.4 District Email System is Not For Storage. The District reserves the right to retrieve and make proper and lawful use of any and all electronic communications transmitted through the District's email system and any District-owned equipment. Although the use of electronic communications is considered official District business, the District's communication systems, including email, text messaging and voicemail, are intended as a medium of communication only. Therefore, the email system and any District-owned equipment such as cell phones, smartphones and pagers should not be used for the electronic storage or maintenance of documentation, including, but not limited to, Official District Records. Regarding email, the system administrator performs regular electronic back-ups of the District's email system. However, the back-up is not a copy of all District email activity that occurred on the District email server during the back-up period.



1.5 Guidelines for Proper Email Usage

- District email access is controlled through individual accounts and passwords. It is the responsibility of District personnel to protect the confidentiality of his or her account and password information.
- District personnel are responsible for managing their mailboxes, including organizing and cleaning out any non-District related messages that do not constitute Official District Records. Email users are responsible for determining if emails contain substantive information regarding District business, or may later be important or useful for carrying out District business, and thus could be considered as Official District Records.
- All District personnel must check and respond to their emails on a regular basis, preferably daily.
- District personnel are expected to remember that email sent from District email accounts is a representation of the District. All District personnel must use normal standards of professional and personal courtesy and conduct when drafting email messages. Email messages should be drafted with the same care and in the same manner as any communication printed on District letterhead. Like any other District communication, email is a reflection of the District's business practices.
- All messages transmitted over the email system should be limited to those which involve District business activities or contain information essential to District personnel for the accomplishment of District-related tasks. Use of the District's email system for personal communication must be kept to a minimum. "Spam" email can be harmful to the District's computer system. Spam email is electronic junk mail, usually unsolicited commercial and non-commercial messages transmitted as a mass mailing to a number of recipients. If an email message does not pertain to District business, it should be deleted from your email account and not forwarded. Examples include jokes, thoughts for the day, "chain" type email messages, etc.



- Email messages should be easy to read and understand. Spelling and grammar should be correct. Avoid using abbreviations unless you are certain the recipient will understand the meaning.
- Messages should be sent to smaller rather than larger audiences where appropriate. Avoid “broadcasting” messages and large documents. Email should not be used for broadcast purposes unless the message is of interest to all District personnel.
- Avoid long email “chain” messages that include past emails attached to a current message. Deleting long strings of previous email exchanges from your reply messages will enhance readability and save disk space.
- Limit designating email as “high-priority” or “urgent” – use those designations only when necessary and appropriate.

1.6 Prohibited Uses of the District’s Electronic Communication

Systems. Electronic communications shall not be used for any activity that is a violation of local, state, or federal law. Types of messages prohibited from being transmitted through the District’s electronic communications systems include, but are not limited to, the following:

- Messages in support or opposition to campaigns for candidates for an elected office or a ballot measure.
- Messages of a religious nature or promoting or opposing religious beliefs.
- Messages containing language which is insulting, offensive, disrespectful, demeaning, or sexually suggestive.
- Messages containing harassment of any form, sexual or ethnic slurs, obscenities, or any representation of obscenities. For more information please refer to the District’s policies regarding harassment and discrimination.
- Messages used to send or receive copyrighted material, proprietary financial information or similar materials.



- Messages used for gambling or any activity that is a violation of local, state, or federal law.

1.7 No Expectation of Privacy. District personnel have no right or expectation of privacy or confidentiality in any message created, sent, received, deleted, or stored using the District email system or any District-owned communication devices. All messages and any attachments on the District's computer network or other District-owned system or device are the property of the Desert Healthcare District and may be accessed by authorized personnel. District electronic communications may be monitored as allowed by the Electronic Communications Privacy Act, the federal Stored Communications Act, and other any applicable federal or State laws. Most communications among District personnel are not confidential communications. However, certain communications such as law enforcement investigations, personnel records, or attorney-client communications may be confidential or contain confidential information. Questions about whether communications are confidential, and how they are to be preserved, should be discussed with the Chief Executive Officer.

- **No Snooping.**

It is a violation of this District policy for any District personnel to use the District's electronic communications systems or equipment for purposes of satisfying idle curiosity about the affairs of others. Abuse of authority by accessing another person's email, text or voice messages without their knowledge or consent is prohibited. District personnel found to have engaged in such "snooping" may be subject to disciplinary action consistent with District policies.

- **Access Must be Private**

Notwithstanding the District's right to have authorized personnel access email and other electronic messages, all electronic messages should be treated as confidential by other District personnel and accessed only by the intended recipient. District personnel are not authorized to retrieve, read or listen to any electronic messages that are not sent to them. Any exceptions must



receive prior approval by the Chief Executive Officer or their designee.

- **Use Caution with Confidential Information.**

All District personnel must exercise a greater degree of caution in sending confidential information on the District's electronic communications systems than they take with other media because of the risk that such information may be copied and/or retransmitted. When in doubt, **DO NOT USE EMAIL, TEXT MESSAGING OR VOICEMAIL** as a means of communication. Furthermore, the use of passwords for security does not guarantee confidentiality.

- **Personal Email ACCOUNT Accounts and Official District Records**

The use of personal email accounts to transmit messages regarding District business should be avoided by all District personnel. In the event that messages regarding District business are received by District personnel through their personal email accounts, District personnel are requested to forward copies of such emails to their District email addresses. Personal emails discussing District business might be considered Official District Records that are subject to the Public Records Act and records retention laws. District personnel are requested to use only their District email accounts for sending/receiving emails regarding District business.

1.8 Record Retention and Disclosure. Electronic communications are a business tool which shall be used in accordance with generally accepted business practices and all federal and State laws, including the California Public Records Act, to provide an efficient and effective means of intra-agency and interagency communications. Under most circumstances, communications sent electronically are public records, subject to disclosure under the Public Records Act and subject to records retention laws applicable to special districts.



1.8.1 Electronic Messages as Official District Records

The District's email, text messaging and voice mail systems are tools used for the temporary transport of communication, and as methods to send or receive correspondence. If an email message or text message, including any attachments, can be considered an Official District Record, as defined by this Policy ("*any writing containing information relating to the conduct of the public's business prepared, owned, used or retained by any state or local agency regardless of physical form or characteristics*"), such messages must be preserved for the legally required time period in accordance with the District's Records Retention Policy.

1.8.2 Automatic Deletion of Email

The District's email management system automatically deletes District emails, including any text messages that become emails, which are more than **ninety (90) days** old from all Outlook folders of each District email user. Email in "Deleted" and "Sent" folders will be automatically removed after **ninety (90) days**.

1.8.3 Managing Your District Email

Individual District personnel are responsible for the management of their mailboxes and associated folders on a daily basis. To ensure maximum efficiency in the operation of the email system, District personnel are directed to delete email messages that are not Official District Records from their inboxes on a daily basis. Examples of such messages are personal emails, email.

advertisements/announcements, or newsletters received via email. If email messages that are not Official District Records are necessary for transitory work, preliminary drafts, preparation of work product or personal notes, District personnel are directed to either print the email and maintain the paper copy, or create a PDF version of the email (print to PDF) and store the file in an electronic folder on the District's network drive.

Email messages (including any attachments) that are Official District Records shall be preserved by one of the following methods:



- Print the email and place the printed copy in the appropriate file.
- Email should not be stored on portable media (CDs, DVDs, thumb drives, etc.). Electronically move the email out of the District’s email system and store it on a network drive.

It is the responsibility of individual District personnel to determine if an email message is an Official District Record which must be retained in accordance with the District’s Record Retention Policy. Always consider the content of an email message when you are determining if the email is an Official District Record. The Chief Executive Officer to the can assist you in making such a determination. In addition, following is a general guideline for determining whether an email message is a public record under the California Public Records Act and records retention laws:

<i>MESSAGES THAT ARE GENERALLY CONSIDERED AS PUBLIC RECORDS</i>	<i>MESSAGES THAT ARE GENERALLY NOT CONSIDERED AS PUBLIC RECORDS</i>
<ul style="list-style-type: none"> ▪ Emails that are created or received in connection with District business; ▪ Emails that document official decisions or commitments not otherwise documented in official District files; or ▪ Emails that initiate, authorize or complete a transaction of the District’s business. 	<ul style="list-style-type: none"> ▪ Personal messages. ▪ SPAM emails, advertisements or other “junk” email. ▪ Messages not related to official District business (e.g., gathering for birthday cake in the lunch room). ▪ Emails transmitting newsletters or general information from other public agencies or vendors.

Examples of email messages that are generally considered as public records:

- Email requesting to add a consent calendar item to the District Board meeting agenda.
- Emails between District staff regarding the need for an email retention policy.



- Emails between District staff regarding approval of a contract.
- Email that refers to meeting a deadline (i.e., “In compliance with FPPC filing requirements, attached please find...)
- Formal negotiations that exist only in email form.

1.9 Email Attachments

Attachments to email messages should be retained or disposed of according to the content of the attachment itself, not according to the email transmitting the attachment. Many email attachments are simply duplicates of existing documents, or are draft versions of documents that might not be retained by the District after the final version of the document is complete. If you need help in determining whether an attachment to an email message must be retained, please contact the Chief Executive Officer or the Clerk to the Board.

1.10. Preserving Electronic Messages – Public Records Act Requests, Subpoenas, Claims, and Potential Claims Against the District.

Periodically, the District receives requests for inspection or production of documents pursuant to the Public Records Act, as well as subpoenas or court orders for documents. In the event such a request or demand includes electronic messages, District personnel who have control over or access to any such messages, once they become aware of the request or demand, shall use their best efforts, by reasonable means available, to temporarily preserve any such message until it is determined whether the message is subject to preservation, public inspection or disclosure. District personnel must contact the Chief Executive Officer or the Clerk to the Board regarding any such messages that are within their control.



1.11 Violations

Any person found to have violated this policy may have his or her access to District email, text messaging or other means of electronic communication on District equipment limited or revoked completely. District personnel who violate this policy may be subjected to formal disciplinary action up to and including termination from District employment.



ACKNOWLEDGEMENT OF RECEIPT OF ELECTRONIC COMMUNICATION USAGE AND RETENTION POLICY

This is to acknowledge that I have received a copy of the Desert Healthcare District "Electronic Communications Usage and Retention Policy." I understand that it contains important information on the District's policies with regard to the use of the District's Electronic Communication Systems and my obligations and responsibilities as an employee/District Board member/contract employee.

I acknowledge that I have read, understand and promise to adhere to the District's Electronic Communication Usage and Retention Policy. I understand that the provisions in the Policy govern my use of the District's Electronic Communication Systems and that the District, in its sole and absolute discretion, may change, rescind, or add to this Policy from time to time, with or without prior notice to me.

Printed Name

Date

Signature

This document shall be signed and placed in the Human Resources files.



POLICY TITLE:	DELEGATING MINOR CLAIMS TO THE CEO
POLICY NUMBER:	OP-6
COMMITTEE UPDATE:	N/A
BOARD APPROVAL DATE:	05/24/2016
Resolution 11-04	04/26/2011

POLICY: DELGATING MINOR CLAIM SETTLEMENTS TO THE CEO

Policy# OP-6:

GUIDELINES: It is the policy of the Desert Healthcare District (“District”) Board of Directors to provide an efficient procedure for handling minor claims filed against the District to an employee as per Government Code Section 935.4.

1. Minor claims are considered claims which do not exceed \$2000.
2. The Board of Directors authorizes the Chief Executive Officer to take all administrative actions necessary to resolve minor claims against the Desert Healthcare District which do not exceed \$2000.



POLICY TITLE: LEASE COMPLIANCE POLICY
POLICY NUMBER: OP-07 REVISED 02/28/17
BOARD APPROVAL DATE: 02/28/17
Original Approval 06/28/16

POLICY: COMPLIANCE WITH THE MAY 30, 1997 LEASE

Policy #OP-07:

During the course of business the Desert Healthcare District (District), its Chief Executive Officer (CEO), employees or Board of Directors 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 District Board of Directors 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 of Directors.

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 of Directors.

Hospital Governance & Oversight Committee:

The Hospital Governance and Oversight Committee shall conduct a quarterly walk-through inspection of portions of Desert Regional 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 noting any deficiencies) to the District Board, and the Desert Regional Medical Center CEO and Local Governing Board.

1. The Hospital Governance and Oversight Committee shall be a standing committee and hold monthly meetings per the Brown Act and Bylaws of the District.



2. The Committee shall meet on a monthly basis to review the status of open issues, resolutions and any new reporting items from the quarterly walk-throughs and other reporting.
3. The Management of Desert Regional shall be invited to attend monthly Committee meetings District Board meetings and provide written reports on activities at the Hospital.
4. The Committee shall provide monthly updates to the Board of Directors.
5. During the fiscal year, the Hospital Governance and Oversight Committee shall review the following information provided by Management at the Desert Regional 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 Desert Regional 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 Desert Regional Medical Center setting forth the nature of the 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.



POLICY TITLE: STRATEGIC PLAN

POLICY NUMBER: OP-8

COMMITTEE UPDATE: N/A

BOARD APPROVAL DATE: 05/24/2016
Desert Healthcare District By-Laws – Section 6.2 (c)

POLICY: STRATEGIC PLAN

Policy# OP-8:

GUIDELINES: The Desert Healthcare District is responsible for promoting health and wellness. In the Desert Healthcare District By-Laws, Section 6.2 (c), the Board of Directors established a standing committee to promote a strategic plan of action, 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.



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 UPDATE: N/A

BOARD APPROVAL DATE: 05/24/2016
Policy Approved by Board: 12/18/2012

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

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.

GUIDELINES:

The following policies and procedures governing purchases of supplies and equipment, and procurement and bidding for public works contracts were adopted at the December 18, 2012 Board of Directors meeting:



**DESERT HEALTHCARE DISTRICT
BOARD OF DIRECTORS POLICY**

BOARD POLICY NO: OP -10

POLICY TITLE: Policies and Procedures Including Bidding Regulations Governing Purchases of Supplies and Equipment, and Bidding for Public Works Contracts

TABLE OF CONTENTS

	Page
I. FORMAL COMPETITIVE BIDDING REQUIREMENTS	- 1 -
When Applicable: When the District issues contracts <i>over \$25,000</i> for, 1) materials and supplies and, 2) work to be done (Public Works contracts are governed by Section II).	
Contract Award: Must be competitively bid and awarded to the Lowest Responsible Bidder.	
A. Contracts Requiring Formal Bids.	- 4 -
B. Bid Procedures.	- 4 -
1. Preparation of Bid Package.....	- 4 -
2. Notice Inviting Bids – Contents.....	- 5 -
3. Notice Inviting Bids - Distribution by Mail, Posting or Other Means.....	- 5 -
4. Notice Inviting Bids - Advertising/Publication.	- 5 -
5. Bid Form.	- 6 -
6. Presentation of Bids.	- 6 -
7. Withdrawal of Bids.	- 6 -
C. Award of Contracts.	- 7 -
1. Opening of Bids.	- 7 -
2. Responsible Bidder.	- 7 -
3. Bid Challenges.	- 8 -



4.	Notice to Bidders Not Awarded the Contract; Return of Bid Security.	- 8 -
D.	Emergencies.	- 8 -
E.	Contracts Not Requiring Formal Bids Pursuant to Law.	- 8 -
II.	PROVISIONS APPLICABLE TO PUBLIC WORKS CONTRACTS	- 9 -
A.	Prequalification for Bids \$100,000 or Over.	- 9 -
1.	Prequalification Requirements.	- 9 -
2.	Notice and Protest Requirements.	- 9 -
B.	Qualification for Bids Under \$100,000.	- 10 -
C.	Bid Security.	- 11 -
1.	Cashier's or Certified Check in the required amount; or	- 11 -
2.	Bidder's Bond executed by an admitted surety insurer and made payable to the District.	- 11 -
	The bid security for all other unsuccessful bidders shall be returned to them within five (5) working days after the contract is awarded.	- 11 -
D.	License Requirement.	- 11 -
E.	Insurance.	- 11 -
F.	Contract Requirements.	- 13 -
1.	Performance Bond.	- 13 -
2.	Materials and Labor Payment Bond.	- 13 -
3.	Time for Completion/Liquidated Damages.	- 14 -
4.	Retentions; Substitution of Securities in Lieu of Retentions.	- 14 -
5.	Bonus for Early Completion.	- 14 -
	- 14 -	
6.	Listing and Substitution of Subcontractors.	- 15 -
7.	Contract Terms.	- 15 -
G.	Changes in Plans and Specifications.	- 15 -
III.	FLEXIBILITY AND WAIVER OF POLICY REQUIREMENTS	- 15 -



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 their designee pursuant to Section “V” (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 their 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 “V” (Flexibility and Waiver of Policy Requirements) below, that any required contract document 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 their 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 their designee. The notice shall remain posted until an award has been 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 “V” (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 their designee, deems proper.

In the event that the Board determines, pursuant to Section “IV” (Flexibility and Waiver of Policy Requirements) below, that circumstances require less than the prescribed notice period, he/she 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.

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.

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, he or she 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.

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 their 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.

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 their designee. Prequalification 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 prequalification. 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 prequalified contractors, except as set forth below.

Whenever a contractor is notified of the District's denial of prequalification 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 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 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 their 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 him or her. 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 risk manager. 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 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 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 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 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 their designee is authorized to permit or waive deviations from this Policy, to



POLICY TITLE: PROCUREMENT OF PROFESSIONAL SERVICES
POLICY NUMBER: OP-11
DRAFT DATE: 11/17/15
BOARD APPROVAL DATE: 12/15/2015

POLICY: PROCUREMENT OF PROFESSIONAL SERVICES

POLICY #OP-11 - Government Code section 4525 et seq. requires the District to select firms to provide certain professional services on the basis of demonstrated competence and on the professional qualifications necessary for the satisfactory performance of the services required.

GUIDELINES:

I. REQUIREMENTS FOR PROCURING PROFESSIONAL SERVICES

Contracts for professional services (Gov. Code § 4525 et seq.), and per (Gov. Code § 53060 et seq.), as described in more detail below, shall be awarded by the Board of Directors or their designee through the purchasing procedures specified herein:

1. Professional Services

Contracts for professional services, as defined in Government Code section 4525, which specifically includes, professional architectural, landscape architectural, engineering, environmental, land surveying, construction management and any other services specified in Government Code section 4526, as it may be amended from time to time, shall be awarded by following the purchasing procedures specified in this Policy.

Additionally, other professional service contracts as set forth in Government Code section 53060, limited to special services and advice in financial, economic, accounting, legal or administrative professional services may be procured through this Policy.

In no event shall a contract for professional services be awarded based solely upon the lowest cost to the District. The policy requires that contracts for professional services exceeding a certain dollar value and some offering certain services as described below be bid.



The procurement of professional service exceeding \$50,000.00 will be bid per the guidance below:

The specific services, Legal, Audit and Investment Advice will be reviewed and potentially bid on the following schedule regardless of proposed contract amount. Legal services shall be reviewed and potentially bid every three (3) years; audit services will be reviewed and potentially bid every five (5) years, and investment advisor services will be reviewed and potentially bid every five (5) years.

2. Bid Procedures – Professional Services Contracts of \$50,000.00 or more.

A. Preparation of Request for Qualifications and Proposals(RFQ & RFP).

The key criteria for selecting a firm to provide professional services will be their ability provide the needed services at the highest and best value to the District. Before entering into any contract with a value of Fifty Thousand Dollars (\$50,000.00) or more pursuant to this Policy, the Board of Directors or their designee shall prepare or cause to be prepared a written request for qualifications and proposals (“RFQP”). Unless exempted by the Board of Directors or their designee pursuant to Section “II” (Flexibility and Waiver of Policy Requirements) below, the RFQP shall include at least the following information: (1) the specific nature or scope of the services being sought; (2) the type and scope of project contemplated; (3) the estimated term of the contract; (4) the specific experience expected of the firm; (5) the time, date and place for submission of the RFQP; (6) a contact person who can answer questions of the firms; (7) a contract form; and (8) the evaluation criteria to be utilized in the selection of the firm. 6) a contact person who can answer questions of the firm during the bidding process; (7) a contract form; and (8) the evaluation criteria to be utilized in the selection of the firm.

The Board of Directors or their designee shall endeavor to include all required information in the RFQP. To the extent that the Board of Directors or their designee determines, pursuant to Section “II” (Flexibility and Waiver of Policy Requirements) below, that any required information cannot be incorporated into the RFQP, its terms shall be negotiated with the successful consultant or supplier prior to the award of the contract.

B. Circulation of Request for Qualifications/Proposals.

The District shall attempt to obtain and consider completed RFQP's from at least three (3) qualified sources.



C. Procedures - Professional Services Contracts of less than \$50,000.00.

1. Request for Qualifications, Selection and Award

Before entering into any contract with a value of less than Fifty Thousand Dollars

(\$50,000.00), the Board or Directors or their designee shall transmit written or oral Request for Qualifications (RFQ) to qualified firms. The District shall attempt to transmit RFQ to at least three (3) qualified sources, and the District shall endeavor to obtain at least three (3) completed proposals. After the Board of Directors or their designee has selected the most qualified consultant or supplier, the actual fee for service and other agreement terms will be negotiated. If an agreement cannot be reached, negotiations shall begin with the next most qualified consultant or supplier. Contracts for budgeted professional services less than \$50,000 does not require further action by the Board of Directors.

When the Board of Directors or their designee awards any contract pursuant to this Policy, the contract award shall be based on the proposal, which is in the best interests of the District. In addition, unless exempted pursuant to Government Code section 4529, contracts for professional architectural, landscape architectural, engineering, environmental, land surveying, construction management and any other services specified in Government Code section 4526, as it may be amended from time to time, shall be awarded on the basis of demonstrated competence and on the professional qualifications necessary for the satisfactory performance of the services required. In no event shall a contract for such professional services be awarded on the basis of cost alone. (Gov.Code § 4525 et seq.)

II. 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 of Directors or their 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.



POLICY TITLE: SUSTAINABILITY PROGRAM
POLICY NUMBER: OP-13
COMMITTEE UPDATE: N/A
BOARD APPROVAL DATE: 05/24/2016
Previously Approved Board Date: 06/22/2010

POLICY: SUSTAINABILITY PROGRAM

Policy #OP-13: The Desert Healthcare District recognizes the importance of sustainability in developing and promoting healthy behaviors and healthy communities. The District is committed to be 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 resident's health and environment and promoting sustainable healthy communities throughout the District.

In addition to a commitment to expand and share its knowledge on sustainability generally, the District intends to lead by example by building public spaces and buildings to high green standards, enhancing energy efficiency and promoting the use of renewable resources and sustainable products while utilizing the technology and supporting the infrastructure necessary to support sustainable programs and practices.

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:

1. Improve air quality and reduce local emissions.
 - a) Encourage contractors, grantees, and public to attend meetings via web conferencing
 - b) Enhance technology to accommodate web conferencing
 - c) Enhance website utility to reduce trips, promote transparency and ease of access to information
 - d) Support alternatives to gas fed lawnmowers and leaf blower.
2. Reduce waste and amount of materials consumed. Replace styrofoam products with corn based degradable products
 - a) Utilize glassware for meetings
 - b) Waste Separation - Hire a recycling company to pick up office recyclables
 - c) Reduce paper board and committee packets - utilize web posting, conferencing and digital distribution of packets to the extent feasible
 - d) Utilize technology where possible to eliminate or reduce 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, walking and biking to reduce trip miles
5. Incorporate sustainable purchasing and the use of local suppliers
 - a) Adopt sustainable purchasing policies for cleaning and office supplies
 - b) Promote the use of local vendors when feasible
6. Adopt sustainable business and purchasing practices:
 - a) Purchase green products
Adopt sustainable purchasing policies for cleaning and office supplies



7. Support local vendors
 - a) Buy local products and services when feasible
8. Increase energy efficiency and promote renewable resources:
 - a) Improve building and system energy efficiency.
 - b) Change lighting to sensors
 - c) Window tinting to reduce heat
 - d) Install automatic/programmable thermostats
9. 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.
10. Embed sustainable principles and practices:
 - a) Incorporate sustainability and sustainable 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 practices
 - 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
11. 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, paper usage and 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



- d) Be an early adopter
- 12.** 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



POLICY TITLE: LAS PALMAS MEDICAL PLAZA POLICY FOR LEASING
POLICY NUMBER: LPMP-01
COMMITTEE UPDATE: N/A
BOARD APPROVAL DATE: 05/24/2016
Resolution 11-04 06-23-15

POLICY: LAS PALMAS MEDICAL PLAZA POLICY FOR LEASING

Policy# LPMP-01:

GUIDELINES: It is the policy of the Desert Healthcare District (“District”) Board of Directors to provide a leasing policy for the Las Palmas Medical Plaza.

1. When the Desert Healthcare District (District) receives notification of availability of a suite, the District will notify the Desert Regional Medical Center (DRMC) team of the vacancy
 - a. Following the delivery of the notice of vacancy to DRMC, DRMC will be provided 15 days to notify the District in writing of DRMC’s desire to lease the vacant space.
 - b. In the event DRMC provides such notification, the District will enter into negotiations with DRMC regarding the terms of the lease of the vacant space.
 - c. If DRMC and the District are unable to agree upon the terms of a lease within 30 days following the District’s receipt of the notification of interest by DRMC, the District may, at its election, continue to negotiate the terms of a lease with DRMC and/or seek other replacement tenants for the vacant space.
 - d. If following the 15 day notice of vacancy period DRMC has not notified the District of DRMC’s desire to lease the vacant space, the District will actively seek replacement tenants, showing the suite to generate interest, and acquiring information to ensure the prospective tenants meet the leasing requirements.

2. Prospective tenants will be required to be a medical office or provide related services. Prospective tenants will provide a completed application and financial statements for a background check. The District will execute a lease with qualified tenants



POLICY TITLE: LAS PALMAS MEDICAL PLAZA LEASE EXECUTION POLICY
POLICY NUMBER: LPMP-02
COMMITTEE UPDATE: N/A
BOARD APPROVAL DATE: 05/24/2016
Resolution 11-04 06-23-15

POLICY: LAS PALMAS MEDICAL PLAZA LEASE EXECUTION POLICY

Policy# LPMP-02:

GUIDELINES: It is the policy of the Desert Healthcare District (“District”) Board of Directors to provide a lease execution policy for the Las Palmas Medical Plaza.

1. The standard lease and lease terms, including lease and CAM rates, are to be reviewed annually.
 - a. Adjustments, if any, are made to the standard lease.
2. When a lease agreement or lease extension is prepared with a prospective tenant, the lease agreement/extension is presented to the Finance & Administration Committee for approval.
3. The lease agreement/extension is then forwarded to the Board of Directors for approval under the Consent Agenda.
4. Once approved, the lease agreement/extension is signed by the tenant and executed by the District’s Chief Executive Officer.



POLICY TITLE: FINANCIAL OPERATIONS
POLICY NUMBER: FIN-01
COMMITTEE UPDATE:: N/A
BOARD APPROVAL DATE: 06/28/2016

POLICY: FINANCIAL OPERATIONS

Policy #FIN-01:

It is the policy of the Desert Healthcare District (District) to comply fully with the financial statutes of the State of California as they relate to Healthcare Districts.

GUIDELINES:

1. The ultimate responsibility for the District's financial position and direction rests with the Board of Directors of the Desert Healthcare District (Board). Issues such as strategic planning, investment guidelines, funding of projects, major purchases or expenditures and operating budget are to be authorized at the Board level.

The Board has established a Finance Committee to provide advice and insight to the Board of Directors, Board Treasurer and District staff. The Treasurer chairs the Committee, with an additional Board member as second chair. The Committee is comprised of up to four (4) community members.

- 2.
3. The Chief Executive Officer is given the authority and responsibility for conducting the District's business within the framework of the Board's policies and governance. The Chief Executive Officer shall be held accountable to the Board for the financial performance of the District.



POLICY TITLE: AUTHORIZED CHECK SIGNERS, NUMBER OF SIGNERS,
DOLLAR LIMIT FOR SIGNERS, TRANSFER OF FUNDS

POLICY NUMBER: FIN-02

COMMITTEE UPDATE:: n/a

BOARD APPROVAL DATE: 03/22/2016

POLICY: AUTHORIZED CHECK SIGNERS, TRANSFER OF FUNDS, NUMBER OF
SIGNERS, DOLLAR LIMIT FOR SIGNERS

Policy #FIN-02:

It is the policy of the Desert Healthcare District's Board of Directors to prudently disburse funds of the Desert Healthcare District (referred to throughout as "the District") in order to maintain Board-level oversight. It is intended that this policy covers all accounts and disbursement activities of the District and the Desert Healthcare Foundation (referred to throughout as "the Foundation").

GUIDELINES:

1. Authorized signers on District and Foundation bank accounts are to be all Board Members and the Chief Executive Officer (CEO).
2. Checks under \$5000 only require one signature. The CEO may be the one signer for any budgeted item.
3. Checks over \$5000 required two signatures. (The CEO and one board member or two board members).
4. Checks payable to a check signer (or associated with the check signer) are to be signed by other authorized signers.
5. Transfer of funds are to be authorized by the District/Foundation Treasurer or Board President.



POLICY TITLE: STATEMENT OF INVESTMENT POLICY
POLICY NUMBER: FIN-03
COMMITTEE UPDATE: N/A
BOARD APPROVAL DATE: 06/28/2016
Resolution 16-01

POLICY: INVESTMENT POLICY

Policy# FIN-03:

GUIDELINES: It is the policy of the Desert Healthcare District (“District”) Board of Directors pursuant to Government Code Section 53646 to annually approve a Statement of Investment Policy.

1. District funds not required for immediate expenditures will be invested in compliance with the provisions of Government Code section 53600-53683.
 - 1.a Criteria for selecting investments and the absolute order of priority are safety, liquidity, and yield.
 - 1.b Investments will be made in a range of instruments and maturity dates to insure diversification and liquidity of assets in an emergency or when a large cash outlay is b

2. The Board of Directors authorizes the Chief Executive Officer to take all administrative actions necessary to resolve minor claims against the Desert Healthcare District which do not exceed \$2000.



POLICY TITLE: BUDGET PREPARATION
POLICY NUMBER: FIN-04
COMMITTEE UPDATE: N/A
BOARD APPROVAL DATE: 06/28/2016

POLICY: BUDGET PREPARATION

Policy# FIN-04:

GUIDELINES: It is the policy of the Desert Healthcare District (DHCD) Board of Directors (Board) to maintain Board-level oversight of DHCD expenditures through budgetary controls.

1. An annual budget proposal shall be prepared with the process directed and coordinated by the Chief Financial Officer/Chief Operations Officer, and the Chief Executive Officer. Monthly controls and financial reporting are to be put in place for each line item budget.
2. Prior to review by the Board of Directors, the Board's Finance & Administration Committee will review and discuss the annual budget proposal, in a meeting open to the public, subject to the Brown Act.
3. The proposed annual budget as recommended by the Finance & Administration Committee shall be reviewed by the Board at one of its meetings during the last quarter of every year prior to the Fiscal year commencing July 1st, unless otherwise scheduled by the Board, also in a meeting open to the public, subject to the Brown Act.
4. The proposed annual budget, as amended by the Board during its review, shall be adopted by the Board during the last quarter of every year prior to the Fiscal year commencing July 1st, unless otherwise scheduled by the Board, in a meeting open to the public, subject to the Brown Act.



POLICY TITLE: CREDIT CHARGE USAGE
POLICY NUMBER: FIN-05
COMMITTEE UPDATE: N/A
BOARD APPROVAL DATE: 06/28/2016

POLICY: CREDIT CARD USAGE

Policy# FIN-06:

GUIDELINES: It is the policy of the Desert Healthcare District (District) Board of Directors to prescribe the internal controls for management of the District credit card.

1. Scope. In general, it is the policy of the District to establish accounts with vendors for invoicing. Credit cards are to be used only for one-time purchases making account establishment impractical, or only for situations where payment by check is not possible (e.g., on-line trainings, etc.).
2. A credit card will be issued to the Chief Executive Officer or the Chief Financial Officer/Chief Operations Officer. The credit card will not be issued to or used by members of the Board of Directors.
 - 2.a All credit card bills will be paid in a timely manner to avoid late fees and finance charges, whenever possible.
 - 2.b All credit card expenses will be reasonable and necessary to the furtherance of District business. No personal expenses will be charged on a District credit card. If there is an overlap on a transaction between personal and District business, the employee will pay for the transaction personally and then request reimbursement by the District.
 - 2.c All credit-card transactions will have third-party documents (receipts) attached and the District purpose annotated by the cardholder.
 - 2.d The Chief Financial Officer will review and approve credit card transactions by all cardholders. The Chief Executive Officer will review and approve credit card transactions by the Chief Financial Officer/Chief Operations Officer. The credit card bill with receipts and purpose will be reviewed by the Finance & Administration Committee each month.