

**THE HEFFERNAN MEMORIAL HEALTHCARE DISTRICT MET IN SPECIAL SESSION ON THE 16th OF MARCH 2020 AT 608 HEBER AVE. CALEXICO, CA. CITY OF CALEXICO ON THE DATE, HOUR AND PLACE DULY ESTABLISHED OR THE HOLDING OF SAID MEETING.**

**TO CALL ORDER:**

The meeting was called to order at 5:30p.m. by Rodolfo Valdez and led those present in the pledge of allegiance.

**ROLL CALL-DETERMINATION OF QUARUM:**

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

**GUESTS:**

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

**APPROVAL OF AGENDA:**

Motion was made by Board Member Romo second by Board Member Martinez to approve the agenda for March 16, 2020. Motion passed by the following vote wit:

AYES: Valdez, Grijalva, Martinez, Apodaca, Romo

NOES: None

**PUBLIC COMMENT TIME:**

None

**DISCUSSION/ACTION ITEMS:**

1. Discussion and/or action: Update on Coronavirus preparations.

Mr. Virgen reported that the last couple of weeks there have been a lot of events just with the coronavirus and he wanted to inform that the equipment that most people need to prevent it's an N95 mask and a set of goggles. Unfortunately throughout the world they have abused whatever stock we had because we are not ready for this so there aren't any available. County mental health does not have enough stock, PD and fire department do not have enough stock and they are do about 37 runs is what they told him today and they have a few masks that they are using. The short story is that this is a very novel thing. It is a virus no worse than you see every year so far with your seasonal flu and actually and actually it may be less effectively. What happens is that it is highly contagious but the panic that has been created is the damage. Now how do we deal with panic? Number one we do no buy into it. What he wanted to brief the board with is on the

weekend he was having meetings with different individuals about what is going well and what we can do about it if there is anything we can do about it. One thing is that there are not enough test to test people for the coronavirus once people have the flu. Actually the county cannot get any and that is a conversation he had with them yesterday and today. So now there are a lot of people getting for it and once again it is how we deal with panic. He thinks the biggest concern is, it is like when people have cancer the first thing they want to know is how long do they have to live, can you get it out, if so when, if you don't know when then when will you know and let me know exactly what I have so I can do what I have to do. In the influenza season what people want to know is the coronavirus because right now that is the scare right now and the only way to tell is to do a test. There is no fast test it could take 2-7 days to get results and there are not enough kits out there.

Over the weekend they made a lot of phone calls to individuals around the world and there person doing the best work is South Korea. South Korea is doing 25 thousand tests per day in drive thru and they are the most effect. The United States as of this weekend they have done a total of 25 thousand. Now there are talks about a vaccine but that is going to take a while and we do not know what the effects are because it is brand new. So if we are not ready for this one we need to make sure we are ready for the next one. They have had some conversations and he thinks that at the end of the day yesterday they came up with a very aggressive plan. Tony and he have been meeting with providers. They met with Dr. Vo who happen to have a couple of tests that he could do in his office. They went off to one of the labs and they said they could commit to 10 a day and they said that was not enough. There are 175 thousand people. So after a long conversation they said look if you get the right equipment they can do 30-40 a day and they will commit to it. Mr. Virgen told them to set them aside and he told them not quote him on that because he needed to call an emergency meeting with his board because he thinks the equipment thing is something we can do. We found the equipment that we need to do but obviously even though they said they have it in stock it has been taken away from them. They do not have it. It is somewhere in limbo all the equipment. So right now they talked to two suppliers and one of them told them he needed poppers at least 5 because there are people that are going to be doing the swabs and we identified the site. Now what do we need? We need a provider somebody who is willing to do it because we need a provider. Which would be Dr. Vo. El Centro turned it down. They do not want to do the testing and Pioneers said the same thing. So we thought about it we have a doctor, a site we can use, we have a test which nobody has including the county because the county wants to know where we got them as of this morning. They want to know where we got them because they do not have enough and they need the equipment.

Mr. Virgen presented to the board the type of equipment that we need to purchase. This is what we need to get the test done. We have the test kits, the site, we have staff that knows how to do the swabs with Dr. Vo's office. We do not need to put anything. All we need is the equipment and if we can get access to any mask or any wipes to clean around the area that is all they need help with. This is only to protect the person. The kit comes from the lab and the swab comes from the lab and persons insurance covers for it. We do not get involved with that. We just provide the need and supporting the program. If we as a district wanted to do this we would have to go through miles of red kit that means county public healthcare. This morning we had an emergency meeting with the city. The fire was there and the police was there and we talked about all the possibilities and we knew they were going to tell us about that this cannot be done for so many reasons. Mr. Virgen told them to not tell him what he can't do but tell him what we can do to make this happen. At the end of day they wanted to make sure that we talked to the county which they did. We talked to LAFCO before we talked to anybody else and they said this is a good project run with it. That is when we started to get everybody involved. Tony and he called every provider they could find that carry this equipment and only two gave him dates on for dealing.

Number one said they have it but then they didn't and April 1<sup>st</sup> is the date they can get the 5 PAPR's. This is a great thing to do for community. If we want our patients to know that they have it. They are going to be screened and once screened they are going to be given directions on where to go. Mr. Virgen showed a video on how the tests are going to be done. Test will be conducted in the care only by appointments and referred patients. The test results will take could take 2-3-4 days is what they were told but the turnaround time is 48 hours.

Board Member Martinez asked that once we purchase this equipment are we donating it or is this a loaner and Mr. Virgen replied that this is only a loaner. This equipment will be used again and stay with us forever. Hopefully we will use again in another decade if not it will be storage when needed.

What Mr. Virgen wanted is to get authorization from the board to approve 25 thousand dollars for emergency supplies. We can get masks and purchase this equipment. Board Member Grijalva recommended going up to 50 thousand dollars. Whatever is purchased he will inform Mr. Valdez.

Mr. Rivera is concerned about the fact that you are making a 50 thousand dollar expenditure, your sole sourcing it, you have made commitments without any notice but take that into account if you wish to go ahead authorize it. The agenda does not call for it. Mr. Virgen informed Mr. Rivera that commitments have been made hypothetical. There have not been any commitments signed or anything else but we have been talking hypothetical in how we can do this and this is why this conversation is here. I would like to approve it but at the same time and he has worked her long enough and if we start walking through red tip we will never do anything. LAFCO gave us the go ahead. The board can do this if they decide it is an emergency and that it is due able and he assures the board that if they do the best that they can and if we ever have to go to cooperator we are going to be okay because you are trying to protect the public and what he wants to do is try and make sure that the county comes over and say they will help with screen and staff. If they do that then homerun but right now they can't because they do not have the proper equipment. Mr. Rivera informed him that the problem with that there is absolutely no notice to anybody about what he has been doing in the past couple of days. You have an urgency that is a for seeable urgency but it is a contingent urgency then you way that with notice to the public then you single source and then you single source the distributor and the source and the question becomes how is the board protective from all of those activities. You have an agenda that has nothing once or ever to do with to topic of this conversation and you have nobody here who can address it and it was calendared at an 8:00 hour on a Monday which is not the usual hour and instead of taking action now calendar it within 24 hours at a 5:30 meeting you give notice you give notice that there has been a new consideration of expenditures of district funds in regard to the coronavirus and that you are going to enter into some type of agreement with a medical provider. If you would have had that on the agenda he thinks it would have had more information, it would have had the money out that you are going to commit that is even better for the protection to the board. But right now the board is going to take a vote to purchase property, to authorize expenditures of 25 or 50 grand and enter into agreement with Dr. Vo who is going to benefit financially and not give anybody else the opportunity to participate. That is the only problem he for sees for the board. Mr. Virgen thinks they have a bigger problem and that is Mr. Rivera and him failed the board and the reason why is because if he calls you and it does not matter when he calls he expects a call back asking why are we having an emergency meeting and we clear that up before we come here. That is his point of view and professional opinion. If you have bigger concerns about it call him and address to him over and done with. Now you don't have to do nothing tonight. We had a lot to talk about and we know the equipment is not going to be her until April 1<sup>st</sup>. We can wait a couple of days.

Board Member Martinez agrees and that was going to be his next suggestion. He sees the agenda and he just sees the coronavirus preparation and from previous experience in past year whenever we purchase something we have to notify the public in advance saying a total amount and sometimes we amend it and add more or tack away. His opinion is he is all for buying the equipment but he wants to do how they have been doing it before and he wouldn't mind coming back in two days to give the public notice with expenditures and any other legal procedures that we have to follow if any but as Mr. Virgen said if we wait a couple of days and we just notify he thinks it would be better.

Board Member Valdez asked the board, that now that we have heard the plan or the proposal and the concerns of the legal plan point of view does anyone on the board have an agreement and Board Member Apodaca agrees with Mr. Martinez. She is in favor of purchasing the equipment to help the community and working with Dr. Vo but she would like to invite other providers and even if they do not do it at least we invited other providers. Why not have an emergency meeting with all the providers and it will cover all of us.

Board Member Grijlava opinion is that the agenda says update on coronavirus preparation and they updated us on it and she thinks we should go ahead. Also about the credit we have always had problems on trying to purchase high things and the limit is too low. We need to up the amount. We are in an emergency and she is all for it.

Board Member Valdez is also for it but the thing is if we can address the concerns of the attorney and wait for a couple of days or a week since the equipment is not going to be here until April 1<sup>st</sup>.

Mr. Rivera informed Mr. Valdez that the concern is placing the immediate order like tomorrow because of lack of availability or somebody else coming in and under cutting the request. The problem is that he had no idea what the plan was and he was available all day by phone and he received a text about 8:30 in the evening to call Brenda and that is what he did and she had no idea what it was about and he did not know what it was about until today. Yes Mr. Virgen and he should be on the same page and he thinks that we are except this isn't an emergency meeting. This is a special meeting. An emergency meeting is very different and there are very specific requirements for what constitutes an emergency. This doesn't constitute an emergency under the guideline of the brown act. The problem becomes whether or not the board wants to authorize it, announce it specifically what we are going to do, who you are going to do it with and what it is so we can get it in the motion and then we just defend ourselves the best we can. The preferable way and his opinion is that we put down everything on the agenda that was going to be discussed. We could have gone into trade secrets but not there's not even trade secret because he was not aware that we would be doing some type of involvement with a doctor. It was all a miss communication.

Mr. Virgen informed the board that we will take some time the next meeting and get three quotes from different vendors. Let's meet on Wednesday if everyone is available and cover it the right way. Let him get the quotes. He cannot cover what is out in the market but we will cover the district and hopefully the health department can find the equipment and pay for it. But he does not think that is going to happen.

Mr. Rivera informed Mr. Virgen that he completely misunderstood what he said. What he was trying to say that in order for the board to go ahead with his recommendation is to put it on the agenda period at a minimum and that does away with getting quotes, does away with making the program available to other medical providers in the area. You go directly with what you want to do but you put it on the agenda with what you want to do.

Board Member Martinez concern is that even though we are providing this equipment to Dr. Vo. Dr. Vo is the one that is gaining from that. Like you said he is the only one who has the test or he doesn't know who has the test but he is going to be the only one is going to have that test for a while because the Imperial County Health Department hasn't come up with it or something like that. So why him and not open to other providers is his question. Board Member Apodaca feels that we should open up to other providers. Board Member Martinez just wants to know why he and Mr. Virgen responded that it is because they do not have the test available.

Mr. Rivera's recommendation is that we go with Mr. Virgen's recommendation and that you just place it on the agenda. You place it on the agenda and at least you have that protection for the board. He does not know if anybody is going to say if you act today but in case they do it could be hard to justify the action taken today based upon this agenda. Mr. Virgen agrees with Mr. Rivera and on Thursday he has a LAFCO meeting at 8:30 am and that is our meeting where they are going to propose the changing and review. That is coming up on Thursday and Mr. Rivera is right and needs to be placed on the agenda and it could wait but it needs to be on the agenda and he is going to get all the information.

Board Member Romo opinion is that we call an emergency meeting on Wednesday. It is different than a Special meeting. An emergency meeting is no problem and we need to take action at this moment because it for the coronavirus and is the biggest problem for all United States. Board Member Valdez understands that but just like our counsel just showed us the agenda does not say emergency meeting it says special meeting. Board Member Romo knows that, she means for next Wednesday meeting.

Board Member Martinez would like to agree on an amount to add to the agenda before we make a motion to have a meeting. He recommends on 25 thousand dollars.

Motion amended was made by Board Member Apodaca and second by Board Member Martinez to approve having a meeting on Wednesday and include all the ideas that Mr. Virgen needs with the cap of \$25 thousand dollars. Motion passed by the following wit:

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

**ITEMS FOR FUTURE AGENDA:**

the item approved above

**ADJOURNMENT:**

With no future business to discuss Board Member Martinez made motion to adjourn the meeting at 9:03 p.m. Second by Board Member Romo. All in favor.