

**THE HEFFERNAN MEMORIAL HEALTHCARE DISTRICT MET IN REGULAR SESSION ON THE 17th OF MAY 2023 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	Sylvia Bernal
Secretary	Raul R. Urena
Treasurer	Paloma Sanchez
Trustee	Adriana Armendariz

**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 Bernal second by Board Member Sanchez to approve the agenda for May 17, 2023. Motion passed by the following vote wit:

AYES: Rodolfo, Bernal, Urena, Sanchez, Armendariz

NOES: None

**PUBLIC COMMENT TIME:**

Blanca Morales has been a resident of Calexico for the past 5 years and thinks she is a tax payer for the past 5 years. She has a lot of history with Heffernan.

**CONSENT CALENDAR:**

- a. Approve minutes for meetings of April 12, 2023 and April 19, 2023.
- b. Approve Treasurer Report.

Motion was made by Board Member Bernal and seconded by Board Member Sanchez to approve the minutes for April 12, 2023, April 19, 2023 and Treasurer Report. Motion passed by the following wit:

AYES: Rodolfo, Bernal, Ureña, Sánchez, Armendáriz

NOES: None

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

Board Member Urena attended a Mental Health meeting and has nothing to report.

Board Member Bernal reported that she went to the Board of Supervisors yesterday and apparently this week is special district week and we received a proclamation. She was happy to be there to receive it.

**REPORTS BY ALL HMHD COMMITTEES**

None

**COMMENTS BY TONY PIMENTEL**

Mr. Pimentel reported that he added the information of the Assembly 918 to our web page.

**COMMENTS BY EXECUTIVE DISTRICT MANAGER:**

Mr. Virgen reported that there a couple of small repairs that they will be doing around the building and are all under budget. There was a pipe crack under the building and a broken window that we are going to have to replace.

**COMMENTS BY GENERAL COUNSEL:**

None

**DISCUSSION/ACTION ITEMS:**

- a. Discussion and/or Action: Assembly Bill 918.

Mr. Virgen reported that a few days ago this item was discussed and questions were answered.

Board Member Bernal reported that she thinks she was one of the persons that were a little bit undecided of which way to go at first. She went with LAFCO and after she heard the presentation because naturally she has to hear both sides before she has to make any type of a judgement call on it and she was happy to see that there were changes made to the bill and she is personally okay with the bill.

Board Member Armendariz reported that regarding the meeting they had with the Assemblyman Garcia she still has questions that were not answered and she is not in favor of it. There were two major questions that were asked and not answered and that is why she will not move forward.

Motion was made by Board Member Bernal second by Board Member Valdez to approve the Assembly Bill 918. Motion did not pass by the following vote wit:

AYES: Valdez, Bernal

NOES: Armendariz, Sanchez

UBSTAIN: Urena

- b. Discussion and/or Action: Consideration of approval of security contract for the 400 Mary building after 09/15/2023.

Board Member Armendariz questioned if this should be going out to bid to have the security monthly expense instead of having Southwest Protective Services to do that. Board Member Valdez answered that they are not working for us. They are working for the contractors and they are not contracted by us. This is just a suggestion by the contractor for the company that they use but that doesn't mean we have to use them. The date that the security is going to end is 9/15/23 and he also believes that if everything goes right we might have that building done if not we will be contracting for maybe a month. Board Member Armendariz would like this item to go out for bid.

Motion was made by Board Member Armendariz second by Board Member Sanchez to approve the security contract after 9/15/2023 contingent on RFP being requested, 2 that the work is completed and 3 if the need for the work is not necessary the proposal will not be accepted. Motion passed by the following vote wit:

AYES: Valdez, Urena, Sanchez, Armendariz

NOES: Bernal

1. Update on 400 Mary modernization project.

Mr. Virgen reported that everything is the same as the last meeting.

Board Member Sanchez stepped out of the building before Dr. Tyson made his comments.

Dr. Tyson commented that we have been pushed back and pushed back because of this construction company and he feels that we are losing faith and they should have known better all of these things well in advance of proposing four and half million dollar project. He does not know what the board can do but he would actually like to audit the construction company and find out where they spent their fund and maybe pull the contract and use it for somebody that can probably get this done in a heartbeat without all these change of orders. The longer we push this off the more money we are losing because they have hired a bunch of staff to open this and they were told this back last October. We were supposed to open September and last October we were told the exact same thing by Mitchell Builders that we were not going to have no problem and that we should be open by April and April comes now we are talking about October or November again. How much longer do we have to lose money in somebody who clearing doesn't know what they are doing? They promised us 10-12 workers a day and he does not live here but every time he goes out there, there is nobody. They find maybe 1 or 2 people on the job site. He recommends on looking into getting another contractor to finish the job.

Board Member Sanchez returned to the meeting.

c. Discussion and/or Action: Scholarship Program:

1. Announcement and approval of qualified applications for HMHD's scholarship.

Board Member Armendariz reported that they just need to pick a date to go purchase the supplies that will be given to the students.

2. Discussion and consideration of conditionally approved scholarships pending final verification.

Mr. Virgen informed the board that there is one scholarship has not submitted grades. All he can tell the board is that she is a full time student. Documents were sent but not complete yet. The grades are missing. They have not given out grades yet. This could come back to us once they get their grades otherwise there is no reason to move forward.

Mr. Virgen reported that the second scholarship that was pending turned in the letters of recommendation but were the same letters of last year with only the date changed.

Motion was made by Board Member Bernal second by Board Member Sanchez to approve the scholarship for Bryanna Cardenas if she provides the grades and meet the requirements. Motion passed by the following vote wit:

AYES: Valdez, Bernal, Urena, Sanchez, Armendariz

NOES: None

d. Discussion and/or Action: Approval of HMHD's Final Budget for FY 2023/24.

Blanca Morales has been a resident of Calexico for the past 5 years and thinks she is a tax payer for the past 5 years. She has a lot of history with Heffernan. One thing that she would like to question before the board approves the budget is the 500 thousand dollar listed as asset and can the board please explain that. Board Member Bernal informed the public that it is for Mega Park. It is the land we have for 14 acres, which we have had for over 10 years and is surprised that Mrs. Morales was not aware of this because it has been discussed many times. Mrs. Morales did some research and found a promissory note and has already expired. She would like for the board to explain to the public where they are at with that because that is tax payers money and that is a lot of money and right now she knows that we are in discussion in forming a one healthcare district, which is a great idea but there is a lot of money here which Heffernan has spent and thinks that is something that the public needs to know.

Mr. Rivera informed the public that the 500 thousand dollar promissory note is secured by a deed of trust. That is part of the overall financial aspect of the district. It's an asset. We hold a lien that has to be satisfied by the owners of Mega Park once they sell that particular piece of property it accruing interest and the interest if he is not mistaken is 800

thousand dollars and now we have that secured and the promissory note that is out of date but the lien on the property by the a deed of trust is attached so that keeps the district secured. Mrs. Morales recommends to have that be listed as an asset on the report so the take payers of Calxico are aware of what is happening.

Motion was made by Board Member Bernal second by Board Member Urena to approve the HMHD's final budget for FY 2023-24. Motion passed by the following vote wit:

AYES: Valdez, Bernal, Urena, Sanchez, Armendariz

NOES: None

- e. Discussion and/or Action: Approval of attendance by the Board of Directors to the annual ACHD conference September 2023.

Motion was made by Board Member Urena second by Board Member Armendariz to table this item until they receive the total cost of the conference. Motion tabled by the following vote wit:

AYES: Bernal, Urena, Sanchez, Armendariz

NOES: None

UBSTAIN: Valdez

- f. Discussion and/or Action: HMHD Service Area Plan contractor information and review of cost estimates.

Mr. Virgen reported that he was given direction by the board to get cost of estimates. He requested information from LAFCO and they sent him two names of agencies. One is from San Diego and the other is a local company and on top of the Mr. Rivera and he are getting together to how much we can do on our own to try and reduce the cost. They should of all that by the middle of next week.

This item will be tabled for the next meeting.

- g. Discussion and/or Action: Consideration of HMHD health fair (date, place and additional health/city participants).

The marketing committee will meet to discuss and bring ideas back to the board for discussion.

- h. Discussion and/or Action: HMHD's grants and authorization for release of Request for Proposals.

Motion was made by Board Member Bernal second by Board Member Armendariz to approve 25 thousand dollars healthcare grants. Motion passed by the following vote wit:

AYES: Valdez, Bernal, Urena, Sanchez, Armendariz

NOES: None

- i. Discussion and/or Action: Review and consideration of costs for transmitting HMHD's board meeting via Facebook or other media outlets.

Board Member Armendariz would like for the meetings to be Facebook live as she has mentioned before. Its transparency and she is not saying that we are not and as it is we have full house right and sometimes its empty and full. It does not cost much and to give the opportunity to our community to see our meetings that are not able to attend.

Board Member Valdez is not in favor because these couple of years we had zoom meetings there were only 1 or 2 participants. The transparency is right here with the people that are here attending the meeting. He thinks Facebook will bring a lot of problems from the community comments and comments that may hurt some people's feelings and start answering and he does not think we can do that.

Board Member Sanchez commented that the audience is always depending on the agenda and it's like any other meetings for the districts. She thinks that according to the agenda or the topics that are going to be discussed is the audience that we have because not all the time do we have the audience that we have right now. If people already do not make the time to come or to connect she thinks we should just leave it out there. It's their choice and their time and she agrees with it.

Motion was made by Board Member Armendariz to approve having the board meetings Facebook live.

Board Member Urena recommends having it recorded on YouTube for the community to go back and listen to the meetings whenever they can.

Board Member Armendariz withdrew her motion.

Motion was made by Board Member Armendariz second by Board Member Urena to table this item and bring back with more options that can be provided. Motion tabled by the following vote wit:

AYES: Bernal, Urena, Sanchez, Armendariz

NOES: Valdez

Mr. Virgen requested if there was possibilities go bring back item 12A back because have public that came in late and would like to have an opportunity to discuss.

Motion was made by Board Member Armendariz to not open for discussion item 12A. We have already voted and have been discussing for a long time and would like to keep the vote as is. No second. Motion dies due to lack of votes.

Motion was made by Board Member Bernal second by Board Member Sanchez to open up to public comments to hear those that came in late out of courtesy to allow them to speak. Motion passed by the following vote wit:

AYES: Valdez, Bernal, Urena, Sanchez, Armendariz

NOES:

## **PUBLIC COMMENTS:**

A representative from Assemblyman Garcia's office commented that Mr. Garcia was under the impression from last week's meeting that all questions and concerns were answered and felt the board comprehended the bill to the full extent.

Board Member Urena informed the public that he has not heard LAFCO's side and that is why he cannot decide at this time.

Board Member Sanchez asked if the meeting with Mr. Garcia was to explain what the bill is about or was it to persuade us to vote on it. The representative responded that it was to explain. He mentioned that he was here to answer any questions and concerns that the board had. It was for the board to know the full extent of the bill. Board Member Armendariz commented that she did ask two questions and one question was how much more will our citizens going to pay on this tax, if it was going to be more or less and there was no answer and he did not have an answer and he did reply that. The second question was how much El Centro Regional was going to take from the hole they are in and he did not have answer to that. Board Member Sanchez also added that they did not get a set straight answer as to the tax payer if it was going to be equally adding El Centro because they can refuse to not pass that vote. The representative replied to Mrs. Sanchez that he did answer that question with it was up to the board to make those negotiations when it involves with tax and also when it involves El Centro's debt. Board Member Armendariz commented that she had said that it was really important for our citizens to know because there is a lot of information that do not know and that is incorrect that is out there and is only fair for the citizens of Calexico to know those answers because it is going to affect them. That is why she does not feel comfortable.

The representative from the Assemblyman's Garcia office elaborated more on the Assembly Bill 918 for the board to understand.

Board Member Sanchez would like to open up the vote again for the bill however she would like to have all three districts again. She is for the one health and thinks we all have the vision of the one health district but there pieces in the puzzle that are missing and have not been cleared.

Board Member Urena asked if LAFCO was contacted for a presentation. Mr. Virgen responded that they were and they sent out a document for the hearing and the board is going to receive a copy. Right now they are not going to do a presentation but eventually they will. What they are working on right now is the application. They are sending out the letter and moving on it which the board will be getting a copy of.

Motion was made by Board Member Urena second by Board Member Bernal to approve bringing back and vote again item 12A Discussion and/or Action: Assembly Bill 918. Motion passed by the following wit:

AYES: Valdez, Bernal, Urena, Sanchez, Armendariz

NOES: Armendariz

Board Member Armendariz questioned that Mr. Urena being an employee of El Centro Regional Hospital is there a conflict of interest? Mr. Rivera replied, that there is a specific state statue in the government

code that says any employee of a public agency which El Centro Regional is because of his employment with a public agency does not have an economic conflict of interest. The answer to the question is no.

Motion was made by Board Member Sanchez to table this item.

No second, item dies due to lack of votes.

Motion was made by Board Member Valdez and second by Board Member Bernal to approve Assembly Bill 918. Motion passed by the following wit:

AYES: Valdez, Bernal, Urena

NOES: Sanchez, Armendariz

**ITEMS FOR FUTURE AGENDA:**

Discussion and/or Action: Approval of attendance by the Board of Directors to the annual ACHD conference September 2023.

Discussion and/or Action: HMHD Service Area Plan contractor information and review of cost estimates.

Discussion and/or Action: Consideration of HMHD health fair (date, place and additional health/city participants).

Discussion and/or Action: Review and consideration of costs for transmitting HMHD's board meeting via Facebook or other media outlets.

Gym Equipment (surplus)

Independent Contracts

Lease with Dr. Tyson

**ADJOURNMENT:**

With no future business to discuss Board Member Armendariz made motion to adjourn the meeting at 7:10p.m. Second by Board Member Urena. All in favor.