

**Chicano Latino Affairs Council**  
Special Council Meeting to evaluate Executive Director H. Garcia  
10/09/10

**(RAUCUS)**

1:10:35

**Antonio:** I would like to propose, that we, you know, we don't have any vacancies, unfortunately, in our staff, because I think his set of skills would be great for community liaison. But unfortunately, that position's been filled. So I would like to propose, you know, to let go of Hector, and find somebody that can give us leadership, in a point of reference, because we do not have, the process will be long, and we need to create a Biennium Plan. I would like to propose to us Mario. If he can give us leadership...

**Mario:** Hang on, hang on, hang on a second. First of all, I've got to clarify something. Clarify, one motion at a time.

**Antonio:** My motion was, is at the time...

**Rick Aguilar:** You're proposing him get the job? Wow!

**Some BM & Guests:** clapping and laughing and hooting. Individual voices cannot be identified-

Note: at this point, various people begin speaking at the same time

**Mario:** Wait a minute!!

**Antonio:** That's not what...that's not what I said!

**Rick Aguilar:** This guy, man...

**Pablo Murillo:** We're back in Russia

**Rick Aguilar:** This guy is a cancer. This guy is a cancer

**Mario:** Point of order! Point of order!

**Manuel Guerrero:** Lizano, you should resign from this Board!

**Mario:** Point of order!

**Manuel Guerrero:** You should resign from this Board!

**Rick Aguilar:** ???: Oh, that's...

**Pablo Murillo:** Still working with tax money here

**Mario:** We cannot...

**Mario:** No more shenanigans, gentlemen, please.

**Manuel Guerrero:** And you too, Mr. Chair!

**Manuel Guerrero:** You should resign too! Look at what you're doing here! You want this job!  
You want this job, because you're the one who wants this job! And you should resign!

**Mario:** Point of order! Point of order!

**Manuel Guerrero:** You're destroying this Council!

**Mario:** Point of order! Point of order! Point of order!

**Nick:** Let's bring the meeting back to order...

**Antonio:** Excuse me, sir, if you cannot control yourself, please remove...

**Manuel Guerrero:** I'm leaving!

**Alma:** No you can't! Because he's one of the founders! Please Mr. Guerrero, don't...

**Manuel Guerrero:** No!

**Alma:** No, don't leave! We owe you this...

**Manuel Guerrero:** You are, you're a dysfunction! And you are causing a dysfunction!

**Antonio:** Sir...

**Mario:** Point of order!

**Antonio:** If you would like to talk to me, you can see me at the end of the Council. I'd be happy to discuss...

**Manuel Guerrero:** I want all of you guys to know, that I've investigated this guy (referring to BM A. Lizano) and he has, he, he has tried, he's, he's guilty of this! He's a conflict of interest!

**Antonio:** Sir, sir, I'm sorry, did everybody hear those comments? Because I'm going to sue. I'm going to put it on tape...

**Mario:** Council Member Lizano... Point of order, please.

-various voices at once-

**Mario:** Point of order!

**Antonio:** I'm going to take [inaudible] for defamation of character!

**Alma:** Please, please don't go

**Antonio:** Defamation of character!

**Alma:** You're a founder!

**Mario:** Alma...

**Alma:** Please sit down, please!

**Mario:** Please sit down.

**Alma:** Please don't go

**Edgardo Rodriguez:** Thank you

**Manuel Guerrero:** He's unemployed and he wants his job! (Referring to Chair Vargas)

**Michael Medina:** It's obvious!

**Mario:** Please sit down

**Alma:** Please, don't

**Mario:** Point of order

**Antonio:** Defamation of character!

**Manuel Guerrero:** I apologize

**Mario:** For the record...

**Edgardo:** Just do a counter wall

**Mario:** ...these shenanigans cannot continue. We're going to have to conclude and come to a successful conclusion of this meeting. I ask you to please respect the process and respect each other in moving forward. Council Member Lizano...

**Manuel Guerrero:** Mr. Chair, I apologize for my outburst

**Mario:** Council Member Lizano, what is your specific motion?

**Antonio:** My specific motion is to demote, and to let go, Hector

**Mario:** Those are two different (-people talking over one another-) Those are two different... hang on a second...

**Antonio:** To let go Hector

**Mario:** A motion has been made for the dismissal of our Executive Director. Is there a second?

-silence, except for some rustling papers-

**Mario:** Seeing as how there is not a motion, the motion has not been seconded, the motion fails. Now, we all need to regroup. Ladies and gentlemen, what is the next step? These two recommendations have failed, we need to come to some type of successful conclusion, in terms of what we want to do moving forward. I just need to remind the Board.

**Michael:** I'd just like to make a proposal..

**Mario:** One second. Let me just finish. I'd like to remind the Board that according to statute, we require six votes of the majority for the dismissal of our Executive Director

**Manuel Guerrero:** Excuse me.. Excuse me...

**Mario:** So that you know...

**Adriana:** We didn't even have a motion. We didn't even have a motion

**Mario:** No, no, no. But bringing clarification in case, uh, there is, there is, uh, for public knowledge here.

**Manuel Guerrero:** Point of order, it's eight. According to the statute...

**Mario:** Point of order, sir, you are not allowed to speak...

**Manuel Guerrero:** According to statute (muffled words)

**Mario:** Point of order, sir, you are not allowed!

**Michael Rosario:** Sir!

**Manuel Guerrero:** I'm just...

**Mario:** You are not allowed to speak, sir. The body has not granted you the opportunity to speak, please respect that.

**Manuel Guerrero:** May I have the opportunity to speak? May I have the opportunity to speak?

**Michael:** You've asked and it's been answered, sir.

**Mario:** Go ahead, go ahead.

**Nick:** I have a question. The state requires that we do a yearly performance evaluation, correct. And as far as I know there is still a current (pay freeze?) for state employees if we just submit the performance evaluation as is to the...

**Mario:** Let me just get back to the... According to HR, Nick, we've not gotten word yet that there is an increment freeze on the staff. And we will know in January, just point of clarification.

**Nick:** So, there doesn't really need to be a motion here. We can just submit, the Board has performance evaluation, submit it to HR to follow their things, and then it gets filed away, correct?

-several voices agree-

**Nick:** So there, we've had two motions, and they've both failed, there's really, I mean, there is, sorry, I mean, there is no action that the Board really needs to take, except that we completed our yearly evaluation as required by statute and by the policies and procedures, and now we're going to pass it on to HR, or whoever it goes to.

**Mario:** Go ahead, Michael

**Michael:** More than my motion, more than my concern is, in the spirit of fairness, there are obviously some very legitimate concerns that we have about your performance, Hector. And I think that as a Board disconnected or not disconnected, we'd be remised to not try the minimum of very specific goals, and then revisit them, with the purpose of conclusion. That conclusion being that you are the man for this job, or apparently you are not. My motion is that, I don't know how that works in conjunction with HR, is, in the spirit of fairness, that we revisit this six months from today. Six months being an appropriate period, or, I don't know, you know what, the legislative committee starts in January. I mean, is anyone on the Board want to help me flesh out this motion? My concern is that at some point we want to be fair, but we want to be clear. I hope that this evaluation, the concerns of the committee have been redundantly clear.

**Edgardo:** I'll help, let me flesh out your motion. I did not dislike the idea of a personnel committee; I just disliked the purpose of the committee, which was to mentor. I think that if you can just do the motion to have that committee established, to establish what is it that, it would have to come back to the Board for approval because a committee cannot make decision, but at least it makes recommendations to the Board what is it that we want to do. What do we recommend doing for, uh, as you know, and Hector agrees, that he hasn't met the requirements of the Biennium, because if he agrees that he meets the requirements of the Biennium, then there is nothing to do. Ok? So does that help you?

**Michael:** That does help. I guess that was my...

**Mario:** Is there a motion to be made?

**Michael:** We're going to make it. And that was my concern with Adriana's motion, while in its spirit I thought that it was sound. I don't want to find myself in a place having to mentor Hector. You're professionals, you're adults. My motion is, that given the current state of the evaluation, we form a committee to sit with Hector and lay out clear expectations, in which we set out a timeline for these expectations to be met. And that failure to have these expectations met, and as long as you understand that you were helped and assisted, we're prepared to do that, that failure to have these expectations met that, you know, we can conclude our motion.

**Edgardo:** Second to motion.

**Mario:** The motion has been seconded.

**Nick:** Pertinent to the discussion, possibly a friendly amendment, uhm, would it, not knowing who the committee members are at this particular point in time, do people see that possibly this work could be done by the November meeting? Because our next meeting would not be until February.

**Mario:** Would you like to amend...

**Edgardo:** We already voted on the motion. Make a recommendation.

**Nick:** So I would, friendly amendment is that, if the committee is formed, that recommendations be brought to the Board for approval at the November, regularly scheduled November meeting.

**Mario:** Any more discussion before we...?

**Antonio:** Yeah, just want to, uh... So the six months start today? Or will they start in November?

**Edgardo:** There was no six months in that motion. The committee is going to look at it.

**Mario:** The friendly motion is that is it possible for it to be done between now and the, uh, November meeting.

**Adriana:** That's in a month

**Edgardo:** I think, I think, we want to be fair, and we want to be good, the committee has to have a recommendation by November, because we can't wait any longer on making clear what is it that the expectations are. I think we just have to put in the time and...

**Mario:** Alma

**Alma:** Make recommendation, we have a month from today to November to make recommendations of what he needs to do, or by then have a recommendation of, if he doesn't do A, Y, Z between now and November or to develop the recommendation.

-everyone speaking at once-

**Mario:** A recommendation has been made for us to, uhm, ask this committee to have a specific recommendation to the Board by our November board meet, which as of today is set for November 13<sup>th</sup>, uh, and uhm, is there a second to the friendly amendment

**Adriana:** To set up results, right?

**Mario:** Having a time frame from now until the next Board meeting in November

**Edgardo:** To recommend to the Board

**Alma:** To make recommendation to the Board as to, yeah

**Mario:** Is there a second to that?

**Edgardo:** Second

**Mario:** Your friendly amendment has succeeded and it is now part of your motion, sir.  
Anymore discussion?

**Michael:** Except to say that, for starters, I would like to volunteer myself to be a member of this committee.

**Mario:** Any other members interested in joining that committee?

**Antonio:** I would like to be part

**Alma:** No!

**Alma:** I would be interested in that.

**Mario:** So we have four members interested, Michael...

**Nicholas:** Maybe we should take a vote on the Motion first..

**Mario:** The discussion has ended. We're going to have to vote Michael Rosario's motion, which has been amended, to create a committee which will set expectations six months expectations for our Executive Director and delineates specifically where he, the areas of improvement and direction for how to make those improvements, in terms of his performance, and the committee is tasked to bring to the Board, the November Board meeting, the next Board meeting, the results of their recommendations.

**Michael:** I want this to be very specific, with the understanding that under this condition required under this timeline...

**Mario:** In the proposal, if, is, the expectation that there will be consequences if that performance is not met.

**Michael:** Without a shadow of a doubt. Without discussion

**Mario:** All in favor of the committee, raise your hand. Signify by raising your right hand, please

-vote occurs- All in Favor

**Mario:** Let the record show a unanimous vote in favor of the creation of a committee.

-at this point the meeting discusses office location-

Guests exit the meeting