



Chicano Latino Affairs Council
Special Board of Directors Meeting Minutes
 January 15, 2011

REVISED

Board Members: BM Mario Vargas, Chairman; BM Alma Garay-Lehn, Vice-Chairwomen; BM Rebeca Sedarski, Secretary; BM Adriana O'Meara, Treasurer; BM Antonio Lizano; BM Nicholas Juarez; BM Edgardo Rodriguez; BM Michael Rosario; BM Teresa Dawson; BM Maricruz Hill; BM Francisco Morales (Via Conference Call)

Staff: Hector Garcia, Gladys Rodriguez, David Espinoza, Astrid Ollerenshaw

Guests: Elia Bruggeman, NWSISD; Manuel Guerrero; Pablo Murillo; Elsa Vega Perez; Erick Garcia Luna; Gerardo Bonilla; Maureen Acosta; John Milton, Reporter and former State Senator; Sam Hernandez, Sunsol Enterprise; Michael Medina, Mexican American Post 5.

Agenda Item	Discussion/Action Summary/Motions Adopted	Follow-Up/ Timeline	Person(s) Responsible
Welcome & Review of Agenda <i>Chairman M. Vargas</i>	<p>The meeting was called to order at 10:10 a.m. by Council Chairman Vargas with Quorum established.</p> <p>Director Garcia makes request to have the Executive Director Performance Plan Discussion open.</p> <p>The agenda was presented with the purpose and outcomes. BM N. Juarez makes a Motion to accept the agenda without any changes; BM A. Lizano seconded the Motion, All in favor. Motion carried unanimously. The agenda was adopted.</p> <p>BM A. Garay-Lehn makes a request to wait until conference call participants have joined in. BM A. Lizano makes a Motion to reverse the items on the agenda to allow conference call participants to call in; Motion seconded by BM T. Dawson. All Opposed, Motion failed.</p>	<p>← Motion carried to approve agenda</p> <p>← Motion made and Failed</p>	
Executive Director: Performance Plan Discussion <i>Committee Chair M. Rosario All Members</i>	<p>Chair Vargas shares that the Personnel Committee has been meeting consistently to talk and discuss the performance of the ED and the progress associated with that. A 6-month performance plan was developed by this committee; it was ratified and approved by the Board in November 2010.</p> <p>BM M. Rosario, Chair of the Personnel Committee, shares that the committee started working in October after the Board performed the 1-year evaluation for the ED. There were positives reflected in the evaluation, but there were some concerns that the negatives outweighed the positives. In an effort to be fair and to help the ED succeed, a Personnel committee was formed. The Committee presented a 6-month plan to ED and clarified questions ED. ED has been very cooperative and stated to the committee that he understood the plan and that he would do his best to address this</p>		

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	<p>plan. The consensus of the Committee is that the Board is setting ED and the Council for failure if it proceeds with the direction of the executive director, and therefore it is the committee recommendation, to have dialogue and take a vote for removal.</p> <p>BM M. Rosario makes a Motion to remove H. Garcia as Executive Director; BM A. Lizano seconded the Motion. Floor open for discussion.</p> <p>BM T. Dawson inquired about the 3-months that have passed since the Board approved the 6-month plan, and why the committee is making this recommendation. Committee Chair Rosario clarifies that this is only a recommendation from the committee; it's been put to motion and seconded; now it's up for dialogue. The concern again is simply that in 6-months, given what has happened to date, the Council is not going to have the success that it is looking for. (BM Francisco Morales joins via conference call)</p> <p>BM N. Juarez recently stepped down as Chair of the Legislative Committee and shares that it has been frustrating working with ED Garcia. The Legislative session has started and to date there is no legislative agenda to present to the legislature or governor on behalf of the Council. There hasn't been any progress during the meetings to continue to develop these plans. There were two bills recently introduced with Sunset provisions for state agencies to prove their existence and value to the state. If you read through those, CLAC fits very well with those provisions. CLAC has a great Operational Excellence plan that shows that we do make progress, we can validate our existence and that the money that is spent is moving a legislative agenda forward.</p> <p>BM E. Rodriguez states that there is a disconnect between the Board and ED Garcia which needs to be resolved.</p> <p>There is an Operational plan that needs to be followed, unfortunately we haven't been able to do that and it's not an evaluation of 6-months, this has been going on for more than a year. The Board has worked with ED Garcia, they have explained things many times and still there hasn't been any results.</p> <p>Committee Chair Rosario states that he has had several conversations with H. Garcia, and wants to go on record that unlike many members of the committee who have agendas about the direction or what they like to see happen, he has no agenda and not having an agenda allows him to be neutral.</p> <p>The Board sets the direction; it gathers the input of the Latino voice to make one unified voice to</p>	<p>← Motion made to remove H. Garcia as ED</p>	

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	<p>the state. Part of that failure is the lack of Board participation. The Council has quarterly meetings and the committee structure was set up to meet in between meetings to work, flush out the ideas and provide recommendations to the Board and that hasn't happened. There is one committee that has been meeting on issues and trying to take on everything, trying to get the legislative agenda done, trying to get everything done. And the lack of participation from the Board shows a lack of interest in moving CLAC's agenda forward.</p> <p>The Board is not a working Board, an ED and staff are hired to do operational excellence. The Board sets the directives and lets staff do their job.</p> <p>Chair Vargas speaks about his work with ED, since ED was hired and after his election as Council Chair. He commented on his work with ED on the Arts & Cultural committee to solidify partnership with MHC. Chair Vargas noticed that ED did not listen nor paid attention to the directives of the committee and it got the Council in trouble with the state with a violation. Committee regrouped and drafted a new contract as it felt that the proposed contract with the MHC was pulling CLAC away from the charter. As Chair of the Board, Vargas worked closely with ED to go over the Policies and Procedures, the Operational Excellence and he found himself bombarded by different BM that he was micromanaging the ED. The responsibility of the Chair is to make sure that the wishes of the Board which are embedded in Operational Excellence are implemented and to work hand in hand with the ED per the Policies and Procedures to ensure the interest of the Board and the Council.</p> <p>ED Garcia feels that the micromanaging started with the new Chair and because of the new improvement plan. ED adds that he has had a good working partnership with MHC, and many accomplishments have developed from this collaboration: the TPT documentary, the SPNN documentary portrays the Latino corporate executives; the DVD's that they produced of District del Sol and Lake Street. The Council should focus on issues that are of great concern to the Latino community. The Position Statements and Fact Sheets are valuable, but they are not going anywhere unless the leaders believe CLAC is of value and that it has something for the community.</p> <p>The Personnel Committee can bring a recommendation at any given time if they don't see any progress made; which is what the committee is doing today, bringing a recommendation to the Board to remove Garcia as ED based on no progress.</p> <p>BM E. Rodriguez comments on the resignation from BM N. Juarez and communication issues between ED, HC and the Board. The problem is that the Board and ED Garcia are not working</p>		

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	<p>effectively and when that happens something needs to be done about it. This is not working right and it needs to be fixed.</p> <p>Garcia states that communication needs to be improved. Board and staff need to work together to complement each other instead of attacking each other.</p> <p>BM Garay-Lehn states that the Board was formed by the community and refer to two co-founders attending the meeting, Elsa Vega-Perez and Manuel Guerrero and before the Board moves forward, each member of the community have a right to give their opinion. (Disorder between BM and community members)</p> <p>BM A. O'Meara makes a Motion to open the floor to community members to hear their concerns (2 minutes each); Motion seconded by BM A. Lizano. All in Favor, Motion passed unanimously.</p> <p>The following community members spoke in support of the work ED Garcia is doing. Elia Bruggeman, NWSISD Manuel Guerrero Pablo Murillo Elsa Vega-Perez, former CLAC employee Gerardo Bonilla Erick Garcia-Luna, clarifies that he is participating as a community member, representing himself and not the agency he works for. Maureen Acosta, Metro State and former Council Member John Milton, reporter Sam Hernandez, former Council Member Michael Medina, Architect and Officer for AMVETS Post 5</p> <p>Committee Chair Rosario greets the community members/leaders that are present, and encourages them to continue participating in Board meetings. Floor closed for further discussion.</p> <p>The motion on the floor from Personnel Committee Chair M. Rosario is to remove H. Garcia as executive director of the Council seeing that after working with him, the committee does not feel Garcia is in the place to move the Council in the direction given specific to the charter. Floor closed for further discussion. BM A. Garay-Lehn makes a suggestion to hold a roll call vote. 6 Nays: BM R. Sedarski, BM A. O'Meara, BM F. Morales (via conference call), BM T. Dawson, BM M. Hill, BM A. Garay-Lehn</p>	<p>← Motion Passed to allow community members speak</p>	

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	<p>perspective in addition to getting the communications training for the board.</p> <p>BM E. Rodriguez states that the board voted on the 6-month plan for H. Garcia and that hasn't changed, the mandate of the board is there. Proposes for new committee to be formed and they will decide how to operate reading the mandate of the board.</p> <p>BM E. Rodriguez notes that perhaps the original plan should also be eliminated due to the fact that a vote of confidence was given to H. Garcia.</p> <p>ED Garcia makes a suggestion to work together with the new committee to design a plan that works. The current plan is excessively restricted, like he is not part of it. He would like to maintain a dialogue where he feels he is a partner in the effort.</p> <p>BM A. O'Meara comments that if the board wants to move forward it is best to start fresh. Her recommendation is to eliminate the current 6-month plan and create a new plan that includes H. Garcia. Floor closed for further discussion.</p> <p>Chair Vargas calls a vote on the Motion to create a new Personnel committee with new members that will have the responsibility of carrying out the 6-month plan and work with ED and the Chair to ensure its success. Roll Call vote. 8 Nays: BM A. O'Meara, BM E. Rodriguez, BM N. Juarez, BM A. Lizano, BM M. Hill, BM T. Dawson, BM A. Garay-Lehn, BM Rebeca Sedarski. 2 Yeas: BM M. Rosario, BM M. Vargas. Motion Fails.</p> <p>BM A. O'Meara makes a Motion to eliminate current 6-month plan; Motion seconded by BM A. Garay-Lehn. Floor opens for discussion.</p> <p>BM M. Hill makes a suggestion to continue working under the current six month period, but to eliminate what is in the current plan and create a new plan with ED's input.</p> <p>BM M. Rosario makes an amendment to the Motion to eliminate the 6-month plan as it stands with the understating of the creation of a new and more inclusive plan with board and ED providing input. Amendment Seconded by BM E. Rodriguez. Floor closed for discussion. Roll Call vote. 2 Nays: BM N. Juarez, BM A. Lizano 8 Yeas: BM A. O'Meara, BM E. Rodriguez, BM M. Rosario, BM M. Hill, BM T. Dawson, BM A.</p>	<p>6-mtn plan</p> <p>← Motion Fails.</p> <p>← Motion made to eliminate 6-mth plan</p> <p>← Amendment made to the Motion</p> <p>← Motion Passed.</p>	<p>H. Garcia Personnel Committee</p>

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	<p>Garay-Lehn, BM Rebeca Sedarski, BM M. Vargas. Motion Carries.</p> <p>BM E. Rodriguez makes a Motion to establish new Personnel committee to work on a plan and present to the Board at the next meeting in February for approval; BM A. Garay-Lehn Seconds the Motion. Floor opens for discussion.</p> <p>BM M. Rosario makes an Amendment to the Motion that the framework of the new plan includes review, monitoring and outcome based. BM E. Rodriguez accepts amendment.</p> <p>The committee is not going to make decision, it will provide recommendations. BM A. Garay-Lehn makes a recommendation for the Board to vote on bringing an outside person to work with the Personnel committee to guide the process. BM E. Rodriguez does not accept the recommendation because it will give too much power to that person and the Board does not want to do that. Floor closed for discussion. Roll Call vote 2 Nays: BM N. Juarez, BM A. Lizano 8 Yeas: BM A. O'Meara, BM E. Rodriguez, BM M. Rosario, BM M. Hill, BM T. Dawson, BM A. Garay-Lehn, BM Rebeca Sedarski, BM M. Vargas. Motion Carries.</p> <p>BM A. Garay-Lehn makes a Motion to include Elia Bruggeman, as former Chair and a Board member for eight years, to be an advisor and participate in the Personnel committee. Chair Vargas steps down as Chair to make a few comments about this being a sensitive HR issue and if someone should be engaged in this process representing H. Garcia interest should be personnel from the Human Resources office and someone from the AG's office who watches out for the interest of the Council/ Board if there should be litigations or lawsuits. These are two official people that are objective outside of the process.</p> <p>BM A. O'Meara makes an Amendment to the Motion to invite a representative from the AG's office and HR office, to be part of the Personnel committee; Amendment accepted by BM A. Garay-Lehn. Floor closed for discussion.</p> <p>The Motion on the floor is to invite Christen Anderson, AG's office and Sue Wickham, HR office, to be part of the new Personnel committee as advisors; Amendment accepted by BM A. Garay-Lehn. Floor closed for discussion. Roll Call vote 2 Nays: BM N. Juarez, BM A. Lizano 8 Yeas: BM A. O'Meara, BM E. Rodriguez, BM M. Rosario, BM M. Hill, BM T. Dawson, BM A. Garay-Lehn, BM Rebeca Sedarski, BM M. Vargas. Motion Carries.</p>	<p>← Motion to create new committee</p> <p>← Amendment made to Motion</p> <p>← Motion Passed ← Action Item Draft new plan</p> <p>← Motion made to include 3rd party to be part of Personnel committee</p> <p>← Amendment Made to the Motion</p> <p>← Motion Passed ← Action Item</p>	<p>Chair Vargas</p>

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	<p>Chair Vargas calls for nominations for the new Personnel committee: BM A. Garay-Lehn nominates BM M. Hill to Chair the committee, BM T. Dawson Seconds the nomination. BM M. Hill declines nomination. BM M. Rosario nominates BM R. Sedarski, BM A. O'Meara Seconds. BM R. Sedarski declines nomination. BM A. O'Meara nominates BM A. Garay-Lehn, BM T. Dawson Seconds.</p> <p>Members are in agreement to establish the new committee and the Chair can be chosen during their first meeting. Personnel committee Members: BM Maricruz Hill, BM Rebeca Sedarski (via conference call), BM Teresa Dawson (via conference call) and BM Alma Garay-Lehn (via conference call). Chair Vargas would also be part of the committee as an ad-hoc member.</p> <p>Chair Vargas will convene the first meeting since there is no Chair for the committee at this time. The meetings will be held at the CLAC offices because it is a public meeting and it falls under the Open Meeting regulations. The Chair of the committee needs to be physically present at the location of the meeting and the other members can participate via conference call.</p> <p>BM N. Juarez makes a Motion, in the spirit of starting over and with freshness, to eliminate the Operational Excellence Plan, Motion seconded by BM A. Lizano. Floor opens for discussion. BM N. Juarez states that since the Board is taking a new direction and it seems the Operational Excellence is more of a hindrance to CLAC moving forward, it seems there isn't much spirit behind the operations of excellence anymore, it seems that the Board wants to go in a different direction. The Policies and Procedures would still be in place, but the operation of excellence that lays out the logic model for the work that we do should be eliminated so in the spirit of freshness and starting over so CLAC can move forward however it sees fit.</p> <p>Members disagree because the operation excellence is something that all had agreed to move forward with. The Board feels it is important to continue with that model, maybe just modify some areas, but not toss it. The way the strategic plan is set out, it has to be executed a certain way and we have the staff to execute it. The staff has to be willing to execute it as is and cannot deviate from executing the plan per the interpretation of the staff or the board members. Operation for Excellence is an excellent model and an excellent plan and it allows us to see the outputs. The ED and staff need to bring to the attention of the Board what needs to be adjusted. Floor closed for further discussion. Roll Call vote.</p> <p>8 Nays: BM A. O'Meara, BM E. Rodriguez, BM M. Rosario, BM M. Hill, BM T. Dawson, BM A. Garay-Lehn, BM Rebeca Sedarski, BM M. Vargas.</p>	<p>← New Personnel committee established</p> <p>← Motion Made to eliminate O.E. plan</p> <p>← Motion Fails</p>	

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	<p>2 Yeas: BM N. Juarez, BM A. Lizano Motion Fails.</p> <p>Staff will continue to operate and follow the Operational Excellence plan and Biennium Calendar. BM E. Rodriguez comments that all the committee's need to be refreshed with new members. BM A. Garay-Lehn would also like to see more communication from staff as to what is going on.</p>	<p>← Action Item Put on agenda for Feb. mtng: reinforcement of committees</p>	<p>H. Garcia Chair Vargas</p>
<p>FY 2012 Budgetary Cuts Discussion</p>	<p>Chair Vargas states that the Council will be in a budget crisis moving forward and part of the discussion is to plan for the next biennium.</p> <p>Finance Committee Chair O'Meara states that any funding for this biennium will need to be spent by June 30, 2011 as CLAC will not be able to carry forward to next biennium. In the worst case scenario, CLAC would be eliminated and in the bad case scenario the budget would be reduced 15%.</p> <p>For FY 11, the staff estimated a surplus (as of December 2010) of \$ 3,533.47, and is recommending spending the available surplus in the Latino Legislative Day @ the Capitol (\$ 2,500), and Community Forums in Northfield & Mankato (\$ 1,000). BM M. Rosario makes a suggestion to outline all the expenses instead of condensing into "other". The Otto Bremer has been included into the budget for expending in FY 12.</p> <p>For the next Biennium, CLAC could be cut from 5% to 15%. Staff presented two case scenarios as to possible solutions to alleviate the budget. The first case scenario reflects a reduction of staff hours across the chart. The second case scenario is to consolidate two positions merging the community and legislative positions. The latter would be the only solution to alleviating the deficit.</p> <p>Members suggest looking into outside funding/grants. ED comments that a great opportunity is to get additional funding from the HC.</p> <p>Chair Vargas states that the Arts & Cultural committee needs to bring to the Board a proposal that allows CLAC to continue functioning and not deviate too much of the staff to arts & cultural projects and as a result the contract would be amendment.</p> <p>Staff changes would be made effective July 2011 for FY 12. The next board item would be a vote on how to restructure the budget. The changes in staff would involve responsibility changes/ additions or duties divided among the staff. ED will have to take on more responsibilities than he has now. The Operational Excellence plan and organizational chart will have to be re-structured to</p>	<p>← Action Item Draft proposal for Legacy funding</p>	<p>H. Garcia Arts & Cultural Committee</p>

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	<p>align it to the current situation and it is possible for staff to make changes without striking the entire plan. There has to be more specific direction about what the ED is going to do and the ED will have less flexibility because he won't have to staff to do all the things. The Council will not have the resources to work on all of the focus areas and ED will have to concentrate on one</p> <p>If CLAC does not have the money to do community outreach, perhaps it do an alliance with, for example LEDC, or someone that go to the different communities and have them do some of that for CLAC.</p> <p>The Finance committee will meet to analyze the scenarios and will bring specific recommendations to the next board meeting keeping in mind how Operational Excellence will be implicated, how it will be executed and how the different roles are going to be separated.</p>	<p>← Action Item</p>	<p>H. Garcia Finance Committee</p>
<p>Items for February Meeting</p> <p><i>Chairman M. Vargas</i></p>	<p>Items for discussion during the next Council Meeting scheduled for February 19, 2011: 2012 Budget Recommendation, Latino Legislative Day at the Capitol, Humanities Center Grant Decision, Rochester Forum Debrief, Census 2010 CLAC Databank, New work Plan for ED, Legislative update.</p> <p>CLAC has been asked to serve as the entity to house the Latino data from the Census 2010. It implicates resources, staff and money. The Latino Databank website would be linked to CLAC's website. The proposal is coming from the MN Demographic Center, Mario Hernandez, CURA, and from HACER. The data will be put together by CURA, Demographic Center and HACER, but they want it linked or housed within CLAC's website.</p> <p>BM A. O'Meara states that the Personnel committee needs to be added to the agenda as they will be bringing a new plan for the ED for Board approval.</p> <p>BM N. Juarez states that a Legislative Update should also be added to the agenda.</p> <p>BM A. Lizano shares that his term expires this year and is not seeking re-election. This is his last meeting and will not be here for the next meeting, but wishes everybody success in moving CLAC forward.</p>	<p>← Action Item Add to agenda for February</p> <p>← Action Item Add to agenda for February</p> <p>← Action Item Add to agenda for February</p> <p>← Action Item Add to agenda for February</p>	<p>H. Garcia Chair Vargas</p> <p>H. Garcia Chair Vargas</p> <p>H. Garcia Chair Vargas</p> <p>H. Garcia Chair Vargas</p>
<p>Board Meeting Adjournment</p>	<p>Motion to adjourn the meeting at 2:00 pm</p>		