

MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



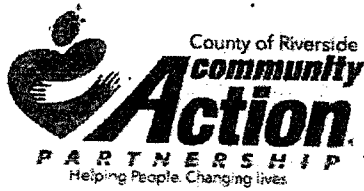
PUBLIC COMMENT:

16.1

During the oral communication section of the agenda for Tuesday, September 10, 2019, Ernie Saldana spoke about an issue with the Community Action Partnership Commission.

**ATTACHMENTS FILED WITH
CLERK OF THE BOARD**

**AGENDA NO.
16.1**



COMMUNITY ACTION PARTNERSHIP OF RIVERSIDE COUNTY



Helping People. Changing Lives.

Brenda Salas Freeman M.A., M.S.
Executive Director, CAP
Deputy Director, DOPH

PROGRAMS

September 8, 2017

ENERGY

Utility Assistance
(951) 955-6448
(951) 955-6478
(800) 999-5584

Ernie Saldana
49305 Dale Court
PO Box 1037
Cabazon, CA 92230

WEATHERIZATION

RE: Notice of Intent to Recommend your Removal as a Commissioner

DISPUTE RESOLUTION

CENTER

Mediation
Arbitration

Commissioner Ernie Saldana:

This letter is to notify you that the Executive Committee is recommending your removal from the Community Action Commission in accordance with Article VIII, Section 5 of the County of Riverside Community Action Commission Bylaws.

ASSET BUILDING

RivCo Individual
Development Accounts
Earned Income Tax Credit

The Executive Committee has determined that you have violated the following:

Bylaws: (See Attachment A)

YOUTH PROGRAMS

Pre-Apprenticeship
Project L.E.A.D

1. Article 8 Section 1; Code of Ethics: CAC Member shall conduct themselves in accordance with the County of Riverside Code of Ethics and Community Action Code of Ethics.
2. Article 8 Section 3 b (5) Willful and persistent refusal to observe the rules of order in the conduct of meetings.
3. Article 10 Section 4: Rules of Order and Procedure for Conduct of Meetings

PLANNING

Research & Development
Community Action Academy

County of Riverside Code of Ethics: (See Attachment B)

FISCAL

1. Public Awareness: We will keep the community informed on County programs and issues, encourage communication between our citizens and all County officers; emphasize friendly and courteous service to the public; and seek to improve the quality and image of public service.
2. Integrity: We demonstrate personal integrity and the courage of our convictions. We will not sacrifice principle for expediency, be hypocritical, or unscrupulous. We will respect and protect the privileged information to which we have access in the course of official duties.

PUBLIC INFORMATION

FIELD OFFICES

Elythe
(760) 921-5080

Indio
(760) 863-2664

Hemet
(951) 791-3567

*Submitted By
Ernie Saldana*

2038 Iowa Avenue, Suite B-102 ~ Riverside, CA 92507

(951) 955-4900 (951) 955-6506 Fax
(800) 511-1110 (951) 955-5126 TTY

www.capriverside.org

*Public
Comment*

09/10/2017 11:01

3. Reputation and Morale: We seek to protect and build the County's good reputation and the morale of all associated with the organization by taking whatever actions are necessary to correct or prevent inappropriate conduct of others.
 4. Leadership: We are cognizant of our responsibilities and opportunities for leadership, and strive to be positive role models. By our conduct we create an environment in which principled reasoning and ethical decisions are made.
 5. Accountability: We acknowledge and accept personal accountability for the ethical quality of our decisions and omissions to ourselves, our colleagues, and our citizens.
- **Community Action Code of Ethics:** (See Attachment C)
 1. To keep up to date on emerging issues and to conduct ourselves with professional competence, with respect and fairness to one another and to staff.
 2. #4- Conduct our organizational and operational duties with positive leadership exemplified by open communication, creativity, dedication, and compassion.
 3. #6- Demonstrate the highest standards of personal integrity, truthfulness, and fortitude in our community action activities in order to inspire confidence.
 4. #9- Observe protocol in board and staff relations.

Based on the violations above, the Executive Committee is recommending that you be removed as a commissioner based on your conduct outlined below:

Disruptive Conduct during Meetings

The commission believes that you have a history of behavior that is disruptive, confrontational and a hindrance to conducting Commission business. Your conduct and actions at commission meetings continues to be disruptive. Your disruptive conduct includes: outbursts, talking out of turn, out of order interjections, and accusing commission members of being dishonest.

During commission meetings, whenever members do not agree or vote in favor of your position, you become hostile and make aggressive comments towards them. This type of behavior disrespects the democratic governing process.

You willfully and persistently refuse to observe the rules of order and adhere to the required code of conduct during commission and committee meetings. Despite being repeatedly reminded by the Chair the importance of following meeting rules and procedures, you continually fail to do so.

Specifically during the executive committee meeting on June 27, 2016, you made statements accusing commissioners Cook and Baker of being dishonest and lying. Additionally, you attempted to secretly record the meeting. Although these meetings are public, your attempt to secretly record the meeting was a concern to the Executive Committee due to your prior threats of litigation and accusatory statements regarding fellow commissioners.

Disparaging Remarks about CAP Riverside

Your continuous disparaging remarks both in public and private about CAP Riverside is detrimental to the Commission. At the 2016 National CAP Conference, during the conference workshop titled "Executive Director Board Relations" you stated that you were "the bad guy" and the "black sheep" for raising questions during commission meetings. The National Community Action Director asked if you had tried meeting with staff or the commission chair prior to the meetings. You admitted you had not but would try to do so in the future. The Director recommended that you "try not to be so accusatory and communicate directly with your Executive Director before or after the meetings."

Instead of expressing your concerns to our Commission or to the Executive Committee, you chose to publicly express your concerns at the National CAP Conference in an attempt to cast a negative public perception of Riverside's Community Action Commission. Although you indicated that you would try to communicate with staff or the commission prior to the meetings, you have not yet done so.

During the commission meeting where vote was taken to determine if an Ex-Officio member would be named to the Executive Committee. The Commission voted "Nay." After the vote and discussion was closed, you remarked that Baker was illegally appointed as Vice-Chair.

During the Public Comment section of the June 15, 2017 Commission meeting, you have publicly made accusations stating that the chair did not allow him to speak on a legislative issue. You stated that you disapproved of how you had been treated and questioned if the treatment was because you were low-income or if it was because you were Hispanic.

Safety Concerns:

You have a history of community related altercations. At a meeting of the Commission, you remarked that you were wearing a neck brace as a result of having an altercation with a gang member. In 2016, you were accused for committing a violent act against another community member.

On June 15, 2017, prior to the Commission meeting, a conversation between you and a fellow Commissioner was overheard by staff and other Commissioners. During that conversation you discussed how your cane could be used as a weapon in altercations with community members. You were quoted as saying "If I used my cane instead of a booby trap to harm someone, my actions wouldn't be considered a felony, I would not go to jail."

Your comments and conversations about harming community members is not appropriate. These comments have caused other commission members to be fearful of you. Your behavior has caused safety concerns for commission members and staff due to intimidating conversations, violent acts combined with confrontational and irrational behavior.

Attempts to Intimidate by Threats of Litigation:

On numerous occasions, during both Executive Committee and Commission meetings, you threaten litigation when fellow commission members or staff fails to agree to your requests.

During the August 29, 2016 Executive Committee meeting, you accused the Executive Committee of breaking the law because they did not allow a commission member to participate by phone. As you are aware, commission members must make arrangements in advance so that their location can be disclosed on the agenda in compliance with the Brown Act. When the CAP staff and Executive Committee informed you that arrangements were not made in advance, you stated this commission member should already be on the executive committee. You threatened to sue the commission because they did not allow the commission member to participate by phone. ←

The executive committee has concluded your continuous behavior of threatening a law suit when matters are not resolved to your satisfaction make it challenging to facilitate an effective and productive meeting. The reason why this has not been addressed in the past is due to threats, fear of retaliation or confrontation by you.

Attempts to Resolve Issues

The executive committee has taken into consideration the following actions taking by the commission to address the above ongoing issues.

- August 29, 2016 the Chair of the Community Action Commission shared the importance of adhering to the Brown Act, acting in good faith, and supporting each other. While you were present at this meeting, you continue to disrupt the regular flow of the meeting process.
- During the National Community Action Conference in 2016, you attended 4 workshops provided tools for Board Governance. During one of the workshops, the attendees specifically offered you alternative ways to resolve Board concerns after you shared your approach to handling issues.
- During the September 16, 2016 Commission Meeting the duty of care document was shared with the entire Commission, you were present and a copy was provided to you.

September 16, 2016-Commission Meeting you received attachments that emphasized the necessity of Board Members meeting and certain standards of conduct.
- During the October 29, 2016 Commission Meeting and retreat the CSBG Organizational Standards were presented and the Commission members were provided the 'Commissioner Responsibilities' handout. The CSBG Organizational Standards presentation included resources for stronger board performance. Commissioner expectations were discussed and questions were answered.

- During the May 1, 2017 Executive Committee Meeting the Code of Conduct, Ethics and Integrity policies were reviewed and concerns were raised regarding misconduct of Commissioners and facilitating orderly meetings.
- In June 2017 the Commission was reminded to adhere to the code of civility and conduct that was signed and agreed to by all Commissioners. Additionally you were encouraged to follow the proper process and to submit concerns or complaints through the Commission's Executive Board in writing for review and resolution.

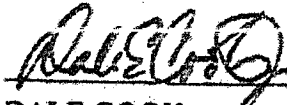
Additionally, listed below are specific conversations that the Executive Committee Members had with you in an attempt to bring these issues and concerns to your attention:

- Following the Palm Springs Commission retreat reception on October 3, 2015, a number of the Commissioners and staff attended an Open House at former Chair Gene Walker's home. In a conversation you spoke to the Chairman about your excitement in being involved with CAP. The Chairman advised you to learn and absorb as much as possible and to not to be controversial or combative. You then expressed appreciation of the feedback from the Chairman and offered willingness to learn more.
- The Chair and Vice Chair of the Executive Committee discussed on August 29, 2016 to have a discussion with you and used the conference as an opportunity to work together and share concerns for conduct. You were then encouraged to attend with the group the Board-Relations workshop.
- During the September 15, 2016 commission meeting both Commissioner Baker and you shared information you obtained from attending the conference and Commissioner Baker noted "it was especially nice to have all three Executive Committee members together and receive the same information and we can move forward in unity." You were present when the statement was made to encourage working together as a team.
- During the October 29, 2016 retreat you participated and the meeting had special guest speakers covering topics on team, civility, professionalisms, and the importance of the mission. After the retreat concluded, you then apologized to the Executive Director and the Executive Committee members for your behavior regarding your ongoing actions towards the Executive Board and Executive Director. You were encouraged by the Chairman to not to be disruptive during meetings and were cautioned about being confrontational. Once again he encouraged you not to aggravate others, and cautioned you about stirring-up your confrontational side.
- On April 20, 2017 the Commission meetings were moved to the Banning Police Department due to safety concerns being expressed by several Commissioners due to your hostility expressed during meetings.

Pursuant to Article VIII, Section 5, of the Community Action Commission Bylaws, you are entitled to an interview before the Executive Committee. If you would like to request a meeting regarding this matter please contact Brenda Freeman, Executive Director on or before September 13, 2017. She may be reached at (951) 955-3563, or by email: bfreeman@capriverside.org.


Sincerely,

Community Action Commission Executive Committee



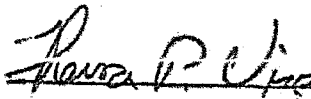
DALE COOK
Chair

09/08/17
DATE



TIFFANY BAKER
Vice-Chair

09/08/17
DATE



TERESA VISE
Secretary

09/08/2017
DATE

space

Riverside County Board of Supervisors Request to Speak

Submit request to Clerk of Board (right of podium), Speakers are entitled to three (3) minutes, subject to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: ERNIE SALDANA

Address: P.O. BOX 1037

City: CABAZON Zip: 92230

Phone #: 951 388 9844

Date: 9/10/19 Agenda # not on agenda *PUBLIC comment*

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

Support Oppose Neutral

Note: If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

Support Oppose Neutral

I give my 3 minutes to: _____

copy of letter submitted

BOARD RULES

Requests to Address Board on "Agenda" Items:

You may request to be heard on a published agenda item. Requests to be heard must be submitted to the Clerk of the Board before the scheduled meeting time.

Requests to Address Board on items that are "NOT" on the Agenda/Public Comment:

Notwithstanding any other provisions of these rules, a member of the public shall have the right to address the Board during the mid-morning "Oral Communications" segment of the published agenda. Said purpose for address must pertain to issues which are under the direct jurisdiction of the Board of Supervisors. YOUR TIME WILL BE LIMITED TO THREE (3) MINUTES. Donated time is not permitted during Public Comment.

Power Point Presentations/Printed Material:

Speakers who intend to conduct a formalized Power Point presentation or provide printed material must notify the Clerk of the Board's Office by 12 noon on the Monday preceding the Tuesday Board meeting, insuring that the Clerk's Office has sufficient copies of all printed materials and at least one (1) copy of the Power Point CD. Copies of printed material given to the Clerk (by Monday noon deadline) will be provided to each Supervisor. If you have the need to use the overhead "Elmo" projector at the Board meeting, please ensure your material is clear and with proper contrast, notifying the Clerk well ahead of the meeting, of your intent to use the Elmo.

Individual Speaker Limits:

Individual speakers are limited to a maximum of three (3) minutes. Please step up to the podium when the Chairman calls your name and begin speaking immediately. Pull the microphone to your mouth so that the Board, audience, and audio recording system hear you clearly. Once you start speaking, the "green" podium light will light. The "yellow" light will come on when you have one (1) minute remaining. When you have 30 seconds remaining, the "yellow" light will begin to flash, indicating you must quickly wrap up your comments. Your time is up when the "red" light flashes. The Chairman adheres to a strict three (3) minutes per speaker. ***Note: If you intend to give your time to a "Group/Organized Presentation", please state so clearly at the very bottom of the reverse side of this form.***

Group/Organized Presentations:

Group/organized presentations with more than one (1) speaker will be limited to nine (9) minutes at the Chairman's discretion. The organizer of the presentation will automatically receive the first three (3) minutes, with the remaining six (6) minutes relinquished by other speakers, as requested by them on a completed "Request to Speak" form, and clearly indicated at the bottom of the form.

Addressing the Board & Acknowledgement by Chairman:

The Chairman will determine what order the speakers will address the Board, and will call on all speakers in pairs. The first speaker should immediately step to the podium and begin addressing the Board. The second speaker should take up a position in one of the chamber aisles in order to quickly step up to the podium after the preceding speaker. This is to afford an efficient and timely Board meeting, giving all attendees the opportunity to make their case. Speakers are prohibited from making personal attacks, and/or using coarse, crude, profane or vulgar language while speaking to the Board members, staff, the general public and/or meeting participants. Such behavior, at the discretion of the Board Chairman, may result in removal from the Board Chambers by Sheriff Deputies.