



130 SEVENTH STREET
PITTSBURGH, PA 15222
412-201-2036

3911 FIFTH AVENUE
SUITE 300
SAN DIEGO, CA 92103
619-299-9585

*Johns
Mendoza*

CONSENSUS ORGANIZING INSTITUTE/ NATIONAL CITY YOUTH ORGANIZERS

Employment Agreement

The Consensus Organizing Institute (COI), a non-profit organization, has established a skills-building community service project for students at Sweetwater High School. This project has been named by its participants "National City Youth Organizers" (NCYO).

Student members of NCYO may become part-time employees of the Consensus Organizing Institute. Their employment is subject to the following conditions and acknowledgements of responsibility:

- NCYO members who join the COI staff are paid for their work. Their participation is a job—very different from membership in a school club.
- NCYO members on the COI staff agree to take direction from COI staff member Mark Baca.
- NCYO members on the COI staff agree to be diligent and responsible in completing the work assigned by Mr. Baca, including attending all scheduled meetings, participating in all scheduled training, and completing all homework.
- If, for any reason, NCYO members on the COI staff cannot adhere to the schedule developed by the group with Mr. Baca, or are otherwise unable to fulfill their obligations, they will notify Mr. Baca and discuss options for resolving the situation.
- COI retains final authority over who joins its staff. COI reserves the right to dismiss any NCYO member from its staff at any time, for any reason consistent with applicable law. One reason COI might dismiss a member is if COI believes that participation in NCYO is having an adverse effect on the member's academic performance.
- COI's work on the NCYO project is funded by grants from charitable organizations, including the San Diego Foundation. These organizations expect that the NCYO project will yield products of high quality, including an "asset map" of National City. NCYO members on the COI staff understand that it is their responsibility to produce

these high-quality products, with the assistance of Mr. Baca and other COI staff members.

- COI is in the process of seeking additional grants to support the NCYO project. While we do not anticipate any problem in this effort, it is possible that we will be unable to obtain more grants, and that funding constraints could force COI to terminate its participation in the project prematurely.
- NCYO members on COI's staff work, and are compensated for, 1.6 hours (1 hour, 36 minutes) per day, Monday through Friday, excluding holidays. Some NCYO activities may extend beyond this 1.6 hour period on a given day. If so, members' participation beyond the first 1.6 hours will be voluntary and uncompensated.

I understand and agree to the conditions and statements of responsibility set forth above.

NCYO Member:

John Mendoza
(Sign name)

John Mendoza
(Print name)

I have read the conditions and statements of responsibility set forth above, and agree that the Sweetwater High School student identified above may participate as a member of NCYO on COI's staff:

Parent/Guardian:

Christopher Mendoza
(Sign name)

CHRISTOPHER MENDOZA
(Print name)

I accept the student identified above as a part-time COI staff member:

Mr. Mark Baca
Mark Baca, COI Staff

**CONSENSUS ORGANIZING INSTITUTE
EMPLOYMENT AGREEMENT**

THIS EMPLOYEE AGREEMENT, made as of the 29th day of January 1998, by and between the Consensus Organizing Institute ("COI") and Mark Baca ("Employee")

WHEREAS, COI is an exempt organization described in section 501(c)(3) of the Internal Revenue Code of 1986 with its principal place of business located at 130 Seventh Street, 8th Floor, Pittsburgh, PA 15222.

WHEREAS, Employee possesses valuable knowledge, experience and skills which COI believes will contribute to the successful fulfillment of its exempt purposes; and

WHEREAS, COI desires to procure the services of Employee and Employee is willing to provide his/her services to COI, upon the terms and subject to the conditions hereinafter set forth.

NOW, THEREFORE, intending to be legally bound, and in consideration of the foregoing representations and the following terms and conditions, COI and Employee agree

1. Assignment. Employee has been hired to be an Office Manager for COI's office in San Diego, California. His responsibilities include the following:

Oversees the day-to-day management of the California office, including distribution of mail, handling office correspondence, and maintaining COI's records and files;

Ensures up-to-date reporting of all relevant financial information, including invoices, and ensures that costs are kept within the amounts approved in the budget for the California office;

Facilitates communication with other organizations and the Pittsburgh headquarters, also helps his supervisor ensure that COI's California employees follow personnel and other guidelines created for COI staff

Works with the field liaison to ensure that California staff submit their timesheets and expense reports to COI headquarters in a timely manner

Purchases and secures office equipment and supplies, keeps track of warranties and maintenance contracts and handles all leasehold agreements.

Receives phone calls and visitors and fields general inquiries about COI.

Assumes other responsibilities as determined by the Employee's supervisor, Senior Strategist Richard Barrera

Employee agrees to devote his/her best efforts to the performance of his/her assignments made by COI pursuant to this Agreement

2. Term. Subject to the terms and provisions of paragraph 6 hereof, Employee's assignment hereunder shall commence as of January 29, 1998, and shall continue until July 29, 1999, unless extended in accordance with the wishes of COI

3. Remuneration. In consideration of Employee's services pursuant to this Agreement, COI shall pay Employee a salary equal to \$_____ per year. Employee shall receive the same medical, health, and other insurance and benefits as other COI employees. These benefits are outlined in COI's personnel manual dated May 9, 1995, and shall apply to the Employee until his date of termination.

COI shall reimburse Employee for reasonable and necessary travel and hotel expenses upon submission of expense reports with verified receipts for the expenses incurred on a cost basis. When a private automobile or transportation is used by Employee, actual mileage shall be reimbursed and shall be based on current IRS rate schedules.

4. No Misrepresentation, Fraud or Dishonesty. Employee shall not misrepresent, or engage in any practice or make any representation that is misleading, fraudulent, untrue or contrary to the interests or policies of COI

5. Termination. COI shall have the right to terminate this Agreement for any reason in its sole discretion, in accordance with its right to terminate as described in COI's personnel manual. If Employee dies during the terms of this Agreement, this Agreement shall terminate as of the date of Employee's death. Upon termination, all obligations of COI hereunder, other than any obligations with respect to the payment of accrued fees calculated on a pro rata basis, shall terminate.

Employee agrees to give COI thirty (30) days prior written notice of the termination of this Agreement.

The obligations of Employee under paragraph 6 hereof shall continue notwithstanding termination of this Agreement by either party.

6. Non Disclosure of Confidential Information. Employee recognizes and acknowledges that, in the course of his/her assignments, he/she will acquire and become aware of confidential information belonging to COI or relating to its affairs (hereinafter referred to as "Confidential Information"); the Confidential Information is the property of COI; the use, misappropriation or disclosure of the Confidential Information would constitute a breach of trust and could cause irreparable injury to COI, and, it is essential to the protection of COI's good will, the furtherance of its purposes, and the maintenance of its reputation, that the Confidential Information be kept secret and that Employee not disclose the Confidential Information to others or use the Confidential Information to his/her own advantage or the advantage of others.

Employee agrees to hold and safeguard the Confidential information in trust for COI, its successors and assigns, and agrees that Employee shall not, without the prior written consent of COI, misappropriate or disclose or make available to anyone for use outside COI's organization at any time, either during the term of this Agreement or subsequent to the termination of this Agreement for any time, either during the term of this Agreement or subsequent to the termination of this Agreement, for any reason, any of the confidential information, except as required in the performance of Employee's assignments from COI.

7. Governing Law. This Agreement shall be governed by, and construed and enforced in accordance with, the laws of the Commonwealth of Pennsylvania.

8. Entire Agreement. This Agreement contains the entire agreement of the parties relating to the subject matter hereof and supersedes any prior agreements or representations relating to such subject matter that are not set forth herein. This Agreement may be amended only in writing executed by the parties hereto.

EMPLOYEE ACKNOWLEDGES THAT EMPLOYEE HAS READ AND UNDERSTANDS THE FOREGOING PROVISIONS AND THAT SUCH PROVISIONS ARE REASONABLE AND ENFORCEABLE.

AGREED to this 29 day of January, 1988

CONSENSUS ORGANIZING INSTITUTE

EMPLOYEE

By: Patricia McEligort
Patricia McEligort, Deputy Director
COI, 130 7th Street, Pittsburgh, PA 15222

By: Mark Baca
Mark Baca

LAW OFFICES OF DANIEL E. MARSHALL

3924 1/2 PARK BOULEVARD
SAN DIEGO, CALIFORNIA 92103
Telephone/Fax-(619) 298-5778

Janice Davis
2836 C Street
San Diego, California 92102

Ms. Davis,

I am writing to inform you that I represent your former tenant Mr. Mark Baca who you wrongfully evicted without proper notice. In accordance with California law I am demanding that you provide an itemized list of all of Mr. Baca's personal property currently in your possession.

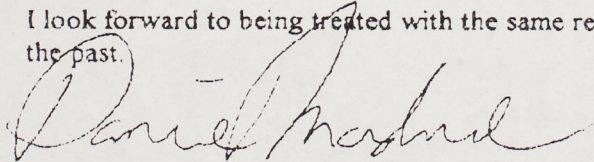
Specifically, please indicate if you are currently in possession of the following items:

- 1) personal computer and printer
- 2) orthodonture materials
- 3) king size mattress and box spring
- 4) pager
- 5) bath robe
- 6) mini-bike

If you are in possession of these items, please inform me in writing when this can be picked up for Mr. Baca. I look forward to your prompt response to this request. Under California law you should have already provided this itemized list

I must advise you not to make the slanderous statements about Mr. Baca made in my presence to any person who could communicate these to his current employer. These statements are slander per se, and if they cause economic harm to Mr. Baca then legal action will be taken against you and anyone who repeats these statements.

I look forward to being treated with the same respect and professionalism you have exhibited in the past.



DANIEL E. MARSHALL
Attorney at Law

cc: Mark Baca

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO CAL NO.

NUMBER DV004797	REPORTER DEBBIE GERWIG	9660	CLERK J. PECORE
DATE OF HEARING 02/02/98	TIME OF HEARING 08:45AM	JUDGE ALAN B. CLEMENTS	
PETITIONER DAVIS, JANICE		ATTORNEY FOR PETITIONER PRO PER	<input type="checkbox"/> TELE <input type="checkbox"/> P <input type="checkbox"/> NP
RESPONDENT BACA, MARK ALAN		ATTORNEY FOR RESPONDENT <i>Daniel Marshall</i>	<input type="checkbox"/> TELE <input checked="" type="checkbox"/> P <input type="checkbox"/> NP

PTNRS OSC DV/TRO

THE ABOVE MATTER CAME ON FOR HEARING THIS DATE WITH ABOVE APPEARANCES, AFTER HEARING THE COURT ORDERED THAT:

FCS RECO DATED _____ AS MODIFIED: BY COURT BY STIP. IS ADOPTED AS ORDER OF THE COURT

REFERRED FOR COUNSELING SET FOR: _____ EXTENDED MEDIATION PSYCH EVAL ORDERED

CUSTODY: JT LEGAL LEGAL PTNR/RESP PHYSICAL PTNR/RESP

VISITATION OF PTNR / RESP _____

COURT MAKES FINDING: CHILD SHARE - % CHILD CARE - PTNR %/RESP %

PTNR - SINGLE/HH/MARRIED () GROSS \$ _____ NET \$ _____ ADJ NET \$ _____

RESP - SINGLE/HH/MARRIED () GROSS \$ _____ NET \$ _____ ADJ NET \$ _____

SUPPORT: CHILD \$ _____ MO PER CHILD TOTALING \$ _____ EFF _____ THRU R&R COPY: R&R DA FSD

SPOUSAL \$ _____ MO EFF _____ FAMILY \$ _____ MO EFF _____

ATTY FEES \$ _____ COSTS \$ _____ @ \$ _____ MO BY PTNR/RESP EFF _____ 2 MO ACCEL CLAUSE

AS ADD'L CHILD/SPOUSAL SUPPORT FOR ENFORCEMENT PURPOSES

PTNR/RESP TO PAY 1/2 UNCOVERED MED/DENTAL/ORTHO/OPTICAL/PSYCH SALE OF RESIDENCE

COURT SETS ARREARAGE IN AMT OF \$ _____ AS OF _____ PTNR/RESP ORDERED TO PAY \$ _____ MO EFF _____

WAGE ASSIGNMENT FOR CHILD/SPOUSAL/FAMILY SUPPORT/ARREARS/ATTY FEES.

PAYMENTS: PETITIONER _____
RESPONDENT _____

POSSESSION OF: PTNR RESIDENCE (TEMP)/AUTO/FURNITURE/FURNISHINGS _____

RESP RESIDENCE (TEMP)/AUTO/FURNITURE/FURNISHINGS _____

R/O: MUTUAL/PTNR/RESP ANNOY/HARRASS/STAY ^{25 yds} 100 YDS FROM RESIDENCE (EXCPT DURING VIS)/EMPLYMT/NEW DEBTS/DISPOSE PROP/HEALTH INS/LIFE INS/REMOVE CHLDRN FROM CNTY/ST/DISPARAGING REMARKS/NO ADULT DISCUSSIONS W/CHLDRN/INFORM CURR ADDR. PNTS CANT CHG RES OUTSIDE CNTY/ST W/O 60 DYS WRITTEN NOTICE TO OTH PTY. EXP: ^{10 yds} 2-2-01

EXISTING ORDERS REMAIN IN EFFECT PENDING FURTHER HEARING, EXCEPT WHERE IN CONFLICT, THIS ORDER CONTROLS.

COURT FINDS: VALID ORDER KNOWLEDGE ABILITY WILLFUL VIOLATION _____

PTNR/RESP FOUND NOT GUILTY/GUILTY OF _____ COUNTS OF CONTEMPT FOR MONTHS OF _____

BALANCE DISMISSED. CONTEMPT DISMISSED/PC1118 SENTENCED TO _____ DAYS CUSTODY IMPOSITION SUSP.

WARRANT OF ATTACHMENT SHALL ISSUE FOR PTNR/RESP. BAIL \$ _____ CASH NIGHT SERVICE HOLD SERVICE TO _____

RECALLED PTNR/RESP ORDERED TO RETURN

MOTION: GRANTED DENIED

PART/STIP ORDER SUB/RECITED BY COUNSEL PTYS AGREE TO BE BOUND PTNR/RESP TO PREP ORDER SEND TO COURT W/O APPROVAL

OPPOSING COUNSEL FOR APPROVAL. ATTY _____ IS AUTH. TO ENTER INTO STIP.

PTNR/RESP SWORN & EXAMINED AS TO JURISDICTION

JGDMT GRNTD EFF _____ INCORP STIP OF PARTIES DISSO STAT ONLY LGL SEP NULLITY PATERNITY

PTNR/RESP ORDERED TO MAKE _____ JOB CONTACTS PER DAY/WEEK EFFECTIVE _____

PLTF/DEFT NOT APPEARING, PETITION (DOMESTIC VIOLENCE PREVENTION) DISMISSED W/O PREJUDICE

OFF-CAL CONTD TO _____ M ON _____ IN DEPT _____ BY PTNR RESP STIP COURT REISSUE

NO FURTHER CONTINUANCES COURT RETAINS JURISDICTION OVER _____ RETROACTIVITY TO _____

REASONS/OTHER:

JS
2/2



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December 1, 1999

To: Mark

From: Richard

Re: COI's Board Meeting
November 18, 1999

I am writing to let you know about what happened at the Board meeting in Pittsburgh a few weeks ago. It was a productive and important meeting in many ways:

- COI's headquarters will move to San Diego in March after our annual audit has been completed. This move reflects the Board's desire that all our administrative functions be housed in one location.
- **The budget for 2000 was approved.** The budget is somewhat lean and reflects the programs that will continue or begin in January. As in prior years, as opportunities and funding become available, we will actively pursue them. A copy of the approved budget as well as a list of income sources for 2000 is attached.

One reason for the leanness our 2000 budget is that we are anticipating a net loss of approximately \$115,000 this year. (Attached is a copy of our Profit and Loss statement as of September 1999 that shows a net profit \$130,799.35. However, as you can see from the 1999 budget-to-date attached, we are forecasting a net loss.) The Jobs Report Larry sent to you last week clearly shows that most of this year's program funding was used up by the end of October. We are still seeking additional revenue for 1999 and a list of potential sources is attached.

- The Board reviewed the organizational assessment completed by Dan Davis of Progressive Strategies (attached). Most of you met Dan during the staff meeting in August. As you will note when you read the report, Dan's comments and suggestions reflect the same issues that we have been addressing since I instituted our transition process in May and that we discussed in August. I intend to use the assessment to secure resources necessary to implement our organizational goals.
- There were also several changes to the membership of our Board. Most of you know that Vickie Tassan resigned from Board due to her increased workload and responsibility at

Bank of America. Vickie continues to be an avid supporter of COI and I hope to find someone from her office as her replacement. Ed Lloyd elected to not seek reelection at this meeting. The Board approved the nominations of five new members: Richard Esserman, LISC (nominated at the suggestion of Ed Lloyd); Matt Hawkins, University of Pittsburgh School of Social Work; Marsha Lindsey, Nevada Bell (Marsha was our partner at Pac Bell before being promoted to President of Nevada Bell last month); Juan Sepulveda, The Common Enterprise; and Bert Weaver, Families First. Copies of their resumes are attached.

The Board elected their officers for the year. Ben Butler continues as Chair and Diana Lewis as Vice Chair. Jerry Altman was elected Treasurer, and Onofre Contreras is the new Secretary.

➤ The Board approved the following meeting dates for next year:

- February 17 Executive Committee conference call
- May 18 and 19 Location to be determined
- August 17 and 18 Location to be determined
- November 16 and 17 San Diego

I am happy to report that the Board continues to be very engaged and eager to help us in our work. Together, I am sure that we can achieve every success in the coming year.

Consensus Organizing Institute

130 Seventh Street, 8th Floor

Pittsburgh, PA 15222

Profit & Loss Statement

January 1999 through September 1999

	Year to Date
Income	
Contract Revenue	
Contract-Consulting Fees	\$231,441.75
Contract-Expense Reimbursement	\$48,177.19
Contract Write Down	(\$1,631.50)
✓ PAC Bell Contract	\$325,514.51
PIC Competitive Contract	\$55,126.11
Total Contract Revenue	\$658,628.06
Other Income	
Interest Income	\$2,611.11
Board Donations	\$400.00
Donations	\$1,800.00
Other Income	\$30.00
Total Other Income	\$4,841.11
Restrictions Satisfied	
✓ Bumett Tandy	\$56,794.74
✓ Merck Family Fund	\$22,165.33
✓ Ford Talent Development	\$128,577.40
✓ The James Irvine Foundation	\$41,249.04
Public Education Foundation-Ch	\$25,387.00
E. M. Clark Foundation	\$18,619.68
✓ Milwaukee Foundation	\$46,232.94
Comm. Found. - Atlanta	\$4,796.00
Memphis-Community Foundation	\$8,138.41
Blank Family Fndn	\$12,736.21
✓ Fannie Mae Foundation	\$49,654.95
✓ Bradley foundation	\$37,267.99
✓ Nat Exon Devel. & Law Ctr Fee	\$16,000.00
✓ Fayetteville, Levi Strauss	\$42,000.00
Levi Strauss - Knoxville	\$4,169.67
Long Beach Foundations	\$12,931.44
Pittsburgh Foundation	\$1,828.00
McCune Foundation	\$15,616.84
✓ Rockefeller Foundation	\$13,634.78
Hugh Spalding Hospital	\$5,000.00
San Diego Community Foundation	\$3,000.00
Grant Write Off	(\$8,054.95)
Total Restrictions Satisfied	\$557,745.47
Total Income	\$1,221,214.64
Expenses	
General & Administrative Exp	

Admin Salary Expense	\$115,888.90
Admin Benefits	\$34,115.80
Admin Office Rent	\$26,452.53
Insurance	\$583.12
Equipment Costs	\$2,242.14
Office Expense	\$2,167.56
Admin Office Supplies	\$3,578.93
Admin Communication Expense	\$12,457.68
Licenses & Permits	\$186.00
Professional Fees	\$10,495.70
Admin Unreimb Travel Expenses	\$28,303.96
Depreciation Expense	\$7,319.56
Interest Expense	\$1,869.85
Admin Misc. Expense	\$120.00
Total General & Administrative Exp	\$245,781.73
Program Expense	
Program Salary Expense	\$491,392.98
Pac Bell Partic. Salary & Bene	\$51,580.10
Comp Cont Partic. Salary & Ben	\$8,341.01
Benefits	\$88,032.30
Program Rent	\$18,750.00
Program Utilities	\$877.91
Program Equipment Expense	\$432.76
Program Office Expenses	\$2,471.16
Prog Office Supplies	\$12,612.23
Prog Communication Expense	\$18,024.67
Program Travel Expense	\$115,588.49
Prog Unreim Travel Exp.	\$9,590.33
Consultant Expenses	\$15,520.33
Contract Expenses	\$139,657.01
Seed Grants	\$1,000.00
Prog. Misc. Expense	\$255.00
Total Program Expense	\$974,126.28
Total Expenses	\$1,219,908.01
Operating Profit	\$1,306.63
Restricted Income	
Receipt of Restricted Revenues	
Program Restricted	\$660,973.00
Prepaid Contracts	\$78,371.75
Total Receipt of Restricted Revenues	\$739,344.75
Total Restricted Income	\$739,344.75
Restrictions Fulfilled	
Release of Restrictions	
Program Restrictions	\$553,325.58
Prepaid Contracts	\$56,526.45
Total Release of Restrictions	\$609,852.03
Total Restrictions Fulfilled	\$609,852.03
Net Profit / (Loss)	\$130,799.35

CONSENSUS ORGANIZING INSTITUTE
Budget

	Updated Budget 8/26/99	Updated 9 Month Budget	9/30/99 Nine Month Actual	Remaining from Budget	10/99-12/99 Expected	Total Expected
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Revenue

Total Revenue

	\$ 1,744,253	\$ 1,351,451	\$ 1,013,588	\$ 1,022,651	\$ 328,800	\$ 271,019	\$ 1,293,670
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Expenses

Payroll/Wages	\$ 832,317	\$ 820,107	\$ 615,080	\$ 607,282	\$ 212,825	\$ 218,671	\$ 825,953
Benefits	\$ 192,640	\$ 181,508	\$ 136,131	\$ 122,148	\$ 59,360	\$ 52,187	\$ 174,335
Education/Training	\$ 10,000	\$ -	\$ -	\$ -	\$ -		\$ -
Seed Grants	\$ 60,000	\$ 1,000	\$ 750	\$ 1,000	\$ -		\$ 1,000
Insurance-Liability	\$ 2,000	\$ 804	\$ 603	\$ 583	\$ 221	\$ 221	\$ 804
Program Travel	\$ 270,500	\$ 178,012	\$ 133,509	\$ 125,179	\$ 52,833	\$ 30,000	\$ 155,179
Outside Consultants	\$ 102,500	\$ 33,574	\$ 25,181	\$ 15,520	\$ 18,054	\$ 18,054	\$ 33,574
Board Meetings	\$ 70,000	\$ 56,943	\$ 42,707	\$ 28,304	\$ 28,639	\$ 6,000	\$ 34,304
Office Rent	\$ 37,785	\$ 32,455	\$ 24,341	\$ 26,453	\$ 6,002	\$ 8,900	\$ 35,353
Office Rent-San Diego	\$ 12,540	\$ 27,500	\$ 20,625	\$ 18,750	\$ 8,750	\$ 8,750	\$ 27,500
Utilities	\$ 800	\$ 1,782	\$ 1,337	\$ 878	\$ 904	\$ 200	\$ 1,078
Licenses & Permits	\$ 5,000	\$ 186	\$ 140	\$ 186	\$ -		\$ 186
Repairs & Maint-Computer	\$ 3,000	\$ 812	\$ 609	\$ 312	\$ 500	\$ 500	\$ 812
Equipment Lease (copier & Comp)	\$ 4,000	\$ 4,596	\$ 3,447	\$ 2,363	\$ 2,233	\$ 1,300	\$ 3,663
Advertising	\$ 1,000	\$ -	\$ -	\$ -	\$ -		\$ -
Bank Service Charges	\$ 500	\$ 119	\$ 89	\$ 12	\$ 107	\$ 107	\$ 119
Payroll Service Charges	\$ 2,500	\$ 2,432	\$ 1,824	\$ 1,789	\$ 643	\$ 643	\$ 2,432
Dues & Subscriptions	\$ 500	\$ 267	\$ 200	\$ 117	\$ 150	\$ 150	\$ 267
Dues-Subs-Program	\$ 1,000	\$ -	\$ -	\$ -	\$ -		\$ -
Postage & Delivery	\$ 5,000	\$ 3,946	\$ 2,960	\$ 1,825	\$ 2,121	\$ 1,000	\$ 2,825
Postage/Delivery-Program	\$ 500	\$ 1,316	\$ 987	\$ 1,105	\$ 211	\$ 400	\$ 1,505
Printing & Reproduction	\$ 4,000	\$ 2,714	\$ 2,036	\$ 2,406	\$ 308	\$ 1,000	\$ 3,406
Office Supplies-Home office	\$ 8,000	\$ 4,884	\$ 3,663	\$ 3,261	\$ 1,623	\$ 1,623	\$ 4,884
Office Supplies-Program	\$ 7,000	\$ 3,824	\$ 2,868	\$ 5,013	\$ (1,189)	\$ 1,000	\$ 6,013
Office Furniture/Software	\$ 5,000	\$ 3,432	\$ 2,574	\$ 2,161	\$ 1,271	\$ 1,271	\$ 3,432
Telephone	\$ 32,200	\$ 38,091	\$ 28,568	\$ 27,552	\$ 10,539	\$ 10,539	\$ 38,091
Pager	\$ 1,500	\$ -	\$ -	\$ -	\$ -		\$ -
Audit/CPA Fees	\$ 8,000	\$ 6,900	\$ 6,700	\$ 6,700	\$ 200	\$ 200	\$ 6,900
Legal Fees	\$ 2,000	\$ 2,000	\$ 1,500	\$ 3,796	\$ (1,796)	\$ 500	\$ 4,296
Miscellaneous Exp.	\$ 25,000	\$ 17,033	\$ 12,775	\$ 8,316	\$ 8,717	\$ 8,717	\$ 17,033
WOMU				\$ 1,015	\$ (1,015)	\$ 4,985	\$ 6,000
Stipends						\$ 7,000	\$ 7,000
Depreciation Exp.	\$ 13,000	\$ 13,000	\$ 9,750	\$ 7,320	\$ 5,680	\$ 3,000	\$ 10,320
Total Operating Expenses	\$ 1,719,782	\$ 1,439,237	\$ 1,080,953	\$ 1,021,345	\$ 417,892	\$ 386,918	\$ 1,408,263

Fiscal Agent Revenue

PIC Pac Bell	\$582,383	\$436,787	\$190,222	\$392,161	\$109,000	\$ 299,222
PIC Competitive	\$27,860	\$20,895	\$8,341	\$19,519	\$7,000	\$ 15,341

Total Fiscal Agent Revenue

	\$610,243	\$457,682	\$198,563	\$411,680	\$116,000	\$314,563
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Fiscal Agent Expenses

Participant Wages & Benefits	\$ 280,274	\$ 210,206	\$ 59,921	\$ 220,353	\$ 15,000	\$ 74,921
PIC PAC Bell Subcontractor	\$ 329,969	\$ 247,477	\$ 138,642	\$ 191,327	\$ 101,000	\$ 239,642

Total Fiscal Agent Expenses

	\$ 610,243	\$ 457,682	\$ 198,563	\$ 411,680	\$ 116,000	\$ 314,563
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Operating Profit

	\$ 24,471	\$ (87,786)	\$ (67,365)	\$ 1,307	\$ (89,093)	\$ (115,899)	\$ (114,592)
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Consensus Organizing Institute

Potential 1999 Income

Likelihood of Being Approved

		25%	50%	75%	90%
Home Depot	\$25,000			\$25,000	
Nations Bank	\$25,000	\$25,000			
San Diego Dialogue	\$20,000				\$20,000
Levi Strauss	\$27,000				27000
Long Beach Foundations	\$18,000				18000
Rockefeller, Univ-Comm. Partnership	\$10,000		\$10,000		
Richmond Family Service	\$3,800		\$3,800		
CA Proposition 10 Project	\$5,000		\$5,000		
Total Potential Income	\$133,800	\$25,000	\$18,800	\$25,000	\$65,000

**CONSENSUS ORGANIZING INSTITUTE
DIAGNOSTIC REPORT**

**Prepared by
Progressive Strategies
November 1999**

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Consensus Organizing Institute Diagnostic Report First Draft - October 1999

PART I: INTRODUCTION

A. Background

The Consensus Organizing Institute ("COI") has undergone a diagnostic process to understand the organization's internal strengths and weaknesses and its current and future external opportunities and challenges. The purpose of this diagnostic report is to clarify and discuss the issues currently facing COI and to make recommendations for potential improvements.

Most of COI's staff and Board participated in the diagnostic interviews, together with a sampling of clients, colleagues, and funders, in order to identify organizational issues and challenges and suggest ways in which COI could be improved. These interviews yielded useful information for the organization, both in terms of process and outcome. The report presents these observations in the aggregate; it conveys the collective reality of the organization and not any specific individual's values or perceptions. In this manner, the report honors the confidentiality of all interview responses.

The diagnostic report is written in a direct and candid style to accommodate COI's need to address its issues head-on. The report is designed to enable COI to confront its issues, strengthen its capabilities, and ensure its future success in furthering its model of consensus organizing as the vehicle for helping communities build capacity and forge relationships in order to meet their needs and goals.

Based on the analysis and recommendations, areas of need are prioritized to focus COI's future activities on developing appropriate solutions which will increase the organization's capability. All of the recommendations are designed to enhance the vitality of the organization by providing detailed steps on their implementation.

The diagnostic report covers the following areas:

- Mission,
- Board,
- Management,
- Programs,
- Human Resources,
- Operations, and
- Communications, and
- Fund-raising and Financial Management.

Part I leads off the report with a summary of the overall findings and priority recommendations. Part II presents detailed analysis of the information collected in the diagnostic interviews, and Part III provides detailed recommendations in the order of priority within functional areas. Because of the small size of the organization and the focused nature of the diagnostic interviews, and to make the presentation clearer and easier to use, the analysis and recommendations are presented in a streamlined, bulleted format.

B. Summary of Analysis

The diagnostic process identified a number of issues which require the attention of COI's board and staff. In summary, seven over-riding organizational themes emerged which will be addressed now and throughout this report. They provide the context for many of the organizational, programmatic and operational challenges which COI needs to address. These seven themes are:

Mission — With the recent transition of COI leadership from Mike Eichler to Richard Barrera, COI is entering a period of important institution building. As COI grows into a more structured organization that can survive and thrive through the natural changes of leadership, it is important that it be represented by a clear and concise mission which all of its board and staff understand and can represent to the world.

Board — During COI's formative years, the Board deferred to the founder/president's judgment in many aspects of the organization's governance. With the management transition, the Board is being asked to take a more active role in COI's planning, management, and fundraising. The Board is stepping up to the task willingly and will need to assess whether it needs to strengthen itself by enlisting new members with additional skills, experience, and contacts.

Management — Nearly all COI's past management and decision-making rested in its founder/president, and the organization clearly benefitted from Mike Eichler's ideas, intuition, and charisma. Now COI faces the challenge of creating an institutional reputation, and describing and documenting the theories and techniques of consensus organizing in a way which can be disseminated more widely. With the transition from Mike Eichler to Richard Barrera, and with Mike's advice and approval, the management and decision-making processes are becoming more open and participatory. The management team has undertaken a dedicated effort to increase the organization's effectiveness, resulting in ambitious and impressive plans.

Programs — COI's organizing model receives very positive reactions from funders and collaborators, ranging from optimism to high praise. After early successes, the need to pursue consulting income hindered COI's ability to create and document clear successes based on its model. Consequently, there is a high need for COI to select its programs more strategically, involve itself more actively in the planning stages, and provide methods to evaluate and document both successes and disappointments candidly.

Human Resources — COI benefits from a small but intelligent, resourceful and committed staff. COI faces several challenges, including:

- recruiting and training people who understand and have an affinity for COI's work,
- creating the depth of talent and expertise needed to grow COI's work while freeing its senior management to manage more strategically, and
- managing its core cities structure in an effective manner to achieve project success while providing adequate support for its field staff.

Communications — While COI generally enjoys a positive reputation among funders and other organizations, it is still little known, given the significance of its philosophies and programs. In addition, it is not well understood by traditional organizing entities, as well as by the public and private sector. COI needs to develop external communications in a variety of media to tell its story clearly and succinctly.

Fundraising and Financial Management — COI's financial management systems have improved considerably. At the same time, COI's single greatest challenge remains to develop a short- and long-term fundraising strategy which will increase its resources and enable it to:

- select its projects strategically;
- continue to hire, train and retain superior staff;
- design and implement more effective operations systems; and
- develop its organizational capability and sustainability.

C. Summary of Recommendations

The following list summarizes the highest priority recommendations developed from the diagnostic process. These recommendations and additional supporting recommendations are discussed in greater detail in Part III of this report.

1. Complete COI's mission revision, facilitate its adoption by Board and staff, and incorporate it into COI's communications in order to focus COI's activities, fundraising, and reputation.
2. Develop a strategic plan tying the organization's mission to its programs and accurately accounting for all resources needed for implementation
3. Develop and implement a comprehensive funding strategy.
4. Continue and complete the management transition and organizational strengthening projects.

D. Introductory Note

To set the proper context for this report, it is important to clarify that:

- COI already perceives the majority of its challenges, including where it has made progress and where it has not in the two years since the last organizational assessment.
- Nearly all of the issues examined in this Diagnostic Report are already being examined by COI's senior management, and many solutions have already been proposed and/or are being implemented.
- The persistence of these issues indicates that COI's current challenge lies more in the area of implementation than in planning and analysis. Some past planning, while ambitious and on point, has not been fully implemented due to the failure to make hard choices about priorities in light of available resources.

PART II: ISSUE PRESENTATION AND ANALYSIS

A. Mission

Background:

A mission is a clear, motivating statement of purpose that helps focus activities and determine present and future priorities for an organization. It also provides a unifying theme by which to operate. A very important function of a mission statement is to empower the board, management, and other decision-makers to seek only those grants, projects and other opportunities which further the organization's quest to fulfill its mission. Important criteria in the evaluation of a mission include: (1) whether people feel directed and empowered by the mission, (2) whether the mission provides a sense of focused direction to the organization, and (3) whether the mission is used as a tool, both in long-range strategic planning and in day-to-day operations.

Analysis:

Mission

- All interviewees believed that they understood COI's mission, and yet many conceded that most people would express it differently. In the past, the mission seemed to reside principally in the founder/president and was seen as more intuitive than explicit. Staff and board alike deferred to the founder/president and to his ideas, skill, and intuition, with two principal results:
 - ▲ First, it was difficult for anyone except the founder/president to own the mission fully. Internally, it was hard for the Board and staff to speak confidently with one voice. Externally, other organizations and funders had great respect for the President but harbored doubts about COI's strength and sustainability.
 - ▲ Second, the organization's programs tended to be more opportunistic than mission-driven. All projects and programs seemed to fit into the mission, but many interviewees suggested that projects and programs were increasingly chosen as much for their income-producing potential as for their strategic value. At the same time, COI staff tended to be seen more as consultants than as professionals dedicated to their own mission.
- Because COI's mission is based on a methodology which can be applied in many different contexts regardless of ideology, some people feel that the organization's values are not clear. While COI may want to stay clear of any political or ideological disputes, it should be clear about the values underlying the consensus organizing model. Some of these are contained in its "Strategic Principles of Consensus Organizing" document.
- COI management and staff have undertaken a project to redefine and focus the mission. They are expanding the mission to address not only the methodology,

but also the goals. Staff report that they are already using the mission more consciously and consistently to guide their program decisions.

As it is evolving, there appear to be two aspects to the mission. First, the foundation of COI's work is the "development, demonstration, and dissemination" of consensus organizing philosophy and techniques. This is the foundation of COI's work. Second, COI's management would like to use COI to influence public policy to help make the public sector less bureaucratic and more responsive to communities. Similarly, COI hopes to change the way corporate entities relate to communities.

In the past, COI has tended to function more as a catalyst through its consulting relationships. In contrast, to exert the type of influence to which it aspires, COI would need greater prominence and stature to speak with authority, create spheres of influence, and build coalitions around its work.

- When it has completed the mission redefinition, including Board review and approval, COI will need to ensure that the organization absorbs the mission, understands it and reflects it in all communications. As discussed below, there is enough external uncertainty about COI and its goals that clear and frequent communication of its mission will be important.
- Fortunately, the Board, management and staff are confident about COI and its future. They are enthusiastic about the mission and the work ahead. They are all clear that concentrating on the mission is the key to building and strengthening the organization's programs and systems. The result will be confidence and respect throughout the organization, with greater structural integrity.

Reputation

- Where COI has direct contact and experience with individuals and organizations, it enjoys a good reputation. However, it is not very well known outside the communities in which it is engaged. To some extent, this low profile is the result of a deliberate choice to limit demand for COI's work until it had the opportunity to refine its model and test its practical applications.
- Outside of its organizing communities, COI's reputation is mixed:
 - ▲ Funders are enthusiastic about COI's approach and have high regard for its staff, but are concerned about its ability to make the transition to a mature and stable organization. As a result, many are taking a "wait-and-see" approach to determine how COI will manage.
 - ▲ Some interviewees see it as a fledgling organization, with its organizing theory not yet adequately tested and proven.
 - ▲ Others see it as having a valuable product, but lacking organizational maturity.

As will be discussed throughout this report, COI's active management of the transition and its aggressive institution-building plans and activities should quickly allay these concerns.

- Interviewees report that COI is the subject of paradox in the organizing world. On the one hand, "traditional" community organizers, which base their work on confrontational models and techniques, are suspicious of COI and suspect it of representing the status quo, in part because of the word "Consensus." On the other hand, corporations and foundations which could help fund COI's programs often get the first impression that COI is similar to traditional organizers, because "Organizing" is in the organization's name.

As a consequence, some interviewees suggested that COI might do well to change its name to something which reflects its programs more accurately – or at least in a way which could not be confused with other organizing techniques. Others felt that the name accurately represents COI's mission and work.

B. Board

Background:

Effective boards play a key role in their organizations' management and funding activities. A board plays a critical role in managing its organization by providing policy, direction, leadership and focus. The board is also responsible for ensuring that the financial needs of the organization are met by contributing expertise, contacts, strategic intercession, and, in many cases, financial contributions.

The purpose of this section is to assess the current involvement of COI's Board in COI's activities and its interactions with management and staff. The information included in this section comes from interviews with COI's staff and Board members.

Analysis:

Board Roles and Responsibilities

- COI's Board of Directors is composed of talented and committed individuals. The Board members report a high level of mutual respect, as well as the absence of politics and agendas. The members see each other as seasoned professionals and feel that they manage conflicts well when they arise.
- Like the rest of the organization, the Board is experiencing changes as a result of the management transition. Previously, the Board provided counsel but tended to defer to the founder/president for most leadership, direction, and decision-making. While Board members trusted and respected the President's judgment, some wished the Board to be organized in a way enabling them to contribute more effectively.
- Now the Board is being asked to be more active and participatory, and it has responded quickly. New working committees have been formed, and there is already a feeling that the Board is more active and participatory. It will be important for the Board to clarify and document the any new roles and responsibilities.

- One of the Board's most important new responsibilities will be to take an active role in COI's fundraising and financial stability. In the past, the Board was not asked to provide much in terms of contacts, time or direct contributions. In the future, all Board members will need to contribute in some capacity, and at least some new Board members may be selected with fundraising capabilities in mind.

Board Structure and Logistics

- Board members are conscious of the challenge of having a national working board. The Board recognizes that the higher level of involvement will require a greater time commitment from its members, in addition to the regular board meetings. Members report that they expect to use conference calls to stay in contact between meetings. Some members also suggest that the Board size could be increased to 15-20 members, in order to distribute the duties fairly. At the same time, the Board may lose a few members in its transition to a more active entity.

Board Recruitment and Orientation

- In addition to addressing increased workload, Board members feel that adding Board members would enable the Board to incorporate diversity strategically. Suggestions include:
 - ▲ individuals with key relationships in core cities;
 - ▲ representatives from the communities served by COI's programs;
 - ▲ individuals with key skills, contacts and experience, such as fundraising and strategic planning;
 - ▲ representatives from the public and private sectors; and
 - ▲ academics or others with the ability to provide research/development skills and contacts.
- Board members report varying experiences with orientation. In general, new members do get to spend time with the COI President, in order to learn about the organization. However, it would be helpful to develop a more structured orientation process, in order to ensure that all Board members have the same level of understanding of COI's mission and work.

Board/Staff Relations

- Board members express a high level of respect and confidence for both the past and current Presidents. They are pleased that Mike Eichler will continue to work closely with COI from his new position at San Diego State, and they are impressed with the amount and type of work that Richard Barrera is spearheading to strengthen COI and ensure its sustainability. Board members feel that Richard is inheriting Mike's mantle successfully, while bringing his own ideas and skills to bear on COI.
- Board and staff members report satisfaction with the contact and communication between them. Both appreciate the staff's presence and participation in the

Board meetings, as well as the opportunity both have to meet and interact with one another. If anything, both Board and staff would like even more contact.

- Board members report that the staff is good at providing the Board with needed information about COI's programs and activities. This situation should only improve, since each Board committee will have a staff liaison assigned to it.

C. Management

Background:

The ability to manage oneself and others competently involves knowledge about oneself and the purpose of managing. It requires a commitment to the goals of the organization, a desire for continual improvement of skills, and the willingness to provide subordinates with the tools to do their job effectively and to develop themselves.

The ability to make decisions for an organization and communicate them effectively is also critical to an organization's growth and well-being. A well-functioning organization requires the capability to make several different types of decisions expediently and with sufficient information to ensure a good outcome. Knowing who needs to be involved in the process, how the information is distributed, and whether a decision is for an individual or a group clarifies and expedites the decision-making process.

The ability to delegate is another essential skill needed in an organization. Effective delegation involves giving others authority to make decisions. It is more than assigning tasks to be done; rather, it is giving others a level of authority which matches the accountability that is associated with the task assignment. Clarity and completeness in delegation, therefore, involve being as precise as possible about the expectations and constraints associated with the assigned task.

Finally, defining roles and responsibilities within an organization helps to clarify what each individual is expected to produce and contribute to the organization. The delineation of responsibilities fosters a collaborative working environment among colleagues as each knows what to expect from the others.

Analysis:

Leadership Transition

- The transition of the COI presidency from Mike Eichler to Richard Barrera is a theme which runs throughout this report. Fortunately, the transition is occurring with a smoothness and momentum rarely seen, due to several factors:
 - First, Mike worked very hard to raise interest in COI's work and to establish COI's reputation.
 - Second, Mike helped ease the transition by encouraging the Board to select Richard, who has a strong grasp of consensus organizing theory and practice, as well as the benefit of considerable experience working with Mike. In addition, Mike introduced Richard to key funders and other contacts in order to pass the torch.
 - Third, Mike's continued association with COI makes it clear that there has been no disruption in the continuity of COI's work, as frequently happens when a founder leaves. This continued association is important for generating confidence, as well as the practical benefits discussed below in the section on Programs.

Consequently, Richard is enjoying a high level of acceptance. The Board expresses satisfaction with his talent and skills, describing him as having vision plus an eye for detail. Their only concern is that he appears to be spreading himself too thin.

- Richard brings useful skills and focus to COI's management. One of the big questions for insiders and outsiders alike has been how the organization will somehow capture or imitate Mike Eichler's intuition and expertise. Richard and his staff are working hard to ensure that COI develops the structure and systems necessary to institutionalize its strengths and ensure its sustainability over time. Richard's skill in this area is reflected in the high level of acceptance and confidence of Board and staff.
- As part of the transition, the Board is working with management to settle the question of location of COI headquarters. There is a feeling that the move from Boston to Pittsburgh was made for nonstrategic reasons, and the Board, management and staff all desire to settle the headquarters question. Since Richard and David Hoffman are already located in San Diego, and since Mike Eichler's San Diego State program is in San Diego, it seems both logical and likely that San Diego should be the headquarters.

Decision-Making

- Staff and Board alike expressed admiration and respect for Mike Eichler. His greatest strengths were seen as his intellect, intuition, and savvy relationship-building. At the same time, his decision-making style was regarded as somewhat autocratic, and his management style tended to be ad hoc and spontaneous. While these may be appropriate for a small, young organization, a growing organization requires delegation and distribution of authority and responsibilities.

Richard brings to the organization a more participatory and systematic style of management. He is implementing more open decision-making and management processes with both Board and Staff. For example, COI's senior managers now take the lead in developing policies, with the input of all staff.

Management Structure, Roles and Responsibilities

- COI has recently restructured management and instituted a management team consisting of the President and the Senior Program Managers, Mary Ohmer and David Hoffman. This team divides the responsibilities for the programmatic and operations management of COI.
- The management team does not include a financial officer, which many interviewees considered to be an important part of a management team. There is a concern that, in the past, decisions have been made without finances being taken sufficiently into account. While interviewees think that the situation has improved over time, there is still a desire to ensure that financial considerations are effectively integrated.
- The team has made tremendous progress in rationalizing COI's structure and systems. Already this year, they have implemented projects to document the organization's critical operational systems and identify where additions or changes are needed.
- This progress is all the more remarkable, given the number of responsibilities each person has. All members of the management team appear by their sheer output to be spread too thin, and could benefit from additional resources. In particular, Richard seems to be pulled in too many directions. He is responsible for restructuring management, driving strategic decision-making, creating and maintaining fundraising relationships, and acting as the spokesperson for COI's work – while still trying to provide regular one-on-one contact with the field staff.

In fact, there is some concern that Richard is still tied too much to the field and staff support. While it is important for Richard to have personal contact with the staff, and while it is especially important for field staff to get the contact and substantive support they need, it is also critical that the organization's President be able to have the room to manage the big picture.

Especially during the transition, it is critical that he focus on the vision and mission, take a visible leadership role, forge strong relationships with funders, and reassure them that COI will thrive as a result of the transition. The sooner funders are confident of COI's strength, direction, and sustainability, the sooner COI will be able to raise the necessary resources to move ahead.

- In a similar fashion, the other members of the management team may be overextended. If so, they will need to create options to enable them to work effectively at a reasonable pace, whether by prioritizing tasks and accomplishing the essential activities first, or by raising the funds to add staff and delegate responsibilities

Strategic Planning

- COI's management team displays a high level of planning capability. The internal projects they have undertaken this year reflect a sophisticated understanding of the

organization's needs and potential solutions. Similarly, planning documents from other years indicate a fairly clear understanding of the organization's challenges and needed changes.

- COI also understands the importance of strategic planning, having undergone two strategic planning retreats. However, the persistence of certain issues over time indicates a weakness in COI's strategic planning process. Past processes emphasized resolving fiscal issues and finding additional funds for operations. These are critical issues, but previous processes did not result in a solid strategic plan which addressed all of the organization's needs.
- In addition, good analysis did not necessarily lead to effective implementation. Given the ongoing funding challenge, it seems likely the process lacked adequate budgeting of costs, followed by prioritization to ensure implementation of the most critical elements of the plan given available resources.
- Consequently, COI needs to undergo a strategic planning process resulting in a complete strategic plan which provides:
 - ▲ a complete workplan for implementation,
 - ▲ rigorous budgets detailing the amounts and sources of the financial and human resources necessary to execute it, and
 - ▲ prioritized strategies to ensure that the most pressing needs are fulfilled before resources are allocated to less critical matters.

D. Programs

Background:

An organization's mission is fulfilled through its programmatic activities. They embody the organization's spirit and are reflected in the services and products offered by the organization. A truism in management is that an organization is known by its programs, is judged by its programs, and will live or die by its programs.

Analysis:

Programmatic Strategy

- Early on, COI enjoyed a prominent success with the Mon Valley Initiative. Since that time, interviewees feel that many of COI's program and consulting choices have been more opportunistic than strategic. Specifically, the need to generate funds to sustain operations has motivated COI to accept projects which, although they could be justified as falling within its mission, did little to advance its knowledge or reputation.
- Coupled with insufficiently developed financial programs and strategies, these choices led COI to its current situation, where there is confidence in its consensus organizing theories and methodologies, but not enough documented successes to gain ready, widespread support. In addition, there is some concern

internally that in its consulting work, COI has been providing more technical assistance than actual consensus organizing.

- COI attributes this situation to the following related developments:
 - First, by accepting fee-driven collaborative work in which COI was not the lead player, it often ended up having little control in program design. Consequently, COI has few strong examples of its own form of consensus organizing to show to funders and other organizations.
 - Second, if it did not design a program, COI also did not get to define the program's mission or goals and evaluation techniques. Although a project might have unclear goals, COI could provide consulting and technical assistance and still add value. However, at the end of COI's participation in the project, success would be hard to measure and document.
- Management and staff report that, together with the focus on refining COI's mission, they have also begun utilizing the mission consciously and strategically in their decision-making processes. For example, COI will strive to select projects on which it can have more design input. In this way, it will be able to focus on key strategic areas and build a critical body of work over time. In addition, it will be able to define success, know how to document it, and have a clear exit strategy when a project is finished.
- COI has also articulated a transitional programmatic plan, focusing on its existing core cities, where it has sunk roots and established a presence. The plan is to deepen COI's client relationships, anchor its programmatic work, and create clear and tangible results which it can then document for learning and fundraising purposes.
- As discussed in the Mission section, COI's goals are to develop, demonstrate, and disseminate consensus organizing techniques. In the past, COI has focused on trying to complete demonstration projects which it could use to showcase COI's theories and methods. COI plans to continue this strategy, but even more strategically. The goal is to complete demonstration projects and disseminate the lessons to larger audiences with greater resources, replicating the projects on larger scales.

Evaluation

- As already noted, COI has been unable to perform effective evaluation of much of its work, with two consequences. First, it is more difficult for COI to raise funds without clear evidence of the value of its work. Second, valuable data and lessons are not captured, resulting in potentially slower refinement and innovation.
- To some extent, evaluation has not been performed by COI on consulting projects because the projects already have their own measurements, which do not typically relate to factors which COI needs to measure.
- It is essential that COI build evaluation tools into every project and program it undertakes, in order for it to:

- ▲ learn from its own successes and mistakes,
- ▲ share this learning internally, and
- ▲ build its body of work and credibility.

Programmatic R&D/Evolution

- With Mike Eichler gone, outside organizations are understandably concerned that COI will lose its momentum and the force behind its ideas and methods. However, these concerns appear to be without foundation and should quickly resolve, for the following reasons:
 - ▲ First, COI understands that the model is not static or complete, and that it needs to evolve and grow with experience.
 - ▲ Second, COI's staff are all highly committed to the principles and techniques of consensus organizing. Senior staff in particular understand and are excited by the concepts, and are capable of applying and extending learnings through programmatic experimentation.
 - ▲ Third, Mike will stay closely affiliated with COI through his program at San Diego State. Much like a corporate spin-off, Mike's activities at San Diego State will free COI to focus on implementing consensus organizing, while having access to a valuable academic resource which can provide research and development, as well as evaluation and analysis of past and current projects.
- This affiliation should provide most of the benefits of the "institute" model advanced several years ago in Carl Sussman's Organizational Assessment. Freed from the tasks of COI management, Mike Eichler will be able to maintain and increase his prominence through research, writing, public speaking, and direct involvement in projects.

In turn, COI will provide a valuable laboratory for testing new ideas and techniques and will benefit from the association. As consensus organizing becomes better known and more widely implemented, COI should be able to maintain and increase its prominence and vitality as more organizations adopt the theories and techniques of consensus organizing.

Geographic Focus

- Several years ago, COI had to decide whether to focus in one city or region, operate nationally, or concentrate on a handful of "core" cities in which it could build a critical mass of relationships over time. It chose the last option. The majority of interviewees supported this strategy, believing that it allows COI to maintain a national presence and stature, without the difficulty and expense of trying to operate a truly national program strategy. Those who disagreed felt that COI should concentrate all of its resources in one location, building its relationships as broad and deep as possible, and achieve clear, demonstrable success.
- All interviewees agree that COI's recent focus on California is timely and strategically important. With the state's combination of liberal values and conservative economics, California is perceived as presenting fertile ground for COI to test its ideas and programs. Private and public backing of back-to-work, public housing, and

other initiatives present tremendous possibilities for COI's non-confrontational, collaborative style of community organizing.

E. Human Resources

Background:

Personnel policies create the structure for an organization's management and staff well-being. The organizational atmosphere, framed by the quality of its personnel policies, will dictate the health of the organization's human resources. This health is measured in terms of staff satisfaction and morale, ability to attract, retain and develop top-notch individuals, and the ability to maintain high productivity.

Analysis:

Staff Recruitment

- COI benefits from a motivated, intelligent, competent and committed staff. It continually faces challenges recruiting and hiring new staff because there is not a ready pool of people with the aptitude and training for consensus organizing. COI believes that this situation should change soon, with Mike Eichler's San Diego State program providing a consistent source of individuals trained in consensus organizing.
- In the past, individuals were sometimes hired because they were the right "fit," even if there was not a project for them right away. Good staff were hired, but sometimes with financial strain. COI recognizes the need for, and is committed to, more focused and deliberate hiring.

Staff Roles and Responsibilities

- Because of the limited number of people available and COI's limited resources, the staff is stretched quite thin, with people often wearing too many hats, and in a few cases perhaps the wrong ones. Because people were not always hired with specific jobs in mind in the past, individuals sometimes have ended up with responsibilities which did not correspond to their best capabilities and talents, or even the ones for which they were hired. People had to do many different types of tasks, and be good at them all. Where they were not, balls were dropped and tasks not carried to completion.
- Although job descriptions already exist, they are being analyzed and rewritten to create better and more effective separation of roles and responsibilities.
- In particular, professional staff report the need for more administrative support. Both local and field staff feel that too much time is spent on administrative tasks and would like to find a way to lessen the burden. Suggestions include streamlining procedures and/or some form of administrative assistance, such as part-time help or interns.

- In addition, it is not clear that the current job levels and compensation are part of a comprehensive system. Interviewees report that jobs and promotions have sometimes been ad hoc rather than systematic; however, these should be corrected as part of one of the current management initiatives.

Orientation and Training

- Interviewees report that, given the distinctive nature of consensus organizing and the heavy relationship component, there is a very high need for training, especially for the remote field staff. There also needs to be comprehensive orientation and training of new staff, as well as opportunities for experienced staff to receive advanced training and deepen their skills.
- In addition, while COI field staff has of necessity been entrepreneurial and relatively self-sufficient, COI is concerned about individual burnout and is working to build better training and support for staff. Management expresses a need for resources to rationalize and build in proper types and levels of professional and administrative expertise.
- To some extent, these needs are being addressed by a new system of support teams assigned to the field staff. In addition, staff has been holding weekly conference calls to discuss strategy, program design and priorities. While these are helpful, management also recognizes the need for a structured process to capture learnings, share lessons, and shorten the learning curve for less experienced staff. Suggestions from interviewees in this regard include:
 - ▲ the use of "buddies" to transfer skills from more experienced to new employees, taking into account the resources which this would require.
 - ▲ the development of an internal consulting function focused on capturing and documenting consensus organizing strategies, providing a clearer structure and boundaries within which staff can be creative and entrepreneurial.
- As with most needs, the ability to provide training is limited by resources. In the past, COI has suffered from its failure to account fully for its overhead when establishing contract rates on projects. Some interviewees suggested that, when establishing its billing rates, COI remember to include not only regular overhead like administrative costs, employee benefits, and utilities, but also resource draws like training time and expenses and project design and development time.

Staff Compensation and Performance Review

- Staff generally considers itself to be fairly compensated. However, there is some concern about the perceived lack of consistency or objective criteria for raises.
- COI has not had a consistent method or criteria for employee evaluation. Staff have not had clear standards against which they would be measured, and have not always known what was expected of them. Management began performing formal staff reviews as this assessment was being undertaken, and activity is underway to formalize the performance review standards and procedures.

F. Operations

Background:

Operational systems are procedures, or sets of policies, universally observed within an organization, for dealing with specific aspects of the organization's work. Systems enhance the productivity of all individuals within the organization in relationship to their work and those affected by their work. Operations bring the policies of the organization to life and they provide the infrastructure and support for the programmatic areas of the organization. When operations work well, the organization is empowered to put its emphasis in fulfilling its mission; when operations are substandard, the entire effectiveness of the organization is inhibited.

Analysis:

Operations Systemization

- COI has undertaken an ambitious program to document and rationalize all of its operations. A workplan has been developed with responsibilities divided between the Senior Program Managers. Policies and procedures which previously evolved on an ad hoc basis are now being collected, examined, and organized or replaced. While the output to date is professional and impressive, the Managers may need additional resources to develop and integrate the complete policies and procedures, while still fulfilling the rest of their responsibilities.

Financial Reporting Systems

- Historically, COI's most pressing need was for financial reporting systems to capture and document all of its overhead. The organization appears to have accomplished this goal, although there may still be some question as to whether the current system can provide the data in the various forms desired. This issue is addressed in greater detail under the Financial Management and Fundraising section below.

Communications Technology

- Given the organization's multiple locations, COI needs to upgrade its communications capabilities:
 - An assessment should be performed of the technology in each office to determine its usefulness and compatibility, and all computer equipment should be Y2K tested, if it has not been already.
 - All travelling staff (including the President) should be equipped with notebook computers with modems and e-mail as well as pagers and, if budget allows, cellular telephones.
 - Simple policies and protocols should be developed regarding communications while travelling, to ensure that important communications can be completed.
- In addition, staff report a need for improved data management and access.

Office Space

- The current office space is comfortable, adequate but not spacious. It does not appear capable of accommodating much organizational growth. In addition, there is only one office/conference room for group meetings. However, it seems that most meeting needs will be able to be met through local partners or San Diego State.

G. Communications

Background:

Communication is the lifeblood of an organization; it lets people align their activities in synergistic ways and makes it possible to achieve their collective goals. Communication is the means through which culture is created, policies are executed, and missions are fulfilled. In addition, effective communication is the means by which an organization increases understanding of its work, achieves influence, and raises funds for its projects. Internally, communication in an organization consists of many different forms, including staff meetings, telephone conversations, and written correspondence. Externally, communication also occurs through a variety of media, and is becoming more sophisticated and immediate through the growth of the internet.

Analysis:

Internal Communications

- Effective internal communications at COI are challenged by geographic separation and extensive travel, especially by the President. Richard acknowledges that scheduled staff meetings and phone calls are often pre-empted by his travel, and is trying to delegate more where appropriate. As noted in the previous section, it will help if he acquires and uses e-mail and a pager and cell phone.
- Field staff request more regular communications. As noted above, COI is working on providing more frequent and systematic contact with field staff, in order to give staff the chance to ask questions and share learnings. In addition, it would be helpful for COI to systematize communications around specific purposes, such as project design or proposal writing.
- With the transition from Mike to Richard, it is important that COI facilitate a deeper understanding and internalization of its mission and the principles of consensus organizing in its staff at all levels. The more these are owned by all staff, the more confidence COI will inspire, and the more flexibility its management and staff will have in representing the organization and building important relationships.

External Communications

- Interviewees generally agreed that COI has not presented its mission and work in a consistent or compelling fashion. Different individuals offered different reasons, including:
 - ▲ Ownership rested in Mike Eichler, rather than in each individual;

- ▲ COI wanted to keep a low profile and not raise demand before it had had a chance to test and document its work;
- ▲ COI has been good at occasional face-to-face communications, but not at written or regular communications; and
- ▲ COI's work is difficult to capture on paper.

Regardless of the reasons, it is clear that COI needs to commit resources to develop appropriate communications about its mission and work. As described in the Mission section, there is enough misunderstanding about COI's mission, methods, and capabilities that COI should be actively engaged in shaping perceptions.

COI has already begun to address this issue with a new information packet containing a printed brochure and summary information sheets. In addition, since most organizations and all national foundations are on the web, COI should invest in developing a website which conveys sufficient information about it to help facilitate its communications.

H. Fund-raising and Financial Management

Background:

Fund-raising and financial management are important components in all non-profit organizations. How an organization develops its fund-raising activities and manages its finances are critical to the success of the organization. Exploring different types of fund-raising activities is important in keeping an organization viable. Also, it is essential that fund-raising strategies are developed and tied to the overall strategic plan of an organization.

Analysis:

Financial Management

- In the past, COI did not have the financial management experience or the systems in place to do a proper accounting of all its overhead expenses. As a result, it did not estimate its time correctly and was not fully compensated for all of its work. In addition, funds were not adequately segregated on the books and were sometimes treated as fungible. Consequently, funds intended for one purpose, such as general operating expenses, sometimes ended up subsidizing projects indirectly. On one occasion, COI had to acknowledge this error to a funder, damaging the funder's trust and confidence in COI.
- COI hired a financial manager, who implemented financial reporting and management systems developed by Senior Project Manager Mary Ohmer. These systems have addressed most of the past issues. For example, for budgeting proposals, field staff now are able to understand overhead components while providing information regarding the type of work to be billed. In addition, COI is doing a better job of integrating its programs in the overall budget.
- Staff express the following two concerns:

- ▲ the management team does not include a financial person, which some staff feel is important for management's planning activities; and
- ▲ current financial systems which were developed to support the consulting practice may need upgrading to support the organization's shift to a more programmatic focus.

Fundraising

Funder Relations

- In the past, COI has not had a comprehensive fundraising strategy. Inadequate financial systems, coupled with a reliance on consulting contracts and overdependence on a few large funders, led it to take consulting engagements which were motivated more by financial than strategic considerations.

As a result, COI has lacked the resources to develop and strengthen as an institution, as well as the freedom to develop demonstration projects which could show the possibilities of its theory and practice. In a couple of rare cases, COI has stretched itself too thin and has not been able to deliver to the funders' satisfaction.
- COI has taken significant and concrete steps to remedy this situation, including the hiring of a financial manager and the implementation of accounting and financial management systems. In addition, it has recently committed to accept only new projects and consulting jobs which directly support its mission.
- Management and staff repeat a common theme: that if they could get 3-5 year operating support from one or more major funders, they would get the breathing room they need for their internal institution-building, as well as the space to focus on key demonstration projects to build their reputation.
- Although COI is concerned about fundraising, there is enough good news that it should feel encouraged:
 - In the past, COI has always been able to obtain funds when it needed them. Granted, it did so largely through the efforts of Mike Eichler, who is known for his ability to forge relationships and tell COI's story fluently. But COI was able to raise these funds despite the absence of a comprehensive fundraising strategy and without professional fundraising assistance. In addition, it appears to have been turned down for funding very rarely. Recent rejections of proposals by large funders appear to be less substantive rejections of COI than reflections of a "wait-and-see" approach to gauge COI's post-transition viability.
 - Large foundations are interested in COI's mission, philosophy, and techniques. Everyone interviewed expressed skepticism about the effectiveness of traditional confrontational organizing techniques. There is a great deal of curiosity about and interest in COI's methodology; if anything, potential funders and collaborators want to see evidence that consensus organizing is an effective approach to community organizing.

- It remains to be seen whether this type of interest can translate into the multi-year operating support that COI seeks. At the same time, there is much COI can do to improve its relationships with funders and increase the likelihood of future funding, including:
 - Become more proactive in managing communications with funders, including more timely and professional reporting;
 - Diversify its funding strategy and demonstrate support by a variety of funders, including local and regional project sponsors;
 - Improve the communications describing COI's unique work, including strengths, potential, and challenges. For example, interviewees report that most funders prefer to support projects where the outcomes are concrete and measurable, and don't seem to understand the value of providing support for project research and design. In addition, staff fears that funders may not appreciate the time often required for the relationship-building that is a critical part of COI's work.
 - Clearly distinguish COI from other organizing entities, to eliminate the negative first impression that could be causing potential funders to shy away without understanding COI's work.

Funding Strategy

- As part of its renewed focus on its mission, COI has determined that it will lead its grant proposals with its mission, to try to raise funds based on a clear appreciation of its mission and goals. COI wants to work more closely with funders to engender a better understanding of COI's work and create greater alignment between COI and funders.
- COI understands that it needs to develop a comprehensive, diversified funding strategy combining local and national operating and program grants with its project and consulting fees. An important part of this strategy will be its ability to create realistic budgets accurately reflecting all overhead and staff time needed for both internal and external projects.
- COI acknowledges that it needs to diversify its funding base. There is a belief that COI may have missed smaller funding opportunities by failing to do the research to find funders with similar values and projects.
- COI is also trying to allocate its staff resources in order to be able to continue to generate funds through consulting while still developing and staffing mission-driven projects.
- Internally, COI is involving its staff at all levels in the fundraising process. They are working to rationalize the process fully, and then train staff in all aspects, including relationship-building, negotiation, and grant-writing. As currently envisioned, field staff will be responsible for identifying potential local and regional funders, building relationships, and writing the grant applications. David Hoffman is responsible for supporting the field staff and reviewing their applications, as well as researching and applying to national funders. Compared to most

organizations, staff seems remarkably willing to assist in the fundraising process. Their greatest concern is receiving adequate training and being able to fulfill their other responsibilities.

PART III: RECOMMENDATIONS

The following recommendations are based on suggestions provided in the interviews, as well as the experience of Progressive Strategies. For consistency, they are organized around the same issues as the analysis in the previous section. In addition, within these sections they are presented in order of priority, reflecting both the relative needs and the logical manner in which they will build on one another to strengthen the organization most effectively. The recommendations may be implemented concurrently; one recommendation need not be completely implemented before the next one can begin.

The highest priority recommendations already presented in the Summary of Recommendations on page 3 are described below in greater detail, in order to provide better clarity for implementation.

Notes:

1. Progressive Strategies understands that COI may already be in the process of implementing some of these recommendations. Nonetheless, they are included in order to affirm their need, as well as to provide specific suggestions on their implementation.
2. The recommendations regarding fundraising are presented after all of the recommendations relating to organizational strengthening. This order reflects the understanding that it will be easier for the organization to raise money when it has finished a strategic planning process presenting a solid direction and programs. However, in order for the organization to undertake a process of development, it will need to generate specific funding for that purpose.

A. Mission

The mission provides the organization with the key information, principles, and values needed to inform others' of the organization's purpose, as well as inform the organization's own decision-making processes.

Mission Recommendations:

- Complete the mission statement revision process and take steps to anchor the new mission statement throughout the organization.

Steps include:

1. Based on work to date, finalize the mission statement and obtain Board and staff approval.
2. Develop an action plan for integrating the revised or re-affirmed mission statement strategically in COI's activities, including programs and internal and

- external communications. Account for resources needed and develop a corresponding fundraising plan.
3. Create opportunities for staff to share success stories affirming the mission.

B. Board and Management

Strong, focused, and determined leadership is critical for implementing the improvements needed by the organization. For that reason, the Board and management recommendations take first priority. Whether the Board or the President takes the lead, they must be empowered to work together in order to achieve the needed changes.

Recommendations for the Board:

- In light of the Board's increasing activity, clarify the role and responsibilities of the Board and its committees, including composition, communication norms, systems and procedures. If resources permit, convene Board members at a retreat for this purpose.

Steps include:

1. If applicable, prepare for retreat by assessing needs identified by the Board and staff.
2. Prepare a small Board training and orientation manual for Board reference.
Topics might include:

- The overall mission of COI and a brief description of its history.
- Board logistics.
- Decision-making and conflict resolution processes.
- Summaries of COI's programs
- Descriptions of each of the permanent board committees, including a list of their duties.
- Descriptions of key COI systems and procedures.
- Role and responsibilities for each Board member, outlining specific duties and functions.
- Term of office and procedures for succession.

- Expand the Board to include individuals with strategic attributes not currently represented.

Steps include:

1. Assess COI's needs from the Board in terms of project expertise, prestige, diversity, professional contacts, and fundraising capabilities.
2. Evaluate the current Board in light of COI's objectives.
3. Involve the Board in defining COI's needs and assessing the current Board's ability to meet those needs.
4. Review and revise or reaffirm criteria for Board membership.
5. Determine which, if any, Board members desire to retire from Board membership.

6. Develop a list of potential new Board members to be invited to serve on the Board. If necessary, engage the services of an outside advisor or professional.
 7. Select and recruit new Board members to meet the needs outlined in item 1 above.
- Consider the creation of local or regional advisory councils to add capacity to the core cities, without excessively expanding the COI Board.

Steps include:

1. Assess the core cities' programs to determine additional needs in terms of expertise and professional and fundraising contacts.
2. Weigh the benefits of an advisory board against the additional time required to manage and support it.
3. If an advisory board is desirable, create written roles and responsibilities members.
4. Enlist the aid of national and local contacts to identify potential members.
5. Recruit members and provide orientation and an operational structure.

Recommendations for Management:

- Review and refine the President's roles and responsibilities in order to employ the President's time more strategically.

Steps include:

1. With input from the Board and staff, create a list of critical roles and responsibilities.
 2. Assess the President's current work in detail to determine how his time is spent.
 3. Determine which of the President's work activities are nonessential or could be delegated to another member of the management team or staff.
 4. Delegate those responsibilities which can be performed by other individuals.
- Undertake a comprehensive strategic planning process which builds on current planning work and includes the necessary budget and implementation elements to ensure successful completion.

Steps include:

1. Obtain funding for a strategic planning retreat.
2. Schedule a block of time sufficient to complete the entire planning process (3-5 days).
3. Prepare staff to participate by giving advance notice of assignments and necessary supporting documentation (existing workplans, job descriptions, budgets, etc.)
4. Convene a facilitated strategic planning retreat to guide the staff through a step-by-step strategic planning process.
5. Ensure the inclusion of detailed implementation plans with corresponding budgets.

6. Prioritize and finalize activities based on actual available resources and potential funding support.

C. Programs

The organization's programs are its mission brought to life. Deliberate and strategic program planning and implementation allow the organization to fulfill its vision and achieve its objectives.

- Implement a consistent evaluation process to assess the effectiveness of all COI projects and programs.

Steps include:

1. Define criteria for evaluating projects.
2. Develop written instruments to facilitate evaluation. Include participants, beneficiaries, COI staff, outside collaborators, and funders in the assessment process.
3. Create a data management system to enable easy access to evaluations for future reference for program design, etc.

- Review and finalize criteria for mission-driven project acceptance.

Steps include:

1. Work with the Board's program committee (if applicable) to review current criteria and affirm or revise, based on the revised mission statement.
2. Define the process for applying the criteria to proposed projects and grant applications.
3. Periodically review the criteria to affirm their continued applicability.

D. Fund-raising and Financial Management

Both short- and long-term, COI's most pressing concern is the availability of funding. These recommendations are presented later because the organization needs to have strong leadership and be clear on its mission and programs in order to be able to generate the needed funding.

- As part of the strategic planning process, develop a comprehensive funding strategy. Include members of the Board Development Committee and consider retaining the services of a professional fundraising consultant for the purposes of developing the plan.
- Consider allocating resources to engage the services of a person with professional fundraising experience to help the Program Manager research strategic funding opportunities.
- Engage the Board in a dynamic fundraising process, educating veteran board members and utilizing the skills and contacts of existing and new members.

E. Human Resources

Last in presentation, but by no means least in importance, COI's staff is a vital element of the organization's ongoing operations and its ultimate success. In addition to performing their duties effectively, the proper staff, properly supported, can generate important goodwill for the organization.

Human Resources Recommendations:

- Complete current project redefining staff roles and responsibilities.
- Review and realign the roles and responsibilities of the Senior Project Managers to focus on the best use of their time and talent. As funding permits, obtain the services experienced individuals for the financial planning, operations, fundraising, communications and human resource functions. Some of these functions may be combined in one individual, and some needs may be met through part-time or contract employees.
- For employee development, conduct a survey to determine training needs. Develop a training budget. Consider employing a person with training skills full-time to provide internal training to board and staff, as well as external fee-based technical assistance training.
- Assess ways to leverage staff time through increased use of interns and volunteers for appropriate tasks.

F. Operations

- Upgrade or replace communications hardware and software to promote communications among headquarters, field, and travelling management and staff.

Steps include:

1. Assess current and likely future communications needs (e-mail, fax, pagers, cellular telephones, etc.)
2. Assess current hardware and software in light of the determined needs.
3. Price out the cost of replacement/upgrades.
4. Investigate alternate sources.
5. Create a funding strategy.
6. When funding is obtained, implement technology upgrade/replacement.

PART IV. CONCLUSION

COI is extremely well positioned to face its challenges and develop its current and future opportunities. It is experiencing a smooth and productive transition from its Founder to its new President, with the full support of both Board and Staff. Management has a clear understanding of the COI's needs and has already undertaken a number of initiatives to strengthen the organization in a variety of areas.

The single largest challenge facing COI is to develop the resources to support these initiatives and build itself institutionally, while simultaneously refocusing its programmatic strategy on its mission and developing the capability to evaluate, capture, and learn from the results. COI also needs to take an active role in communicating its mission and work externally, integrating the reputation which previously relied too heavily on its founder.

In the short term, COI needs to complete a strategic planning process and select its top priorities to implement to completion. Among these will be a comprehensive fundraising strategy, including close contact with funders to demonstrate the effectiveness of the management transition and COI's ability to deliver on the promise of the consensus organizing strategy and model.

Mr. Baca

SWEETWATER UNION HIGH SCHOOL DISTRICT

Office of the Superintendent • 1130 Fifth Avenue • Chula Vista, CA 91911-2896
(619) 691-5555 • FAX (619) 498-1997



F A X

DATE: December 27, 1999

TO: Ralph Mora
SUH

FAX: 474-7635

Mark Baca

FAX: 299-9767

FROM: Dr. Ed Brand

Number of Pages: 3
(including cover memo)

*Mark please follow
instructions in body of letter*

Mr. Mora

Laura D. Romano
Attorney at Law
1901 First Avenue, Suite 182
San Diego, California 92101

Telephone
(619) 696-9913

Fax
(619) 696-9917

12-20-99
Bontec
Pulphal
Gmail
Becker
Ed

Please
return

December 10, 1999

Dr. Ed Brand
Superintendent
Sweetwater Union High School District
1130 Fifth Avenue
Chula Vista, CA 91911

CONFIDENTIAL
ATTORNEY-CLIENT
COMMUNICATION

Re: Registering Students to Vote on Campus

Dear Dr. Brand:

A non-profit organization not affiliated with the District is supporting the District's upcoming bond measure. This organization has District students as members and would like to enlist those student members to set up tables to register eligible students to vote. The voter registration tables would be set up before and after school and during lunch time and manned by student members of the organization. This letter will provide a very brief analysis regarding whether school sites may allow students to set up tables to register other students to vote.

CONCLUSION

Students may set up tables to register eligible persons to vote before and after school and during lunch, however, it is important that the schools ensure that the students are not urging support of the ballot measure at the voter registration tables. The non-profit organization may not use the school as a forum to support the upcoming bond election. There must be no literature urging the support (or defeat) of the ballot measure on campus, however factual information presenting both sides of the ballot measure may be provided.

DISCUSSION

Education Code section 7054 prohibits the use of school district funds, services, supplies or equipment to urge the support or defeat of any ballot measure or candidate and provides that violation of that section is a misdemeanor or felony punishable by imprisonment or a fine. Merely registering people to vote on campus would not in itself be an improper use of

Dr. Brand

2

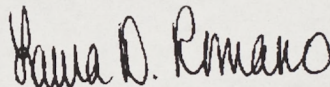
December 10, 1999

district property during non-instructional time, provided that the voter registration causes no disruption of classes or other normal school activities. Those registering students to vote must be careful not to use the forum for the purpose of supporting (or defeating) the school bond (or any) ballot measure.

Education Code section 7054 further provides that it shall not prohibit the use of district funds, services, supplies or equipment if the information provided constitutes a fair and impartial presentation of relevant facts to aid the electorate in reaching an informed judgement regarding the bond issue or ballot measure. While I strongly recommend that the tables set up to register voters not contain any information concerning the upcoming bond measure, if information is provided, both sides must be presented so that the information provided constitutes fair and impartial presentation of facts about the bond measure. If the non-profit organization desires to distribute literature supporting the bond measure, it must do so off campus, such as on the sidewalk in front of school.

Please contact me at (619) 696-9913 if you would like to discuss this matter further.

Very truly yours,



Laura D. Romano
Attorney at Law



130 SEVENTH STREET
PITTSBURGH, PA 15222
412-201-2056

3911 FIFTH AVENUE
SUITE 500
SAN DIEGO, CA 92103
619-299-9585

September 1, 1999

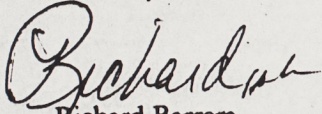
Mark Baca
1412 East 14th Street
National City, CA 91950

Dear Mark:

I am happy to inform you that COI's Board of Directors authorized a salary increase for you at their August 19, 1999 meeting. Your new salary is \$30,000 and will be retroactive to July 1, 1999. The paycheck you receive on September 3, 1999 will include the amount due you from July 1 through September 3.

Mark, I appreciate your hard work and dedication to COI in your position as Community Organizer. Your contributions will go far in helping us fulfill our mission.

Sincerely,


Richard Barrera
President

Sweetwater High School
SWEETWATER UNION HIGH SCHOOL DISTRICT

2900 Highland Avenue
National City, CA 91950-7495
Phone: (619) 333-7009
FAX: (619) 474-7835

Re: Mark Baca Dob: 01/15/66
CASE # M764585

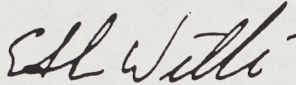
November 10, 1999
San Diego Superior Court:
Attn: Judge ROBERT F. O'NEIL

Mark Baca has worked for me 3-4 days a week since September and has completed 120 hours of his community service requirement. He was punctual and a hard worker. In my opinion, his work was better than average. I have found him steady and cooperative - two qualities I appreciate.

I am sorry he is leaving, and I sincerely feel that whoever is fortunate enough to have him will be rewarded with work well done.

In conclusion, if you have any questions regarding Mr. Baca do not hesitate to call me at 619-339-7609.

Sincerely,



Mr. Eddie Williams
Sweetwater High School

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DUP
11

NOV 17 1999

F11

EXHIBIT "A"

CONSENSUS ORGANIZING INSTITUTE

SWEETWATER HIGH SCHOOL YOUTH ORGANIZING PROJECT

The Consensus Organizing Institute (COI), in Partnership with the Sweetwater Union High School District and Sweetwater High School in National City is developing an after school program to train a selected group of Sweetwater students in the techniques and principles of community organizing over the course of the 1999-2000 school year.

This new program will assist the students in taking practical but dramatic steps to improve their neighborhoods, community, and city. COI seeks to provide the students with the tools they need to create and carry out community development agendas by identifying other young leaders, and by exploring their interests and concerns in developing solution oriented projects and ideas. Ultimately, the COI youth organizing and leadership development strategy seeks to build sophisticated networks of relationships between youth leaders and local, private and public sector leaders and institutions. COI seeks to position these young leaders so that they may use their new relationships as vehicles for community change and personal development.

Founded in 1994 by community development specialist and seasoned community organizer Michael Eichler, COI is a national non-profit community development organization committed to identifying, training and providing technical assistance and support to a new generation of local leaders. Utilizing careful analysis, intensive planning, strategic thinking and consensus building techniques to advance important community agendas or solve critical community problems, COI trains community organizers to help ordinary people build sophisticated networks of relationships. Central to COI's approach is the use of relationships as vitally important vehicles for advancing community development agendas. In every community with which it works COI carefully and creatively practices the art and science of building productive strategic relationships.

PROGRAM DESIGN

COI will design a program that introduces consensus organizing to a group of Sweetwater students. Interested young people will be given opportunities to learn and practice organizing by picking their own issues, designing their strategies, and achieving real goals. The critical core components of COI's work with the students would focus on the following areas:

- ◆ Education
- ◆ Leadership through community involvement and engagement
- ◆ Historical cultural awareness
- ◆ Active youth participation
- ◆ Mentoring and support
- ◆ Skill development and capacity building
- ◆ Citizenship and leadership development

With regards to skill development and capacity building, COI youth programs would focus on developing among community youth and young adults the:

- ◆ Ability to obtain information using resource materials tools; and
- ◆ Ability to articulate identified community needs;
- ◆ Ability to set realistic goals;
- ◆ Ability to develop and implement a strategic plan of action;
- ◆ Flexibility to adapt or substitute goals and strategies;
- ◆ Ability to process information and data , as well as think systematically and analytically;
- ◆ Negotiation and consensus building skills for conflict resolution and decision making;
and
- ◆ Team building skills

COI is already testing this concept at an alternative high school in Brooklyn, New York. At El Puente Academy for Peace and Justice, COI organizer Paula Rojas has trained 14 young people, ages 15-18, to become effective organizers. The student organizers have used their community-building skills to identify disinvestment as a major impediment to neighborhood growth and have put together a cooperative vendors market as a means of keeping wealth in the neighborhood. COI wants to build on the early success of El Puente by allowing the current organizers to train a new group of youth who will work on the vendors market and identify new issues and relationships that they want to expand on.

At Sweetwater, COI will not pre-determine the projects or issues that the student's design. The success of El Puente is based in part on the willingness of the adult leaders/facilitators to allow the young people to think through issues and to determine for themselves which ones they want to address. In El Puente, it was the loss of wealth from the Brooklyn neighborhood. At Sweetwater, it may be to design a Community Development Certification course of study for high school students who have a significant interests in human services or to build partnerships with local government, businesses and community-based organizations to develop internships that would include incentives, like (school credit, internships, and/or work experience.

COI staffperson, Mark Baca, an experienced consensus organizer and an alumni graduate of Sweetwater High School will lead the organizing effort.

OUTCOMES

The following outcomes will result from the students' participation in the youth organizing program:

- ◆ Students develop personal, social and political skills;
- ◆ Students understand what it means to be contributors to strengthening a community;
- ◆ Students learn practical problem- solving skills; and
- ◆ Students feel empowered by the process of learning that collaboration and consensus building are the cornerstones of economic, community and personal development.

PROJECT TIMELINE

JANUARY-MARCH 1999

COI will commit Mark Baca full-time to be the youth organizer who will develop the partnership with Sweetwater Union High School District and Sweetwater High School. During this time, the organizer will develop relationships with teachers, counselors, students, administration and other stakeholders. The youth organizer will build an understanding of the organizing program among Sweetwater stakeholders by seeking out their ideas for making the program work at the school.

APRIL-JUNE

The youth organizer will work with people at the school to recruit interview and select the first group for the project, consisting of no more than 20 students.

OVER THE SUMMER

The youth organizer will take the first group through a short-term project (ex: a community garden, community asset mapping, street fair, etc.). The purpose of the project is to build a sense of cohesion among the group, demonstrate to participants their potential to positively impact their community and build the group's credibility within the community.

JANUARY- AUGUST 1999

In addition to the above tasks, the youth organizer will introduce the project idea to community members to solicit their ideas, help, and support for the first group of students.

SEPTEMBER 1999

The after school program begins with the first group of students.

Consensus Organizing Institute

PSMI / COI EMPLOYEE COSTS AETNA HMO / PPO, DENTAL, VISION, S-T & L-T DIS. INS., LIFE INS.

Employee	Age/Ins. T	Ann. Salary	Monthly Premium								W/C Code	
			HMO	PPO	D. Gold	D. Silver	D. Bronze	Vision	Life Ins.	ST Dis.		LT Dis.
CA Totals		\$ 450,809.12	\$ 2,597.00	\$ 2,950.00	\$ 398.76	\$ 423.42	\$ 307.44	\$ 127.88	\$ 58.56	403.24	328.54	
Christina	48 F	\$ 38,000.00	390.00	458.00	93.09	80.25	54.67	21.87	9.50	29.33	26.00	8742
Mark												8742
Richard	33 F	\$ 80,000.00	430.00	485.00	93.09	80.25	54.67	21.87	4.63	55.00	48.75	8742
Mary C.	29 S	\$ 38,000.00	149.00	169.00	24.20	21.01	16.45	8.55	4.63	33.00		8742
Elizabeth	29 &C	\$ 32,000.00	275.00	310.00	46.66	39.88	31.36	12.20	4.63	33.00	14.33	8742
Tanisha	27 &C	\$ 27,000.00	275.00	310.00	46.66	39.88	31.36	12.20	5.60	33.00	14.33	8810
Monique	29 &C											
David	32 S	\$ 56,000.00	149.00	169.00	24.20	21.01	16.45	8.55	4.63	55.00	48.75	8742
Charles	33 S	\$ 40,000.00	149.00	169.00	24.20	21.01	16.45	8.55	5.93	29.33	26.00	8742
Melodie	21 &C											
Richard Y.	50	\$ 42,309.12	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	8742
Larry K.	52 &S	\$ 60,000.00	350.00	395.00	46.66	39.88	31.36	12.20	14.05	106.25	124.38	8742
Kabi	37 F	\$ 37,500.00	430.00	485.00	93.09	80.25	54.67	21.87	4.95	29.33	26.00	8742
PA Totals		\$ 170,000.00	\$ 1,068.00	\$ 1,118.00	\$ 169.00	\$ 146.64	\$ 106.49	\$ 81.17	\$ 19.14	\$ 168.66	\$ 149.50	
Sam	47 &S											
Larry H.	51 F											
Penny	32 F	\$ 30,000.00	459.00	479.00	83.61	72.08	48.9	21.87	4.63	55.00	48.75	953
Mary O.	38 S	\$ 60,000.00	155.00	163.00	21.74	18.87	14.77	8.55	4.95	29.33	26.00	951
Jesus	37 S	\$ 50,000.00	155.00	163.00	21.74	18.87	14.77	8.55	4.95	55.00	48.75	951
Evette	34 &C	\$ 30,000.00	299.00	313.00	41.91	35.82	28.05	12.20	4.63	29.33	26.00	953
GA Totals		\$ 38,000.00	\$ 211.00	\$ 211.00	\$ 21.74	\$ 18.87	\$ 14.77	\$ 8.55	\$ 4.63	\$ 33.00	\$ 14.33	
Katie	27 S	\$ 38,000.00	172.00	211.00	21.74	18.87	14.77	8.55	4.63	33.00	14.33	8742
AR Totals		\$ 54,816.00	\$ -	\$ 399.00	\$ 38.82	\$ 33.18	\$ 25.97	\$ 12.20	\$ 9.50	\$ 55.00	\$ 48.75	
Manuel	45 &C	\$ 54,816.00	N/A	399.00	38.82	33.18	25.97	12.20	9.50	55.00	48.75	8742
OH Totals		\$ 60,000.00	\$ 310.00	\$ 344.00	\$ 41.91	\$ 35.82	\$ 28.05	\$ 12.20	\$ 6.90	\$ 55.00	\$ 48.75	
Karen	42 &S	\$ 60,000.00	310.00	344.00	41.91	35.82	28.05	12.20	6.90	55.00	48.75	8810
Totals Monthly:		\$ 64,468.76	\$ 4,186.00	\$ 5,022.00	\$ 670.23	\$ 656.93	\$ 482.72	\$ 211.98	\$ 98.74	\$ 714.90	\$ 589.87	
Totals Yearly:		\$ 773,625.12	\$ 50,232.00	\$ 60,264.00	\$ 8,042.76	\$ 7,883.16	\$ 5,792.64	\$ 2,543.76	\$ 1,184.88	\$ 8,578.80	\$ 7,078.44	

*Life Insurance premium pricing based on \$25,000 policy, employee only.
Life Insurance coverage available to \$300,000.

DOCUMENTATION OF SWEETWATER ISSUE

Chronological order:

On March 28, I received a phone call from Jorge Dominguez, who formally worked at Sweetwater High School as a vice-principal and is currently director of technology at the district office. Jorge informs me that I should be aware of what he had heard earlier in the morning. He stated to me, that Ralph Mora had received a phone call from an anonymous caller stating that Mark Baca had a criminal record and that I should not be working with students. He also told me that Ralph Mora had asked the National City police to conduct a personal background search regarding my personal or criminal background. The police told Mora that they would not do this and that he did not want to be named in any way that would jeopardize his job. I assured him that I would keep it confidential.

On Thursday March 30, I had a conversation with my Richard Barrera with COI. Richard and I had a twenty-minute discussion with him over emphasizing that everything is riding on a positive outcome of my meeting with Ralph Mora. Richard explains that the bottom line is that I must satisfy Ralph Mora and be totally truthful and honest with him.

On Friday March 31, I picked up Ralph Mora at Sweetwater High School at 11:45 and went to lunch. After lunch, Ralph Mora and I met at his office and he stated the following to me. "Mark, I received an anonymous phone call earlier in the week and had also received a phone from Ben Lumpkin from the Union Tribune and explained to me that the reporter is probing and asking about criminal record. He had spoken with Fred Ferguson that he is sending Mark Baca to him to process background check "in order that he may continue" with his work, program afterschool regarding NCYO. He gave me the memo and then he called Fred Ferguson, and said he was sending me to do a background check. Ralph Mora then told me that "that he gets phone calls like this once a week and that this was no big deal." I responded by saying "how come you didn't tell me this immediately when you found out and that I had received this information via a source at the district. He said, "it was no big deal, that as long as I didn't have any felonies that there would be no problem. The background check would take 3 to 4 days. That is was no big deal and for me to relax," I then asked Mr. Mora if he wouldn't mind calling my supervisor Richard Barrera to let him know that we had met and discussed. He picked up the phone and called Richard and told him about our conversation. And that we had a productive meeting and that I represented the school and community.

Monday, April 3, on this day Ralph Mora leaves me a message, stating that "he hopes I have gone done and taken care of fingerprints and he has spoken with Ed Brand and that he agrees to that the background should be done and that it is district policy that I could not be on campus until background check was done. That this was not be unusual, and that I would take three to four days.

April 5, Met with Ed Brand at 1:30 and discussed situation at hand. Ed Brand told me that he knew me and that if there was any felonies that he couldn't help me that his hands were tied. We had a good meeting and our understanding was that if I had no felonies that it should take three or four days. Ed Brand then called Fred Ferguson, and told him that as soon as he received Mark Baca's background results to let him know. He also asked how long it would take. Ferguson responded by saying no later than Friday. Ed Brand said that he would give me a copy and that he assured me that everything would be fine and this was district policy. I left meeting with an understanding that as long as I had no felonies everything would be fine.

April 6, 6pm. I called Ben Lumpkin of the Union Tribune to speak about probing and mess that was created by the anonymous phone call he received. He called back and left a message that he wanted to meet with me but that he can't talk to me off the record in anyway because he was under strict

orders from his editor Karen Clark, however he said that he would like to clear up some of the issues he found on my record.

April 6, 8:20pm Richard Barrera, left me a message stating, "that he talked to Chuck Nathanson (COIBoard member) (and SD Dialog)" that it turns out that he knows the editor Karen Clark, who is the reporters boss and that he was going to try to kill the story and the he would try to intervene.

April 7th I called Fred Ferguson, for clarification about the 30 delay. I told Mr. Ferguson that "it was my understanding that if there was no felonies that I would be okay." He said who told you that. I said Ralph Mora and Ed brand. He responded by saying that it was not true. I asked him to explain and he said that if I had a battery or drug charge that they would have to review and determine if I could work on campus.

He then gave me, a scenario that if somebody had an embezzlement felony, that the district would not unnecessarily disqualify them but would not place them in a job that involved money.

I told him, I was unclear and I was getting mixed messages from everybody and needed clarification. I then said, "according to brand and Mora, in conversation that we had had, that I was told, that as long as there are no felonies that I would be okay, I then asked him, "so you guys are not doing the investigation? Is it the justice department? He responded by telling me: that it was state law mandatory that before any volunteer starts they must have a background conducted. I then stated, I have been working at SUHI for over a year, and I was never asked to do a background check. He asked, "who do you work for?" and I said COI. I have been working for over a year at SUHI and I needed to respond to my students, he then said, "how come you weren't asked to do a background check when I started?" and I said I wasn't asked to.

And I didn't know about a background check. I told him that at this point, he should call Ralph mora and Ed brand that they would be able to tell him the facts. I did not have any other further information and should not answer any more questions. In conclusion, I told him that if I could be of any assistance in expediting this unfortunate event to feel free to call and gave him my number.

April 7th, 9:20 I received a phone call from Ralph mora that states to me "mark I am returning your phone call but I have a meeting with Eddie William's with Mr. Ferguson at the district. Do you know what this is about? I told him it must be about the community service? He said what community service, he said I thought you told me everything on Friday. I said, this was community service after school on my own time and did not see this as part of the issue. He said he had to leave to the meeting and that he would call me later.

April 7th, 11:15 I received a call from Ralph mora and asked me Mark did you tell Eddie William's that either myself or the VP's said it was okay for Eddie William's to sign the community papers. I said that this was not true and that I never said that. He immediately said to me, "on that basis, that I could no longer work at Sweetwater High School and to turn in my keys!" I responded by saying, there is a misunderstanding here, there is a mistake...he said at our last meeting I thought you told me everything?" I said, I did! And that the community service was on my own time.... He said you should have told me...I said I didn't think that I had to because Eddie William's is the one I did the community service hours with and he is the one that signed my community hours and that is was after school and on my own time...he stated, I didn't tell him everything at our last meeting and that on that basis that I had to turn in my keys and could not work at SUHI I said Ralph.... We need to talk about this...this is not true...he then stated you don't work for E William's you work for me. Eddie is lying. He said he had to go to a meeting and hung up on me.

April 7th, 11:40 Richard berrera calls me and accuseses me of not being truthful with him after he said he gave me every opportunity to be honest with him and that I had lied to him about Eddie William's.... I responded by saying that I was honest that the community work was after school and on my own time. I didn't think twice to mention it because it wasn't work related...he responded by saying that he had to leave and that I should set up a meeting with Ed Brand as soon as possible.

April 7th 11:50 I immediately called my father and explained in detail what had just transpired and what is being done unfairly to me.... As I was talking to him, I received a voice mail from Richard Barrera with my dad on the phone, stating he had talked to Ralph mora and he said that I had told Eddie William's that it was okay for him to sign the community work sheet because I had received clearance from Ralph mora to do my community service at SUHI and on that basis with the guard understanding that I had said that and cleared that prior mora is saying that is unacceptable and why I am being removed from SUHI is because I lied to Eddie William's and that not telling mora of any of this that is was not acceptable. The reason I would not be able to return to suhi was because Ralph mora did not know about the community service.

April 10th I called Ed Brand to set up meeting with Ed for the 11th.

April 11th meeting with Ed Brand:

1) I stated to Ed Brand "you told me on April 5th that if I only had missed. And that if there was no felonies that there would no problem...at this time I handed Ed brand a letter stating that on April 7th Ralph mora told me to turn in my keeps and that I could no longer work at suhi.

2) I asked Ed...what is going on? Do I have a job or not? He stated, "mark you don't have any rights, you are just a volunteer and Eddie is protected by the union, it is his word against yours and who are they going to believe...I then asked Brand...I have not received a written letter of response and that if he would put it in writing and he said no because I was just a volunteer and I had no rights and that he didn't have to.... I then tell Ed, " I have been a reasonable person up to his point and that I am being rail-roaded for something I did not do." Ed said, the issue at hand is that it is my understanding that we are waiting for your background check and that after 30 days he might speak to Ralph Mora but we cant do anything until my background check is completed! He asked me "are you telling me everything? And I said yes.... I tell Ed brand you did this to me once in the 11th grade and that I will not let this happen again...you got to do what you got to do and I have to do what I have to do...Ed brand then tells me...you are acting like my 17th year old kid and that I don't want to take responsibility for what you did! I asked what did I do? End of meeting.

April 12 2000

Sent Ed Brand a letter register mail, as follows

Superintendent. Brand, per our meeting yesterday on April 19, 2000 regarding principal moras decision to have me turn in keys, and no longer work at sweetwater...you stated that you support Ralph moras decision...I am deeply disappointed that you have chosen to take this position without an investigation or following due process. I always thought that a person in this country was innocent until proven guilty unless one works for the Sweetwater Union High School Distinct. Since you have taken the above position, I believe that I have the right to receive official notice regarding you decision. Mark Baca, community youth organizer.



City of National City
Office of the City Council

1243 National City Boulevard, National City, CA 91950
RON MORRISON-COUNCILMAN (619) 336-4233
(619) 475-2996

March 20, 2000

National City Youth Organizers
Mark Baca

Dear Mark:

I read with excitement the recent newspaper article that outlined the great progress that your organization has made. Let me say that you and all the youth organizers involved can be proud of not only the work that you are doing, but also the type of work that your group is involved in.

All too often when a 'mapping' is assembled it is put together in a cold statistical fashion, that can lead many policy makers to erroneous conclusions. The fact that your students are basing your work on the human element within each neighborhood gives this mapping a remarkable potential as a tool for providing intelligent information as we look to making long range policy decisions.

The involvement of young people in such a positive, and informationally vital project is both refreshing and gives great hope and encouragement for the future of our community.

Please accept both my congratulation and sincere thanks for the fantastic job that you and the students are doing for our community. Please feel free for you or any of the student organizers to call upon me for any assistance I can provide.

Thank you and please keep up the great work

A handwritten signature in black ink that reads "Ron Morrison". The signature is fluid and cursive, with a long horizontal stroke at the end.

Ron Morrison

SWEETWATER HIGH SCHOOL

OFFICE OF THE PRINCIPAL

2900 Highland Avenue
National City, Ca 91950
Phone: (619) 336-7009
Fax: (619) 474-7635



March 21, 2000

The National City Concensus Organizers
Mark Baca

Dear Concensus Organizers and Mark:

It is with a great deal of pride that on March 17, 2000, I read the article in the Union Tribune on the fine work that you are doing to make the National City community a better place. Through your efforts in registering voters and serving the needs of the community, you are learning how to access the system and improve the quality of life for all of us that live or work in National City.

Please continue your mission and I support what you stand for.

Sincerely,

Ralph Mora

Mr. Ralph Mora
Principal

RM/gw

CC: Dr. Ed Brand
Mr. Robert Acuna



SWEETWATER UNION HIGH SCHOOL DISTRICT

Office of the Superintendent • 1130 Fifth Avenue • Chula Vista, California 91911-2896
(619) 691-5555 • FAX (619) 498-1997 • e-mail: ebrand@suhsd.k12.ca.us

Edward M. Brand, Ed.D.
Superintendent

March 22, 2000

National City Youth Organizers
C/O Mark Baca
Sweetwater High School
2900 Highland Ave.
National City, Ca 91950

Dear National City Youth Organizers:

I recently saw the impressive article, *Students put National City on the Map*, that was featured in the San Diego Union-Tribune on March 17, 2000! I would like to take this opportunity to let you know how proud I am of you and your efforts on behalf of the citizens of National City.

I understand that you have registered more than 100 people to vote, and have completed more than 500 surveys on what people can do to improve their neighborhoods. Your cooperative, self-sacrificing efforts to this project are certainly valuable to bringing members of the community together for a common purpose, and a heightened level of civic awareness.

The success of this outstanding project is certainly a reflection of your many hours of hard work and dedication, and I want to commend all of you for your commitment to your community.

Sincerely,

A handwritten signature in cursive script, appearing to read 'E. Brand'.

Edward M. Brand, Ed.D.
Superintendent

A handwritten signature in cursive script, appearing to read 'Mark Baca'.

EMB:dh

Mr. Kahn:

Regarding the e-mail below on the following:

1) Files- Where do you come up with the "spin" that I refused to turn over C.O.I.'s files? You are more than welcome to look at, and keep any C.O.I. files. If you wish to see the files that I picked, e-mail me so that we can then set up a meeting here in National City .

2) Laptop- First, I did not "negligently" allow the laptop to leave my possession that C.O.I. entrusted to me. You state the "loss" of the laptop is my responsibility. I do not agree, I had to leave the lap top in the Sweetwater classroom (as I had done on numerous occasions) where I worked and was headquarter as a C.O.I. employee because I was ordered by Principal Mora to immediately leave, and not to return to the campus. You also know, that I have made repeated attempts, (as per all the e-mails that I have sent you) to pick up both my files and C.O.I.'s. It wasn't until today that I was able to pickup C.O.I.'s files and also my materials. I have numerous items of mine also missing. I would recommend that if you want to know what happen to the lap top, to ask Principal Mora. He is the one who can inform you as to who has been in that classroom, and well as to who cleaned and painted it immediately during the 3 to 5 day background check, when he ordered me to leave and not return to the campus. Other than the above information, I don't have the slightest idea or any further information concerning the where about's of ththat lap top computer that was left and last seen in that Sweetwater classroom. If you have any further questions or need any further information e-mail me, as my phone is down. I will also be wait for your call as to when and where you wish to meet regarding the meeting on the files.

Mark Baca

Cc. Committee on Chicano Rights

April 7, 2000

10:49AM (1ST MESSAGE)

Richard Barerra: Leaving me a phone message.

Mark this is Richard, very bad news. And I got to tell you. I'm very very angry... I talked to Ralph Mora and he told me that you are not going to be allowed to work at Sweetwater High anymore. And you are not to have any contact with any of his students and heres why:

And he talked to his security person who you had done your community service with and according to Mora, the security person had said that you had gotten clearance from Mora to go and do your community service there at Sweetwater and on that basis the security guard worked with you and you did your community service with the guard understanding that you had cleared that prior with Mora. In fact, you never talked to Mora about that and for that reason Mora is saying that is unacceptable and you can't work with the students no more at Sweetwater.

So Mark, what you're being removed from Sweetwater for is you lying to the security person saying that Mora had cleared for you to do your community service at Sweetwater, never having told Mora that and he is not going to let you work with students because of that.

If that's what you did Mark, then I got to tell you that... I'm furious as well. And I'm not sure what I'm gonna do about it. I really got to consider my options because you never told me ,first of all, that you were doing community service.

You never told me that you had... while an employee at COI. That you had been found to have violated a restraining order and you never told me any of that... You told me you were...

(END OF 1ST MESSAGE)

11:53AM (2nd PHONE MESSAGE)

Mark, it's Richard again. You never told me that the volunteer work you were doing at Sweetwater was a matter of you fulfilling a community service requirement, now we have no policy about any employee having to tell a supervisor that they had a criminal charge...and if you had told me that, I would have been supportive. If you had told me that you have been found of violating a restraining order and you needed to do community service and that you were going to do it at Sweetwater, I would have been fine with that.

I don't understand why you didn't tell me that...but that's not the worst of it. The thing that's the worst is...for you to go and tell the security guy that the principal had cleared that for you to do it without going to the principal...I don't understand that Mark. I don't understand why you would lie about something like that...why you would leave yourself exposed to that...and the thing I am angriest about is now in the middle of this...over the last week, when I told you over and over to just be open with me...and tell me what is going on. You didn't tell me that...that had happened. So when I'm talking to this reporter, I'm trying to act--if I knew that you were doing community service at Sweetwater...that in fact it wasn't on COI's time. I'm trying to act if I knew that when I didn't know that. Let me tell you something...If I had known that, you had lied to the security person about the principal's clearance, I would not have helped you out with this reporter...you know...

Mark, I can't believe that...that you just kept that from me and didn't open up to me with what...the way I've been to work with you this whole way through...I can't believe it. And I can't believe that now, you jepardize this project at Sweetwater...your relationship with those students, your work in National City, all the positive things you've been doing in your life...That you're contributing to National City. I can't believe, that you're putting those things at risk...because of some stupid attempt to weaseal around on this community service thing. And then on top of it all not to tell me any of this...while we're in the middle of this crises with the reporter. I can't believe it. And I'm going to call you back right now...

(END OF 2nd MESSAGE)

11:57AM (3rd MESSAGE)

So let me just be clear...what the situation is now...

1. You can't work at Sweetwater anymore...so that projects over. Whether COI is going to be able to continue to work with the students at Sweetwater, I don't know, it's up to Mora and Brand that's up to them but you can't work at Sweetwater anymore. So that's number one.
2. Now there will be an article in the paper because the fact that Sweetwater is removing you from working there, is gonna cause the paper to write an article. And the article is going to be that you were removed from Sweetwater because you lied...saying that you had the principal's clearance to do this probation and now, that's why you're not allowed to work at Sweetwater no more and that's why that project...that the reporter who wrote a glowing article about is over...and then I'm gonna be in a position, COI's in a position, where we look completely stupid. For me not knowing what you were doing at Sweetwater...not knowing that you lied to the security guard about the principal's clearance. So you wrecked your project, you damaged your organization publically, and you've done it because of being dishonest and you haven't been open when you had everybody there to support you every step of the way. I can't believe it. I mean I've got to really think about what to do now, because if I find any reason to keep you on at COI now, it's really going to be against my better judgment. You know I feel completely terrible for you, because I know how much you believe in the work that you're doing...and to see that come to an end, because of this kind of stupid mistake, it's unbelievable. and I feel terrible for you and I don't want to destroy your life. I put a lot of investment in trying to...help you to get to this point. and I don't want to see it come to an end. But that's not following professional judgement on my part. That's me putting my personal feelings, above what the really right thing to do, is fire you. And personally, I don't want to do that. Personally, I want to support you...but I'm telling you Mark. I don't know what I'm going to do...And I got to think about this and make a decision. And frankly, I don't want to talk to you, don't call me right now, don't come by my house or office or anything like that... Because I'm not in a position to hear anything.

(END OF 3rd MESSAGE)

12:36pm (4th MESSAGE)

Mark this is Richard...I got your message and about the stauts with meeting with Brand...and listen, I'm angry with the way this played out. But if the bottom line is...If Ralph Mora is looking for some way to cover his own ass and he's killing the program because of this...I just want you to know...that as long as those kids want to keep working...and if we can find a way moneywise, we will move forward with the National City Youth Organizing Project. Whether or not it's at Sweewater. It's a very important pprogram...Your doing great work...and if the students want to stick with it we will move forward...So I'm pissed...But just know that.

(END OF 4th MESSAGE)

April 7, 2000

Richard leaving me a message:

Mark, very bad news, I gotta tell you I'm very very angry, umm, **I talked to Ralph Mora** and he told me that you are not going to be allowed to work at Sweetwater High anymore. You are not to have any contact with any of his students because **he talked to his security person who you had done your community service and according to Mora the security person had said that you had gotten clearance from Mora to go and do your community service there at Sweetwater and on that basis the security guard worked with you and you did your community service with the guard understanding that you had cleared that prior with Mora in fact you never talked to Mora about that and for that reason Mora is saying that is unacceptable and you cant work with the students no more at Sweetwater.** Mark, what you are being relieved from Sweetwater for is for lying to the security guard saying that Mora has cleared for you to do your community service at Sweetwater, never having told Mora that and he's not going to let you work with students because of that, if that's what you did Mark then I gotta tell you I am furious as well and I am not sure what I am gonna do about it, I really gotta consider my options because you never told me first of all that you were doing community service, you never told me that you had while an employee at COI that you had been found to have violated a restraining order and you never told me any of that, you told me you were.... **end of message**

11:53 a.m.

Mark it's Richard again, you never told me that the volunteer work you were doing at Sweetwater was a matter of you fulfilling a community service requirement, now we have no policy about you, about any employee having to tell his supervisor that they had a criminal charge and if you had told me that I would've been supporting. If you had told me that you had been found of violating a restraining order, you needed to do community service and that you were going to do it at Sweetwater. I would've been fine with that. I don't understand why you didn't tell me that. But, that's not the worst of it, the thing that's worst is for you to go and tell the security guy that the principal had cleared that for you to do it without going to the principal I don't understand that Mark I don't understand why you would lie about something like that, why would you leave yourself exposed to that and the thing I am angriest about is now in the middle of this over the last week I told you over and over to just be open with me and tell me whats going on, you didn't tell me that that had happened. So when I'm talking to this reporter I'm trying to act if I knew that you were doing community service at Sweetwater, that in fact it wasn't on COI'S time and I'm trying to act if I knew that when I didn't know that. Let me tell you something if I had known that you had lied to the security person about the principles clearance I would not have helped you out with this reporter you know, Mark I can't believe that you just kept that from me, you didn't just open up to me with what and how I've been trying to work with you this whole way through, I just can't believe that now you jeopardized this project at Sweetwater, your relationship with those students umm your work in

National City, all the positive things you've been doing with your life that your contributing to National City. I can't believe that your putting those things at risk because of some stupid attempt to weesle around on this community service thing and then on top of that not to tell me any of this in the middle of this crisis with the reporter, I cant believe it. Umm and Iam gonna call you back right now..**END OF MESSEGE.**

11:57 AM

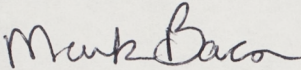
So let me just be clear what the situation is now. No.1, you cant work at Sweetwater anymore so that projects over, whether COI is going to be able to continue working with the students at Suhi I don't know it's up to Mora and Brand I don't know but you can't work at Sweetwater no more so thaty's no.1. No2, now their will

April 11, 2000

Superintendent Brand,

As per our meeting yesterday 4-10-00 regarding Principal Ralph Mora decisions to have me turn in my keys and I could no longer work at Sweetwater High School. You stated that you support Mr. Mora decision. I am deeply disappointed that you have chosen to take this position without an investigation or following any due process. I always thought that a person in this country was innocent until proven guilty, unless one works for the Sweetwater Union High School District. Since you have taken the above position I believe that I have the right to receive official notice from you regarding your decision.

Mark Baca

A handwritten signature in cursive script that reads "Mark Baca".

Youth Project Manager

Cc:

Richard Barerra
Herman Baca
Committee on Chicano Rights

Juno e-mail printed Mon, 17 Apr 2000 13:37:37 , page 1

From: mark a baca <markbaca1@juno.com>
To: coirichard@webcombo.net,Kardemasi@aol.com
Cc: Kardemasi@aol.com
Date: Tue, 11 Apr 2000 11:12:24 -0700
Subject: Need to talk to you ASAP

Richard,

I have been trying to get a hold of you. There are many unresolved issues with the NCYO program. As you well know we have many ongoing projects with the students outside of Sweetwater High School in the community. The students are calling me. I need to know what my status is in dealing with commitments to the students that I made as CO's project Manager. I need to talk to you as soon as possible regarding this and other matters.

Sincerely,

Mark Baca



Committee on Chicano Rights

710 East Third Street • National City, CA 91950 • (619) 477-3800 • Fax: (619) 477-3829

May 3, 2000

Facsimile: (718) 658-6289

Hard copy and documentation to follow.

Mr. Ben Bulter

President Board of Directors
Consensus Organizing Institute
Members of the Board of Directors
114-15 174th Street
Saint Albany, New York 11434

Re: Dismissal of Mark Baca

Mr. Bulter:

This letter is to formally inform the Consensus Organizing Institute (C.O.I.) Board of Directors that the Committee on Chicano Rights has voted to support Mark Baca a C.O.I. employee on the issue of the violation of his civil rights by both Sweetwater Union High School District and C.O.I.

Our organization is requesting before this matter escalates into a legal and political issue that the C.O.I. Board of Directors initiate the following:

1. An immediate full scale investigation by the C.O.I. Board of Directors and or an outside impartial mediator into the unjust dismissal of Mark Baca from his position as youth project coordinator at Sweetwater High School and the subsequent illegal "retaliation" by C.O.I. Director Richard Barrera that has resulted in his "firing or laying off".
2. Immediately stop the "firing or laying off" of Mark Baca from his employment at C.O.I. It is our position that in the name of fairness that Mark be placed on paid administrative leave until such time as he is accorded due process based on established procedures and policies, and the above investigation is concluded. The board at that time can then make a final decision, based on the facts from the investigation as to what really transpired.

For your initial information, I am enclosing two contradictory and legally questionable letters from Project Director Richard Barrera regarding the issue. Also enclosed for your information is backup documentation on Mark Baca's job performance, and a chronological history (given to us by Mark Baca) of the events leading up to his dismissal. Further information and documentation can and will be provided by us after you response as to C.O.I. position on the above.

Sincerely yours,

Herman Baca, President

Cc. Attorney Daniel Marshall

May 3, 2000

Mr. Fred Ferguson:
Human Resources
1130 Fifth Avenue
Chula Vista, CA 91911

Mr. Ferguson:

On 3/31/00 Sweetwater High School Principal Ralph Mora instructed me to go to you for a background (see enclosed memo) check. On April 3, 2000 I paid \$52.00 for the background check. Since I am no longer at Sweetwater, I am demanding that you either forward me copies of the background check (you stated that it would take 30 days) or my \$52.00.

Sincerely,

Mark Baca

Mark Baca

Cc. Committee on Chicano Rights

Money Orders make a
GREAT GIFT for any
special occasion!

TRAVELERS EXPRESS COMPANY, INC. DRAWER
P.O. BOX 9478, MINNEAPOLIS, MN. 55480
1-800-542-3590
PLEASE SEE TERMS ON REVERSE SIDE

04/03/00 \$52.00
94244690969

753 (11/99) 700/14000

DETACH HERE AND SAVE

8894

Date Apr 3 19 00

Received From Mark Baca

Address _____

For fingerprints

Dollars \$52.00

By Juelm Lujan

ACCOUNT	HOW PAID		
	AMT. OF ACCOUNT	AMT. PAID	BALANCE DUE
		CASH	
		CHECK	
		MONEY ORDER	

TravelersExpress. INTERNATIONAL MONEY ORDER

04/03/00

75-53
919

9424469096
MONEY ORDER

IMPORTANT - SEE BACK BEFORE CASHING

*****5200
FIFTY-TWO *****
DOLLARS 00 CENTS

PAY TO THE ORDER OF: Sweetwater Union High School

PURCHASER, SIGNER FOR DRAWER: Mark Baca
PURCHASER, BY SIGNING YOU AGREE TO THE SERVICE CHARGE AND OTHER TERMS ON THE REVERSE SIDE

ADDRESS: 1412 E. 14th ST. NC. 91950

920256209420001
1683600094115096

Payable Through
Norwest Bank Minn. So. N.A.,
Faribault, MN

ISSUER/DRAWER:
TRAVELERS EXPRESS COMPANY, INC.

091900533:942 44690969 90

April 20, 2000

To Whom It May Concern;

For the past seven months I have been in the National City Youth Organizers with Mr. Mark Baca. It has been a great experience, both fun and educational. The National City Youth Organizers are a group of young adults attending Sweetwater High School. We as a group have come together to further acknowledge and better the quality life of our community. Our main interest lies with our community and helping residents take an active role in decisions that effect their lives. We help by getting out there in the community registering people and encouraging them to vote. We look towards internal and external partnerships for relationships in the help with community problem solving. As we build these partnerships we involve the community in our master plan, and together help solve some of the problems in National City.

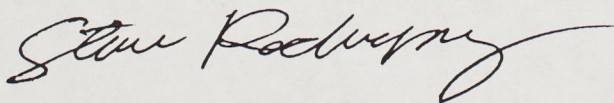
Our first project was to conduct an asset mapping in National City. We were undertaking a deliberate process to discover everything that's right in National City and highlight its positivity instead of pointing out its negatives. The asset mapping of National City consisted of going out in the community and collecting the thoughts and opinions of its residents. Personally I loved the the asset mapping process, I had a lot of fun. I got to see some parts of National City that I had never seen before, see and meet new people, and get in touch with my community. I got to meet a variety of people from the oldest to the newest residents. Through my experiences I had the opportunity to meet people that have been living here for over eighty-six years. I heard senior's stories and got the feel of how National City evolved from a farm land to the very city we live in

today. Asset mapping was a very interesting project, and I think more people should explore experiences like this.

The National City Youth Organization is a very good opportunity and I feel more students should take advantage of the program. As a member students get a chance to work with the community from the inside out. It has been a great experience, I have had the opportunity to meet and work with local city politicians, like the Mayor and the city's councilman board. I have also had the honor of meeting and having an actual discussion with Mrs. Denise M. Ducheny a former leader of the forty-ninth district in California. Most students in other schools feel the same way we do and that is why another idea was installed into our group. We feel other schools and communities should have an opportunity like this, so that is why we are trying to implant programs like this in other schools. We as a group are further being recognized by the school, community, and city of San Diego. The Sweetwater's Devils Advocate (school paper) and San Diego Union Tribune have both posted stories on the group and its incredible achievements. We know feel we are being known and recognized for our achievements.

I feel I got the best out of the group to my advantage. Now I have great experience and skills I could use for future purposes, such as getting jobs, applying for universities, and being recommended for other purposes. I have gained a lot from the group and I just hope others can as well.

Sincerely,

A handwritten signature in black ink that reads "Steve Rodriguez". The signature is written in a cursive style with a long, sweeping underline.

Steve Rodriguez

From: mark a baca <markbaca1@juno.com>

To: AZTECPRINT@juno.com

Date: Mon, 1 May 2000 13:03:16 -0700

As per our conversation of April 27,2000 you stated. 1. Brand wouldn't budge and would not give you an official reason from my job as youth coordinator at Sweetwater Union High School District. 2. That you were going to lay me off until August 1st 2000 because there were no funds available. 3. To leave Ed Brand and principle Ralph Mora alone because I would be the better man. You also stated that you would put in writing, please forward me the above correspondance as soon as possible.

Mark Baca



130 SEVENTH STREET
PITTSBURGH, PA 15222
412-201-2036

3911 FIFTH AVENUE
SUITE 300
SAN DIEGO, CA 92103
619-299-9585

May 3, 2000

Dr. Edward Brand, Ed.D.
Superintendent
Sweetwater Union High School District
1130 5th Ave
Chula Vista, CA 91911

Dear Ed:

We had a great meeting with Principal Mora and his team yesterday. Elizabeth Crespo, who is the new youth organizer assigned to this project, is in the process of getting her background check.

We anticipate being able to continue our work at Sweetwater soon.

Attached is our budget in order to move forward with this program. We are also in the process of putting together a cost statement to date and we will submit this to you as soon as we have completed the calculations.

Any help that you are able to provide to further support this program is greatly appreciated.

Sincerely yours,

Richard Barrera
President

Enclosure

Sweetwater Proposed Budget
July 1, 2000 - June 30, 2001

Personnel

Elizabeth Crespo, Community Organizer (1.0)	32,000
David Hoffman, Vice-President (.05)	3,000
Karen DeMasi, Vice-President (.20)	11,000
Richard Barrera, President (.05)	4,000
	<hr/>
	50,000

Fringe Benefits @ 30%	15,000
	<hr/>
	65,000

Student Stipends	24,000
(10 students x 200 p/m x 12 months)	

Workers Comp & FICA	2,400
(\$24,000 x 10%)	
	<hr/>
	91,400

Overhead & Administration	13,710
(15% x 91,450)	
	<hr/>
	105,110

May 5, 2000 Meeting

Present:

- Sweetwater Board Member Greg Sandoval
- Committee on Chicano Rights Chairman Herman Baca
- C.O.I. employee Mark Baca

Transcript:

GREG: In a closed session Ed mentioned to us that it turned out that they(sweetwater) got a report that you(mark) had a record and that you never had admitted that to us. Sowas just letting us know that you were being relieved.

MARK: Cause I had a record?

GREG: That you didn't admit that you had a record. So I said,"wow" what a shame that it's come out that it's been acknowledged that you had a record from the past and so that was it.

CCR: That was his(Brands) reason.

GREG: Yeah, as a result of the aahh of not reporting the record up front is why you were being released, because you did not acknowledge that up front to your employer.

MARK: To my employer?

GREG: Yeah, in my mind and that was over like in two minutes, that's all he told us. In my mind Iam saying" Wow what a shame" and you know I wasn't going to ask for details about this and I was going to ask Ed what do you mean and what happened, but I took off out of town and when I got back and got the report (documentation) to meet with you guys. I wanted to know what was going on this morning... ahh , since, I'm the Board President I meet with Ed Brand every two weeks. This morning I said to him (Brand),"Hey talk to me about Mark Baca ,tell me more about Mark's situation because Iam being asked to get together with Mr.Baca and Mark and he(Brand) said, "Well this is what happened, when the article came out your ex-girlfriend Janice Davis supposedly called Mr. Mora and said,"hey did you know that Mark has had problems with the LAW and supposedly Ralph said, "no I don't know anything about this. She also told him about his domestic violence and.. ahh.. as a result of that conversation he(Mora)at that point made a decision that he

CONTINUED

Greg: was going to release you (mark) because I didn't divulge the facts to Mora. Now, I also found out that you're not an employee of the district, you don't work for Sweetwater.

CCR: Yeah, that's right.

Greg: Now I'm scratching my head and I said (to Ed Brand) why are we involved if he's not an employee? Why did you tell us in closed session if he's not an employee. Brand said, "well in case you got called I wanted you to be aware of it. Oh because of Herman Baca... I asked Ed," have you guys found out anymore of this so called record"? he said (Ed) no were doing a check on it. Well I am going to go meet with them and I am really concerned about what's going down like this. If the kid did something stupid in the past and if they are misdemeanors then what's the big issue. I walked a thin line when I was growing up in National City and I've been busted myself, so I got a issue if you guys are jamming him because of minor misdemeanor crap from way back when. So you better give me more information because I don't like this because especially if you're a volunteer for us.

CCR: Now lets clarify this for you, Mark was asked by Ed Brand to set up this program, Mark is an employee of COI.

MARK: Consensus Organizing Institute.

CCR: So, Ed Brand asked Mark if he could set up this program, Mark proposed it to his organization they met at Ed Brands office his two bosses..

MARK: With Mike Eichler and Richard Barerra.

318 E. 22nd St apt. 201
National City Ca. 91950

Superintendent Ed Brand
Sweetwater Union High School District

May 11, 2000

I Maria G. Ramirez and my daughter Lilian F. Gonzalez forward this letter with the objective of asking on regard to my daughter's position and the job she has been doing since December 1999 we feel the contract still current and we want to know what has happened to the program N.C.Y.O.(National City Youth Organizers) we would like to have an explanation if the program will continue or not. I Lilian and the other three youth organizers were told that we were going to continue working after the week of easter with a new advisor and we haven't got any information. I assume that I should be getting pay because I feel that my job still not terminated. I would be waiting for a timely manner.

Sincerely

Maria Guadalupe Ramirez

Lilian F. Gonzalez

May 11, 2000

Edward M. Brand
Superintendent,
Sweetwater Union High School District
1130 Fifth Avenue
Chula Vista, CA 91911

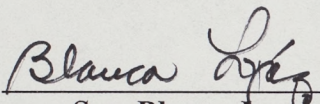
Superintendent Brand:

Last year my son Daniel Lopez who is a student at Sweetwater High School, and myself signed a contract with the Consensus Organizing Institute. My son as a student was to participate in the National City Youth Organizers project and the program was to be part of his education. Students were to learn about their school, city and neighborhood. In turn C.O.I. as per the contract signed was to pay the students for their participation.

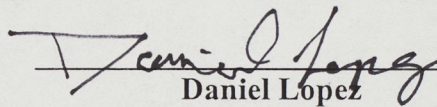
I am now writing to ask, what happened to the program? To date neither Sweetwater nor C.O.I. has not told us or contacted us about what happened to the program, or if the program is going to be continued. Since we signed the contract in good faith, I would like to know if there is still a program, why we haven't been told anything, and why my son has not been paid for over a month? We are a low-income family as I am sure the other students are, and the money that Daniel was receiving was money that he depended on, for his education, social activities and which he also contributed to help with family expenses. Daniel enjoyed the program, was learning a lot, and now that there is no program, I feel that his and the other student's education has been damaged.

I believe that both you and C.O.I. owe us an explanation as to the above matters, which I have raised. I want to let you know that we have contacted the Committee on Chicano Rights because what you have done to the students and us as parent's is not right. I will wait for your response, which you can forward to me at the following address:

Sra. Blanca Lopez
706 E. 22nd Street
Apt. #403
National City, CA 91950



Sra. Blanca Lopez
Parent



Daniel Lopez
Student

May 16, 2000

Dear Edward Brand:

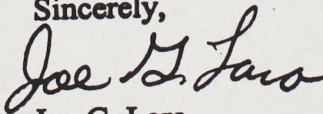
This letter is written regarding the National City Youth Organizers program started at Sweetwater High School by Mark Baca and the Consensus Organizing Institute. I want to share with you my thoughts about this program and the impact that it had at our school.

I had the opportunity to work with Mark Baca and the Sweetwater students that started this program. From the beginning I could tell that this was a different kind of program. The students were being empowered to guide the direction and make the major decisions for the group. All the while Mr. Baca's role was as a facilitator to this process. I sat in on several of the after school meetings and I saw the positive impact this was having on the students.

Recently this all came to an end. Mark Baca was released from Sweetwater High School and the program abruptly was stopped. My biggest concern here is for the Sweetwater students. What explanation have they been given? What consideration has been given to them? What are they to think regarding all of their work and efforts that they made? I believe that our number one concern should first and foremost be the education and welfare of the students. They are in fact the reason for our being, and when we lose sight of that, then it is they who suffer because of it.

Too many times these students have been given empty promises and have had a lack of follow-through by adults. Unfortunately, I believe this situation falls into this same kind of negative category. I implore you to not let this happen. I am requesting that the school district resolve this issue in the most prudent and timely manner possible. Regardless of what the problems may be, I don't believe that it can be anything beyond resolution, if all parties are committed to working towards a mutual decision. I hope you take this into consideration, not just because of Mark Baca, Sweetwater High School, or me but for the sake of the students. We owe them an honest and sincere effort to fix this problem, so that they once again may have faith in us as adults and as educators.

Sincerely,



Joe G. Lara

Teacher, Sweetwater High School

CC: Mark Baca (markbacal@juno.com)
Ben Butler, COI Pres. Board of Directors
Richard Barrera



SWEETWATER UNION HIGH SCHOOL DISTRICT

Office of the Board of Trustees • 1130 Fifth Avenue • Chula Vista, CA 91911-2896
(619) 585-6134 • FAX (619) 585-7380

Greg R. Sandoval, President
Board of Trustees

May 17, 2000

Mr. Herman Baca
Committee on Chicano Rights
710 East 3rd Street
National City, CA 91950

Dear Mr. Baca:

I am in receipt of your letter regarding your issue of concern. This matter has been turned over to Bonny Garcia, the district's legal counsel, who will conduct an investigation for the board.

Thank you for your interest and concern.

Sincerely,

A handwritten signature in black ink that reads "Greg R. Sandoval".

Greg R. Sandoval
President, Board of Trustees

c: Board of Trustees

5-19-00



Briar Company

1247 Highland Avenue, Suite #3

PO BOX 236

National City, CA 91950

(619) 474-1883 Fax (619) 47402939

May 19, 2000

Mr. Mark Baca,

After working with you at Sweetwater High School, it is with great concern that I write addressing your recent experience with Sweetwater High School that ultimately led to your removal from the COI youth project at Sweetwater High School.

I personally know of the commitment and dedication you provided to the students through this project. As a COI staffperson along with your community connections, you were able to establish a comprehensive program that followed guidelines established by COI. Your exceptional ability, to expose the innocent participating Sweetwater students to a level of community awareness that is sought by many, but achieved by few, and your personal dedication again speaks volumes as to the administrative skills you brought to embellish this program.

The San Diego Union Tribune Newspaper article of March 2000 was a true declaration of your skill in working with local youth. This article captured the spirit of dedication in the COI's Sweetwater Project. The newspaper article was a true testimony to the success of your administration of the CIO's goals in National City program.

I hope that this letter will serve a verification of your continuing dedication to the youth of our National City community.

If I can be of any assistance, please contact me at the above address.

Sincerely,

Alethea R. Pruitt

Owner / Office Manager

5-21-08

MAHARLIKA SENIORS FELLOWSHIP OF SAN DIEGO, INC.

**P.O. Box 1408
National City, CA 91950
(619) 477-8307**

**NENITA B.F. ROSALES
-FOUNDER-
President - Chairwoman**

**REGISTERED & LICENSED
JULY 08, 1987**

May 21, 2000

TO WHOM IT MAY CONCERN:

May I have the honor to introduce myself; my name is **NENITA ROSALES**, a National City resident for eighteen years, Filipino and a naturalized U.S. citizen. I am also a senior citizen community leader, an identity I have established in this city for the past fifteen years.

I have known Mr. Mark Baca since February, this year. He and three male students from the Sweetwater Union High School were then campaigning for support on behalf of their project, the **CONSENSUS YOUTH PROGRAM**, of which Mr. Baca is the organizer and the students were officers. Incidentally, I am also currently undertaking a program related to the Seniors, **THE MAHARLIKA SENIORS FELLOWSHIP OF SAN DIEGO, INC.** duly licensed and registered with the Secretary of State, State of California on July 8, 1987, which revolves around social, civic, cultural, recreational, educational, and other senior-related aspects. After a brief discussion, about certain issues that had some bearing on our respective projects, we parted with the idea of either complementing or coalescing some of our activities in the immediate future, youth and seniors in order to expand the concept for the betterment of our future generation. We believed that by so doing, our own children and our grandchildren will be beneficiaries of what we are doing now. Since then, we have been exchanging bright and worthwhile ideas to pursue with our projects as our community service.

I was invited to the Sweetwater High School one afternoon, was introduced to Mr. Mora, the principal, to a group of students, male and female, and a couple of Union Tribune staffwriters. Most of us were interviewed including Mr. Baca and myself. On my turn, I briefly gave an account of my life as a young girl, a student, high school and college, eventually practiced my profession as a high school teacher, a civil service office worker until I retired and immigrated to America in 1981. Landed on a job in the Federal, then the County and now volunteering as a part of my retirement years. I guess I have achieved a degree of Success because I am indeed happy and contented without I have spent my life .By accounting my life, I thought that I was providing an incentive and an inspiration to the young minds. Dedication, hard work, serious studies and determination to achieve the goals in life are the keys and essentials. I concluded by predicting, "Who knows that some of you here today may be sitting in the National City Council Chamber or the White House tomorrow!"

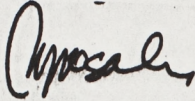
At the height of my enthusiasm, planning, projecting possible expect actions for what we are doing now to make things happen, as leaders, I was really saddened by the information that Mr. Baca has been laid off, terminated or fired, for what reason. Our respective programs will-be hampered due to this incident.

(2)

I hope and pray that this case will soon be resolved. I am very positive that your office will conduct an immediate investigation of the case with proper ethics, justice and fairness. And whoever is responsible for the detriments caused thereto should also be properly handled as the case may be. In the event that no sufficient grounds for dismissal can warrant the cause prejudicial to Mr. Baca, I pray that he be reinstated to the same position that he had been appointed to.

May we all work to the best interest of our community and our people.

Thank you.



**NENITA ROSALES, President-Founder
MAHARBIKA SENIORS FELLOWSHIP OF SAN DIEGO, INC.
P.O. Box 1408
National City, CA**

May 21, 2000

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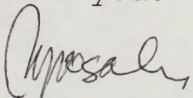
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May we all work to the best interest of our community and our people.

Thank you.



NENITA ROSALES, President-Founder
MAHARLIKA SENIORS FELLOWSHIP OF SAN DIEGO, INC.
P.O. Box 1408
National City

PACKET SENT
TO CHERI MORAN
8-9-00



Committee on Chicano Rights

710 East Third Street • National City, CA 91950 • (619) 477-3800 • Fax: (619-477-3829

May 12, 2000

**President Greg Sandoval
Board of Trustees
Sweetwater Union High School District
1130 Fifth Avenue
Chula Vista, CA 91911**

Mr. Sandoval:

As per our conversation, the Committee on Chicano Rights (CCR) is formally requesting an investigation by the Sweetwater Union High School Board of Trustees, or an outside impartial mediator into the following:

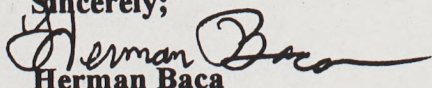
1. The unwarranted dismissal of Mark A. Baca (who has requested our assistance) from his position as youth organizer at Sweetwater High School. Superintendent Ed Brand and Sweetwater High School Principal Ralph Mora dismissed Mark A. Baca without formal charges filed, an investigation done, disregarded established rules and policies, and have violated due process.
2. Termination of the Youth Project due to the above. Sweetwater District parents and students (see enclosed letters) who signed contracts with the Consensus Organizing Institute to date, have not been notified as to the status of the program, their status, and why they are no longer being paid by C.O.I.

Enclosed for your information and for the other board members is a packet containing information on the above matter. It is our organization position that:

1. District employees Ed Brand and Principal Ralph Mora have arbitrarily defamed, slandered, and damaged Mark A. Baca, and have violated the students' rights.
2. That upon the conclusion of the investigation, that if Mark A. Baca has been unjustly accused that he be reinstated to his former position, his name cleared, and a public apology issued by the district.
3. Those Sweetwater District employees guilty of violating any rules, regulations, policies or laws be reprimanded.

Before this matter escalates into a public, legal and political issue hopefully the board will conduct an investigation and let "the chips fall where they may." In concluding, please let me know as to the above, and if a closed-door board meeting (as we discussed) to address the trustees is permissible.

Sincerely;


Herman Baca

Cc. Attorney Daniel Marshall

(2)

Whatever your reason(s) this letter is to notify you that this is an official notice that we are hereby making a formal demand that the Sweetwater Board of Trustees immediately forward any and all documentation of the above taxpayers paid investigation.

Sincerely,


Herman Baca, President

Cc. Attorney Daniel Marshall
Board of Trustees
News Media



SENT TO ALL
TRUSTEES.

Committee on Chicano Rights

710 East Third Street • National City, CA 91950 • (619) 477-3800 • Fax: (619-477-3829

August 8, 2000

**Lorenzo Provencio
Board of Trustees
Sweetwater Union High School District
1130 Fifth Avenue
Chula Vista, CA 91911**

Mr. Provencio:

Enclosed is a copy of a letter that the CCR has sent to SWUHSD Board of Trustees President Greg Sandoval. At our meeting on August 2, 2000 (present, Trustee Ed Sandoval, Superintendent Ed Brand, Principal Ralph Mora, Attorney/Investigator Bonny Garcia, Mark Baca, CCR Attorney Daniel Marshall, Herman Baca) President Sandoval stated on your behalf and the other trustees of the board the following:

- **That it is your and the board's position that there can be no resolvment of the issues (see enclosed letter) that the board ordered to be investigated.**
- **That the board might, or might not publish, release, or make public the results of the taxpayers paid (\$5,000 to \$10,000?) investigation which was done by Attorney/ Investigator Bonny Garcia.**

For the record, if the above is correct (or this is not correct), the CCR would appreciate the professional courtesy of a written response as to what your official position is.

Awaiting your response,

Herman Baca

**Cc. Attorney Daniel Marshall
News Media**



Committee on Chicano Rights

710 East Third Street • National City, CA 91950 • (619) 477-3800 • Fax: (619-477-3829

August 8, 2000

**President Greg Sandoval
Board of Trustees
Sweetwater Union High School District
1130 Fifth Avenue
Chula Vista, CA 91911**

Mr. Sandoval:

Regarding our meeting of August 2, 2000 (present, Trustee Ed Sandoval, Superintendent Ed Brand, Principal Ralph Mora, Attorney/Investigator Bonny Garcia, Mark Baca, CCR Attorney Daniel Marshall, Herman Baca) on the issue of the Board of Trustees ordered investigation regarding the following matters:

- 1. The unwarranted dismissal of Mark A. Baca (who has requested our assistance) from his position as youth organizer at Sweetwater High School. Superintendent Ed Brand and Sweetwater High School Principal Ralph Mora unjustly dismissed Mark A. Baca without formal charges filed, an investigation done, disregarded established rules and policies, and violated due process.**
- 2. Termination of the Youth Project. Sweetwater District parents and students who signed contracts with the Consensus Organizing Institute to date, have not been notified as to either their status or the status of the project.**

At the meeting above you unilaterally spoke on behalf of the other trustees (whom I've met, and have not heard officially from) and stated that their position was that there could be no resolvment of the above issues. You and attorney/investigator Bonny Garcia also unfortunately stated that you were not going to publish or release the results of the investigation, regarding this matter. Allow me to remind you of the following:

- Both you and attorney/investigator Bonny Garcia stated that we could and would receive a copy of the board ordered investigation as soon as it was concluded.**
- That taxpayer money's have been expended (\$5,000 to \$10,000?) on the investigation, and that you and the board have both a legal and financial responsibility to release the findings, and that the tax paying public has a right to know. The question is what do you, your administrators, and attorney Bonny Garcia are afraid off, and do not want the public to know in not releasing the findings of the tax paid investigation?**



SWEETWATER UNION HIGH SCHOOL DISTRICT

Office of the Board of Trustees • 1130 Fifth Avenue • Chula Vista, CA 91911-2896

(619) 585-6134 • FAX (619) 585-7380

*Greg R. Sandoval, President
Board of Trustees*

May 17, 2000

Mr. Herman Baca
Committee on Chicano Rights
710 East 3rd Street
National City, CA 91950

Dear Mr. Baca:

I am in receipt of your letter regarding your issue of concern. This matter has been turned over to Bonny Garcia, the district's legal counsel, who will conduct an investigation for the board.

Thank you for your interest and concern.

Sincerely,

A handwritten signature in black ink that reads "Greg R. Sandoval".

Greg R. Sandoval
President, Board of Trustees

c: Board of Trustees

Students put National City on the map

Complex project aims to chart people as well as streets

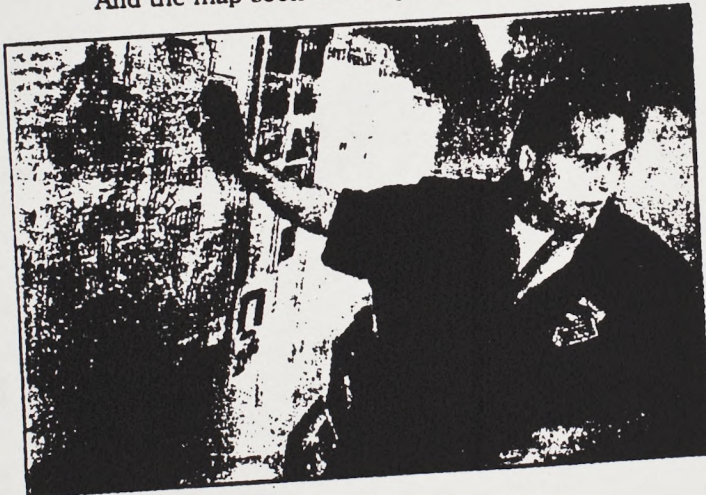
By Ben Lumpkin
STAFF WRITER

NATIONAL CITY — Long after most Sweetwater High School students saunter off into what remains of a balmy, blue-skied afternoon, a small group gathers in a windowless classroom to plot a revolution.

Taped on the wall is a map of National City. It's a basic map, black lines on thin white paper. But it serves as the prototype for what may be one of the most sophisticated maps ever made of the city.

Beyond just the names of streets and neighborhoods, this map will tell the story of the people living there. Choose a street, and it will tell you about some of the families, what they like about National City and what they would like to see change.

And the map soon will be posted on the Internet



More than a map: Project leader Mark Baca displayed the work of his student volunteers.

for all to see.

It's all the work of the National City Youth Organizers Project, an after-school program initiated through a partnership between the school and the nonprofit Consensus Organizing Institute and funded by a \$10,000 grant from the San Diego Foundation.

The youth organizers have been going door to door in each National City neighborhood since October. Armed with a list of questions and their own curiosity, the students have knocked on thousands of doors and completed more than 500 surveys.

Along the way, they've helped register more than

100 people to vote.

Speaking through half-open front doors or, when lucky, seated on cozy living room couches, the students ask what people are doing to improve their neighborhoods and who they are working with. They ask where they have been successful and where they have failed.

Mark Baca, leader of the National City Youth Organizers Project, said the "asset map" will eventually bring together like-minded people from all over the city, encouraging collaboration across social boundaries and a heightened level of civic engagement.

"The people who are affected by problems are the ones who are going to fix those problems," said Baca, a National City native who took on the project as a community organizer with the Consensus Organizing Institute.

Baca said the project could have a particularly powerful impact in National City, where social divisions between ethnic groups, immigrants and nonimmigrants, young and old, Spanish speakers and non-Spanish speakers, make coordinated movements for change difficult to organize.

"It's not about brown, black or white," Baca said. "It's about neighborhoods coming together and finding similarities."

In a recent day of surveying, students Steve Rodriguez and Jessica Garcia found a family new to National City eager to talk about how to make things better.

"Get us something more in the neighborhood for the kids to do after school, to keep them out of trouble," said Marcos Salgado, 44.

Salgado's wife, Alma Ramos, 40, said in Spanish that she had been disappointed to learn that the Boys and Girls Club of National City has a policy of allowing kids to come and go, making it impossible for parents to know for certain where their kids are during the critical interval between the end of school and the end of the parents' workday.

(Greg Beatie, executive director of the club, said the policy keeps the club from being required to become a licensed day care center, a move that Beatie said would both decrease the number of kids the center could serve and raise the price for services.)

Salgado and Ramos also called for more English classes, like those currently offered by the Family Resource Center at Kimball Elementary School.

"Most everybody here speaks Spanish and they need the English to help build themselves up," Salgado said.

Ramos was so excited by the students' visit that she later contacted the youth organizers to ask how she and her friends could help with the survey.

"When people come together you can get a lot done," she said.

In addition to putting together the asset map, the National City Youth Organizers Project aims to increase the political awareness and leadership skills of the student volunteers, Baca said.

"Youth are more than just a problem," said Baca. "Youth are organizers and actors who can systematically make community change."

The students say working on the asset map was a daunting task at first, but one that opened their eyes to the political realities of their city.

"We didn't really know what was out there," said senior Felipe Garcia. "It was kind of like stepping into this complete open field."

The students said they were amazed at the array of opinions to be found within just a few city blocks, ranging from people with urgent complaints to people who couldn't think of a single problem and simply entertained the students with happy memories.

"It's a grueling process," Garcia said. "Now I realize that if change is going to happen it's going to take time."

But the students have already seen how the work they are doing can make a difference.

"National City has a lot of lower- and middle-class people who are busy doing other things, like working two jobs to support a family," Garcia said. "In a way, these people are being cheated because they don't know what's going on. But (the asset mapping) is putting the ball back in their court."

In the course of the last year, Baca has lost some of his student volunteers. But for those who have remained, the asset mapping seems to have taken on the character of a crusade.

"This is a group of students with a passion to improve the community," said Sweetwater High School Principal Ralph Mora. "But in order to do that, you have to have access to the community."

Youth organizer Iriz Lomeli agreed: "We've become more informed citizens. And since most of us are reaching legal voting age, that's going to help out."

National City Councilman Ron Morrison helped the Sweetwater students at the beginning of the project, giving a tour of the city with information on its history and current events. He said the asset map, when complete, could become an important tool for both the public and city government.

"Too often, people don't know what's available and how it can be used. ... And a lot of times we (politicians) are out there working blind and we have these assumptions about what's important to people. A lot of times we might be wasting efforts."

Baca said the National City asset map should be posted on the Consensus Organizing Institute Web site (<http://www.consensusorganizing.com>) by early next month.



130 SEVENTH STREET
PITTSBURGH, PA 15222
412-201-2036

3911 FIFTH AVENUE
SUITE 300
SAN DIEGO, CA 92103
619-299-9585

May 22, 2000

Sra. Blanca Lopez
706 E. 22nd Street, #403
National City, CA 91950

Dear Sra. Lopez:

Thank you for your letter dated May 11, 2000.

We are writing you to express our appreciation for your past and continued support of your child's efforts in connection with the National City Youth Organizers program over the past school year. We also wish to apologize for the lack of communication from our organization to this point. To reaffirm our organization's commitment to this program and to your child's participation in it, we are enclosing a check payable to your Daniel. The amount of this check covers the time period from Daniel's last paycheck through the end of the present school year.

With continued support from the Sweetwater District, our organization intends to move forward with this program over the coming months and next school year. We are making this commitment because we believe the program and your children as participants in it have made a valuable contribution to the National City community. We want to see this important work continued.

Currently, Sweetwater High School and the Sweetwater Union High School District are requesting that another professional from our staff continue the work of this program. We have shifted personnel internally to make this possible and have selected a staff member for the work who is highly qualified. This person is now in the process of complying with the District's personnel policies. Once this process has been completed, she will be in contact with each student participant in the program. When she does so, she will have a conversation with each student individually to explain what has happened with the program. We invite and encourage your parental participation in this discussion as well.

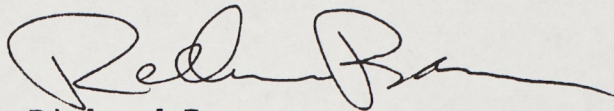
Sra. Blanca Lopez

May 22, 2000

Page 2

Again, we apologize for any inconvenience that this interruption and lack of communication may have caused. We are very pleased with the commitment your student has demonstrated towards the program and look forward to his continued involvement with our program in the very near future.

Very truly yours,

A handwritten signature in black ink, appearing to read "Richard Barrera", with a long horizontal flourish extending to the right.

Richard Barrera
Executive Director

Enclosure



Committee on Chicano Rights

710 East Third Street • National City, CA 91950 • (619) 477-3800 • Fax: (619) 477-3829

May 22, 2000

Facsimile: (718) 658-6289

Mr. Ben Bulter

President Board of Directors
Consensus Organizing Institute
Members of the Board of Directors
114-15 174th Street
Saint Albany, New York 11434

Re: Unanswered letter on Mark Baca

Mr. Bulter:

On May 3, 2000 our organization formally communicated with you by fax, and a followed up packet, of documentation was send to you (which you received) by registered mail. In our May 3, 2000 letter the CCR requested formal action by the C.O.I. Board of Directors on the dismissal of Mark A. Baca. To date you have, "unprofessionally" chosen not to acknowledge or respond to our May 3, 2000 letter. Unfortunately this, "unprofessionalism" has also been very evident in the handling of both the dismissal of Mark A. Baca by Director Richard Barrera (who retaliated against him), and the students in C.O.I.'s youth program. In the process, CO.I.'s stated goal of helping "poor people," (which it receives moneys for) has been exposed in this issue for all to see. C.O.I.'s treatment of Mark A. Baca, and the young students has exposed what your goal really is, a classic "poverty pimp" ruse, and a shameless hoax to attempt to make money by using people in this poor community. Richard Barrera (salary \$80,000.00) dismissal of Mark A. Baca supposedly because of lack of funds has resulted in Mark not only losing his livelihood, but also in being defamed, slandered, and damaged in his community. The parents and students on the other hand have also been shamelessly used by C.O.I. to date (see enclosed letters) have not even been given the common courtesy of an official reason(s) as to the status of the youth project, their status, or why students are no longer being paid.

In closing, let me state that if C.O.I. thinks or believes for one minute, that Mark A. Baca's dismissal is going to go unchallenged, or that the damage done to the parents and students (who signed contracts with C.O.I.) is going to be forgotten, that C.O.I. and you are seriously mistaken. Furthermore, if you also think that our community is not going to be informed, or that your funding sources are not going to be contacted about C.O.I. treatment of people in this issue, you are even more mistaken. As I stated in my May 3, 2000 letter, it was CCR's hope that, " before this matter escalates into a legal, and political issue" that C.O.I. Board of Director's (if you informed them) would've of addressed, investigated and resolved this matter. Unfortunately your "unprofessional" failure to acknowledge or respond to our correspondence has now left us with no other alternative but to initiate a public, legal and political course of action.

Sincerely yours;

Herman Baca,

President

Cc. Attorney Daniel Marshall

May 11, 2000

Richard Barrera
President,
Consensus Organizing Institute
3911 Fifth Avenue
Ste. 300
San Diego, CA 92103

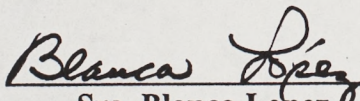
Mr. Barrera:

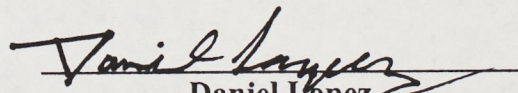
Last year my son Daniel Lopez who is a student at Sweetwater High School, and myself signed a contract with the Consensus Organizing Institute. My son as a student was to participate in the National City Youth Organizers project and the program was to be part of his education. Students were to learn about their school, city and neighborhood. In turn C.O.I. as per the contract signed was to pay the students for their participation.

I am now writing to ask, what happened to the program? To date neither Sweetwater nor C.O.I. has not told us or contacted us about what happened to the program, or if the program is going to be continued. Since we signed the contract in good faith, I would like to know if there is still a program, why we haven't been told anything, and why my son has not been paid for over a month? We are a low-income family as I am sure the other students are, and the money that Daniel was receiving was money that he depended on, for his education, social activities and which he also contributed to help with family expenses. Daniel enjoyed the program, was learning a lot, and now that there is no program, I feel that his and the other student's education has been damaged.

I believe that both you and Sweetwater owe us an explanation as to the above matters, which I have raised. I want to let you know that we have contacted the Committee on Chicano Rights because what you have done to the students and us, as parent's is not right. I will wait for your response, which you can forward to me at the following address:

Sra. Blanca Lopez
706 E. 22nd Street
Apt. #403
National City, CA 91950


Sra. Blanca Lopez
Parent


Daniel Lopez
Student

318 E. 22nd St apt. 201
National City Ca. 91950

Richard Barrera
COI President
3911 Fifth Ave.
Ste. 300 San Diego Ca.
92103

May 11, 2000

I Maria G. Ramirez and my daughter Lilian F. Gonzalez forward this letter with the objective of asking on regard to my daughter's position and the job she has been doing since December 1999 we feel the contract still current and we want to know what has happened to the program N.C.Y.O.(National City Youth Organizers) we would like to have an explanation if the program will continue or not. I Lilian and the other three youth organizers were told that we were going to continue working after the week of easter with a new advisor and we haven't got any information. I assume that I should be getting pay because I feel that my job still not terminated. I would be waiting for a timely manner.

Sincerely

Ma. Guadalupe Ramirez

Lilian F. González

THE LAW OFFICES OF
DANIEL E. MARSHALL
ATTORNEY AT LAW
SUITE 299
1286 UNIVERSITY AVENUE
SAN DIEGO, CA 92103
PHONE/FAX: (619) 298-5778

June 9, 2000

Herman Baca
Aztec Printing
710 East Third Avenue
National City, California 91950

U.S. Mail and Confidential Facsimile Transmission
(619) 477-3829

Mr. Baca:

I am writing in response to your facsimile dated June 8, 2000 written in response to my facsimile of June 5, 2000. In this letter you requested further clarification on 5 separate issues.

- 1) Lien- placed by Attorney Schoen
- 2) Countersuit analysis against Chavez and/or Carrasco
- 3) Schoen malpractice lawsuit
- 4) Buendia case
- 5) Quimiro legal fees

In my June 5, 2000, letter I indicated that your mother was the client in all issues except my representation of you as co-trustee (Buendia was not being discussed, but also applies). Further I stated that "I am willing to provide legal services at \$50/hr to your mother". Therefore, this hourly fee would apply to items 1, and 3, item 2 has an initial cap of \$250 to produce a written analysis of New Mexico law on this issue.

1) Lien: I believe that my letter of May 9, 2000, clearly states the legal deficiencies of Schoen's position (See attached). At this point once a representation agreement is reached, I would call Mr. Schoen ask him to remove this lien, or at least remove it in exchange for payment of monies recovered by him that clearly do not exceed monies actually recovered. This latter point is negotiable because the lien is defective in that it overstates the amount. I would need a \$250 retainer to proceed in this matter.

2) Carrasco/ Chavez: The difficulty has been that without being paid a retainer, I cannot afford subscribing to a decent legal research provider that has New Mexico case law. I tried westlaw on a short term free trial basis, and spent hours of fruitless research because the cases were disorganized and difficult to comb through because it did not allow a word search within the case, or allow me to go directly to the good cases. I would propose payment of \$125, I will send this to Jurisearch to expand my scope of services to include New Mexico. The balance would be paid upon written analysis and recommendation. I have spent hours on this already it is just difficult, and a real favor that I felt was not being fully understood or appreciated, for a California lawyer to take extra steps to get up to speed in this area of New Mexico law.

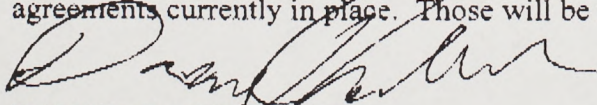
3) Schoen malpractice lawsuit:

- A. Research Schoen's insurance provider and new Mexico duties to provide 6-12-00
- B. Send notice of claim to Schoen (again) with copy to insurance provider once address and name of insurance provider is obtained
- C. file for and get accepted as pro hac vice in New Mexico (need N.M. associate).
- D. file lawsuit once /if insurance provider denies claim subject to claims waiting period under New Mexico law.
- E. liability viability: for the reasons, discussed, and written: failure to take depositions etc. there is good viability in this case.
\$\$ viability: always an option when the defendant is insured. \$ range up to policy limits, but practically \$5,000-\$9,000 pre-litigation. \$10,000 to full return of attorney fees post litigation.

4) Buendia: for the record you have never signed and returned a very generous fee agreement in this case. I believe that if we can meet and discuss this fee agreement and my needs of possibly having a retainer: then I can set aside a full day (\$250) two days (\$500) towards: Having effective liens placed on all his properties, this would take the time. All costs would be borne by you, but balance of retainers would come out of my percentage.

5) Quimiro: for the record: my original understanding with your father was 20%. The reason why I did not request a full 20% at arbitration, and this was discussed, was the fact that at that time it was not known whether, or not, the Quimiros would appeal (pay their attorney rather than pay Tata's attorney) thus nullifying a non-binding arbitration. The arbitrator even stated that the fees were very reasonable. In any case, my documents indicate the arbitration award was \$500 in fees. Additional fees were requested at the time of the writ of execution. However, assuming for sake of argument, that you wish to enforce the \$500 arbitration request. If you believe that "\$550" is the proper amount. Then you want me to get paid 5% not the 10% allowed by law, and you are also not compensating me for my collection efforts of this judgment. Albeit delayed, but tons of paperwork show my efforts. Therein lies the problem since most attorneys we met with would be charging your mother \$2,500 on top of the attorneys fees obtained through arbitration.

Therein lies the problem, and hopefully it is a mere communication problem. But, bottomline: If you plan to take the same approach of negotiation on legal fees for your mother's other legal issues outlined above, I cannot continue to represent her. I have also cut my hourly fee in half. Just like I put a 20% cap on fees for Tata, even if we would have gone to trial. This is being done as a favor and out of respect. In return, I do not appreciate being documented or being placed "on the record". If this will be the treatment in the future in the above-referenced cases then I would advise you to seek legal assistance elsewhere with the exception of those legal agreements currently in place. Those will be finished subject to "court" deadlines in other cases.



DANIEL E. MARSHALL

Attorney at Law

cc: Eloisa Baca

From: MARK A BACA <markbaca1@juno.com>
To: AZTECPRINT@juno.com
Date: Mon, 17 Apr 2000 18:00:48 -0700
Subject: Fw: update

Dad, What the hell is going on here and what do I do.
Mark

----- Forwarded message -----

From: Kardemasi@aol.com
To: markbaca1@juno.com
Date: Mon, 17 Apr 2000 20:18:38 EDT
Subject: update
Message-ID: <78.409f471.262d03de@aol.com>

Hi Mark. I spoke with RB. He told me that he thinks it important that your side of the story gets out. (said you spoke about this last week). While you can't talk to the kids about the circumstances, you can let your local National City contacts know your side of things. Richard also said he would go meet with the students next Monday to let them know what is going on assuming Mora gives him access.

As for Larry Kahn, please just report in on time and be helpful. We have an awful lot of work to do and we need everyone at COI pulling together.
Hang in there Mark. - Karen



Committee on Chicano Rights

710 East Third Street • National City, CA 91950 • (619) 477-3800 • Fax: (619) 477-3829

June 16, 2000

Ralph Arreola
Judge - Superior Court
220 W. Broadway
San Diego, CA 92101

Estimado Ralph:

It has come to my attention that you are a board member of the Consensus Organizing Institute. Enclosed below, for your information is a matter that I would like to request your assistance on.

For almost 2 months our organization has made repeated attempts to communicate with C.O.I. Board of Directors through President Ben Bulter. Unfortunately, President Bulter has "unprofessionally" failed to respond or extend to us the "professional courtesy" of acknowledging our correspondence, and appears to have made a unilateral decision to "stone wall" the serious issues which we have raised.

Issues involved are as followed:

- 1. The unjust unwarranted dismissal of Mr. Mark Baca without just cause, investigation or due process.**
- 2. The failure by C.O.I. to live up to it's contractual obligation to parents and students from National City, who signed individual contracts with C.O.I.**

I now write to you as an individual who has fought and struggled for social justice. To request from you, that you as a board member inquire and raise the issue as to why the board (if informed by Mr. Bulter), and President Bulter have failed to address, acknowledge, or respond to our past correspondence on the following issues:

- 1. Our call for an immediate full scale investigation by the C.O.I. Board of Directors, and or an outside impartial mediator into:**
 - a) The unjust dismissal of Mark Baca from his position as Youth Project Coordinator at Sweetwater High School.**
 - b) The subsequent illegal "retaliation," by C.O.I. Director Richard Barrera, that has resulted in Mark A. Baca being, "fired, laid off, or terminated" without just cause.**

(2)

- ◆ **Parents and students who signed contracts have also been damaged and the students' education negatively affected (through no fault of their own) by the decision(s) of Principal Mora and Superintendent Brand.**

It is our organization's position that if a fair and just conclusion of this matter is to be arrived at, the board must include the following:

- 1. Upon conclusion of the investigation, if Mark A. Baca has been unjustly accused is reinstated to his former position, his name cleared, and the district issues a public apology.**
- 2. Parents and students in the Youth Program who have signed contracts, are formally informed as to the reason(s) of the termination or closing of the project, and are compensated by C.O.I. or the district for violation of the contractual agreement.**
- 3. Sweetwater District employees guilty of violating any rules, regulations, policies or laws are reprimanded.**

Before the Board issues it's findings I would like to inquire (as I have requested in past correspondences) if I can address a close-door meeting of the Board on the above issues. Please inform me, before the Board issues it's position on the on going investigation if this is, or isn't permissible.

In concluding, since time is of the essences, please promptly forward us your response to the above, and also the board's position on the investigation as soon as the matter is concluded.

Sincerely;

Herman Baca
President

Cc. Attorney Daniel Marshall



H. Hernandez COM

Committee on Chicano Rights

710 East Third Street • National City, CA 91950 • (619) 477-3800 • Fax: (619-477-3829

June 16, 2000

**President Greg Sandoval
Board of Trustees
Sweetwater Union High School District
1130 Fifth Avenue
Chula Vista, CA 91911**

Sr. Sandoval:

As per our prior conversation, I am following up on the district's on going investigation to be concluded on the following issues:

1. The unwarranted dismissal of Mark A. Baca (who has requested our assistance) from his position as youth organizer at Sweetwater High School.
2. Termination of the Youth Project due to the above. Sweetwater District parents and students who signed contracts with the Consensus Organizing Institute to date, have not been notified as to the status of the program, or their status.

It has now been close to a month and no word on the investigation has been fourth coming. Before a decision is rendered on the above by the Board of Trustees I am enclosing for your consideration documentation of letters in support of Mark A. Baca for yourself and other board members. As I have stated in the past before this matter escalates into a public, legal and political issue, hopefully the board will arrive at a decision that is based on established school policies, laws, basic decency and fairness, rather than "legal technicalities." "Technicalities" that are intended to protect administrators rather than the individuals who have been damaged by administrators.

To place this matter in context, let me remind you and the board of our investigation:

- ♦ Mark A. Baca for doing an outstanding job for the district, which no one disputes because of a supposedly "anonymous" phone call, or doing 120 hours of free community service, has been defamed, slandered, and damaged. Because of that, he has lost his reputation, job, career, and any possible future chances for employment due to the unwarranted decisions of Principal Mora and Superintendent Brand. To date, no formal charges have ever been filed, or no one has stated in black and white the reason(s) for his dismissal, or given a reason(s) why due process has been denied him under established laws and policy procedures.

- ◆ **Parents and students who signed contracts have also been damaged and the students' education negatively affected (through no fault of their own) by the decision(s) of Principal Mora and Superintendent Brand.**

It is our organization's position that if a fair and just conclusion of this matter is to be arrived at, the board must include the following:

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In concluding, since time is of the essences, please promptly forward us your response to the above, and also the board's position on the investigation as soon as the matter is concluded.

Sincerely;

Herman Baca
President

Cc. Attorney Daniel Marshall



City of National City
Office of the City Council

1243 National City Boulevard, National City, CA 91950
RON MORRISON-COUNCILMAN (619) 336-4233
(619) 475-2996

May 31, 2000

Ed Brand
Superintendent, Sweetwater Union High School District
1150 5th Ave.
Chula Vista, California

Dear Ed

I've known Mark Baca for a little under two years, during which time I've had many opportunities to observe and interact with Mark and the Sweetwater High students in his care. During this time my observation of Mark has been that of a young man serious about his job, and committed both to the young people he was working with and to the welfare of the National City community as a whole. I was able to observe and participate with Mark and the Sweetwater High young people in planning sessions, an instructional tour of the city that I conducted, various civic meetings, and one on one. During these times Mark's professionalism and conduct was above reproach and indicative of the good names of the Sweetwater School District and the Consensus Organizing Institute.

Mark Baca's dedication and commitment to both the young people and community of National City is to be commended and nurtured as a valuable resource. It would be my desire that everything possible be done to allow this young man to mature and grow in his talents and obvious desire to see young people better themselves.

With all respect

Ron Morrison

cc. Ben Butler
Greg Sandoval
Ralph Mora
Richard Barrera
Mark Baca

May 24, 2000

Richard Barrera
Executive Director
Consensus Organizing Institute

Mr. Barrera,

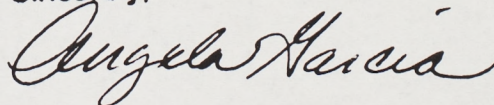
I appreciate your letter, and as you stated Jessica and I continue to support the National City Youth Organizers, we are glad that all the important work these Sweetwater students completed is acknowledged and will move forward to complete even greater accomplishments in their community.

It is unfortunate that your organization took so long in addressing our questions and concerns, in order for this program to succeed there must be a partnership between your organization, students and parents, effective partnerships consist of communication and trust.

I am encouraged that this valuable program that benefits all National City residents will continue through the next school year, my concern is why are you requesting another professional to continue the work Mr. Baca started? Did he not comply with the district's personnel policies?
What are the district's personnel policies? Did the school fail to follow these policies, that protect our children?

I accept and thank you for your invitation to participate in discussing some of these issues.

Sincerely,



Angela Garcia
2039 N Avenue
National City, CA 91950

MAHARLIKA SENIORS FELLOWSHIP OF SAN DIEGO, INC.

**P.O. Box 1408
National City, CA 91950
(619) 477-8307**

**NENITA B.F. ROSALES
-FOUNDER-
President - Chairwoman**

**REGISTERED & LICENSED
JULY 08, 1987**

May 21, 2000

TO WHOM IT MAY CONCERN:

May I have the honor to introduce myself; my name is NENITA ROSALES, a National City resident for eighteen years, Filipino and a naturalized U.S. citizen. I am also a senior citizen community leader, an identity I have established in this city for the past fifteen years.

I have known Mr. Mark Baca since February, this year. He and three male students from the Sweetwater Union High School were then campaigning for support on behalf of their project, the CONSENSUS YOUTH PROGRAM, of which Mr. Baca is the organizer and the students were officers. Incidentally, I am also currently undertaking a program related to the Seniors, THE MAHARLIKA SENIORS FELLOWSHIP OF SAN DIEGO, INC. duly licensed and registered with the Secretary of State, State of California on July 8, 1987, which revolves around social, civic, cultural, recreational, educational, and other senior-related aspects. After a brief discussion, about certain issues that had some bearing on our respective projects, we parted with the idea of either complementing or coalescing some of our activities in the immediate future, youth and seniors in order to expand the concept for the betterment of our future generation. We believed that by so doing, our own children and our grandchildren will be beneficiaries of what we are doing now. Since then, we have been exchanging bright and worthwhile ideas to pursue with our projects as our community service.

I was invited to the Sweetwater High School one afternoon, was introduced to Mr. Mora, the principal, to a group of students, male and female, and a couple of Union Tribune staffwriters. Most of us were interviewed including Mr. Baca and myself. On my turn, I briefly gave an account of my life as a young girl, a student, high school and college, eventually practiced my profession as a high school teacher, a civil service office worker until I retired and immigrated to America in 1981. Landed on a job in the Federal, then the County and now volunteering as a part of my retirement years. I guess I have achieved a degree of Success because I am indeed happy and contented without I have spent my life .By accounting my life, I thought that I was providing an incentive and an inspiration to the young minds. Dedication, hard work, serious studies and determination to achieve the goals in life are the keys and essentials. I concluded by predicting, "Who knows that some of you here today may be sitting in the National City Council Chamber or the White House tomorrow!"

At the height of my enthusiasm, planning, projecting possible expect actions for what we are doing now to make things happen, as leaders, I was really saddened by the information that Mr. Baca has been laid off, terminated or fired, for what reason. Our respective programs will-be hampered due to this incident.

(2)

I hope and pray that this case will soon be resolved. I am very positive that your office will conduct an immediate investigation of the case with proper ethics, justice and fairness. And whoever is responsible for the detriments caused thereto should also be properly handled as the case may be. In the event that no sufficient grounds for dismissal can warrant the cause prejudicial to Mr. Baca, I pray that he be reinstated to the same position that he had been appointed to.

May we all work to the best interest of our community and our people.

Thank you.

**NENITA ROSALES, President-Founder
MAHARBIKA SENIORS FELLOWSHIP OF SAN DIEGO, INC.
P.O. Box 1408
National City, CA**



Briar Company

1247 Highland Avenue, Suite #3

PO BOX 236

National City, CA 91950

(619) 474-1883 Fax (619) 47402939

May 19, 2000

Mr. Mark Baca,

After working with you at Sweetwater High School, it is with great concern that I write addressing your recent experience with Sweetwater High School that ultimately led to your removal from the COI youth project at Sweetwater High School.

I personally know of the commitment and dedication you provided to the students through this project. As a COI staffperson along with your community connections, you were able to establish a comprehensive program that followed guidelines established by COI. Your exceptional ability, to expose the innocent participating Sweetwater students to a level of community awareness that is sought by many, but achieved by few, and your personal dedication again speaks volumes as to the administrative skills you brought to embellish this program.

The San Diego Union Tribune Newspaper article of March 2000 was a true declaration of your skill in working with local youth. This article captured the spirit of dedication in the COI's Sweetwater Project. The newspaper article was a true testimony to the success of your administration of the CIO's goals in National City program.

I hope that this letter will serve a verification of your continuing dedication to the youth of our National City community.

If I can be of any assistance, please contact me at the above address.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Alethea R. Pruitt', written over a horizontal line.

Alethea R. Pruitt

Owner / Office Manager

May 16, 2000

Dear Edward Brand:

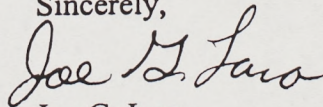
This letter is written regarding the National City Youth Organizers program started at Sweetwater High School by Mark Baca and the Consensus Organizing Institute. I want to share with you my thoughts about this program and the impact that it had at our school.

I had the opportunity to work with Mark Baca and the Sweetwater students that started this program. From the beginning I could tell that this was a different kind of program. The students were being empowered to guide the direction and make the major decisions for the group. All the while Mr. Baca's role was as a facilitator to this process. I sat in on several of the after school meetings and I saw the positive impact this was having on the students.

Recently this all came to an end. Mark Baca was released from Sweetwater High School and the program abruptly was stopped. My biggest concern here is for the Sweetwater students. What explanation have they been given? What consideration has been given to them? What are they to think regarding all of their work and efforts that they made? I believe that our number one concern should first and foremost be the education and welfare of the students. They are in fact the reason for our being, and when we lose sight of that, then it is they who suffer because of it.

Too many times these students have been given empty promises and have had a lack of follow-through by adults. Unfortunately, I believe this situation falls into this same kind of negative category. I implore you to not let this happen. I am requesting that the school district resolve this issue in the most prudent and timely manner possible. Regardless of what the problems may be, I don't believe that it can be anything beyond resolution, if all parties are committed to working towards a mutual decision. I hope you take this into consideration, not just because of Mark Baca, Sweetwater High School, or me but for the sake of the students. We owe them an honest and sincere effort to fix this problem, so that they once again may have faith in us as adults and as educators.

Sincerely,



Joe G. Lara

Teacher, Sweetwater High School

CC: Mark Baca (markbacal@juno.com)
Ben Butler, COI Pres. Board of Directors
Richard Barrera

**Richard Barrera President,
Consensus Organizing Institute
3911 Fifth Avenue, Ste. 300
San Diego, CA 92103**

Mr. Barrera:

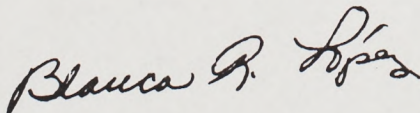
I am in possession of your letter dated (5/22/00) and the check to my son Daniel Lopez for the amount of \$294.58. I appreciate your response and the check, but I still have a large number of questions from my 5/11/2000 letter and your letter, which you have failed to answer.

1. You state that the check paid is for "Daniel's last paychecks through the end of the present school year" Because our figures are different than the amount you paid for the period, please explain. Also what do you mean by the end of the school year, since we are a year round school?
2. You still haven't informed us as to what has happened to the program. Since we signed the contract with C.O.I in good faith, I believe that you owe us an explanation in writing to us, as to what happened with the program. My son has been out 1 1/2 month's from the program. Also I would like to know why Mr. Mark Baca was dismissed as youth project coordinator.
3. We understand that the reason Mr. Mark Baca was dismissed and the project discontinued was due to lack of funds. So how are the students getting paid? And how is the new staff person going to be paid? Why weren't we told the reason(s) why Mr. Mark Baca was dismissed, since he is the person that we signed the contracts with, who build the program up, and whom the students know, worked with, and trust? I believe we have a right to know why Mr. Mark Baca was dismissed, and who the new person is which is supposed to replace him.
4. In my letter I asked you what happen to the program? You state in your letter that with the "continued support of Sweetwater District you intend to continue." Since you have no money, what happens if Sweetwater doesn't support you? Also what happens to the program if your new staff person can't comply with the District's personnel policies?
5. If C.O.I. is paying the students, why did Principal Ralph Mora attempt to pay my son and other students \$40.00 from the ASB fund?
6. Is Daniel still going to be in the project in the coming year, you failed to make that clear in your letter.

After signing contracts in good faith with you, I have to be honest and tell you that I am very disappointed over the manner in which my son Daniel, Mr. Mark Baca, the students and parents in National City have been treated by C.O.I. We appreciate the money, but there are questions, which have to be answered. Money is important, but so is mutual respect, the education of my son and other students and the just treatment of other persons in our community.

In closing, I would appreciate it, if you would honestly address, answer and response to the questions above.

Sincerely;



Sra. Blanca Lopez

Cc. Committee on Chicano Rights

May 11, 2000

Richard Barrera
President,
Consensus Organizing Institute
3911 Fifth Avenue
Ste. 300
San Diego, CA 92103

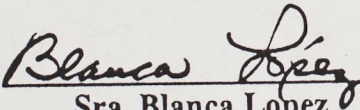
Mr. Barrera:

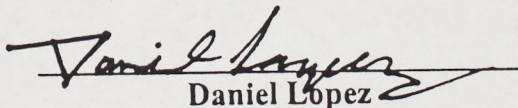
Last year my son Daniel Lopez who is a student at Sweetwater High School, and myself signed a contract with the Consensus Organizing Institute. My son as a student was to participate in the National City Youth Organizers project and the program was to be part of his education. Students were to learn about their school, city and neighborhood. In turn C.O.I. as per the contract signed was to pay the students for their participation.

I am now writing to ask, what happened to the program? To date neither Sweetwater nor C.O.I. has not told us or contacted us about what happened to the program, or if the program is going to be continued. Since we signed the contract in good faith, I would like to know if there is still a program, why we haven't been told anything, and why my son has not been paid for over a month? We are a low-income family as I am sure the other students are, and the money that Daniel was receiving was money that he depended on, for his education, social activities and which he also contributed to help with family expenses. Daniel enjoyed the program, was learning a lot, and now that there is no program, I feel that his and the other student's education has been damaged.

I believe that both you and Sweetwater owe us an explanation as to the above matters, which I have raised. I want to let you know that we have contacted the Committee on Chicano Rights because what you have done to the students and us, as parent's is not right. I will wait for your response, which you can forward to me at the following address:

Sra. Blanca Lopez
706 E. 22nd Street
Apt. #403
National City, CA 91950


Sra. Blanca Lopez
Parent


Daniel Lopez
Student

April 20, 2000

To Whom It May Concern;

For the past seven months I have been in the National City Youth Organizers with Mr. Mark Baca. It has been a great experience, both fun and educational. The National City Youth Organizers are a group of young adults attending Sweetwater High School. We as a group have come together to further acknowledge and better the quality life of our community. Our main interest lies with our community and helping residents take an active role in decisions that effect their lives. We help by getting out there in the community registering people and encouraging them to vote. We look towards internal and external partnerships for relationships in the help with community problem solving. As we build these partnerships we involve the community in our master plan, and together help solve some of the problems in National City.

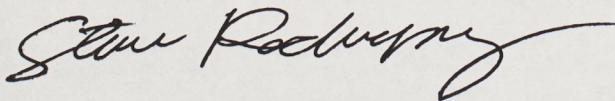
Our first project was to conduct an asset mapping in National City. We were undertaking a deliberate process to discover everything that's right in National City and highlight its positivity instead of pointing out its negatives. The asset mapping of National City consisted of going out in the community and collecting the thoughts and opinions of its residents. Personally I loved the the asset mapping process, I had a lot of fun. I got to see some parts of National City that I had never seen before, see and meet new people, and get in touch with my community. I got to meet a variety of people from the oldest to the newest residents. Through my experiences I had the opportunity to meet people that have been living here for over eighty-six years. I heard senior's stories and got the feel of how National City evolved from a farm land to the very city we live in

today. Asset mapping was a very interesting project, and I think more people should explore experiences like this.

The National City Youth Organization is a very good opportunity and I feel more students should take advantage of the program. As a member students get a chance to work with the community from the inside out. It has been a great experience, I have had the opportunity to meet and work with local city politicians, like the Mayor and the city's councilman board. I have also had the honor of meeting and having an actual discussion with Mrs. Denise M. Ducheny a former leader of the forty-ninth district in California. Most students in other schools feel the same way we do and that is why another idea was installed into our group. We feel other schools and communities should have an opportunity like this, so that is why we are trying to implant programs like this in other schools. We as a group are further being recognized by the school, community, and city of San Diego. The Sweetwater's Devils Advocate (school paper) and San Diego Union Tribune have both posted stories on the group and its incredible achievements. We know feel we are being known and recognized for our achievements.

I feel I got the best out of the group to my advantage. Now I have great experience and skills I could use for future purposes, such as getting jobs, applying for universities, and being recommended for other purposes. I have gained a lot from the group and I just hope others can as well.

Sincerely,

A handwritten signature in black ink that reads "Steve Rodriguez". The signature is written in a cursive, flowing style.

Steve Rodriguez

318 E. 22nd St apt. 201
National City Ca. 91950

May 11, 2000

Richard Barrera
COI President
3911 Fifth Ave.
Ste. 300 San Diego Ca.
92103

I Maria G. Ramirez and my daughter Lilian F. Gonzalez forward this letter with the objective of asking on regard to my daughter's position and the job she has been doing since December 1999 we feel the contract still current and we want to know what has happened to the program N.C.Y.O.(National City Youth Organizers) we would like to have an explanation if the program will continue or not. I Lilian and the other three youth organizers were told that we were going to continue working after the week of easter with a new advisor and we haven't got any information. I assume that I should be getting pay because I feel that my job still not terminated. I would be waiting for a timely manner.

Sincerely

Ma. Guadalupe Ramirez

Lilian F. González



City of National City
Office of the City Council

1243 National City Boulevard, National City, CA 91950

RON MORRISON-COUNCILMAN (619) 336-4233

(619) 475-2996

March 20, 2000

National City Youth Organizers
Mark Baca

Dear Mark:

I read with excitement the recent newspaper article that outlined the great progress that your organization has made. Let me say that you and all the youth organizers involved can be proud of not only the work that you are doing, but also the type of work that your group is involved in.

All too often when a 'mapping' is assembled it is put together in a cold statistical fashion, that can lead many policy makers to erroneous conclusions. The fact that your students are basing your work on the human element within each neighborhood gives this mapping a remarkable potential as a tool for providing intelligent information as we look to making long range policy decisions.

The involvement of young people in such a positive, and informationally vital project is both refreshing and gives great hope and encouragement for the future of our community.

Please accept both my congratulation and sincere thanks for the fantastic job that you and the students are doing for our community. Please feel free for you or any of the student organizers to call upon me for any assistance I can provide.

Thank you and please keep up the great work

Ron Morrison

SWEETWATER HIGH SCHOOL

OFFICE OF THE PRINCIPAL
2900 Highland Avenue
National City, Ca 91950
Phone: (619) 336-7009
Fax: (619) 474-7635



March 21, 2000

The National City Concensus Organizers
Mark Baca

Dear Concensus Organizers and Mark:

It is with a great deal of pride that on March 17, 2000, I read the article in the Union Tribune on the fine work that you are doing to make the National City community a better place. Through your efforts in registering voters and serving the needs of the community, you are learning how to access the system and improve the quality of life for all of us that live or work in National City.

Please continue your mission and I support what you stand for.

Sincerely,

Ralph Mora

Mr. Ralph Mora
Principal

RM/gw

CC: Dr. Ed Brand
Mr. Robert Acuna



SWEETWATER UNION HIGH SCHOOL DISTRICT

Office of the Superintendent • 1130 Fifth Avenue • Chula Vista, California 91911-2896
(619) 691-5555 • FAX (619) 498-1997 • e-mail: ebrand@suhsd.k12.ca.us

Edward M. Brand, Ed.D.
Superintendent

March 22, 2000

National City Youth Organizers
C/O Mark Baca
Sweetwater High School
2900 Highland Ave.
National City, Ca 91950

Dear National City Youth Organizers:

I recently saw the impressive article, *Students put National City on the Map*, that was featured in the San Diego Union-Tribune on March 17, 2000! I would like to take this opportunity to let you know how proud I am of you and your efforts on behalf of the citizens of National City.

I understand that you have registered more than 100 people to vote, and have completed more than 500 surveys on what people can do to improve their neighborhoods. Your cooperative, self-sacrificing efforts to this project are certainly valuable to bringing members of the community together for a common purpose, and a heightened level of civic awareness.

The success of this outstanding project is certainly a reflection of your many hours of hard work and dedication, and I want to commend all of you for your commitment to your community.

Sincerely,

Edward M. Brand, Ed.D.
Superintendent

EMB:dh



SWEETWATER UNION HIGH SCHOOL DISTRICT

Office of the Superintendent • 1130 Fifth Avenue • Chula Vista, California 91911-2896
(619) 691-5555 • FAX (619) 426-2252

December 1, 1997

Consensus Organizing Institute
1807 Robinson Ave., Ste. 206
San Diego, 92103

Attn: Micheal Eichler, President
Richard Barrera, Regional Coordinator

Gentlemen:

It is my pleasure to recommend Mark Baca for your office manager position. I have known Mark for the last 20 years as he was a student in my Associated Student Body Class at Sweetwater High School.

Mr. Baca possesses several positive traits including great organizational skills, and he is a highly motivated team player. He also has the ability to continually get the best out of every individual he comes in contact with.

Additionally, Mark has been involved in many leadership activities during the last several years, including co-chairman of the Gail Devers Parade in National City. He has also been a leader in community activities throughout the South Bay.

Please feel free to contact me should you have any additional questions regarding his qualifications.

Sincerely,

Edward M. Brand, Ed.D.
Superintendent

EB:dh



SWEETWATER UNION HIGH SCHOOL DISTRICT

Office of the Superintendent • 1130 Fifth Avenue • Chula Vista, California 91911-2896
(619) 691-5555 • FAX (619) 498-1997

Edward M. Brand, Ed.D.
Superintendent

November 12, 1998

Board of Directors
City Heights Community Development Corporation
4265 Fairmount Ave.
San Diego, Ca 92104

To Whom It May Concern:

It is a pleasure to recommend Mr. Mark Baca for a position on the Board of Directors of your corporation. I have known Mr. Baca for the past 20 years, as he was a student in my Associated Student Body Class at Sweetwater High School.

Mr. Baca possesses many positive traits, including great organizational and leadership skills, and is also a highly motivated team player. He has been involved in many leadership activities during the past several years including community activities throughout the South Bay. He has also been on the Board of Directors for the Golden Hills Planning Committee since 1995.

I am confident that Mr. Baca possesses the skills, knowledge, and experience necessary to serve as a member of your Board of Directors. Please feel free to contact me should you have any additional questions regarding Mr. Baca's qualifications.

Sincerely,

Edward M. Brand
Superintendent

EMB:dh

Handwritten scribbles and symbols including the word "Xavier", the number "380", and a downward-pointing arrow.



Committee on Chicano Rights

710 East Third Street • National City, CA 91950 • (619) 477-3800 • Fax: (619) 477-3829

June 26, 2000

**Bonny Garcia
Attorney - Investigator
Sweetwater Union High School District
801 South Grand Avenue
Los Angeles, CA 90017**

**Facsimile (213) 362-0715
(Hard copy to follow)**

Re: June 23, 2000 meeting

For the record, on June 21, 2000 you requested a meeting (you asked that Mark Baca not be present) before you issued your report to the Sweetwater Union High School District Board of Trustees on the long awaited investigation of the Mark A. Baca issue. The proposed meeting you stated was to discuss and share information that you had "discovered" during your investigation of the above matter. At the meeting, which was held in my office on June 23, 2000, you shared information of a letter signed by Mr. Eddie William's, which you stated the following:

- That Mr. Eddie William's, head Security Officer for Sweetwater High School, told you that, "**the letter to Superior Court Judge Robert F. O'Neil, which was on official Sweetwater High School letterhead, that confirmed Mark A. Baca's 120 hours of community service, was not drafted by him.**"
- That incredibly, Mr. William's signature on the Sweetwater High School letterhead and letter (which he supposedly did not draft) was "**his signature!**"
- That the reason given by Mr. William's for his signature being on the letterhead and the letter to Superior Court Judge O'Neil was because, "**he signed a blank piece of paper, which he gave to Mark A. Baca, to fill out.**" And the reason Mr. William's signed the blank piece of paper (letterhead) was because it was his understanding (because Mark Baca told him) that, "**Principal Mora and the Vice Principal were also going to affix their signature to a blank Sweetwater letterhead, for Mark to fill out!**"
- That everyone in the District agreed that Mark A. Baca was doing an "**outstanding job**" before Principal Mora dismissed him from his position and that, "**you were sharing the above because no one wanted to see Mark, further damaged.**" This was the reason why you wanted to share your discovery, to prevent further damage to Mark. In your opinion, Mark could be damaged (implying that Mark would be seen as drafting the letter) "**if the above went public, or worst if Judge O'Neil were to find out.**"
- That Principal Mora proceeded to "**dismiss Mark A. Baca, from his position, based solely on the above information and statements, which he received from Mr. William.**"

As agreed, I stated to you that I would speak to Mark about your concerns, and he would have to make the final decision. I have spoken to Mark, below is his response and position on the matter:

1. Mark A. Baca has advised the CCR to **continue its efforts to procure justice and resolvment on his issue between the District, C.O.I. and himself.**
2. Mark A. Baca's position on the William's letter remains the same as stated to you at the 5/25/00 interview. At that time you questioned Mark asking, "if he knew who wrote Mr. William's letter?" **Mark stated to you, "I have no idea who wrote the letter, but I assume Mr. William's did, because he is the one who gave it to me."**

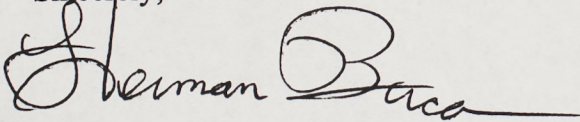
You also requested what CCR position is, to have this matter resolved. Allow me, to repeat what I have stated in past correspondence to the Board, as to what would be a fair and just conclusion to the Mark A. Baca issue:

1. **Upon conclusion of the investigation, if Mark A. Baca has been unjustly accused, he is immediately reinstated to his former position, his name cleared, and the District issues a public apology.**
2. **Sweetwater District employees guilty of violating any rules, regulations, policies or laws are reprimanded.**

In closing, please inform us as to the date that you plan to file your report with the Board. The CCR except you to file your investigative report (done at taxpayer's expense) with the Board of Trustees, and then to immediately forward us a copy. I have requested that the Board allow me to address them at a close door meeting before you file your report.

In concluding, I am at a loss as to the purpose of the June 23, 2000 meeting. But aside from that, we will wait for your response, so that hopefully the above matter and the remaining issue of the students and their parents, who had contracts with Sweetwater High School and C.O.I., can be addressed and resolved.

Sincerely;



Herman Baca

Cc. Attorney Daniel Marshall
Board President, Greg Sandoval
Trustee, Jim Cartmill
Trustee, Robert Greigo
Trustee, Lorenzo Provencio
Trustee, Arlie Ricasa,

SWORN STATEMENT OF EDDIE WILLIAMS, *Jr. EW*

Jr. EW
I, Eddie Williams, declare:

I am employed at Sweetwater High School as a campus assistant. All of the facts set forth in this statement are of my own personal knowledge and if called as a witness I could and would competently testify thereto under oath.

1. I have been employed as a campus assistant at Sweetwater ^{*know*} High School ^{*District*} since the 1995-96 school year. My duties consist of serving as the campus security guard. In that capacity I patrol the campus, escort students on campus and perform other duties as assigned by the principal or assistant principals. My duties do not include operating, coordinating or supervising any community service activities for the school.

2. I first met Mark Baca in or about the fall of 1999 when he was working as a volunteer working with students. He seemed like a nice guy and he started hanging around me and would often walk and talk with me while I made my rounds of the campus.

3. Sometime in the fall of 1999 Mark approached me and asked me to sign a letter to the effect that he had been working as a volunteer on campus. He said he had spoken to the principal, Mr. Ralph Mora, on the subject and that both Mr. Mora and one of the assistant principals had agreed to sign similar letters. At the time I had no reason whatsoever to disbelieve Mark. I thought if Mr. Mora were signing a letter it would not be a problem for me to do the same. Mark then asked me to sign a blank letter sized paper. He told me he would draft the letter above my signature. I said fine and I signed the paper.

4. I did not hear from or talk to Mark about the letter until the early part of April 2000. Mark paged me at approximately 3:00 in the morning when I was working at one of my night jobs (also as security guard). When I got him on the phone he told me that someone was trying to disgrace his name and that if anybody asked I should say the same things that were in the letter he had asked me to sign in the fall of 1999. He said words to the effect of "You remember what you wrote in the letter?" I said, "I never wrote any letter." He said, "You remember what was in the letter?" I then told him I had never seen the letter. He sound frustrated and started to tell me what was in the letter, that some people were going to ask me some stuff and that I should just say what was in the letter. I told him I had to get back to work and hung up. I have not talked to ~~or seen~~ ^{*EW*} Mark since that conversation.

5. I have since been shown a copy of the letter that was apparently drafted on the paper I signed. To the best of my knowledge a true and correct copy of that letter is attached as exhibit "A." I never saw the letter after I signed the blank page it was drafted on. Nor did I mail the letter, or make arrangements to have it mailed, to Judge O'Neil.

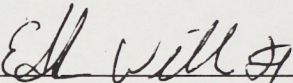
The letter is also not accurate in several respects. The first sentence of the letter states that "Mark Baca worked for me 3-4 days a week..." Mark never worked for or with me at all. I did not employ him. I did not supervise him, nor was I ever authorized to do so. The first sentence continues with the statement that Mark "completed 120 hours of his community service requirement." I do not know whether Mark did volunteer work for Sweetwater High School, but to the extent the letter implies he did community service with or under my supervision it is inaccurate.

6. The remainder of the first paragraph is inaccurate to the extent it implies that I supervised Mark's work. Otherwise I have no basis for judging the truth or falsity of the statement except to say that Mark seemed to me to be a nice guy and a hard worker.

7. The second paragraph is inaccurate to the extent it states that Mark was "leaving." Mark did not "leave" Sweetwater High School at all in the fall of 1999. In fact he stayed at the school through the spring of 2000 when the incident concerning my signing of the letter attached as Exhibit "A" came to light.

I have read the foregoing and declare it to be true and correct under penalty of perjury under the laws of the State of California.

Dated: August 2, 2000



Eddie Williams, Jr. CW

Sweetwater High School
SWEETWATER UNION HIGH SCHOOL DISTRICT

2900 Highland Avenue
National City, CA 91950-7496
Phone: (619) 333-7009
FAX: (619) 474-7836

Re: Mark Baca Dob: 01/15/66
Case # M764585

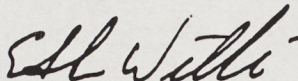
November 10, 1999
San Diego Superior Court:
Attn: Judge ROBERT F. O'NEIL

Mark Baca has worked for me 3-4 days a week since September and has completed 120 hours of his community service requirement. He was punctual and a hard worker. In my opinion, his work was better than average. I have found him steady and cooperative - two qualities I appreciate.

I am sorry he is leaving, and I sincerely feel that whoever is fortunate enough to have him will be rewarded with work well done.

In conclusion, if you have any questions regarding Mr. Baca do not hesitate to call me at 619-339-7809.

Sincerely,



Mr. Eddie Williams
Sweetwater High School

LENT
DUP

NOV 17 99

F 11

EXHIBIT "A"

SWORN STATEMENT OF MARK A. BACA

I, MARK A. BACA, DECLARE THE FOLLOWING:

1. I WAS EMPLOYED WITH THE CONSENSUS ORGANIZING INSTITUTE FROM FEBRUARY 1998 TO APRIL OF 2000.
2. ON FEBRUARY 1999 I WAS EMPLOYED AT SWEETWATER UNION HIGH SCHOOL AS A YOUTH COORDINATOR UNDER AN AGREEMENT BETWEEN SWEETWATER DISTRICT AND THE CONSENSUS ORGANIZING INSTITUTE.
3. I FIRST MET MR. EDDIE WILLIAMS (SECURITY GUARD) ON OR ABOUT FEBRUARY OF 1999 WHEN I BEGIN MY EMPLOYMENT WITH SWEETWATER HIGH SCHOOL AS YOUTH COORDINATOR.
4. AT THE TIME, I GOT TO KNOW MR. WILLIAMS ON BOTH A PROFESSIONAL AND PERSONAL LEVEL. MR. WILLIAM'S WAS A NICE AND FRIENDLY PERSON AND WOULD OFTEN INVITE ME (WHICH I ATTENDED) TO THE NITE CLUBS, THE BLUE TATOO IN THE GASLAMP, & TINA'S IN SPRING VALLEY WHERE MR. WILLIAMS WORKED AFTER HOURS AS A PART TIME SECURITY GUARD.
5. AROUND SEPTEMBER 1999 I ASKED MR. WILLIAM'S, AFTER EXPLAINING THE CHARGES AGAINST ME, IF I COULD DO MY COURT ORDERED "COMMUNITY SERVICE" OF 120-HOUR AT SWEETWATER HIGH SCHOOL. AT THAT TIME MR. WILLIAM'S STATED "NO PROBLEM."
6. FROM SEPTEMBER THROUGH NOVEMBER OF 1999, I DID MY COMMUNITY SERVICE OF 120 HOURS WORKING 3-4 DAYS A WEEK UNDER MR. WILLIAMS SUPERVISION. THE "COMMUNITY SERVICE" I DID WITH MR. WILLIAMS WAS ALWAYS ON MY OWN TIME, AND AFTER WORKING HOURS. SINCE I HAD NO SET HOURS AND A FLEXIBLE WORK SCHEDULE, I DID THE "COMMUNITY SERVICE" AROUND MY STUDENTS SCHEDULE.
7. THE "COMMUNITY SERVICE" THAT I PERFORMED FOR AND WITH MR. WILLIAMS AT SWEETWATER INCLUDED THE FOLLOWING, PATROLLING WITH MR. WILLIAMS, ESCORTING STUDENTS TO CLASS, MAKING SURE STUDENTS WERE IN CLASS, PICKING UP STUDENTS WHO GOT IN TROUBLE IN CLASS FOR THE VICE- PRINCIPALS, ATHLETIC EVENTS, ETC.
8. ON NOVEMBER OF 1999 I COMPLETED MY "COMMUNITY SERVICE", AND AT THAT TIME, I WENT TO MR. WILLIAMS AND ASKED HIM FOR THE ENCLOSED LETTER (SEE ATTACHMENT "1") WHICH I LATER PICKED UP, AND THEN MAILED TO THE COURT. AT THE TIME MR. WILLIAM STATED THAT "I HAD DONE MORE THAN 120 HRS."
9. ON APRIL 7, 2000 PRINCIPAL MORA UNJUSTLY DISMISSED MARK FROM HIS POSITION AT SWEETWATER HIGH SCHOOL, BECAUSE "I HAD NOT INFORM HIM AND CLEARED THE "COMMUNITY SERVICE" WITH THE. AT NO TIME DID MR. MORA STATE OR WRITE TO ME OR OTHERS INVOLVED WHAT MR. WILLIAMS SWORN ENCLOSED STATEMENT NOW STATES.
10. ON MAY 1, 2000 I WAS DISMISSED, OR LAID OFF "DUE TO LACK OF FUNDS" FROM MY POSITION AT THE CONSENSUS ORGANIZING INSTITUTE, LEAVING ME UNEMPLOYED.

(2)

11. THE FIRST TIME THAT I EVER HEARD ABOUT MR. WILLIAM'S SIGNING A BLANK PIECE OF PAPER (IN FACT A SWEETWATER LETTERHEAD) AND THAT THE LETTER WAS SUPPOSEDLY FALSIFIED WAS WHEN MR. BONNY GARCIA SWEETWATER ATTORNEY/INVESTIGATOR FIRST RAISED THE ISSUE AT A MEETING ON JULY OF 2000. THE SECOND TIME I HEARD ABOUT THE LETTER WAS WHEN SWEETWATER DISTRICT OFFICIALS ALONG WITH PRINCIPAL MORA AT A AUGUST 2, 2000 MEETING CITED THE SWORN STATEMENT AS THE REASON FOR MY DISMISSAL AS YOUTH COORDINATOR. IT WAS AT THAT TIME THAT ATTORNEY GARCIA GAVE ALL THOSE PRESENT ATTENDING THE MEETING A COPY OF MR. WILLIAMS SWORN AND SIGNED STATEMENT.

I HAVE READ THE FOREGOING AND DECLARE IT TO BE TRUE AND CORRECT UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA.

DATED AUGUST 8, 2000

MARK BACA



Committee on Chicano Rights

710 East Third Street • National City, CA 91950 • (619) 477-3800 • Fax: (619-477-3829

August 8, 2000

**President Greg Sandoval
Board of Trustees
Sweetwater Union High School District
1130 Fifth Avenue
Chula Vista, CA 91911**

Mr. Sandoval:

Regarding our meeting of August 2, 2000 (present, Trustee Ed Sandoval, Superintendent Ed Brand, Principal Ralph Mora, Attorney/Investigator Bonny Garcia, Mark Baca, CCR Attorney Daniel Marshall, Herman Baca) on the issue of the Board of Trustees ordered investigation regarding the following matters:

- 1. The unwarranted dismissal of Mark A. Baca (who has requested our assistance) from his position as youth organizer at Sweetwater High School. Superintendent Ed Brand and Sweetwater High School Principal Ralph Mora unjustly dismissed Mark A. Baca without formal charges filed, an investigation done, disregarded established rules and policies, and violated due process.**
- 2. Termination of the Youth Project. Sweetwater District parents and students who signed contracts with the Consensus Organizing Institute to date, have not been notified as to either their status or the status of the project.**

At the meeting above you unilaterally spoke on behalf of the other trustees (whom I've met, and have not heard officially from) and stated that their position was that there could be no resolvment of the above issues. You and attorney/investigator Bonny Garcia also unfortunately stated that you were not going to publish or release the results of the investigation, regarding this matter. Allow me to remind you of the following:

- Both you and attorney/investigator Bonny Garcia stated that we could and would receive a copy of the board ordered investigation as soon as it was concluded.**
- That taxpayer money's have been expended (\$5,000 to \$10,000?) on the investigation, and that you and the board have both a legal and financial responsibility to release the findings, and that the tax paying public has a right to know. The question is what do you, your administrators, and attorney Bonny Garcia are afraid off, and do not want the public to know in not releasing the findings of the tax paid investigation?**



Committee on Chicano Rights

710 East Third Street • National City, CA 91950 • (619) 477-3800 • Fax: (619)-477-3829

August 8, 2000

Judge Robert F. O'Neil
San Diego Superior Court

San Diego, CA 92113

Judge O'Neil:

Our organization, which is representing Mr. Mark Baca on civil rights violations and unlawful termination by Sweetwater Union High School District, is requesting an investigation from your office on the enclosed matter:

- A November 10, 1999 signed letter (atth. #1) which was sent to you signed by Mr. Eddie William's a certified employee of Sweetwater Union High School regarding case # M764585.
- A sworn statement (atth. #2 signed by Mr. Eddie William's on August 2, 2000 refuting the above letter.
- A sworn signed statement (atth. #3) on August 15, 2000 by Mr. Mark Baca refuting both of the above.

We are raising the above issues and requesting an investigation because of the conflicting statements from the 2 above individuals, and officials from the Sweetwater Union High School District who are on record as stating the following:

- At an August 2, 2000 meeting to resolve the dismissal of Mark Baca (present, Trustee Ed Sandoval, Superintendent Ed Brand, Principal Ralph Mora, Attorney/Investigator Bonny Garcia, Mark Baca, CCR Attorney Daniel Marshall, Herman Baca) district officials distributed Mr. William's sworn statement to those present at the meeting. Principal Ralph Mora stated that Mr. William's sworn statement was the official reason for the dismissal of Mr. Baca on April 7, 2000 from his position as youth coordinator at Sweetwater High School.
- That even though the signature on the official Sweetwater High School letterhead letter which was forwarded to you of November 10, 1999 was Mr. Eddie William's, the letter was fraudulent because it was not drafted by him, but by someone else!

I am assuming that since Principal Ralph Mora and the district have been aware of the alleged fraudulent letter since April of 2000 having a legal obligation have informed you of this illegality. It is our position that serious legal issues of fraud, perjury, slander and violation of your court order have been raised by the conflicting statements of the two above individuals, the district, and especially Principal Ralph Mora.

(2)

For the reason's stated above, our organization is hereby officially requesting that your office or the appriorate legal agencies iniate an investigation to clarify what who is telling the truth, lying or has committed acts of wrong doings and illegalities.

Sincerely,

Herman Baca, President

Cc. Attorney Daniel Marshall



SWEETWATER UNION HIGH SCHOOL DISTRICT

1130 FIFTH AVENUE
CHULA VISTA, CALIFORNIA 91911
(619) 691-5550
FAX (619) 425-3394

FISCAL SERVICES

August 16, 2000

Mr. Mark Alan Baca
1412 E 14th Street
National City, CA 91950

Dear Mr. Baca:

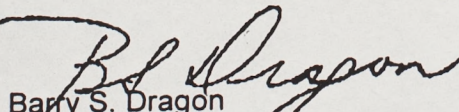
This letter is in response to your request for a claim letter regarding what you feel was an unwarranted dismissal from your employment at Sweetwater High School, by Ralph Mora and Dr. Brand, on April 7, 2000.

If you feel that the occurrence was the responsibility of the Sweetwater Union High School District, a claim must be submitted in a manner to meet the requirements of Government Code Section 910 relating to the presentation or content of a claim. In accordance with Section 910 "A claim shall be presented by the claimant or person acting on his/her behalf and show:

1. the name and/or post office address of the claimant; *MARC A. BACA*
2. the date, place, and other circumstances of the occurrence or transaction which gave rise to the claim;
3. a general description of the indebtedness, obligation, injury, damage, or loss incurred so far as it may be known at the time of presentation of the claim;
4. the name and names of the public employee or employee causing the injury, damage, or loss, if known; and
5. the amount claimed as of the date of presentation of the claim, including the estimated amount of any prospective injury, damage, or loss, insofar as it may be known at the time of the presentation of the claim, together with the basis of computation of the amount claimed."

Upon receipt of your claim, it will be presented to the district superintendent as the designee of our board of trustees for consideration.

Sincerely,


Barry S. Dragon
Chief Finance Officer

:bvl

c: Mr. Ralph Mora – Sweetwater High School
Ms. Diane Crosier - Ward North America
Legal Services



SWEETWATER UNION HIGH SCHOOL DISTRICT

1130 FIFTH AVENUE
CHULA VISTA, CALIFORNIA 91911
(619) 691-5550
FAX (619) 425-3394

FISCAL SERVICES

August 16, 2000

Mr. Mark Alan Baca
1412 E 14th Street
National City, CA 91950

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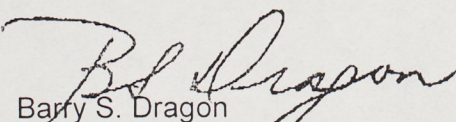
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4. the name and names of the public employee or employee causing the injury, damage, or loss, if known; and
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Sincerely,


Barry S. Dragon
Chief Finance Officer

:bvl

c: Mr. Ralph Mora – Sweetwater High School
Ms. Diane Crosier - Ward North America
Legal Services



130 SEVENTH STREET
PITTSBURGH, PA 15222
412-201-2036

3911 FIFTH AVENUE
SUITE 300
SAN DIEGO, CA 92103
619-299-9585

this is the
original copy



DAD,

We need to have
a UN-Interrupted
discussion Regarding My
Issue with Sweetwater
as well as COI'S retaliatory
firing of me. This form
must be drafted in a legal
format by a attorney, I have
been UN-successful in finding
one. However, I will continue to look
Any help would be appreciated.
— MARK

477-3829

Comm. on Judicial Perf
455 Golden Gate Ave., Ste. 14400
San Francisco, CA 94102
415-557-1200

S.D. Union Editor
293-1896

✓ CHEIS M^ozan
615-498-6699

ROBERT F. O'Neill
Dept 4)

220 W. Broadway
S.D., CA 92101

✓ 1) B. JONES - S.D. Union
293-1440

✓ 2) ISAC C.
303-3515

3) BOT
760-176-8299

✓ 4) EL SOL
231-5017

✓ 5) EL IFAZMAN
585-1134

6) A.P.
291-2098

7) EL SEMANERO
303-298-8654

✓ 8) RICHARD LOUW
293-1826 858
3 2148 530-0591

✓ 9) FRED LEWIS F-530-0591
224-1513

✓ 10) ELLANO
426-3206

11) NO. CONTRA TIME
1-760-745-3264

✓ 14) STAGNEUS
426-6346

2013-1440

498-6654

JOHN ELLMORE

293-1896

JENNIFER VIGIL
PL 498-6650

August 30, 2000

Sweetwater Union High School District
1130 Fifth Avenue
Chula Vista, CA 91911
C/o Barry S. Dragon
Chief Finance Officer

Re: Tort Claim

Mr. Dragon:

Enclosed is a claim for damages against Sweetwater Union High School District in accordance with Government Code Section 910.

1. NAME AND ADDRESS OF CLAIMANT:

Mark Alan Baca
1412 E. 14th Street
National City, CA 91950
(619) 477-8584

2. DATE, PLACE AND CIRCUMSTANCE:

April 7, 2000 – Telephone call from Sweetwater High Principal Ralph Mora resulting in unjust dismissal.

April 10, 2000 – Meeting with Superintendent Ed Brand at Sweetwater District office sanctioning Sweetwater High Principal Ralph Mora's decision to dismiss me.

Circumstances – On the above dates, Sweetwater Principal Ralph Mora telephoned and asked "if I had told Security Guard Eddie William's that he (Principal Mora) or an assistant Principal, had stated that it was okay for Mr. William's to sign my court ordered community service papers." I answered "no, that was not true, and that I never stated the above." Principal Mora in turn replied "based on your statement, turn your keys in, pick up your stuff, you no longer work at Sweetwater."

On April 10, 2000, I met with Superintendent Ed Brand at the district office seeking clarification on my dismissal. Superintendent Brand instead of investigating the incident, or following district personnel procedures, instead stated to me, "I believe and support Principal Mora decision to dismiss you, you have no rights and it is your word against Security Guard Eddie William's."

3. INJURY, DAMAGE, OR LOSS:

I believe that the unlawful termination and actions by both Principal Ralph Mora, and Superintendent Ed Brand without written notice, an investigation, due process under the district's policies and the law interfered with my on going contractual relationship with students, parents, and my employer, Consensus Organizing Institute (C.O.I.). The above dismissal resulted in my losing my employment with C.O.I., possible future career opportunities in working with youths, with school districts, defamation, loss of reputation, slander, and severe emotional distress. To date, the district still has not informed me formally of the charges, and because of the above dismissal I have not been able to procure similar or meaningful employment.

(2)

4. NAME OF PUBLIC EMPLOYEE:

Principal Ralph Mora, and Superintendent Ed Brand.

5. ESTIMATED AMOUNT OF DAMAGE OR LOSS:

Tort damage, over \$10,000 amount for economic damages, due to loss of employment, career opportunities, defamation, reputation, slander, and severe emotional distress.

Mark Alan Baca

**Cc. Committee on Chicano Rights (CCR)
CCR Attorney, Daniel Marshall**

September 6, 2000

TO: HERMAN BACA

FROM: Daniel E. Marshall, Attorney at Law

Baca v. Carrasco

I am writing in response to your facsimile received in my office today, asking for clarification regarding fee structure.

Pro hac vice: The \$2,000 dollar figure would include up to \$500 dollars of any pro hac vice charged by New Mexico counsel. Any amount higher than that would be covered by the client. I would imagine that any counsel will also want a share of my contingency, therefore, the initial retainer should be minimal. I have called once again to get Nancy's work number, or you could provide.

Commencement: I could commence work this Friday since the pro hac vice motion will be the same, but the names will be changed dependent on what firm agrees to this. The lawsuit will be filed upon after approval of my pro-hac vice motion by the federal court in New Mexico. 1-2 months.

Certified Court reporters are required for, and charge per page of transcript for depositions. Since Schoen failed to take any depositions it is hard to gauge New Mexico as compared to California. I will discuss with Nancy N.

Travel Costs: These would be for my travel to New Mexico and would be similar to those paid by you previously using the most reasonable airlines and pricing available.

Pre-Trial Orders and Motions, generally due 45-60 days before trial date in federal court. This is a very labor intensive document for the plaintiff prepares it based upon stipulations by the defendant and controls the trial of the case. Motions generally narrow the scope of trial.

Estimated trial time 2-4 days: \$500 dollars per day.

The 33% kicks in once the Pre-Trial Order has been prepared and filed, because most of the case work has been completed to create this voluminous document. Costs, filing fees, travel, court reporter etc. \$3,000 for a total of \$9,000 pre-trial and \$10,000-\$11,000 through trial.

THE LAW OFFICES OF
DANIEL E. MARSHALL
ATTORNEY AT LAW
SUITE 299
1286 UNIVERSITY AVENUE
SAN DIEGO, CA 92103
PHONE/FAX: (619) 298-5778

September 8, 2000

Boniface Garcia
Attorney at Law
801 South Grand Avenue
Los Angeles, California 90017

RE: SWEETWATER UNION HIGH SCHOOL DISTRICT

Dear Mr. Garcia,

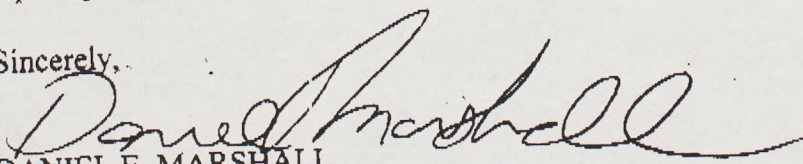
I am writing to inform you that I now represent both Mark Baca and the Committee on Chicano Rights (CCR) regarding the circumstances surrounding Mark Baca's removal from the grounds of Sweetwater Union High School. As you are aware, Mr. Baca was subsequently terminated from his job with Consensus Organizing Institute (COI) as a direct result of the action of your principal. It is important to note that this action was admittedly taken with no background investigation being concluded, and based upon double hearsay, and innuendoes.

I appreciated the opportunity to meet with yourself, Mr. Sandoval, and staff of the Sweetwater Union High School District. At this time I would like to reiterate my request that my offices receive a confidential copy of your complete investigative report forwarded to the Sweetwater Unified School District Board.

I believe this document would be assistive in resolving this matter without initiating formal litigation. It is my understanding that both yourself, and Mr. Sandoval promised Herman Baca, President of the Committee on Chicano Rights (CCR) a copy of this investigative report. At this time, my offices are conducting their own investigation on behalf of Mr. Baca, CCR, and the students who were financially and academically harmed by the actions of Sweetwater Union High School District administrative staff, and officers of COI.

Based upon the statements you made during our meeting your investigative report should clear your client of any legal liability and damages. Since my client has not filed a tort claim, you cannot withhold this document created by a public entity on the basis it was conducted in anticipation of litigation. Quite the contrary, if you refuse to release the complete investigative report, please consider this a formal request to conduct a pre-litigation settlement conference.

Sincerely,


DANIEL E. MARSHALL
Attorney at Law

GENERAL LITIGATION ASSIGNMENT

BE IT KNOWN,

Parties

Mark Baca, hereinafter referred to as Assignor
Herman Baca, hereinafter referred to as Assignee

Subject Matter: Litigation involving Mark Baca v. Consensus Organizing Institute and/or Sweetwater Union High School District.

For value received, namely the, coordination, and administration of the herein named lawsuit and litigation, and the payment by Assignor of all applicable fees and costs, the undersigned Assignor, hereby unconditionally and irrevocably assigns and transfers unto Herman Baca, Assignee of all rights, title, and interest in and to the following:

All monies, claims, and rights to Mark Baca v. Consensus Organizing Institute and/or Sweetwater Union High School District.

The undersigned fully warrants that it has full rights and authority to enter into this assignment and that the rights and benefits assigned hereunder are free and clear of any lien, encumbrance, adverse claim or interest by any third party. The assignment shall be binding upon and inure to the benefit of the parties, and their successors and assigns. Furthermore, both parties understand that Assignee will have full authority, settlement, or otherwise, over the above-described case.

Signed this ___ day of _____, 2000.

MARK BACA, ASSIGNOR

Witness Assignor

HERMAN BACA, ASSIGNEE

Witness Assignee

LAW OFFICES OF
DANIEL E. MARSHALL
1286 UNIVERSITY AVENUE, SUITE 299
SAN DIEGO, CALIFORNIA 92103
TELEPHONE NO. (619)298-5778
FACSIMILE NO. (619)298-5008

FAX COVER SHEET

TO: Richard Barrera
President
Consensus Organizing Institute

OF: FAX NO. (412) 201-2039

From: Daniel Marshall

Date: 9/18/00

DOCUMENTS	NUMBER OF PAGES*
Letter	1

COMMENTS: Thank you for your timely consideration of this request.

Original will follow by US Mail.

This message is intended only for the recipient and may contain information that is privileged, confidential or otherwise exempt from disclosure under applicable law. If you are not the intended recipient you may not copy, distribute, disseminate or otherwise use this transmission or the information it contains in anyway. If you have received this communication in error, please notify us immediately by telephone so that we can arrange for its return to us at our expense

THANK YOU!

cc: file

* NOT COUNTING COVER SHEET. IF YOU DO NOT RECEIVE ALL PAGES, PLEASE TELEPHONE US IMMEDIATELY AT THE ABOVE LISTED NUMBER..

THE LAW OFFICES OF
DANIEL E. MARSHALL
ATTORNEY AT LAW
SUITE 299
1286 UNIVERSITY AVENUE
SAN DIEGO, CA 92103
PHONE/FAX: (619) 298-5778

September 18, 2000

Richard Barrerra
President
Consensus Organizing Institute
130 Seventh Street
Pittsburgh, Pennsylvania 15222

RE: WRONGFUL TERMINATION/ MARK BACA

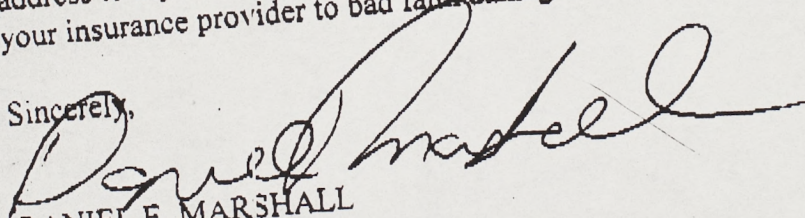
Dear Mr. Barrerra,

Please be advised that I represent Mr. Mark Baca concerning his unlawful termination from your agency. Mr. Baca worked in your San Diego office for several years and received above-average to outstanding performance ratings, regular pay increases, and enabled your company to obtain positive media coverage.

In return, Mr. Baca was terminated for no job related reason other than lack of funds. This reason is pretextual on its face, since your grant funding had been provided for a period that post dates the termination date by a significant period of time.

In any case, please notify your insurance provider of this claim, or provide their name and address to my offices. Failure to provide this information could expose your company, and/or your insurance provider to bad faith damages in addition to other damages in this case.

Sincerely,


DANIEL E. MARSHALL
Attorney at Law

cc: COI, San Diego Office

LAW OFFICES OF
 DANIEL E. MARSHALL
 1286 UNIVERSITY AVENUE, SUITE 299
 SAN DIEGO, CALIFORNIA 92103
 TELEPHONE NO. (619)298-5778
 FACSIMILE NO. (619)298-5008

FAX COVER SHEET

TO: Richard Barrera
 President
 Consensus Organizing Institute

OF: FAX NO. (412) 201-2039

From: Daniel Marshall

Date: 9/18/00

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THANK YOU!

cc: file

* NOT COUNTING COVER SHEET. IF YOU DO NOT RECEIVE ALL PAGES, PLEASE TELEPHONE US IMMEDIATELY AT THE ABOVE LISTED NUMBER..

THE LAW OFFICES OF
DANIEL E. MARSHALL
ATTORNEY AT LAW
SUITE 299
1286 UNIVERSITY AVENUE
SAN DIEGO, CA 92103
PHONE/FAX: (619) 298-5778

September 18, 2000

Richard Barrerra
President
Consensus Organizing Institute
130 Seventh Street
Pittsburgh, Pennsylvania 15222

RE: WRONGFUL TERMINATION/ MARK BACA

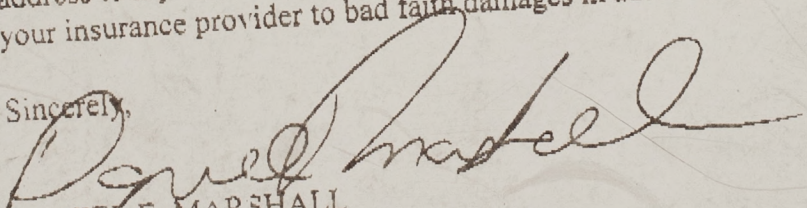
Dear Mr. Barrerra,

Please be advised that I represent Mr. Mark Baca concerning his unlawful termination from your agency. Mr. Baca worked in your San Diego office for several years and received above-average to outstanding performance ratings, regular pay increases, and enabled your company to obtain positive media coverage.

In return, Mr. Baca was terminated for no job related reason other than lack of funds. This reason is pretextual on its face, since your grant funding had been provided for a period that post dates the termination date by a significant period of time.

In any case, please notify your insurance provider of this claim, or provide their name and address to my offices. Failure to provide this information could expose your company, and/or your insurance provider to bad faith damages in addition to other damages in this case.

Sincerely,


DANIEL E. MARSHALL
Attorney at Law

cc: COI, San Diego Office

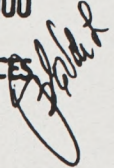
September 29, 2000

Sweetwater Union High School District
1130 Fifth Avenue
Chula Vista, CA 91911
C/o Barry S. Dragon
Chief Finance Officer

RECEIVED

SEP 29 2000

FISCAL SERVICES



Re: Tort Claim

Mr. Dragon:

Enclosed is a claim for damages against Sweetwater Union High School District in accordance with Government Code Section 910.

1. NAME AND ADDRESS OF CLAIMANT:

Mark Alan Baca
1412 E. 14th Street
National City, CA 91950
(619) 477-8584

2. DATE, PLACE AND CIRCUMSTANCE:

April 7, 2000 – Telephone call from Sweetwater High Principal Ralph Mora resulting in unjust dismissal.

April 10, 2000 – Meeting with Superintendent Ed Brand at Sweetwater District office sanctioning Sweetwater High Principal Ralph Mora's decision to dismiss me.

Circumstances – On the above dates, Sweetwater Principal Ralph Mora telephoned and asked “if I had told Security Guard Eddie William's that he (Principal Mora) or an assistant Principal, had stated that it was okay for Mr. William's to sign my court ordered community service papers.” I answered “no, that was not true, and that I never stated the above.” Principal Mora in turn replied “based on your statement, turn your keys in, pick up your stuff, you no longer work at Sweetwater.”

On April 10, 2000, I met with Superintendent Ed Brand at the district office seeking clarification on my dismissal. Superintendent Brand instead of investigating the incident, or following district personnel procedures, instead stated to me, “I believe and support Principal Mora decision to dismiss you, you have no rights and it is your word against Security Guard Eddie William's.”

3. INJURY, DAMAGE, OR LOSS:

I believe that the unlawful termination and actions by both Principal Ralph Mora, and Superintendent Ed Brand without written notice, an investigation, due process under the district's policies and the law interfered with my on going contractual relationship with students, parents, and my employer, Consensus Organizing Institute (C.O.I.). The above dismissal resulted in my losing my employment with C.O.I., possible future career opportunities in working with youths, with school districts, defamation, loss of reputation, slander, and severe emotional distress. To date, the district still has not informed me formally of the charges, and because of the above dismissal I have not been able to procure similar or meaningful employment.

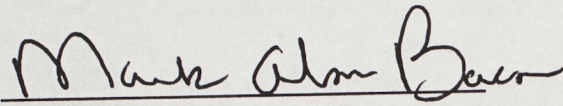
(2)

4. NAME OF PUBLIC EMPLOYEE:

Principal Ralph Mora, and Superintendent Ed Brand.

5. ESTIMATED AMOUNT OF DAMAGE OR LOSS:

Tort damage, over \$10,000 amount for economic damages, due to loss of employment, career opportunities, defamation, reputation, slander, and severe emotional distress.



Mark Alan Baca

**Cc. Committee on Chicano Rights (CCR)
CCR Attorney, Daniel Marshall**

11/13/07

1) NEEDS TERM NOTICE

2) BUDGET

3) OTHER PERSON FILLED HIS POSITION

4) ~~REVIS~~ CONTRACT - L

5) MAKE CONTRACT

6) S.O. FORMATION (IS IT FINANCIAL C.P.I)

FLORENCIA R. ALBERT-ARANOVICH
ATTORNEY AT LAW
308 N. PASQUAL AVENUE, SAN GABRIEL, CALIFORNIA 91775
(626) 299-7521 FAX (626) 299-7568

October 10, 2000

VIA U.S. CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Mr. Daniel E. Marshall, Esq.
1286 University Avenue, Suite 299
San Diego, California 92105

Re: Mr. Mark Baca

Dear Mr. Marshall:

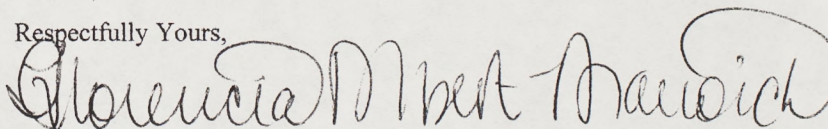
Your September 18, 2000 letter addressed to Mr. Richard Barrera, President of the Consensus Organizing Institute (COI), has been forwarded to me for review. I represent COI for the purpose of responding to the allegations contained in your September 18 letter concerning the layoff of Mr. Mark Baca as an employee of COI.

Mr. Baca was employed by COI at will as the Youth Project Coordinator for COI's National City Youth Organizers Program. As an at-will employee, Mr. Baca's employment was for no specific time period and was terminable with or without notice at the will of either party, for any reason or no reason at all. The at-will status of Mr. Baca's employment was clearly delineated in COI's Personnel Manual and is consistent with the at-will employment relationship presumption under California law. There was no written or verbal employment agreement in effect between the parties that would in any way change the nature of the at-will relationship and/or impose any obligations on COI with respect to Mr. Baca's employment and/or layoff.

Permit me to offer you the following information out of consideration. Mr. Baca was laid off effective May 5, 2000 because of severe budget constraints facing COI, and because it became impracticable for Mr. Baca to continue leading the National City Youth Organizers Program, due to the deterioration of his working relationship with the principal of Sweetwater High School, Mr. Ralph Mora. This relationship was damaged through no fault of COI and resulted in Mr. Baca being refused permission to enter the campus, making it impossible for Mr. Baca to perform his job duties for COI. In fact, the National City Youth Organizers Program has not been operational since Mr. Baca was banned from entering Sweetwater High School's premises.

It is my sincere hope that the information provided to you herein serves to allay your concern regarding the possibility that the reasons for Mr. Baca's layoff were in any manner improper. Should you have any questions, please do not hesitate to phone me at (626) 299-7521.

Respectfully Yours,



FLORENCIA R. ALBERT-ARANOVICH

Cc: Mr. David Hoffman
Mr. Richard Barrera

From: "Andres Baca" <chew_baca20@hotmail.com>
To: aztecprint@juno.com
Date: Wed, 01 Nov 2000 22:09:32 GMT
Subject: Fwd: Re: You are your environment.

>**From:** MARK A BACA <markbaca1@juno.com>
>**To:** chew_baca20@hotmail.com
>**Subject:** Re: You are your environment.
>**Date:** Tue, 31 Oct 2000 19:23:53 -0800

>

>WAIT TIL I SEE YOU BOY

>

>**YOU'RE PAYING TOO MUCH FOR THE INTERNET!**

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Get Your Private, Free E-mail from MSN Hotmail at <http://www.hotmail.com>.

Share information about yourself, create your own public profile at
<http://profiles.msn.com>.

From: "Andres Baca" <chew_baca20@hotmail.com>
To: aztecprint@juno.com
Date: Wed, 01 Nov 2000 22:09:03 GMT
Subject: Fwd: Re: You are your environment.

>**From:** MARK A BACA <markbacal@juno.com>

>**To:** chew_baca20@hotmail.com

>**Subject:** Re: You are your environment.

>**Date:** Sun, 29 Oct 2000 20:30:35 -0800

>

>**Bet Andy,**

>

>**I guess Juan is a liar and your full of SHIT,REMEMBER ASSHOLE, REEP WHAT**

>**YOU SOW. WAIT TIL I SEE YOU**

>**MARK**

>

>**YOU'RE PAYING TOO MUCH FOR THE INTERNET!**

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Get Your Private, Free E-mail from MSN Hotmail at <http://www.hotmail.com>.

Share information about yourself, create your own public profile at <http://profiles.msn.com>.

From: "Andres Baca" <chew_baca20@hotmail.com>
To: markbaca1@juno.com
Date: Wed, 01 Nov 2000 14:55:14 GMT
Subject: Re: You are your environment.

Bake a pie, eat a pie.

Tommy

>From: MARK A BACA <markbaca1@juno.com>
>To: chew_baca20@hotmail.com
>Subject: Re: You are your environment.
>Date: Tue, 31 Oct 2000 19:23:53 -0800

>
>WAIT TIL I SEE YOU BOY

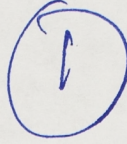
>

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Get Your Private, Free E-mail from MSN Hotmail at <http://www.hotmail.com>.

Share information about yourself, create your own public profile at
<http://profiles.msn.com>.

From: maRK A BACA <MARKBACA1@juno.com>
To: chew_baca20@hotmail.com
Date: Fri, 27 Oct 2000 13:02:11 -0700
Subject: Re: You are your environment.



Andy

I dont know what the fuck your up to but,
what is the deal wit5h calling my friend juan @3am and asking him that
you needed somewhere to crash. you better call me ASAP
MARK

From: "Andres Baca" <chew_baca20@hotmail.com>
To: markbaca1@juno.com
Date: Tue, 31 Oct 2000 02:14:47 GMT
Subject: Re: You are your environment.

2 What are you trippin' for? I ain't gotta explain shit to you bro, I didn't call Juan a liar; I put that on I called him at 6am, I got Ernesto to back me on that one. And even if I did, so what, I am a grown man. You don't

control Johnny nor do you control me, you're blowing this thing way out of proportion. I didn't drive down his street disrupting the whole neighborhood like you did on Bobby's block. Andrea Hinz, Andrea Hinz, Andrea HINZO..... Its all good, I ain't trippin'

Sleep With Big Da Guy,
Andy

3 >From: MARK A BACA <markbaca1@juno.com>
>To: chew_baca20@hotmail.com
>Subject: Re: You are your environment.
>Date: Sun, 29 Oct 2000 20:30:35 -0800

>Bet Andy,

>I guess Juan is a liar and your full of SHIT, REMEMBER ASSHOLE, REEP WHAT YOU SOW. WAIT TIL I SEE YOU
>MARK

>YOU'RE PAYING TOO MUCH FOR THE INTERNET!
>Juno now offers FREE Internet Access!
>Try it today - there's no risk! For your FREE software, visit:
><http://dl.www.juno.com/get/tagh>.

Get Your Private, Free E-mail from MSN Hotmail at <http://www.hotmail.com>.

Share information about yourself, create your own public profile at <http://profiles.msn.com>.

From: "Andres Baca" <chew_baca20@hotmail.com>

To: timpaws1@hotmail.com, amg01@u.washington.edu, VDemara@aol.com,
vanessa.contreras@usa.net, Grace_Hernandez@sccoe.org,
jjforecaster@jaime.as, marissa@cvhsa.com,
pimpbaca_69@hotmail.com, rosa.crisostomo@bearcom.com,
todachit@hotmail.com, g_nannette@hotmail.com,
lrich123@hotmail.com, MRMIKE33@aol.com,
Eric.Graham@ELMENDORF.af.mil, outlawtorn@earthlink.net,
conkorea1@hotmail.com, koreajoe21@yahoo.com,
jrr_070477@hotmail.com, AzWilcatz@aol.com,
r.dominguez@suhsd.k12.ca.us, Arturo.Irube@beale.af.mil,
DKM1269@aol.com, JHMaestra@cs.com, mariposalinda@hotmail.com,
BMarti7024@aol.com, deedles_01@excite.com, markbaca1@juno.com,
Nacazares@aol.com, aztecprint@juno.com,
ernest_rock76@yahoo.com, sguiterr@u.washington.edu

Date: Thu, 26 Oct 2000 20:00:28 GMT

Subject: You are your environment.

YOU ARE YOUR ENVIRONMENT.

The first step toward getting somewhere is to decide that you're not going to stay where you are. You make the

world

you live in and shape your own environment. Avoid people that try to belittle your ambition. Small people always seem to do that. Place yourself in the presence of successful people for they will make you feel that you, too,

can

become successful. Your environment is the mental feeding ground from which the food that goes into your mind is

extracted. Choose your environment with care, one that is positive, one that lifts you up and empowers you to achieve your goals. First we shape our buildings,

thereafter
they shape us.

Get Your Private, Free E-mail from MSN Hotmail at <http://www.hotmail.com>.

Share information about yourself, create your own public profile at <http://profiles.msn.com>.

From: "Andres Baca" <chew_baca20@hotmail.com>
To: markbaca1@juno.com
Date: Sun, 27 Aug 2000 08:46:34 GMT
Subject: What you gonna do with it?(The Remix)

ALL I KNOW IS WHAT I KNOW JUST LIKE YOU AND I DON'T REALLY LIKE IT BUT I
HAVE TO LIVE WITH IT BY BEING A MAN JUST LIKE DAD TAUGHT ME. I'M COOL, I

WILL CONTINUE TO BE COOL, I WILL BE COOL FOR THE REST OF MY LIFE; NO
MORE

NARCO FOR EITHER ONE OF US, ALRIGHT? DO ME A FAVOR AND TRY TO READ THE
BIBLE, IT WILL HELP YOU; YOU CAN ACTUALLY FEEL IT THAT IT MAKES YOU
THINK

CRAZY THOUGHTS(HEALTHY) THE MORE YOU READ(ELABORATION), TRUST ME. I AM
NOT

PREACHING EITHER SO DON'T GET ALL FLIPPER ON ME, I ACTUALLY GO TO THE
BIBLE

WHEN I CAN'T TAKE IT NO MORE, BELIEVE ME I HAVE BEEN THERE ALSO.....

FIGHTING A "HOLY WAR" IN YOUR MENTAL IS WHAT IT IS CALLED. YOU HAVE
CREATED

YOUR OWN PRISON AND ONLY YOU CAN FIGURE OUT WHAT WORKS FOR YOU, I KNOW MY

GIG BUT YOU MUST LEARN YOURS AND NOT LET IT TAKE OVER. I LOVE YOU BIG
TIME

BRO!! GOD GOT ME THROUGH SO MUCH AND HE UNDERSTANDS ME, HE DOESN'T HATE
ON

NOBODY.

YOU CAN NOT FOOL GOD NOR CAN YOU LIE TO YOURSELF.

"I am the bread of life. No one who comes to me will ever hunger; No
one
who believes in me will ever thirst."

John 6:35

>From: markbaca1@juno.com
>To: chew_baca20@hotmail.com
>Subject: What you gonna do with it????
>Date: Thu, 9 Dec 1999 06:49:32 -0800

>

>Andy,

>Hey bro I understand your especially lonely at this time but you know

>what I also understand that iam not unique or that my hurt for Adrian is

>greater than everybodys. . My God,what about mom & Dads pain and iam not

>preaching to you At this time of the year when I need my Family the most

>I turn to my own gig because its how I deal with it, I truly know that

>this is WRONG and I also know that iam not adding any contribution to
the

>family but imagine Poor mom &dad they have to AAA themselves "where did

I

>go wrong?" that gotta be a fucked feeling. They love us and want us to

>only do one thing and you know "DO SOMETHING FOR YOURSELF" Unfortunately

>we find that simple statement as complex because WE CHOOSE this not

>Adrian passing. I will try and call you tonite. What kind of trouble or

>restriction are you on and what is your consequences be honest or fuck

>the Bullshit. dad & Mom cant /what I mean is You are in the Military

and

>you better understand before you lose EVERYTHING that , you cant do the

>same drama say like what you did at SDSU> straight up They dont play

that

>shit so dont think you can get shit thru manipulation cause while youre
>narking yourself off your actually given a jacket that makes ANDY BACA
>F_____. I love you and you are not alone and neither am I Dont quit
>yoursel and dont disgrace mom and Dad they worry so much You can do
this

>its not a crisis

>

>Mark.

>

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From: "Andres Baca" <chew_baca20@hotmail.com>
To: markbaca1@juno.com
Date: Sun, 27 Aug 2000 08:49:29 GMT
Subject: I'll Be There Bro.

"I'LL BE THERE"

When no one is there for you
and you think no one cares
when the whole world walks out on you
and you think you're alone
I'll be there
when the one you care about the most
could care less about you
when the one you gave your heart to
throws it in your face
I'll be there
when the person you trusted
betrays you
when the person you share all your memories with
cant even remember your birthday
I'll be there
when all you need is a friend
to listen to you whine
when all you need is someone
to catch your tears
I'll be there
when your heart hurts so bad
you cant even breath
when you just want to crawl up and die
I'll be there
when you start to cry
after hearing that sad song
when the tears just won't
stop falling down
I'll be there
So you see I'll be there until the end
this is a promise I can make
if you ever need me
just give me a call and...
I'll be there

Sent the
Same Day on
the 27th

**SWEETWATER UNION HIGH SCHOOL DISTRICT
 ADMINISTRATION CENTER
 1130 FIFTH AVENUE
 CHULA VISTA, CALIFORNIA 91911-2896
 Telephone (619) 691-5550 • FAX (619) 425-3394**

FISCAL SERVICES

November 15, 2000

Mark Alan Baca
 1412 E. 14th Street
 National City, CA 91950

**RE: Claim for loss on behalf of Mark Alan Baca
 vs.
 Sweetwater Union High School District**

NOTICE OF ACTION OR REJECTION OF CLAIM

NOTICE IS HEREBY GIVEN that the amended claim presented to the Sweetwater Union High School District on October 2, 2000, was rejected in its entirety by the superintendent/designee, as the governing board's designee, on November 14, 2000.

Furnishing a rejection notice is a procedural step all public entities must take pursuant to Government Code Section 900 et seq. to commence the six-month statute of limitations pertaining to the filing of legal actions. It does not mean your claim has been denied.

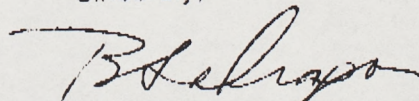
This is to advise you that your claim has been referred to the district's claims administrator, Ward North America, Inc.

WARNING

Subject to certain exceptions, you have only six (6) months from the date this notice was personally delivered or deposited in the mail to file a court action on this claim. See Government Code Section 945.6.

To Claimant: You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult an attorney, you should do so immediately.

Sincerely,



Barry S. Dragon
 Chief Finance Officer

vs

Certified - ret. rec.

c: Ms. Diane Crosier - Ward North America, Inc.
 Legal Services

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He's Back!

San Diego Reader City Lights

Published on November 16, 2000

If the San Diego Unified School District were graded for bolstering mathematics and reading skills, the district might garner above-average marks. During the past two years, students in San Diego's public schools have significantly improved their scores on state examinations -- a goal of education superintendent Alan Bersin's "blueprint for student success."

The district's marks for adequately housing its 142,258 students wouldn't be as high. Many of the children in California's second-largest public school system attend classes in portables. Those temporary structures, however, may be preferable to permanent buildings with leaky roofs, broken pipes, peeling paint, rotten wood, cracked foundations, decrepit floors, and outmoded electrical and heating systems. Representing \$258 million of deferred maintenance, such physical neglect coincides with classrooms crowded by San Diego's rising population of children.

In response, San Diego County voters approved Proposition MM, a \$1.51 billion bond issue to build 14 new schools and repair 154 existing schools. That was two years ago. Progress is slow, according to the San Diego Unified School District's own records.

1 No new schools are under construction yet, reflecting difficulties picking locations for campuses expected to displace thousands of homeowners and apartment dwellers.

1 A new law requiring greater state participation in the environmental review of school sites has added to delays.

1 Some aging schools have received badly needed renovations, but the district is at least a year behind its repair schedule.

1 A last-minute decision in August to spend \$7.8 million extra for new flooring warns the district might exceed budget.

1 The district's Proposition MM Implementation Department has operated more than two years without a permanent director. Two different interim directors have shepherded the department's staff of 39,



most of whom are school-district employees.

1 The MM department has spent more than \$2.5 million in administrative costs.

1 Proposition MM aims to reduce the use of portable buildings, but more than \$15 million has been spent on temporary classrooms.

1 Not seeking competitive bids from subcontractors provoked a lawsuit, postponing work a year and costing more than \$95,000 in legal fees.

Despite such setbacks, doling out passing or failing grades may be premature. Proposition MM, which lists more than 2500 separate building tasks to be completed by 2009, is arguably the most intricate construction project in San Diego County. It's the largest, too, based on the \$1.51 billion to be spent.

Scott Barnett, executive director of the San Diego County Taxpayers Association, is concerned that more costly glitches -- totaling in the tens of millions of dollars -- could emerge during the next eight years. "I don't have any confidence that we're being told everything that's going wrong," he said. "The scary part is I don't think the school district knows everything. The MM staff is composed of nice, well-meaning, hard-working school employees, but they don't have the ability and expertise to manage the most complex public-works project in San Diego's history."

Although a permanent MM director is scheduled to join the district December 4, after being introduced to the school board this week, Barnett doubts whether that individual can reverse two years of floundering. "I don't care whether they bring in the president of Bechtel Corp.," Barnett said. "The basic problem is you've got a school administration that was created in the dinosaur age."

Barnett's harsh assessment is somewhat ironic. His association endorsed Proposition MM, provided the school district agree to catch up on repairs and create an advisory panel. While serving on the Proposition MM School Bond Independent Citizens' Oversight Committee during the past two years, Barnett has lost patience although he remains a member. He now recommends hiring a staff of outsiders to manage the construction project. "Separate the Prop MM structure from the school district. Run it like a separate entity. Go to the outside for payroll, accounting, engineering, architects, everything." The district's computers are so antiquated, Barnett said, the committee authorized buying a \$500,000 computer system for the MM department to track expenses. Barnett said he has heard from subcontractors who claim they haven't been paid.

School officials, including Bersin, have been aware of Barnett's viewpoint for some time, said Tom Mitchell, the district's

communications manager. "We just hired a Prop MM director with experience managing \$7.2 billion projects. It would be inappropriate for us to make any staffing decisions. He'll organize his own team."

Gil Johnson, who replaced Barnett this year as committee chairman, disagrees that such radical change is necessary. "I'm not going to say the sky is falling. Sure, it has taken too long to hire an MM director, but what good does it do saying that? Yes, we should have known about the infamous tile issue prior to, not in the 11th hour," Johnson said, referring to the summer's cost overrun for replacing floors at 25 existing schools. "Out of \$1.5 billion, there are going to be hiccups. We're going to work the process."

Johnson and Barnett are among 11 committee members -- all volunteers -- who work the process by attending monthly meetings and studying voluminous reports, which show the district has completed less than half of the work expected. For example, the district spent \$54.3 million for repairs and renovations through June, compared with the original timetable's projected expenditures of \$140 million. The gap narrows, however, on comparing repair bills totaling \$80.7 million through September with a revised timetable calling for work valued at \$167.9 million.

At their October meeting, oversight-committee members proofread a second draft of their annual report and letter to taxpayers. "The first version wasn't substantial. This version has more meat without being combative," Johnson said. "It should not be hostile. Our vantage point is to move the process forward, not throw rocks." In that spirit, one committee member suggested removing a description of the committee as being "frustrated" by the district's inconsistent financial reporting.

Other excerpts from the draft include: "Proposition MM work and related expenditures are dramatically below the expectations of early plans.... Initial requests for additional staff to manage the greater volume and complexity of work were considered too high by the district and too low by outside consultants.... District oversight failed to uncover violations of labor laws in completed contracts.... In the haste to complete work before the start of school, accountability was lost. A unified management infrastructure capable of planning, coordinating, and executing a program the size and complexity of Proposition MM is critically needed but is not yet fully in place."

Those conclusions were confirmed by discussions among committee members, district employees, and other officials during the October meeting. Johnson asked for two numbers: the actual cost of repairs during the summer and the amount budgeted for that work. Speaking on behalf of the school district, William Dos Santos said he didn't have specific numbers, but "I know these contracts cost more than we planned. Our budgets were not generous."

As interim director of Proposition MM, Dos Santos might be called the substitute for the substitute. He succeeded the previous interim director, Tom Calhoun, in May after Calhoun accepted a job in Broward County, Florida. The school district had hired Dos Santos only a few months before, in March, to be director of maintenance operations. Dos Santos readily acknowledges that MM activities are bogged down. He attributes it, in part, to a shortage of workers within the Proposition MM Implementation Department. "Prop MM is a huge program. The 39 people I have is not even half the staff required. We need two to three times as much staff."

John de Beck, the lone school-board member attending the oversight committee's October meeting, chimed in: "I have a nagging concern that we'll run out of money at the end of Proposition MM. If we do, we'll never pass another bond issue." Dos Santos said he is using the summer's repair bills to estimate future costs even though the \$7.8 million tile overrun skews the numbers. "This summer was extraordinary in many ways. Nevertheless, it will still give us a better measure," Dos Santos said. "Based on what I've seen, the budget wasn't even a reality. We'll have to examine every single contract critically. I hope the future is better managed."

Lack of details and the temporary management of Proposition MM trouble de Beck. Although he supports expanding and adding schools, he is one of the project's biggest gadflies. In September he asked the San Diego County Grand Jury to investigate the \$7.8 million extra expense on a floor-installation contract for 25 schools. De Beck accuses Superintendent Bersin and the school district of violating California's public-contract laws. Under those regulations, the district is required to get competitive bids and unanimous approval from all school-board members for any "change order," or construction adjustment, exceeding 10 percent of a job's total, de Beck said. Although de Beck voted against spending \$7.8 million for higher-quality tile, the district moved forward, saying emergency circumstances justified incurring the additional expense; without new flooring, the 25 schools wouldn't have opened in September. Dos Santos calls it a "calculated change order, a conscious decision not to install an inferior product."

De Beck concedes the state's public-contract regulations are esoteric, technical, and open to interpretation, but he insists the alleged violation be fully explored. "If we can violate public-contract law now, we can violate it throughout Prop MM. It will mean expediency rules, and public-contract law is done away with." The tile incident also highlights the potential for squandering taxpayers' money, de Beck said. He favors placing the MM staff and new director under the board of education's supervision.

Controversies of another sort are starting to trickle into neighborhoods. While parents, teachers, and children may feel the district is moving too

are already facing the prospect of losing their homes.

Although Russell Draper has no children, the Golden Hill resident heeded his social conscience two years ago and voted for Proposition MM. Oblivious to the initiative's impact on property owners, Draper accidentally found out last year that the school district was considering building a new elementary school one block east of his home. On attending a community meeting in March, he learned the "preferred site" had shifted to a spot one block west of his home. "There were 100 people there. Everyone was upset," Draper recalled. "All kinds of issues came up. We asked, 'Why can't you expand at existing city schools? Why can't you use vacant land? Why can't you build smaller schools?'"

Shortly thereafter, Draper received a letter stating that his section of E Street, between 27th and 28th Streets, had become the preferred site. Draper protested that decision during the summer by contacting neighborhood and school-district officials, writing letters, and documenting the architectural value of his mission-style stucco duplex, built by Brown-Olmstead Building Construction Company in 1927. Because he thought losing his home was inevitable, Draper was surprised to hear by word of mouth in October that the preferred site changed yet again. The draft environmental impact report noted that a high-pressure fuel pipe on 28th Street would be too close to the new school, compromising state guidelines. "The funny thing is we told the school-district officials about this pipe at public meetings," Russell said. "What's important here is we were never really afforded an opportunity to present a defense. It was really a done deal. They already made up their minds."

While Draper is breathing a sigh of relief, Les Pierres Streater is sweating a little. His apartment at 1010 West 33rd Street is now in the path of Golden Hill's new elementary school. "I know the school district is offering relocation expenses, but it's difficult to find a new place and move," said Streater, a writer and community activist who serves on several school-district committees. "The site of least resistance is where they go. There are no homeowners to howl. Renters don't raise their voices that much. I don't have a problem with building some new schools, but I disagree with the process. The school district goes to the neighborhood planning groups to make the decisions. They do it behind closed doors, with smoke and mirrors. Then they will have public meetings."

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San Diego Reader City Lights

Published on November 22, 2000

Back in the late 1970s, Larry Remer and Tom Shepard were idealistic liberal activists. Shepard worked for a young county supervisor named Roger Hedgecock, who advocated controlled growth, favored the coastal commission, and enjoyed the support of gay rights organizations. Remer, a veteran of the *Door*, a Vietnam-era radical newspaper, ran an anti-establishment weekly called *Newsline*, in which he frequently attacked then-mayor Pete Wilson and his then-wife Betty, a La Jolla real estate agent, for their conflicts of interest. Then along came J. David Dominelli.

A one-time dealer in penny stocks, Dominelli set up shop in La Jolla in 1979, advertising miraculous returns on investments in what he called the "overnight" market in international currency swaps. Beguiled by Dominelli's lavish personal spending and his extravagant gifts to charity, more than 1500 investors lined up to sink their money into what later was revealed to be an \$80 million Ponzi scheme.

Before his fall, Dominelli -- along with Nancy Hoover, Dominelli's flashy blonde mistress and an ex-mayor of Del Mar -- set out to take over San Diego's political establishment. The vessel they chose was Roger Hedgecock, a county supervisor and former Del Mar city attorney who also happened to be a close friend of Hoover's.

Key to their plan was Tom Shepard, like Hoover a former member of the Del Mar City Council and longtime Hedgecock aide, who had set up a political-consulting firm in preparation for Hedgecock's 1983 race for mayor against former city councilwoman Maureen O'Connor.

O'Connor planned to put at least a million dollars of her wealthy husband's money into the race. As would later come to light, Dominelli and Hoover had made a secret plan to launder their own six-figure contributions to Hedgecock, circumventing the city's \$250 limit on individual contributions.

After Hedgecock's victory in the spring of 1983, Shepard briefly became the crown prince of San Diego political consultants. He triumphed again that year in Hedgecock's well-funded campaign for voter approval of the downtown convention center next to the waterfront hotels of a key

financial backers, including Doug Manchester. By then, however, Dominelli's empire of fraud had already begun to come apart, and an army of investigators were digging through the records of J. David & Co., Dominelli's firm. A year later, Shepard faced indictment, along with Hedgecock, Dominelli, and Hoover, for conspiring to funnel thousands of dollars of illegal Dominelli money into Hedgecock's mayoral campaign.

At first, Shepard maintained that the \$350,000 his political-consulting outfit received from Dominelli during the Hedgecock campaign was merely an "investment" in the firm by Dominelli's sidekick and lover, Nancy Hoover. But he eventually pleaded guilty to a misdemeanor money-laundering charge and was fined \$1000 and ordered to do 200 hours of community service as part of three years' probation.

"I was aware that it was illegal for me, Nancy Hoover, or Jerry Dominelli to contribute the amount of money to Roger Hedgecock's campaign for mayor that was being supplied to Tom Shepard and Associates," Shepard said in a statement submitted to the court in April 1986.

Added Hoover, pleading to a felony: "I was aware at the time that I supplied funds to Tom Shepard & Associates that it was illegal for a company to make political contributions in the mayor's campaign.

"...Being aware [of contribution limits] Jerry Dominelli and I supplied a substantial amount of money to Tom Shepard & Associates understanding that the funds would be used to pay employees who were almost exclusively on Mr. Hedgecock's campaign."

Hedgecock, who would ultimately cut his own more favorable deal with prosecutors and become a talk-show host, dubbing himself San Diego's "radio mayor," complained about Shepard's testimony.

Remer also secretly took \$350,000 from Hoover during 1982 and 1983, and critics said his weekly paper, *Newsline*, acted as an arm of the '83 Hedgecock campaign. "The money was too good to be true," Remer later told the *Union-Tribune* in a 1989 interview. "I had no idea what was going on, how investors' money was being misused."

During 1984's grand-jury investigation of Hedgecock, a memo from Remer to Hoover and Dominelli, dated May 12, 1983, came to light. In the memo, Remer asked Hoover and Dominelli to use their influence over the new mayor for *Newsline*'s benefit. "I want to mine the political base of support that put Roger in office for *Newsline*," Remer wrote in the memo. "I want to leverage our relationship to the mayor's office into advertising from entities like the Transit company...and from city lessees." Hedgecock later denied he'd done any favors for Remer, and no charges were ever brought against the publisher.

In the same memo, recovered from Dominelli's files by bankruptcy investigators, Remer talked of forging an advertising-sales partnership with Shepard, to be underwritten by Hoover and Dominelli. "I've talked with Tom [Shepard] about this, and he's amenable to it if you guys want to pay for it."

After his guilty plea, Shepard's post-Hedgecock recovery was gradual but steady. Lying low for a year or two, he was hired by Richard Chase, husband-to-be of Nancy MacHutchin, Hedgecock's chief fundraiser. Richard Chase was in the business of developing trash dumps, and Shepard ran the September 1987 campaign for the so-called trash-to-energy plant in San Marcos. Though the measure was narrowly approved by San Marcos voters, the plant as conceived by Chase was never built. For years to come, Shepard and the Primacy Group, a consulting firm formed by Shepard and Remer, would continue to work for Chase and his series of ventures, including a failed 1988 plan to transport trash by train through the backcountry.

The next year, Shepard and Remer's Primacy Group ran the successful campaign for San Diego district city council elections. Other Primacy Group clients included city councilwoman Valerie Stallings, who a decade later would become enmeshed in a scandal regarding stock she purchased in a firm controlled by Padres owner John Moores.

In November 1989, it was revealed that Remer and Shepard had been retained by Southern California Edison, which was then attempting to take over San Diego Gas & Electric. "There's no question San Diego is witnessing a very insidious, concealed effort by Edison to buy influence here," Michael Shames, director of the Utility Consumers Action Network (UCAN), told the *Union-Tribune*. "Larry has clearly become part of that conspiracy."

"Forget the money. I wouldn't have taken Edison as a client if I didn't think it would be good for San Diego," the *U-T* quoted Remer as saying in response.

"If I'm wrong about Edison, I'll gladly eat my words. But I'm not wrong." Edison opponents, led by then-mayor Maureen O'Connor, eventually beat back the merger.

In 1992, Shepard left Remer and the Primacy Group and set up shop with Stoorza, Ziegau, and Metzger, a well-connected downtown public relations and lobbying outfit with close ties to the California Republican establishment. Shepard's biggest client was Susan Golding, who was elected mayor that year. In an interview with the *Los Angeles Times*, Shepard denied that his work as a political consultant created a conflict of interest vis à vis Stoorza's lobbying activities.

"The public perception is that somehow your private clients have special access to an elected official, and the [official] might wonder whether the

advice you're giving him is motivated by your commercial clients' interests," Shepard told the paper. "On both fronts, you're doing a disservice to your clients. It's better to stay on one side of the process."

Now ostensibly separate, the fortunes of Remer and Shepard continued to grow.

Shepard represented such Republican candidates as Bill Kolender in his successful 1994 race for sheriff against Jim Roache and then San Diego City Council member Ron Roberts in his 1994 supervisorial bid against Peter Navarro. Other clients included Republican Brian Bilbray, who ousted Democratic congressional incumbent Lynn Schenk in 1994. In 1995, Shepard again worked for city councilwoman Valerie Stallings and managed Golding's easy mayoral reelection bid in 1996, as well as county supervisor Dianne Jacob's campaign the same year. In December 1997, he made waves when he left Golding's flagging campaign for U.S. Senate amid rumors he had advised her to drop out of the race. Two months later, she did.

During the late 1990s, both Shepard and Remer became used to running big-money special-interest campaigns against poorly funded opposition, which they crushed using a barrage of expensive television commercials and mailed brochures.

In June 1998, for instance, Shepard picked up a swift victory when the tourist industry chose him to run the convention-center-expansion campaign against opponents with no money. Close to a million dollars' worth of TV spots featuring the endorsement of Catholic monsignor "Father" Joe Carroll flooded the airwaves, and the measure passed handily.

That November, Shepard had another easy go of it when Padres owner John Moores selected him to run the Proposition C campaign to authorize a new, taxpayer-funded downtown baseball stadium. Moores and his partners dumped more than \$2.5 million into a heavy TV and direct-mail campaign that downplayed the cost of the project to taxpayers. Again, the opposition couldn't afford to spend much and lost badly.

Shepard and his parent company, Stoorza, remained on the Padres payroll after the campaign, helping to fend off potential ballot challenges to the troubled downtown-stadium plan from forces led by ex-councilman Bruce Henderson. When the team cut some of its best players to save money in February, 1999, Shepard was ready with a quote for the *Union-Tribune*: "It's tough when players that you identify with leave, but the ownership's looking to the future."

For his part, Shepard's ex-partner Remer made a specialty of well-funded school-board races and school-bond issues. In November 1998,

Towner Helen Copley, Padres owner John Moores, Bonita-based Wal-Mart heir John Walton, and real estate mogul Malin Burnham, along with a raft of school contractors, Remer ran a \$1.6 million campaign on behalf of Prop MM, a \$1.51 billion bond issue for the San Diego Unified School District.

Like the convention-center expansion and the downtown baseball stadium, a pittance was raised by opponents to the measure, who argued that the enormous size of the \$1.51 billion bond issue was far too large for the district to responsibly manage all at once. Though the critics later proved to be prophetic, the proponents' heavy spending on television and radio commercials easily carried the day.

Remer had cut his teeth in the school-bond business almost two years earlier in March 1997 when he ran an expensive campaign for a \$250 million measure, until that time the largest such authorization in California, benefiting the San Ysidro School District. Though the tax base could only support \$10 million of bonds at the time of the election, school officials and their developer allies argued that they needed to get pre-approval of the \$250 million to accommodate "future expansion" on Otay Mesa. His success brought his Primacy Group's school-bond campaign business from around the state.

This year, however, the respective big-money juggernauts of Remer and Shepard encountered a few snags. Both consultants were hired by mayoral frontrunner and county supervisor Ron Roberts, a champion fundraiser who raked in more than a million dollars from a variety of developers, county vendors, contractors, and other special interests. Records show each consultant received thousands of dollars a month throughout the campaign, which also employed Decision Research, a polling firm run by Bob Meadow, another Hedgecock campaign veteran and Shepard co-worker.

Like Shepard, pollster Meadow has also worked regularly for Padres owner John Moores. "Since 1997, Decision Research, on behalf of the Padres, has surveyed the public repeatedly on ballpark issues," Meadow wrote in a letter to the *Union-Tribune* last December on Moores's behalf. "Despite the lawsuits, hearings, and controversy associated with redevelopment efforts, San Diegans still want a downtown ballpark and redevelopment project."

But when it was revealed during this year's campaign that Roberts had taken undisclosed trips on Moores's private plane and had frequently socialized with the baseball magnate, Roberts's connection with the Padres suddenly became a political liability, and the candidate quickly distanced himself from Moores. The baseball club even released a statement claiming to have severed its long-standing consulting agreement with Shepard and Stoorza. By then, however, Moores's stock-trading involvement with councilwoman Valerie Stallings, another

longtime Shepard client, was under investigation by a federal grand jury. Despite Shepard's best efforts, the distinctive political scent of Moores stuck stubbornly to Roberts; his underdog opponent, Judge Dick Murphy, was elected mayor.

Moores and his political checkbook figured in yet another campaign that bore bad tidings for Remer and Shepard. San Diego Unified School District superintendent Alan Bersin, Bersin's father-in-law, border-area developer Stan Foster, and their allies in the local chamber of commerce had early on targeted incumbent school-board member Fran Zimmerman for defeat. Records show Shepard's Campaign Strategies was paid at least \$11,000 to run the campaign of Zimmerman's opponent, Julie Dubick, a real estate lawyer with the firm of Seltzer, Caplan. Foster and his business associates, as well as school-district contractors, provided financial backing for the Dubick campaign.

In the meantime, an ostensibly independent group, calling itself the Partnership for Student Achievement, raised more than a half million dollars in \$100,000 contributions from Moores, Qualcomm founder Irwin Jacobs, and Wal-Mart heir John Walton, among others. The money went into an unprecedented barrage of personal TV attack ads aimed at Zimmerman. Disclosure documents filed by the group show that Remer's Primacy Group was paid at least \$400,000 by Partnership. In addition, Remer and Shepard's old friend and associate Nancy Chase, wife of solid-waste dump developer Richard Chase, were paid \$15,000.

Including Dubick's expenditures, the campaign against Zimmerman raised and spent more than \$750,000 but failed to beat the outspoken school-board member, marking the year's second biggest setback for both Remer and Shepard.

But the election was far from a total loss for the pair. Remer and his Primacy Group could boast of the victory of city councilmembers-elect Jim Madaffer and Toni Atkins. Shepard and his Stoorza-owned Campaign Strategies could claim success in the election of Brian Maienschein to the council. District elections, which Remer and Shepard had so long ago championed, were supposed to eliminate the need for expensive consultants. History has shown it didn't. Though their clients may face term limits and grand-jury investigations, the city's two preeminent political consultants, schooled in the cutthroat world of big-money politics, appear well positioned to remain on top for years into the future.

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FACSIMILE COVER PAGE

Date: 12/10/00
Time: 12:00:06
Page: 1

To: Daniel Marshall
Company: Attorney
Fax #: 298-5008

From: CCR
Address: 710 E. 3rd Street
National City, CA 91950
USA
Fax #: (619) 477-3829
Voice #: 619-477-3800

Message:

12/10/00
Marshall

How you doing? At our last meeting you stated that you were willing to file a lawwsuit for Mark and the students. A SD Union reporter has been snooping around asking if a lawsuit is going to be filed against the SUHSD and Barrera and company. This matter has been going on for 7 months, we barked are we going to bite? I don' t want to say or do until we do file. Please let me know.

Gracias,
Herman

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Gracias,
Herman

12/11/00

RE: RESPONSE TO 12/10/00 MESSAGE

BACA

As you know, this matter was initially delayed by Mark's not filing a tort claim until almost six months after he was terminated.

No action can be filed until the denial of that claim was provided to my office. This was done recently.

My actual statement regarding this case was it had great liability aspects, but very little damages, especially regarding the students whose contract term expired at the end of the school year.

~~etc~~ • We need to meet on Wednesday 12/13/00
OK. Herman

December 31, 2001

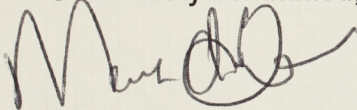
To: Jeannie O'Neill-Ferlito
Family Nutrition Program
University of CA Cooperative Extension
5555 Overland Ave., Bldg. 4
San Diego, CA 92123

Fr: Mark A. Baca
105 Harbison Avenue
National City, CA 91950

ATTN: U.C. Human Resources

My name is Mark Baca and I am a member of the National City Collaborative and very much interested in the position of Community Health Program Representative-Family Nutrition Education Program (Job Numbers 1469-01S and 1474-01S). I am confident that I am the person you are seeking to fill this position. I would like the opportunity to discuss in person my skills and my interest in being part of your team. I have enclosed my resume and look forward to speaking with you. I can be reached at (619) 477-3800 or (619) 903-3818

Community committed,



MARK BACA

MARK A. BACA

105 Harbison Avenue National City, CA 91950

(619) 477-3800 or (619) 903-3818

markbaca2@juno.com

References available upon request.

OBJECTIVE

To utilize my organizing and community experience to assist in programs that improve the quality of life in diverse communities and promotes collaborative partnerships for ongoing community building.

EXPERIENCE

- Created & developed computerized Community Asset Map of National City.
- Promoted healthcare & healthier living conditions to target families.
- Developed Senior Citizen Workshops & Community Resource directory.
- Program Development for At-Risk youth, Summer Hire-A-Youth Program.
- Created, developed and implemented lesson plans for adults with developmental disabilities.
- Community involvement (20yrs)

WORK HISTORY

Dec 2000- Nov 2001 Operation Samahan Inc. National City, CA

Jan 1998- May 2000 Consensus Organizing Institute, San Diego, CA

Mar 1997- Dec 1997 Maac Project, National City, CA

Apr 1996- Feb 1997 Mentech Inc. Poway, CA

Jan 1993- Mar 1996 San Diego Unified School District, S.D., CA

COMMUNITY INVOLVEMENT

National City Partners for Prevention Member

National City Collaborative Member

Alcohol Tobacco and Other Drugs (ATOD) adviser

Congressman Bob Filner Education Advisory Committee

Maytime Band Parade Official

National City Chamber of Commerce Member

Greater Golden Hill Planning Commissioner

S.U.H.S.D. Corporate Development Team

President, Sweetwater High School Quarterback Club

Co-Chair- Committee to Honor Olympian Gail Devers

National City Pop Warner Football

National City Little League Baseball

National City Parks & Recreation Athletics

EDUCATION

Sweetwater High School, National City, CA 1984

San Diego State University, San Diego, CA 1985

Springfield College, San Diego, CA 2000