



Memorandum

Date: January 31, 2024

To: Mayor Christi Fraga
Vice Mayor Oscar Puig-Corve
Councilman Rafael Pineyro
Councilwoman Maureen Porras

From: Councilwoman Digna Cabral

Subject: **Removal of City Manager for Cause**

Pursuant to Section 3.03 of the City Charter, I have submitted a Resolution for the removal of Barbara C. Hernandez as City Manager. The City Manager has repeatedly failed to work collaboratively with the entire City Council and has intentionally breached her Employment Agreement by failing to perform the functions and duties imposed upon her by the Agreement, the Charter, City policies, and by law.

Elected officials and City administration hold positions of public trust that are for the benefit of the public. Over the course of the last couple of months, I have witnessed several questionable decisions by the City Manager that demonstrates a lack of judgment on her part and a clear conflict of interest. The marriage between our City Manager and School Board Member Daniel Espino has proved to be problematic, and the City Manager has consistently disregarded her responsibilities and public duty to the city taxpayers. The Public Affairs department which is directly supervised by the City Manager has recorded, produced, and promoted several videos at no cost to the City Manager's husband, including holiday and "Back to School" videos, which have been posted to the City's social media platforms.

Additionally, the City's police department has been used to support the School Board members activities, including those that are campaign related and political in nature, including a backpack distribution that occurred at a private business on August 8, 2023.

Further the City Manager promoted her husband's business by giving away alcoholic drinks from his brewery at a city comedy event on March 12, 2023.

The Resolution which accompanies this memorandum includes additional reasons why a termination for cause in this case is warranted.

I am requesting that the City Clerk attach the City Manager's Employment Agreement as part of this agenda item. I am also requesting that the City Clerk coordinate with the IT department to have School Board member Daniel Espino's holiday and Back to School video messages queued and available so that it may be played at the Council meeting.

As a result of the reasons delineated in the Resolution, I have lost trust and confidence in the City Manager's ability to ethically and professionally carry out her duties in a manner satisfactory to the City Council.