

Legislative Council Minutes of Proceedings
November 5th, 2008
Flying A' Room

The Council was called to order at 5:08 p.m., by the INTERNAL VICE PRESIDENT, Kevin Higuchi.

ROLL CALL

Josue Aparicio
Kenisha Day
Stephen Wolfson
Liz Usedom
Topher Kindell
Stephanie Golden
Sinead Kennedy
Carla Perez
Molly-Kate Lenahan
Jose Magana
Becca Huebsch
Ally Olney
Stephanie Fitch
Darshan Grover
Joe Cole
Faris Shalan
Chris Wendle
Husayn Hasan
Radhika Khosharay
Paula Reeve
Donald Byers

Darshan here 5:14
Joe here, 5:30

ACCEPTANCE OF EXCUSED ABSENCES

Kevin: Ray said he would be 2 hours late, Ashley Day not going to be here, Stephanie Golden will be late, Sinead will not be here.

MC Motion to accept all excused absences (Josue)(Kevin)
MCC Motion passed by consent

MC Motion to let Radhika leave at 9:30pm (Radhika)(Stephanie Fitch)
MCC Motion passed by consent.

MC Motion to let Topher leave at 5:30 (Topher)(Molly)
MCC Motion passed by consent

ACCEPTANCE OF PROXIES

Kevin: Proxy for Kinisha, Shai'la Stiggers proxy for Kenisha, Charlie Arreola for Jose, Kelsey Fisher for Sinead.

MC Motion to accept all proxies (Chris)(Josue)
MCC Motion passed by consent

ANNOUNCEMENTS

None.

PUBLIC FORUM

Speaker: We're Nasif, Hicks, Harriss and Co., LLP certified public accountants, reporting on the Associated students of UCSB 2007/08 financial statements, so auditing AS for the 22 year, we're here to test and make sure that everything in this organization makes since financially. Any questions before we begin? Ok, starting with available assets, has tripled in the last three years due to the student initiative fees since 2006, closer to 3 million now in total assets, including cash assets and current net property and equipment.

Darshan: How much is our cash insured up to, and how diversified are our funds if something drastic happens with the economy, to insure that we don't lose too much money.

Marquez: We have one account for that reason, split up into a bank account which is insured up to 250,000 and a short term investment account, which is not insured.

Husayn: What's the difference between 2006-07 to 2007-08, budget growth wise?

Speaker: The fiscal year of 07 was when the student initiative was passed, fiscal year ends June 30 of the year, so currently we're in the fiscal year of 2009 which will end June 30 of 2009.

Speaker: I would recommend getting a checking account that has no interest and is 100 percent insured, but only goes up to 100,000.

Speaker: for 2007, also didn't get back the AS allocated money from BARC until July, so it's included in the 2008 budget.

Speaker: on income statement, for the revenues of expenses, because AS registration fees are increased, AS has been offering lower costs for student's benefit, so sales of services and products have decreased.

Chris: To Marquez, for the unrealized loss in marketable securities, it has since increased because of the stock market?

Speaker: if you invest in a bank account over time you're constantly earning, but that increase is eroded by inflation so you're poorer, for the stock market over the last 100 years average return on investments is 10percent, but right now in the short term, dipped 45 percent.

Speaker: We've lost about \$70,000 this year because of the stock market.

Husayn: What is the internal recharge line item?

Speaker: For internal administration, we have an internal recharge of 8-10 percent to pay for administration, now we take 3 percent after student initiative, which goes towards capital projects, technology, and leadership.

Darshan: I know it's good to invest, in current terms seems like there's a large amount of volatility in the market to invest a large amount now is not as prudent as it could be.

Speaker: I would suggest that you invest 10 percent, especially if you don't need it for a long time, but it would be a good idea to put it in the market.

Speaker: Because AS organization has grown since 2006, it's good to keep costs minimal, important you make new students aware of what the policies to keep AS's nonprofit status, like you can't campaign for any political candidates, can't lobby substantially, and there's a lot of gray area about school businesses, should check with the University Council about the UC rules.

Faris: Can we campaign for prepositions?

Speaker: Yes, you can endorse and support propositions as long as it doesn't exceed five percent of your total available money. The thing is, if a business can't be proved to be providing a valuable service it will only get taxed on its profits, for campaigning for a candidate it's a lot bigger deal because you lose your tax exempt status.

Speaker: It would be prudent to check with the other UCs who have a larger businesses enterprises like coffee shop at Davis or Berkley, to give you an idea about what the UC/IRS allows. I know once the UCen and AS were one organization, but then AS was

run so poorly that the two were broken up into two organizations, we have to deal with the historical context of our businesses.

COMMITTEE REPORTS & EX-OFFICIO REPORTS

Sarah: this quarter spent, 39,170.39

Chris: There was a bit of a disjoint in FB's motion to allocate money to Program Board for Death Cab concert, what was the final ruling?

Sarah: First by roll call moved to allocate \$9,000, then decided to reconsider the motion to pull it out of winter quarter, and during that it passed with a yes vote to change the motion to \$7500 from winter quarter. Faris: Have you set aside any money for the potential tax?

Sarah: We haven't, decided that we don't want to send a message that we are accepting the tax, we have enough money anyway to deal with it if it passes.

Becca: Is there a way in the future to change the composition of Finance Board, like more Students at Large?

Sarah: More students at large would be better, but because you guys are elected I want lots of you on the board, because we are solely appointed and have so much control over money it would seem like an abuse of power if it was just us on the board. But with too many people and horrors of ParliPro, can be a bit unruly, sometimes you have to compromise with how many people you deal with.

Paula: The idea that the \$9000 Program board requested from Finance board is extremely frustrating, I feel disrespected, \$9000 is a legitimate cost if we're going to put on a concert, and Program board can't front all the cost for this event.

Sarah: It was not meant with disrespect, wasn't just an arbitrary sentiment but more why you requested \$9000 from us instead of not for others, the amount was not the question.

Paula: Lighting is as important as security. Program Board doesn't read the FB minutes, but I'll let them know. If AS is working as an entity, have to respect what other groups do, and we need to do that for other BCCs too.

Sarah: This year I've sent out emails to every group breaking down their budget, hopefully they get word before the Nexus. I've gotten some pretty nasty emails so far this year. This is my fifth and final report, if you have any questions text message me, my office hours are before Leg council.

EXECUTIVE DIRECTOR'S REPORT – Marisela Marquez

Marquez: Any additional questions about audit, ask me some questions later, make good FAQs, for website, was going to ask you all pass along the info you just gained from the auditors report to BCCs you visit in. For AS every year the external audit is at a higher status than any other organization, no one else employs external audit. We just finished interviews for AS affairs position, I'll tell you about it later when we appoint a person. Currently the entire staff is going under evaluation, every single one working with their supervisor to evaluate their work. I'm still reviewing contracts with IV Youth, haven't finalized yet. Haven't finalized memorandum of As about AS Recycling, they want to get the trailer evaluated because it isn't up to code, electrical wiring. The Technological Committee is sending a survey about the small technical needs in AS, so tell your BCCs about it if they need any work done. Talked last week about redoing Leg council's office. Lupe Fiasco tickets are on sale, concert is on Nov. 10th at 8 pm. KCSB fund drive is Nov 11-22. Standard reminder to find me, my office hours are Thursday and Friday, from 4-5 pm.

Becca: Why are we doing an external audit, and what does it cost.

Marquez: I inherited the practice of an annual audit, which insures our transparency, every single transaction is accounted for. For the rest of the campus, they may float a previous cost until the new year's budget comes in. That's not something that the AS students wanted to do, wanted to make sure beyond a shadow of a doubt that the

administration knows what you're doing with your money. Costs \$16,000 a year.

MC Motion to limit Executive reports to 5 minutes each (Chris)(Paula)

Objection to call to question

Vote to Vote (in favor, go to hand vote/ against, want to continue discussion) Passes (15-5)

MCC Motion passes (11-7-2)

PRESIDENT'S REPORT – John Paul Primeau

JP: Had the forum about the tax increase, Chancellor attended, and others gave presentations, then students talked about the tax and their issues, was an extremely productive environment. Went to the budget strategy meeting against the expenditure tax- With the California state budget the way it is, UC funding was cut by 12 million, with an 80 percent chance will be cut up to 16 million. The budget has been formally written, but not sent out, the exact nature would be a 2.3 percent increase to total of 3.3 percent, will want to raise it even more because costing university more. We have to take this issue very seriously, if that means picketing outside Cheatele, setting up more meetings with the Chancellor, attending meetings with the coordinating committee on budget strategy, contacting other lock in groups, to see how they want to fight it. If you'd like to see the formal proposal, come see it in my office after the meeting. Husayn will talk about the campus pool which was a big campaign of AS last year to relocate, we met on Monday and Athletics has chosen the Robinson gym site for the pool, which is a huge victory. Tonight is the biggest soccer game of the year. Another thing, Marty Levy and Michael Young, included student initiated buildings in the 10 year capital plan to pay via referenda in the next ten years, includes bike shop, wellness center, expansion around the student resources building, all will be funded by students, have to be included now in order to be approved by the Regents in the upcoming months, going at it with a shotgun approach to see what's approved.

INTERNAL VICE PRESIDENT'S REPORT – Kevin Higuchi

Kevin: The town hall meeting was successful, good to demonstrate how quickly students can be mobilized, given the time frame. We did a good job on the forum, thank you to those who helped me get that up and running. I appreciate it. Next week will be requiring to spend some time with me for a progress report, getting everything done and checking in with job description. Some slots to sign up to meet me. Also meeting with the event center this Friday, there's no considerably big developments this week, I'll keep you posted. For campus planning committee this week building number 406 will come up for question, see me if you're interested, our strategy is to preserve that building, our fallback is to get a plaque about the events that transpired in that building. I'll try and make more rounds to your BCC meeting in the upcoming weeks, I've been trying to get AS up and running for the new year in the past few weeks, I have more time now.

EXTERNAL VICE PRESIDENT FOR LOCAL AFFAIRS' REPORT – Zee Silos
None.

EXTERNAL VICE PRESIDENT FOR STATEWIDE AFFAIRS' REPORT – Corey Huber

Corey: Scott and Zekee had prior engagements, couldn't be here. For the 2008-09 operating budget for the university, I spoke at the financial crisis workshop, got the UC regents view, there will be midyear fiscal cuts, which will be closer to about 83-90 million in cuts, ours are substantial. At UC San Francisco from November 18-20 there will be a Regents meeting, the agenda hasn't been released yet, but they expect 50 million in cuts other than the for sure 30 million. At the UCSA students of color conference, we're taking about 90 students, we'll be the UC bringing the most students,

will be at UCLA. For election, had the GOTV rally last weekend, and the dorm rush, voter turnout in Santa Barbara county is projected to be 66 percent, stronger than last year. Still getting funding for the Death Cab concert from College Bowl, if we don't have all the funding will find it by this Friday, we've spoke with other UCs and they're in the same financial crisis.

Becca: When is the conference in UCLA? And will the midyear cuts affect our classes, or available things.

Corey: November 21-23 for the conference, and cuts may increase the tax, the number of classes and faculty, worried about in 2009-10 budget, there will be significant fee hikes in education fees.

Marquez: would like to recognize two students who got elected this year, Liz Budda and Josh Cataldo.

STUDENT ADVOCATE GENERAL'S REPORT – Scott McDonald

None.

GROUP PROJECT REPORTS

MC Motion to send out group project reports over exolc@as.ucsb.edu by Friday by 4 pm or honorarium will be docked (Chris)(Husayn)

MCC Motion passed by consent

Chris: change that to sending straight to Chris, at cwindle@umail.ucsb.edu

ACCEPTANCE OF AGENDA

MC Motion to accept agenda as listed (Kevin)(Molly)

MCC Motion passed by consent

ACCEPTANCE OF MINUTES

MC Motion to table Leg Council minutes from last week, October 28 2008 (Chris)(Paula)

MCC Motion passed by consent

MC Motion to close those minutes and bundle and approve all minutes (Chris)(Ally)

MCC Motion passed by consent

(FB 11/3/08, EAB 10/27/08, BIKES 10/21/08, CF 10/20/08, IVTU 10/28/08, SIIRC 11/2/08, PB 11/3/08, CAB 11/4/08 all approved)

ACTION ITEMS

Kevin: \$2000 requested for Death cab concert out of Leg Council special projects. We still have about \$38-39,000.

MC Motion to fully fund \$2000 out of special projects for EVPSA for concert (Chris)(Paula)

MCC Motion passed by consent

OLD BUSINESS

Kevin: For Hassan's legislation, he requested we table because he needed to amend the legislation itself.

MC Motion to table until next week (Donald)(Stephanie)

MCC Motion to table passes by consent

NEW BUSINESS

DISCUSSION

Kevin: I'm planning for the Wednesday prior to Thanksgiving Break, wasn't going to call in the Leg Council, because there aren't going to be many of you here, it hasn't traditionally been done, so unless there's opposition that's what I'm going to do.

Paula: I'm worried about Finance Board meeting on Monday before us, what can we do to vote on it, because when we get back it's dead week.

Kevin: We'll have a phone vote to approve FB minutes.

REPRESENTATIVE'S REPORTS

MC Motion to send out Representative's reports to Cwindle@umail.ucsb.edu by Friday at 4pm (Chris)(Darshan)

Darshan: Quick question before this motion is passed, why was this motion raised?

Chris: Business is important to get through so everyone knows what's going on with everyone else, but it's important today for us as student leaders to attend the soccer games. I don't plan on doing this for every meeting, this is just a special exception.

Consent

Darshan objects to consent

MCC Motion passes (12-5-0)

ADMINISTRATIVE ASSISTANT'S REPORT

None.

RERMARKS

Corey: The resolution against the new tax that you passed last meeting, would you like me to submit that to the UC Regents, and UC wide?

MC Motion to have resolution sent out through Corey to UCSA and Regents

(Chris)(Ally)

MCC Motion passed by consent

Chris: Because your reports are going out over email, be sure to take time and look over everyone's comments, to get the point across, so everyone knows what's going on.

Becca: I feel we've been extremely rude during this meeting, especially to the presenters, it is not acceptable for us to act like that.

Darshan: Yes, if you feel your time is more valuable, get someone else to do your job as a proxy.

ADJOURNMENT

MC Motion to adjourn meeting (Paula)(Joe)

MCC Motion passed by consent

Meeting adjourned at 6:55 pm

