

Agenda
July 19, 2016
Minutes taken by Karen Kyi

Villarreal Elections Commission

Jimmy Villarreal, Chair

Commissioners:

Elizabeth Brock
Courtney Stump
Jacqueline Viera
Menelik Dagnachew

Call to order at 5:04 pm by Villarreal

Orientation Meeting

Villarreal: Lets all introduce ourselves.

Marquez: I am basically your lead staff and Karen will be student staff .

Villarreal: Here we have our agenda, we have a few different parts of our meeting. We will first officially appoint you, have a brief orientation. Basically, answering the questions of what this commission will be doing. We also need to establish rules and by laws, talk about when we are meeting next, and set up pre agenda for our next meeting.

- Introductions -
- 1. Orientation

Villarreal: the senate of the last year authorized the creation of this commission if we did not have another senate to approve business. The only way t=for the association to work is to have students approve things. So they approved a motion to have a commission to handle these things over the summer. So in the power vested in me I appoint you all Elizabeth Brock, Courtney Stump, Jacqueline Viera, and Manelich Dagnachew commissioners.

Villarreal: What is Associated Students? We are a unique body because we are the only department run by students and we are a nonprofit that utilizes the money students give us through fees for different programs and resources. Part of that is elections, we also have fee referendum, as well as reaffirmation very two years. Sometimes we have constitutional amendments, anytime we want to fundamentally change part of constitution. Part of what we have is an elections committee, whose job is to facilitate elections, to advertise it, enforce bylaws, and also receive any complaints. Complaints are normal during any elections. The committee will investigate if those wrong doings were done and if necessary provide any recommendations. There was a complaint made that the Inter Fraternity Council was getting students to vote in a certain way. The IFC told frats that if you have a certain percent of members vote, doesn't matter who you vote, then the council would give you a philanthropy grant for your fraternity. After the election vote, the IFC went to election committee and said they are trying to check our numbers. First

the elections committee heard of this and it set off flags for the election committee, we will look at actual document later. Elections committee felt that this was a very serious unprecedented situation. So they put this up to the senate, and we asked UCSB audit and advisory to conduct a third party investigation on the matter. We wanted to make sure no irregularities happened. We have yearly audits at AS in general so we have experience with auditors. Typically week 8 of spring is when we change to new elected officials, to swear in new people so that AS can do things over the summer. The problem is that with this investigation we were not able to certify that this election was "good." Two things: #1 senate voted to push everyone's term down one more week, pushing it back to week 9. #2 senate said if this investigation goes beyond week 9 of spring, what's going to happen? Who's going to be making decision? Therefore we created this Villarreal commission to do this. We can only use students' money with approval of students which is why we need you here. We are still going to meet periodically until senate can come back and approve any expenditures.

Marquez: any questions?

Dagnachew: So we are conducting the business of the association? What about all the members that are incoming? Are they still fulfilling them now?

Marquez: typically there are no senate meetings during the summer, and the officers do not necessarily have to do work with AS. But if you have any business that needs Senate approval, you can differ all that work in the fall or vote through phone and email. Normally, the process is basically governed by senate. Officers have different roles as stated in legal code. The type of business in the summer is inconclusive of everything because those officers have not been certified of winning the election yet. In addition to normal things in the summer, usually after an election is done, then the chancellor certifies that the election was done properly, and then the regents vote to certify as well. Everything discussed is confidential though we are taking minutes. Next page has document that talks about the election code. This documents is where all the officers and senate agree that all the rules of the election were followed which is why it's not signed this year. There isn't anything in the legal code that dictates your role. So that is also why are here so you can create it yourself.

Villarreal: let's go over what's in the packet. There are partial minutes, three updates I sent to the association. The first from me and Austin Hechler - which broadly goes over what happened and what the plan is moving forward. The plan was to create this commission and push back to week 9. We got a preliminary report from the audit department regarding the use of the term bribery, voting irregularities - even if bribery is or is not involved, was there anything that caused voting irregularity- were more people forced to vote one way? Third question looks at the bylaws we had put in place and if there were any specific rules broken? Any osl rules broken? Next is the confidential packets that has the bylaws of this year's elections which is for your reference. Last three pages has some communication

from IFC president, elections board – one stating that they has received a complaint, final letter from elections board following preliminary report confirming there was no bribery. Next piece is Robert's rule of order which is a parliamentary way to conduct a meeting. Includes motions, which is how we make decisions. Next piece is the preliminary report that has to do with the use of "bribery". Final piece is the final report of the investigation which we will also go over later. But first we need to figure out bylaws.

2. By-Laws

Villarreal: This includes whether or not we want this meeting to be public? Thinking about having different officers, will there be a vice chair or treasurer because we do have funds put aside. What will the agenda look like? Also discussing compensation. Terms of the appointment, how long is this commission going to happen?

Marquez: There is an additional nominated officer

Stump: Her name is Cindy which I put on the contact sheet

Marquez: I recommend that you all should appoint her onto the commission. Technically you guys have 5 members, you want to discuss criteria for membership as well as what you expect from members. Is 5 enough? For example Jimmy will not be able to vote unless there is a tie, are you in agreement with that? If you are, articulate that and make a motion to make membership "xyz". Now we can discuss Roberts rule of order. My recommendation will always be to articulate specifically who made the motion, was there a second? If there is a consent, asking if there is any opposition? That's the very bare bones. It's your responsibility to read the minutes to see what you have approved. That's all the work you will be doing next week, you will want to always read the minutes to see if there are any corrections needed. Can't really get into gear unless you put the gear shift in motion. We do not talk unless there is a motion, that's how you do it. There are other kinds of points of order but there isn't just a way to talk about whatever, if you want to talk about something you have to put it on the agenda. You guys will have to create an agenda and a template. If you do not like agenda you can make a motion to edit it.

Villarreal: We have to decide what our agenda wants to look like. While we will base it off of what's in legal code, this commission isn't in the legal code so we need to create what this commission looks like. Legal code is a good reference for all of what's going on AS. For example, you can use legal code to determine if funds are being used appropriately by each commission and committee

A. Membership

Villarreal: I had hopes to get 7 people on this commission. We will be reserving right to expand at a certain point. Good to have extra set of thoughts. Right now we

are saying that we do have a membership of 5. The criteria is to have unbiased members from all over the Association, we just want people who are going to be students during this commission, anyone who hasn't graduated. Students who are willing to serve, let me know if you can't. But we are still reserving the right to expand if we find anybody/

Marquez: I would advise that you would put in language for a nomination procedure. Nomination, discussion, motion, and then have a vote. Future nominees would be brought to the commission by one of you all. So that it's not all burdened on one person. Can also include an interview process depending on what you guys like.

Viera: As far as criteria, maybe not an interview but maybe a check through of points of criteria, and an email about why they want to join and why they would fit and then we would vote to accept nomination

Marquez: How many is ideal?

Viera: I think ideally 7 voting members plus three alternates? Initially 10, with three alternates.

B. Quorum

Marquez: Suggestion of 50 percent plus one for a majority of decisions. For the business here, maybe for financial decisions may be 2/3.

Viera: Just going to ask for a hand vote here on these issues

MOTION/SECOND: *Stump/Brock*

Motion Language: I motion to vote on membership info and criteria.

ACTION: Vote: **Consent**

4-0-0

Vote Taken: 5:54 PM

EB: how do we feel about consent?

V: lets just go by hand votes.

C. Meeting Schedule, time, place, and expected reports

Villarreal: We are going to see when everyone is available. Hopefully we will set up a time. Feel free to contact me and Marisela. We are going to try to set a regular meeting time. Because we are dealing with public funds, we have to be able to tell the public when and where are meetings are. Chance for business to be handled in a regular matter.

Marquez: What if we assign a vote for when to meet? Since jimmy is not going to be here for week.

Villarreal: would Thursday work?

Brock: I will not be available

Viera: I will not be here the next two Thursdays

Stump: only times I am available Friday is 2:15-4:45 pm.

Marquez: so Friday at 2:30 ?

Viera: I work from 1-4, only free after 4.

Stump: I will have work at 5.

Marquez: What about 9 am next Friday?

Dagnachew: I have class at 9:30.

Marquez: what about 8?

Stump: can we do other days?

Villarreal: we can do it on the next Monday

Dagnachew: couldn't we have a meeting on Friday once and then figure out the meeting.

Marquez: The issue is quorum and voting.

Brock: what if I facetime

Marquez: It would just be your second real meeting so I would advise we find a meeting setting we can physically meet. What about Monday? For sake of bylaws state that we are meeting weekly and that we will continue to work on details of date and time. We will have another orientation between now and next meeting.

Brock: Can we have certain amount of work done so that we can start doing stuff at the next meeting?

Marquez: I think that is a good idea. How about Monday?

Villarreal: Mondays at 5?

MOTION/SECOND: *Dagnachew/Viera*
Motion Language: I motion to meet weekly.

4 - 0-0

ACTION: Vote: **Consent**

Vote Taken: 6 PM

Villarreal: I'm thinking of meeting here at Nati, if you guys want more information we can get info from staff if you need any more clarification with mariseals help

D. Public Notice

Marquez: You may have attended senate meeting covered by news reporters. We always give a public notice so that people can come speak at commission. You guys can consider public notice as a way for people to come give suggestions or thoughts. Or you can choose to not do that, which would forfeit any voting on public matters. Elections board does not have public meeting but could not turn anyone away if they wanted to come to the meeting. You guys get to decide what is in the best interest of people you are representing. Would it be changing the character of this commission? If you give public notice, you will have to know that people not part of the commission can come. Might consider having public forum.

Villarreal: it's a decision I want to discuss with you guys. Do you all want to have public forum portion for people to come in? It is a pretty heated mater. If you feel uncomfortable with extra scrutiny, that's is fine. I just want to hear your concerns.

Brock: I do think there should be a public element, but I would suggest public forums. I am unfordable with being more scrutinized but we should have the public involved.

Stump: I am on the same page. I am worried that we letting people come in might influence the fluidity of the conversation during meetings. I want commissioners to feel they can speak freely. I do like the idea of it being public in some regard. There has to be some transparency.

Marquez: The pattern was set by Jimmy and Austin to put out public updates. You can put pout public notice that meeting is occurring and that president will be posting weekly updates.

Villarreal: still keeps this private but keeps public aware.

Marquez: I could also add that you could take public by appointment for people who want to see you through office hours or period of time at meetings where you are inviting people to come and speak to you. It is trickier to do the latter option, but can do it during last portion of meeting. Or we could do office hours where you publish when and where people can meet you.

Stump: I like the idea of appointments, we can make it so that each person has 15 minutes.

Villarreal: I also like appointments

Dagnachew: I would be fine having people come in to the meeting, if we are serving the students and the minutes are being published it would almost be the same as having time of public forum.

Marquez: Typically, public forum is at beginning of Senate meetings. Public notice is sending out agenda before you see it. It's up to you all.

Villarreal: Well then we have to accommodate all those people who come, will we need to find a bigger space? Additional rental cost? As opposed to them coming in for a bit of time, it would make it easier on us to plan.

Marquez: By appointment you can schedule it into weekly meetings. This is where you put it in the bylaws what you are open to. Could be by appointments.

Dagnachew: I feel like it would be good for them to schedule their own times

Marquez: We can't now allow people be there.

Brock: I think why I don't want to be completely public is from what I saw at the four-hour long meeting. I was concerned about how senators would react and attack the student body. I think it is our job to think about things and responding in a respectful manner.

Stump: It would also be more time efficient to do appointments so that public will have something prepared. More constructed and we could give better feedback.

Marquez; They could also just send us emails, we can have correspondence.

Villarreal: As far as newspaper, during senate they are there the whole time. But those are elected officials, so should we let them know?

Marquez: I will also note that newspapers heavily shut down during the summer. But I think we should at least open the offer since we are using student fees

Villarreal: we want to let public know when and where we meet, can have appointments and correspondence. I can specifically name you all in the update or make it ambiguous.

Villarreal; thinking about just saying the commission. Anyone want to make a motion?

MOTION/SECOND: *Viera/Dagnachew*

Motion Language: I motion to have people send emails , create appointments, and open to newspapers and there will be weekly updates from the president. **ACTION:**

Vote: **Consent**

4-0-0

Vote Taken: 6:07 PM

E. Agenda Template

Marquez: There are two templates of the agenda in the packet. There is an example from Robert's rules of order. Page 255 of legal code, you see template of senate's agenda and minutes. The senate's template would be easiest to adopt. Consent calendar is where you send stuff that are not going to require any more votes or discussions. Some commissions will be sending you all their minutes. Appointments made by president and committee on committee.

Villarreal: Adopting senate's version, we will have public forums for people who made appointments, reports from me and Marisela if necessary. Accept the agenda. I don't really want to do consent calendar, just go right into minutes.

MOTION/SECOND: Brock/Viera

Motion Language: I motion to adopt Senate's agenda template.

ACTION: Vote: **Consent**

4-0-0

Vote Taken: 6:12 PM

Marquez: as far as proxy, what do you guys want to do?

Villareal: I don't think we should have proxies because we need to have everyone up to speed. I think it will slow us down. We won't be accepting proxies

F. Robert's Rules of Order

Villarreal: once motion is made we can discuss before voting and then call to question and second, its this whole process. If there is no objection we go through with vote. Any questions?

MOTION/SECOND: Viera/Dagnachew

Motion Language: I motion to use Robert's Rules of Order.

ACTION: Vote: **Consent**

4-0-0

Vote Taken: 6:14 PM

Villarreal: we also need a speakers list for meetings

G. Commission's leadership/officers

Villarreal: I for sure want a vice chair. Maybe have a secretary and treasurer.

Marquez: Secretary could help minute taker to make sure minutes are correct. Treasurer would be person who would accept whatever payment method you guys will use. Treasurer could be the creator of the payment statements throughout honoraria. Typically just informing constituents. Honoraria is basically a gift from the association for your time

H. Compensation method

Villarreal: Honoraria is a gift from the Association so not based on how many hours, no set job descriptions but we do have fulfillments/requirements. Maybe we can set some rules for now which we can amend later if need be. I don't think we need office hours but I think being able to attend $\frac{3}{4}$ of the meetings would be basis of Honoraria. We set aside \$5000 for this commission for any supplies and materials needed and for honoraria. We were thinking 500 dollars per commission.

Brock: Is this money from students?

Villarreal: Yes

Marquez: it looks like that likely you will have 5 members with a max of 7 . If you do get more, you should put clause where treasurer puts a proposed budget for modifications.

Villarreal: Typically over the year senators get 350 per quarter, for exec its 3000 per quarter. This isn't typical since we are doing the summer.

Stump: How would we be spending the money?

Marquez: For room rental, dinner since we meet late , and food. Those would probably be the expenditures.

Villarreal: We will not be spending honoraria money until our job is done. We can amend going on to the future.

Dagnachew: For the purpose of moving on forward, 500 sounds good.

Viera: Good place to start

Villarreal: I have basically been president since May, would 1000 for chair be ok?

Dagnachew: how would student employee be paid?

Marquez: 10 dollars an hour

MOTION/SECOND: Viera/Dagnachew

Motion Language: I motion to have honoraria of \$500 for commissioners and \$1000 for chair

ACTION: Vote: Consent

3-1-0

Vote Taken: 6:24 PM

I. Terms of Appointment

Villarreal: We need to figure out how long this commission will go for. The execs have been asking me if they could get access to the things they need. Do you have any recommendations?

Marquez: We can put in that when senate is appointed, your appointment ends. In terms of how that is going to happen, that's up to you. Recommendation is that the president swear you in first. This is of course after everything is certified. I have made a proposal that we hold a retreat/orientation during September where we could have a ceremony. Basically you have whole power of senate through the president.

Villarreal: If we swear in execs but not the senators, this commission still exists.

Marquez: The senate is all on one body, you need entire body all at one time unlike the officers. The key question is who actually chairs this commission and whether you swear them in continuously. How long is your own actual appointment?

Villarreal: what do you all think?

Brock: Jimmy, if you did not have summer classes how would you feel chairing this commission

Villarreal: I am fine with it but I would also want to give Austin Hechler the opportunity if he wanted to chair it.

Marquez: it would be commission that would switch it out

Villarreal: I am in as chair until further discussion. As soon as any of the exec officers are around, we should swear them in.

Dagnachew: would that be part of commission or just start doing their jobs?

Villarreal: They would be doing their jobs. They are already semi acting in their capacity. I think when we can swear them in,

MOTION/SECOND: Dagnachew/Stump

Motion Language: I motion that upon deeming incoming execs are eligible, swear in them as soon as possible. This commission will act for senate until they can be sworn in.

ACTION: Vote: Consent

4-0-0

Vote Taken: 6:33PM

MOTION/SECOND: Stump/Dagnachew

Motion Language: I motion to nominate Brock as secretary, Stump as vice chair, Dagnachew as treasurer.

ACTION: Vote: Consent

Vote Taken: 6:34 PM

4-0

3. Business of the Day

Marquez: I can ask seen to create a list serve for just the commission. Anything that Jimmy receives you would be able to receive. You should look at those before every meeting before voting. It could be the secretary's responsibility to alert everyone of important messages in the email

Villarreal: By next meeting please look at everything and come with any questions. Really what we want to go over is the report. All this info is confidential. We will eventually send it out but we want to go over it first.

- A. Minutes of the Association
- B. Resignations
- C. Appointments
- D. Retroactive Honoraria
4. Next meeting
5. Pre-Agenda, including correspondence to the Commission

Marquez: we will want to look at the confidential report now at the later pages. So the first one is the day you all votes approx. April 24th. The one entitled dear ucsb #1 was probably sent the 28th. The next one came out after May 26th.

Brock: can we recap quickly? Brendan's letter came out April 24th, the next one is 4 days after that and the last one would be after May 26th.

Stump: what are we wanting to get done during this meeting?

Marquez: Any clarifications you may have. Context, names? Any questions you may have. Once you have read this and you want to create an agenda item, you would include questions or invite anyone you want to come in as you read this document

Stump: Sometimes I have questions later after the fact, could I amend the agenda?

Villarreal: yeah, that's why we have the part of "acceptance of the agenda" so just let me know if you have any questions that I can add to the agenda when I am making it. Maybe we can just go over the first document right now?

(Everyone reads document)

Villarreal: Any questions or comments?

Stump: Do we know who and the 8 students were interviewed

Marquez: They are listed by their position titles.

Dagnachew: How did the president know to release this statement?

Marquez: Elections board usually do not communicate directly with the candidates, usually they communicate with liaisons. When the complaint came in, it was about specific candidates. So elections board reached out to the liaisons of the candidates and they received this letter from Brendan without any questioning or solicitation.

Brock If we have questions more detailed should we ask them now?

Marquez: We can decipher them confidentiality now and then figure out who we can bring to come in

Brock: Is this grant offered every year? And which fraternities would receive this grant?

Marquez: I do not have those answers. You could reach out to the director named Robert for those answers.

Stump: So they did not actually interview people in these frats who would receive this offer and who were not running? Who would I ask about that?

Marquez: We can invite the director and the investigators. You guys can direct me to reach out to that staff to come in.

Stump: And I could create a more formal question to send to you.

Brock: Can we create a google doc that we put in the gmail with questions we may have?

Villarreal: Yes

Dagnachew: The grants were taken from membership fees, I thought it was from OSL funding.

Marquez: we do not know what the interplay is. Would those questions be for IFC or OSL?

Stump: do either of you know if fraternities are required to have certain amount of hours and philanthropy?

Marquez: that would be for OSL advisor to answer.

Viera: Also for how many events they put on, they might get recognition for it

Marquez: How could I help is bringing in people who can answer them. Someone from the investigation team, someone from OSL, and someone that has knowledge about these fraternities

Daganchew: Maybe the IFC advisor?

Brock: Can we have a deadline for questions be posted on google doc?

Villarreal: yeah we could do that. They may have had those questions.

Marquez: Or not. We were not involved in the investigation.

Stump: Maybe we can have general questions in by the 25th, next Monday?

Marquez: that would be great. Either way I will reach out to those offices.

Villarreal: Any other questions? One last matter of business, Asutin Hechler contacted me. He was asking if he could represent UCSB as the president at the UCLA conference. We already have a portion in the budget set aside for traveling expenses.

Marquez: the way we have been thinking about it isn't a particular person it is the office, whomever represents the office would be embodying the office.

MOTION/SECOND: *Dagnachew/Viera*

Motion Language: I motion allow Austin Hechler to go to UC president conference and represent UCSB

ACTION: Vote: *Consent*

Vote Taken: 7:07 PM

4-0-0

Marquez: There is a congress coming up and EVPLA needs funding. If you want to review it, its in the gmail. Would need to verify Nayak to organize and fulfill this campus' responsibilities at the UCSA conference. All of these matters are in the inbox. I would advise to motion to accept Neha represent UCSB at the conference.

Villarreal: That money has already been budgeted

MOTION/SECOND: *Brock/Viera*

Motion Language: I motion to approve Neha Nayak as representative for UCSB and to use funds.

ACTION: Vote: *Consent*

Vote Taken: 7:10 PM

4-0-0

Marquez: if you have any more questions, maybe put them on the doc

MOTION/SECOND: *Stump/Viera*

Motion Language: I motion to adjourn the meeting at 7:11 pm

ACTION: Vote: *Consent*

Vote Taken: *7:11 pm*

4-0-0