Executive Committee Meeting Minutes for October 19th, 2011

I. Call to Order: Chair Christopher Prado calls meeting to order at 1:05pm

*indicates member is present at the start of meeting

II. Roll Call

<table>
<thead>
<tr>
<th>Members Present</th>
<th>Absent Members</th>
<th>Guests</th>
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<tbody>
<tr>
<td>*Christopher Prado</td>
<td>*Siddharth Menon</td>
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<td>*Chris Caldwell</td>
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<td>*Mark Allen T. Laluan</td>
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<td>*Lyla Pehrson</td>
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<td>*Randy Saffold</td>
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<td>*Stan Hebert</td>
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III. Consent Calendar

A. Approval of the Agenda

Motion: (Caldwell) to approve the Agenda.
Amendment I: to correct the scheduled time to 1:00pm and also add information under the Emergency Action Item - ASI Operating Agreement between the University and ASI stating that the committee will be taking action and there will be a description of the item.
Amendment I Carries.
Motion Carries as Amended.

IV. Public Comment

Public Comment is intended as a time for any member of the public to address the board on any issues affecting ASI and/or the California State University east Bay.
No Public Comment

V. Emergency Action Item – ASI Operating Agreement between the University and ASI.

President Prado yields the floor to ED Saffold who highlights the following:

- ED Saffold states that ASI has operating agreements with the campus that provides them with a few things with the scope of what can be done on campus including; grants, stipends, running student governments, running operations like the raw, and having activities at the Diversity Center.
Another point outlined in the Operating Agreement is what spaces are allocated by the campus in order for ASI to provide these specific services. When the Operating Agreement ends you have to go through a negotiation process for the new Operating Agreement. The Operating Agreement just expired on September 30th, 2011. So ASI is a little out of compliance because an Operating Agreement is supposed to be on file with the Chancellor’s Office prior to the expiration of the previous agreement. The negotiation started over space related issues and lease agreements whether ASI should have ground leases.

Come to recognize how ASI exists on the campus, correcting some assumptions that did and did not own the building. Other things that came out were that if ASI does not own the buildings, should there be a ground lease. A ground lease gives permission to house and your activity. Usually associated with ownership of a building, typically if there’s no building being built for a specific piece of land then there is no need for a ground lease.

ECEC gave ASI permission to use that plot of ground to build there. This Operating Agreement clears up a lot of things that ASI may have been doing wrong. Core sense of what three buildings ASI has control over when it comes to space.

President Prado yields the floor to Stan Hebert for additional feedback and the role he plays in the negotiation process for the Operations Agreement:

Designee Hebert states that this process has been something long and coming, the University neglected to take time after the ASI and University organizations emerged into one single organization. A lot of things have been corrected during this time period. It has clarified a lot of pending issues and one of the things that were Shahid’s responsibility as a University Union staff was to work only on the development of the Operation Agreement. He was supposed to take a look at all the different pieces of information. The document is very standard across the system board.

There a lot of positive confessions that Executive Director and ASI President has negotiated and navigated for the benefit of the students.

President Prado states that we want to ensure that clubs and organizations can still use the University Union and the 1st floor can still be utilized. ASI has successfully retained those spaces; ASI didn’t really lose anything with those significant changes.

VP Pehrson asks if the agreement allocates storage space, what space the building management has.
- ED Saffold states that there has been disputed storage space but what it does is ASI was using storage space that belonged to Dining Services; there were no other storage spaces available that would house everything that would come out of MPR. In the initial response that we got from Operating Agreement from CFO, that dining space for room 2006 was already given to the foundation. So the Foundation is holding Aramark’s contract stating that the specific space belongs to Aramark. That was one of the disputed areas in the Operating Agreement, furthermore, they also took back that hooded kitchen space because of that arrangement that they had where they needed to bring in Subway and wanted to have space for the new CFT tank into that space as well.

- We successfully negotiated with the CFO stating that they cannot take both of those spaces; ASI would have no place for space. Fought long and hard to say that there will be a common space that students, groups and organizations can use. So what is being done on the landing area is one of the compromises that space has been designated for a temporary holding zone but we also want the hooded space in the kitchen as sure storage space. ASI is still losing storage space to Aramark that was slated to be taken away from ASI anyway, but also won back space in the negotiation. Also won back space and negotiations for janitorial closets in the old University Union as well and received all the space and allocations for activity space and programming space. The Operating Agreement defines that by March of each year they would have to present a plan to get ASI inputs before they actually begin work and they also have to consult ASI on any necessary changes also notifying ASI if anything is being expanded and moved this being something that ASI did not have in the past. The Operating Agreement clearly defines that they have to interact with ASI; for things like debt service telling ASI before what plans are so that there can be a better job of budgeting done. It was significant that ASI brought multiple things into the negotiation besides the space issue.

- President Prado states that in addition to that ASI was not receiving any PG & E credit.

- Director Laluan asks if the Operating Agreement lasts for one year than it will have to be renegotiated again.

- ED Saffold states that it goes through August 31st, 2016. Five year Operating Agreement. Spoke with Jacqueline Jennings and has forwarded an email to
VP Pehrson and President Prado in regards to approval of the Operating Agreement, she stated that the language is fine but the Operating Agreement needs to be approved and supported with a resolution stating that the Executive Committee is giving the Executive Director permission to execute the Operating Agreement, all other filings, and paper work associated with the Operating Agreement. This will make it official with the Chancellor’s Office. So that’s his ability to sign the Operating Agreement, forward it to the Chancellor’s Office, and register it with the state. This makes it official which goes to an audit finding in which ASI has not done a great job in tracking Board actions; this is the formation of tracking every Board action that has an act or resolution associated with it. When ASI is moving forward with a contract, agreement, or creating a program or service there has to be an act associated with it. The resolution is drafted. The Operating Agreement would be approved following the approval of the ability of the Executive Director to execute the Operating Agreement.

Motion: (Caldwell) to approve the ASI Operating Agreement of 2011 with ASI and the University.
Motion Carries with 4 Approvals and 1 Abstention.
Motion: (Caldwell) to approve the resolution EC2011-1 representing the approval of the execution of the 2011 Operation Agreement with the correction that it’s stating 2011 in the title instead of 2012.
Motion Carries with 4 Approvals and 1 Abstention.

VI. Roundtable Remarks
Caldwell: states that he’s been really busy with midterms; working to get an email sent out to all students in regards to Committee Applications. Next week expects for the Board of Directors for the 2 positions will be out.
Pehrson: states that she is president of the Kinesiology Club and they had a BBQ yesterday. And she was able to speak to a class of freshman in regards to ASI.
Laluan: He looks forward to working with the Academic Senate, faculty and college directors on plans to improve campus life.
Saffold: states that we have an opportunity to meet with the President, those dates have been provided and would like the committee to pass it on. Ask Committee Members to report back with information from CSSA. What is CSSA? What took Place? Remote in limitations to echo in the room; look into to reconfiguring less wide
less echo in a different room. Addressing the session there would be light snacks provided at the student’s sessions.

Hebert: states that the dates are November 9th, 2011 11:30am to 12:00pm for the Executives. Requests are that there is a meeting in the conference room. Also addresses the President’s listening tour, looking to get students to participate with an incentive available to them. Looking forward to going along with that kind of a plan in helping to get all student body to do a recording session. One reminder is the Bylaws, doesn’t know what the plan is but maybe delay it to Winter or Spring Quarter, also great job on the tracking systems for the resolutions nice way of satisfying the Audit.

Prado: states that normally in the past when meeting with the President there would be an agenda set, but there will be a couple of key issues that will be brought to the President’s attention. On Monday there will be Teachers America information about employment opportunities. This past week was CSSA it was really exciting, attended a football game, also up for discussion was the rallying of the statewide academics. Potential rallied on CSU Dominguez Hills and East Bay campus. Assessment Committee 11:00am - 2:30pm, let students be heard. Build framework for this Committee. Focus on the African American and Latino Students.

VII. Adjournment
Motion: () to adjourn meeting at 1:33pm.
Motion Carries.

Minutes Reviewed by:
Executive Committee Chair
Name: Christopher Prado

Minutes Approved on:
Date: 11/4/2011
Resolution in Support of AB 131: Student Financial Aid administered by the State of California

The Associated Students, Inc. of the California State University, East Bay
September 22, 2011

WHEREAS, The Associated Students Incorporated (ASI) of the California State University, East Bay (CSU East Bay) is the single recognized voice of the students of this campus; and

WHEREAS, The mission of ASI at CSU East Bay is to represent and advocate on behalf of the interests, needs, and concerns of our very diverse and dynamic student body, providing them with the services and resources to supplement and support their college experience\(^1\); and

WHEREAS, The mission of CSU East Bay is to provide an academically rich, multicultural learning experience that prepares all its students to realize their goals, pursue meaningful lifework, and to be socially responsible contributors to their communities, locally and globally\(^2\); and

WHEREAS, Existing law, AB 540, allows that a person who has attended high school in California for 3 or more years, has graduated from that high school or attained the equivalent, has registered at or attends an accredited institution of higher education and if he or she is without lawful immigrant status, be exempted from paying the nonresident tuition at the California Community Colleges and the California State University and remain confidential\(^3\); and

WHEREAS, Assembly Bill 131 would amend the Donahoe Higher Education Act, as of January 1, 2013, to require the Trustees of the California State University and the Board of Governors of the California Community Colleges, and to request the regents, to establish procedures and forms that enable students who are exempt from paying nonresident tuition under the above-described provision, or who meet equivalent requirements adopted by the

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\(^1\) Associated Students Incorporated Mission - http://asicsueb.com/index.php
\(^2\) California State University East Bay Mission -
\(^3\) A Resolution in Support of AB 540 Students and the Conditions that Promote their Access to a Quality Public Higher Education
regents, to apply for, and participate in, all student aid programs administered by these segments to the full extent permitted by federal law, except as provided\(^4\); shall it be known as

**RESOLVED,**

ASI of CSU East Bay, considering the gravity of the financial hardships of AB 540 students, are in full support of AB 131; and be it further

**RESOLVED,**

ASI of CSU East Bay strongly advise the honorable Governor Jerry Brown to sign AB 131 into law; and be it further

**RESOLVED,**

That copies of this resolution shall be distributed widely, including, but not limited to: the Office of CSU Chancellor Charles B. Reed, the Office of the Governor of the State of California, CSU East Bay President Leroy Morishita, the CSU East Bay Academic Senate, the CSU Associated Students, the California State Student Association, the University of California Student Association, Student Senate for California Community Colleges, United States Student Association, the general student population of CSU East Bay, City Council Representatives, and the Legislative representatives of the districts of which CSU East Bay belongs to.

\(^4\) Assembly Bill 131 - http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_0101-0150/ab_131_bill_20110908_enrolled.pdf