Call to Order

Ryan Guy, Vice Chair, called the meeting to order at 4:07 p.m. in the University Center South Lounge.

Roll Call

Members Present: Carol Hurley, Tiffany Newton, Nikki Kovalcheck, Carrie Schaden, Jesse Hughes, Josephine Villegas, Tara Holloway

Members Absent: Tyler Smith (excused), Christopher Lobo (excused), Porscha Cobbs (unexcused), Carol Balch (excused),

Officers Present: Terra Rentz, Davonna Foy, Ryan Guy, Constance Mitchell, Lladira Baez, Steven Dimon

Officers Absent: Rachel Rodriguez (excused), Keith Lambert (excused), Alan Chesbro (unexcused)

Advisors Present: Joan Tyson

Approval of Agenda

MOTION: NEWTON/KOVALCHECK move to approve Agenda #20. APPROVED

Chair's Report

Guy explained that he called a Special Meeting so that Council would have the opportunity to take action on the HSU A.S. Protection of Student Union Act of 2008 before Wednesday’s meeting. The resolution is also on the May 7th, Associated Students Council Agenda.

Public Comments (As per the Gloria Romero Open Meeting Act of 2000 authorized by Section 89306.)

There was no Public Comment.

Old Business

A. Resolution: HSU A.S. Protection of Student Union Act of 2008–Action Item
   This resolution voices A.S. opposition to Proposed Transfer of Commercial Services from HSU’s Student Union, The University Center Board of Directors to Advancement and/or Reorganization within the University Center Board of Directors.
MOTION: NEWTON/HURLEY move to approve Resolution: HSU A.S. Protection of Student Union Act of 2008. TABLED UNTIL 5/7/208

Hughes, the author of the resolution, stated that he would like to table the resolution to the Wednesday, May 7th meeting so that more council members may participate in the discussion. Hughes stated he feels that a broader view would be more helpful when discussing the resolution and would like the full participation of Council when discussing the resolution. Mitchell asked for clarification on the different resolutions on the May 7th agenda. It was explained that the Associated Students Council Agenda for May 7th included two similar resolutions. Old Business Item C on the May 7th agenda is the same item of business that the Council is currently discussing. Schaden stated that she feels that the Council should take action on the Resolution today since members made it a priority to be at the meeting. Rentz recommended that council consider amending the second, fourth, fifth and seventh paragraphs which she feels are wordy and may be unnecessary. Rentz also stated that she feels the ninth paragraph has a misinterpretation of the priority of services.

There was discussion on which resolution the council is currently discussing.

Hughes stated that yesterday he overheard an interview conducted with a University Center Board Member who said that the issue should be taken care of before next semester. Hughes feels that a deal involving millions of dollars in revenue over the next decade should not be made over the Summer while students are gone. Hughes stated that he has heard of at least four separate but new plans for the reorganization of the University Center’s commercial services. Hughes stated that the Resolution was written in particular format because members of the California State Legislature would not be aware of much of the information and that the resolution asks the legislature to include Humboldt State University in California Education Code 89905. Hughes stated that until eight years ago most of the decisions made by the University Center Board of Directors were also approved by the Associated Students Council. Hughes also mentioned that he had incorporated changes to the resolution based on ideas of the signers of the resolution. Hughes stated that he was disappointed that he only received one response back from an e-mail soliciting changes to the resolution. Hughes hopes that everyone took the opportunity to read the resolution before the meeting. Hughes stated that the University Center would be one of the only things protected for students by laws. Hughes stated that on page 18 section E-4 of the proposed University Center Bylaws would aid Board members in the cost of their defense if sued or criminally prosecuted. Mitchell stated that the Proposed Bylaw that Hughes stated had always been included in the past and is common for non profit Boards.

Rentz recommended many changes to the resolution and also believed it would be fairly ineffective because the proposal for the reorganization is fluid and quickly changing. Rentz feels that the resolution is also in direct conflict of the UC Board of Directors fiduciary responsibility by requesting Board Members to limit their discussion of the proposed reorganization. Rentz urges the council to not support the resolution.

MOTION: SCHADEN/HUGHES move to amend the motion by inserting a new paragraph after the eighteenth paragraph that reads:

RESOLVED No action be taken during the summer on the transfer of commercial services from the HSU student union. NO ACTION TAKEN
Mitchell stated that the proposed amendment to the resolution is problematic because she would like to continue her work on the University Center Board throughout the summer until the term ends at the beginning of the next academic year. Mitchell stated that she would like to continue with her opportunity to be involved in the reorganization rather than a new board member in the fall with very little knowledge about the University Center. Schaden believes that it would be problematic if a decision was made because Student board members could not consult a constituency.

MOTION: SCHADEN/KOVALCHECK move to amend the amendment to read:

RESOLVED No decision be made during any meeting that might occur during the summer on the transfer of power of commercial services

Mitchell stated that one of the University Center’s board’s biggest issues is that they are unable to accomplish things with so many students on the board. Mitchell wants to be able to act on the issues if it comes forth during the Summer. Schaden stated that her amendment does not state that Board Members can not vote but does requests that the action not be voted on until the University is back in session. Hughes responded to Mitchell’s earlier statement and replied that the current Bylaws do not cover the cost of litigation for criminal prosecution. Hughes also stated a UC Board member was taken out to lunch by members of the Advancement Foundation and The Arcata Chamber of Commerce. Hughes stated that the reorganization will account for millions of dollars over the next decade. Hughes stated he believes that private decisions and discussions are happening and that his actions to get people involved in the process has been suppressed. Hughes also stated that no where in the resolution does it state that individuals cannot participate in discussions.

MOTION: HOLLOWAY/HUGHES move to amend the amended amendment to read:

RESOLVED That the University Center take no official action, here defined as engaging in a vote, on this topic during the months when no official AS meetings are scheduled thus no official student body representation is occurring.

Holloway stated that she does not want to inhibit another government body. Hughes feels that the wording to the resolution is “tricky”. Mitchell thinks the work that representatives could do over the summer would be important. Discussion ensued on the proposed amendments. Guy recognized that there was confusion over the amount of proposed motions on the table and suggested that Council recognize the “Gordian Knot” and start over at the main motion.

MOTION: HUGHES/SCHADEN move to recognize the Gordian Knot and renew discussions on the main motion. APPROVED (2) ABSTENTIONS

Holloway recognized that the discussion had become confusing and suggested that if the action is tabled until May 7th that council come prepared with amendments in written form. Hughes suggested that proposed wording for a new paragraph could state that the University Center take no official action on the proposed reorganization between the last day of the spring semester and the first day of the fall
semester. Hughes also suggested that Executives limit their discussion on the topic and allow Council members to discuss the resolution on their own.

Hurley stated that the only members of Associated Students who were elected to the council besides herself and Kovalcheck were the executives and feels that they should be able to speak to the motion. Hurley voiced opposition to the resolution and believes that it should be gutted and rewritten. Mitchell stated that she is concerned that if there is a summer meeting of the UC Board she would not be able to participate in it. Mitchell stated that she is not in support of the University Center Enterprises proposal but is in support of making the commercial services of the University Center into a sub-board. Mitchell asked that the resolution be tabled until the May 7th meeting and that the Council come back with proposed amendments. Rentz supports calling the question on the Resolution as originally written and encouraged council to vote the resolution down. Holloway stated in response to Hurley’s statement that she is no less valid as a Council Member whether appointed or voted into office. Holloway disagrees with any proposed changes and stated that the President Richmond has not shown that there are any problems with how the University Center currently operates. Holloway also stated that resolutions are often written in different formats for different organizations. Holloway feels that the resolution is strong and that the council should focus its efforts on including Humboldt State University in Education Code 89905 with CSU Chico. Holloway feels unsure of why any changes need to occur since the University Center is a non-profit organization and does not need to make a profit. Hughes replied to Hurley’s comment that he never stated that Executives not be allowed to speak. Hughes would also like to table the Resolution until May 7th so that there may be a larger amount of participation in the discussion and so proposed amendments can be made in writing.

MOTION: HUGHES/HOLLOWAY move to table the Resolution: HSU A.S. Protection of Student Union Act of 2008 to the May 7th, 2008 meeting. FAILS

Rentz feels the resolution is flawed and recommends that the council not table the resolution and vote it down. Holloway stated that Rentz’s comment is counterproductive and would like Rentz to bring changes that would improve the Resolution. Schaden feels that there is a lot of important information in the resolution and would like to continue work on the resolution. Newton stated that she will be voting no on tabling the resolution because she thinks solutions should be found as quickly as possible. Holloway encouraged council to table the Resolution and find a way for all to attend the Wednesday meeting. Mitchell stated that she has been unable to give a report and commented that she would like to rearrange the order of the Wednesday agenda so that she can speak about what she has been doing.

There was discussion on the amount of time left to discuss the Resolution.

MOTION: HUGHES/HOLLOWAY move to reconsider the motion to table the Resolution: HSU A.S. Protection of Student Union Act of 2008 to the May 7th, 2008 meeting APPROVED

(2) OPPOSED

MOTION: HUGHES/HOLLOWAY move to table the Resolution: HSU A.S. Protection of Student Union Act of 2008 to the May 7th, 2008 meeting. APPROVED

(2) OPPOSED
Hughes stated that it made logical sense to table the resolution until the May 7th meeting. Newton expressed frustration that the council spent two hours discussing the resolution but accomplished nothing. Hurley echoed Newton’s sentiments. Hughes stated that he only received feedback from one person on the resolution and that the Council is making the process more complicated than it needs to be. Rentz encouraged the council to vote against tabling the resolution to Wednesday and to vote the resolution down. Holloway feels that the discussion had been productive and that she had received a lot of perspective from council members regarding the resolution during the meeting.

**Adjournment**

Guy adjourned the meeting without objection at 5:55 p.m.

Recorded by:

Rob Christensen
AS Secretary

Approved by:

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Ryan Guy
Associated Students Legislative Vice President