

UNDERGRADUATE STUDENTS ASSOCIATION
COUNCIL

March 11, 2008
417 Kerckhoff Hall
7:00 p.m.

PRESENT: Chang, Chibnick, Iberti, Jang, Lyon, Melgar, Mossahebfar, Nelson, Rose, Sandler, Shaw, Sobhani, Tanjuaquio, Tressel, Tuttle, Weintraub, Williams

ABSENT: Colosimo, McLaren, Pham

GUESTS: None.

I. A. Call to Order

- Rose called the meeting to order at 7:06 p.m.

B. Signing of the Attendance Sheet

The Attendance sheet was passed around.

II. Approval of the Agenda

- Chang added ASUCLA/BOD under New Business.
- Mossahebfar added TGIF under Old Business.
- Rose removed Community Activities Committee from Appointments.
- Rose called for Acclamation. Rose asked if there were any objections to approval by Acclamation. There being none, the Agenda was approved, as amended, by Acclamation.

III. Approval of the Minutes

There were no Minutes this week.

IV. Public Comments

There were no Public Comments this week.

V. Special Presentations

There were no Special Presentations this week.

VI. Appointments

Election Board Chair

- Rose said that forty-eight hours ago, after having received no applications for the position, Kyle Kleckner called him up asking about the position. At the end of the conversation, Rose figured Kleckner would be perfect for the position, because he is unbiased and extremely knowledgeable about the constitution and bylaws.

- Jang moved and Mossahebfar seconded to approve Kyle Kleckner to the Election Board Chair.
- Shaw mentioned that Kleckner's J-Board position could be viewed as an ethical problem, and that it has been mentioned before. Kleckner responded, saying that he will take a leave of absence pursuant to VII.2 in the governing document. He notifies the chief justice, advisor, and justices two weeks prior to his leave, and during his absence he has no access to any of the J-Board operations. He has already notified J-Board of his leave.
- Rose said if Kleckner is approved tonight, he will be the Election Board Chair Elect, then will take the office two weeks from now.
- Williams said he was a little concerned if any cases involving the elections go to J-Board, that Kleckner's close ties to J-Board would prejudice the hearings. Kleckner said if any case from the elections did go to J-Board, he would recuse himself from the case.
- Williams said while he its great the rest of J-Board respects and considers Kleckner a candidate for Election Board Chair, he is still a little worried that such trust placed in Kleckner as an unbiased individual could potentially corrupt any cases that go to J-Board from the elections.
- Kleckner said he has absolutely no doubt that J-Board would be completely impartial if any case involving himself goes to J-Board.
- Melgar asked Kleckner how impartial he is despite his involvement in partisan student groups. Kleckner said his involvement in Bruin Democrats is not one of endorsing candidates, and instead his work on J-Board has caused him to maintain objectivity and impartiality.
- Rose said the other applications he received were from members of Social Justice Alliance and Queer Alliance. It is extremely difficult finding a qualified candidate who is not apart of some biased student group.
- Tuttle asked what position Kleckner holds in Bruin Democrats. Kleckner is the president.
- Tuttle asked Kleckner if he would entertain the idea of recusing or suspending himself from that position. Kleckner said his term ends during week four of Spring Quarter, and he has no say in endorsing candidates.
- Tuttle asked Kleckner if he was every on an intraparty political slate, if he ever backed a certain faction within Bruin Democrats, or if anyone in the organization is beholden to him. Kleckner said he did not appoint anyone, and all the appointments are made by a board of fourteen.
- Tuttle asked Kleckner if he would consider stepping down early from his position as president of Bruin Democrats. Kleckner said he believes that his integrity is strong enough that he should not have to worry about stepping down. Tuttle said he was worried that if Kleckner did not step down, confidence in his non-partisanship could be shaken.
- Tuttle asked if any members of J-Board would have to recuse themselves from hearing a case presented about Kleckner. None of them would have to recuse themselves due to ties with Kleckner.
- Tuttle asked Kleckner if he was willing to resign from J-Board. Kleckner said he has a right to take a leave of absence, and he can come back and complete his duties after he is done with the elections.
- Nelson said that Tuttle made some very good observations, and, with 24,000 undergraduates with individual perceptions, Kleckner should think over these suggestions.
- Willard asked Kleckner if he would resign as president of Bruin Democrats. Kleckner said he would not.
- Shaw said she is extremely uncomfortable with Kleckner as a candidate for Election Board Chair, given his connections to J-Board and Bruin Democrats. She feels they should not be settling on a candidate just because he is the only one around. The position should have been filled by Fall Quarter.

- Chang said USAC should have been putting one hundred percent into making the timely appointments since last summer.
- Rose said he can not make people apply, and the other candidates he had to choose from had equally important ethical concerns. If someone on the board is not comfortable with Kleckner, then they should not vote for him.
- Jang said unless they find someone who is not involved with anything but knows the election code, Kleckner is the next best thing.
- Kleckner said he will not step down from his position as Bruin Democrats because he has a duty to fulfill his obligations to his constituency for the remainder of his term. He maintains the integrity and dignity that will afford him and unbiased attitude as Election Board Chair.
- Nelson said his perception of the situation is the fine line between arrogance and self-righteousness. This is a decision that does not have to be made tonight, and when a candidate exudes an attitude that some people may consider to be arrogance, it should be considered.
- Kleckner said he has been listening to what others have been saying, but he has other duties he is passionate about.
- Tuttle said, while he has no say in the Bruin Democrat election support, he should take under consideration resigning as president due to balancing his equities.
- Shaw said Election Board Chair is a time and labor intensive position, and the council would require someone who prioritizes the position. Kleckner said he would prioritize Election Board Chair along with his other duties.
- Melgar asked Kleckner how he will guarantee an impartial staff. Kleckner said he is involved with other student groups such as Mock Trial, which have a lot of talent that could be applied towards the Election Board.
- Shaw asked if this was supposed to go to ARC first. Rose said it was, but they did not have a lot of time. Shaw said they should follow procedure, especially if stipulated in the bylaws.
- Tanjuaquio said USAC has shown a willingness to forgo the bylaws in certain cases, and, in the case of Kleckner, ARC would not uncover anything that has not already been discussed.
- Tuttle said the remedy would be for ARC to have a meeting right now while the council takes a recess.
- Rose said there is not anything in the constitution that does not prevent us from using *Robert's Rules*. Tuttle said *Robert's Rules* is subordinate.
- Rose called a recess at 8:36pm.
- Rose ceased the recess at 8:57pm.
- Tanjuaquio said ARC recommended Kleckner to the position with a vote of 2-1-0.
- Rose said a big issue is that of perception, but, at the same time, if a strong Election Board Chair is not elected, then the Election Board would also suffer.
- Melgar asked what Kleckner's immediate actions would be if he were elected to the position. Kleckner said he would meet with Mike Cohen and set out a time line for the next coming weeks, as well as talking with committees and individuals from last year.
- Rose called a roll call vote per Iberty's request. Iberty, Jang, Lyon, Mossahebfar, Sandler, Tanjuaquio, and Weintraub voted in favor of appointing Kyle Kleckner to the Election Board Chair. Chang and Shaw voted against. Melgar abstained.
- Council approved Kyle Kleckner to the Election Board Chair by a vote of 7-2-1.

VII. Fund Allocations

- Sobhani said that there were 5 Contingency Requests submitted this week, totaling \$14355.02. He said he was recommending total allocations of \$3942.00.
- Tanjuaquio moved and Iberty seconded to approve the Contingency Fund Allocation Recommendations.- Council approved the Contingency Fund Allocations for 3/11/08 with a vote of 10-0-0.

- Iberti said the ballot language should include the increase in fees over the next ten years so as to not seem deceptive.
- Tuttle asked if this was to be on the traditional spring ballot. It will be.
- Weintraub pointed out that Berkeley's fee increase was \$5 per semester and UCSB's was \$2.60 per quarter, while UCLA will be looking at a fee increase of \$4.00 to \$5.00 per quarter over the next ten years. By charging more, more projects can be funded instead of running into the problem of a lack of funding for more meritorious projects.
- Weintraub said UCLA has more students than either the Berkeley or UCSB campus, so it still does not make sense to have such a high increase in fees.
- Sandler asked what will happen if it is approved tonight. Rose said USAC would approve the measure to be voted on the spring ballot.
- Iberti moved and Sandler seconded to have the ballot language for TGIF read as follows: Shall undergraduate students establish the Green Initiative Fund (TGIF)? TGIF will allocate money to student led projects aimed at reducing UCLA's environmental impact, fostering student innovation, and providing opportunities for entrepreneurship. TGIF will be funded through an increase in student fees of \$4 per quarter. The fee will increase to \$4.50 in 2011 and \$5.00 in 2014.
- Sherlyn offered a friendly amendment, adding "terminating in the tenth year," to the end of the ballot language. There were no objections.
- Rose called for Acclamation. Rose asked if there were any objections to approval by Acclamation. There being none, the ballot language was approved, as amended, by Acclamation.
- Melgar said he feels it is a bad year to put in more fee increases, and would like to see the fee drop from \$4.00 to \$3.00.
- Rose noted that nowhere in the TGIF Bylaws does it state the fee increases.
- Shaw asked if they are approving the entire TGIF Bylaws or just the ballot language. Rose said he thought they had to do both tonight. If they approve the ballot language all of the documentation goes to the Legal Services Department and then the Chancellor, so any loopholes are shut down.
- Tuttle said student intent should be sharply delineated in the Bylaws and other documentation, otherwise someone can take advantage of the fund.
- Rose asked how TGIF Bylaws could come into being unless USAC votes on them, or if USAC has any authority at this point over TGIF's Bylaws. Williams said they are not apart of USAC yet, and this is a good question to be raised.
- Mossahebfar asked what entity TGIF would go under. Rose said they would go under their own entity.
- Sandler said USAC cannot realistically vote on this issue right now when many do not even know what they are voting on.
- Shaw said they can at least approve the ballot language.
- Lyon said the referendum will assess if UCLA is ready for such a fund and for the fee increases, one cannot simply put it off due to fees.
- Rose said he is willing to support TGIF since they have been compromising with areas such as summer fees.
- Iberti asked if they ever thought of polling the student body. They did poll students, and found that many were actually willing to pay \$5.00 instead of \$4.00.
- Melgar withdrew his motion to amend.
- Tanjuaquio made a friendly amendment to replace any instance of the words "The Green Initiative Fund" with TGIF, after it has been mentioned in the first line. There were no objections.
- Tanjuaquio made a friendly amendment to change the last part of the ballot language to "and will be terminated in the tenth year." There were no objections.
- Weintraub asked why TGIF was tabled at GSA. It was not officially tabled, it was never brought up. Melgar asked if they would remove the graduate representative for the next year. TGIF stipulated that in their policy.

- Jang asked how students will receive the savings they are paying up front for in the fee increases. Rose said any contracts form will usually involve saved money being paid back to the university.
- Council approved the ballot language for The Green Initiative Fund with a vote of 9-0-1.

X. New Business

Resolution in Recognition of the Academic Advancement Program

- Rose said February 28th was the thirty-fifth anniversary of AAP, and USAC should pass a resolution supporting something that does great work on campus.
- Melgar moved and Tanjuaquio seconded to approve the Resolution in Recognition of the Academic Advancement Program.
- Melgar said AAP was a great program that helps students from different communities with different ethnic and socioeconomic backgrounds.
- Council approved the Resolution in Recognition of the Academic Advancement Program with a vote of 8-0-2.

2008 Spring Programming Allocations

- Chibnick said 61 groups requested a total of \$973,000. Caps of \$75,000 were placed on events of \$100,000 or more, and events totaling \$75,000 to \$25,000 were capped at \$25,000.
- Sandler moved and Mossahebfar seconded to approve the 2008 Spring Programming Allocations.
- Iberti asked if there was any way to get around caps. Chibnick said organizations can apply for week series of events, or individually. Usually groups will get more allocated if they apply for each individual event rather than a series, but every group has the option of doing it either way, and it mostly relies on the strength of the application.
- Council approved the 2008 Spring Programming Allocations with a vote of 10-0-0.

XI. Announcements

- McLaren said she just got the parking permit applications for spring quarter and will be getting them to everyone shortly.
- Sandler said that Pop Musician Showcase is coming up, and everyone should come to it.
- Jang said his office has been working on a scholarship, and they have slowly been making headway with alumni, but it is a multi-year process.

XII. Signing of the Attendance Sheet

The attendance sheet was passed around.

XIII. Adjournment

- Sandler moved and Weintraub seconded to adjourn.
- Rose called for Acclamation. Rose asked if there were any objections to approval by Acclamation. There being none, the meeting was adjourned at 11:09 p.m. by Acclamation.

XIV. Good and Welfare

Respectfully Submitted,

Thomas King
USAC Minutes Taker