

## ASUC SENATE MEETING

January 21, 2009

First Week

This regular meeting of the ASUC Senate, commencing Spring Semester, was called to order by Krystle Pasco at 7:16 p.m. in the ASUC Senate Chamber. Ms. Pasco said she would like to welcome them to week 1 of the 2009 Spring Session. She hoped they all had a wonderful break. It looked like everybody was really refreshed and relaxed, and she was really enjoying everyone's energy.

### APPROVAL OF THE AGENDA

Ms. Pasco called for any changes to the agenda for that week's meeting. A motion to approve was made and seconded by Mr. Mairena and Ms. Tran. THE MOTION TO APPROVE THE AGENDA FOR THAT EVENING PASSED WITH NO OBJECTION.

### PLEDGE OF ALLEGIANCE

Ms. Pasco said they next had the Pledge of Allegiance, which would be led by Ms. Winston. Ms. Winston asked people to stand and join her in saying the Pledge of Allegiance. The Pledge of Allegiance was recited.

### APPROVAL OF THE MINUTES

Ms. Pasco called for any changes to the minutes from December 1. A motion to approve was made and seconded by Mr. Mairena and Ms. Shah. THE MOTION TO APPROVE THE MINUTES FROM THE DECEMBER 1 SPECIAL SENATE MEETING PASSED WITH NO OBJECTION.

Ms. Pasco called for any changes to the minutes from the December 3 meeting. Ms. Shah moved to recess for two minutes. The motion was seconded by Ms. Ude and passed with no objection. This meeting was recessed. Back in session, a motion to approve was made and seconded by Ms. Ude and Ms. Yang. THE MOTION TO APPROVE THE MINUTES FROM THE DECEMBER 3 SENATE MEETING PASSED WITH NO OBJECTION.

Ms. Pasco called for any changes to the minutes from the December 10 meeting. A motion to approve was made and seconded by Mr. Mairena and Ms. Tran. THE MOTION TO APPROVE THE MINUTES FROM THE DECEMBER 10 MEETING PASSED WITH NO OBJECTION.

Roll call was taken for attendance.

MEMBERS LEGALLY PRESENT:

Sheila Chen	Eddie Nahabet	Will Smelko
Sarah Cho	Christina Oatfield	Lisa Tran
Meghana Dhar	Tommy Owens	Tu Tran
Mary June Flores	Tara Raffi	Obiamaka Ude
Saira Hussain	Claudia Rodriguez	Stephanie Yang
Oscar Mairena	Lyell Sakaue	Yishi Zuo
John Moghtader	Kifah Shah	

NEW BUSINESS

Ms. Pasco referred the following bills to committee:

SB 1, Resolution in Support of the Federal D.R.E.A.M. Act to the Constitutional and Procedural Review Committee and to the University and External Affairs Committee

SB 2, Resolution In Support of Asian American Public Leaders' (AAPL) and Asian Pacific American Student Development (APASD): "Celebration of Asian Pacific American Women: SOAR (Speak Out and Represent)," to the Finance Committee

SB 3, Resolution In Support of a Polling System on BearFACTS, to the Constitutional and Procedural Review Committee and to the University and External Affairs Committee

SB 4, In Support of Continuing Student Involvement in the National Movement to Mitigate Global Climate Change, to the Finance Committee

Ms. Pasco called for any changes to New Business.

Ms. Oatfield said she would like to include SB 4 in the bills referred to committee. She just e-mailed it out, In Support of Continuing Student Involvement in the National Movement to Mitigate Global Climate Change. She would recommend that it be referred to the Finance Committee. Ms. Pasco said she would include that bill in New Business.

Ms. Pasco called for any other changes to New Business and seeing none, said New Business was approved.

Approval of the Agenda (Jan. 28)

Ms. Pasco called for any changes to the agenda for the January 28 meeting.

Ms. Flores moved to add a Special Order, from 7:30 to 8:00, for Bear's Lair vendors to make a presentation. The motion was seconded by Mr. Owens. THE MOTION TO HEAR A SPECIAL ORDER TO HEAR FROM BEAR'S LAIR VENDORS AT THE JANUARY 28 MEETING, FROM 7:30 TO 8:00, PASSED WITH NO OBJECTION.

Seeing no further changes Ms. Pasco said the Chair would entertain a motion to approve. It was so moved and seconded by Mr. Mairena and Ms. Tran. THE MOTION TO APPROVE THE AGENDA FOR THE JANUARY 28 MEETING, AS AMENDED, PASSED WITH NO OBJECTION.

STATE OF THE ASSOCIATION ADDRESS BY PRES. WINSTON

Ms. Winston said it was wonderful to see all of their beautiful faces again in 2009. She read the following:

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Begin State of the Association Address by Pres. Winston

Dear Senate, Executives, and Fellow Members of the Association:

Welcome. And happy New Year! Tonight I would like to take the time to acknowledge all that we have accomplished this past year and all that we have the opportunity to achieve during the Spring Semester.

Throughout the fall, I saw all of you working tirelessly to create an accountable, transparent student government.

Together, we helped provide more affordable options for students through increased early faculty textbook adoption rates and our ASUC Bookswap. We hosted ASUC informationals for Student-Initiated Service and Student Activity Groups. We held forums between student community members and the UC Police Department. We raised awareness around academic issues through planning and coordinating Majors Fairs. We registered 9,425 students with an amazing vote coalition! We've made leaps and bounds on Lower Sproul redevelopment. Our successful Eco-Charette allowed individuals from all across the campus, and especially students, to have a say in not just what we bring to Lower Sproul, but *how* we bring it, and with what focus. And we have seen students' commitment to our Multicultural Center remain strong through the progress made by the Multicultural Center working group. We are making this dream of 40 years a reality.

With so much accomplished, some of you must be thinking, "Wow, we're doing really great, what more could we possibly do?" And that's a great question. This semester we have the opportunity to not just provide students with Contingency and Greek Opportunity funding that benefits them so much, but to also produce a budget that can empower student groups in the year to come. We've given out over \$40,000 last semester that all went to supporting student groups. Let us continue to provide the resources students need in order to do the amazing work they're doing on and off campus. Lower Sproul redevelopment has been an ongoing process, one that has not just been moving smoothly, but has been propelled

forward due to all of your diligent work. We get to continue engaging undergraduates, as well as graduate students, in the discussion of a Student Union that reflects the ideals of diversity, sustainability, and student empowerment. We are working to create a campus that allows all students to be and feel safe, while having an accountable Police Department. And though the conversations have been difficult, discussions around affordable performance space and restored welcome days remain some of the first and foremost of items on our student agenda.

To know where we must be as a student government, we need only look at where we are as a student population. The Association represents a collection of all the viewpoints, interests, and issues of the students on this campus, and our goal is to serve this population to the best of our abilities. Civic engagement is not simply a concept on Berkeley's campus, but it is the way with which we carry ourselves.

In this pivotal year of education in California, we get to serve as student leaders on one of the most reputable campuses in higher education in this State, and in this world. We have the potential to serve as an inspiration to students Statewide, and lead by example through our civility and creativity. This semester is a time for us to bring ourselves into, to quote our official President Barack Obama, a new era -- where we are capable of serving as one Association to encourage a dialogue of new possibilities. I look forward to working with all of you and collaborating to make our collective goals a reality. If you ever need my support, please do not hesitate to ask. Thank you all for your time. Go Bears!!!

End State of the Association Address by Pres. Winston

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(Applause)

## ANNOUNCEMENTS

### Guest Announcements

Ms. Pasco said the first Guest Announcement would be from Nick LoCicero. Mr. LoCicero said he would like to thank the Senate for hearing his concerns. He was speaking in the best interests of UC Berkeley's community. He felt that the community did not really have a defined culture. It made a lot of sense to have issues around the campus to try to bring out sort of a more unified culture. One place he felt was emblematic of this culture was Lower Sproul. He did not want to see any changes to it at all. That's how he felt. Do not change that place. And he was dead serious. Almost all of his friends agreed that it should not be changed. He was there to make the statement that they should not change that place for economic terms. In the future, they're going to have more economic problems if they change it into a place like Naia, where no one wanted to go and sit, and where no one wanted to do homework because they play music so loud people can't even think.

Mr. LoCicero said he wasn't there to argue with what the ASUC's plans were for Lower Sproul, but to say that he didn't believe that was right. He felt that what they have now was working. What they need on

the campus was to create culture; and not to simply try to create, by putting pictures up, to suddenly make it seem like they have a place. Rather, they need to have a place.

Ms. Raffi asked if he was referring to Panda Express or to renovations in general. Mr. Nick said the example of Panda Express was based on his feelings about that, but his true purpose there was to make sure that the community of the campus was able to sustain itself in a realistic way and not be forced into anything that has alternative ideas. Like for example, if it was to get money to renovate it, or whatever, he felt whatever was there was working and shouldn't be changed. Ms. Pasco said speaking time had expired. A motion to extend by three minutes was made and seconded and passed with no objection.

Ms. Winston asked if he was referring to the businesses in that area, and keeping them, or if he felt that Eshleman Hall and MLK should also remain. Mr. Nick said he was speaking mostly of the cafeteria area.

Mr. Nahabet asked if he thought that financial circumstances should be taken into consideration in situations like this. Mr. LoCicero said he did, absolutely. By saying what he did, he didn't forgo the idea that making financial decisions. But if people could get a credit card to pay their bills, they just have more bills because of it. If the ASUC focused so much on money at the moment, the amount of problems UC Berkeley would have in ten years will be huge. If they put in places like Naia that don't seem to build a community, that will destroy the community even further than it already was. He personally felt there were problems in the community in being able to relate. If they look at UCSB, it doesn't have as much of a Greek environment because they have beaches and everybody parties there. It was a party school, and everyone who went there knew that. That was community to him. He's just saying what he felt was relatively important to making a community sustainable.

Ms. Cho asked if was referring to changes to the types of businesses in the Bear's Lair. Mr. LoCicero said he was concerned with those businesses.

Mr. Nahabet asked if he thought that things like Naia were bad, but at the same time they shouldn't change things and shouldn't take Naia out. He asked if Mr. LoCicero felt Lower Sproul had a perfect sense of community and shouldn't be changed, but thought Naia was inappropriate there. Ms. Pasco said speaking time had expired. A motion to extend by two minutes was made and seconded and passed with no objection. Mr. LoCicero said he personally didn't have any problems with Naia and didn't think it was a bad space. It doesn't hurt people to go there. He thought what they have is working really well and changing it might mess it up.

Mr. Mairena yielded time to a speaker from the floor. The speaker asked what he meant by keeping the community sustainable. Mr. LoCicero said he thought the community was sustained by the way people got to interact with each other. One of his worries was that if they take out the ways people interact. It was important for people to be able to interact with each other. College was a very special experience. They're able to come together in groups. The thing he liked about Lower Sproul was that it was one of the only places he could get something and go and sit. Even if he bought something not from the businesses there and took it there, he knew it would be a nice place to sit. There were no benches at Cal, and it was an austere environment.

Mr. Nahabet asked if he was aware that there are plans to increase foot traffic in Lower Sproul, which will increase the number of students who hang out there, which may help build a stronger community. Ms. Pasco said speaking time had expired. A motion to extend by three minutes was made and seconded

and passed with no objection. Mr. LoCicero said that would be cool. He'd like keep it a place where people could sit and enjoy themselves. He didn't know what steps were being taken for that to happen.

Ms. Shah asked if it was his opinion that Panda Express should not be brought on campus. Mr. LoCicero said it absolutely was.

Ms. Ude said she would like to thank him for coming and expressing his opinion. She would ask Senators to not ask questions that appear too much like an interrogation. It was very difficult to come into this space and be asked so many questions.

Ms. Dhar said revenue generated by Panda helps fund the ASUC, which would otherwise be funded by student fees. She asked if he's had a chance to look at the finances of the situation and if he had another proposal. Mr. LoCicero said he didn't, and his issue wasn't with the finances of the ASUC specifically, but with enjoying their time in college. He thought it was better to engrain a sense of community and harmony. That was much more important than money. Ms. Dhar asked if he was a part of any ASUC funded student groups. Mr. Nick said he has been. He was in GIANT for a while. Ms. Dhar said that if he was interested, she could send him proposals being considered. Mr. LoCicero said he was interested in that.

Ms. Rodriguez said she would encourage people to discuss this off the floor since there were other people waiting to make announcements. Ms. Pasco said speaking time had expired.

Ms. Pasco said the next speaker was Husam Zakharia. Mr. Zakharia said that after about three months since the notorious November 13 incident that happened on the 2nd floor of Eshleman, he finally obtained a copy of the official police report. He wanted to read some of it. The report was "University of California Police Department, Berkeley, CA 0019700." The offenses are Penal Code 242, battery, PC 422.6(a), assault, and PC 626.6, hate crime. The crimes listed were battery, hate crime, and seven-day campus exclusion.

There's a last of victims. The two suspects named are Weiner, Gabriel David and Moghtader, John Eddin. The placed report provides a list of witnesses, including their involvement and what they were doing.

The report states that at the time of the crimes, there was a student-organized concert taking place on Lower Sproul Plaza. The crimes occurred on a 2nd floor balcony.

On 11-13-08 at approximately 1745 hours, three males battered three Palestinian students in an attempt to remove Palestinian flags which were hung on the 2nd floor balcony of Eshleman Hall. The three verbalized anti-Arab words while doing so. "I issued a citation for one of the males per citizen's arrest for PC 242, battery. I issued citations to two of the Palestinian students per citizen's arrest for PC 242, battery. All subjects were released from the scene.

"On 11-13-08 at approximately 1745 hours, UCPD Dispatch received a call of a fight on the 2nd floor of Eshleman Hall involving multiple people. The entire UCPD team responded to Eshleman Hall.

"I arrived and saw people inside the lobby of Eshleman Hall casually leaving the building. I also saw two male suspects pushing past people trying to exit the area quickly. I called for both of them to stop. Both

subjects looked at me, saw I was dressed in full police uniform, turned away, and continued to exit. I stopped both subjects with the assistance of officers.... The two were detained. One was identified as Weiner.... The other subject, a white male adult in his 20s, was quickly determined to be a staffmember who never made it to the 2nd floor. He was then released.” Ms. Pasco said speaking time had expired. A motion to extend by four minutes was made and seconded and passed with no objection.

“Officers... went to the 2nd floor to look for victims, suspects, and witnesses.

“I was able to identify a person wearing a yellow Puma brand jacket who said he saw the entire event. The person identified himself as Amiga, Joseph, who told me the following.

“Amiga said he was on Lower Sproul watching the concert when he saw a young female hanging a Palestinian flag from the balcony of the 2nd floor.... [H]e soon after saw another person hang a second Palestinian flag next to the first one.... [H]e then saw another person come and attempt to hang a banner for the next to the two Palestinian flags. Amiga said the banner appeared to have an image of the Israeli flag. Soon after, there appeared to be an argument which quickly escalated into an altercation with several people involved.

“Amiga said he went up to the balcony along with several other people to try to help and break up the fight. Amiga stated that at one point during the altercation on the 2nd floor he lifted up a chair as a self-defense weapon. However, he never struck anyone in any way.

“Based on the facts I had at that time, I had Weiner released from his detention.

“Officers on the 2nd floor were able to identify several witnesses and possible involved parties. All of the witnesses’ and victims’ stories appeared to corroborate each other.”

Mr. Zakharia said the report names witnesses and provides statements from them all.

“I ran a local records check on Moghtader. I found that Moghtader and Weiner were involved together in disrupting an approved event sponsored by the Boalt Hall Committee for Human Rights, Students for Justice In Palestine, South Bay Mobilization, Law Students for Justice in Palestinian. During the disruption, an ASUC group called ‘Tikvah: Students for Israel’ used a siren from a bullhorn, stood up and shouted ‘From the river to the sea, Israel will be free,’ which disrupted the event before they left the auditorium. The disruption was videotaped and placed on YouTube. The video was seen by several UC staffmembers who identified Moghtader and Weiner as being involved in the disturbance.

“Based on statements from the victims, I decided to complete a warrant request for Moghtader for PC 242 with a PC 422.6(a) -- Hate Crime Enhancement. Ms. Pasco said speaking time had expired. A motion to extend by five minutes was made and seconded and passed with no objection.

“On 11-14-08 at approximately 1600 hours, a witness of the event named Salaheldin, Waleed came in to UCPD to give a statement regarding the incident. Salaheldin said Zakharia called him on his cell phone when the altercation began. Salaheldin said he heard Zakharia stating ‘Step Back! Don't touch her! Don't fucking touch her! Don't touch her!’ Salaheldin said he also heard Sawaya and Omar screaming, "Stop!"

“... Omar came to UCPD to meet with me to clarify part of her written statement and to document injuries she sustained during the confrontation the evening before.” Mr. Zakharia said the report then talks about the medical treatment she received.

Mr. Zakharia said the report continues with clarifying statements from himself and Mr. Salaheldin.

The report concludes with the DA recommendation, which was what was sent to the DA’s office by the UC Police Department. “Based on the numerous with statements and Weiner and Moghtader’s documented history of disrupting Palestinian student gatherings, I request that Weiner be charged with three counts of PC 242, with a PC 422.6(a) Hate Crime Enhancement and Moghtader be issued a warrant for the same charges.

“Additionally, it is my opinion from interviews and witness statements that Zakharia and Omar did strike Weiner, but that it was an act of self defense against Weiner and Moghtader. It is my opinion that Zakharia and Omar not be charged with battery.”

Mr. Zakharia said that concluded the police report. He couldn't really provide copies.

Ms. Pasco said the next Guest Announcement was from Anna Vu, from Healthy Heavenly Foods. Ms. Vu introduced herself and said she operated Healthy Heavenly Foods at the Bear's Lair. She worked really hard behind the counter, ten hours a day, and never had a layoff. Her business was her family income. She was there to ask for the Senate’s support. She was sorry that her English wasn't very good, but she could cook better than she could speak.

Ms. Vu said she recently received a letter from the ASUC to put her out of business. The Taqueria, the coffee shop, and the sandwich shop also received the notice. She felt this was very unfair to them. That’s why she was there. She would like to look for the Senate’s support. As a family, they work really hard and they make good food, at a good price, with good service, with food that’s healthy, and they make everybody happy. She had a lot of support from students and staff, and she had more than 1,000 signatures, which she brought to show them.

In the year 2000 she gave up her lease and Tom Cordi called her, even though she got a very good job working for a doctor. But he begged her to come back because the students liked her food, and he said that if she didn't come back he’d be in trouble, and the students would kick him out as ASUC Director. He called her back to invest money, so she invested \$100,000 for her kitchen. And in five years, he didn't give her a lease. Two years ago she heard about him moving to Florida and she told him she invested \$100,000, and said he had to give her a lease, or she couldn't go on. She only had two more years. The work was very stressful. Last year she ran out of the lease and asked for another. Ms. Pasco said speaking time had expired. A motion to extend by five minutes was made and seconded and passed with no objection.

Ms. Vu said she would love to stay in business because the economy was going down and nobody wanted to go out of business. And her business still survives for her family. She pays everything that was needed. She could pay higher rent if they want. And she could put improvements in her kitchen the way they want. But she needed a five-year lease so she could do that. Only verbally last year they said they would give her a lease, but there's been nothing on paper.

Ms. Vu said mom-and-pop restaurants still give them a good price. But if Panda Express or a big corporation came in, they'll take money, and the victims will be all the students. And there would be no more healthy food. So she would ask the Senate for its support. If they go with a big corporation she will lose. So she would ask them to please give her a lease. She'd improve her kitchen and would do whatever they said. High rent would be okay. Whatever they tell her. She always pays the rent and was never late. She signed up with the green program last year and separates everything, and recycles everything. Yesterday a health inspector came and everything was okay. Her whole system has been updated. She wanted to work and to keep her business, and she loved the students. She would ask them to please support her. She hoped they had a happy New Year and hoped they study well and have a good future. She wanted to thank them for their time. (Applause)

## REPRESENTATIVES TO THE ASUC REPORTS

### Report from the Faculty Representative

Prof. Lieu said he wanted to wish them a happy New Year. The Student Affairs Committee did not meet over the break so he really didn't have anything to report. The first meeting of the Committee will be next Wednesday at 2 o'clock in 320 Stephen's Hall. One topic they'll talk about was the affect of the budget cuts on the students. He was very interested in hearing whatever opinions or stories people may have about all of the recent budget cuts and how those cuts have affected them.

At the end of the semester last year he told them that the Chemistry Department was planning to cut one-third of the seats in general chemistry and organic chemistry, and similar cuts have been made by the Physics Department and the Mathematics Department. Prof. Lieu said he thought that had a direct affect on some students. If students have stories to tell, he be interested in them. They could e-mail him or could sit in on the Student Affairs Committee meeting. If they wanted to attend, he would ask them to please let him know so he could extend an invitation to them. He called for any questions.

Ms. Ude asked if he could elaborate on why there were cuts to chemistry and organic chemistry. Prof. Lieu said it was announced last year that the number of seats in general chemistry and organic chemistry were going to be reduced by one-third. In general chemistry, that represented about 240 seats. He believed there were 750 seats originally reserved in general chemistry, and that has now been reduced to about 500. People who need to take that class will no longer be able to do so. It was a budget-saving measure. The budget that's used to hire GSIs and lecturers was being dramatically reduced because of budget cuts. Some departments have chosen to respond in different ways. Chemistry reduced the number of available seats.

Ms. Ude asked if there was any idea of what will happen in the following semester to make up for this, for students who had to take these courses, or if any alternatives were being provided. Prof. Lieu said he didn't know because he wasn't in Chemistry. He's in Mechanical Engineering, and his Department Chair told him that he was told by his superiors in the University to expect these budget cuts to be permanent. Seeing no further questions Ms. Pasco said she would like to thank him for his report.

Mr. Owens moved to go to Appointed Official Reports. The motion was seconded by Ms. Yang and passed with no objection.

Report from the Solicitor General

Mr. Hollihan said he sent out an e-mail Tuesday night, but he wanted to say in person that he was taking representation from Attorney General Sinanian for the ASUC Senate in the Moghtader case before the Judicial Council on Thursday regarding the recall election. It was kind of short notice, but Mr. Hollihan said he felt that his job sort of obligated him to represent the Senate. He wanted to make it a point that it should be admired that AG Sinanian had an ethical conflict and refused to represent the Senate. While that violated his job duties, it sets a moral standard that was above the other obligations. Mr. Hollihan said he felt that was commendable. Mr. Sinanian will assist him, or work in tandem with him on Thursday. If anybody had any assistance they could offer to the case, Mr. Hollihan said they should let him know. He called for any questions or comments.

Ms. Shah asked if he thought it was appropriate that AG Sinanian worked on the case when he had a conflict of interest with it, even if it was just to assist the Solicitor General. Mr. Hollihan said he thought what Mr. Sinanian should do what was his right. It was up to Mr. Sinanian to decide if that meant he'd be involved, but not to the extent of was representing the case, or if he was merely an observer, or assisting in researching and presenting arguments. Mr. Hollihan said he didn't claim to be a judge of moral standards. He was glad Mr. Sinanian was helping, and Mr. Hollihan said he looked forward to the assistance in whatever capacity Mr. Sinanian felt was right.

Ms. Shah asked about Mr. Sinanian serving on the opposing side when he was supposed to represent the ASUC, and if that was conflictual. Mr. Hollihan said he thought it would be less for somebody who had a moral objection to do it. Mr. Sinanian had just enough problems to not be able to represent the Senate. People could speak to Mr. Sinanian about that. Mr. Hollihan said that to the best of his ability, he will represent the ASUC Senate. And that was the extent to which he would like to talk about Mr. Sinanian's involvement. People should ask Mr. Sinanian these questions.

Ms. Hussain asked if he has received the amicus curiae brief from Nathan Shaffer. Mr. Hollihan said he didn't have a laptop and has been at the hospital all morning with his very pregnant wife. He hasn't been home to check his e-mail, so he wasn't sure. Mr. Shaffer said he was going to send him a brief that evening. Ms. Pasco said that seeing no further questions she would like to thank him for his report.

Mr. Mairena moved to go back to Reports from ASUC Representatives. The motion was seconded by Ms. Ude and passed with no objection.

Report from the Chancellor's Designee

Mr. Poullard said he wanted to wish them a happy New Year. He sent them an e-mail rally that week regarding the insurance liability issue. Marcia Riley is in the process of getting the automation done. For

the next two weeks students will simply need to call her if they're doing an event that requires insurance. Ms. Riley will issue the insurance rider and they'll have the coverage they need to protect the event. They'll pilot the Web portal for this on February 2-3, and then the portal will go live on February 5. So within two weeks this will be completely automated, and students will be able to get insurance for their events online when they need to have that done. If there are questions, concerns, or confusion, he would ask them to please contact Amanda Carlton, in the Center for Student Leadership. He would ask them to please let their constituencies understand what this process will be in the next two weeks and then what will happen in February.

Mr. Poullard said he went to a meeting that day with Pres. Winston, Pres. Daal, and the Chief-of-Staff for the GA, other staff, and their outside consultant, regarding Lower Sproul, specifically the campaign that they'll need to have in order to run the referendum for spring 2010, and what it will take to garner support for students to actually do the improvements to Sproul that people really want to do. He wanted to commend both Presidents for their consistency and their advocacy in making sure student interests were present in the discussion as they continue to move forward in this process of renovating Eshleman Hall and MLK, and making sure they have a safe space physically in these buildings for all students. So when people see them, he would ask them to please extend their congratulations for keeping students front and center in those conversations.

Mr. Poullard said that last Friday on campus he gave a keynote lecture for a conference on campus. The lecture was to people who work in his profession, student affairs, across the State, at universities across the State. He decided that his keynote would be more about the heart and people's humanity than about the work they do and about their practices and policies. It was very timely he thought, given what happened that day. It was a continuation of the ongoing angst that seems to continue to plague their campus.

Mr. Poullard said he had some apologies to give. He owed Sen. Shah an apology because she challenged him that day to think about what his role was as the Dean of Students in squashing and dealing with the ongoing angst involved in a lot of issues happening on campus. She pushed him to think about his role, what he was doing, and how his behavior might not contribute to a positive outcome.

Mr. Poullard said he also owed an apology to Sen. Moghtader and other Senators in Tikvah. Last spring, after they had ongoing things with the die-in, a request was made to him by these students to meet with him individually first before they met with members of Students for Justice In Palestine. Mr. Poullard said he told them he wouldn't, because after he saw the video he wanted all the students to be in the room at the same time when they were having a conversation. He thought that that decision might have inadvertently caused more angst than was necessary. To be able to do that in a forum like this was something he hoped they could do as a community, in an ongoing way. They all make mistakes and they all mess up. But hopefully they could remember they each have humanity, and could think about how they move forward in a way that was good for the entire community, and not just one's individual community. So as he closed the speech, he was heartened that maybe there might be a way for them to continue to come together as a broader community.

Mr. Poullard said he was very happy he was meeting with students that evening at 10 o'clock. And he will meet with more students next week, and meet with community members. He attempted to meet with members of the community off-campus to help him think about this ongoing conflict on their campus; and they have been very beneficial and very helpful to him. Again, he wasn't invested in ego there and was invested in how they move forward as a community.

Mr. Poullard said he wanted to close with a piece that wasn't completely relevant, but was appropriate. He was sure that not many of them knew that following the official end of apartheid in South Africa, the Truth and Reconciliation Commission came out of that, as part of Nelson Mandela's healing and moving forward every apartheid. There was a woman, Pumla Gobodo-Madikizela, who was a part of the Commission. She was a psychoanalyst, a black South African, who was the person who actually interviewed Eugene De Kock, known as "Prime 1 Evil," responsible for killing thousands upon thousands of people in South Africa. Ms. Gobodo interviewed him, and the book was really about what the healing and reconciliation process looked like. She wrote a book, A Human Being Died That Night, where she chronicled her interviews with him and looked at how she developed community and how she found a way to think about how the nation needed to heal. Recognizing what's going on at that time in Israel and Palestine, they have not had a resolution. And it's really hard for them to have healing when they feel they have no resolution. And yet, Mr. Poullard said he kept wondering when that process would begin and what the responsibility of the campus would be in that, and what his role was in making that process happen.

Mr. Poullard said he would read a little part. Following some of her interviews, she did a presentation at a psychoanalysts convention and he'd read what she wrote:

The first real turning point for me regarding my conflicted feelings towards De Kock came about five months after the trigger episode. At the first psychoanalytic in Cape Town, in April, 1998 I presented for the first time the psychoanalytic interpretation of my interview with Du Kat. During the question period a colleague asked whether I had considered the possibility that De Kock was manipulating me. I had expected that question and was prepared to answer it. But before I could respond, Albee Sax, a judge on South Africa's constitutional court, raised his arm, an arm that had been damaged by a bomb intended to kill him in Mozambique. Instead of answering myself, I called on him. The packed room filled with psychoanalysts from both America, the UK, and South Africa, grew hushed. Sax spoke about how important it was to seize these men's humanity and how much our hope in South Africa depended on reaching out to such glimpses of humanity, in a spirit of compassion instead of revenge. Albee Sax's words were all the more compelling to me because as he spoke, he was gesturing with his cut-off arm.

Mr. Poullard said he didn't know what it will take for their campus to heal, but he did know that they had to do it. They had to figure that out. And if he had a part to play in that, he was more than will to do that. If people can find healing in South Africa in the face of such tragedy, destruction, and violence, then they had to find it here as well. He called for any questions.

Ms. Yang asked if there's been much PR about the new insurance policy. Mr. Poullard said it's gone out to all of the managers of space facilities on campus because they need to understand what they must do if a student group requests space in their particular facility. If students need insurance, these managers will now redirect students to call Ms. Riley. They'll do a huge campaign for the online process. Seeing no further questions, Ms. Pasco said she would like to thank him very much.

Report from the UCPD Liaison

Sgt. Tucker said it was good to be back. He wanted to wish them a happy New Year, and a happy Chinese New Year, which was coming up. He had two Crime Alerts to distribute. There were a few more that came out during Winter Break, but he distributed the two most recent. The rest were on the UCPD Web site, [police@berkeley.edu](mailto:police@berkeley.edu).

Sgt. Tucker said that anecdotally, it seemed that the break was a relatively quiet period for the police. Officers were on preventative patrol in and around campus buildings and facilities and prevented crimes before they occurred. They did have a series of burglaries at University Village, Albany, with at least one suspect, and he believed that person was arrested.

As for a few specific events, on the 20th of December, just after midnight, they arrested two prowlers at Barrows Hall for trespassing, destruction of property, and possession of methamphetamine. On January 4, after midnight, an officer was hailed by a passing driver on Bancroft Way and was told about two persons trying to steal bicycles at the RSF. Officers went to that location, found the suspects, and discovered one of them was in possession of an imitation firearm. Warrants were issued for their arrest. So this was an example of a great observation and the police looking into it; and Sgt. Tucker said he believed they prevented some robberies that night with that arrest. Similarly, on January 12, at about 10 p.m., officers saw some folks on campus near Morrison Hall, juveniles, and they were discovered to be in possession of an imitation firearm. Probably once again, some robberies were prevented. And more recently, on the 15th, there was a report of a robbery in Berkeley in progress at 2601 Channing. Officers heard the call and were first on the scene. They recognized and arrested the suspects in that case.

Sgt. Tucker said that doesn't mean there weren't some burglaries that occurred and some property theft. If people know of someone who experienced a theft over the Winter Break, they should report that to the Police Department, the UCPD or the City, because they definitely want to know about it.

Sgt. Tucker said that there were a couple of big events that week. They had one of the biggest crowds he's seen on Sproul Plaza in quite a while, watching the inauguration. He's heard estimates of 9-10,000 people, which seemed about right. There was one minor medical issue, but other than that, no problems. A crowd that impressed him just as much was on Sunday at the women's basketball game. It was a fantastic game for Cal. They have the #8 basketball team. He's been to a couple of games with his daughter, and it's a great event. He wished they could get more people to go. It was one way to build community.

Sgt. Tucker said he was excited to be working with Sens. Shah and Owens on a project to organize a student panel for some upcoming training for the Police Department. He'll sit down and talk about panelists who might make a presentation to officers. It's an opportunity for the police to learn more about current perspectives and opinions and have students that represent as wide a selection of culture and community as possible, given their limited space and time. If people have any thoughts they want to share, he would ask them to please do so. They're not just looking for reps of student government, but anyone who might be able to fulfill that role. The panel will probably occur early in the morning, with two different sessions for each part of the Department. If people had any thoughts on this, he would ask them to please share them. Also, the next student forum was scheduled at 4 p.m. on the 2nd floor of Eshleman. He called for any questions.

Ms. Raffi yielded time to Husam Zakharia. Mr. Zakharia said the back tire of his bike was stolen recently, and if the police found it, he asked if they could let him know so he could take care of the situation. Sgt. Tucker said they don't do that, and asked if he made a police report.

Report from the UCPD Liaison (cont'd)  
Report from the President  
Report from the Academic Affairs Vice President

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Mr. Owens asked about his knowledge of what happened at the flagpole at VLSB, and if it was an offense to do that. Sgt. Tucker said he was referring to the fact that in the early afternoon, he believed, a flag that normally flies on the west side of California Hall was replaced would a flag from Palestine. It was technical a rules violation.

Ms. Raffi asked how they could go about obtaining a police report. Sgt. Tucker said they should contact the police Records Unit during normal business hours. They could call, 642-6760, and they'd release what they could.

Ms. Raffi asked what types of citations would be received for if was another incident with a flag being replaced on a University flagpole. Sgt. Tucker said it's an official University fixture and no one was allowed to post anything there. It was probably a technical violation of the rules. He'd suppose it could develop into something further, although he didn't know exactly what that might be. Seeing no further questions, Ms. Pasco said she would like to thank him for his report.

Ms. Winston moved to go to Executive Officer reports. The motion was seconded by Ms. Shah and passed with no objection.

#### Report from the President

Ms. Winston said she wanted to make nominations for the J-Council. One graduate student stepped down, as did the previous Chair, Allison Day, in order to study abroad. For the undergrad position she was nominating Megan Cummins, Melissa Demetral, and Brandon Speer. For the GA seat she had Summet Ajmani, Tania Valdez, and John Sylak.

Ms. Winston said she recently spoke to one of the women currently serving on the Judicial Council, and she might be stepping down as well. She'll e-mail the names of the nominees to the Chair of Con-Review. She wanted to wish them a happy New Year.

#### Report from the Academic Affairs Vice President

Mr. De la Cruz said he hoped people had a good break. It's been a busy first week for the AAVP's office. They have four programs starting in the next two weeks. One of the largest and most publicized was Spring Welcome Week. They had a large range of events from Tuesday through Friday, from an Environmental Sustainability Forum, Queer Au Lait, a venue for queer-oriented student groups to come out and meet spring admits, and that evening they're having a movie screening. On Thursday they'll have an arts forum in Heller Lounge. On Friday they'll have a concert in collaboration with SUPERB.

Mr. De la Cruz said they were pleased about the attendance so far. For the student organization fair held on Tuesday in Pauley, they had over 75 student groups, a really good turnout.

Mr. De la Cruz said that week they also have a Bookswap, ending on Monday. That day was really busy. They expect to have this one of the largest ever in terms of the number of books taken in and sold. The Undergraduate/Graduate Mentorship Program and the Research DE-Cals will have their first sessions next Monday from 4:00 to 5:00 and 5:00 to 6:00. He'll e-mail out the locations. For the Mentorship Program, 40 grad and undergrad students are participating. They're paired off in terms of majors, interests, what people want to do, and personality type. Everyone was welcome to the reception. The Research DE-Cal also has up to 38 students registered on Tele-BEARS. Last year they had 22 students.

Mr. De la Cruz said he sent the Senate an e-mail about Bears Breaking Boundaries. It's ready to announce its competition and people will begin to see a lot of posters around campus. It's an \$80,000 awards competition available to all students, undergrads and grads. In this competition, students submit an idea, such as for CalTV, the Berkeley Project, or the Green Bike Share program, and they could potentially get up to \$10,000 to fund the project.

Mr. De la Cruz said that week he met with Cathy Koshland and Miguel Daal to discuss the Welcome Week calendar, the academic calendar, affordability, and Cal Performances space for student groups. Mr. De la Cruz said he'll give the Senate updates as new developments arise. He also met with the Academic Senate regarding CAPRA. They discussed the budget and also met the Student Advisory Council on Undergraduate Education and also discussed the budget. When things become more solidified, he'll report to the Senate. The budget was in flux and people were hearing a lot of different things. But students should be prepared for at least a 10% increase in student fees. Hopefully their EAVP, with the UCSA, could help lobby against that. Students should expect shrinkage in faculty hiring and potentially more cuts to classes. Mr. De la Cruz said he was in constant discussion with faculty about how this will affect students. He met with Vice Chancellor Basri, of Equity and Inclusion, to discuss how they could avoid drastic cuts to certain programs, like Japanese Studies.

In terms of the office, they'll hold their staff-wide retreat on Saturday and Sunday at the Center for Deliverable Organizing. He called for any questions. Ms. Pasco said that seeing no questions, she would like to thank him very much.

Mr. De la Cruz said he'd pass out T-shirt and posters for Spring Welcome Week.

Ms. Pasco said the Chair would entertain a motion to move back to Representatives to the ASUC Reports. It was so moved and seconded by Ms. Rodriguez and Ms. Tran and passed with no objection.

#### Report from the Graduate Assembly Representative

Mr. Daal said there will be a Lower Sproul Student Council meeting next Tuesday at 6 p.m. There's a conflict between that meeting and the Store Operations Board meeting, so they'll verify the time and date. The next GA meeting will be held February 5 at 5 o'clock, if they want to be there for dinner. At the meeting, Vice Chancellor Brostrom, for Administration, will come and present on the budget. So if people were interested in learning about that situation, they should consider attending.

Mr. Daal said the GA passed a Resolution to direct him to get course evaluation statistics online, the summary of course evaluations that students fill out at the end of their classes. He would be interested in knowing the most helpful things about a course that one could get from a course evaluation, things they'd like to see online, things they'd really like to know in choosing a course by a certain professor. He would ask Senators to please send him an e-mail of their thoughts about that. It will help this endeavor. The Graduate Assembly will have its annual Women of Color Conference on February 15, Valentine's Day: "Revolutionary Love: From 'Me' to 'We': Redefining Intimacy and Activism." It sounded luscious. He would invite all of them, of both sexes, to attend. It will be a wonderful event, as it has been for the past 30 years. Finally, he hoped they had a wonderful break. He called for any questions. Ms. Pasco said she would like to thank him for his report.

Ms. Pasco said the Chair would entertain a motion for a five-minute recess. It was so moved and seconded by Mr. Mairena and Ms. Shah and passed with no objection. This meeting was recessed.

On a point of personal privilege, Ms. Raffi said that if recess was for five minutes, and that time expired, she asked if they should resume the meeting. Ms. Pasco said that was correct.

#### Report from the ASUC Store Operations Board

Mr. Permaul said he wanted to welcome them to the New Year. He wanted to congratulate the EVP for the way in which she has handled that past semester. It's never easy to sit in that chair, and last semester has been a semester with probably the longest meetings in memory of the ASUC Senate. So he would like to congratulate her for her perseverance. (Applause)

Mr. Permaul said the SOB meeting for January will take place next Tuesday at 6 p.m. in the Senate Chamber. He wanted to briefly talk about some of what went on during the break. Repairs to the elevators were finally complete, thank goodness. New floors were installed in them, in both Martin Luther King and Eshleman Hall.

Their security meeting with UCPD was being scheduled again. They keep trying to get Capt. Bennett to come over and talk to them about cameras, locks, and how they can finance improvements in the building. He believed there will be some discussion about the security office on the 1st floor and whether or not that was the best place to put someone to observe access to the building. What they're finding is that doors are propped open even during times when someone is in the security office, since given their sight-lines, they can't see the doors. So even with a security person in the building, the building sometimes wasn't secure. So issues of how to best secure access to the building will come up.

There was an unfortunate incident on the first day of instruction, Tuesday, with a blockage in the sewer line from the Student Union complex. It resulted in effluence coming in to the basement of Eshleman and into the basement of Cesar Chavez, and then going into the outflow to Strawberry Creek. It happened because their Bear's Lair Food Court vendors don't follow the rules they're supposed to follow as stated in their contracts, and they dump oil and grease down the traps at their locations. The Auxiliary will now

have to meet with Environmental Health and Safety, and the ASUC will probably be required to take some financial measures in order to ensure that grease going down from the Bear's Lair Food Court is stopped and that the vendors follow campus policies and procedures. There are some pretty dire consequences to the ASUC if they don't.

Mr. Permaul said The Scholar's Workstation @ the ASUC is open. That business will probably generate significant amounts of revenue to the ASUC. It's a service that students spend almost \$4.5 million on every year, the first Monday of the New Year, which meant the campus' requirements. The campus version of The Scholar's Workstation still wasn't open and there was no estimate about when that will happen. But the Auxiliary's TSW was open and was doing a brisk business with students since the opening.

Regarding the Daily Cal proposal, Mr. Permaul said it was still pending. He would anticipate that the SOB, at the behest of the student on it, will take action at its next meeting. The students on the Board, who meet on their own to caucus, have been directing the Board and the Auxiliary and advising how they want to proceed with that contract.

Regarding the Art Studio, it has a fresh coat of paint throughout the entire facility to start the semester. The floor space has been completely reorganized, with the location of the computers having been changed, and a new classroom has opened. There are also several new classes being given that spring, including "The Process of Painting," a non-fiction workshop, image transfers, raku glaze making, and shadowbox art, just to name a few. The Auxiliary was very excited to unveil a new permanent, retail space there, and the Studio now accepts the Cal 1 Card, making it easier to pick up a gift or sign up for a class. He would encourage Senators to take a look at the Art Studio and see the work their new Manager, Kate Wees, has been doing there. She's been doing a fantastic job and it looks fabulous.

Regarding the Bear's Lair Food Court, Mr. Permaul said that in spite of the fact that their vendors are very charming people, their grip on reality was, at best, lacking. First of all, a decision of the SOB to put those leases out to bid was a decision of the students, including the President of the ASUC and the President of the Graduate Assembly, who were present that evening. It was their decision, as a group of students, to advance putting those leases out to bid, at the last Board meeting, a proposal made to the full Board, which the full Board accepted. Mr. Permaul said he wanted to make sure the Senate clearly understood that it was their leadership that has advanced the concept of putting those leases out to bid.

As for ensuring Code compliance, they heard Ms. Vu say that evening that she got that day code compliance. She was correct, but for eight months, she's been out of compliance. And in December, the University Department of Environmental Health and Safety, closed down her kitchen and she was not able to cook hot food there up until that day. In fact, that morning, he got an e-mail from the Manager of the Bear's Lair Pub. He read the following:

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Begin e-mail from the Pub Manager

I wanted to make you aware that when Jose and I came today into the Bear's Lair Pub, they found Ana, from Asian foods, cooking chicken in our oven. She did not have my permission to do so and I was very surprised, to say the least. The conversation that followed was not very pleasant. And as I demanded the chicken be removed and that she never use our oven again without permission.

End e-mail from the Pub Manager  
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Mr. Permaul said the reason why his predecessor did not extend the contract for Healthy Heavenly Foods was precisely because they got very little cooperation or compliance from Ms. Vu. The SOB, and the students on it, have taken the same decision. It's one thing to be charming and pleasant, but it's another thing, as Pres. Obama said on Tuesday in his Inaugural Speech, to be responsible and to put childish things aside. Mr. Permaul said this government had to be responsible about the delta between its revenues and its expenses. It's just like all the other governments that are around. It's not paying its bills and was about to go into serious problems financially. He'll talk about that later, and the impact on their budget of the election they're holding that semester. They can't, on the one hand, expend dollars and on the other hand want to give away their spaces that generate revenue and provide a sort of commercial welfare when, in fact, these services are intended not only to serve students, but to provide them with revenue that supports student activities. So he would ask people to get real about this. Those who want to learn about this should attend the SOB meetings and understand how their business operates. It's their business and it's what made it possible for their government to operate.

As for greening, the SOB in essence, asked the Food Court vendors to meet Alameda County standards for green restaurants. They have not been willing to. One reason the Board wanted to go out to bid was to put that expectation into the new RFP.

Regarding revenues and point-of-sale cash registers to track incidental income and revenues, the ASUC had no idea what revenues were being produced by the Food Court businesses because the contracts that were provided for them, decades ago, did not require the businesses to show the Auxiliary their revenue statements. So the Auxiliary didn't know how much money they were making vis-à-vis the rent they pay. And the vendors don't pay the ASUC money on the increase in their sales. So the Board in essence, has requested that the those businesses now function like the Cal Student Store, Naia, and their other businesses, which not only give the Auxiliary rent, but provide them with incremental revenue based on sales.

Finally, Mr. Permaul said that regarding common area upgrades, the Bear's Lair Pub was willing to invest a substantial amount of money to improve its space, but didn't want to do so unless the common area of the Bear's Lair Food Court was improved. The other vendors have not been willing to do that. Mr. Permaul said that for the last two years, since he's been there, he's asked two of the businesses to provide him, as their contracts call for, with plans to improve their spaces. If any Senators thought one of the businesses in the Bear's Lair Food Court has expended \$100,000 to improve their space, they could take a vote on that. Such a proposition was ridiculous. The Auxiliary has been asking them for the last two years to improve those spaces and to give the Auxiliary plans to do so; and they have not. So that was another reason why the SOB decided it was time to go out to RFP.

Mr. Permaul said the Chair of the SOB met with their vendors in the Food Court and invited all of them to bid on those spaces, saying the Board wanted them to stay if they were willing to be compliant with the requirements of their contracts. So for Bear's Lair Food Court vendors to come and plead with the Senate to supercede the SOB was sort of a slap in the face, in essence, to their own student leadership. The vendors haven't been meeting the agreements they had, and working through the details of business operations. In fact, the day after the meeting that he held for the vendors to let them know that this change was coming, and personally gave them the letters, they rushed over to the campus to try and supercede the ASUC. They wanted to have a campus administrator overturn the decision of the SOB, and force the Auxiliary to give them contracts. The vendors didn't realize they couldn't do that. So the Senate wasn't the first group the vendors have gone to.

Mr. Permaul said he was sounding a little harsh, but he wanted the Senate to get real about this. It wasn't just about playing games, but about support for the ASUC. The ASUC had to keep itself solvent and operational. This was the ASUC's business, and that's what they paid him for, to come and tell them about these matters, and to be very frank.

Mr. Permaul said he'll present a draft of the RFP to the SOB on Tuesday and he would welcome any Senators to come and take a look at it.

Regarding Lower Sproul planning, Mr. Permaul said the Finance Subcommittee met in December to review a fundraising model developed by him and Maryellen Himell, of the Student Affairs Development Office in Undergraduate Affairs. One concern they had was that they went through the 1,000 names on the list of former ASUC Senators and Executive Officers, as well as the thousands of student names that they have for former student group leadership on the campus, and they're still not sure that there was a large enough pool of donors to actually meet the model of their fundraising scheme. So they have some challenges facing them. He will send out material to the student committee reviewing revenue needs for the ASUC, the GA, and the Auxiliary over the next five to ten years, as an element of the analysis of the full Subcommittee. Once again, he would welcome Senators to attend either of the Subcommittee meetings or to ask him about those models.

He thought Senators would find it very interesting to see the projections and needs for revenue are from the ASUC, the GA, and the Auxiliary, over the next five to ten years. He's said this before to them, and he'd say it again. They need at least an increase of somewhere between 4.5% and 5% of new revenue every year to keep their existing financial model sustainable. When they had the sustainability conference, the professor who spoke first, from the College of Environmental Design, talked about three legs to the model of sustainability. One of those three legs was financial sustainability. That's because one can't afford to be green unless they could afford to be green. So part of this was the business of making sure that revenue was generated to be able to do what the ASUC wanted to do.

As for other business, regarding final exams in MLK, it worked. Not only did the Blue & Gold Gyms not have to be closed, but the Auxiliary was successful in hosting the exams in the Student Union. It was convenient, easy for students, and it was pretty pleasant tabulate come there and have food, coffee, and other things, and have a library close by that students can use. So the Auxiliary hoped that they have now established a pattern and that they'll continue to be able to hold finals in the Student Union each year.

Mr. Permaul said that for another dose of reality, as the advisor to student government, he would give the Senate the factual material that the election has entailed for them. The Auxiliary met with the Elections Council Chair. For historical insight into issues of the elections, in 2004, the ASUC held its first online election. Because of how logistics and planning were done, it cost \$80,000-plus to hold the election at that time. The current election proposal will cost the same whether 1,000 persons vote or 10,000 vote. The budget for 08-09 includes \$48,000 for elections. But because there will be two elections, the ASUC will need to find funding to meet the costs. That funding will probably come from funds encumbered for other programs in the ASUC's budget. So the ASUC should be thinking now where it will get an additional \$48,000 in their current budget to be able to hold a second election.

In addition, Mr. Permaul said that on January 26, next Monday, the Elections Council Chair will report on her findings. The Auxiliary will recommend at least one month to prepare for elections. Among the tasks that will need to be accomplished, according to David Fullmer, the IT Manager, election-configured

laptops must be secured from a vendor, and then delivered and tested. Existing hardware and infrastructure on-site needs to be tested, including cable locks, Internet cables, power cords, and switches, something they do for every election. Technical staff needed to be arranged for the day of the election as well. If the ASUC were to hold this election next Monday, they would have had to have done a lot of stuff over the Winter Break. The ASUC By-laws are inadequate to deal with either a recall election or the contemporary use of online services.

Mr. Permaul said that in the By-laws, Sections 2.8 and 2.9 are aimed at printed ballots and paper elections. Nowhere do the By-laws discuss electronic elections. Issues surrounding electronic elections need to be written into the By-laws. And since they're going through this experience this year, he would strongly recommend that Con-Review take a look at this.

Regarding signage, Mr. Permaul said that at his direction, the ASUC Auxiliary was developing a coordinated interior and exterior signage program that they hope will develop a professional message for the ASUC and Auxiliary facilities, services, and programs. Their goal was to create a unified look without being identical. That would include established templates. As they saw on the doors when they came back from the holidays, the signage for hours of the building and the places to put notices, such as, e.g., Chancellor's events, the inauguration, or Spring Welcome Week, when used by those who wish to post in buildings, will hopefully have consistent, approved fonts and logos, with signage guidelines for the ASUC and the GA.

Mr. Permaul said they also want to create by the summer of '09 an online ordering system for signs and posters for student groups. They also want to establish a sign program to enforce the guidelines. They've identified individuals in each program to do that.

Mr. Permaul said The Green Initiative Fund asked him to pass out to all of them notices of where to go to apply for the next round of The Green Initiative Fund grants. That period was coming up again, and Senators were encouraged to notify student groups so the campus can see more programs for sustainability and greening come to the Student Union.

Mr. Permaul said he also wanted to point out to them that next Monday will be the grand opening for The Scholar's Workstation for students. There will be drawings of hardware, software, a ribbon cutting, a Guitar Hero contest, all kinds of stuff. The President and the Chair of the Store Operations Board will speak. The Vice Chancellor for Administration will be there, along with the CIO for the campus. The Cal Band and Oski will be there. It will be a celebration, of an accomplishment of students to provide student services for students and generate support for student programs. So he hoped all members of the ASUC Senate will be there. He called for any questions.

Ms. Raffi said that referring to the point about revenues having to increase 4-5% per year, she asked if that was being covered by the amount of money they have in carryforward. Mr. Permaul said the way in which the ASUC, over the last three or four years managed to get residual from the Commercial Holding Account was because the Auxiliary kept the number of its positions vacant. But those positions that were kept vacant were preventing the ASUC from generating revenue. It was a vicious cycle. They have now filled those positions. As a result, they've taken ASUC Lecture Notes out of the red and into the black. They're halfway to getting the Art Studio in the black. Both of those programs had been using money from ASUC revenues for 20 years, and they were now both almost in the black. The ASUC Cal Lodge has cut its deficit in half. So by filling the positions they didn't have, they were improving areas

that had been using ASUC funds to operate. Also, the Blue & Gold still owes money to student government and was now in a position to start to return revenue. They had to have the people in order to make it possible for the Auxiliary to bring the businesses in, manage them properly, and produce the revenue that they're supposed to for students. So it was a false picture that revenue was being returned to the ASUC, because during all those years, expenses were going up.

The Auxiliary only has 27 people. The RSF has 60 full-time staffpeople. University Health Services has 100 full-time staff. Intercollegiate Athletics has maybe 200. The ASUC has 27 to serve all their programs and run their operations. Seventy-five percent of those 27 people in the budget were their salaries and benefits. Those go up every year the University gives a salary increase. This year there will be none. No employees of the University will get a salary increase because of the budget crisis. But on average, such increases are about 3.5-4%. That left about 1% of additional revenue going to all the other expenses, increases in utilities, requirements to meet code compliance, all the things that have to be done. So it was just a very basic economic question.

Mr. Permaul said people heard that past year that businesses around the country at Christmas time were hurting because some of them not only had drops, but had 2-3% decreases. That wasn't enough when they those businesses make 50-60% of their annual revenue at one time of the year to cover 4.5-5% annual growth. Those were just practical realities.

Mr. Permaul said he would continue to say this mantra because people need to understand it. It was critical that the ASUC live up to its obligations that it signed with the Chancellor in the Commercial Activities Agreement.

Ms. Ude said that on the subject of supplies for the election, she asked if the ASUC buys computers and locks each year or if they use the ones they have. Mr. Permaul said they rent them. In the first online election in 2004, the ASUC actually provided 100 laptops because it wasn't sure how many would vote at polling places. Now they only need about 30, which they rent each year, as it's more cost effective to do that. They basically only use them one time. And the laptops are configured in a particularly way. Staffing, of course, was a one-time expense. He was sure the Elections Council Chair will speak to that later on. They assume they're having a full election. They can't assume they'll have a partial election. They have to cover for the potential costs of what they'd have as a normal turnout in an election.

Ms. Ude asked if The Scholar's Workstation will now be a part of MLK Student Union, the ASUC. Mr. Permaul said it will, absolutely. What they negotiated with The Scholar's Workstation @ the Cal Student Store was to have TSW be under the Auxiliary's contract with Follett, so the Auxiliary will not only get the rent from Follett, but any increases in revenue. Under the financial model they have with Follett, which was extremely generous, if they do generate millions of dollars in revenue, the Auxiliary gets a percentage of those sales.

Ms. Ude asked if they still get the 10% discount at TSW for electronics and other things they sell. Mr. Permaul said that was a good question and he'd find out. Mr. Mairena said he already asked, and the answer was no.

Mr. Sakaue asked how Senators and students could acquire financial statements. Mr. Permaul said they're provided to the student government already, and were given to the Finance Officer of the ASUC.

Ms. Rodriguez asked how accessible the SOB was to vendors. Mr. Permaul said vendors were always welcome to attend SOB meetings, and they have done so before, many times. They were invited to the upcoming meeting. They're delighted to have everybody come and participate in the activities of student government.

Ms. Rodriguez asked if the SOB was planning to invite the vendors to its next meeting. Mr. Permaul said they held a separate meeting for the vendors and had the Chair of the SOB, a student, attend and answer questions. The vendors don't participate at meetings per se. They could come and make statements and give reports and give an account of what they're doing, but they're not actual members of the Board.

Ms. Rodriguez asked if he thought that one reason the vendors went to some administrators might be an indication that they don't know how the process worked yet. That's why she asked how accessible the Board was. Mr. Permaul said this was the tenth or twelfth time the vendors have done that. Sometimes they go to the Chancellor and sometimes to others. But this was not the first time they've gone to administrators. Ms. Vu wrote to the Chancellor last year and has written to Ron Coley, his boss, previously. Ms. Vu met with Mr. Coley last year. So this was certainly not her first time, and Ms. Vu was pretty aware of how things work.

Ms. Hussain asked why debit cards can't be used in the Food Court. Mr. Permaul said that if they had a commercial 1 Card for all students, then it would be part of the card and they could extend that service to any vendor who was willing to pay for card usage. Vendors get a reader and the credit card companies get a percentage to allow people to use those cards. At this point there's no advantage for the vendors to do that because they don't know how many of their potential customers would use a card. They do allow credit cards, but he believed Ms. Hussain was talking about debit cards. The Auxiliary was trying to work to get a commercial 1 Card for students. If that happened, people could use it at the Food Court, or anywhere else on campus or in the country. Vendors would be willing to make that investment because they would know all students would be able to use it.

Ms. Shah said that in light of his recommendations for the recall to alleviate costs, she asked what he'd recommend, and if he would suggest that filing an Advisory Opinion with the Judicial Council to have the election online only, and if that would alleviate costs. Recalls have not really reached this point before, and there was usually a recommendation. So she asked what he would recommend, particularly in light of the police report that was released.

Mr. Permaul said that she'll recall that when this first came up, he said to all of them that he thought that the By-laws needed to be changed and addressed in order to cover accountability of people sitting in public office, because governments do have standards of accountability. They could see what was happening in Illinois, with Gov. Blagojevich. It wasn't as if someone was actually being convicted of a crime. The government in the State of Illinois was saying that there are standards of conduct that need to be met and that they, as a political body, had a right to establish what those standards were and to enforce them. So it's not really a matter of having a rule that covered every kind of conduct, but of establishing a standard of conduct and holding everybody accountable. He thought that was the appropriate place for that that take place. He didn't think it was appropriate for him to make any recommendation on sanctions against members of the Senate, which was the jurisdiction of the body or the student body. He also thought the whole issue of the election was one of rule that has been established by the Judicial Council. He just wanted to let them know what the potential consequences might be and that the Senate now had to address how to cover those costs and to implement the consequences of those decisions. It was their own

rule of law that was taking place. It's established and it's moving forward. But he wasn't sure that everybody was aware that the budget was finite and that the dollars that they have earmarked for other purposes during the course of that year may have to be used in order to cover the expenses that will accrue because of this particular event. That's all he wanted to make sure the Senate understood.

Ms. Shah said that because the Senate doesn't have any authority to reprimand its own members, and because the student body has called for a recall election, the Senate was obliged to take these measures. Because of his experience, and because a recall has never actually taken place, the question was what to do at this point when they do not want to be extravagant with their limited resources and funds, but had to answer to their students. Mr. Permaul said he'd quote the President. There are sometimes some hard decisions that had to be made, and tough choices; and this was one of them. She was right in that the die was cast, and they must now go forward. He just wanted to let them know that this was coming down the road and was one of the things the ASUC, as a group, will have to deal with financially before they get to spring budgeting. This pie was limited and there are X amount of dollars. So all of them should be thinking now we're they'll cut and how they'll redistribute. Or if there were other measures that could be taken. The government might decide there are other options. The ASUC has resources in other places, and using those had consequences as well. He thought she was right, and that there was nothing that could be done other than to recognize it was happening and plan the best way to make sure that whatever happens takes place effectively and efficiently. His one recommendation was that they take at least a month before they hold this election so that they do the planning and give their Elections Council Chair the appropriate time to ensure the success of this event in the sense of implementing it properly.

Ms. Shah asked if it would be more cost effective if there were only electronic polls, and the election was just online. Mr. Permaul said that was a question that was best addressed to the Elections Council Chair. But it also may be a question that the J-Council might want to weigh in on as well, and it might want to interpret what would be most fair for the student body in terms of the rules of the ASUC. Seeing no further questions, Ms. Pasco said she would like to thank him for his report.

Ms. Chen moved to go back to Guest Announcements. The motion was seconded by Mr. Nahabet and passed with no objection.

#### Guest Announcements (cont'd)

Jon Lee introduced himself and said he was a recent graduate who majored in Public Health. Another speaker said she also recently graduated. Mr. Lee said they were there for Global Medical Brigades. They wanted to express their gratitude for the support the group received from the Senate since day one. They started in the fall of 2006, just a small group, maybe five people, and just came back from Honduras. They got bitten by a bug that made them motivated to go back and work there. Since then they've grown. He was sure that some of them in the room have seen that growth and expansion. They're impressed with the work they've done and were empowered with what they're doing, really representing UC Berkeley with the large organization that they are, the Brigades.

Another speaker said that as a chapter, Berkeley has been at the foreground of new, innovative ideas that they're bringing down to Honduras. As a chapter they were the first program to start a DE-Cal course for students as a support group, to give them more information on Honduras and on issues that affect the health care system there. They also started the public health initiative in Honduras as a chapter, which has now become mandatory for all 80 universities across the country to implement. So they're doing a lot of great work and their students were basically at the forefront of these new endeavors.

A speaker said they just wanted to express their gratitude for the Senate's support and they hoped they could work with them in the future and give them great news about all the events the group was having, and the great contributions their school was doing.

Mr. Lee said they've been expanding across the campus and have support from faculty, one of whom was Prof. Shephard Hughes, part of the Anthropology Department, their DE-Cal sponsor, as well as Dr. Nelson, a physician at the Tang Center, who came to Honduras with them on their trip. He was an awesome role model. Dr. Susan Ivey, with the GMP at the School of Public Health, UCSF, also went on the trip, along with her daughter, from CSU, who was starting a chapter. Mr. Nahabet has also participated.

Mr. Nahabet said it was nice to see that the money allocated in this room go to an antibiotic, helping a child with diarrhea. It was an amazing experience and it made him want to be there in the Senate and continue doing this, and to help out groups like this. Sometimes Senators get caught up in politics, and in bickering and arguing, and it was nice to see things they do orders the room. This group affected the lives of over 1,000 people in Honduras. So he wanted to thank the Senate for funding the group.

Mr. Lee said Ms. Chen has also been a part of this group and had an amazing time. The group was proud to be sponsored by the ASUC and they appreciate all the support they've gotten over the past four semesters and hope to have their continued support in the future. (Applause)

Ms. Shah moved to go to Appointed Official Reports. The motion was seconded and passed with no objection.

#### Report from the Finance Officer

Ms. Batac said a lot of things were touched on by Mr. Permaul and she wouldn't repeat them. She met with Jan Crowder, Director of Student Affairs, and she'll meet with Ms. Crowder and Marilyn Stager, the Financial Services Manager, on Thursday, to get an update on Contingency, Greek, and Carryforward accounts. She had details on the Contingency Fund and the Greek Opportunity Fund, but none yet on Carryforward. Based on the monthly report for December, the Contingency Fund was negative \$506.78. There's a three-week lag between what's stated on the December report and what's actually been in business, and Ms. Batac said that based on her calculations from the minutes, the Senate was negative \$18,000. She didn't believe the Senate has passed a bill to replenish the Contingency Fund so they're starting this semester with a negative \$18K.

As for overall expenses for fall 2008, they approximately spent \$40,000 in allocations for student groups. That was double from last year, when the Senate spent \$20,000. However, the Senate allocated double the amount of bills. So they helped a lot of new student groups. Groups that would have been under funded, the Senate made the extra effort, and they've been one of the most active ASUC Senates. They've obviously made an effort to reach out to student groups, and she would applaud them for that. On the other hand, they had to consider their limitations, considering next year's challenge. As a recession hits their country, more student groups will be starving for funds. That was something they needed to think about as they spend this spring. She'll talk to Ms. Crowder and Ms. Stager about how much the Contingency Fund should be replenished and hopefully will have some recommendations by Monday's Fi-Comm meeting.

In the Greek Opportunity Fund they have \$7,097. She'll have the Carryforward figure by Monday's Fi-Comm meeting.

Ms. Batac said spring budgeting was on the way and she was very excited to be working with Ms. Winston and a number of different people on this, and with the Senate as well. She'll hold workshops for student groups for budgeting. She'll have to talk to the Web master about a possible online application that would make the process easier.

Ms. Batac said she'll collaborate with the Elections Council Chair to approximate the costs of the recall election and talk to Ms. Crowder about whether there are any reserves for this, and how much money will be taken for student groups for spring budgeting. That was something the Senate needed to consider before proceeding with the recall.

Regarding Lower Sproul development, Ms. Batac said she was attending all of their meetings.

Ms. Batac said Ms. Crowder asked her a question that she'd ask the Senate, and asked if the transition to the new Fi-Comm Chair has already taken place. She noted it hasn't. She called for any questions.

Ms. Flores asked if the Elections Council Chair contacted her about expenses of the recall election prior to that day. Ms. Batac said she hadn't.

Ms. Oatfield said she understood that Ms. Batac received a copy of the Auxiliary's financial statements and asked if she could share that with the Senate. Ms. Batac said she'd check with Ms. Crowder about whether that could be distributed.

Ms. Shah moved to go to Executive Officer Reports. The motion was seconded by Ms. Flores and failed by hand-vote 12-5-0.

#### Report from the Attorney General

Mr. Sinanian said he neither opposes nor supports the recall election. He had no opinion on it. His decision to not represent the Senate was based on the fact that he had broader obligations in the Constitution

and he wasn't obliged to defend the Senate if he believed the constitutionality of a case was in question. That's why the Solicitor General was coordinating the case and acting as point. However, Mr. Sinanian said he would be at Mr. Hollihan's side at the hearing on Thursday.

Mr. Sinanian said he wanted to answer a question Sen. Shah asked Dr. Permaul, if the elections should be held entirely online, due to costs. The J-Council has already ruled that the recall must be conducted just like a regular election, with physical polling locations.

Given the costs of the recall as well as other things, it was his conclusion that the system that governs the Senate was not designed to handle a case such as the recall, at a time when mass mailing lists exist and 5,000 people can be e-mailed all at once and can sign a petition digitally. It meant that getting 1,000 signatures wasn't that big a deal. He's told many Senators that if he wanted to, he could collect 1,000 signatures for any of them. He was sure all of them believed him. He thought the Constitution had to be changed to reflect the changes their generation has dealt with. They use methods of communication that ten years ago Senators didn't use. Things have changed, and the Senate had to reflect that. He didn't want to see the Senate spend money it shouldn't have to. They're not in a position to spend like that. If they spend money in a recall election the J-Council would like them to have, with physical polling places, he'd asked if they'd see a repeat of the events of 1997, when the ASUC Auxiliary took control because the ASUC didn't handle its finances.

Mr. Sinanian said the decision he made not to represent the ASUC was made because he opposes the recall. He wasn't politically motivated and was simply motivated pragmatically. He opened a dialogue on this but only received three responses, in support of his actions. If they didn't support them, he would ask them to please respond. He called for any questions.

Ms. Ude asked if he could elaborate on his problems with the constitutionality of the recall. Mr. Sinanian said he didn't want to get bogged down with semantics, and it was about pragmatism. He didn't think the question in the petition was specific enough. They could do another petition with more specific text. It wasn't necessarily the recall, but the system they have provided for the recall to take place. Dr. Permaul talked about Illinois setting standards for public officials, and Mr. Sinanian said he thought the ASUC should implement something like that. And the Constitution should reflect the times. It wasn't right for some Senators to be able to get rid of other Senators out of political motivations. That wasn't the right way of doing things. They shouldn't waste money on a recall, but the voice of the students should be heard. If a Senator was found not to have held to the standards of conduct, they should be removed easily, and without a dramatic process with such a great loss of money. As soon as this process ends, he intended to work on that.

Ms. Ude asked if he was insinuating that the purpose of the recall election was not motivated by dissatisfaction of the student body, or because people were pushing this out of political motivation. Mr. Sinanian said he didn't want to insinuate it was one Senator against another. There was clearly a movement in the student body that was seeking to remove Mr. Moghtader from office. But a process was needed to do that in a way that was effective and balanced.

Ms. Ude asked what he would suggest as an alternative for this election in terms of expenses. Mr. Sinanian said he would like to see standards of conduct adhered to. They need to find ways to properly implement something like this.

Mr. Owens asked if to only have electronic voting would disenfranchise students who don't have laptops or access to a computer. Mr. Sinanian asked how many students don't have a computer. And the cost savings ensuing from an electronic election had to be weighed out. He thought cost savings would come out on top. The computer was like the radio in the 1930s and was in every American home. Mr. Owens asked if he thought disqualifying 5, 10, or 20 people from voting was in accordance with the ASUC Constitution. Mr. Sinanian said that wasn't the case. Out of 30,000 students, maybe 10,000 vote. People wouldn't be denied a vote, and they could get to a computer. If one is a student at UCB, then they have access to a computer. Ms. Pasco said speaking time had expired. A motion to extend by six minutes was made and seconded and passed with no objection.

Ms. Shah said that in his e-mail Mr. Sinanian said he supported Sen. Moghtader's position. She asked if the Law students approached him before beginning the petition to consult with him as to whether or not the petition was appropriate and valid. He wasn't doing his job adequately by not representing the people he was supposed to and represent, the Senate.

Mr. Sinanian said he did not meet or consult with the Boalt students before the petition. He spoke to Nathan Shaffer the night Mr. Shaffer gave him the petition. They spoke about it at length in the Senate Chamber, but before that, there was no consultation. He had no idea prior to December 3 and didn't know who Mr. Schaffer was, and had never talked to the students who initiated the petition. And Mr. Sinanian said that when he wrote "support" in the e-mail, he meant the legal reasoning, not the petition or the actions. He said the proponents had a point and Sen. Moghtader had a point. As far as his job, Mr. Sinanian said he believed he was executing his duties in defending the Constitution and defending abuses of the Constitution. The Solicitor General was executing his duty and defending the Senate. A Daily Cal article was written last year as to whether the Solicitor General was necessary, and Mr. Sinanian said that given the situation, the ASUC should continue to have an SG, and the position should continue to have a stipend.

Ms. Shah said that given that he believed this matter was flawed, and believed a recall petition could be done for every Senator, in light of the police report and the actions of a Senator, and the fact that Senators had no way of having repercussions put upon them for their actions, she asked how he could refer to the petition so lightly. She asked if 1,000-plus students in less than two days was no reason to recall a Senator. She asked if he would also recommend requesting that the Senator in question resign to save the student body the money.

Mr. Sinanian said he had access to the list of names on the petition. He knew someone on that list who signed petition without knowing what it was for. He told his friend he was on the petition and his friend said, "Really?" There are mailing lists and people say yes. He heard the announcement about the police report. He wasn't against a second recall attempt if this one failed. Mr. Sinanian said the very fact that Sen. Moghtader was mentioned alongside charges of violence was grounds for removal, in his book. But the petition didn't have that. And that was his problem, with specificity. To him, a thousand signatures in two days wasn't that much.

On a point of order, Mr. Owens said these are only allegations and the Senator's actions were still alleged and had to be confirmed. Ms. Shah asked if he was referring to "allegations" in reference to the police report. Mr. Owens said he was. The UCPD report was flawed in its reasoning. There are independent witnesses who witnessed other things, and it was all still allegations. The district attorney was the final word on this.

On a point of personal privilege, Ms. Chen requested the Chair to be stricter in terms of running the meeting so they get on with things. She was sure this was cross debate. She hoped people could take this opportunity to go back to Robert's Rules. Ms. Pasco said she would like to thank Ms. Chen and would echo those sentiments. They all needed to freshen up on their Robert's Rules, which they'll talk about during the Senate retreat.

Mr. Sinanian said he personally asked Sen. Moghtader if he would resign, and he said he wouldn't. Mr. Sinanian said he did that in an attempt to save the student body money and drama. Ms. Pasco said speaking time had expired. A motion to extend by five minutes was made and seconded and passed with no objection.

Ms. Hussain asked if he understood that because they have a current system that was in play, although it may be flawed, it couldn't be fixed before resolving this matter first, and with 1,000 signatures, they had to hold a recall election. Mr. Sinanian said that was why he decided to not support the Senate by defending them in the case. When this was done, he'll get to work on the rules. This will be a hard lesson to learn, and they'll learn from it. He and Sen. Hussain initially tried to tackle the issue of conduct and what they could do to make sure that Senators were held accountable. But unfortunately, they ran into some procedural roadblocks. Hopefully they could get back to that. They need to reform parts of their rules.

Ms. Hussain asked if he could talk about the problems they ran into. Mr. Sinanian said they ran into problems with Campus Life and Leadership and its process and jurisdiction. The two of them felt it would be wrong to accuse Senators, and CLL also had privacy guidelines.

Ms. Hussain asked if he'd say that while state officials could have guidelines, as students they were protected by FERPA, and those other officials didn't have the rights that students have. Mr. Sinanian said that was correct, and was something they'd need to consider in revising their rules. Ms. Hussain asked if he believed it was feasible to incorporate conduct into the By-laws for Senators to adhere to, or if there was no way to reprimand a Senator. Mr. Sinanian said he thought it was feasible. But he didn't want their efforts to be undermined by future Senators saying that the code of conduct was vague. They'd need to make it bulletproof. People would have to be sure of accusations when Senators were just students and had rights to privacy. They'll need help from Dean Poullard and CLL with these changes.

Mr. Mairena asked if his opinion has changed now that there was a police report and legal accusations. Mr. Sinanian said he had no opinion with what took place and was dealing with the recall and its text, and how the ASUC implemented a recall. He wasn't dealing with the accusations. The end conclusion was that the DA said there were no charges. Mr. Sinanian said he demanded more specificity in the petition. Ms. Pasco said speaking time had expired. A motion to extend by six minutes was made and seconded and passed by hand-vote 15-2-1.

Mr. Mairena asked if he considered the fact that he could be removed from office as Attorney General for failing to do his duties when he decided to not represent the Senate. Mr. Sinanian said he believed power was vested with the J-Council, in which case a suit would have to be filed. He was trying to work for the Senate and the student body in the actions he took. Having a Solicitor General balanced things out. It was in case something like this happened. He didn't think Mr. Mairena was being dynamic enough in his approach. Threatening him with removal was a sort of extortion, saying "Why don't you take our side?" He hoped that was not Mr. Mairena's intention. But that's what he felt.

Mr. Mairena said that in Title I, Article 9.2.6, it states that the AG may be removed from office for failing to do their duties by a two-thirds vote of the entire Senate, not by the J-Council. Secondly, he didn't mention a side he was taking on this issue. He was concerned that Mr. Sinanian was supposed to be the Senate's representative in this type of case. Mr. Sinanian said he would apologize for that mistake.

Ms. Raffi said that in reference to how he felt about 1,000 signatures being raised for any Senator, she asked if 10% or 20% of the student population signing the petition would make it valid in his eyes. If there were larger numbers, she asked if he would have been more convinced this was the wish of the student body and that the case was legitimate. Mr. Sinanian said he wasn't going to say this wasn't legitimate, and it was, in that there are members of the student body who had a point and a desire, and were following a democratic process. That's why he didn't file anything earlier on. He felt it was Sen. Moghtader's prerogative to do so. But he wasn't saying there was no case.

Ms. Rodriguez said she was troubled by things he said earlier. She asked how he verified that all SIDs were student SIDs. Mr. Sinanian said he worked in conjunction with the Web master, Mr. Hemmati. The school has a database of IDs and Mr. Hemmati wrote an automatic script to verify student IDs. The names on the petition were valid. Ms. Rodriguez said he mentioned that he knew an individual who signed the petition. She asked how he knew and what privileges he had to that information. She asked if that was a violation. Mr. Sinanian said that Nathan Shaffer handed him the only copy of the petition, to be reviewed by the Attorney General for student IDs and their full names, in the interests of ensuring the petition was real. He was the only person who had those names. Sen. Moghtader and associates tried to obtain the full petition, and Mr. Sinanian said he cited issues of privacy as to why he couldn't give out those documents. Ms. Pasco said speaking time had expired. A motion to extend by six minutes was made and seconded and passed with no objection.

Ms. Rodriguez asked if he thought he should have mentioned that to the Senate, that somebody tried to get that information. Mr. Sinanian said it was just a simple request for the petition. Mr. Sinanian said he said no and Mr. Moghtader asked why. Mr. Sinanian said he felt that was sufficient.

Ms. Rodriguez asked if he could send something to various Senate committees that have not fulfilled their responsibilities and see that they were following up. Mr. Sinanian said that was an excellent suggestion and he would do that.

Ms. Flores said that since there was a flaw in the Constitution and hindrances to the election, such as with finances, she asked how they could move forward when the recall election was mandated to be held next Monday and Tuesday. It had to be held before the second Senate meeting after the petition was submitted. Mr. Sinanian said the only way to override that would be to ask the J-Council if that would be possible. If another month was needed, Mr. Sinanian said he or the Solicitor General could ask the J-Council for more time. If not, it would be unconstitutional to not have the election on those dates. Ms. Pasco said speaking time had expired. A motion to extend by three minutes was made and seconded and passed with no objection.

Ms. Flores asked if they could ask about how to go about having the elections and whether they could be online only, since the Constitution wasn't contemporary. Mr. Sinanian said he could do that. But the J-Council went by the Constitution that was in place. He'd suppose it was worth a shot. Ms. Flores said the J-Council could give a decision on Monday, when the election was scheduled. Mr. Sinanian said they could ask for an expedited decision.

Ms. Ude asked if it was appropriate for him to work with the Solicitor General in this instance since Mr. Sinanian was not working on behalf of the ASUC in this matter. Mr. Sinanian said that in the case on Thursday, Mr. Hollihan would have the point. Mr. Sinanian said he wouldn't interfere. Mr. Hollihan was developing the case.

Mr. Smelko said that assuming it was impossible or unfeasible to spend money for the recall, he asked how they would resolve that constitutional issue. Mr. Sinanian said he wasn't the Finance Officer. Mr. Smelko asked for his advice on the constitutional issue they face, if they can't hold the election but had to. Mr. Sinanian said the last time the ASUC was out of money was in the '90s. The Constitution was kaput because the ASUC Auxiliary took over. Mr. Sinanian said his job would be gone, along with the Constitution. He didn't think that would happen. He didn't know what was in the spring carryforward. He heard they had a lot of money, so they could probably afford it. There were larger issues, beyond constitutional adherence, if they didn't have money. Mr. Smelko said the election had to be held within two meetings of the petition submission. He asked what happened if that didn't occur. Mr. Sinanian said somebody could file a suit before the J-Council.

Ms. Hussain said that he mentioned that because of confidentiality purposes, only he could match SIDs with names. She asked if it was a violation of his duties to verify the signatures and then use that official information to ask somebody who he personally knew whether he knew he was on the petition. Ms. Pasco said speaking time had expired. A motion to extend by five minutes was made and seconded and passed with no objection. Mr. Sinanian said a discussion of the recall occurred before he asked his friend specifically if he had signed it. They were talking about the petition, and his friend said he thought he had signed it. Mr. Sinanian said he looked and realized he had. That's when he told his friend he did sign it. But the violation was when they were handed together in combination to him, as Attorney General. He assumed Mr. Schaffer got permission of IS&T to release that to him, as Attorney General. His friend already knew that he, as Attorney General, knew he had signed it. Mr. Sinanian said he did not violate policy.

Ms. Hussain said that to even discuss that his friend had signed a petition because he, as Attorney General, knew who had signed, she asked if that was a violation of privacy in that he was the only one to see it and could verify that his friend signed the petition. Mr. Sinanian said the person is a close friend and talked to him about the status of signing the petition beforehand. Mr. Sinanian said he didn't personally believe he made a violation of privacy. If someone thought so, they should pursue it with a higher body and sue him for that.

Mr. Mairena said that due to the fact that potentially not having the election next week would be a violation of the By-laws, he asked about submitting a bill to suspend that By-law in advance so the Senate wasn't sued in the future for violating the Constitution and By-laws. Mr. Sinanian said that if they can't have the election on time and someone sues them, he didn't think the repercussions of that suit would have any effect. Just because the J-Council ruled they were unconstitutional didn't mean they'd magically find money and have a recall. If they didn't have money, nothing could compel them to have a recall election, unless they took out a loan. Mr. Mairena said they should have written a bill to suspend the By-laws in advance. Seeing no further questions, Ms. Pasco said she would like to thank him very much.

Ms. An said the draft was completed of the ASUC Housing Survey conducted in the spring of last year. It was sent to Ms. Hussain and the EAVP's staff. If Senators were interested in reading the draft, they should let her know and she'd send them a copy. Secondly, she did some research on the parking replacement policy and found memos from the University about it. There's an ongoing discussion about the Anna Head parking lot on Channing and whether to build University housing there. She'll do more research and schedule meetings about this issue.

Ms. An said the City Affairs Department will put on Tenant's Rights Week and Human Rights Week in March. She's been contacted by some Senators, and if anyone was interested in collaborating, she would ask them to please let her know. Also, the EAVP's staff will have a retreat that weekend and will do cal-endaring. So next week they should have more concrete details about their events.

Ms. Chen asked what results came from the neighborhood walk-through to improve neighborhoods. Ms. An said a report will be done soon on the different routes people took and what the walkers found. That will be sent to Senators, City Affairs, and Planning. Ms. Chen asked if they could also send that out to City Council members. Ms. An said they could. The work would be handled by the City's Department of Public Works.

Mr. Sakaue and Ms. Ude asked for a copy of the draft.

#### Report from the From All Perspectives Show Co-Directors

Mr. Patel said he thought they were making good progress. They're establishing a committee and will have an application process. Interviews will be held to choose from among the candidates and they'll probably choose their committee next week. Next Tuesday from 8:00 to 10:00, tentatively, they'll have their first meeting of the whole community to give input on what should be involved in this project. He would highly encourage Senators to tell as many people as they could about this opportunity. This project should be representative of the student body. He was proud to have Senate support in this. Senators represent the student body and it was important for them to help From All Perspectives to reach out to those communities. He called for any questions.

Ms. Flores asked if they were going to change the title of "From All Perspectives." Mr. Patel said that was in discussion with his Co-Chair. Ms. Flores asked if they've received applications. Mr. Patel said they've received a few, but not as many as they expected or would like. So they decided to have a rolling deadline, and it wasn't too late to apply. They'll consider any conflict of interest, or conflict in time commitments. Mr. Patel said they want this to be something that held true to its original vision. They feel they should select a committee that didn't have conflicts. So he would ask Senators to please invite people to apply. Spots on the committee were still open.

Ms. Flores asked if a date has been set. Mr. Patel said it will be early to mid-April. That was still being discussed. They'll consider events that happen in April, which is a packed month when many organizations have large-scale events.

Report from the Commissioner of Diversity Affairs

Christian Dolores said he hoped their break was good. He met with Multicultural Student Development Directors to have focus groups and get a sense of deeper community issues and the foundational and hot-topic issues in communities. A comprehensive report will come out towards the end of this semester, as well as monthly reports about community issues. He'll attend general meetings of community organizers to get a sense of things important to community leaders. He'll attend the working group for Lower Sproul renovation. He'll also meet with Nancy Chu, the Title VI/IX Compliance Officer, to familiarize himself with those policies. Mr. Dolores said his most important meeting will be with the Vice Chancellor of Equity and Inclusion, to find ways to better open lines of communication between the him, community leaders, and community members. That will probably be one of the biggest issues they discuss. Mr. Dolores said he will suggest that Vice Chancellor Basri come and address the Senate.

Regarding programs and program development, there was talk that evening about sustainability and on solidarity. Mr. Dolores said he'll develop diversity achieved through engagement that will hopefully be used to train ASUC officials and facilitate a constructive cross-community dialogue among community members on the campus to lessen tensions among community organizations. He wouldn't speak for communities but will hold focus groups, so communities have a voice in the process. He'll also set a long-term goal to make a representative body for disabled students on campus. He called for any questions.

Mr. Owens asked what the Senate could do to help him out with these goals. Mr. Dolores said he'll first do data collection. There will also be costs involved in holding these programs. He'll try to make them as cost-efficient as possible. People could expect a report at the end of February.

Ms. Cho asked if he had plans to reach his long-term goal. Mr. Dolores said he had a meeting scheduled with the DSP Director. He'll meet with Mr. Mairena and with DSP and do outreach to other disabled student organizations.

Ms. Cho asked what the duties were of the representative body. Mr. Dolores said there was no voice of disabled students themselves. He would like to see a body to voice opinions and make known what they needed in order to serve their needs. He couldn't speak about specifics because he didn't want to speak for the community. He'll have a focus group about how to implement DATE. He was hesitant to just say what would be done because he wanted communities to have a voice. Seeing no further questions, Ms. Pasco said she would like to thank him for his report.

Report from the ASUC Web Master

Mr. Hemmati said the Webcam works again. If it doesn't connect and reset, people should send him an e-mail. There will also be audio starting next week. He was also working on getting the meeting recorded. The home page has a "News and Events" section, and he would ask people to please send him news and events, because this section doesn't ever change. He called for any questions.

Ms. Rodriguez asked if there was a deadline to send him changes in their office hours, or other changes. Mr. Hemmati said the deadline was determined by the Constitution. He could pretty much change the information for Senators at any time.

#### Report from the Elections Council Chair

Ms. Liedblad said she was able to meet with Jan Crowder, her direct advisor, on Friday. That's when she was given all the material she needed to start planning the election, from a logistics standpoint in terms of services and agreements they have with different companies for elections services. She spoke with Mr. Permaul and Ms. Crowder that day and they concluded that it wasn't feasible to have the recall election on January 26-27, as it was currently scheduled. There's a good reason the general election has a three-month planning period, and it became apparent scheduling it next week wasn't physically possible. It's a huge, collaborative process.

Ms. Liedblad said she'd go through some of the obstacles they've come across in having to postpone the election. The first was the Web site program and the testing period. He talked to IS&T, the provider that hosts the online ballot, and the person he spoke to started laughing hysterically when Ms. Liedblad said she told her the dates they set the election for. Ms. Liedblad said she then contacted a technical coordinator from last year, since Ms. Liedblad said she didn't know much about contacts that need to be made for an online ballot. So she contacted him, Calvin Ardi, who was interested in being the technical coordinator and was up-to-date with the recall election happening. She'll talk to him more on Thursday.

Another reason why it wasn't feasible to hold the election on the 26th and the 27th was because of the people involved. They need to get poll workers and tech people organized, including OCF, and to have things coordinated with Building Operations. Publicity was also a problem, including the Voter's Guide and getting statements from proponents and opponents. And the list goes on. Also, she didn't have all her Council at that point. Fortunately, she found her Publicity Coordinator, who she would like to appoint that evening.

Ms. Liedblad said she would address questions circulating at the meeting that evening. One question was about cutting costs and election procedures. The J-Council gave an Advisory Opinion, and for polling locations, ruled that according to Article VII, Section 5.C of the Constitution, polling places are required. The J-Council didn't rule on the By-laws, but a 1.5-page section in the Constitution that gives guidelines, which were a lot less specific than the By-laws. To comply with ADA guidelines there had to be some physical polling locations. If it were up to her, Ms. Liedblad said she would try and host the majority of the election online, for costs purposes, but she would also recommend having some central polling locations, but cutting back on the number that were up during regular elections.

Ms. Liedblad said there was also a question of when an election like this could take place. That was a decision Mr. Permaul was clear about, and he recommended that the election be postponed a month. That was also backed up by Ms. Crowder. Ms. Liedblad said she understood it was ruled that the dates of the election had to be set for two meetings after the petition was submitted. But that wasn't physically possible. There were too many people and things to coordinate in that period of time. The soonest possible dates would be February 23 and 24.

Ms. Liedblad said she was really excited to have a Publicity Coordinator, Vinit Sukhija. He was interested in being on the Elections Council even before the recall happened. He had a lot of experience in yearbooks and in design and she felt confident of putting responsibility for the Voter's Guide and for publicity in his hands. She would like to yield time to him at that time.

Mr. Sukhija introduced himself and said he was really grateful to have Ms. Liedblad as the Elections Council Chair. He was just appointed so he didn't know much about the recall. He's a second-year Economics major. As a senior in high school, he worked a lot with his yearbook, which had a \$300,000 budget. It was 700 pages, the largest yearbook in the nation. He was proficient in Photoshop and design. He had no personal investment in any political party in the ASUC and he conducted himself by principle. For everybody he came in contact with, he liked to treat them with humility and respect. He is a perfectionist and will work as hard as he could. Publicity didn't just mean increasing turnout, and a student's vote meant nothing if it wasn't informed. He'll try and get students to learn more about what the ASUC does. If they could teach students about how the ASUC affects them directly, maybe they could get them to read the Voter's Guide and not just vote for their friends. Ms. Pasco said speaking time had expired. A motion to extend by three minutes was made and seconded and passed with no objection.

Mr. Sukhija said he hoped to increase information about what the ASUC does for students. He wanted to be Publicity Coordinator because he was curious why there weren't structured debates, or at least none he ever heard about. So he'll work to schedule them. He also wanted to increase use of Facebook and YouTube. He didn't think fliering was as effective as people thought. He thought Facebook was used last year pretty well by people who were running and he wanted to continue that. And maybe that will also make the election greener. He would also like to have a theme for the election. He thought that would make it more cohesive. A logo might make students take a second look at the election. He called for any questions.

Ms. Oatfield said she would like to thank Mr. Sukhija for staying late to meet with the Senate. She asked what he meant by a "theme" for the election. Mr. Sukhija said Obama had a simple, but profound theme, and Mr. Sukhija said he thought people responded to it. He hoped to have something similar. Ms. Pasco said speaking time had expired. A motion to extend by three minutes was made and seconded and passed with no objection.

Ms. Shah said that if it were up to Ms. Liedblad she would have a few polling locations. She asked if the J-Council would not allow her to do that. Ms. Liedblad said it wasn't specified in the J-Council ruling. The only polling stations that need to be physical were at Dining Commons and residence halls. Other than that, it was up to the Elections Council to decide where polling places were set up. She didn't want to disenfranchise people or change things to drastically, but at the same time, it was important to reduce costs. That meant polling locations at central, visible locations, but he didn't know the specific answer to that question.

Ms. Shah said that she and her Council will interpret that. Ms. Liedblad said that was correct.

Ms. Shah said that since it was unconstitutional to postpone the election, she asked if moving the dates would make the entire election unconstitutional and void. Ms. Liedblad said that was correct. But at the same time, there was probably a clause that was left out somewhere. If for some reason a general election in the spring was considered invalid and they had to do it over again, the period to put on a new election was four weeks, or "as soon as possible." That little clause was really important, and unfortunately, it's

not in the provision for the recall election. She didn't know what to say because it was physically, literally not possible to have the election on January 26 and 27. She wasn't sure how to reconcile that with the Constitution, but something needed to be done. Ms. Pasco said speaking time had expired. A motion to extend by three minutes was made and seconded and passed with no objection.

Ms. Shah asked if she could submit a request for an Advisory Opinion to ask the J-Council to apply that clause. Ms. Liedblad said she could.

Ms. Shah said that if they postpone the election, making it void, and have another election, she asked if that wouldn't cost more money. Ms. Liedblad said that as of now, no funds have been expended because she knew it was impossible to have an election as it was scheduled. There were so many people involved, and it was clear it couldn't happen. She had a lot of preparation in place, but it was a matter of reserving resources and making expenditures and getting people to volunteer. As of now, she didn't think it would cause any more costs.

Ms. Shah said that if they postpone the recall, it will be unconstitutional and potentially void the election, and possibly cause another recall. Ms. Liedblad said that hopefully there would be a way to prevent that from happening. She didn't have the answer. It's not physically possible to pull it off, such as even getting the Web site up and running and testing it. Just doing that took weeks. Ms. Pasco said speaking time had expired. A motion to extend by three minutes was made and seconded and passed with no objection.

Ms. Raffi asked if it was unconstitutional to change anything that would be done in a regular election in this recall election. She thought the recall had to be done exactly the same as a regular election, and that it was unconstitutional to violate that by changing polling locations, e.g., or anything else. Ms. Liedblad said the J-Council made all its rulings from its interpretations of the Constitution. She confirmed that with the interim J-Council Chair, who said they only used the Constitution and took it at face value. But other than that, it was up to the interpretation of the Council. They didn't go into the By-laws, and it was the By-laws that specify the polling location. The By-laws are 30 pages long, and with regard to the election, the Constitution was a page and a half.

Ms. Flores asked if she was aware that the recall dates were set at the last Senate meeting. Ms. Liedblad said she was, but that coincided with the beginning of finals, so she couldn't start planning the elections until after the New Year. She came to school a week or so early to get the ball rolling. She worked hard to get a hold of people, but because it was during Winter Break, it was difficult. That turned out to be a big obstacle.

Ms. Flores said that although the timing was inopportune for the recall, with finals, but she asked what Ms. Liedblad did to plan from the time she knew the dates were set until now. It seemed that she only started in the New Year. Ms. Liedblad said that before last semester ended she contacted and met with the Publicity Chair, so she was starting to get her Council together. She made a preparatory to-do list and gathered information. She got a huge packet from Jan Crowder of services they needed to use and contacts. So she made a lot of contacts with technical coordinators and people in IS&T. But without a few key players like a technical coordinator and others, it was a big roadblock.

Ms. Flores said she would consider making "contacts" as a responsibility starting with her appointment. Since they have financial and people-power hindrances, she asked if Ms. Liedblad was saying they should definitely move the election dates. Ms. Liedblad said she was. Anybody in her place would tell the

Senate the exact same thing. The learning curve was really steep and she was trying hard to be on top of things, since she was appointed the first week of December. But she didn't think it was possible for an election to be carried in the first week of the semester by a Council that was not yet fully complete. So moving the dates was her recommendation.

Ms. Flores asked how quickly she could assemble her Council. Ms. Liedblad said the only vacant spot that was extremely necessary was the Polling Coordinator. She's talked to a few people, but she wanted to talk to a few more. But that was her first priority. She was going to assemble the rest of the Council as quickly as possible. But that wasn't the highest priority, which included technical aspects, getting together poll workers, computer people, and building ops people, and coordinating those schedules. And getting poll workers was a big deal. But there's a remedy for that, in hiring temp workers. Another priority was to simply get the foundations ready, like the online ballot. Ms. Pasco said speaking time had expired. A motion to extend by five minutes was made and seconded and passed with no objection.

Ms. Rodriguez asked if it was impossible to meet with Jan Crowder before the end of the semester. Ms. Liedblad said she tried. She had a hectic finals schedule and Ms. Crowder went on vacation a few days before. So it was impossible. Ms. Liedblad said she reached Ms. Crowder on the phone, but that was before a lot of recall procedures had been set. She tried to contact Ms. Crowder last week, and the first time she could was last Friday.

Ms. Shah said she appreciated Ms. Liedblad's efforts, but two months ago the dates of the recall was decided by the Senate. She asked if Ms. Liedblad will have a recall election if the dates weren't moved. Doing that would put the Senate in a really compromising situation. If they don't change the dates, she asked what Ms. Liedblad would do to make sure it would be done by next week. Ms. Liedblad said she didn't think anybody would be able to handle that situation. It can't happen. She knew it was unconstitutional, but to set up the ballot and have a verification system takes weeks. Without testing the chances of having huge glitches on the days of the election was really strong.

Ms. Shah asked if she thought it was practical to have a recall election that was void and then have a recall that was expensive. If they spend money on a recall that was essentially void, she asked if it would be more sensible to do what they could to be as cost effective as possible, and pull all-nighters all week and have the recall election by the dates they were supposed to happen. Ms. Liedblad said that even if they spent \$100,000 to pull it off by Monday, she was pretty confident it would still be invalidated in the end. Things in the By-laws and Constitution weren't specified and need an Advisory Opinion, such as spending limits for the campaign, having a Voter's Guide, dealing with censures and violations of guidelines that weren't in existence. They really had to read the fine print in the By-laws to make sure there was no way to poke holes in an election.

Ms. Shah asked if she's filed Advisory Opinions for those fuzzy points. She asked what Ms. Liedblad has done to make it possible to have the recall on the scheduled dates. Ms. Liedblad said it was simply clear to her, as it would be to any other person in her position, that it could not be done. At this point it was less than one week away. It couldn't be done. It was inconvenient and unconstitutional. She didn't know what else to say or how to make it clearer.

Mr. Sakaue asked if she thought it would help to not have Senate meetings until the recall happened. Ms. Liedblad said that would make the election constitutional. Mr. Sakaue asked at what point they could have a recall election feasibly that would be constitutional. Ms. Liedblad said she would set the dates to be February 23 and 24, four weeks from Monday.

Ms. Oatfield said she understood there were a lot of logistics, but she had faith that things could be done by a few, hard working people between that time and Sunday. But it sounded like a big hurdle was the issue of getting the computer system put together. She asked if they could have a private company come in and provide the equipment. Ms. Liedblad said the people the ASUC uses on the day of the election are headed up by the Technical Coordinator, who is a student, as were the volunteers who work with that person from the OCF. The only thing IS&T did was to enable the system and to activate it. Getting technical people and doing the dry run took a few days. Ms. Pasco said speaking time had expired. A motion to extend by five minutes was made and seconded and passed with no objection.

Ms. Oatfield asked if renting laptops was problematic. Ms. Liedblad said it wasn't, but they all had to be set up and tested to see if the program ran on each of them. And they also had to make sure students could log in without any glitches. Ms. Oatfield asked what component of this process absolutely could not happen by Sunday at midnight.

On a point of order, Ms. Chen asked if people could pay attention because she believed the speaker has answered a lot of the questions repeatedly.

Ms. Oatfield asked if it was just the enormous amount of time for tasks that needed to be completed. Ms. Liedblad said it's a time constraint. It wasn't just the tasks, but the time to get a program up and running. They're at the mercy of other people and they can't demand people to enable this Web site. Ms. Liedblad said she had to develop contracts and make sure every question that could be asked was answered, by proponents and opponents. For censures, there are clear procedures for campaigns. But in this case, there are no outlined procedures. There were millions of holes. She was making up rules and interpreting the By-laws. But when one side got defeated, it will try to find weaknesses if nobody verified the rules she made beforehand. It would look bad. There's no system of checks and balances. That also needed to be taken into consideration, and could quickly invalidate the election.

Ms. Raffi asked if she was saying the ASUC's Constitution was too outdated to physically have an election by Monday. Ms. Liedblad said there was one little clause that was missing, "or as soon as possible." Ms. Raffi asked if Ms. Liedblad could send the Senate a report of what she said that evening so people could review it and so they could amend their out-of-date Constitution. Ms. Liedblad said she would. And she'd be happy to sit on any committee to make amendments and give her opinion. The Constitution definitely needed to be updated.

Ms. Flores said she was still thinking of holding the election on Monday and Tuesday. She asked how Senators could be of service to her to have the election on those dates. Ms. Liedblad said she wasn't sure what that would mean in terms of conflicts of interest, and she didn't know if that would even be constitutional, since duties were fulfilled by the rest of the Council. She could always use advice because she was new at this and was doing the best she could. She would still stand by her opinion that the election could not be pulled off by Monday and Tuesday. She'd guess Senators could serve as poll workers and be there at 6 a.m., setting up and staffing polling stations, running around with walkie-talkies, duties usually fulfilled by Building Ops. and people from OCF.

Ms. Shah asked if they could do an all-paper ballot, which would be constitutional and cheap. She asked if Ms. Liedblad has considered that. Ms. Liedblad said she didn't originally consider that. She didn't know and would have to look at the Constitution. There was still questions about how the election was run and what was valid, such as spending limits and how soon the J-Council could file Advisory

Opinions. Ms. Pasco said speaking time had expired. A motion to extend by four minutes was made and seconded and failed by hand-vote 10-8-0.

Mr. Owens moved to recess for ten minutes. The motion was seconded and passed with no objection. This meeting was recessed. Back in session, a motion to extend the recess until the discretion of the Chair was made and seconded by Mr. Sakaue and Mr. Mairena and failed by hand-vote.

Ms. Raffi asked people to please stick to the recess times, which tend to grow and waste a lot of time.

Ms. Hussain moved to recess for ten minutes. The motion was seconded by Ms. Rodriguez and passed with no objection. This meeting was recessed.

Back in session, Mr. Sakaue moved to go to Elected Official Announcements. The motion was seconded and passed with no objection.

#### Elected Official Announcements

Mr. Owens said Celebrate Life Week will be held next week. On Saturday, January 24, people will meet at 9:25 a.m. at the Downtown BART to go to the Walk for Life Event in San Francisco. On Monday there will be a noon rally on Sproul. On Tuesday, Prof. Raymond Dennahe will give a lecture at 7 p.m. On Wednesday there will be a memorial, and people will see 500 ribbons on trees, each one signifying 115,000 abortions, for a total of 55 million. On Thursday Carol Hogin, from the California Catholic Conference, will be on campus to discuss euthanasia and physician-assisted suicide.

Mr. Owens said he would like to issue an apology for his actions a couple of weeks ago. He posted something on Facebook that was offensive to many regarding the inauguration of Pres. Obama. Mr. Owens said he was sorry about that. Some people may construe that to be racially motivated, and he was extremely sorry about that. That was not the intent, and he deleted the post immediately when he was informed about the response. He should have known better. Everybody there deserved better from him, regardless of where they sat in the room, where they come from, or what their ethnic background or gender was. In retrospect, he also thought he was owed an apology regarding the actions of some. He thought this could have been handled a lot better had he been approached personally about what he posted, because he would have taken it down immediately instead of trying to make this an issue. So he would really like everybody in the room to make an effort, in this New Year, 2009, at communication. Communication was essential and the Senate couldn't move forward on anything without communication. And he would do anything for other Senators to not have the thing that was done to him done to them. He would not yield his time to questions.

Mr. Sakaue said the Queer Alliance Resource Center will have its open house on Monday from 6:00 to 7:30. Also, the Nikkei Student Union will have its first general meeting next Wednesday during the Senate meeting.

Mr. Nahabet said that last semester he was appointed as Student Systems Policy Committee representative. The SSPC is responsible for moderating computer systems, including Tele-BEARS, BearFACTS,

and DARS, the Degree Audit Report System. At the last meeting the Board decided that simple changes could still be made. So when people go on BearFACTS and look at their class list in the future, when changes are implemented, people will see their teacher's name included. He would asked them to please inform him of simple changes and improvements they would like to see on any student systems and he'd forward those requests to the SSPC.

Ms. Flores said there will be on Sunday, February 1, a celebration of Asian Pacific Women at an event at Pauley Ballroom at 7 p.m., similar to the Black Women's Appreciation Night, Asian American Public Leaders. Everyone was welcome. Also, Ms. Flores said she was working with Asian Pacific American Student Development and they're hoping to hold Asian Pacific Islander/Asian Pacific American town hall in terms of student life. Two interns last year conducted research on the Asian American community's student life and affairs. She wanted the Senate and other interns interested to help put this event on so they could get a large audience. It was important to get different voices and communities involved, and she would like to collaborate with any Senators on this event.

Ms. Tran said the Vietnamese Student Association will have its first general meeting next Tuesday in Heller Lounge at 7:45. They'll combine the event with the lunar festival. She would ask people to please come and find out more about Vietnamese culture.

Mr. Smelko said he thought this was something the Senate could improve upon, so this would be blunt. He thought they should at least try to live by what they say, and do what they tell other people to do, and watch what they say. There was a point that evening where they criticized a whole group of people for interrogating people who had the floor, and then those people who criticized that proceeded to interrogate people. Mr. Smelko that was something he did all the time, and people should call him on it when he does it. He thought people should be either gung-ho about interrogating people all the time or they should not do it at all, and not pick and choose, and then criticize others for doing it.

Ms. Cho said she would like to have a Special Order on February 4. The Director of the Early Childhood Education center will speak and talk about her situation. Also, they're having a keynote speaker, past President Ling-Chi Wang, who brought Asian language to the campus. Mr. Wang will talk about how language mattered and about how injustice occurs on the campus, even though people might not perceive it. The date will be February 19. Ms. Pasco said that Mr. Wang was one of the founders of Ethnic Studies and documented its history.

Ms. Hussain said she strongly disagreed with Mr. Smelko. If a member of the community came and brought their concerns, they might not know all of the background situation, the Senate shouldn't interrogate them and ask them about the ASUC's budget. But for people in appointed positions, who are paid \$1,500 stipends, she thought the Senate had a right to question them. If people who are not as knowledgeable come to speak, maybe they should take their time to become more knowledgeable, and to be more responsible. This was a problem with their Senate in general. It touched on double standards and not holding themselves personally responsible. They'd be better off if they looked at what they personally do and whether they'd be mad at somebody else doing it, and take a step back and look at things in a broader sense.

Mr. Nahabet said early that year Senators asked other Senators to not interrogate the AAVP, so they should think about double standards and not just what happened that evening. It happened on both sides.

Ms. Rodriguez said she hoped they could have a semester with good communication and accountability to the Senate, in committees, and groups on campus they represent. She wanted to commend Ms. Cho for making sure she was accountable to representing the GA and that reps to that committee were accountable.

Ms. Shah said this week was Spring Welcome Week. The AAVP has been working very hard, as was Isaac Miller and his staff. That day, Thursday, from 6:00 to 10 p.m. at the MCC, there will be an arts fair. On Friday there will be an event with Spring Welcome Week and SUPERB and a concert. There will be a community event in Oakland at the East Bay Arts Alliance. It will also deal with Oscar Grant, who was shot on BART, and things that happened in Gaza. It will be a good educational event on the 26th, from 6:00 to 8:30. Also, she hoped people had a good break. That evening and that week she's been reflective of her New Year's resolutions, which was to be more mellow and levelheaded when engaging herself with other people. She knew she hasn't done that that evening, but she'll try. During this break she was reminded of her own insignificance and about understanding humility. They sometimes sit there and bicker. Mr. Nahabet, Mr. Smelko, and Ms. Raffi were right in calling people out, but maybe they should be more respectful of each other. People try to earn the respect of the campus community, but not each other's. If people are in a room with others for a whole year and didn't earn their respect by the end of the year, or never gained it, or lost it, they haven't been doing what they should be doing, which is to create community. She'll really make an effort.

Ms. Chen said that on Friday, as part of Spring Welcome Week, there will be a workshop to talk about chemical sprays, safety tips, and self-defense. It will be in Heller Lounge. She hoped to see people there.

### Standing Committee Reports

Ms. Pasco said she would be proposing the following as the new rosters of Standing Committees:

For the Finance Committee, Ms. Dhar, Mr. Nahabet, Mr. Zuo, Ms. Shah, Ms. Flores, Ms. Rodriguez, and Ms. Hussain.

For the Constitutional and Procedural Review Committee, Ms. Oatfield, Mr. Owens, Mr. Tran, Mr. Mairena, Mr. Sakaue, Ms. Cho, and Ms. Chen.

For the University and External Affairs Committee, Ms. Tran, Ms. Ude, Mr. Smelko, Ms. Raffi, Ms. Yang, and Mr. Moghtader.

Mr. Owens moved to recess for four minutes to talk about committee membership. The motion was seconded by Mr. Mairena and passed with no objection. This meeting was recessed. Back in session, Mr. Owens moved to extend the recess for three minutes. The motion was seconded by Ms. Tran and passed with no objection.

Back in session, Ms. Pasco said the final committee assignments to Standing Committees were as follows:

Finance Committee -- Ms. Dhar, Mr. Nahabet, Mr. Zuo, Ms. Shah, Ms. Flores, Ms. Rodriguez, and Ms. Hussain.

Constitutional and Procedural Review Committee -- Ms. Oatfield, Mr. Smelko, Mr. Tran, Mr. Mairena, Mr. Sakaue, Ms. Cho, and Ms. Chen.

University and External Affairs Committee -- Ms. Tran, Ms. Ude, Mr. Owens, Ms. Raffi, Ms. Yang, and Mr. Moghtader.

Mr. Nahabet moved to approve committee appointments. The motion was seconded by Mr. Mairena. THE MOTION TO APPROVE COMMITTEE ASSIGNMENTS PASSED WITH NO OBJECTION.

Mr. Nahabet moved to reconsider to recall election dates. The motion was seconded by Mr. Owens. Mr. Nahabet asked to rescind his motion.

Mr. Nahabet moved to adjourn. The motion was seconded by Mr. Owens and failed by hand-vote.

Mr. Sakaue moved to go to Executive Officer Reports.

#### Report from the Executive Vice President

With Ms. Vir-Banks chairing the meeting, Ms. Pasco said that because membership has changed for Senate Standing Committees, she would ask them to please rethink having new chairs and vice chairs and to also consider whether to keep the same meeting time and place. She would ask them to please reply to the e-mail she sent out about logistical questions, especially regarding the leadership retreat. For prayer space, they scheduled a meeting with the Vice Chancellor of Equity and Inclusion for next Thursday at 11 a.m., January 29. If people wanted to talk about that or any other topics, she would ask them to please let her know so she could forward their names to the Vice Chancellor's secretary.

Regarding the retreat, she would ask them to please respond to her e-mail about the earliest time they could meet on that Friday, as well as any dietary restrictions or allergies. Also, she would ask them to please do the questionnaire. It was an evaluation of last semester and will help her to create the agenda of what they'll do on the retreat. She wanted to focus on community building and rebuilding or mending bridges to work better with each other and improve their working situation for the rest of the semester.

Ms. Pasco said she got a call from the Manager of the Cal Lodge, Dan Borge, and there was a cancellation for the weekend the Senate wanted the Lodge for its retreat, so they will actually stay at the Cal Lodge for the retreat. Lastly, Ms. Pasco said she sent about an e-mail about ASUC intramural basketball. If people were interested, she would ask them to please get back to her so they could form their team and maybe have a practice.

Ms. Hussain asked where the prayer space meeting will take place. Ms. Pasco said it will be in 102 California Hall. Ms. Hussain asked if it was open to interest students or just to ASUC officials. Ms. Hussain said it was open to whoever wanted to meet, but she had to forward people's names before the meeting.

Ms. Chen said that since they're having the first committee meetings, she asked if they should announce it that evening. Ms. Pasco said she would ask them to figure that out at their first meeting. It didn't have to be announced at that time.

Ms. Pasco said the Chair would entertain a motion to adjourn. It was so moved and seconded by Mr. Mairena and Mr. Sakaue and passed with no objection.

Roll call was taken for attendance. Members present were:

Sheila Chen	Eddie Nahabet	Will Smelko
Sarah Cho	Christina Oatfield	Lisa Tran
Meghana Dhar	Tommy Owens	Tu Tran
Mary June Flores	Tara Raffi	Obiamaka Ude
Saira Hussain	Claudia Rodriguez	Stephanie Yang
Oscar Mairena	Lyell Sakaue	Yishi Zuo
John Moghtader	Kifah Shah	

This meeting adjourned at 12:44 a.m.

These minutes respectfully submitted by,

Steven I. Litwak  
Recording Secretary