

University Centers Advisory Board
Meeting Minutes May 20, 2014
PC Ballroom East

Call to Order

- Meeting called to order at 2:06 pm
- Present: Justin Dewaele, Colin King, Daniel Jacobsen, Lindsay Freeman, Doug, Sharon Van Bruggen, Tiffany Miao, Louie Wang, Elyssa Droge, Sammy Chang, Jeremy Schneider, Claire Maniti, JJ Ma, Paulina Nguyen, Jason Thornton, Emily Marx, Yahya Hafez

Public Input

Frequency: All Male Acapella Group

- June 2nd
- 7-8:30
- Tech Fee: 300
- Alumni inclusion
- PC Theatre
- Elyssa: How many people do you expect to attend?
- ~300 people
- How are you advertising for the event?
- Social Media and fliers
- Sammy: Funding sources?
- No funding resources are only for college student orgs so we only have UCAB
- Jeremy: You can go to other sources for funding just limited, all college councils
- Elyssa: Students or outside community?
- Alumni and families, its free for everyone

- CHE CAFÉ SPEAKERS
- Andrea: Attorney
- Obligations under charter to oversee these things
- This vote is not valid because it's under master space agreement
- Legally obligated to fix these basic repairs
- Without information, you can't vote to veto it out of budget
- Certain cuts out of budget, legally obligated to cross with other contracts
- Cannot take it out of budget, if you do it will be challenged
- Everyone's on notice
- Beyond university being legally obligated out of budget, this vote should be delayed until mediation reaches a resolution
- Section 17 and 18 that you agreed to with regents
- Need to follow procedures of your own contracts
- Until authorized to veto out of budget you can't vote on it
- Mandatory expenses whether it means deficit or dipping into reserves
- No reason why you need to rush into decision, fiscally irresponsible

- No one wants to be on wrong side of history with the few responsibilities with core members
- We tried to get answers but you have been blocking us all along
- Putting up alternative budgets but you don't need it to vote it down
- These questions haven't been answered
- The policies that need to be followed need to happen first
- Legal council has been notified and AS and GS has
- If you want to make a responsible decision vote it down and we can come back and make a decision later

- Under legal obligation to maintain che facility
- When you talk about responsibility, you can't cut a facility you are obligated to
- How can you prioritize anything over maintaining 3 facilities?
- How can you increase marketing by 70,000 to send people to conferences and cut facility?
- Maybe you would dip into reserves: used for essential projects to maintain facilities
- This is what reserves are for
- Violation of legal obligations
- Certain kind of railroading the way admin has been reticent to give answers
- We were not notified until 2 weeks ago
- Transparency around this issue, how is UCAB supposed to vote when there's only one budget has been prepared
- Underlying reality is that this is a political issue, I thought that we were past those kinds of issues
- I know that there are people who are not fans of the coops and give a lot of back pressure when meeting with them
- About referendum and trying to get referendum passed
- Watched it happen 2 years ago when referendum trying to be passed

- Davide
- You cut the che, you will still be in crisis and you're going to
- Che café doesn't tap into funds
- Groundwork books never
- We always pay for everything, don't get TAP money
- All we ask for is what you're legally obligated to give us
- Your responsibility as landlord
- You've known about this since 2010
- Extremely irresponsible that you defer maintenance
- 400,000 to 4 million
- What are you voting on?
- Don't rush, this is a really really big decision of an entire community

- David
- Lot of history

- Tried to create historical documents
 - Attempt to have student run college
 - Lot of autonomy and it scared admin
 - Admin abolished them
 - Che café was original student center before student center
 - Set up as student fee funded facilities, students pay and it all goes into budget
 - When you built first part of PC, there was a lot of resistance
 - Money taken and sent to new buildings
 - You had to pay full fees for PC and student center
 - 1994-Joe Watson disestablishing board and re-establishing UCAB
 - This board is a puppet board
 - Once it deviates from admin's perspective they are abolished, becomes advisory
 - Students can do what they want as long as admin is ok with it
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- In 15 years the Che is considered a historical building
 - If you think the Coop is a money pit imagine the possibilities of having a historical building here
 - 80 years old
 - UCSD should train people to have books in their hands instead of weapons
 - Reason that Che café is standing here, oldest building on campus, we should not just neglect it
 - Che café was privileged to be part of military base
 - Remember those who fought for our peace, che café signifies peace
 - If we allow it to go to ruin, love community knowledge and self-expression
 - Freedom to embrace other cultures, fought for equality and what was right and righteous
 - Don't let UCSD become more of a machine than the better ideas that mankind has to offer
 - Don't allow the Che to be pushed to the side considering its value
 - Keep Che strong and be bold yourselves
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- Vote: to extend by 5 mins
 - Yes-9
 - No-3
 - Abstain-2
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- Why it needs to be considered for funding
 - How safe it makes them feel when they are not safe in other sides
 - Whether funding is available, citing surveys and budgets
 - We don't see anyone here as a bad person or an enemy, just misinformed
 - We are still adjusting to everyone that's being mentioned to us
 - Trying to control all this information so that you can make a decision
 - We don't see that che café is unimportant
 - It's scary to look at multimillion dollar projects
 - This is the type of information we have been trying to clear
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- Said what are we deciding on?

- Who's going to be impacted by this
 - Chose to go to UCSD because of Che Café
 - Sacrificed a lot of things to go to Che meetings
 - So that che can be a historic landmark that UCSD can be proud of
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- Jehoan: Motion to allocate Che café into the 2014-2015 budget
 - Seconded by Justin
 - Objection by Jeremy
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- Mission of University Centers is to foster learning and PC seems like a mall, we are trying to avoid making it a mall
 - Students are constituents for every one of the councils and it's important to them
 - Don't see why we can't renovate che right now
 - Next board to make sure they put a lot of effort to referendum
 - Jeremy: There was another budget to see if the alternative budget saves money and questions about master space agreement. Are we bound by master space agreement if they are in default?
 - Until we terminate the lease yes
 - Jehoan: Withdraw motion
 - Motion to reorder to new business: Jeremy
 - Seconded by Elyssa

Chair Report, Samuel Chang

Vice Chair Report, Elyssa Droge

Director Report, Sharon Van Bruggen

New Business

1. No
2. No
3. Yes
4. Yes
5. Yes
6. No
7. Yes
8. Yes
9. No

- Daniel: Motion to fund for 225
 - Seconded by Yahya
 - Daniel: Move to go back to public input
 - Seconded by Jeremy
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- Not submitting a proposal for another budget yet
 - 629,183 of expenses that can be cut and used to pay for the Che
 - There are different ways to allocate the budget
 - This is not an alternative given that we might not be able to vote on it

- Jeremy: first 5 cuts are for pay and benefits, cannot cut those right?
- Doug: Yes that's correct
- Claire: Career staffing benefits
- Louie: I don't think item 16 plaza and loft and if we take these things out we are not student center anymore
- Justin: What I did is I reduced it to 3% pay increase, we just heard Sharon say that we still have to pay Che's expenses. In Sharon's opinion, Che is in default, are still in legal obligation.
- Sharon: We are obligated under master space agreement, we are not obligated to pay these expenses, even if we are deferred
- Yahya: the first 5 cuts are not paid cuts, so those would be in violation?
- Doug: 3% and benefits also so can't change that
- Elyssa: voted to put Che in default, would we have to vote to take them out of default?
- Sammy: yes
- Yahya: Why was Che put on default initially?
- Sammy: Because they did not have nonprofit status, university centers did put them on default in December 2013
- Claire: Documents from attorney provided?
- Yes several months ago
- Jeremy: Providing post event forms? For rescind default status?
- We have received 2 months' worth since then
- Yahya: Are there currently any reasons if non-profit status what happens to default?
- Sharon: at the time of that default you discussed that they would remain in default until they get that back
- Attorney: Che does have non-profit status in California, information has been provided
- We will have a determination in a month, the reason for losing default status was not because of Che's fault, and it was because of IRS changing tax code. Not because of failure of Che café
- They have cured this default
- Jeremy: Is Che up to date with all rent? If not, how far behind?
- 6,500 behind
- Renee: in fall of last year, 3 things discussed: rent, nonprofit status and insurance
- Normally due in winter, so I discussed with Sharon. Advised to focus on nonprofit status and insurance because most important things. Rent negotiations so I thought it would be forgiven so we started saving for insurance. Paid 10,100 dollars for insurance already. Non-profit status almost ready, and now we have 5,000 since insurance was paid. Plan on making half the rent this month to pay and next month we won't owe anything to university.
- Lee: Coop union in rent negotiations we came to different figures
- Sharon: Met several times with Renee and other members, didn't advise that rent was not to be considered, strongly advised that since GSA and AS were involved, the Che should work on their nonprofit status; I did that in an effort to help. Insurance would close you down, but never said rent was not important. Negotiations for rent did not include Che café. I believe it has all been clarified; the suggestion was they had credit for one or 2 of organizations for 3rd organization. That debt has been written off, so it has been clarified and is no longer even a point
- Justin: If university centers had a multiyear plan to allocate expenses for every year we wouldn't be in a situation where disproportionate amount of money is necessary in one year

- Louie: a lot of things have been deferred will come back to us, Che is an important part of campus, however in terms of multiyear plan, our income might change so we can of course make it, but the plan will get affected by the changes.
 - Jeremy: if we do not allocate funds to Che and do not move them, then would fire marshal be involved?
 - Sharon: desire to make facilities safe is by potential relocation
 - Ellen: irresponsible to leave it at that state because liabilities fall on us
 - Louie: This is not part of the university's duty, but we think it is a big important part of campus
 - Attorney: disclaims any university liability policy for any kind of injury and would be covered under insurance policies. Saying that they are necessary but don't want to fund under lease. If they are not critical and necessary shouldn't have to relocate. Why not minimize expenses there. Why it should be included until you understand that there is an alternative. Legal obligations.
 - Jeremy: Is lease for Che year by year? And is it renewed?
 - Month to month holdover and it is not renewed
 - Justin: move to include Che is 2014-2015 budget
 - Seconded by Jehoan
 - Objection by Daniel
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- Dan: vote to table vote, new points brought up that should be addressed. Fiscally irresponsible to include them in budget
 - Jeremy: if we do not desire to we can vote to rescind lease
 - Louie: not receive clarity through this meeting so it would be irresponsible to leave it in budget
 - Motion to table the motion that was presented by Justin until next meeting
 - Seconded by Lindsay
 - Objection by Jehoan
 - Attorney: requesting information isn't within our control, line item clarifications what's mandatory or not, what to cut. Can't terminate MSA. Requested mediation, want formal dispute resolution before we proceed with legal options. Until that happens, this vote can't happen anyways. Just because we are in default doesn't mean we can terminate. Master space agreement in full force at this time. Cannot terminate when we have disputes, renegotiation of this agreement so can't terminate. Don't have authority to terminate msa.
 - Jeremy: All the information requested ISES and other inspection and defers maintenance and draft budget is available online for public to look at.
 - Ellen: It's not just Justin who has been looking at alternatives; all budget committee has been weighing and balancing every cut. Understaffed as of this moment, not just Justin.

- Louie: Whoever cares about the Che, please check online and come into consideration of what's more important
 - Jeremy: what is the limit for the reserves?
 - Doug: Not sure
 - Yahya: don't have information to why certain things are inside budget and what can't be cut out
 - Attorney: What Sharon has been saying about health and safety concern and standard of care, where is that? Coops and Che café in default nothing has been specified. Would like you to further explore pools of money. How these repairs, if they are necessary at all. Not given question about reserves, plenty of info not given yet.
 - Jeremy: Info that requesting is the type that would require architect to come is 15000 plus 15% without knowing amount of reserves, we shouldn't dip into reserves. What's minimum and would that be through budget office?
 - Yes I will research
 - Jeremy: Move to call the question
 - Seconded by Elyssa
 - Vote: to table motion on table to allocate the Che facility renovations for 2014-2015
 - Yes-9
 - No-2
 - Abstain-3
 - Vote passes. Motion tabled for next meeting
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- Elyssa: When non-profit status reinstated, UCAB won't be in session when that takes place, straw poll who wants to take them out of default?
 - Yes-3
 - No-7
 - Abstain-2
 - Jeremy: Move to call special meeting, on Saturday at 12 to deal with space allocation, budget, che facility, and chair and vice chair determinations
 - Seconded by Elyssa
 - Objection by Justin
 - Amendment: space allocation chair and vice chair determinations and the rest on Tuesday
 - Ellen: availability
 - Available-5
 - Not available-5
 - Not sure-5
 - Jeremy: Move to close apps for chair vice chair and at large members tonight at 8 pm
 - Seconded by Elyssa
 - Objection by Claire
 - Amendment to extend until Thursday at 8 pm
 - Vote to close members at large and chair and vice chair on Thursday and 8 pm
 - Yes-13
 - No-0
 - Abstain-1

- Passes
- **Old Business**
- **Member Reports**
- **Announcements**
- **Open Forum**
- **Adjournment**
- Meeting adjourned at 3:36 pm