

June 25/26, 2016 Council Meeting: Preparation, Strategies and Motions

(With replies from LRCuesta, PRP – June 17, 2016)

#	Topic for Motion	Motion (Lorenzo Cuesta, PRP)	Comments	RONR Reference
1	Remove Executive Officers Yvonne, Margarita, Tamika and Theresa from voting on stipend re: conflict of interest	No motion necessary: Just state that, “No member should vote on a question in which he has a direct personal or pecuniary interest not common to other members.”		p. 407 lines 22-25
2	Remove the chair from presiding during the vote for the stipend (conflict of interest)	1. Point of Order (reason #1 above) 2. Move to “Suspend the Rules” that prohibit another member to preside over this motion.”		p. 651 lines 16-23; p.652 lines 1-11.
4	Stipend Committee Report Response, Option A: Need Postpone motion to detail funding source and get budget committee approval/options for funding. Funding source for stipends has not been approved by the budget committee. If the funding will be from employee dues, then the employees will need to vote on this stipend.	A: “Move to refer to Budget Committee to report by next meeting on funding source, and options to pay for this increase in cost.” (Postpone merely delays without forcing a review.) Do the Constitution, the bylaws or other policy document state that funding source has to be approved (I doubt it)? Do these documents state that expenses paid by employee dues requires employee approval (I hope so. Let’s verify.).	Stipend Committee can only suggest; they cannot make a motion. They are not a standing committee. Be prepared to make a motion, amend a motion and postpone (indefinitely) a motion.	p. 168-171
5	Stipend Committee Report Response, Option B: Send back to the Committee for clarification and further research, etc: The issues with the accuracy and relevance of the proposal will be discussed during Council meeting and the committee report needs further clarification, fact checking, resolution, etc. Motion to send back to the committee with a due date as to when to present to the council again.	B: “Move to refer to Budget Committee to report by next meeting clarification, research on fact checking, etc. on funding source to pay for this increase in cost.”		p. 168-171

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6	Stipend Committee Report Response, Option C: Motion to let membership vote on Stipends. Be prepared for amendments	C: We must follow documents of governance as to who has the power to approve stipend – Officers? Board? Constituents?		
7	Stipend Committee Report Response, Option D: Postpone Stipend vote until Council can inspect the use of the Executive staff credit cards (receive \$5000 per month). Need motion to provide DLC Presidents the monthly credit card statements on the first of the month for each executive staff. Credit card statements will be provided from the time they were elected in 2015. These past statements will be due to the Council on date (choose)?	D: “Move to refer to Budget Committee to report by next meeting after reviewing the executive staff credit cards for the past 6 months.” (Postpone merely delays without forcing a review.) “Move to have the Treasurer report to the DLC Presidents on the first of every month on the credit card statements for each executive staff.”	The stipend vote is all about appropriate use of member funds, fiduciary responsibility of the council members and an inspection/investigation of Executive staff handling of current financial resources.	
	Stipend Committee Report Response, Option E: Postpone the discussion for the stipend proposal until after contract negotiations are completed, so as to prevent any impact to contract negotiations, i.e. substandard negotiations meant as retaliation etc.	E: “Move to postpone the motion on the stipends until after contract negotiations are completed, so as to prevent any impact to contract negotiations.” (This is a true postpone motion)		
8	Stipend Committee Report Response, Option Other			
9	There was no discussion or final Policy file vote after Executive staff provided 30 days (or so) to review. Revisit Policy file changes with motion?	“Move that the membership receive current policy file and proposed changes currently only in emails.”	Need current policy file and proposed changes in emails, etc.	

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10	Are the motions available to allow public to speak and have a microphone during public comment?	Let us check if salary details are confidential. If not confidential, this motion on the stipend should be open to the members. We do not want to say “the public” because only union members have the right to attend a union meeting that is not under the Brown Act.		
12	Minutes from the 10/4/15 were approved in March without distribution and review. The minutes need to be distributed, reviewed and comments made.	Minutes must be shared with the voting members before voting and even any time afterwards. After distribution, the members have the right to make corrections. Comments would be fruitless.	Use RONR processes before meeting and motions during meeting.	p. 460 lines 13-20.
13	Which motion to deal with Past Practice that conflicts with RONR? If Chair violates RONR and claims she is doing so because of Past Practice, which was used because the Council was unsure of the RONR process, how do we re-engage the RONR and get back on track.	Past customs are as legal as any formally adopted rules unless they violate a document of governance rule. In such a case, the violation must cease once an objection is made, or the document of governance must be updated to allow the custom.	Can we claim “Plausible deniability”? No, whatever that is.	p. 19 lines 1-18.
14	Motion to change policy file to prevent all night meetings, add required time for lunch, dinner and breaks and put standards in as to how long a meeting can go.	Every meeting should have an adopted agenda. At the time of adopting the agenda, the members must modify it to include meals, breaks, and duration. Adding a rule to the bylaws to this effect would be too confining. Adding to the Standing Rules or policy document would merely hide the rule from the members. Better to amend the agenda before it is adopted.		p. 373 lines 1-6.
15	Need motion to restrict type of decisions that are made on conference calls. Possibly limit the amount of funds that can be negotiated during a conference call.	Would need to amend the documents of governance, such as the bylaws. “Move that expenditures in excess of \$XX,XXX may be approved only in a face-to-face meeting.”		

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16	How to deal with - in motions - when a DLC president is a victim of harassment via HR 1 (compliant) brought before the Council, all based on retaliation.	We need to see the extend allowed by the documents of governance. Robert prohibits any member from attacking the motives of another member. The association has detailed steps to follow if a member needs to be disciplined. If not, Robert has a whole section (§ 63. Verbal attacks are not to be tolerated.		P. 392 lines 12-25. p. 654-669.
17	Can Executive staff prevent any of the motions from being taken up at the meeting if the motions do not go to the Agenda committee?	Let us see the policy on creation of the agenda. Typically, members have a right to add business to the agenda under “New Business.”		p. 360 lines 13-23.
18	Mike Roskey’s (Leonards) motion from last Council meeting which was dismissed because the second was not uttered soon enough. Re-introduce motion re: access to union database by sharing electronically	Every new day is removes the limitations on introduction of any motion that failed or was never heard before. One can freely move the defeated/unheard motion again. If it was adopted, and is still inforce, we can only Rescind or Amend Something Previously Adopted.	This is lack of compliance with RONR.	p. 336 line 1 to page 337 line 6.

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