

Email Motion 8/8/22 Minutes
(8/8/22-8/10/22)

MOTION: On 8/8/22, Deb Leong emailed the EB regarding an Urgent Motion. Based on the EB's Mtg (8/5/22) and new information Deb made the following Motion: **Motion #1: The Board shall authorize the Trustees to conduct their Trustee Audit ASAP/at their earliest convenience. (Later Seconded by Brian)** Deb had consulted, and confirmed the prior vote to delay/postpone the Trustee Audit was Unconstitutional (for pending JP charges, for ongoing Bruchbinder Audit, or for the upcoming Convention). Any recent motion to postpone the Trustee Audit was opined Unconstitutional; making the prior passed motions (to postpone the audit) null and void.

DISCUSSION opened (7:06pm) and included:

*Point of Clarification discussion:

Prior 8/5 mtg determined her motion for Trustee Audit (Xochilt) was against Robert's Rules of Order (RRO), the making of a motion that was decided before; discussed that the original motion was Unconstitutional and therefore Null and Void (also per RRO).

*Some opined the current motion Out of Order as it had been voted upon and passed before

*Some opined it is NOT Unconstitutional to deny the Trustees the audit

*Authority of the Constitutions: 1) International constitution; 2) Financial Standards Code, 3) Local Constitution; any conflict follow the highest Authority (the Int'l Constitution). RRO is how we conduct business.

*T*No Trustee Audit during the two year term, which violates the Int'l Constitution Trustee Audit shall be at least semi-annually (per Intern'l Constitution, the highest authority).

*Definition of "**shall**" as a work of requirement, command, compulsory.

*Prior motion was to wait until the CPA Audit (2018-2020) concluded, but that audit does not examine the expenditures of this administration (11/2020-11/2022)

*Both the CPA Audit and the Trustee Audit can be simultaneously conducted as they are looking at different years and documents; there was no need to "wait" or "postpone"

*Roberts Rules of Order: Article II. General Classifications of Motions & Article 47: Votes that are Null and Void; if a prior motion goes against the body's Constitution, even if unanimously voted upon, the vote is null and void.

On 8/9 4:40pm, President Carlis states the Motion is Out of Order and against RRO. It was voted and ruled on. This seemed to suggest the motion was dead

On 8/9 5:35pm, Deb reminds that any passed motion that was Unconstitutional is Null and Void (per RRO) and that she is "Appealing the Chair's decision",
MOTION: Appeal the Chair's Decision that the "Motion for Trustee Audit" is Out of Order. (later Seconded by Brian Kaufman).

Mme President was invited (for this email vote, inside the original Email Vote) to further discuss her decision, or she could refer the discussion to her prior comments (no further comment). EB was given the opportunity to discuss the Appeal and the Chair's Out of Order decision.

DISCUSSION:

- Point of Information: Some JP news and an encouragement to correct Unonstional motions as "anyone can file JP charges for unconstitutionality.
- Motion as Out of Order, as already been voted upon; so nothing to vote on.
- Motion as against the Financial Standards code, so nothing to vote on.
- RRO instructions that any prior motion that was against the law or against the governing body's constitution, even if unanimous, would be null and void.
- Long discussion about Authority of Constitutions and also three articles:
 - AFSCME International Constitution, Appendix C, Article VI, Officers, Nominations, and Elections, Section 5
 - AFSCME Financial Standards Code, Section XI Audits, Section 1
 - AFSCME Local 2620 Constitution, Article VI Duties of Elected Representatives, Section 5
- Trustees requested to audit three times (9/25/21, 11/11/2021, 1/6/2022); their request was "postponed", and continues to be postponed (8/5/21 by Board vote)

VOTING on the Appeal began at 730pm and ended at 10:00pm on 8/9/22. 12 out of 19 (filled Board seats) voted; 12 Yea's; No opposition, no abstentions.

Motion to Appeal the Chair passed unopposed.

Yeas:

Deborah Leong, Chelsea Harris, Willow Saloum, Bonnie Thomas, Xochilt Martinez, Dr. Brandi Brooks, Tisha Hill-Smith, Lisa Smith, Sara Rojas, Hassan Juma-Ramadhan, Inesita Arce, Brian Kaufman

10PM opened voting on the Original Motion: to allow the Trustees Audit ASAP/at their earlier convenience. .

VOTING on Motion for Trustee Audit began August 9, 2022 at 10pm. Voting ends August 10, 2022 at 10PM. 13 out of 19 (filled EB seats) voted; Motion passes by majority vote; 11 yeas, 1 no, 1 Abstention M

Yeas:

Deborah Leong
Dr. Brooks
Tisha Hill-Smith

Hassan Juma-Ramadhan
Willow Saloum
Lisa Smith
Bonnie Thomas

Chelsea Harris
Brian Kaufman
Inesita Arce
Xochilt Martine

No's: Denise Nicks Abstention: Janelle Fischer

13 out of 19 EB seats voted. Quorum was met, and the Yea's prevailed 11 Yeas to 1 Nay.
Motion passes by Majority Vote; the Trustee Audit will be held ASAP/as soon as convenient for the Trustees.

Executive Board Decision

Dear Madame President Shukimba Carlis, Madame Treasurer Sofia Herrera and Ms. 9Lisa Trujillo;

I am writing to you to inform you that the Executive Board, the governing body of AFSCME Local 2620, approved a recent motion by majority vote on August 10, 2022. 99

The Executive Board authorized the Trustee Audit to be conducted as soon as possible at the earliest convenience of the Trustees. The Executive Board expects all pertinent documents pertaining to the year 2021 to the present date be made available to the Trustees for review to complete their constitutional audit of the Local's finances. The documents needed to complete their review includes, but is not limited to: credit card statements, copies of checks, bank account statements, Travel Authorization forms, Meeting Authorization forms, Executive Officer Meeting minutes, Executive Board Meeting minutes, Officer Reports, (ie. Treasurer reports, President reports, Vice President reports, etc) and any other documents the Trustees request to complete their audit.

As a representative of the Executive Board, I expect the Board's directive would be carried out without obstruction, and in compliance with the International and Local Constitutions.

Sincerely

Deborah Leong
Executive Board Member
Motion Author

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Sincerely

Deborah Leong

Executive Board Member

Motion Author

CC: Yok Choi, Trustee

Wanda Wullschlegger, Trustee

Al Austin, Business Agent

Rafael Serrano, Business Agent

Rafael Garcia, Business Agent

Juan Vasquez, Business Agent

Cliff Tillman, Interim Executive Director Council 57