

**CALIFORNIA VENDORS POLICY COMMITTEE
MOTIONS FROM CVPC MEETING
August 21, 2008
Sacramento, CA**

MOTION 2008.036. Moved that the committee accept the minutes of the May 29, 2008 California Vendors Policy Committee meeting as distributed.

Moved: Delegate Brown
Seconded: Delegate Maestas
Vote: Passed Unanimously
Absent: Delegate Schamber

BEP concurs with this motion

MOTION 2008.037. Moved that CVPC requests the Department of Rehabilitation to contract with a professional, neutral party to record minutes at CVPC meetings and have the expense come from the set aside VFTF.

Moved: Delegate Murphy
Seconded: Delegate Linker
Vote: Passed Unanimously
Absent: Delegate Schamber

(This motion in accordance with the Bylaws required a 2/3 vote to be heard) (Vote to hear the motion carried unanimously.)

BEP Response: The department understands the need for accurate and complete meeting minutes. However, due to personal contractual arrangements discontinued by the governor we cannot pursue the contract. The Department is willing to provide equipment that will provide the entire meeting recorded and sent via electronic transmission to the Executive Secretary for minutes. Also, this will allow that everyone will have the ability to hear the entire meeting via their computer.

MOTION 2008.038. Motion tabled by author.

Moved: Delegate Begian

Seconded: Delegate Linker

Vote: No Vote was taken

Absent: Delegate Schamber

MOTION 2008.039. CVPC moved the following resolution:

We the California Vendor's Policy Committee (CVPC), believe in order to promote the establishment of facilities in the Business Enterprise Program; it is necessary for the Department to generate, encourage and facilitate (in writing), to enter into direct negotiations (sole source) for DOD, DOE, Federal Contracting, and/or any opportunities not available by permit. Unless the Department can give written proof where it would disadvantage or prove harmful to the interest of the state, California Department of Rehabilitation/Business Enterprise Program (the Department, I.e., DOR/BEP) shall forward to CVPC written proof of intent to directly negotiate for all contractual opportunities made available because of the Randolph-Sheppard priorities.

Moreover, CVPC believes, unless the Department can give written proof that a blind vendor is violating our rules and regulations, not fulfilling the conditions of their contract, or delinquent in payment of their fees, insurances or any other financials due the Department; CVPC supports its BEP vendors being allowed to continue or renew their existing contract.

Therefore let it be resolved, CVPC believes the above resolution has been program policy to date and will continue unless otherwise approved by regulatory process.

Moved: Delegate Begian

Seconded: Delegate Murphy

Vote: Passed Unanimously

Absent: Delegate Schamber

(This motion in accordance with the Bylaws required a 2/3 vote to be heard) (Vote to hear the motion carried unanimously.)

MOTION 2008.039. CVPC moved the following resolution:

BEP Response:

The Department has requested numerous times for direct negotiations with (sole source) for DOD, DOE, Federal Contracting, and/or any opportunities not available by permit. Also, we are diligently communicating with the United States Post Office, Cal Trans, GSA and many other agencies to ensure that we maximize our Randolph Sheppard Act Priority. The department is in the process of resolving the DOD issues and will advise the CVPC when an official determination has been determined.

MOTION 2008.040. Moved that CVPC hear a motion that only BEP Vendors current with their fee, liability and workers compensation Insurances receive a retirement disbursement. Also, vendors that are not current with their fees, liability and workers compensation insurances will not have their health insurance premium reduced by the amount paid from the BEP Trust Fund.

Moved: Delegate Adams

Seconded: Delegate Begian

Vote: Motion Failed

Absent: Delegate Schamber

District One - No

District Two - No

District Three - Yes

District Four - No

District Five - Chairperson

District Six - Absent

District Seven - No

District Eight - No

District Nine - Vacant

District Ten - No

(This motion in accordance with the Bylaws required a 2/3 vote to be heard) (Vote to hear the motion carried unanimously.)

BEP Response:

The Department will put into effect your request for any vendor that is active and owes money that their retirement disbursement will go to pay

for debt owed. The new disbursement procedure will occur in March 09. Procedures will be documented for CVPC review by January.

MOTION 2008.041. Moved to adjourn at 5:26 p.m.

Moved: Delegate Murphy

Seconded: Delegate Maestas

Vote: Passed Unanimously

Absent: Delegate Schamber