

**CALIFORNIA VENDORS POLICY COMMITTEE
MOTIONS FROM CVPC MEETING
July 20, 2006
Sacramento, CA
(with Department Responses)**

MOTION 2006.025. Moved that the committee accept the minutes of the May 18, 2006 California Vendors Policy Committee meeting and the Responses to the motions for the May 18, 2006 as distributed.

Moved: Delegate Griffith
Seconded: Delegate Martin-Hanlon
Vote: Passed Unanimously

Response: No response required.

MOTION 2006.026. Moved to rescind CVPC motion 2006.023, that was passed at the May 18, 2006 CVPC meeting and refer to the CVPC Vendor Benefits Subcommittee for review and make recommendations.

Moved: Delegate Martin-Hanlon
Seconded: Delegate Green (Alternate for Delegate Murphy)
Vote: Passed Unanimously

Response: No response required.

MOTION 2006.027. Moved that CVPC Chairperson forward the letter read at the CVPC meeting, concerning David Hanlon's grievance to Director Campisi.

Moved: Delegate Martin-Hanlon

Seconded: Delegate Bedikian
Vote: Passed Unanimously

Response: No response required.

MOTION 2006.028. CVPC hereby adopts the following Resolution:

CALIFORNIA VENDORS POLICY COMMITTEE

RESOLUTION

Whereas, the California Vendors Policy Committee (CVPC) had no prior knowledge of a Memorandum of Understanding dated September 10, 2003 signed by Catherine Campisi, until CVPC Chairperson Michael Hatch obtained a courtesy copy on July 9, 2006 and;

Whereas, this memorandum of understanding authorizes an unconditional waiver by the State Department of Rehabilitation for the priority to establish food services on State property by the Business Enterprises Program and;

Whereas, this waiver does allow the State Department of General Services to lease space in the East End Project of 14th and O Street, Sacramento, California for the purposes to establish private food services and;

Whereas, if these private food service businesses are allowed to be established it will erode the future and present priority authorized by State Law and;

Whereas, as prescribed under the Welfare and Institutions Code Sec. 19625, the Director of Rehabilitation is mandated to give written justification showing proof that establishing such facilities will be adverse to the best interest of the State and;

Whereas, the Director has failed to furnish CVPC a copy of this written justification before signing this waiver as prescribed under Welfare and Institutions Code Sec. 19627 (b) and;

Whereas, the Director has failed to properly promulgate regulations as prescribed under Code of Federal Regulations Sec. 395.3 (a)(1), Welfare and Institutions Code Sec. 19639 (a) and;

Whereas, Thomas Yanger, Attorney General's office, stated on December, 1999 in Sacramento California Superior Court case number 95CS00247, that DOR would hold public hearings for these proposed regulations no later than June 2000 and;

Whereas, the Director has failed to commit or contract for services to complete this action in a timely manner and;

Whereas, the Director continued to allow withdrawal of funding from the vendors set aside trust fund for administrative services by State Department of Finance for "Pro Rata services" and;

Whereas, under Welfare and Institutions Code Sec. 19629 (a) there are no provisions for expenditures for administrative services and;

Whereas, the director has failed to restore these withdrawals for "Pro Rata" services back into the vendor's trust fund, therefore, be it;

Resolved, That pursuant to Welfare & Institutions Code, Section 19630 (g)(1), the CVPC authorizes the expenditure of an amount not to exceed \$10,000 to retain Ben Allamano, Attorney, 1220 S Street, Suite 100, Sacramento, CA 95814 as legal counsel to:

- (1) Render a legal opinion on
 - (a) The legality of Director Campisi's action through the MOU dated September 10, 2003
 - (b) Director Campisi's compliance for the appropriate promulgation of BEP regulations.
 - (c) The withdrawal of funds from the BEP set-aside or trust fund for the payment to the State Department of Finance for Pro Rata services.

(2) By authorization of the CVPC Executive Committee do whatever legal filing, represent and take whatever restorative actions necessary on the above issues on the Blind Vendors behalf.

Resolved, The CVPC hereby authorizes the Executive Committee on behalf of CVPC to give direction for Attorney Allamano to file or take any necessary action between regularly scheduled CVPC meetings

Moved: Delegate Martin-Hanlon
Seconded: Delegate Green (Alternate for Delegate Murphy)
Vote: Passed Unanimously

(Because of the importance of this motion, a roll call vote was taken)

District One – Yes	District Six – Yes
District Two – Yes	District Seven – Yes
District Three – Yes	District Eight - Yes
District Four – Yes	District Nine – Yes
District Five – Chairperson	District Ten – Yes

Response: No response required.

MOTION 2006.029. Moved that CVPC dispense with the first reading of CVPC Bylaws and the committee is accepting these Bylaws as the replacement of the current Bylaws after the second reading as the next CVPC meeting, provided there is a $\frac{3}{4}$ vote of the members.

Moved: Delegate Hanlon
Seconded: Delegate Martin-Hanlon
Vote: Motion Passed

District One – Yes	District Six – Yes
District Two – Yes	District Seven – Yes
District Three – Yes	District Eight - Yes
District Four – Yes	District Nine – No
District Five – Chairperson	District Ten - Yes

Response: No response required.

MOTION 2006.030. Moved that CVPC accept the most recent Facility announcement for Facility 3-896-S, East End Complex, with the addition of the change in selection procedure and the number of employees required for each component of the Business Enterprises be added to that announcement.

Moved: Delegate Hanlon

Seconded: Delegate Fields (Alternate for Delegate Begian)

Vote: Passed Unanimously

Response: **The Department added the number of employees required for each component along with the special selection procedures as recommended by CVPC.**

MOTION 2006.031. Moved that in reference to facility 6-458-C, Superior Courts Building, Pasadena, CVPC recommends BEP Program Manager request that LA County provide a subsidy to make this a viable facility for a BEP vendor and/or move the facility to the first floor making is a wet vending stand. If the LA County does not agree to either solution, then CVPC recommends closing facility 6-458-C.

Moved: Delegate Fields (Alternate for Delegate Begian)

Seconded: Delegate Evans

Vote: Passed Unanimously

Response: **The Department agrees with the CVPC recommendation and the SBEC has been instructed to approach the county with these alternatives.**

MOTION 2006.032. Moved that in regards to facility 6-256-C, Juvenile Hall, and the two Department of Public Social Services buildings, CVPC recommends BEP Program Manager request LA County give BEP vendor operating that Business Enterprise a

subsidy. If the county does not agree, then CVPC recommends closing facility 6-256-C.

Moved: Delegate Fields (Alternate for Delegate Began)

Seconded: Delegate Martin-Hanlon

Vote: Passed Unanimously

Response: **The Department agrees with the CVPC recommendation and the SBEC has been instructed to approach the county and ask for a subsidy. If no subsidy is offered the facility will be closed.**

MOTION 2006.033. Moved to adjourn at 5:09 p.m.

Moved: Delegate Evans

Seconded: Delegate Bedikian

Vote: Passed Unanimously

Response: **No response required.**