

Minutes of the 2016 Annual General Meeting

Thursday, 27 October 2016 | 18:00

O.I.S.E. Auditorium, St. George Campus

Attendance

Jessica Nicole Afonso
Intisar Ahsan
Chimwemwe Alao
Yolanda Alfaro
Nour Alideeb
Zahin Ahmed
Lillian Al-Hanbali
Ramsey Andary
Aliraza Sajjad Asrani
Benjamin Atkins
Sugandha Bajaj
Martha Beach Bartel
Apurv Bharadwaj
Jing Bian
Sarah Bear
Marienka Bella Bishop-Kovac
Maria Bhura
Shannon Brown
Eric Bryce
Matthew Campbell-Williams
John Carreon
Nishani Chankar
Francis Au Chatur
Huiru Chen
Minli Chen
Amanda Chinemelu
Rahul Christoffersen
Mimta Chowdhury
Tasnia Chowdhury
Joel Jacob Colby
Kshemani Saakya Constantinescu
Haroon Dawood
Vanessa Sharon Demello
Jasmine Wong Denike
Melissa Dizon
Zakk Dodge
Nikola Dosge
Mazen El-Kurdi
Andre Fast

Jacob Malchiel Cahan Feldman
Aidan Fishman
Dylan Forgas
Ryan Alexander Silva Gomes
Cailie Gordon
Ben Gormley
Dale Gottlies
Nicholas Grant
Kathryn Anne Grundy
Leanne Marie Gruppuso
Shahin Imtiaz
Haseeb Mohamed Hassaan
Alexandria Henderson
Lisean Henry
Benjamin Hillier-Weltman
Shamsun Hossain
Qi Huang
Peter Huycke
Adriana Too Hon Lum
Marise Evelyn Hopkins
Ryan Hume
Ahmad Ilyas
Amal Shirin Ismail-Ladak
Alexia Lubuguin
Asad Jamal
Yi Wen Jin
Brianna Samantha Katz-Griffin
Gurneet Kaur
Tsukasa Kituchi
Doyun Kim
Jun Kyu (Justin) Kim
Damon Kissoon
Austin Koehler
Harrison Koo
Anushka Kurian
Tsz Ching Lau
Timothy Law
Steven Lee
Bennett Leong
Anqi Liu
Wei Liu

Garnet Sherwood Lollar
Yilun Lu
Mathew Magalhaes
Nasra Mahad
Naomi Maldonado-Rodriguez
Milan Maljkovic
Anthony Marchese
Saambari Mano
Anyika Mark
Alvira Matin
Xavier Martin Demers
Milen Melles
Mathias-Alexander Franz Memmel
Marian Mendoza
Hassan Mirza
Fatima Abdi Mohamed
Riley Moher
Jason Patrick Plant Moore
Fasiha Mukhtar
Avinash Mukkala
James Adam Nadolny
Felipe Nagata
Farah Noori
Asma Nsiri
Zachary Nixon
Stuart Norton
Abdulla Omari
Osman Osman
Nicole Provan
Nafis Rafid
Christian Raharja
Lesli Ransom
Robbie Raskin
Jacob Reinertson
Nicholas Rita
Paul Joshua Robichaud
Thomas Albert Prince Robson

Bella Rogal
Saarthak Saxena
Damanpreet Singh
Kareem Shahin
Shekhar Sharma
Shezray Sohaib
Stephanie Spagnuolo
Julia Standish
Tyrell Subban
Allana Sukhui
Andrew Sweeny
Aidan Swirsky
Ali Taha
Amanda Taank
Matthew Thomas
Ariane Tong
Stanley Treivus
Thomas Trimble
Maisha Uddin
Rishika Wadehra
Stephen Warner
Jonathan Michael Webb
Cassandra Williams
Ryan Williams
Yingzhi Xu
Zitong Xu
Lin Yao
Constantina Yiannacou
Qu Yujia
Qiuyue Zhang
XinXin Zhao
Muyan Zhou
Khrystyna Zhuk

1. Call to Order and Statements

The meeting is called to order at 18:43.

The Chair calls attention to Robert's Rules of Order. The Chair states the points at which a member can interrupt another member including points of order, points of privilege, and points of information. He states that the speaking time limit is 10 minutes, and a motion to limit speaking time can be moved at any point. He states that the meeting is not scheduled to end at a particular time, but the assembly should try to leave by 22:00.

The Chair further states that accusations towards any member of this assembly are not in order. He states that actions of the assembly can be criticized but individuals cannot be slandered.

The Chair further states that decorum should be maintained. He states that a gender-varied speaking list policy will be enforced at microphones and asks to ensure gender parity lines for speaking at each microphone.

The Chair further states that the meeting is covered under the University of Toronto's disruption policy. He also addresses the anti-harassment policy. He states that Ellie Ade Kur will be an Anti-Harassment Officer for the meeting. He states that the purpose of the Anti-Harassment Officer is to monitor the meeting space. He states that Ellie's contact information will be displayed on the board for as long as possible.

The Chair reminds people that there are members of the media present. He asks members who object to having their photograph taken to speak to designated individuals.

2. Approval of Agenda

MOTION

MOVED: J. WONG DENIKE

SECONDED: M. MEMMEL

Be it resolved that the agenda be approved as presented.

CARRIED

3. Approval of Minutes

MOTION

MOVED: M. MEMMEL

SECONDED: J. WONG DENIKE

Be it resolved that the minutes from the 2015 UTSU Annual General Meeting be approved as presented.

CARRIED

Singh asks the Chair to call for abstentions.

The Chair states that he will call for abstentions

4. Presidential Address and Question Period

DISCUSSION

Wong Denike welcomes and thanks members for coming to the UTSU Annual General Meeting. She states that members come together to share ideas and ways in which the UTSU can be improved. She states that members' motions are brought to the floor so that people can vote on them. She states that Robert's Rules should be used responsibly, rather than to silence others' ability to participate. She states that members should be mindful of the language used and respect those who are here to learn and to make valuable contributions. She states that students are free to critique what the UTSU is doing. She states that the budget is posted online for everyone to see. She states that the minutes packages are up sooner so that members can see what is being discussed at meetings. She states that policies are updated to be more cohesive so that certain practices are maintained for future executives. She states that the UTSU is reaching out to clubs on campus and is working to arrange frequent meetings to establish open lines of communication.

She states that the recent referendum campaign to create a levy that would have provided guaranteed funding for clubs did not pass. She further states that the UTSU has learned some valuable lessons from that failure. She states that the UTSU has to do more to regain students' trust. She states that they will continue working on improvements to the budget and budgeting process until students are sure of the UTSU's commitment to transparency. She states that the UTSU is hosting townhalls on the University's sexual violence policy to continue holding the administration accountable. She states that the UTSU is trying to establish new bursaries for students, and a resource banks of rentable equipment for clubs. She states that there are plenty of ways that members' voices can be heard at the UTSU. She states that she has a duty to actively serve marginalized communities on campus, and that she has a strong belief in the voices of marginalized people being a priority in order for equity to be successful.

MOTION TO LIMIT SPEAKING TIME

MOVED: GRANT SECONDED: OMARI

Be it resolved that the speaking time is limited to 3 minutes per person, twice per motion, and renewable upon amendments.

CARRIED

A member asks why some members are not able to be at AGM while some are. She states that items passed at an AGM affect everyone. She asks if there is a town hall coming up.

Wong Denike states that the UTSU is hosting a townhall to combat anti-blackness on November 10, 2016. She states that they have been working towards listening to

concerns students have in a more constructive way than in the past. She states that an open dialogue will be maintained moving forward.

Memmel states that the UTSU has to follow its Bylaws and the law governing corporations which govern how the AGM can operate.

Fast states that students continue to pay high tuition fees and continue to be in debt. He states that the UTSU seems to be silent on this issue. He asks what the UTSU's advocacy plan will be for the rest of the year and if a tuition campaign is planned.

Wong Denike states that tuition in Ontario is the highest in the country. She states that a week of action in the next week will be focusing on rise in tuition prices. She states that she has met with Education Minister Deb Matthews to discuss what the Ontario government is doing, and whether they would accept a tuition freeze and a freeze on the tuition rate that the government can increase tuition. She states that the UTSU will be producing more materials related to tuition increase caps, and why tuition should be barrier-free for all.

Mukkala asks those at the front of their room to state their preferred pronouns.

Memmel states that he uses he/him pronouns.

Wong Denike states that she uses she/her pronouns.

5. Receipt of Audited Financial Statements

MOTION

MOVED: M. MEMMEL

SECONDED: J. WONG DENIKE

Be it resolved that the audited financial statements for 2015-2016 be approved as presented.

Memmel states that representatives from the UTSU's auditing firm are present and that they can answer questions about the audit. He states that there is one amendment and a typographical error. He states one change to note is that a previous health and dental plan allocation was included in the summary page and that the line in the operating budget is correct. He states that the health and dental lines are now separated. He states that there is further division in HR costs and these are divided up to further categories.

MOTION TO AMEND

MOVED: MEMMEL SECONDED: ANDARY

Be it resolved that the amount listed for University of Toronto Mississauga Students' Union be corrected to \$10,689 in 2016, and \$10,228 for 2015.

CARRIED

Singh asks Memmel if he thinks the UTSU is spending too much on HR costs, and if the UTSU is doing anything to reduce these costs.

Memmel states that the UTSU as an organization must consider individual expenditures in the context of the budget as a whole, and that the UTSU should engage in an active review of expenditures. He states that the UTSU's planned move into Student Commons further complicates the situation, as the Commons will create new services and a resultant increase in staff costs. He states that it is too early in the year to come to a conclusive determination.

Saxena asks if the UTSU has plans to reorganize the budget in light of the failure to create a levy dedicated to clubs funding.

Memmel states that with respect to the dedicated clubs funding levy referendum that did not pass, many members were concerned that the UTSU would use the dedicated levy to allow the reallocation of pre-existing clubs funding from the UTSU's general revenue to other line items. He states that this was never the intention of the dedicated levy.

Memmel further states that, in regards to the Student Commons, the UTSU needs to consider what services it can afford to operate. He states that, when the Student Commons was first proposed, it was supposed to be a two-storey building and now it's become a substantially more complex project. He states that the UTSU does not have an operating plan or operating budget for the Student Commons, or business plan, both of which are needed to determine what services can be offered through it. He states that the internal deadline for a Student Commons operating plan is the end of this semester. With regards to construction of the Student Commons, the UTSU is doing its best to stay on schedule, but are a bit behind: It's a question of scale and what can be offered, and the Executive want to make sure what is done is as transparent as possible.

Henry asks for explanation regarding a cut of \$75,000 to Clubs and Other Subsidies from the budget between 2015 and 2016. She states that in 2015 these expenses were \$296,000 and in 2016, they are \$220,000.

Memmel states that there were some HR costs against the budget that are no longer included in the line item specified. He states that in the Financial Statement as presented, there is a difference between clubs funding and other expenses relating to clubs. He states that there is a distinction between the amount that is approved in the budget for clubs funding and the amount that is actually dispensed to clubs, and that the Financial Statements reflect the amount that is actually dispensed. He states that reasons for the difference in amounts include fewer clubs than anticipated applying for funding, as well as clubs simply not picking up funding cheques that are written for them.

Fullner asks about the process of dealing with assets at the end of the year.

Memmel states that assets are divided into a number of categories, such as cash in hand and inventory. He states that cash sits in a variety of bank accounts, which the UTSU earns interest on.

A representative from the auditing firm states that net assets are unlike government assets that would go to other funds. He states that net assets stay with the union and are used for future spending. He states that the UTSU has a large amount of net assets because corporations' fiscal years end on April 30, but the academic term runs from

September to the next August, and the UTSU receives much of its funding in September. As such, the UTSU uses its assets to fund its operations from the end of the fiscal year in April until the next large instalment in September.

A member asks why \$40,000 was cut from campaigns and \$20,000 was added to meetings?

Memmel states that there was an increase in the number of meetings held last year. He states that there were three Annual General Meetings last year, each of which cost about \$6,000.

A member asks if there's only one AGM this year.

Memmel states that these statements are from the previous fiscal year. He states that, with respect to the decrease in funds for campaigns, there was a reordering of priorities, and a need to subsidize Orientation, which ran a deficit.

Gomes states that, regarding campaigns, the reason there is a big difference between what was allocated in 2014-2015 compared to 2015-2016 is that previous years' executives overspent on all of commission budgets. The 2015-2016 executives ensured that spending on commissions stayed within the allocated amounts, so as not to increase deficits.

Fullner states the UTSU has \$7,000,000 in total assets. He asks why the UTSU needs \$2,000,000 to spend during the summer months when school isn't in session.

A representative from the auditing firm states that the \$2,000,000 is reflective of the Health and Dental plan, which is the most significant item in the budget. He notes that the amount allocated to the plan ensures that students can continue to use their plan during the summer months.

Memmel states that, previously, the UTSU has never separated any money from its general cash reserves. He states that the UTSU is starting to create a cash reserve system, so that if unexpected expenses arise, it is able to pay that expense without incurring a deficit or otherwise drawing from the general revenue and reducing the UTSU's ability to function properly for the rest of the fiscal year.

CARRIED

6. Appointment of Auditors

MOTION

MOVED: M. MEMMEL

SECONDED: J. WONG DENIKE

Be it resolved that _____ be appointed as the external auditors for the University of Toronto Students' Union for the fiscal year ending April 30, 2017.

Memmel states that it is good practice to change auditors every few years. He states that they still recommend Yale and Partners moving forward.

MOTION TO AMEND

MOVED: MEMMEL SECONDED: WONG DENIKE

Be it resolved that the motion be amended to read:

“Be it resolved that Yale and Partners LLP be appointed as the external auditors for the University of Toronto Students’ Union for the fiscal year ending April 30, 2017.”

CARRIED

Andary asks when the last time auditors were changed.

Pinnock states that the standard practice is to change auditors every five years, but the UTSU has been with its current firm for closer to ten.

Lollar asks why, if it should be done every few years, the change is just happening now?

Memmel states that the UTSU will present a request for proposals to a number of auditing firms, which will have the opportunity to bid on the proposal. That process takes about 4-5 months. He states that, when the current set of executives came into office it was not on the priority list, but that moving forward, they will conduct the RFP so that next year’s executives can make that decision.

CARRIED

7. Bylaws Amendments

MOTION

MOVED: M. MEMMEL SECONDED: J. WONG DENIKE

Be it resolved that the Bylaw Amendments as presented in Appendix A (Bylaw Amendments since 2015 AGM) be approved as presented;

DISCUSSION

Memmel states this is a compilation of all Bylaw amendments since the 2015 AGM. He states that UTSU Board of Directors has ability to amend Bylaws *in temporum* as they see fit without ratification by membership, but that they need to be approved by the membership at a General Meeting.

MOTION TO AMEND

MOVED: LIDEE SECONDED: SAXENA

Be it resolved that Bylaw 6, section 3.a.i be amended to read: Seven (7) representatives of the University of Toronto Mississauga Students’ Union, appointed by the University of Toronto Students’ Union.

DISCUSSION

Omari states the number has to remain 8, because in the contract determining how many seats UTM gets, there are more steps to take in order to make this change than simply amending the Bylaws.

Lidee states that UTM's membership is made up of 12,000 students, and that there has to be 15,000 students for there to be eight seats.

The Chair states that an annual report is sent out to Corporations Canada, and that if the number of members at UTSU changes, it has to move to change the Bylaws. He states he does not want to open this up to contradictions. He clarifies that they are currently debating the amendment and not the main motion.

FAILED

Saxena asks for clarification on the Amendment on Ratification meetings cited in Bylaw 3, 1c.

Mommel states that the change is to ensure compliance with the CNCA. He states that the amendment will continue to allow for representation by division by ensuring that winners of divisional elections would be elected by entire membership at a ratification meeting. He states that, as Executives have already been elected by the entire membership, they do not need to be ratified.

Fisher states that there is an error in the Bylaw change pertaining to changes to the Elections Procedure Code. He states that the text reads: "Amendments to Election Procedure Code shall be subject to the restrictions outlined in Error! Reference Source Not Found...". He states he does not want to approve bylaws that have an error.

Singh discusses changes to Bylaw 6 with regards to Annual Ratification Meetings. He states that he brought up this issue at a Board of Directors meeting once. He states that it is undemocratic for the ERC to call another meeting of the exact same motion, to approve exact same list of election results, just because the motion failed the first time. He states that we should not reduce ourselves to hosting six meetings until the right people show up and we get the results that the executives want.

The Chair states that the Board has the authority to make Bylaw changes that are enforced until the next General Meeting, and that any motion that is not carried at this meeting would no longer be enforced.

MOTION TO AMEND

MOVED: SINGH

SECONDED: WEBB

Be it resolved that Bylaw VI be amended to read: "Should the Annual Ratification Meeting Adjourn or be declared inquorate without ratification having occurred, ~~or if the ratification motion does not carry,~~ the Elections and Referenda Committee shall meet within ten (10) days to call another Ratification Meeting. This meeting may be held during the Summer Session.

DISCUSSION

Omari states his concern with this amendment.

Ahsan states that just because a lot of students are voting, they don't think we need another ratification on top of having another election. He states that it is safer to keep the system as it is.

Gomes states that having the Ratification Meeting is simply to ensure existing democratic elections are compliant with federal law. He states that it is dangerous to have a system where an election, in which thousands of students vote, can be overturned by 10% as many people at the ARM. He states that doing so goes against the spirit of the democracy. He states that, in previous years, there were more legitimate concerns that the UTSU did not have a proper appeals process, but that a proposed change is the creation of an Appellant Board to address student concerns beyond the Elections and Referendum Committee.

Webb states that the bigger problem is that the Ratification Meetings are held in the middle of exams. He states he does not think that having a bunch of repeated meetings solves problems because it creates distrust.

Fishman states he believes it is correct that Appellant Board is a better place to adjudicate on concerns. He asks for a clarification on if a decision of the Elections and Referendum Committee can be overturned.

Memmel states that the Appellant Board can find fault in the procedures of an election and call for a new election, and that they can put a penalty against a candidate, such as demerit points or disqualification. He states that they could fairly adjudicate outcome of election at a procedural level and force new election as necessary.

Saxena states that he thought that a previous set of executives would apply for an exception from the CNCA to avoid the requirement for the Ratification Meeting. He asks if that exception has been applied for.

Memmel states that an application for an exception is being put together. This Bylaw has already been amended by Board of Directors this year, which may make the discussion moot. He states that, if there is only one member put forward for each position to an ARM, as is the case, those people are acclaimed to those positions, so there should never be an instance where there is a disputed ARM: Because there will only ever be one candidate at each seat at the ARM, the motion will not pass or fail; it will be acclaimed by default.

Singh states that right now, because of some parts in CNCA, UTSU is required to hold ratification meetings to ratify results of election that takes place in March. He states that when UTSU holds elections, there is a general meeting and members must vote to approve or disapprove election results. He states that someone earlier said that students sometimes get hot-headed. He states that if students come out to the meeting and vote down ratification results, they aren't just doing so because they're board; if that's happening, there are fundamental issues that need to be addressed. Saying that they are hot-headed is dismissive and offensive.

CARRIED

A member asks for the exact vote count of the amendment.

The Chair states that there were 292 in favour, 34 opposed, and 24 abstentions

CARRIED

8. Motions Submitted by Members:

1.1. Motion to Amend Budget Process

MOTION

MOVED: A. SWEENEY

SECONDED: J. HALL

Whereas a referendum is underway to add a levy charged at \$3.75 per session, earmarked to be spent solely on club funding, events and services of the Union;

Whereas there is currently no limit on salaries or executive honoraria;

Whereas this levy, if passed, should ensure that clubs, events and services funding is increased by that amount; and

Whereas this levy, if passed, should not enable any portion of the regular membership fee to be diverted away from clubs, events or services:

Be it resolved that Bylaw IX section 2, which currently reads:

There shall be three budgets prepared (Preliminary, Operating, and Revised), all which must follow the Budgeting Planning Framework set in the Operational Policy Manual.

be amended to read:

There shall be three budgets prepared (Preliminary, Operating, and Revised), all which must:

a. Follow the Budgeting Planning Framework set in the Operational Policy Manual

b. Allocate no less than 25% of the gross revenue from regular membership fees toward student clubs, events and services; notwithstanding any additional amount allocated from other levies

DISCUSSION

Sweeney states that if levy had passed, it would allow amount provided through the levy to be taken out of the current general operating budget and not be spent on clubs, events and services. Even though the levy did not pass, he states this is a good policy to approve. He states that the UTSU's HR expenses are going to be going up because of the Collective Agreement. He states that there should be a baseline protection for how much is spend on clubs, events, and services now. He asks if his motion is still in order.

Chair states that it is.

Sweeny states that currently, there is no policy regarding how the budget has to go, so it could be whatever it wants. The UTSU must spend 25% of that, but it does not specify what that is exactly. This just puts something there so that at least there is something spent on clubs.

Reinertson asks if the Executive team agrees that a 25% allocation to clubs, events, and services would be sustainable down the road considering things like rising HR costs.

Memmel states it may prove difficult with the Student Commons going forward. With the failure of the clubs referendum, there were very clear concerns with how UTSU spends money. He states he does not agree with a lot of what was said around the referendum. He states that the motion Sweeny put forward does put a restriction on how the UTSU spends money. He states it is a good sign that they are receiving guidance from members. He states that direction is important and that the motion should pass.

Omari states that he has three primary concerns. The first is that, by dictating exactly what shall and shall not happen in what order, the membership runs the possibility of tying the hands of executives. The UTSU is not a club where you can take what you say lightly; it is a dynamic organization, with a staff, federal legislation that governs part of its actions, and an ongoing set of precedents that dates back a century.

Fullner states that the point of the UTSU is to spend money on students. If the priorities are elsewhere – if 75% of our budget is not spent on students – then it need to start reconsidering a lot of its priorities.

CARRIED

1.2. Motion to Amend Budget Policy

MOTION

MOVED: S. WARNER

SECONDED: J. AFONSO

Whereas UTSU members pay a general \$37.31 fee per Fall/Winter semester that funds the UTSU's Operating Budget and its levy groups, as well as specific fees for the UTSU Health and Dental plan, and for the Student Commons, and;

Whereas the UTSU Operating Budget only accounts for money spent directly by the UTSU, and does not include the portion of the general fee that goes towards levy groups, and;

Whereas information on all of the UTSU's finances is available through Audited Financial Statements, which are less accessible and advertised to students than the Operating Budget.

Be it resolved that Stage 4 of the Budget Policy, which currently reads:

The Budget Committee shall present the Operating Budget to the Board at the August Meeting. When preparing the Operating Budget, the Budget

Committee shall rely on 1) the Preliminary Budget and 2) the budgets proposed by the various spending units.

be amended to read:

The Budget Committee shall present the Operating Budget to the Board at the August Meeting. When preparing the Operating Budget, the Budget Committee shall rely on 1) the Preliminary Budget and 2) the budgets proposed by the various spending units. The Operating Budget must also include the amount dispensed to each of the UTSU's levy groups.

DISCUSSION

The Chair states it is the policy of the union. He states it does not need to be passed at a General Meeting and can be amended by the Board of Directors at any time. He states that the Board can also revoke any action that the General Meeting takes on the policy at any time.

Warner states if you look at an ACORN fee invoice, you pay a UTSU general levy fee, student commons levy, and a health and dental fee. He states that the Health and dental is accounted for in operating budget. He states that most of the general UTSU fee goes to the UTSU itself to fund campaigns and events, but that some of it also goes to levy groups like Bike Chain, which are external to the UTSU itself. He states that the goal of his motion is to ensure that information on exactly how the UTSU general levy is spent with respect to the breakdown of amounts dispersed to other groups is clearly indicated to students in the budget.

Memmel states portions of the UTSU general levy do go to service groups, and that students can opt out of these fees. He states that the UTSU could present the information requested by Warner alongside our operating budget, but that it is difficult to do so because the amount dispersed is based on enrolment figures, which are not set in stone.

CARRIED

9. Other Business

The chair states members can propose other discussion items.

Gomes states that this is his 10th UTSU AGM and this is the most civil discussion that he has seen at one.

Ahsan asks if there are any plans for garbage and waste collection in the Student Commons, or if there will be a literal dumpster fire.

Memmel states that there will be garbage collection.

A member asks if, as the operators of the building, the UTSU act in accordance with the University's policy on waste reduction.

Memmel states that the Varsity published the UTSU's contract with the University a few

years ago and that members can see the details through the contract. He states that the UTSU must act in accordance with University policies. He states that things like waste collection and general maintenance are what the University is responsible for.

10. Adjournment

MOTION

MOVED: J. WONG DENIKE

SECONDED: M. MEMMEL

Be it resolved that the meeting be adjourned.

CARRIED

The meeting is adjourned at 20:36.