**First Meeting with Exhibits**

Agenda for the First meeting.

A1. Elections, appointments of the Executive Committee and Sub Committee Chairs.

The beginning of the first meeting of the new term, The BEP program Manager or his or designee will act as the Chair and conduct the election of the CVPC Chair.

A2. Delegates will introduce themselves and state which BEP District they represent.

A3. Delegates will nominate a chairperson from the floor, it is seconded, after discussion; a roll call vote by the delegates is required for the approval of Chair position.

A4. Chair will take over and conduct the meeting for the election of Vice Chair and the Secretary/treasurer.

A5. The Chair will appoint the Sub Committee chairs with the approval of CVPC.

B. First meeting agenda continue, providing necessary information and training to members.

**The first meeting of the Committee and its agenda must:**

Provide necessary information pertaining to rules and regulations, as well as procedures of conduct for CVPC meetings. Therefore the following information must be provided for all delegates in an open meeting with the participation and presence of administrative or staff member’s ofDOR who are responsible for the Business Enterprise Program.

Reading of the guidelines for active participation.

B1. The program manager or his or her designee will read the guidelines for the active participation out loud in order to make sure all Delegates as well as administration and BEP staff clearly understand the guidelines and the boundaries of their responsibilities.

B2. The information and the list of financial or otherwise reports which DOR is required to provide for CVPC, with their timelines, will also be included in this report.

B3. Bagley Keen presentation:

A representative of the DOR Legal Department will provide comprehensive information regarding the Bagley keen act in regard to the CVPC or sub committee meetings.

B4. Bylaws & Robert Rules of Order:

The chair of CVPC or his or her designee will provide information about the CVPC Bylaws & Robert’s rule of Order and the protocol of conducting during the meetings.

B5. The last part of the agenda of the first CVPC meeting will be for the Chair of CVPC to have the Committee review the exit report from the previous CVPC and assign the unfinished issues and new projects pertaining to the various sub committees, with the approval of CVPC. Therefore it is important that the previous CVPC Chair participate in the first meeting of newly elected Committee to provide necessary information as well as respond to any questions that the new members may have.

**BYLAW of the California Vendors Policy Committee 2017**

**Authority, Name, Duty, and Recommendation Advisement**

 (A) Authorized under US Title 20 Education Chapter 6 A Vending Facilities for Blind Sec. 107 b-1 1 (2), California Welfare & Institution Code (WIC) 19638.

(B)- Chapter 6 Article 9 Business Enterprises Program for the Blind (BEP) Regulation Sec. 7226 (B) states the Committee of Licensed Blind Vendors shall be known as the "California Vendors Policy Committee" (CVPC).

c- CVPC by statue has been authorized to represent the Blind Vendors in the State Licensing Agency, Business Enterprises Program (BEP), as well as CVPC's delegates are an advisement Board to the Director for the State Department of Rehabilitation (DOR).

(D)- CVPC Delegates should actively participate for all policy or procedure changes prior to implementation by BEP. This participation will be through public meeting through their vote by majority roll call and by written recommendations.

(E)- Delegates are to serve with the responsibility of a Fiduciary and Trustee while in advocate service to BEP's blind vendors. Members hold lawful responsibility for their actions as a Board and are to actively pursue their Vendor's majority opinion within their district, and mirror that opinion in public meeting, except when a statewide vote of all vendors has been called.

 (F) CVPC recommendation or advisement shall not be authorized until the following has occurred;

 1-    CVPC has furnished all BEP vendors and interested parties with public meeting notice for vote consideration of recommendation, resolution, or action. Notice shall be in compliance of State open meeting acts, and contain through agenda and attachment, documentation equal to that for what CVPC may use in its consideration of vote. Failure to disclose or furnish all interested party with equal information may violate State Bagley-Keene Act.

2-    A roll call quorum of "seated" delegates has been established and recorded. Quorum means one delegate more than half of those whom are seated after being elected, or the delegate's alternate if authorized through letter prior to meeting.

3-    Proposal for recommendation, resolution or action, has been read, seconded, and received vote by roll call majority. “Majority” means one delegate vote more in affirmation than half in public meeting quorum.

4 - By law amendments approval require a three quarters delegate vote, during each one of 2 consecutive CVPC meetings.

5- No Proposal for recommendation, resolution or action, can be admitted or discussed during the CVPC meeting if is not indicated on the agenda.

(G) CVPC also is responsible for the following:

1. CVPC if requested, shall receive and transmit to the State Licensing Agency grievances at the request of licensees and serve as advocate,

2. CVPC shall participate with the State Licensing Agency in development and administration of a State system for the transfer and promotion of licensees.

3. CVPC shall participate with the State Licensing Agency in development of training and retraining programs for licensees.

4. CVPC shall sponsor, with the assistance of the State Licensing Agency, meetings and instructional conferences for licensees within the State.

5. CVPC shall conduct all necessary business for liability, workers compensation, retirement, life and health plans for vendors in accordance with Welfare and Institution Code19629 (a) (5).

**3. Duty-Delegate/Alternate**

(A) Delegates are charged with the responsibilities as found under 1. (C) Of these bylaws and may utilize in-person or telephonic district meeting, along with electronic gathering of the majority's opinion within their district. Where proposals may affect the increase of fees or the lessening of benefits to BEP vendors, CVPC shall advocate for a statewide vote of all licensees.

 (B) CVPC's members are to act with professionalism and attempt to display a position of a mentor to all BEP licensees. Robert's Rules of Order shall be CVPC's default in meeting where bylaw may be silent.

 (c)  Delegates are to act as advocates for the licensed blind vendors within BEP. In that regard they are to attempt in ascertaining their majority view and vote their majority within public meeting. District meeting may be performed through methods of webinar, internet chat, teleconference and in person.

(D)   Delegates in meeting are to be respectful, professional, and act in a manner of civility. All delegates are to be acknowledged by CVPC's presiding Chairperson prior to the attempt to speak in meeting.

(E) Without being placed on noticed agenda, no delegate may propose motion, resolution in the CVPC meetings.

 (F)   When possible, delegates are to attempt in aiding to resolve of differences between Licensees and BEP or DOR staff. When requested by vendor, delegates shall assist and act if requested to advocate with the preparation and filing of grievance, hearing, or arbitration.

(G)  Delegates are to attend all meeting of CVPC body and may be discharged due to unjustified non-attendance of two meetings within a term, via a motion approved by CVPC.

(H) Delegates are to attend all meeting of CVPC. In the event which the Delegate is not able to attend, should inform the Chair in writing and introduce the alternate at least 15 days before the meeting

In the event that a Delegate does not follow the above procedures, even the Delegate makes herself or himself available on a conference line during the CVPC meeting, the Delegates presence cannot represent a voting member of the Committee, therefore, he or she cannot vote on any motion or any decision which Committee will take. During that meeting his or her participation will be only considered as a member of public and not a CVPC delegate

(I) in a rare emergency occasion Delegate will be allowed to participate in the CVPC meeting via conference call provided:

1. If there are no alternates available.
2. If the Delegate informs the Chair of CVPC in writing at least 15 days before the meeting…
3. The phone number and the address of location which the Delegate will be communicating from during the meeting must be posted in the agenda, as required in the Bagley Keen Act.
4. The participation of a Delegate via conference line shall be allowed in a very rair and extreme situations, recognized by the Chair of the CVPC and should be considered as exception and can not be continued and repeated...

(j) An alternate is a licensed vendor operating a non-interim facility, in the same district of delegate that he or she is replacing.

 (K) An alternate shall have all privileges as the delegate.

 (L) The petition or the request signed by Delegate must be presented to the Chair of CVPC at least 15 days before the CVPC meeting. The alternate can resume participation in the meeting after the CVPC approves the request, at the beginning of the meeting.

**5. Duty-Executive Officers**

**(A)**The Executive officers of CVPC shall be a Chairperson, Vice-Chairperson, and Secretary-Treasurer, each of whom shall be elected by a majority of recorded roll call vote ofCVPC at the first Committee meeting of the new CVPC term.

(B) In the case of a vacancy, the members of the Executive Committee will preside in the following order, Chairperson, Vice Chairperson, Secretary-Treasurer, whom shall serve as "presiding" Chairperson and meeting Parliamentarian  when the former is absent from floor.

(C) If all members of the Executive Committee are absent, any delegate can call the meeting to order and CVPC must immediately elect a Chairperson pro tem to preside during that meeting. Such office is terminated by the entrance of a member of the Executive Committee or when CVPC elects a new Chairperson or Executive Committee.

5.1. **Duty Chairperson**

CVPC authorizes the "elected" Chairperson with the ultimate responsibilities;

1. The Chairperson shall conduct all CVPC meetings. For this purpose he or she shall be responsible and will have the discretion to allow the time and number of times a delegate or public may take the floor to address issues, in order for the Committee to be able to discuss all issues on the agenda properly and on time.
2. (B) The Chairperson for the purposes of public relations, press conferences shall perform the duties of the spokesperson for CVPC and shall convey the approved CVPC’s positions on behalf of the CVPC.

(C) All official communications from or to CVPC must channel through the Chair of CVPC. The Chair must receive and respond to all communications with full consent of committee.

(D)The chair shall compose and set the agenda for the meetings in accordance to the issues and activities presented by the sub committee or Delegates.

(E) The chair shall be responsible for the accuracy of minutes and must make sure it reflects the accurate discussions and issues presented during the meeting.

(F) The agenda or minutes of CVPC meetings shall be distributed only after the final review and approval by the CVPC Chair.

(G) The Chair shall set meeting agenda and time & place for all CVPC meetings;

(H) The Chair must insure all that wish to speak in meeting on issues indicated in the agenda have the opportunity to speak without jeopardizing the time for other delegates participation.

(I) The Chair shall be the ultimate signatory to letter, document, agreement, or contract of CVPC, and be one of the two minimum required signatories for withdrawal of funds from CVPC nonprofit fund.

(J) The Chair has ultimate Fiduciary for the transfer of CVPC's exit reports to the superseding Committee of licensed blind vendors. For this purpose the Chairperson shall be present for the first meeting of the newly elected CVPC, in order to provide necessary information as well as respond to any questions that the newCVPC may have about the pending issues.

(K) The Chairperson assigns chairmanship of subcommittees, ad hoc, and task force or study groups for CVPC, with a confirmation vote by CVPC.

(L) The chair shall provide the issues and subjects prioritize by the CVPC committee to the sub committees and taskforces for review.

(M) The Chairperson may participate in all subcommittee meetings as a provisional member and shall have no vote.

(N) (When a subcommittee chairperson is absent from a subcommittee meeting, the chairperson’s responsibilities may be performed by the CVPC Chairperson

or his or her designee.

(O) The Chairperson or their designee shall address each BEP training class and explain the duties and responsibilities of CVPC.

(P) The Chair can be one of the two minimum required signatories for the withdrawal of funds to CVPC.

**5.2. Vice-Chairperson**

 The Vice-Chairperson shall assume the Chairperson's duties when;

 1-    The Chairperson is absent from floor, public meeting, or hands gavel to be able to speak on an issue;

2- The Chairperson is ill, deceased, has resigned or has been recalled;

3. The vice-Chairperson can be one of the two minimum required signatories for the withdrawal of funds to CVPC.

**5.3. Duty-Secretary - Treasurer**

 (A) The Secretary Treasurer or "Secretary" is to become the presiding chairperson in meeting when both the Chairperson and Vice Chairperson are absent.

1. The secretary shall obtain the approval of minutes of the CVPC meetings of the committee by moving a motion.
2. (C) the Secretary shall have the ultimate responsibility with the Committee Liaison for the timely posting of material on the CVPC website;

(D) The Secretary-Treasurer shall be responsible for maintaining CVPC’s non-profit status with all government agencies.

(E) Report and record in public meeting for the balance and expenditure from;

1. Available funds from state vending commission being held for professional service retention; (All expenditure requires three quarters recorded majority vote in public meeting).

2-Held Balance's held in cash or account for expenditure by CVPC (takes public meeting recorded simple majority vote).

3. Can be one of the two minimum required signatories for withdrawal of funds to CVPC.

* 1. **Duty Exec Officers**

(A) Besides the Chairperson, the Executive Committee may represent CVPC's recorded positions between meetings, however; if there should be such collaboration for representation, letter with explanation shall be forwarded to CVPC.

(B) The Executive committee shall use all methods within its authority to track and report conceived matters of litigation or legislation that could affect CVPC and the blind vendors.

 (C) The Executive shall request and report for record in public meeting agenda of Licensee grievance, hearing, or arbitration.

 (D) The Executive Officers as recorded signatories to CVPC shall be dispensed from their final fiduciary duty by accompanying the new elected Officers to where CVPC holds its account/s, and the Secretary of State Office if incorporated, for the exchange of responsible Officer signature to file. The newly elected Officers shall furnish copy of CVPC recorded minute  for their election upon request.

(E) The Executive committee shall appoint two blind vendor representatives to assist with the duties required in elections.

**6.2 CVPC Meetings and Rules of Conduct.**

A.All meetings of CVPC and its subgroups are to use CVPC bylaw, Robert's Rule of Order, and comply with Bagley-Keene Act; by law preempts the Roberts Rules.

B. All CVPC meetings shall be accurately recorded and carefully documented and properly saved by the Committee secretary or the Liaison

C. The minutes of CVPC shall be provided by DOR to all Vendors in the medium of their preference. Recording of minutes also shall be available upon request.

D. Since the CVPC’s term ends on December 31 of the odd numbered year, the first meeting of the new term will be held as close to January 1in the even numbered year.

E. prior to any discussion or consideration of vote, notice shall be furnished in descriptive agenda with a minimum of (10) days’ notice to all interested party in their preference of media, except for when an emergency is declared:

E1. An emergency requires a two-thirds vote of CVPC, with notice and agenda posted on web, email, and or newspaper. Agenda shall contain explicit description as to allow for the understanding of what is under consideration. All items on agenda must comply with BKA.

E2. Serial meeting may be cited if delegates attempt to discuss agenda items outside public meeting.

E3. Closed meetings may be called if noticed for matters of personnel, litigation, or legislation. Closed sessions require minute be taken and held for order by court (BK 11126).

F. Persons with disability or media preference shall have reasonable accommodation, and unless on list for accommodation, they are responsible to furnish CVPC Chair with request at least (7) days prior to meeting.

G. Any delegate may present a motion to CVPC for consideration, for adjournment.

H. All motions presented to CVPC must be pertaining the issues on the agenda and previously being discussed and presented by the subcommittee Chair or Executive Committee, otherwise a roll call vote to hear the motion must be obtained.

I. All votes are to be performed by roll call, recorded, and not be in violation of bylaw, regulation, code or act.

J. The CVPC shall meet as often as necessary (minimum of 4 times per year) in the attempt to carry-out its business. Interpretation of motion, resolution, or recommendation may only be done within public meeting by majority of CVPC, or through majority of vote from all licensees that may vote in statewide ballot.

**7. Subcommittees-Duty guidelines**

 (A) All issues will be presented to sub committees by Chair of CVPC in accordance to the priority list of actions approved by the CVPC.

(B) The sub committee chair shall present the issues and projects which are assigned and prioritized to the subcommittee by the CVPC and shall only place issues presented by public to the agenda which are related and pertain to the items to be discussed on the agenda.

( C ) Any subject presented by members or public which will not be related to the agenda will rest at the discretion of the sub committee chair to allow discussion to take place only if there is enough time for discussion and review of issues assigned by theCVPC to the subcommittee.

(D) All projects and issues approved in the subcommittee shall be conducted by roll call vote.

(E) The subcommittee will review, discuss and work on issues referred by CVPC and upon completion will Vote to approve and submit those issues to the CVPC for review.

(F) The Chair of subcommittee shall present the motion for projects and issues recommended by the subcommittee to theCVPC meeting for review and approval.

(G) CVPC Standing subcommittees are Benefits, Quality Location Development Committee (QLDC), Fiscal, Rules, and Training. Volunteers should never be denied to serve, however; membership beyond the total number of districts should be avoided.

(H) All Subcommittees in their first meeting shall review CVPC's last term's exit reports for concurrence and possible implementation. During the first meeting the subcommittee Chairperson with participation of CVPC chair shall review and provide necessary information in regard to the function of the committee, Robert’s rule of order, bagely keen act and other rules and obligations which members of the sub committee are required to comply with.

(I) Other than heads of CVPC study groups, only delegates may hold position as chairperson for subcommittee or task force. A Chairperson may only vote to make or break a tie.

(J) CVPC's Chairperson may assign an alternate or perform the subcommittee chairperson's duty when in absence until their return, or their replacement has been selected by CVPC's Chairperson.

**7.1 Benefit Subcommittee Duties**

(A) The Subcommittee shall "review" all federal, State, and CVPC reports as well as outside company proposals pertaining to vending machine commissions, vendor’s retirement plans, all insurances and workers comp and related issues, which may bring betterment and benefit to all vendors.

**7.2 Quality Location Development Committee Duties**

(A) CVPC grants the "QLDC subcommittee when they display a majority vote within public meeting to sustain or reject proposals by the Director in the waiver for establishment of BEP facility when;

1. Proposals by the Director have been forward with detailed disclosure for all interested party to discern which site, property, or facility is proposed for waiver of BEP priority.

2. The release of enough financial information as for interested party to understand why granting waiver brings benefit to the Blind and BEP.continue waiver for their three-year maximum.

3- Between public meetings of CVPC the QLDC subcommittee may vote to approve proposals of BEP facility announcement (DR 460). These approvals shall be presented by the Chair of QLDC in the first opportunity of CVPC meeting for final ratification.

Fisc**al Committee Duties**

**7.3 Fiscal Committee Duties**

**Fiscal committee shall receive and review all quarterly and annually reports required by W&I Code** and all proposed budgets

E) The following quarterly or annual reports shall be provided to the Finance committee by DOR for review.

* 1. **Rules Subcommittee Duty**

1. Members shall review BEP regulations for necessary revisions and modifications.

**7.5 Training Subcommittee Duties**

(A) Training shall review and report to CVPC with written recommendations for the improvement of BEP classroom curriculum, training, on-the-job training, retraining, upward mobility, Post employment services, and with CVPC's subcommittees for the adequacy of staffing levels for all aspects for BEP's management. (CFR 395.14-WIC Code 19636, 38).

(B) The subcommittee shall collaborate with Administration in the production of annual training& upward mobility conference; not to preclude blind vendor in- facility training.

**7.6 Grievance, Subcommittee Duties**

**The Grievance, Subcommittee has the responsibility of following up and help vendors in the Grievance process.**

(B) The committee of licensed blind vendors may contract for professional services, including, but not limited to, legal counsel.

(C) Payment for professional services rendered to the committee of

licensed blind vendors shall be made from state vending machine

Income pursuant to subdivisions (d) and (e) of Section 19630(WIC 19638

(D) Retaining of professional services shall require a majority three-quarters vote in public meeting of CVPC.