
National Board Meeting Transcripts June 14, 1998

PACIFICA FOUNDATION BOARD OF DIRECTORS MEETING

Embassy Suites

455 Plaza Drive

Secaucus, New Jersey 07094

June 14, 1998

8:30 a.m.

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P R E S E N T :

MARY FRANCES BERRY, Chair
HON. JUNE MAKELA, Treasurer [at large]
ROBERTA BROOKS, Secretary [at large]
PAT SCOTT, Executive Director
DAVID ACOSTA [KPFT]
CHERYL FABIO-BRADFORD [KPFA]
KEN FORD [WPFW]
FRANK MILLSPAUGH [WBAI]
MICHAEL PALMER [KPFT]
ROB ROBINSON [WPFW]
LORETTA ROSS [at large]
DOROTHY NASATIR [KPFK]
RALPH McKNIGHT [KPFK]
WILLIAM LUCY [at large]
SHERRY GENDELMAN [KPFA]
ANDY NORRIS [WBAI]

The Board was in Executive Session to consider matters relating to individual employees, proprietary information, litigation and other matters requiring the confidential advice of counsel, privileged or confidential commercial or financial information, or the purchase of property or services whenever the premature exposure of such purchase would compromise the business interests of any such organization.

OPEN SESSION BEGINS

MS. BERRY: We are now beginning the board meeting and the first item is the seating of members and the minutes. What I would like to do is welcome to this meeting William Lucy, our new at large member who was elected at the last meeting. He is from the American Federation of State, County and Municipal Employees. He has been a great union leader and civil rights leader and fighter in the cause of human rights and social in this country and who has gone to jail with me a few times who agreed to come on this board. I want to tell Bill how grateful I am and ask you to welcome him.

The next item on the agenda is the approval of the minutes of the last meeting. The minutes of the last meeting are in your book and I believe that the only mistake I found in the minutes was it did not include the name of June Makela present at the meeting and you of course were present.

MR. MILLSPAUGH: The minutes failed to reflect my reelection to the national board although it is reflected in the transcript.

MS. BERRY: And therefore we will make an addition to the minutes. Does anyone else have any other corrections or additions they would like made to the minutes of the last meeting? In the absence of that then could I get a motion to approve the minutes as correct?

BOARD MEMBERS: So moved.

MS. BERRY: A second?

BOARD MEMBERS: Second.

MS. BERRY: It has been moved and seconded and all in favor indicate by saying aye.

(Chorus of ayes.)

MS. BERRY: Objections?

(No response.)

MS. BERRY: So ordered.

I also want to point out that we need to note the schedule of this board. October 3rd and 4th in Houston is the next meeting of this board. I visited all the stations except Houston. So I'm looking forward to visiting the station.

Also I want to welcome to the meeting Eunice Azzani from Korn Ferry International who has been engaged to conduct a search for the new executive director of the organization and, as you know, we have a Search Committee chaired by Roberta Brooks to whom we are all grateful for taking on this responsibility and who will be working with Ms. Azzani. She is here to observe and so that she can familiarize herself more with the culture of Pacifica. So I'm

sure you will help her to do that.

Let me seat the alternates. The alternates who are present are Andy Norris who is WBAI's alternate representative and Sherry Gendelman, the KPFA alternate representative, and Ralph McKnight, KPFFK alternate representative.

Is that agreed to by the board without objection?

(No response.)

MS. BERRY: So ordered. They are seated as alternates at this board meeting. The first item is the committee reports. I am going to give the report of the Executive Committee. After that I'm going to ask Nan Rubin to speak on behalf of the Council of Chairs. The Executive Committee met and spent a great deal of time discussing personnel matters of various sorts and working our way through them. We were reminded at the meeting that we had to, I'm saying this for the benefit of the staff really, schedule a meeting of the Technical Committee which we did not do at this time. We do not have the action items, is that correct, Roberta? There are no action items?

MS. BROOKS: I don't think so.

MS. BERRY: There are no action items. We had a number of discussions but there are no items the board --

MS. BROOKS: Nothing was relevant. They were issues that had to do with scheduling and how we were going to order certain things.

MS. BERRY: But we had a long discussion about the way people in this organization relate to each other and so I want to discuss that briefly here as my report from the Executive Committee.

There is a distinct lack of civility in some quarters in the operation of Pacifica. There are people who believe that the most appropriate way to have a discussion with their colleagues is what I call have in-your-face behavior. Everybody has a chip. Everybody is looking for a fight. I don't know whether this has something to do with the history of the organization. I don't really care what it has to do with. But it will not be tolerated in this organization.

People who are employees, who are paid employees of the organization who behave in that way, whether they are managers or staff people will no longer be with the organization and you will be able to observe their leaving. People who come to the organization and who engage in that sort of behavior will not last long in the organization. We will not tolerate people making sexist, racist, anti-Semitic, homophobic remarks about other people, bigoted remarks, people who feel that they should curse people and use invective and abusive language in having discussions with their colleagues. And so, in fact what we will do is see to it that this does not happen. We are asking that the leadership from the top of the organization, people on the LABs, staff, all keep this in mind because this is no way to

behave toward folks in the organization.

There have been some incidents that occurred in some of the stations in which such behavior seems to have been in evidence. We will just not tolerate it. People should leave their emotions and their emotional lives somewhere where they deal with them personally. We should not deal with them.

Please, ladies and gentlemen. Would the audience please be in order.

I just wanted to point that out for the benefit of everyone who was involved with Pacifica.

Now I would like to ask Nan Rubin to come forward. She is the chair of the Local Advisory Board in New York at WBAI.

MS. RUBIN: Good morning everyone. I also have my comments written if you want to put them in the record.

The Council of Chairs had a conference call several weeks ago and we discussed a number of items and I will report that to you here.

There were three major items that we talked about. I'm sure you are all aware of the fact that there are a number of issues that concern LABs and and we wanted to make sure were raised to the board.

The first one was the voting status of the staff and the fact that the LAB policies as they now stand removed voting status for the staff. The Council of Chairs has already indicated that it is largely opposed to this policy and continues to oppose this position and wanted to make sure that there was some ability to have it reconsidered. Both KPFA and WBAI indicated that they were going to be considering this in their own LABs and have since passed resolutions.

We were instructed to take this issue to the Governance and Structure Committee of the board for further discussion which was on the agenda yesterday and I'm sure that committee will be reporting out on that results, but this is an issue that is of great concern to the Council of Chairs. You will hear more about that from the report.

The second issue on the LAB policies was the mandate regarding 50 percent minority membership and wanting some clarification of this as a goal for the LABs.

The third issue that we discussed was the LAB policy concerning members of the LABs speaking out on Pacifica policy and some desire to have on the list of people who are responsible to include the LAB chairs in terms of who could be notified regarding speaking out on Pacifica policy.

This also needed some clarification, a little more discussion about lines of accountability.

Another issue was the cap on the LAB size. The Council of Chairs had recommended that there be no cap on the size of the advisory boards. In the event that an advisory board

wanted to increase its diversity or representation by adding additional members, we felt that if any individual LAB was prepared to manage a larger body that that was its own decision and there was no need to set an upper limit on size.

And the last issues relating to the LAB policies was a kind of general sense that there needed to be some real clarity and cleaning up of the language in the document, that the tone of the policy document, was one that needed to have a more positive presentation and also that it really needed to speak to the relationship between the LABs and the local stations. At the moment the policy is completely silent on that issue. It really just speaks to the relationship between the LABs and the governing board and that the LABs do feel it needs to reflect a more positive approach and fill in those gaps, particularly in relationship to the stations.

Consequently there was a suggestion that WBAI wanted to initiate review of the language and to be able to do a revision on it to reflect some of these positive concerns and also to fill in some of the gaps. We were instructed to take this issue to the Governance and Structure Committee of the board for further discussion. It wasn't exactly on the agenda but I think that the resolution that will be coming from the committee will probably speak to some of those concerns, not all of them, but some of them.

There were two other things that we discussed. The first issue was a major one of program review and the fact that everyone had received the draft documents from the Program Policies and Practices Committee on program review and we had a fairly good discussion about the implications of what it means to be doing ascertainment locally and whether these documents would be useful to us in terms of guiding our discussions about programming. We thought that they were very useful as guidelines, that some of the stations felt that they were going to be developing their own methodology and we felt very strongly that these should be shared with each other so if one station had a success, such as we reported for KPFT's, their town meeting, that we would want to have that shared among us so we can use it among ourselves and benefit from the experiences of other stations and also to be able to report back to the other stations about our activities. To advance the program review --

MS. BERRY: You need to sum up.

MS. RUBIN: Okay, I have just two more items. The Council of Chairs agreed that each LAB should be asked to submit an outline of its own schedule and plan for community ascertainment activities to be submitted to the October board meeting so that you would know what our plans were and so that we could begin to be accountable for these activities.

The last thing that came up was the executive director search and the 50th anniversary campaign and we were told that the LAB chairs would be informed and receive formal materials about both of these activities and at the moment we received none of those. So we are hoping to make sure that that obligation and commitment would be followed up.

MS. BROOKS: What was that?

MS. RUBIN: The executive director search, we were told we would receive the recruitment materials when they were ready for distribution or participation and also the 50th anniversary campaign, that we would be informed appropriately about the developments of the 50th anniversary campaign.

MS. BERRY: Nan, let me just say as far as the search is concerned, my understanding is the materials are being worked on and materials will be distributed including job descriptions and everything else when they are ready. Is that right?

MS. BROOKS: Yes.

MS. BERRY: So they can't be distributed to you because they haven't been distributed.

MS. RUBIN: I understand that.

MS. BERRY: It will all be public. And the matters you discussed before that related to governance and structure, there will be a report on all of them, but all of them will be considered in some way by that committee.

Does anybody else have any questions or any comments on Nan's report? If not, we thank you very much for it.

The next report is from the Finance Committee. June, please.

MS. MAKELA: We had a very lengthy meeting yesterday. I apologize to the other committee chairs for running over. I'm always opposed to running over. But we had very good discussions.

MS. BERRY: Next time we will have your meeting at the end.

MS. MAKELA: Right, and we will move the schedule so that we are less disruptive. I will try to summarize our various discussions.

We started off with a brief report from Sandra on the current financial situation. I'm very pleased to report based on the preliminary figures and Sandra's report that generally the units are doing well. I want to congratulate the individual unit managers, particularly the local stations, for very successful fund drives to date and I know what is behind that is a lot of hard work on the part of the general manager's paid staff and volunteers at the station. So I want to note that in the record that Pacifica continues to enjoy successful fund drives around the country.

But I also want to recognize the unit managers for their management of the budget. I think we are getting better at managing our budgets. So the financial in fact, are very close to budget and reflect better control at the local units. The one unit we were concerned about

was KPFT which may be facing a deficit by the end of the fiscal year and Garland felt it wouldn't be too large and it is being monitored very closely between the local unit and our controller's office.

We are still working out the bugs in our new, very sophisticated software system that will allow all of the stations, the units and the national office to have immediate access to financial information. We are not there yet. We are guardedly optimistic that we will be there.

We talked a bit, there are some issues raised about national programs, their cost, the budget of them and a number of items were sent to other committees regarding the use of national programs in the system and you will have presumably reports from the other committees. In executive session, we reviewed our current and possible SCA leases and budget. We will review this again before the October board meeting when we will finalize the budget.

The committee expressed concerns about the need to replace our transmitter in our Los Angeles station, KPFK, and that this was not being budgeted for the upcoming year and that we need to do something about this and called on the staff both locally and nationally to develop a full proposal for the Finance Committee as far as the cost for this transmitter and a proposal of how we might go about paying for it. This is a priority for Pacifica and we will get this plan before our October finance meeting.

We had a discussion about our CPB funding. We are always wary of the possibility of losing it and this time we called upon each of the units to prepare a sort of contingency plan to look at the impact of loss of CPB funding if and when it might happen and they will prepare plans for the Finance Committee to display for us what would happen and what their contingency plan would be locally if they lost that funding.

We went over very preliminarily a national office budget. Both that and the SCA budget will be revisited even before the October meeting. The committee received a report from a subcommittee it had formed at the last meeting called Latent Resources. Some members of the committee with some of the national staff agreed to look into and explore in more depth any possible resources, and sources of income that we had not explored to date. It may come as no surprise to people that we did not discover any hidden, untapped resources of any size. There were no brilliant new ideas. We looked talked with our national staff a little more about the whole expansion of KU, the affiliation of other small radio stations with Pacifica through KU, and the expansion of that is continuing. We are very hopeful that that will continue to generate income. It is at least paying for itself and hopefully will pay for a good part of national programming in the future. As part of that subcommittee report, the issue of tapping into the archives as an income generating project was also looked at. It became clear that we did not have the capacity at the moment to really market the archives and this is something that needs to be looked at with further investment in the archives and/or with an outside partner.

We reviewed the proposed 1999 budgets. Just to remind people, we do a preview of a draft

budget in June to give feedback to the unit managers as they finalize their budgets for the next year and bring it back to the board in October when we will vote on it. So we took no votes on the budget but raised issues with each of the units. Each of the units presented a plan, a narrative in relation to their budget as far as how these budgets address their goals for their strategic plan.

I am very pleased to report, and I think many of the people on the board and in the audience attended the reception last night at WBAI, the move was successful. BAI moved on time, on budget and it was very successful we feel from the Finance Committee point of view as far as not strapping the unit or Pacifica. We feel that Valerie Van Isler, the general manager of WBAI, did a yeowoman's job in accomplishing it, both in negotiating with Pat Scott a very good lease and an arrangement that allowed us to upgrade BAI and then carried it off. As a national board member I was very impressed with the space, very impressed that our staff pulled it off and very pleased that our programmers will have this wonderful space in which to work.

We had a discussion about the archives. We are very concerned this year. The sales have dropped off in the tapes of the archives. We are not completely clear why. There has been some drop off in "Democracy Now!", now sales. Gail Christian is looking at this, but what she brought to our attention, and it is an ongoing, sometimes frustrating discussion for the Finance Committee, the archives really needs an investment just to be maintained as a valuable resource that it is and yet there is never enough money let alone to develop it as an income generating project. So we called on the staff to come back to the Finance Committee with a fuller plan so that we can discuss the whole picture of the archives. But we noted there is an immediate need for investment just to maintain the tapes. We will be hiring new auditors for Pacifica this summer with the help of David Acosta on our board who is interviewing some candidates. We will have a decision shortly.

The last thing we had asked for and were not able to get three to five-year projected budgets. We are still working out the bugs with the new software. We are hopeful that by October the units will be able to project some figures beyond the coming fiscal year and we are looking to review and meet with the unit managers to talk over the three to five-year projections for Pacifica.

MS. BERRY: Thank you. I just wanted to say too so far as WBAI is concerned we here at Pacifica are very pleased at the reception we received and we also want to thank not just Valerie and the people at WBAI and the staff for the move, but the contributors and the listeners of WBAI who made contributions without whom none of it could have happened. So I think that they deserve great credit for their support of their station in this regard which is very strong indeed and we hope continues to be strong.

On the Finance Committee report, could I, before I entertain questions, ask for a motion to accept and approve the Finance Committee report?

BOARD MEMBERS: So moved.

MS. BERRY: Could I get a second?

BOARD MEMBERS: Second.

MS. BERRY: Now, are there any questions or discussion of any matters? Most of you were in the Finance Committee or you came into the meetings. Does anyone else have anything else they want to say?

MS. GENDELMAN: I want to know what the date was in terms of a response from the staff about the archives, for the archival material?

MS. MAKELA: October I think. I may not have even specified.

MS. GENDELMAN: Does anybody else remember?

MS. BERRY: In advance, we will know by the October meeting.

MS. MAKELA: I think all of our requests like the transmitter plan, et cetera, would be before the October meeting.

MS. GENDELMAN: There was so much information that was quite critical.

MS. MAKELA: I mean, they have the budget now to do basic maintenance but to come to us before October so we can make a decision in October.

MS. BERRY: Could I then get a vote, all in favor of approving the Finance Committee report indicate by saying aye.

(Chorus of ayes.)

MS. BERRY: Opposed?

(No response.)

MS. BERRY: So ordered.

On the 50th Anniversary report, Michael Palmer has agreed to serve and we are very glad and if there is no objection from the board we will accept his offer, actually he didn't offer, I asked him to. Is there any objection to the vote by the board to the idea of Michael serving as interim chair of the 50th Anniversary Committee instead of Roberta who is chairing the Search Committee while she is chairing it? Do I hear objections?

Hearing none, thank you very, very much, Michael. Please proceed with your report.

MR. PALMER: I will try to do my best in lieu of Roberta. The 50th anniversary campaign was discussed initially I think at the last meeting in Los Angeles and there are obvious reasons to do it. There was a plan outlined and there was quite a bit of discussion. There was actually money set aside for the campaign. Cheryl Garner-Shaw has stepped in for Dick Bunce who has resigned and wisely decided to look at what had been done and give her own

assessment of the initial proposal for the campaign and her recommendations for the rest on what should be done.

She has spent some time since she has joined Pacifica looking at the initial proposal and its goals and the methods that it was going to implement to get the work done. Basically to use her description, normally when you do a campaign you figure out the amount of money you can generate.

VOICE FROM THE AUDIENCE: Excuse me, I can't hear.

MS. BERRY: Michael, could you sit on the corner and speak so the audience can hear you.

MR. PALMER: So then basically we were going about it backwards basically. So she has come in with a valuation and some suggestions. The valuation of the campaign had to do with looking at the local unit's ability to conduct a capital campaign and the local units have minimum staff in the development departments, an average of three employees and the focus is mainly on the day-to-day operations of the stations. All of the activities centered around fundraising and interacting with the listeners. There was concern about a national campaign having an impact on the local's ability to continue to raise the money that they have to support the station's day-to-day activities. There was an awful lot of detail that she gave but it was very methodically done and easily spelled out and understandable.

She has presented some additional recommendations that involve the use of some of the money that was previously allocated and those activities would include doing research in the local markets as to the donor bases, the abilities to handle special events, clarifying the goal of the 50th campaign and coordinating the national level of effort as well as the local level of effort so there is not only no overlap but you don't miss any of the obvious individuals or entities that you could address to perhaps contribute to Pacifica.

She is submitting and we discussed, a budget to initiate a campaign that includes the hiring of some people to do the local research and somebody to get an idea in the coming months about our ability to conduct a campaign and actual economic targets. Briefly, this would include all five stations doing donor prospect research. It would include two feasibility studies, one at KPFT and the other as I remember at, Cheryl, correct me if I am wrong, at KPFK, then some other major donor workshop within the local units.

Again, hiring the development planner and then the allocation of Joe Wilson's time to assist in the major giving. Basically she has said that the original targets were overly ambitious and they weren't really that well researched from the economic target as well as the ability of the staff to carry out. She has come back with a more realistic approach to doing the 50th campaign. The 50th campaign committee yesterday approved the allocation of some monies totaling roughly \$128,000 to initiate all of this and to do the initial work to get it going and we as a committee agreed to that unanimously yesterday and we gave her our full support of it.

MS. BERRY: We first need a motion to accept and approve the report of the 50th Anniversary Committee.

BOARD MEMBERS: So moved.

MS. BERRY: Could I get a second?

BOARD MEMBERS: Second.

MS. BERRY: Does anyone have any questions or would you like any further discussion on this report? Hearing none, I call for a vote. All in favor indicate by saying aye.

(Chorus of ayes.)

MS. BERRY: Opposed?

(No response.)

MS. BERRY: So ordered. Thank you very much, Michael, for your report.

The next report is the Standards and Practices Committee. Frank, would you please proceed.

MR. MILLSPAUGH: Thank you. The committee had a rather truncated meeting yesterday afternoon since everything was running hours over and we were under pressure to give the availability to the next committee. But we did cover several items. We heard status reports from the stations on the progress of their ascertainment projects. Naturally the stations are proceeding at different rates. Some have gotten earlier starts than others and in one instance, the instance of Los Angeles, there will be a delay in their beginning the process while they are adding members and restructuring their local advisory board.

As mentioned earlier by Nan Rubin, each of the stations has been asked to provide a schedule of activities to be reported on at the October meeting and other descriptions of what they have been able to achieve thus far. We had brief reference to the AUDIOGRAPHIC material that is contained in the board booklet. People felt that it showed some tentatively positive trends and we had then some lengthy discussion related to the Financial Committee's discussion on the use of premiums. But whereas the Finance Committee concentrates upon the cost of those premiums, our concentration was upon their appropriateness and how they represented the Pacifica stations to the audience.

Rob Robinson and Cheryl Fabio-Bradford offered to work in conjunction with Lynn Chadwick to help with a proposal for funding for some of the activities related to the ascertainment project. As our final item we introduced into the committee a letter from a former member of the national board, a doctor in academics, who has criticized some of the alternative health programming which reflects criticism we have seen in Current newspaper in terms of how claims are to be validated and other issues which require attention and some kind of statement from the Board.

The fifth item on the agenda, which we did not get to, was a discussion which had been initiated by staff, that we review the efficacy and enforceability of what is called the must

carry rule. We regrettably were not able to enter that fray yesterday because of the limitations of time. I'm sure we will have occasion in the future to revisit this fascinating subject.

I would welcome the other members of the committee to add or elucidate or expand on my report.

MS. BERRY: Does any other member of the committee care to add comments to Frank's comments? Hearing none, we will first have a motion to approve the minutes of discussion. Motion to approve the Standards and Practices report.

BOARD MEMBERS: So moved.

MS. BERRY: Second?

BOARD MEMBERS: Second.

MS. BERRY: Discussion? Yes, Roberta.

MS. BROOKS: I have two questions. One on the issue about the premiums. Did you reach any conclusions?

MR. MILLSPAUGH: No, we did not.

MS. BROOKS: What is the next step?

MR. MILLSPAUGH: The next step is we are going to E-mail and phone one another with our thoughts on this subject and try to get something more structured for discussion at the next meeting. In the meantime, my understanding is that the staff has put together some information for the Finance Committee on the subject of premiums which may be useful to our discussion.

MS. BROOKS: Secondly, on this issue about the medical evaluation of the programming, is that just related to one station?

MR. MILLSPAUGH: No, it is not.

MS. BROOKS: There is a lot of health related programming at KPFA. Is he interested in this from a legal standpoint?

MR. MILLSPAUGH: He raised a number of points, including the intellectual rigor of the programming.

MS. BERRY: Andy?

MR. NORRIS: Frank, will that letter be available for us to see?

MR. MILLSPAUGH: Yes, the writer gave me permission to circulate it to the committee.

MR. NORRIS: The second issue, you mentioned at the end that you didn't get a chance to talk about the must carry rule. Could you briefly say what that is and what that involves?

MR. MILLSPAUGH: I can briefly say that there is a rule that if a certain number of Pacifica stations, I believe it was three of the Pacifica stations, approve a program for national carriage, then all must carry it. This has naturally resulted in a number of issues such as some refused to do it anyway. I'm not sure what all of the issues are but those that needed to be, I thought, surfaced yesterday during the discussion. I was asked by national staff to put it on the agenda. But, as I say, unfortunately we didn't get to it since it was last on the agenda. I need more information too which I thought would be merged in our discussion yesterday.

Does anyone want to comment on that?

MS. BERRY: We cannot answer questions from the audience. There will be a public comment section of the meeting which will take place beginning at 11 a.m. and we will be happy to entertain anything that the public wishes to say. Meanwhile, will the public please be in order.

MS. BROOKS: So that is going to be on the agenda of your next meeting?

MR. MILLSPAUGH: Yes.

MS. FABIO-BRADFORD: The one question I forgot to ask yesterday is around the health programs. That is, the guidelines generally. It doesn't seem as though it is just about health programming but it might be something like program practices.

MR. MILLSPAUGH: Yes.

MS. BERRY: If no one else has a question, I will ask a question, what were the views of your committee members or your own concerning the intellectual validity of some of the medical programming? I know that members of your committee have been asked by local advisory board members to listen to the radio and I'm sure they have listened to some of these programs. How do they fit within the mission of Pacifica as described in its charter and its bylaws and strategic plan and other materials? Has your committee reached a conclusion on that subject?

MR. MILLSPAUGH: Those are exactly the issues we wanted to address. All we had time to deal with yesterday was the subject matter and we asked the members to think about this and were polling others for their views on it. We did not discuss any specific programs. The materials that I circulated on the subject was, as I say, a letter from the former national board member and an article in Current newspaper discussing related issues in public television broadcasting. And the issues raised were exactly how does such programming fit into our mission, what are our standards that should apply. One of our concerns was that if such programming is perceived as lacking the intellectual rigor that was discussed in the letter, that can spill over in the public perception to our other programming, our news and public

affairs programming. If people are making wild and unjustified or unprovable claims in one area, then why shouldn't the audience assume we are encouraging the same thing in other areas which are clearly essential to our mission and cause.

MS. BERRY: Will your committee be considering the balance between a desire to have some programming concerning these medical subjects that might attract donations or listener support and the question of intellectual validity and the question of whether the program is important to the mission of Pacifica? Will your committee meet and decide on this?

MR. MILLSPAUGH: I believe it would be a possibility, yes. We believe that.

MS. BERRY: I'm asking you, is that your plan to do this?

MR. MILLSPAUGH: Yes, that is precisely what I think the issues are.

MS. BERRY: Does anyone have anything else on this subject, the medical programming?

MR. McKNIGHT: I think one of the concerns expressed yesterday was the fact that in some of these cases people were actually trying to sell their products on the station. That would result in commercialization of the program itself.

MS. BROOKS: I think in a way maybe it is just as well that you didn't have a chance to talk about this yet because the role of the LABs, I think Nana said in her report, that the ascertainment was supposed to be accomplished by October --

MS. RUBIN: I said we would have a schedule by October.

MS. BROOKS: Anyway, the needs assessment I think will be very helpful in getting a sense at each area. We know there is a lot of programming at KPFA and quite a bit at BAI that is in this area. I think that it will be helpful to us to really have a more thorough examination once we get all the reports.

MS. BERRY: Let me just ask you another question about another part of your report. Did your committee in discussing the community needs ascertainment, have any discussion of the importance or lack thereof of the needs assessment in terms of maintaining the viability of the stations whether or not CPB requirements are a concern?

MR. MILLSPAUGH: Well, yes, I think it is a responsibility to our audience and to our signal areas, to be aware of these needs. Quite aside from the FCC requirement, quite aside from the CPB requirement. I think we have the opportunity here to explore new ground and set new patterns for this, and I think that some on the committee feel there may be funding assistance available to achieve this as well.

MS. BERRY: I asked you the question because there are those that believe that the station should not be concerned about audience, or meeting any requirements for funding by CPB or anything else, perhaps the stations would be better off not getting any funding.

Therefore I was wondering whether you thought that community needs assessment was important to the viability of the station even if someone thought that they didn't care whether we got any funding from anybody or not or from CPB.

MR. MILLSPAUGH: There is certainly an aspect of an economic agenda in this because I think it is our article of faith if we are better meeting the needs of our audience, our audience will support the work of the station to a greater extent. That, once again, I think is a most pragmatic and principled objective for us to undertake. Yes, there is a position that the stations can keep doing what they have been doing because they have been doing it and that is all that needs to be done. We feel one of the things that the community needs assessment will help us do is identify other needs in the community, particularly for the diverse ethnic groups that we have and also other audiences that haven't been tapped. Our LABs feel to pursue the status quo is to doom stations. Many of us feel that is a disastrous course for us to follow or consider.

MS. NASATIR: Was it discussed or is it your thought about having a standard guideline tool for doing community assessment that all of the stations would use so there would be a uniformity?

MR. MILLSPAUGH: Well, I wouldn't say uniformity, but some internal consistency. The national staff helped to put together some formats that were circulated to each of the members for the LAB use. Our committee at the WBAI LAB, the audience research committee, has added to that checklist component, to both make it easier for the people engaged in this activity as well as to provide a little bit of consistency among the stations. However, the science is not so developed that we feel confident in saying this is the way it is to be done, A B, C, D, E. We have suggested some steps and we are looking at other things that people do to see what value they have. We do not think that this is going to be definitive in a short period of time. We think that there is an experimental period here. That is why we are content to have the stations proceeding at different paces. We just want to make sure that we all end up at the same destination. We are not too concerned -- of the pace of the journey can be different.

MS. FABIO-BRADFORD: Back on that health programming issue, in preparation for the next meeting maybe we could circulate some of those tapes because I don't think in Berkeley we get a program like that.

MS. BROOKS: Yes, we do.

MS. FABIO-BRADFORD: No, I'm asking whether or not we can sample tapes so when we are talking next time we have programs in common that we can be talking about.

MR. MILLSPAUGH: I don't know, I can't personally undertake to do that.

MS. BERRY: Why don't we ask the staff to do that. Give us a tape of some medical programming, samples from the stations and circulate it for the next meeting.

MS. FABIO-BRADFORD: I hear I hear in the KPFA area there are other kinds of programming that there is a lot of undercurrent about. So I'm wondering if maybe sample tape could include some of that other stuff so that when we talk we know in each signal area what is under discussion.

MS. BERRY: That would be good.

MR. McKNIGHT: One of the other things we talked about in the committee, is demographic shifts annually in every one of these communities. It ought to be our responsibility to find out who these people are, what sort of needs they have in terms of what we have to offer and those sort of things.

Secondly, as Frank said a moment ago, there is an economic aspect to this thing in as much as every station, every business is going to lose clients or listeners for a number of different reasons. People die, they move away, they are not satisfied, they move on to other things. One of our responsibilities at the station to the Foundation ought to be to replace this loss of listeners as it were and the only way you can do that is by finding out who is out there and by letting whoever is out there, know we are here. For those reasons alone, we need to continue with this thing. And in terms of how we conduct the measurement, I think Frank is absolutely right. It is not an exact science as far as we know. So we are just going to go on and see who comes up with the best results and

MS. ROSS: One last question for you, Frank. It was revealed yesterday that on average every year each station loses or turns over 65 percent of its donors, maintaining the loyalty of only 35 percent. Would it be possible for the programming committee to examine that turnover in relationship to the programming that they offer? Because that is a high number that truly concerns me.

MR. McKNIGHT: What is that number again?

MS. ROSS: We lose 65 percent of last year's donors every year and maintain the loyalty of only 35 percent on average. So my question is the relationship to that and the programming that we offer and I would like the programming committee to examine that. That is a very important figure that causes me great concern.

MS. BERRY: I think you have a right to be concerned and I saw some shaking of heads among general managers. There are some who say this isn't 65, it is something else and somebody else's is higher. The 65 percent was not a figure associated with any particular station. was an amalgam of a number. So it does not apply to everyone. But it is an important benchmark.

MR. MILLSPAUGH: I think it is something we should address. It is not immediately apparent how we will. That is probably because we don't have the information from the ascertainment which may shed light on it. I'm a little surprised at the figures you cite because I thought the renewals overall were running a little better than 50 percent.

MS. BERRY: It depends on the station.

MR. MILLSPAUGH: Which would mean that certainly a little less than 50 percent were turning over as opposed to 65. But whatever the figure, if 35 percent are turning over, we would still like to narrow that.

MS. BERRY: Now, we are going to have no more than one or two questions on this. We need to go to the next report. I know I asked some questions so I apologize for that. Does anybody else have any questions?

All those in favor of accepting the report of the Program Standards and Practices Committee indicate by saying aye.

(Chorus of ayes.)

MS. BERRY: Opposed?

(No response.)

MS. BERRY: So ordered.

Next we have the Board Governance and Structure Committee. David.

MR. ACOSTA: The Governance and Structure Committee has met several times by teleconference since the Los Angeles meeting in March and again yesterday. We have made the following decisions: One, we are recommending to the board to elect a new member to an at large position.

Back at the September meeting in Washington the board voted to add four new at large positions which would bring the total of at large positions to nine and still give majority representation to the local station representatives. At the March meeting we elected Bill Lucy to fill one of those positions and today we are recommending for election Jose Daniel McMurray. Committee member Rob Robinson will speak on Jose's behalf.

MR. ROBINSON: Thank you very much, David. At the last Board Governance and Structure Committee meeting David instructed us to begin looking and particularly to look for additional members from the Hispanic community. So I talked to some people in my community and I have for the committee's consideration the name of Jose Daniel McMurray. Mr. McMurray is a resident of Washington D.C. He is originally a native of Paraguay in South America. His qualifications I think are very helpful for us. In the '70s he founded a station, KBBF in Santa Rosa, California, co-founded the station. It is also a community station. He worked for a number of years as a producer at National Public Radio. He was one of the few Hispanic producers on the staff there. Some members of our national staff have worked with him and also for a number of years he was the executive director of the National Association of Hispanic Journalists.

Jose is very active in community affairs. He is a listener of WPFW. He is familiar with

Pacifica and I know that he is going to bring to the table, to this board, some of the communications and radio skills that will be most helpful to Pacifica's ongoing growth and development. Thank you.

MR. ACOSTA: Thank you, Rob. Madam Chair, at this time I would like to place the name of Jose Daniel McMurray at nomination for an at large member of this board.

MS. BERRY: Hold on just a minute. We will take a 30 second recess.

(Pause.)

MS. BERRY: For procedural reasons which relate to screening by the Executive Committee which has not yet taken place, we are very much encouraged that Mr. McMurray is willing to join our board but from a technical standpoint we have to wait until the Executive Committee reviews it which they didn't have time to do yesterday and that was not communicated. We are really sorry about that. No offense intended to Mr. McMurray. We will bring this up after the Executive Committee's actions. Is that all right with you, Mr. Robinson?

MR. ROBINSON: I bow to your decision making.

MS. BERRY: Okay, we will handle it that way. So would you please continue with your report.

MR. ACOSTA: The second issue was that we are recommending to the board to elect a board vice chair. The position of vice chair has been vacant since September of '97.

MS. BERRY: So for obvious reasons I am going to speak to the nomination. This was reviewed by the Executive Committee yesterday and Mr. Acosta is someone in whom I have great confidence and so do others on the board and he is very well qualified for this position. I will not read his resume. As you know, he is an accountant with wide experience and has had wide political experience and has made great contributions to the cause of community radio. I have great confidence in having him be the vice chair of this board. So I am naming him for the position of vice chair and I would hope somebody would second that.

MR. McKNIGHT: Second.

MS. BERRY: Is there any discussion or any questions about the nomination? Hearing none, all those in favor indicate by saying aye.

(Chorus of ayes.)

MS. BERRY: Opposed?

(No response.)

MS. BERRY: So ordered. Congratulations.

MR. ACOSTA: I want to thank Dr. Berry. I will take this position very seriously. I consider it

an honor, a privilege and a challenge to be a part of the Pacifica family. Thank you. Anyway, our next item, we discussed updates on LAB member recruitment with regard to number of members, their compliance with the board's objective of 50 percent persons of color makeup and the number of programmers.

At KPFT presently we have 11 members, three of them are of color and one is a programmer. By the end of the year, December, we should be at 15 members and seven of them will be of color with one programmer.

At WPFW we have 21 members presently and 17 of them are of color, no programmers. By September we should have 23 members, 19 of which are of color and one would be a programmer.

At KPFA we have ten members with two persons of color and two of them are programmers. By September we should move that up to 14 with six people of color and two programmers.

At WBAI we have 20 members, ten of which are of color and two are programmers. By July we should have 23 members total with 12 of color and two programmers.

At KPFK currently we have 11 members and three of them are of color. There has been a question as to the process by which these people have been chosen, so the committee decided that the chair of this committee, myself, would review the process and report back to the Executive Committee for action if anything is necessary.

The last thing that we discussed was from Sherry Gendelman, the chair of KPFA, and Nan Rubin, the chair of WBAI, about their concerns with the policies governing local station advisory boards. Specifically they requested reconsideration of the policy regarding staff participation and voting status and generally they wanted to rewrite the document in short form or long form.

There was a question as to the process by which we should consider these proposals and any other proposed resolution that calls for actions by this committee to the full board. So we decided to appoint a subcommittee to review and clarify the processes presently in place and to develop any new processes that should be necessary. This subcommittee will be called the Process Review Committee and will consist of at large member Loretta Ross, WBAI member Andrea Cisco, KPFA member Pete Bramson and WPFW member Rob Robinson. I want to thank all the members of the committee and I would ask if they want to add to this report to do so now.

3 MS. BERRY: Does any member of the committee wish to comment on the report of the chair of the committee? Make your comment at this time.

MR. MILLSPAUGH: I would just like to ask in terms of reporting on these procedures, would you expect that that would be in place for the October meeting?

MR. ACOSTA: That is what we are shooting for. We have given the subcommittee that

deadline to have something in place by then.

MS. BERRY: The first question was whether any member of the committee had any comment. Hearing none, then if the board has questions. Frank is a board member who already asked a question. I just want to get it straight for the transcript. Other members of the board who had a question?

MS. BROOKS: I know we are getting minutes but is there a way you could give us a separate sheet of paper with stats on the LABs?

MR. ACOSTA: Sure.

MS. BROOKS: Maybe fax it MR. ACOSTA: Okay.

MS. BERRY: Cheryl?

MS. FABIO-BRADFORD: David, I don't remember if the intention was that this is an ongoing subcommittee or a that is going to just address this issue.

MR. ACOSTA: Well, we are going to have to play it by ear. First of all, we are going to review the process. We already have that in place. Then we will clarify it and let it be known. If that is all that needs to be done then we don't have any need for the committee again. But if we need to develop some policies of process then we may continue it.

MS. BERRY: Micheal?

MR. PALMER: I wanted to make a comment about the request from the Council of Chairs that came from the Houston market, the Houston LAB and the Houston chair. We don't have any problems with the LAB procedures submitted regardless of what has been presented by the Council of Chairs. I wanted that to go on the record because it is not a universal complaint. The work that had been done was understood by our board and agreed to by our board. So we don't have the questions that other stations do about changes that have been made.

MS. BERRY: I think it is also fair to say that other LABs, have the same view. In the meeting with the Council of Chairs, the views that were expressed most strongly about doing something about the LAB document came from WBAI and KPFA. There were only minimal expressions of any concern at all about the particular aspects of it that they raised in the meeting yesterday, not referring to Nan's report, but the business about the staff and all that. Others didn't seem to have concerns about that. They had concerns about other matters in the document which is why the committee is to try to take up all the concerns and have a process for doing that.

Yes, Andy.

MR. NORRIS: At the meeting yesterday the discussion was curtailed so I don't think we got enough input from various LABs. There had been some discussion between WBAI and

KPFA prior to this and we would be completely willing to discuss it with other LABs. Basically our LAB has taken strong opposition to this on several counts. First, we basically commend the document and we hope to get a better document. The document per se needs to exist so it can be approved, whichever items that Nan pointed to, the cap on the size needs to be clarified, the issue about removal of members could be clarified.

MS. BERRY: I would really prefer it if we did not discuss the document here. It will be taken up by the Board Governance Committee.

MR. NORRIS: But the major items of concern, I think there can be a lot more clarity of the document to everyone's benefit. LAB members do not know what LABs are. They need this as a constitution. But the most pressing concern has to do with the personnel at the station, paid and unpaid. That has already impeded us in our ability to attract community input to our LAB.

MS. BERRY: I asked that you not discuss the document because it is being discussed by the committee. We agreed and Nan discussed it when she gave her report. So we don't need to discuss it again because we are not going to make any decision. I also ask that all of us have a decent respect for everyone else's opinions. Michael has told you that his LAB does not have any concerns about it. The views of his LAB are to be as respected as the views of any other LAB and to be considered on an equal basis. Everyone's views will be considered. But we should not think that in an organization of five stations, because one station or two stations think something, that everyone else's views become inconsequential. They will all be considered by the Board Governance and Structure Committee. We also ought to have a decent respect for the amount of time that the members of this board and this organization put into working on this LAB document. Even before I came on board they were working on it and so we ought to at least consider our colleagues in a collegial fashion and be willing to respect the work that they have done. To make criticisms and suggestions, yes, but to always acknowledge that they in fact have contributed, do have their own views and that we respect the work that they have done and that way they will respect us and then we will get along a lot better.

MS. ROSS: As a member of the subcommittee working on process review, I just want to make clear what our mandate is. Which is to make sure there is a process for input and review that is fair in terms of any proposed changes to LAB policy, not to decide necessarily on the merit of the changes themselves because that is a function of the committee and then the full board. Only the board has the power to change its own policies. What we are responding to is a request from LABs for this overworked word called clarity, which I must say as part of the committee, clarity is often used to disguise disagreement. It is not that it is not clear, it is that they don't like what they see. So that will also be specified and looked at by the committee.

MS. BERRY: I'm going to take comments from Cheryl and then I'm going to see how long that takes and I may take one other before I stop this at 11 o'clock which is the time I'm supposed to stop it. The Technical Committee doesn't have a report, do they?

MR. FORD: I would like to say something.

MS. FABIO-BRADFORD: I would just like to confirm, subcommittee will meet, will come up with policies, we will be able to institute and use those policies at the next meeting and have resolution to the issues that were brought?

MS. ROSS: It is more like process. We cannot make policy.

MS. FABIO-BRADFORD: I'm saying process, we can make it policy and engage it.

MS. ROSS: Only the board makes policy.

MS. BERRY: Ken, do you want to make a report?

MR. FORD: Just briefly, as many of you know, some of you have been assigned to the Technical Committee. Unfortunately we did not have an opportunity to meet nor do we have a charge at this point.

MS. BERRY: Yes, you do have a charge.

MR. FORD: Let me finish.

MS. BERRY: You do have a charge. The transmitter --

MR. FORD: That is what I'm going to get into.

MS. BERRY: The computer issue.

MR. FORD: There are three issues we have to address. Within the next two weeks I plan get to you a series of informational packets and background on the problems that are occurring. You will need to come up with some recommendations to both to the board and the Finance Committee because a lot of these issues will take funding. Basically, we have a tower problem at KPFK. We have to look at expansion not only on the Internet but expending our usage of the KU band. The big issue is computer accessibility. There is a problem with the stations E-mailing each other, being able to establish a computer link between one station and the next as well as the Solomon problem.

The new accounting system is supposed to work in an efficient fashion. efficient fashion. We heard from the Controller that it is not and we need to get to the bottom of this. Finally we have got to start looking at the archives. It is a very valuable resource but it is prone to some type of disaster should something occur like an earthquake in California or should they get a fire in that building. We ought to start looking at investing money to maintain it as well as protect it. We have a lot of work to do. I'm quite sure we will have a detailed report and some recommendations to you, Madam Chair, at the next meeting.

MS. BERRY: Did I have your report accepted?

MR. ACOSTA: No.

MS. BERRY: I didn't ask to accept the report.

MR. ACOSTA: Can I say one thing before you do that?

MS. BERRY: Yes.

MR. ACOSTA: I didn't mention Loretta Ross will be the chairwoman of the subcommittee. I want that on the record.

MS. BERRY: Can I ask you to vote on approving the report of the Board Governance Committee? All in favor indicate by saying aye.

(Chorus of ayes.)

MS. BERRY: Opposed?

(No response.)

MS. BERRY: Okay. Now, the Technical Committee.

MR. MILLSPAUGH: Well, I'm not a member of the committee. So I will wait.

MS. BERRY: Does anyone on the committee have something to say?

MR. McKNIGHT: Am I correct, I heard there was problems with the server in terms of the E-mail and stuff?

MR. FORD: Yes, it is.

MR. McKNIGHT: We don't know what that problem is?

MR. FORD: We don't know but we are going to find out.

MS. BERRY: Any other member of the committee have a comment?

MS. FABIO-BRADFORD: Did you list who is on your committee?

MR. FORD: Yes, we do have a listing. It is listed here.

MS. FABIO-BRADFORD: I was on it at one point.

MS. BROOKS: Then you are on it now. You don't get off a committee.

MS. BERRY: I don't know where the list is.

MS. BROOKS: It is on the back of the roster that was distributed. It is on the very back page of the roster.

MS. BERRY: Ken, Peter, Andrea and Ralph.

MS. FABIO-BRADFORD: I am on it.

MS. MAKELA: So we will add you.

MS. BERRY: As a member of the committee, do you have a question?

MS. FABIO-BRADFORD: No, I don't.

MS. BERRY: Now the board members. Frank?

MR. MILLSPAUGH: I would like to ask that the committee give consideration or in some way track the developments in the field of digital transmission.

MR. FORD: We are going to look at that as a long term project. As a matter of fact, next Tuesday I have a tour of a new digital facility at a radio station. It is a long term endeavor. It will be five to seven years before the whole new area of community radio transitions to digital. So we are going to take a slow approach but right now it is not an immediate concern. We have other pressing issues we are focusing on.

MR. MILLSPAUGH: I feel that the board will really profit from being educated though as to the status of that technology and the progress as it goes on.

MR. FORD: What I would like to do, Frank, not for the next meeting but two meetings out is to do a presentation to the board on that whole issue.

MR. MILLSPAUGH: That would be great.

MR. FORD: We can carve out some time.

MS. BROOKS: When we first set up the committee, I wasn't quite clear what you were going to do. But yesterday it became abundantly clear. So good luck and I'm glad you're doing it. One note, would everybody please review their committee assignments. If there is any questions or concerns about it, let me know. I know that Bill Lucy only had one assignment and Mary and I will correct that.

MS. BERRY: He was supposed to be on the Program Committee.

MS. BROOKS: So please everybody review the roster and get back to me about that. Thank you.

MS. BERRY: The last point I will make is on the roster you will note that Roberta Brooks' term has expired as a member of this board. But under our rules since her term as secretary does not expire until 1999 in June her term as a member is automatically extended to fit that term. In any case, now I will go to the public comment section of the meeting.

We will go in order. The sign-up and maximum amount of time is two minutes. I would ask Loretta Ross who is great at this whole thing to be the sergeant at arms, to help me enforce the time limits so that we can get this done in a proper fashion.

Could I call forward Paul S. is the first public witness to be called. Please come forward.

MR. S: Here is a two minute summary of Paul Schaffer's views on what is wrong with Pacifica. There is too much programming between commercial talk radio. Much of the rest is demographically targeted music. WBAI has avoided some of the worst excesses but not for long. Pacifica should scale back its budgets and assets to match the size of the audiences wishing to hear what Pacifica was created to offer. It crosses my mind that such a strategy might entail scrapping a large part of the Washington operation if necessary, so be it.

The secrecy and elitism of Pacifica management are amazing. Late yesterday I heard Mary Frances Berry say that even if three Pacifica people could make a convincing case for breaking with CPB the Foundation cannot afford to do it. Why? Because the federal government will eventually be reallocating frequencies probably using a formula that will destroy nonprofit stations below a certain size. On that point several board members were chuckling over the naive people who don't realize this. If fear of federal authority is driving Pacifica's strategy that ought to be on the agenda somewhere.

MS. BERRY: Mimi R., please come forward.

MS. R: I'm sorry that Bill Lucy isn't in the room. The last time I saw him he was an insurgent voice in the elections of AFL-CIO, so certainly he should and could understand some of the issues that are pertinent to those of us who are here today.

I just want to say I'm the unpaid staff representative to the WBAI board. I have been a producer there for approximately 20 years with the longest running, oldest program in the country that is oriented to labor and seeks to build bridges between community and labor people. I say that because it is strategic to understand that most of us, whether we are in the programming end or the production end of our station, certainly in New York, are people with deep ties to the community. Indeed my ties to the labor movement extend over 25 years. That is my asset and that is what I bring to the board, the voice of information and not disruption.

I do that to segue into two things. I'm very pleased to hear that there is a committee that is looking into the issue of governance. There indeed are things that would seek to rob the individual signal stations of some degree of autonomy and the culture and integrity that is endemic to the area that any one of us are from. So within that it is absolutely strategic to look to the rules and not maintain a hierarchal system that is devoid of input and a voice. Part of that voice comes from representatives of the staff who are indeed the link of vital information, not obstructionist information, but information that helps people function and makes some determination.

In addition to that, I hope that when I hear, because there is a lack of clarity indeed, and that is process can never be devoid from the end product. So I take process to mean that there will be consideration of what is most fundamental and that is input of the staff, input of the listeners and greater input of the boards themselves to the governance changes that we all see.

In addition, I just want to bring up as somebody who, as I said, does a labor program and was covering the AFL-CIO convention for all five of the stations, et cetera, and has habitually been requested to do news feeds and other things relative to the labor movement, as we live in a period of the casualization of labor, we are right now in a major General Motors strike. That strike is about job security. That strike is about people who are not casualized by having a living wage. It is about anybody having the right to freedom of association and to organizing. That is why we do the broadcasting we do so people can come together and negotiate conditions that are better for themselves and their colleagues.

I implore people to give some consideration to the new union movement and that is a new movement that seeks not just the traditional forms of organizing, and it will be one more half minute if I may, that it seeks to bring together Work Experience Program workers not as indentured workers but as workers with full rights. That is what the labor movement pretends to be about. That is why we want to maintain our collective bargaining unit at WBAI. We want a fair contract and we want to stop wasting the listeners' money on seeking to appeal the NLRB decision which keeps a tenured bargaining unit but serves the rest of the unit well and a right of freedom of association and to bargain.

MS. BERRY: Your time is up.

MS. R: The fact is this meeting that appropriates two minutes for people who care dearly and work very hard at this station really represents very much less than the democratic process that should be initiated. It is really unforgivable to allow such a small space.

You are not all the community. We are the community and have a lot to contribute. It would be nicer if that was better respected and solicited. And the next time there is a national meeting one would hope there is a better process for input from a total community and a more structured one so you can get to know us better and not draw any conclusions even from the small number of people here. And credit where credit is due, the new facility came from some particularly hard working members of the local board and the fact that middle management and the office staff and the production staff had three successful \$3 million fundraisers, they have not been given their just due. It came from the middle manager, several board members and it needs to be --

MS. BERRY: Ms., your time is up.

Next is Isaac M.

MR. M: My name is *****

I'm a listener. I have no affiliation with any of the stations. I just want to thank the board and each station for being around. I just want to thank the board for all the stations that are on the air. I have a suggestion to generate income and to expand listenership, that is via the Internet, because your signals don't reach the whole country and only selected markets. By being on the Internet in real-time and not putting yesterday's program on today, but being on real-time, you should be able to reach more people and hopefully have a more diverse

audience and better income generation. That is all I want to say.

MS. BERRY: Thank you for the suggestion. It looks like Billy -- I can't read your last name. Please sit down and proceed.

MR. M: Most of my life I haven't spoken up too much but I will tell you what concerns me and what I would like to see a lot more programs about, we are destroying our environment and we are facing some years down the road extermination, eradication and extinction of our species, everybody, our friends, our neighbors, our families, our children. I think we ought to have a lot more programs about that and I would also like to add to that that we ought to personally name the CEOs who are responsible for pollution and poisoning and cancering us all. I thank you for letting my voice speak out.

MS. BERRY: Ms. Debbie H.

Welcome and please proceed.

MS. H: Thank you. I would like to say as a listener and a supporter of BAI you say you are concerned for all listeners and all staff members. Let those who work tirelessly and effortlessly at BAI get their just due and discontinue the gag rule and the union busting rule. If you really believe in true democracy then get back to what this station was put together for, that Louis Hill put it together for and let it be real community radio for the people, for all people. You also ignore people with disabilities. You don't have programs for us that speaks of our issues.

The other thing I have to talk about is the staff needs to address their feelings on the air, if we really believe in freedom of speech and you really believe in true democracy. Thank you very much.

MS. BERRY: Thank you.

Mr. James H.

MR. H: Hello, I have to say the first time I was here was two years ago and the situation was the tables were in a U which I see now we have closed off the U which is I think reflective of the organization as a whole. I think this entire structure is a farce. I think the way this is set up does not represent our community. I think if you are going to have people you should have it according to class and also the community should be represented at all meetings. Meetings should be open to the public continuously. The gag rule is a farce. I'm a producer at WBAI. I'm a part-time employee at WBAI and what I have seen there is atrocious. I have seen my colleagues closed out, unpaid staff closed out of five-year planning meetings. I have seen people lose their health as a result of the way they are being worked at BAI at only half-time pay without healthcare. I have seen programs removed from the air because of direct censorship, because they were critical of the structure itself, preempted because they criticized the move to 120 Wall Street which I think is disgusting.

If you look at the history of that building itself, yes, BAI's line, I have heard it said that, well, it is under the Dinkins administration. All the politics of BAI, it is completely antithetical for that. If I may have a minute, please. The program was taken off the air for ambiguous reasons. First of all, being not following its mission of the program, it was an Asian-Pacific Islander programming and it did a number of shows on HIV and AIDS critical of the HIV theory. Now, I believe that stating that this is not in the mission, first of all, is racist because it is saying that HIV, this whole theory that HIV is not affecting that part of the world is a crime.

Secondly, taking the show off the air because it was critical of the move of WBAI moving to Wall Street I think is just blatant censorship and the listeners continue to ask --

MS. BERRY: Your time is up.

MR. H: May I have somebody else's time?

MS. BERRY: Whose time are you taking?

MS. L: I will give up my time.

MR. H: She was host of the program. She was removed from the program for ambiguous reasons. I think she was completely censored. The gag rule at Pacifica generally, this dirty laundry rule as well where you can't even be critical of what you are addressing, some of the schlock programming, the Leonard Horowitz specifically with his AIDS Ebola theory, but even being critical of that and she was preempted for this show whereas other programmers have been critical of things going on in Pacifica but it is -- the dirty laundry rule is not being enforced equally. These issues have been brought up but this person was removed for I think personal and political reasons.

VOICE FROM THE AUDIENCE: By who?

MR. H: The program directors. It is all the same. The management is accountable to Pacifica and this is a part of the five-year plan which includes strip programming which I think is absurd. We are going to programs making decisions that aren't even given to the audience to judge whether it is accurate or not. We are not sure if we want this program four days a week. The move is atrocious. The move was not announced. Forget about the listeners. wasn't announced to the staff. I was there at those meetings --

MS. ROSS: Sir, you took three minutes of your time and two minutes of hers. So can you finish?

MS. BERRY: Thank you.

Frank L. Please proceed.

MR. L: I would just like to read a statement. The statement is signed by 100 people across the nation. They are all Pacifica listeners, staff members and producers. The statement has been released to the press. It has been widely disseminated on the Internet and it was

broadcast last night on a local radio station.

The statement reads

"We are hoping that the departure of Pat Scott from Pacifica will open the door to democratic and accountable conduct within the Pacifica organization and radio stations. The three-year tenure of Pat Scott as executive director of the Pacifica Foundation has resulted in a series of actions that have damaged Pacifica's reputation for integrity and destroying public trust. The specific items are financial secrecy, burgeoning upper management bureaucracy, financed at the expense of local stations, the loss of local autonomy and community participation replaced by an imperious, unaccountable, centralized authority, attacks on unionized workers and workplace democracy, the issuance of gag orders designed to keep contributors in ignorance about the state of internal affairs, the calculating dissemination of lies and half truths in regards to questions from the public and the press about the Scott administration's policies, the elimination of politically controversial and intellectually challenging material as Arbitron ratings rather than community service and intellectual currying become the basis for decisions.

"In order to begin the work of restoring public trust and returning Pacifica to its mission of community participatory media we call for the following:

- (1) An immediate, complete, independent and public audit of Pacifica's finances by October 1st, 1998 to account for the fiscal decisions of the Scott administration.
- (2) The immediate withdrawal of Pacifica's NLRB appeal against the United Electrical, Radio and Machine Workers of America Local 404 and WBAI.
- (3) The formation of a commission to investigate the best methods for reconstructing Pacifica radio as a democratically governed organization with power centered in the local communities that Pacifica stations serve."

Thank you.

MS. BERRY: Thank you very much. Pat L.

MS. L: I have been a to WBAI since 1966. I feel that it has been the biggest influence on my intellectual development and my decisions to become active in various community and international issues and I am very concerned that my options as a listener to express my opinions about what is going on at WBAI and at Pacifica should not be limited to listening or not listening, contributing money or not contributing.

There has to be more and in order for me to make informed decisions about what I believe is going on and what I believe ought to be done, I would like to see the gag rule abolished and hear what the staff has to say on the air about the issues that are being decided. I also feel that although I may have input into what happens at WBAI that it is difficult if decisions are being dictated from the top down by the Foundation.

The Foundation exists to -- it is a tool to support the stations, not the other way around. More and more things are happening which leads one to believe that the Foundation believes the stations exist to support the Foundation. There wouldn't be any Foundation without the stations. There wouldn't be any jobs without the listeners. I hope that the search for a new executive director will lead to the board hiring someone who has a priority of opening up Pacifica, democratizing Pacifica, giving leeway to the individual stations to serve their communities rather than Pacifica becoming tightened up and corporatized which is what seems to be happening. I'm very concerned about it. And the biggest manifestation of this corporatization and this impending lack of democracy is the use of our money to fight the NLRB decision that the WBAI staff union has a right to include unpaid as well as paid workers. This decision could be and is one of the most important decisions which will help the labor movement and we should be celebrating it and we should be absolutely proud that we caused this to happen, that our union did this because it will help in the organizing of WEP workers and other workers who are now under or not represented at all. Thank you.

MS. BERRY: Thank you. Ralph F.

MR. F: Ms. Berry, you indicated that you went to jail to protest what you felt was wrong. Now you are in power and comments that you made earlier that you will not tolerate people objecting to what you do is wrong. This is a process of ongoing history where the oppressed becomes the oppressor.

Yesterday items were being pushed through because there wasn't enough time. There wasn't enough time because the board meeting was made shorter. There is less time for comments and less time for discussion at the board meeting. This was done on purpose so that the community can't really get involved with what you people are doing. It also should have been at New York City. This isn't easily available for a lot of people. People didn't come here because it was an extra trip. It also should be broadcast live on WBAI and carried by all of the stations, I'm saying the whole meeting.

We have a program called "Democracy Now!" but not at Pacifica where it is hypocrisy now, from the gag order to keep the listeners uneducated as to Pacifica/WBAI's actions, union busting, mispending contributors' money and local advisory boards without any power. You have closed meetings, fundraising proceeds without audited reports of the contributors. You are trying to make the stations not worth listening to.

MS. BERRY: Thank you. Patty H. please.

MS. H: Seeing the new studios of WBAI last night, the size of the executive and management offices in comparison to the heart of the station, master control, where there is not enough room for guests to move about comfortably to me says much about the direction of BAI/Pacifica. Strip programming has already moved in with less community participation and hence violates Lou Hill's mission. How much longer are you going to not allow let alone discourage topics such as the plight of political prisoners in this country, police brutality and the HIV AIDS controversy? In what insidious fashion will the gag rule penetrate free speech?

To what degree will you control what topics can be discussed or how they can be discussed?

Already station business is off limits, selectively of course. What about speech that may threaten your vision and maybe more importantly the income capabilities of Pacifica? When will you cut that free speech without our consent? If the lengthy rules of behavior posted at the doors of this room are any indication of what you will allow, the future does not look bright. I was relieved when Jack O'Dell left, the man who had obvious contempt for disagreeable listeners and producers who participated in the board meetings. I was encouraged when you, Ms. Berry, joined the organization. We could talk reasonably and you would consider our concerns. I see no evidence of consideration of our issues. With the imminent departure of Pat Scott, an obvious target, one would think you should be hopeful. I am not.

The board and you, Ms. Berry, holds the license and the real power. The cancer of top down management and the ideas of the five-year plan are in place. From where it came I do not know. My desire to insult is not held back by the rules posted at the door but that the passion will fall on deaf ears.

MS. BERRY: Monroe L.

MR. L: I am an original subscriber to BAI and I have gone through hell. My mother hates this station and she is 90 years old. Now there are good people in the world and there are bad people and I have suffered all my life from teachers that were paid bigots and I was kept in there every day. I was asked if I was fed happiness pills. I saw these teachers in a big circle. I wonder what you think this is, a squared circle. I write in my leaflet that Lou Hill died through suicide, the question being I don't believe this lady who came on and said I'm the wife of Lou Hill, he died of smoking cigarettes and took his life. How did he die? Did he hang himself? Did he shoot himself? What? I know nothing much about it. I need more knowledge about poor Lou Hill, who designed the idea of listener sponsorship so that freedom of speech, not community radio, because what is there but a community, those who listen and those who don't.

Community radio is so they can gang up on me. Now, let me say this, please. Here we go, Ms. Timekeeper.

MS. ROSS: You used your time, sir.

MR. L: Now, look, I just want to show you what bigots you are. How long have I been here? I come here from New York so that you people -- shut up.

MS. ROSS: Come on, sir.

MR. L: I know you. I know you for a number of meetings. I know you love what you do. How did you get your job?

MS. BERRY: There is a name here that looks like Jim I.

MR. I: It is a pleasure to talk to you. My name is Jim I. I'm a former member of the program council. I have several points to make to this august body today.

First of all, earlier, Ms. Berry, you discussed the profanity of speech. What about the profanity of the policy of the governing board for the past few years that has created this absurd situation we are in where any of you who have any sense in public relations will know that all this is rebounding badly among the listeners in the signal areas?

Having been organizing against your policy for the past three years I can tell you my personal experience is any listener who acquaints himself with this situation and begins to understand it first has a reaction of incredulity, anger, and then commitment to resist. So my suggestion initially here today for this is that you stop and drop the NLRB decision now. Do not continue with it. Because this is New York City. This is not some little fluff area in the country. We will fight you in a determined fashion.

Your choice of the Meadowlands, I must commend you for a very slick tactic, because out here in Hudson County the Arbitron says only 3 percent of the listenership is out here. This choice is very interesting and basically designed to prevent mobilization. I congratulate you on a very slick tactic.

Thirdly, Plato writes "Who guards the guardians of the Republic?" Well, you are the guardian class. You are the governing board and your policies of denying votes to the staff and unpaid staff, I might add other NPR stations, mainstream stations, have systems set up where they elect board members from the representation, from the community out there which is a model you should perhaps think about. But who stands to blow the whistle on any kind of irregularities?

I know **** has taken a leadership role on this. In other words, who is there to sit there and account to the listeners? I ask for time from Pamela S. I say that in March of '98 one of the board members commented about the public relations effectiveness, the mud being slung. Well, your policies are creating the mud. That is the mud that we can sling at you and this is a foolish and counterproductive and destructive policy that has been engaged upon. You mentioned earlier here about your mention of getting 50 percent people of color on the LABs. What about 100 percent of all local board members committed to the working class, the interests of the working class? How about that? Because clearly many of you, I don't know what you did in the '60s because I know that in various fights everybody likes to sit there and brandish out their '60s credentials but it is interesting to me that some of you I guess, that part of the '60s, working with the working class and all that, that must have gone by some of you all.

Finally, I think that you should be aware of the fact that there are policies being implemented about this. This has been mentioned to members of the House of Representatives and the Senate in the Telecommunications Committee and that process will continue as long as you

continue to pursue these policies. What is going on here has been mentioned to members of the Public Interest Obligations Commission of the Digital Television Group under Vice President Gore exploring this. This will continue.

MS. ROSS: Two minutes overtime.

MR. I: Finally you have been talking about the NLRB decision. The NLRB decision has had a practical and strong impact on people who are on welfare in New York. You guys, are you like completely out of touch with the fact that this particular policy has impacted on thousands of people who have been disenfranchised? I should announce that there will be a teach-in with these people, with other groups that have been using this in the near future. So I simply ask that this whole conflict come to an end because, I repeat, people here are determined to fight you.

Don't ever think that they are not. This is no game to us. We will fight you. The best interests of everybody is to call a cease fire and start to try to reconcile this. Because otherwise it is going to keep on going into the transformations that --

MS. BERRY: Your time is up, sir.

MR. I: Thank you.

MS. BERRY: Shawn R., please come forward.

MR. R: I defer one minute to Sybil W. and one minute to R. Paul M.

MS. BERRY: Sybil W., please come forward. You will have three minutes.

MS. W: Good morning everyone. I'm Sybil W.. I was the business director at WBAI for the last four years until I resigned in January of this year under protest. I want to talk about money today. Because a lot of listeners find that money is not being accountable. So I want to raise this question. I wish the national board will take this seriously. Since I have been working with WBAI for the last four years I sat on the Finance Committee of the LAB for the last four years. I was elected to the local board as the paid staff representative for the last three years. I was also very active in the LAB.

Now, talk about finances. The controller's office is supposed to send every station a monthly fiscal report documenting how much money came in and how much money was spent. However, I understand you are overworked like all of us. Those fiscal reports actually we don't get until a month, two months, sometimes three months after the month it is completed. So the local board decided, particularly under recommendation of the financial committee, that in order to better take care of our own finances and the time we report to our board and how to figure out how money is being spent, so we passed a resolution March of 1996 by the local board to the national board requesting the following information:

Basically we said that what you provide us monthly is not adequate because we don't know where our money is. Take, for example, we want to have at least a minimum quarterly report

of our monies sitting out at the national. Because, for example, the Empire State reserve is supposed to be a half a million dollars sitting out in California. We don't know where the half million dollars is. Who is managing our portfolio, how much interest, plus the money that national spent on the individual station's behalf, we find that kind of information reporting is not accurate.

So March of 1996 the local board passed a resolution requesting the kind of information from the national board or whoever, the controller's office, we never received any information. Again, we passed another resolution in September of 1996 requesting the same kind of information. We need to know where our money is sitting in California, how that money is being managed and how it is being spent. I know that you write a check on our behalf but we don't know how much you wrote and what the check was written for and for whom. We have requested this information now twice, in 1996, March, and 1996, September. Now it is already 1998.

We still do not have this kind of information. Now the question is why? Why is it the national board never responded to our request? Why such secrecy about the money? Where does this half a million dollars sit?

MS. ROSS: Time, three minutes.

MS. W: And I mentioned all this because it is very critical to our move. We know the original budget was \$1.3 million for the move to 120 Wall Street. Where is WBAI going to get this money? So when the time came last year, we said please, we know we have half a million dollars sitting in California, half a million of Empire State reserve. Can we borrow \$300,000 from our half a million dollars to help with the move? We were told yes. I assumed that we based move, our budget on this loan of \$300,000. But after signing the contract to move to 120 Wall Street and, Pat Scott, I don't know how you made the decision that you can only loan WBAI \$200,000 instead of \$300,000. Now we are going to find ourselves \$100,000 short on this move. How are we going to raise the money? We know we have money sitting in California. How come you don't know where the money is? How can California spend money on your behalf? We really feel that we are paying -- --

MS. BERRY: I think we get the point and your time is up, ma'am.

MS. W: There is a question that maybe we should have an independent audit from each individual station of the money sitting in California. Maybe we are forced to do this independent audit.

MS. BERRY: Thank you very much. R. Paul M. Mr. M has three minutes.

MR. M: My name is R. Paul M., a producer of WBAI, the chief steward of the union at the station. The past few days it has been discovered Mayor Giuliani is constructing a bunker on the 23rd floor of a building at the World Trade Center. He is spending \$15.1 million to build it and \$1.4 million a year to rent it. Meanwhile the Mayor has cut funding for senior citizen centers, city hospitals and services for the poor. The Mayor is coming under a lot of ridicule

for the bunker in the sky. It has telecommunications systems set up that could operate after a nuclear blast, although there wouldn't be people alive left to operate it and very few people to communicate with. The bunker is bulletproof, bomb resistant and has its own water supplies. People are complaining that that the Mayor has this expenditure hidden on page 995 of the City's capital budget, yet Mayor Giuliani is more forthright and open than the Pacifica National Board has been. He hid his figures in a large budget, but at least he published his figures somewhere.

What are the total legal fees spent by Pacifica/WBAI management in bringing matters before the NLRB?

What are the total legal fees spent by Pacific/WBAI management on the writing of the contract presented to WBAI, KPFFK and KPFA?

What are the total legal fees spent by WBAI management on the Corporation for Public Broadcasting hearings?

What are the total legal fees spent by Pacifica/WBAI management on denying unemployment benefits to a terminated WBAI worker?

What are the total legal fees spent by Pacifica/WBAI management on an arbitration hearing on the unfair termination of a WBAI worker? We estimate that at least \$10,000 of listener sponsors' money was spent on the two days of the hearing alone.

Meanwhile, workers at WBAI are being threatened with layoffs and collective bargaining jobs are being stolen and given to management personnel. Unfair labor practice charges on these issues are pending with the NLRB and will cost Pacifica/WBAI even more money. It is sad that a Republican mayor whose policies appear to be going off the deep end is more honest and forthright than the ruling junta of the Pacifica Foundation. The only cure for what ails the Pacifica Foundation is sunlight. The Pacifica Foundation is now calling itself radio with vision. That vision now includes gag rules not only on broadcasters but on local advisory board members. That vision includes union busting, violations of the contract and unfair labor practices. If you want to be before the public, you are going to be confronted with these dichotomies and even your spin doctor won't be able to help you.

MS. BERRY: Thank you very much. King D., come forward. You have two minutes.

MR. D: My name is King D. I'm an unpaid staff member. I produce a public affairs program which concentrates on issues which primarily affect the African-American community but are not limited to that. Before I get into the main text I want to bring up two problems that I see that is happening in front of us. The first one I think it is outrageous that this meeting is held in New Jersey being that the majority of listeners are in New York. I had to wake up real early to take a bus over here and then wait outside for hours just to have two minutes of speech. If we went through all this trouble we should have longer to speak than two minutes.

The second problem is that these meeting booklets here have written on them in magic

marker "please share." I would like to know what the budget was for these booklets which contain all of this important information that is supposed to be available to all listeners. And we have people who are not able to come to a meeting like this, there should be enough copies for not only all of the people here but for the people who were not able to attend.

Now, on to the most important issue for me is the question of governance. I would say that it looks to me like that the board is beginning to follow some very negative national trends which may be counter to your own prior experiences as activists. We are seeing a consolidation of control and consolidation of wealth through mergers here. At the same time that is represented here on this board by the policy of denying voting rights to staff members and by the feeling that democracy is moving further away from the local stations, especially our station which is doing quite well financially and has been able to make its own decisions and bring in a revenue stream which I understand contributes mightily to the national board. So we object to the voting status of the board and also the must carry rule which is going to affect that revenue stream. I'm not sure whether you have made that a part of your analysis in determining whether programs which are chosen by a majority in another area are going to free up successful programs which are carried out locally and which the listeners have sponsored and given their approval of.

I'm a member of Local 404, United Electrical. There is another national trend moving away from unionization and I don't think that a station which regularly and loudly and strongly proclaims its being in the interest of workers and in the interest of labor would then institute policies which would deny those very rights and those very opportunities to its own staff members. And we are going to fight this trend.

Finally, the last point I want to make is I guess I would say in 1957 Kwasi Inyuma led the nation of Ghana into independence. Part of his analysis looked at the question of colonialism and neocolonialism and what happens when you remove a colonial regime, you remove a colonial regime which was a white majority and you begin to institute a neocolonial regime which then acts in its place, you end up having the same trends. We are right now in the middle of a race and class crux before us. As far as I am concerned if we are going to require 50 percent participation of minorities on the board and continue the same trends, I would just as soon see it stay lilly white myself.

MS. BERRY: I want to thank all the people that made the comments. I found them very useful and illuminating and some of them I found to be matters that I and the other board members ought to think on very carefully. I also found some things that I think as far as records are concerned need to be responded to. So, very briefly, one comment about comments I was supposed to have made about the impact of allocation of stations and whether that had anything to do with audience assessment and the needs assessment. I'm supposed to have said that we are supposed to be driven by what the federal government or somebody might do. I said no such thing. What I did was ask somebody a question about what the impact of that issue would be.

The second thing I point out is I did hear you about the environment and how you think there

should be a greater emphasis on programs concerning the environment. Ms. H. remarks about the emphasis on programs for the disabled, I thought that made sense. I thought that was a very important comment to make. I also heard the comment, I think it was Ms. L, who made the point that the local stations, how important they are, they are the heart and soul of Pacifica and the Foundation exists to support them. I think that is right and I agree with that.

I also want to say that at the beginning of this meeting I made some comments about civility and the point was not that people can't criticize each other. I very much believe in free speech and free expression. And sticks and stones may break my bones and words may hurt me, but I still believe in it. All I was saying is I think there is a way to criticize people and engage in discussion without using cuss words.

Someone made a comment about the board meeting being broadcast. That is an interesting idea. I think we will take it under advisement and see if there is some way to do that. I thought that was a very interesting idea. I don't know whether listeners would turn it off or on, but we will think about that. I mean that seriously. That is interesting.

I'm sorry Ms. H was disappointed in my failure to move as quickly as she thinks I should move on everything that has happened here and I'm sorry for that. Also, I think that on the issue of diversity on the board we have a goal of 50 percent and that is because the communities in this nation demographically are changing where our stations are located and it is part of trying to respond to it. It is a goal to people in our communities.

The last point I guess I would make is on the financial matters in Pacifica. The financial statements of Pacifica are public information. Anyone who wishes to have a financial statement may have one. The audits are public information. If anyone wishes to have a copy they may have it and the decisions about what to do in terms of the finance and the budget are made by the staff but also reviewed by the Finance Committee and the board which has to approve them. As for the complaint about the booklets for reading not being numerous enough, I am reminded that no good deed goes unpunished because heretofore, before I came here, no booklets were given to anybody for any reading. It was a suggestion made in a public comment period and I thought it was a great suggestion and we ought to make them available for people. But I will now take under advisement your point that there are not enough of them and we will see what we can do about this.

I thank you for your comments. I take your suggestions under advisement and I hear you and listen to you.

Our next meeting is October 3rd and 4th in Houston. I move to adjourn.

BOARD MEMBERS: So moved.

MS. BERRY: Second?

BOARD MEMBERS: Second.

All in favor indicate by saying aye.

(Chorus of ayes.)

MS. BERRY: Opposed?

(No response.)

MS. BERRY: The meeting is adjourned.

(Time noted: 12:05 p.m.)

C E R T I F I C A T I O N

I, TODD DeSIMONE, a Shorthand Reporter and a Notary Public, do hereby certify that the foregoing is a true and accurate transcription of my stenographic notes. I further certify that I am not employed by nor related to any party to this action.

TODD DeSIMONE