

Elections Committee Regular Meeting – November 26, 2007

DRAFT MINUTES

A regular meeting of the PNB Elections Committee was convened at 5:30 pm PST by Terry Goodman, serving as Chair and Secretary Pro-Tem. The minutes of 9/24/07 were amended and approved.

Attendance

Present: Teresa Allen (arrived at 7:22 pm), Carolyn Birden, Lydia Brazon, Terry Goodman, Bob Lederer, Henry Norr, Sandra Rawline, Cerene Roberts, Jack VanAken, and LaVarn Williams.

Absent: Jane Gatewood, Ambrose Lane, Rosalinda Palacios, Deb Shafto, and Carol Wolfe.

Agenda

1. Amend & Approve Agenda (10 min)
2. Review and Approval of Minutes (5 min)
3. Special Reports
 - A. Elections Supervisor (30 min)
 - B. Update from Director Members on Any PNB Motions Relevant to the Committee's Work (5 min)
 - C. Motions Referred by PNB (60 min)
 1. Prescod Motion Discussion (20 min)
 2. Robinson Motion Discussion (20 min)
 3. Action on Motions (20 min)
 - D. Birden Motion
 - E. Committee Report to PNB (1 min)
4. Subcommittee Reports
 - A. Campaign Finance Reform Subcommittee (Birden) (5 min)
5. Workgroup Reports and Issues
 - A. Technical Advisory (VanAken/Stasney)
 - B. Staff Lists (Lederer) (10 min)
 - C. Membership Lists (Roberts) (10 min)
6. Unfinished Business
7. New Business

1. Amend & Approve Agenda

The proposed agenda (as amended) was **approved** without objection, with the time allocations indicated, and with the proviso that the meeting shall end at a time certain of 10:20 pm EST.

2. Review and Approval of Minutes

The minutes of the meeting of September 24 (as amended on the motions of Terry Goodman and Bob

Lederer) were **approved** without objection on the motion of Terry Goodman.

3. Special Reports

3A. Elections Supervisor

Item postponed without objection. NES Casey Peters was not on the call.

3B. Update from Director Members

Bob Lederer reported on the PNB motion from Prescod, which was divided and referred in part to the Elections Committee (see Appendix A). Bob Lederer reported on the PNB motion from Rob Robinson, which was referred to both the Elections Committee and the Coordinating Committee (see Appendix B).

3C. Motions Referred by PNB

3C(1). Prescod Motion

There was discussion of the Prescod motion.

3C(2). Robinson Motion

There was discussion of the Robinson motion.

3C(3). Action on Motions

The motion from Prescod was considered seriatum on the motion of Terry Goodman and **amended** in discussion.

Motion to Form a Special Task Force on Election Finance Rules (as amended)

Whereas the Pacifica National Board reaffirms its commitment to free and fair Local Station Board elections;

Whereas the intent of the Pacifica National Board and the Pacifica Election Bylaws is to protect the right to equal access for all candidates;

Whereas the right, process, procedures, cost or timeline to distribute a mailer to the entire membership of local signal areas should be communicated to all candidates running for local station board elections,

Whereas the spending of large sums of money in Pacifica campaigns runs counter to the noncommercial nature of the Pacifica Radio Network while underscoring the discriminatory nature of campaign financing so prevalent and objectionable in mainstream elections;

Whereas the Pacifica National Board is deeply concerned about the resulting unequal access of individual candidates and/or slates that have the financial backing to pay for mailers to be sent to all

local station members;

Whereas allowing expensive mailers is discriminatory, in particular but not only to women and people of color who often have the least resources as well as to those interested in running as independents;

Whereas there is a lack of protection of Pacifica from the abuse of corporate money being used to cover the cost of mailers that could leave Pacifica open to takeovers of Local Station Boards by those with financial backing;

Be it resolved that the Pacifica National Board form a Special Task Force including membership of the campaign reform sub committee of the PNB elections committee, to revise the election rules to assure that those most economically disadvantaged are not discouraged from participating in the process.

Be it further resolved that the Pacifica National Board approve guidelines for the use of local station membership lists that are in accordance with State and Federal Law as well as the bylaws of Pacifica and that these guidelines must be in place 6 months prior to the next Local Station Board elections.

Motion failed by a roll call vote.

Y: 5 (Brazon, Lederer, Norr, Roberts, VanAken)

N: 5 (Allen, Birden, Goodman, Rawline, Williams)

Motion to adjourn by LaVarn Williams.

Motion failed by a roll call vote.

Y: 2 (Birden, Williams)

N: 6 (Allen, Brazon, Lederer, Norr, Roberts, VanAken)

A: 1 (Rawline)

Time for discussion having expired, a vote on all pending questions was ordered on the motion of Lydia Brazon.

Motion to adjourn by Carolyn Birden.

Motion passed by a roll call vote.

Y: 6 (Allen, Birden, Brazon, Norr, Rawline, Williams)

N: 2 (Lederer, Roberts)

Remaining items on the agenda were **postponed** by meeting adjournment.

The meeting was **adjourned** at 7:44 pm PST.

Terry Goodman

Secretary Pro-Tem

(These minutes have not been approved.)

Appendix A – Prescod Motion

[The following portions of the motion were referred to the PNB Elections Committee]

Whereas the Pacifica National Board reaffirms its commitment to free and fair Local Station Board elections;

Whereas the intent of the Pacifica National Board and the Pacifica Election Bylaws is to protect the right to equal access for all candidates;

Whereas the right, process, procedures, cost or timeline to distribute a mailer to the entire membership of local signal areas has not been communicated to all candidates running for local station board elections;

Whereas the spending of large sums of money in Pacifica campaigns runs counter to the noncommercial nature of the Pacifica Radio Network while underscoring the discriminatory nature of campaign financing so prevalent and objectionable in mainstream elections;

Whereas the Pacifica National Board is deeply concerned about the resulting unequal access of individual candidates and/or slates that have the financial backing to pay for mailers to be sent to all local station members;

Whereas allowing expensive mailers is discriminatory, in particular but not only to women and people of color who have the least resources as well as to those interested in running as independents;

Whereas such mailers have been abused in at least one signal area and used as a fund-raiser for a private entity;

Whereas there is a lack of protection of Pacifica of such abuse; including the abuse of employer and/or corporate money being used to cover the cost of such mailers that could lead Pacifica open to takeovers of Local Station Boards by those with financial backing;

Be it resolved that the Pacifica National Board must do everything it can to get money out of its election process so that those most economically disadvantaged are not discouraged from participating in the process.

Be it resolved that the Pacifica National Board form a Special Task Force including membership of the campaign reform sub committee of the PNB elections committee, to revise the election rules to assure that those most economically disadvantaged are not discouraged from participating in the process.

Be it further resolved that the Pacifica National Board develops guidelines for the use of local station

membership lists that are in accordance with State and Federal Law as well as the bylaws of Pacifica and that these guidelines must be in place 6 months prior to the next Local Station Board election;

[The following portions of the motion were approved by the PNB on 11/01/07]

Be it further resolved that steps be taken immediately to remedy the unequal access that has occurred at KPFK and any other Pacifica station, including if needed the extension of the election period, and that these steps have minimal financial impact on KPFK or any other affected station.

Be it further resolved that the Pacifica Elections Committee, the Pacifica Elections Supervisor with consultation with Pacifica's legal counsel, the General Manager (or Interim General Manager), and the Pacifica Directors (a defacto remediation task force) from the impacted signal area develop a timely plan for remediation within one week of passage of this motion to be implemented immediately thereafter;

Be it further resolved that the Pacifica Elections Supervisor will have the authority to rule on whether or not remediation measures proposed are acceptable and meet the concerns of the Pacifica Board as well as the legal obligations of Pacifica.

Appendix B – Robinson Motion (as amended)

I am concerned that the process of overseeing and certifying the fairness of Pacifica's delegate elections in compliance with the Bylaws has been politicized beyond repair.

Accordingly, I move that the Foundation permit the CA State Mediation and Conciliation Service, the League of Women Voters, or other qualified nonpartisan organization to assume responsibility for certifying the fairness of the current elections process; and that,

For future elections, one of the above organizations shall perform the role of national elections supervisor, to ensure that they are conducted fairly, in accordance with the bylaws and to provide for accountability.

Further, that the interim Executive Director appoint a task force convened by and comprised of individuals experienced with elections processes, who are not current or past members of a Pacifica governing body or Pacifica employees. All members of this task force shall represent the PNB and the Foundation, rather than individual stations; further, the membership of the task force shall be reflective of the diversity that is the goal and policy of the Pacifica Foundation.

The function of the task force shall be to make specific recommendations for the overhaul of our democratic elections processes, in order to restore their integrity and to fulfill the spirit of the Pacifica mission, namely:

- recommending changes in the Pacifica bylaws and policies pertaining to delegate elections;
- proposing a process, timeline and structure for promulgating clear and concise elections regulations;
- making local station airwaves the medium for campaigning rather than privately-funded mailings to members;
- promoting wider participation by membership in the democratic election process and in local station governance; and,
- exploring an internet-based elections process, capable of simplifying the complexities and costs associated with these elections.