

Minutes - Open/Public Session
Pacifica National Board Teleconference Regular Meeting
March 7, 2019, with continuation on March 14, 2019
Note: All times here are Eastern Time.

1. Preliminary Business

The meeting was called to order on March 7, 2019 at 8:59 pm by the Chair, Nancy Sorden.
Roll was taken by the Secretary, Bill Crosier:

Directors:

P Grace Aaron, KPFFK, Listener	P William Heerwagen, WBAI, Listener
A Jonathan Alexander, KPFFK, Staff	P Sabrina Jacobs, KPFA, Staff
P Garry Boast, Cerebral Radio, Affiliate	P DeWayne Lark, KPFT, Listener
P Adriana Casenave, KPFT, Listener	P Ken Laufer, WBAI, Listener
P Robin Collier, KCEI, Affiliate	P Tony Leon, WPFW, Staff
P Chris Cory, KPFA, Listener	P Mansoor Sabbagh, KPFFK, Listener
P Bill Crosier, KPFT, Listener	P Nancy Sorden, WPFW, Listener
P Joseph Davis, KPFT, Staff	P Alex Steinberg, WBAI, Listener
P Kathryn Davis, WBAI, Staff	P Carole Travis, KPFA, Listener
PL Benito Diaz, WPFW, Listener	P Tom Voorhees, KPFA, Listener
P Jan Goodman, KPFFK, Listener	P Maskeelah Washington, WPFW, Listener

Others:

P Maxie Jackson III, Executive Director	A Larry Dankner, Chief Financial Officer
Otis Maclay, Webmaster, web streamer	P John Tatum, Parliamentarian

Legend: P = Present at roll call, PL = Present but Late, A = Absent, EA = Excused absence

Quorum was established, with 19 Directors present at roll call.

The following people were appointed as timekeepers by the Chair:

 For agenda items and individual speakers: Sabbagh until 11 pm, Casenave after that

2. Motion from Programming Committee on free speech case before Supreme Court

(See Appendix A for the text of the motion.) (Note: discussion on this motion took place during the last PNB meeting, but the meeting was adjourned before voting was completed.)

The Chair asked if the body could proceed with the vote on this Programming Committee motion without further debate. The vote on whether to proceed with an immediate vote on the motion was approved by a vote of 12 Yes, 5 No, 3 Abstain, as follows:

Yes: Aaron, Collier, Cory, Crosier, K. Davis, Goodman, Jacobs, Laufer, Sabbagh, Sorden, Steinberg, Voorhees

No: Casenave, Diaz, Heerwagen, Lark, Travis

Abstain: Boast, Leon, Washington

The committee motion was approved by a vote of 11 Yes, 4 No, 5 Abstain, as follows:

Yes: Aaron, Collier, Cory, Crosier, K. Davis, Goodman, Jacobs, Laufer, Sabbagh, Steinberg, Voorhees

No: Casenave, Diaz, Lark, Travis

Abstain: Boast, Heerwagen, Leon, Sorden, Washington

3. Presentation from Greater Public on their services for Pacifica

Jackson introduced Joyce McDonald, Andrew Leitch, and Melanie Coulson of Greater Public (online at greaterpublic.org), and they discussed the services GP provides, including free webinars and consulting for member stations, plus an annual conference, to help non-profit stations with fundraising and related activities. They then answered questions from the Board.

4. Agenda Approval

Crosier moved to approve the draft agenda (rev. C), and Travis seconded the motion. Steinberg moved to amend by putting items 9a, 9b, and 9c to immediately following approval of minutes, as those were time sensitive issues. Travis seconded the amendment. The amendment was approved without objection. The amended agenda was approved without objection. Diaz asked that his objection be noted to approving the agenda, because business was conducted before agenda approval.

5. Approval of Minutes

Travis moved approval of the Feb. 28, 2019 minutes. Collier seconded. Casenave objected to the minutes, saying the minutes did not include the complete points of order raised in that meeting. The Chair asked that the specifics be sent in writing, before the meeting, and because that was not done that the minutes be approved as submitted and then correct them later if needed. Casenave agreed to e-mail her corrections. Casenave moved to postpone approval of the minutes until the next meeting. Diaz seconded. The motion to postpone failed by a vote of 6 Yes, 12 No, 1 Abstain, as follows:

Yes: Casenave, Diaz, Heerwagen, Lark, Leon, Washington

No: Aaron, Boast, Collier, Cory, Crosier, K. Davis, Goodman, Jacobs, Sabbagh, Steinberg, Travis, Voorhees

Abstain: Sorden

Sorden moved to amend the minutes by deleting the second and last sentence of the first paragraph of item 4. Crosier seconded. The motion to amend the minutes was approved without objection.

The motion to approve the minutes as amended was approved by a vote of 10 Yes, 4 No, 6 Abstain, as follows:

Yes: Aaron, Boast, Collier, Crosier, Goodman, Jacobs, Laufer, Sabbagh, Travis, Voorhees

No: Casenave, Diaz, Heerwagen, Lark

Abstain: Cory, K. Davis, Leon, Sorden, Steinberg, Washington

Sorden moved to go into executive session to approve executive session minutes. The motion failed by a vote of 2 Yes, 15 No, 3 Abstain, as follows:

Yes: Cory, Heerwagen

No: Aaron, Boast, Casenave, Crosier, K. Davis, Diaz, Goodman, Jacobs, Laufer, Leon, Sabbagh, Steinberg, Travis, Voorhees, Washington

Abstain: Collier, Lark, Sorden

9a. Motion to amend a previously approved motion on Timeline for Non-Affiliate Directors Elections

Steinberg moved to amend the previously approved motion on Timeline for Non-Affiliate Directors Elections for 2019 per his motion in Appendix A. Sabbagh seconded.

Diaz moved to amend (actually a substitute), as follows:

BE IT MOVED THAT:

Whereas Article 7 of the Pacifica Bylaws stipulate, in 2 locations, that there is to be a meeting in December to seat the new delegates and elect officers; and that Directors are to be elected the following month, in early January.

See:

(1) Article Seven, Local Station Boards, Section 6: MeetingsB. TIME AND PLACE

"...There shall be a meeting of the LSB in December each year to seat newly elected Delegates and to elect LSB officers, and in early January to elect Director(s). ..."

(2) Article Seven, Local Station Boards, Section 5: Election of Officers

"...Each Local Station Board shall elect a Chair, a Vice-Chair, a Recording Secretary, and a Treasurer, who shall be elected annually at the December meeting of the LSB for a term of one year using the Instant Runoff Voting method. ..."

Whereas these Bylaw requirements cannot be met for the 2018 Delegate elections due to the timing of these elections. The PNB can nevertheless honor the spirit of Article 7, Sections 5 and 6, by adhering to the same concept of Delegates being seated and officers elected during one month, and Directors nominated, elected and seated the following month.

THEREFORE, BE IT RESOLVED, that for 2019, Delegates will be seated and LSB Officers elected, during the month of April.

BE IT FURTHER RESOLVED that the deadline for nomination of Directors shall be April 30, 2019; Directors are to be elected during the month of May; and the 2019 PNB is to be seated by or before May 30, 2019.

FINALLY, BE IT RESOLVED that 2018 Directors, who are not, or will not be, 2019 Delegates, will be eligible to run as candidates for the 2019 Delegate elections.

Lark seconded Diaz's amendment. Travis raised a Point of Order, that this was actually a substitute. Lark moved to extend time for this item by 5 minutes. The time extension failed by a vote of 5 Yes, 13 No, 3 Abstain, as follows:

Yes: Aaron, Casenave, Diaz, Heerwagen, Lark

No: Collier, Cory, Crosier, K. Davis, Goodman, Jacobs, Laufer, Sabbagh, Steinberg, Travis, Voorhees

Abstain: Boast, Sorden, Washington

The vote on Diaz's amendment failed by a vote of 2 Yes, 13 No, 4 Abstain, as follows:

Yes: Diaz, Lark

No: Aaron, Boast, Collier, Cory, Crosier, K. Davis, Goodman, Jacobs, Laufer, Sabbagh, Steinberg, Travis, Voorhees

Abstain: Casenave, Heerwagen, Sorden, Washington

Steinberg's motion was approved by a vote of 13 Yes, 3 No, 3 Abstain, as follows:

Yes: Aaron, Boast, Collier, Cory, Crosier, K. Davis, Goodman, Jacobs, Laufer, Sabbagh, Steinberg, Travis, Voorhees

No: Casenave, Diaz, Heerwagen

Abstain: Lark, Sorden, Washington

Sabbagh moved to extend time for the meeting by 15 minutes. The vote to extend was approved by a vote of 12 Yes, 4 No, 2 Abstain, as follows:

Yes: Aaron, Collier, Cory, Crosier, K. Davis, Goodman, Jacobs, Laufer, Sabbagh, Steinberg, Travis, Voorhees

No: Casenave, J. Davis, Diaz, Heerwagen

Abstain: Sorden, Washington

9b. Delegate Elections

Aaron moved approval of her motion on 2019 Delegate Elections and to hire the next NES in March (see Appendix A). K. Davis seconded. Travis moved to extend time by 10 minutes after the current extension ends. Sorden asked if there were objections to extending by 15 more minutes, and the meeting until 12:30 am. The moved to extend was approved by a vote of 13 Yes, 5 No, 1 Abstain, as follows:

Yes: Aaron, Collier, Cory, Crosier, K. Davis, Goodman, Jacobs, Laufer, Sabbagh, Sorden, Steinberg, Travis, Voorhees

No: Casenave, J. Davis, Diaz, Heerwagen, Lark

Abstain: Washington

Aaron's motion was approved by a vote of 10 Yes, 5 No, 2 Abstain, as follows:

Yes: Aaron, Collier, Cory, Crosier, K. Davis, Goodman, Jacobs, Laufer, Sabbagh, Steinberg, Travis, Voorhees

No: Casenave, J. Davis, Diaz, Heerwagen, Lark

Abstain: Sorden, Washington

Travis moved to extend the meeting by 10 minutes. The motion was approved by a vote of 12 Yes, 6 No, 1 Abstain, as follows:

Yes: Aaron, Collier, Cory, Crosier, K. Davis, Goodman, Jacobs, Laufer, Sabbagh, Steinberg, Travis, Voorhees

No: Casenave, J. Davis, Diaz, Heerwagen, Lark, Washington

Abstain: Sorden

9c. Motion on 2019 Delegate terms and 2020 Director eligibility

Travis moved her motion on 2019 Delegate terms and 2020 eligibility (see App. A). Casenave raised a point of order, that a person kept talking. The chair ruled that was not well taken, because questions were asked of the person.

Travis moved to have a continuation meeting next week, March 14, 2019. K. Davis seconded. The motion for a continuation meeting was approved by a vote of 13 Yes, 4 No, 1 Abstain, as follows:

Yes: Aaron, Collier, Cory, Crosier, K. Davis, Goodman, Jacobs, Laufer, Sabbagh, Sorden, Steinberg, Travis, Voorhees

No: J. Davis, Diaz, Heerwagen, Lark

Abstain: Washington

10. Adjourn: The meeting was adjourned until Mar. 14, 2019 at 12:53 am, March 7, 2019.

**Draft Minutes - Open/Public Session
Pacifica National Board Teleconference Continuation Meeting
March 14, 2019, 8:30 pm**

Note: All times here are Eastern Time.

1. Preliminary Business

The continuation meeting was called to order at 8:40 pm on March 14, 2019 by the Chair, Nancy Sorden.

Roll was taken by the Secretary, Bill Crosier:

Directors:

P Grace Aaron, KPFFK, Listener (vacant), KPFFK, Staff	P William Heerwagen, WBAI, Listener
EA Garry Boast, Cerebral Radio, Affiliate	P Sabrina Jacobs, KPFA, Staff
P Adriana Casenave, KPFT, Listener	PL DeWayne Lark, KPFT, Listener
P Robin Collier, KCEI, Affiliate	P Ken Laufer, WBAI, Listener
EA Chris Cory, KPFA, Listener	EA Tony Leon, WPFW, Staff
P Bill Crosier, KPFT, Listener	P Mansoor Sabbagh, KPFFK, Listener
A Joseph Davis, KPFT, Staff	P Nancy Sorden, WPFW, Listener
P Kathryn Davis, WBAI, Staff	P Alex Steinberg, WBAI, Listener
A Benito Diaz, WPFW, Listener	P Carole Travis, KPFA, Listener
P Jan Goodman, KPFFK, Listener	P Tom Voorhees, KPFA, Listener
	P Maskeelah Washington, WPFW, Listener

Others:

P Maxie Jackson III, Executive Director	A Larry Dankner, Chief Financial Officer
Otis Maclay, Webmaster, web streamer	P John Tatum, Parliamentarian

Legend: P = Present at roll call, PL = Present but Late, A = Absent, EA = Excused absence

Quorum was established, with 16 Directors present at roll call.

Casenave moved to excuse absences of Cory and Leon. Crosier moved to amend by also excusing Boast. Casenave objected to excusing Boast.

Crosier's amendment was approved by a vote of 13 Yes, 2 Abstain, as follows:

Yes: Aaron, Collier, Crosier, K. Davis, Goodman, Heerwagen, Jacobs, Laufer, Sabbagh, Steinberg, Travis, Voorhees, Washington

No: (none)

Abstain: Casenave, Sorden

So the absences of Boast, Cory, and Leon were approved.

The following people were appointed as timekeepers by the Chair:

For agenda items: Casenave, For individual speakers: Travis

The Chair requested that the minutes reflect that the Board received the resignation of Jonathan Alexander.

9c. Motion on 2019 Delegate terms and 2020 Director eligibility

(Note: this motion (see Appendix) was made by Travis during the first part of this meeting, on March 7, but action on it was not completed then.) Aaron made a Point of Order, that Ford Greene, Pacific's general legal counsel, had not had time to review the motion, but the Board had the right to interpret the rules without waiting for him. Tatum advised that the motion is in the hands of the Board and is on the floor. The Chair ruled that the motion was on the floor.

Travis moved a substitute for her motion, as follows:

Motion to realign all the impacts of the delayed 2018 Delegate Elections

Whereas in 2018 due to extreme financial risk and controversy surrounding that risk, the PNB and the interim Executive Director were unable to move the Delegate election in a timely manner;

Whereas that election went forward in spite of technical time line noncompliance to comply with Pacifica's bylaws overriding devotion to democratic participation of members in Pacifica governance. Those elections were pursued as best as was possible. properly to refresh the Delegates chosen by the Local Station member's current choices for Local Station Delegate Assembly AND the pool of National Board Directors.

Whereas, as a result of the election delay, a myriad of lingering unintended consequences, issues and difficulties have arisen concerning proscribed election timelines, dates of installation, term of office, and term limits. Whether the PNB acts or does not act, there are no ways to comply with the bylaws. The PNB can recognize the minor technical failures and realign the organization by January 2020 so that we are totally back on track if we adopt this motion to deal with all those unintended consequences.

Whereas should we fail to act, unending bylaw compliance will be impossible.

To wit regarding election timelines, dates of installation, term of office:

Article Four § 8

"A Delegate's term of Office, shall be three (3)-year terms, and in no event more than six (6) cumulative years without a one year (12 month consecutive months) break. If a Delegate serves as elected or alternate for an incomplete year, those months of service must be counted towards the six years cumulative limit. Only a one year (12 consecutive months) lapse as Delegate will trigger the reset of the 6 years cumulative limit.

A Delegate shall not be eligible for further service as a Delegate until one year has elapsed after the termination of the Delegate's second consecutive three-year term."

Without intervention, bylaw non-compliance occurs indefinitely going forward: e.g. When newly elected Delegates are installed in April of this year, this violates the bylaws, it is not December. Either they must have truncated terms of 2 years and nine months (violating the 3 year term) or the next Delegates that replace them will be installed in April violating the December installation requirement.

To wit regarding Director Term Limits:

Article Five, Board of Directors of the Foundation, § 2: Term

The term of a Director shall be one (1) year. A Director may serve no more than five consecutive one-year terms. A Director shall not be eligible for further service as a Director until one year has elapsed after the termination of a Director's fifth consecutive one-year term.

Without intervention, any Delegates or Directors whose terms were extended to March/April 2019 instead of ending December 2018 in the case of Delegates or January 2019 in the case of Directors would not be able to become Delegates or Directors again until 2023. The bylaws require a year out of Pacifica before a new 6 year bar for Delegates and a 5 year bar for Directors triggers a reset of the cumulative permissible terms. The extreme lapse is a result of the lack of 2020 elections.

To wit:

Therefore, the 2018 PNB can rule on those final complex impossible consequences of the 2018 election delay so that going forward everything will once again be in compliance.

I move: Therefore

Be it resolved that:

1. All newly elected Delegates shall be installed in their in their Local Station Board Delegate Assemblies and Local Station Boards beginning with the first meeting after the Certification of the Election and that that Delegate Assembly will be charged with electing that stations Pacifica National Board Directors;
2. All Delegates elected in the election that is in the process of finishing in March/April 2019 shall have truncated terms that will expire in December 2021;
3. All new Delegates elected during this election period, will become eligible in January 2020 to be elected to the Pacifica National Board.
4. Any Director who had termed in December but remain on the PNB until April 2019, should they win a Delegate election in 2019, they shall be eligible to be a Director in January 2020.

Aaron seconded Travis's substitute motion and moved to extend time for this item by 10 minutes. The motion to extend was approved without objection.

Crosier moved to postpone consideration of Travis's motion until the next meeting so the Board could get a legal opinion from Ford Greene. Casenave seconded. Jackson advised that Mr. Greene was very busy and probably would not be able to provide an opinion by then. Tatum advised that it was inappropriate to postpone to a vague date such as after a legal opinion is provided.

Crosier asked to withdraw his motion to postpone. Sabbagh moved to extend time for this item for 10 minutes. Goodman seconded. The motion to postpone was approved without objection.

Heerwagen moved to amend, as follows:

To be added as 5. at end of motion:

Move that before newly-elected delegates are seated, those 2016 runners-up who were blocked by LSB majorities from filling vacancies in 2017 and 2018 in KPFA, shall be offered the opportunity to serve. And the same shall occur around the network.

Casenave seconded Heerwagen's amendment. Aaron raised a Point of Order – way over time.

Heerwagen's amendment failed by a vote of 3 Yes, 11 No, 1 Abstain, as follows:

Yes: Casenave, Heerwagen, Lark

No: Aaron, Collier, Crosier, K. Davis, Goodman, Jacobs, Laufer, Sabbagh, Steinberg, Travis, Voorhees

Abstain: Sorden, Washington

Travis's substitute was approved by a vote of 11 Yes, 2 No, 3 Abstain, as follows:

Yes: Aaron, Collier, Crosier, K. Davis, Goodman, Jacobs, Laufer, Sabbagh, Steinberg, Travis, Voorhees

No: Casenave, Lark

Abstain: Heerwagen, Sorden, Washington

Travis's substituted motion was approved by a vote of 10 Yes, 1 No, 5 Abstain, as follows:

Yes: Aaron, Collier, Crosier, K. Davis, Goodman, Jacobs, Laufer, Sabbagh, Steinberg, Travis

No: Casenave

Abstain: Heerwagen, Lark, Sorden, Voorhees, Washington

5. Executive Director Report

Jackson gave an ED report, but had to get off the call briefly.

8. National Committees and Task Forces Reports & Motions

Until Mr. Jackson returned, committees and TF's gave reports.

Collier gave an Affiliates Task Force report and there was discussion about that.

Heerwagen moved to extend time for 10 minutes. The motion was approved without objection.

5. Executive Director Report, continued

Jackson continued with his ED report and answered questions.

10. Adjourn

Aaron moved to adjourn to executive session to approve minutes. The motion was approved without objection. The meeting was adjourned to executive session at 11:34 pm.

Minutes respectfully submitted by Bill Crosier, Secretary

Appendix A – Agenda as Approved

Regular PNB Meeting, Public/Open Session

Teleconference Meeting

Thursday, March 7, 2019, with continuation on March 14, 2019

Directors:

Grace Aaron, KPFFK, Listener
Jonathan Alexander, KPFFK, Staff
Garry Boast, Cerebral Radio, Affiliate
Adriana Casenave, KPFT, Listener
Robin Collier, KCEI, Affiliate
Chris Cory, KPFA, Listener
Bill Crosier, KPFT, Listener
Joseph Davis, KPFT, Staff
Kathryn Davis, WBAI, Staff
Benito Diaz, WPFW, Listener
Jan Goodman, KPFFK, Listener

William Heerwagen, WBAI, Listener
Sabrina Jacobs, KPFA, Staff
DeWayne Lark, KPFT, Listener
Ken Laufer, WBAI, Listener
Tony Leon, WPFW, Staff
Mansoor Sabbagh, KPFFK, Listener
Nancy Sorden, WPFW, Listener
Alex Steinberg, WBAI, Listener
Carole Travis, KPFA, Listener
Tom Voorhees, KPFA, Listener
Maskeelah Washington, WPFW, Listener

Others:

Maxie Jackson III, Executive Director
Otis Maclay, Webmaster, web streamer

Larry Dankner, interim Chief Financial Officer
John Tatum, Parliamentarian

Item #	Description	Time
1.	Preliminary items	5 min.
	A. Call to Order	
	B. Roll Call	
	C. Excused Absences	
	D. Identify Timekeepers	
2.	Motion from Programming Committee on free speech case before Supreme Court	10 min.
3.	Presentation from Greater Public on their services for Pacifica	30 min., time certain 9 pm EST
4.	Agenda Approval	15 min
5.	Minutes approval for the PNB meetings:	5 min
	- Feb. 28, 2019 open/public session	
	- Exec. Session minutes (6)	
6.	Executive Director Report, Questions & Answers	20 min
7.	Set next regular meeting date	5 min
8.	National Committees and Task Forces Reports & Motions	
	Affiliates Task Force	5 min
	Audit Committee	20 min
	Coordinating Committee	5 min
	Finance Committee	5 min
	Governance Committee	5 min
	Personnel Committee	5 min
	Programming Committee (see motions below)	

- Resolution on Pacifica pilot project with KPFA apprentices 10 min
- Resolution on arts & cultural programming, international/network/local engagement 10 min
- Strategic Planning Committee 5 min

9. New Business (see motions below)

- 9a. Motion to amend a previously approved motion on Timeline for Non-Affiliate Directors Elections for 2019, from Steinberg 10 min
- 9b. 2019 Delegate Election, from Aaron 10 min
- 9c. Motion on 2019 Delegate terms and 2020 Director eligibility, from Travis 10 min

10. Adjourn to Executive Session to approve Exec. Session minutes no later than 11:30pm EST

Reports/Motions:

Report/Motion from Programming Committee on free speech case before Supreme Court, approved by committee on Feb. 20, 2019:

Whereas

The case of Dee Dee Halleck versus Manhattan neighborhood network represents a direct attack on the first amendment of the United States and that this case, Reminiscent of the case of Pacifica vs the fcc that enshrined the seven “dirty word” doctrine, will have a decisive impact on public media in the United States when the Supreme Court of the United States hears it on February 25, 2019,

Be it resolved

That the Pacifica foundation stands behind Dee Dee Halleck and Jesus Papoleto Melendez in their defense of the first amendment and is opposed to Manhattan neighborhood network infringing on their rights

Passed by the PNB Programming Committee 2/19/19

More background information on this motion:

The case will be argued on February 25, 2019

Information from the Supreme Court Blog which has a comprehensive listing of the petitions and the amicus briefs associated at this point with this case:

[Manhattan Community Access Corp. v. Halleck – SCOTUSblog](http://www.scotusblog.com/case-files/cases/manhattan-community-access-corp-v-halleck/) www.scotusblog.com/case-files/cases/manhattan-community-access-corp-v-halleck/

Information on the Second Circuit decision in 2018 <http://vermontaccess.net/wp-content/uploads/2018/07/Halleck-New-York-Law-Journal-Article-SECURED.pdf>

The Alliance for Community Media brief on how this impacts community media throughout the United States: acm-ne.org/2019/01/20/acm-files-amicus-brief-with-us-supreme-court-in-mcac-v-halleck/

The poetry of Jesus Papoleto Melendez: [Jesús Papoleto Meléndez](http://www.poetryfoundation.org/poets/jesus-papoleto-melendez)
www.poetryfoundation.org/poets/jesus-papoleto-melendez

The ACLU has taken a strong stand supporting Halleck and Melendez: "[The Supreme Court Is Considering Whether the Government Can Dodge the First Amendment by Outsourcing Its Power](http://www.aclu.org/blog/free-speech/supreme-court-considering-whether-government-can-dodge-first-amendment-outsourcing)" www.aclu.org/blog/free-speech/supreme-court-considering-whether-government-can-dodge-first-amendment-outsourcing

The NY County Lawyers Association makes the very strong point that when NY State established the laws for public access TV their intentions were that it embodied the First Amendment, a very different set of assumptions than other public access TV state laws and unique to NY State.

Here is information on it and a link to a draft film being made on the case
[SCOTUS Free Speech and Public Access TV](#)

Programming Committee motion: Resolution On Pacifica Pilot Project With KPFA Apprentices On May Day 2019

Whereas, the Pacifica Foundation is committed to develop cutting edge and progressive media for the 21st Century, **Pacifica celebrates International Workers' Day also known as May Day** around the world and we are organizing programming to honor this

Be it resolved that As part of the effort to build and develop a multi-media platform, Pacifica supports work done by the KPFA Apprentices to develop a pilot project of national Pacifica multi-media programming for May Day 2019. Management of this project as well as technical expertise, computer, video production and equipment will be donated by KPFA volunteers. This project simply requires a 'button' on the KPFA website so that people can access what is being streamed. KPFA volunteers agree to assist volunteers at other stations to replicate this effort at their stations. Any Pacifica stations and their affiliates who wish to may add the streaming link to their website. There will be no financial cost or staff time needed except for the placement of a 'button' on the KPFA website.

Programming Committee motion: RESOLUTION ON ARTS AND CULTURAL PROGRAMMING AND INTERNATIONAL/NETWORK/LOCAL ENGAGEMENT

Whereas, the Pacifica mission statement states that
"In radio broadcasting operations to encourage and provide outlets for the creative skills and energies of the community; to conduct classes and workshops in the writing and producing of drama; to establish awards and scholarships for creative writing; to offer performance

facilities to amateur instrumentalists, choral groups, orchestral groups and music students; and to promote and aid other creative activities which will serve the cultural welfare of the community.”

And thus states in clear unambiguous language that it shall be the OBJECTIVE of the Foundation to foster the cultural and artistic wellsprings of the people in the communities each Pacifica station is located, it will be the policy of the Foundation to foster ACTIVELY Support and participation with fine arts, theatrical, musical, dance, cinematic and all forms of artistic expression from established institutions to grassroots movements that embody the richness and diversity of their local communities, the people of the United States of America and the world.

This can will be embodied in direct fostering of collaboration and support through the use of station facilities and community outlets of all sorts of artistic events.

This includes and is not limited to fostering musicians, concerts, literary readings, drama, Radio Theater, movie festivals and other means of expression.

It will also be the Policy of Pacifica to encourage the local stations to partner with existing institutions and collaborate and reinforce each other.

This can be from airing curators discussing the latest exhibits at the Metropolitan Museum of Art to people talking about Grassroots Theater in their local communities or street art.

The Artistic community is a natural ally of all Pacifica stations and we have for too long given lip service to our relationship with them. Such a resolution will allow us to as POLICY also collaborate with cultural movements and institutions across the United States and around the world.

We could be working with cultural initiatives in Latin America, Asia, Africa, the Middle East, and South Asia as well all over Europe.

This includes join operations with exiting organizations like Pen and the Creative Coalition which in the past approached Pacifica to do reading by A list actors of banned writings but were rebuffed due to the narrow sectarianism of Pacifica staff at the time.

The responsibilities for implementing this policy will be part of the quarterly reports required by the PNB and PNB Programming Committee from the Ed, and management team of each station.

This reporting process will start in March 2019.

Passed without objection 2/26/19

Item 9a - Motion to amend a previously approved motion on Timeline for Non-Affiliate Directors Elections for 2019, from Steinberg

Be it resolved that the motion on the timeline for the election of non-Affiliate Directors for 2019 that was approved by the PNB on Dec 13, 2018, which had the following text:

Whereas Article 5, Section 3 of the Pacifica bylaws specify the dates when nominations for Directors and election of non-Affiliate Directors are due, to wit:

A. NOMINATION

Any current Delegate of any class of Members may nominate any other current Delegate of any class of Members serving the same radio station for the office of Director, provided that

the nominee has served at least one year as a Delegate for that radio station. Said nominations shall be given in writing to the Recording Secretary for the radio station Local Station Board ("LSB") by December 31 prior to the election of Directors in January..

B. ELECTION

The Delegates for each radio station shall meet annually in early January to elect four Directors to represent that radio station on the Board. The Delegates of both classes of Members, voting together, shall elect three Listener-Sponsor Directors using the Single Transferable Voting method, and shall elect one Staff Director using the Instant Runoff Voting method, to represent that radio station on the Board. The Staff Director must be a Staff Delegate. The Listener-Sponsor Directors must be Listener-Sponsor Delegates.

C. SEATING OF STATION REPRESENTATIVE DIRECTORS

All newly elected Station Representative Directors shall be seated at the Meeting of the Board of Directors held in late January each year, when their terms shall commence.

And whereas due to the 2018 Election cycle being late it will not be possible to meet these deadlines,

And whereas the intent of Article 5 Section 3 was clearly that the nominations process shall begin after the winners of the current election cycle for Delegates are known and have been seated,

And whereas it would clearly contravene the intent of Article 5 Section 3 to allow a committee of lame-duck Delegates to nominate and/or to vote for the Directors of the new yearly cycle,

Be it resolved that

- 5. All non-Affiliate Directors from the 2018 PNB remain in place as hold-over Directors until the 2019 Directors are seated, in accordance with past precedent,*
- 6. That the due date for nominations for 2019 Directors be changed to the end of the month after the election results are announced, currently Feb 28 according to the revised time line for the 2018 elections*
- 7. That the election of non-Affiliate Directors take place early in the following month after the nominations have been sent, currently early March according to the revised time line for the 2018 elections.*
- 8. This new time line for nominations and election of Directors is subject to change if there is a quorum failure or some other occurrence that prevents the election cycle from being completed in February 2019."*

Be Amended to read:

Whereas Article 5, Section 3 of the Pacifica bylaws specify the dates when nominations for Directors and election of non-Affiliate Directors are due, to wit:

A. NOMINATION

Any current Delegate of any class of Members may nominate any other current Delegate of any class of Members serving the same radio station for the office of Director, provided that the nominee has served at least one year as a Delegate for that radio station. Said nominations shall be given in writing to the Recording Secretary for the radio station Local Station Board ("LSB") by December 31 prior to the election of Directors in January..

B. ELECTION

The Delegates for each radio station shall meet annually in early January to elect four Directors to represent that radio station on the Board. The Delegates of both classes of Members, voting together, shall elect three Listener-Sponsor Directors using the Single Transferable Voting method, and shall elect one Staff Director using the Instant Runoff Voting method, to represent that radio station on the Board. The Staff Director must be a Staff Delegate. The Listener-Sponsor Directors must be Listener-Sponsor Delegates.

C. SEATING OF STATION REPRESENTATIVE DIRECTORS

All newly elected Station Representative Directors shall be seated at the Meeting of the Board of Directors held in late January each year, when their terms shall commence.

And whereas due to the 2018 Election cycle being late it will not be possible to meet these deadlines,

And whereas the intent of Article 5 Section 3 was clearly that the nominations process shall begin after the winners of the current election cycle for Delegates are known and have been seated,

And whereas it would clearly contravene the intent of Article 5 Section 3 to allow a committee of lame-duck Delegates to nominate and/or to vote for the Directors of the new yearly cycle,

Be it resolved that

1. All non-Affiliate Directors from the 2018 PNB remain in place as hold-over Directors until the 2019 Directors are seated, in accordance with past precedent,

*2. That the due date for nominations for 2019 Directors be changed to **7 days after the results of the election are announced, and certified** according to the revised time line for the 2018 elections.*

*3. That the election of non-Affiliate Directors take place **as soon as the new Delegates can convene after the due date for nominations** according to the revised time line for the 2018 elections.*

*4. This new time line for nominations and election of Directors is subject to change if there is a quorum failure or some other occurrence that prevents the election cycle from being completed in **March 2019.**"*

*5. That the regular meeting of the PNB for April be scheduled for **April 11** at which meeting the new non-Affiliate Directors will be seated.*

Item 9b - MOTION: 2019 Delegate Election and hire of NES, from Aaron

First of all, the Pacifica National Board would like to express its appreciation to our ED, Maxie Jackson III, and our National Election Supervisor, Renee Penaloza, for overcoming many difficulties and successfully completing the 2018 Delegate Elections.

Whereas, the Pacifica Bylaws state:

Article Four, Delegates, Section 4: Election Supervisors

A. NATIONAL ELECTIONS SUPERVISOR

In March of each year in which there will be an election of Delegates by the Members, or by a date no less than 90 days before nominations are set to open, whichever is earlier, the Executive Director shall appoint a national elections supervisor whose role shall be to oversee and certify the fairness of the Delegates elections in each station area and to confirm said elections' compliance with these Bylaws...

Therefore, the PNB urges the ED to hire a National Elections Supervisor for the 2019 election this month (March) so that the 2019 election can be conducted according to the Bylaws.

Item 9c - Motion from Carole Travis on Delegate terms and Director eligibility

Whereas in 2018 due to extreme financial risk and controversy the PNB and the interim Executive Director were unable to move the Delegate election in a timely manner,

And whereas the election time frames were thrown off and delayed,

And whereas in order to the best it could to comply with Pacifica's bylaws devotion to democratic participation of members in Pacifica governance, the elections were pursued and completed in a way that throws off Bylaw timelines no matter what the PNB chooses to go forward,

Therefore be it resolved in order to get everything properly lined up while preserving democracy that:

1. All Delegates elected in the election that is in the process of finishing in March/April 2019 shall have truncated terms that will expire in December 2021;
2. All new Delegates elected during this election period, will become eligible in January 2020 to be elected to the Pacifica National Board.