

APPROVED MINUTES - PNB Elections Committee [Approved May 17, 2022]

April 5, 2022

I. Meeting Called to Order at 7:06pm Eastern Time with PNB Director Teresa Allen acting as Meeting Convener.

Members Present:

Teresa J. Allen (KPFT), Vanessa Dixon-Briggs (WPFW), Donald Goldmacher (KPFA), DeeDee Halleck (WBAI), William Heerwagen (WBAI), Evelia Jones (KPFK), Mike Lewis (KPFT), Sean "Mac" Kelly McPherson (KPFT), Michael Novick (KPFK), Myla Reson (KPFK), Shawn Rhodes (WBAI), Akio Tanaka (KPFA), Carol Wolfley (KPFA)

Also Present: Stephanie Wells, Pacifica Executive Director Member Absent: Burt Cohen (WSCA), PNB Affiliate Director =====

Agenda:

I. Call to order/Roll call T. Allen (5 min)

II. Approve Agenda T. Allen (5 min)

III. Introductions (30 seconds each; 10 min)

IV. Elect Interim Chair & Secretary T. Allen (10 min)

V. Set dates and time of next meeting (May 3rd 7pm ET) (5 min)

VI. 2022 Election (30 min)

A. Hiring NES

B. Timeline

C. Costs

D. Member lists

VII. Consideration of past elections (40 min)

VIII. Adjourn

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II. Agenda Approved with no objection. III. Introductions

IV. Evelia Jones nominated Carol Wolfley to serve as Interim Committee Chair, Myla Reson seconded the nomination. No objections. Wolfley elected by acclamation.

Myla Reson nominated by Teresa Allen to serve as interim Committee Secretary.

Nomination seconded by Carol Wolfley

Myla Reson elected as interim Secretary by acclamation Teresa Allen handed the virtual gavel to Carol Wolfley

V. Michael Novick moves to set Tuesday, April 19, 2022 7:00 pm Eastern time set as time and date of next elections committee meeting. Motion passed with no objection.

VI. 2022 Election:

Motion regarding the appointment of an NES adopted with seven (7) members voting YES, and five (5) ABSTENSIONS.

YES: Vanessa Dixon-Briggs, Donald Goldmacher, Evelia Jones, Mike Lewis, Myla Reson, Akio Tanaka, Carol Wolfley

ABSTENSIONS: Teresa J. Allen, William Heerwagen, Sean "Mac" Kelly McPherson, Michael Novick, Shawn Rhodes

Not Present at time of vote: Dee Dee Halleck

Whereas, in accordance with Article Four, Section 4(A) of the Pacifica Bylaws, Pacifica's Executive Director shall appoint a National Election

Motion Regarding the Appointment of a National Election Supervisor (NES) to Oversee and Certify the Fairness of 2022 Pacifica Delegates Elections

Supervisor (NES) by March of each year in which there will be an election of Delegates; and
Whereas, the date specified for appointing a National Elections Supervisor has already passed, and we are behind the schedule laid out in Article Four, Sections 4(A) and 5; and
Whereas delays in the schedule set out in the Bylaws are likely to cause problems by overlapping with public elections this Fall, and those delays cause confusion and reduce the likelihood of achieving quorum. (As has happened in the past); and
Whereas delays will reduce confidence in and donations to the Foundation; and
Whereas the reason that the immediate hiring of an NES is so critical at this time is so that adequate time to make preparations, including updating of membership and staff lists before the opening of nominations can be made in a timely manner, since they are due to be completed by June 1, 2022 -- also required by bylaws Article Four, Section 5; and
Whereas, having a democratically elected governance structure is a basic underpinning of the Pacifica Foundation and therefore is of extremely high priority; and
Whereas, unless elections are held this year, the terms of the current delegates will be extended, which will violate the bylaws and the Corporations code, as well as alienate members and supporters of Pacifica, again indicating the extremely high priority elections have in Pacifica; and
Whereas it is understood that Pacifica is in a serious financial condition, and finding the resources to pay for an election will require thoughtful prioritization of payments to all vendors, including present ones; and
Whereas delays would likely result in lawsuits caused by an obvious Bylaws violation -- litigation which could be more costly than simply beginning the election process in a timely manner.

Therefore, the PNB Elections committee recommends that Pacifica's Executive Director appoint an independent and unbiased NES as soon as possible.

Furthermore, the PNB Elections Committee recommends and suggests that the Pacifica Executive Director request that the General Managers and the Membership Departments at each Pacifica Station immediately begin updating their membership lists (especially volunteer staff lists), so that this job is well underway by June 2022.

VII. Consideration of past elections:

Original Motion regarding an investigation into past elections introduced by Evelia Jones and seconded by Donald Goldmacher:

The Pacifica National Elections Committee calls on the Pacifica National Board to support the Pacifica Executive Director in contracting for an independent investigation by a neutral third party elections official addressing the following concerns from Pacifica members.

- The revoking of KPFK member votes in the 2021 Pacifica Delegate election, disqualifying four KPFK candidates after voting was completed.
- The NO vote of Pacifica staff overriding the YES vote of the majority

of members in the 2021 Pacifica Bylaws Referendum,
- Neutrality and conflict of interest issues regarding election rulings and communications in the 2021 Delegate Election and Bylaws Referendum.

- No third party certification of the 2021 Delegate Election and Bylaws Referendum.

Rationale

An independent investigation by a neutral, third party, election official has the potential to reassure Pacifica members of the fairness and integrity of Pacifica elections. This may also eliminate the need for legal action involving the 2021 Delegate Election and Bylaws Referendum.

Substitute motion from Teresa Allen regarding an investigation into past elections adopted with EIGHT (8) members voting YES, and FIVE (5) members voting NO:

YES: Teresa J. Allen, Donald Goldmacher, Evelia Jones, Mike Lewis, Sean "Mac" Kelly McPherson, Myla Reson, Akio Tanaka, Carol Wolfley

NO: Vanessa Dixon-Briggs, Dee Dee Halleck, William Heerwagen, Michael Novick, Shawn Rhodes,

Whereas:

An independent investigation by a neutral third party election official has the potential to reassure Pacifica members of the fairness of Pacifica's democratic integrity. This may also eliminate the need for legal action involving the 2021 Delegate Election and Bylaws Referendum.

Therefore, I move:

That the Pacifica National Elections Committee calls on the Pacifica National Board to ask the Pacifica Executive Director to contract for an independent investigation by a neutral third-party elections official addressing the following concerns from Pacifica members.

*The revoking of KPFK member votes in the 2021 Pacifica Delegate election, disqualifying four KPFK candidates after voting was completed (this may involve asking Simply Voting for a reveal of the tally, or review of neutrality and conflict of interest issues regarding election rulings and communications in the 2021 delegate Election and Bylaws referendum and a check into the cost of a third party certification of the 2021 Delegate Election and Bylaws Referendum), and,

*An investigation into the NO vote of Pacifica staff overriding the YES vote of the majority of members in the 2021 Pacifica Bylaws Referendum (this may involve a check into the cost of a third party certification of the 2021 Delegate Election and Bylaws Referendum),

VIII. Meeting Adjourned 9:06pm Eastern Time

Submitted by Myla Reson, interim Secretary [Minutes Approved May 17, 2022]