

Approved Minutes – Open Session
 Pacifica National Board Session
 Teleconference Meeting
 Thursday, October 19, 2023, 8:30 pm ET
 All times are Eastern Time
 (meeting notice appended to the end of this agenda)
 Directors:

Teresa J. Allen, KPFT, Listener P Adriana Casenave, KPFT, Listener P Jim Dingeman, WBAI, Listener P Vanessa Dixon-Briggs, WPFW, Listener P Fred Dodsworth, KPFA, Listener P William Foster Jr., Affiliate A, excused Sue Goodwin, WPFW, Staff P Heather Gray, WRFG, Affiliate P Donna Grimes, WPFW, Listener A, excused Julie Hewitt, WPFW, Listener P Evelia Jones, KPFK, Listener P	Ali Lexa, KPFK, Staff P Marianne Martinez, KPFT, Listener P James McFadden, KPFA, Listener P Darlene Pagano, KPFA, Staff P Shawn Rhodes, WBAI, Staff P James Sagurton, WBAI, Listener P Sharonne Salaam, WBAI, Listener P Akio Tanaka, KPFA, Listener P Beth von Gunten, KPFK, Listener P Egberto Willies, KPFT, Staff P
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Others:

Stephanie Wells, Executive Director P
 Arthur Schwartz, Pacifica Counsel P
 Nancy Sorden, Secretary P

1. Preliminary Items – 5 min.

- A. Call to Order by Chair (Hewitt) at 8:40
- B. Roll Call
- C. Report-out from the executive session of October 5, 2023 meeting of the PNB:
The PNB met in closed session to discuss a confidential contractual matter.
- D. Excused Absences Salaam moved to excuse all; Dodsworth 2nded. All excused without objection.
- E. Identify Timekeepers – Dodsworth (people); Casenave (items)

2. Agenda approval for the open portion of the agenda – chair moved; Dodsworth seconded
Approved without objection.

3. Approve minutes of open sessions – none for open

4. Report from NES on Recently Concluded Elections –
The National Election Supervisor, Renee Penaloza gave an oral description of her written report and then took questions from the PNB.
Other questions from the PNB will be collected to forward to the NES

5. KPFK LSB Committee Elections Issue (aka Ad Hoc Investigative Committee)

Committee chair von Gunten sent a written report and read the report.

Extended time (by a roll call vote) for 10 min to continue to discuss.

10 Yes (Casenave, Dingeman, Dixon-Briggs, Goodwin, Gray, Martinez, McFadden, Rhodes, Sagurton, von Guten); 4 No (Dodsworth, Jones, Pagano, Tanaka); 4 Abstentions (Allen, Hewitt, Lexa, Salaam)

Extended a second time (by a roll call vote) for 10 mins to continue to discuss

9 Yes (Casenave, Dingeman, Dixon-Briggs, Goodwin, Gray, McFadden, Rhodes, Sagurton, von Guten); 7 No (Allen, Dodsworth, Jones, Lexa, Martinez, Pagano, Tanaka); 2 Abstentions (Hewitt, Salaam)

Two motions from the Investigative Committee

Von Gunten moved first motion

Whereas the PNB Investigative Committee has examined the circumstances surrounding the KPFK Officers summary removal of Eric C. Jacobson as an elected Member of the 2023 KPFK LSB; and

Whereas KPFK Officers have failed provide adequate justification or documentation of Mr. Jacobson's removal as an elected Member; and

Whereas KPFK LSB Officers' actions have been documented to be significantly out of compliance with Pacifica policy;

Therefore be it resolved that the PNB immediate restoration of Mr. Jacobson to his rightful seat as an elected Member of the KPFK LSB.

Sagurton seconded

Chair amended to change “immediate restoration” to “immediately restores”

PASSED without objection.

Main motion as amended

Whereas the PNB Investigative Committee has examined the circumstances surrounding the KPFK Officers summary removal of Eric C. Jacobson as an elected Member of the 2023 KPFK LSB; and

Whereas KPFK Officers have failed provide adequate justification or documentation of Mr. Jacobson's removal as an elected Member; and

Whereas KPFK LSB Officers' actions have been documented to be significantly out of compliance with Pacifica policy;

Therefore be it resolved that the PNB immediately restores of Mr. Jacobson to his rightful seat as an elected Member of the KPFK LSB.

PASSED with 8 Yes (Casenave, Dixon-Briggs, Hewitt, McFadden, Rhodes, Sagurton, Salaam, von Gunten); 7 No (Allen, Dodsworth, Jones, Lexa, Martinez, Pagano, Tanaka); 3 abstentions (Dingeman, Goodwin, Gray).

von Gunten moved the second motion

Whereas significant irregularities in the KPFK Officers actions to remove and replace at least a third of the recognized KPFK LSB roster since March, 2023, with no evidence of compliance with Pacifica policy yet found; and

Whereas to reduce potential liability and assure compliance with Pacifica bylaws, Pacifica policy, and the law, the PNB Investigative Committee advises:

Therefore be it resolved that all other changes to the recognized KPFK LSB 2023 roster be further investigated and documented for compliance, and reported to the next regular PNB meeting of November 2, 2023.

Casenave seconded.

Allen called the question; Dodsworth seconded;

Roll call Vote to end debate Passed; 12 Yes (Allen, Dodsworth, Gray, Jones, Lexa, Maitez, Pagano, Rhodes, Sagurton, Salaam, Tanaka, Willies); 2 No (Casenave, Dixon-Briggs); 5 Abstentions (Dingeman, Godwin, Hewitt, McFadden, von Gunten)

Vote on main motion Passed with 9 Yes (Casenave, Dingeman, Dixon-Briggs, Gray, McFadden, Rhodes, Sagurton, Salaam, von Gunten); 8 No (Allen, Dodsworth, Jones, Lexa, Martinez, Pagano, Tanaka, Willies); 2 Abstentions (Goodwin, Hewitt).

At 10:52 pm Sagurton moved to extend Open Session for 15 more minutes. Allen seconded Passed without objection.

6. ED Report and Q & A

- a. Update on CABs at Pacifica Stations – no announcements

7. General Counsel Report and Q & A

8. Unfinished business

- a) Protocol for Members to Voice Concerns about Staff, from 7/20/2023 – item carried forward
- b) Cleaned up version of Underwriting motion from 11/17/2022 – Item carried forward

9. New Business

- a) Motion from Jim Dingeman on 10/19/2023 (see Appendix)

Whereas, the current outbreak of warfare in the Middle East cries out for the Pacifica Foundation to use this opportunity to engage in mass education with the American and global public of the conflict; and

Whereas, in Article II of the Pacifica Articles of Incorporation, the mission statement states:

"(d) In radio broadcasting operations to engage in any activity that shall contribute to a lasting understanding between nations and between the individuals of all nations, races, creeds and colors; to gather and disseminate information on the causes of conflict between any and all of such groups; and through any and all means compatible with the

purposes of this Foundation to promote the study of political and economic problems and of the causes of religious, philosophical and racial antagonisms.

(e) In radio broadcasting operations to promote the full distribution of public information; to obtain access to sources of news not commonly brought together in the same medium; and to employ such varied sources in the public presentation of accurate, objective, comprehensive news on all matters vitally affecting the community."

Be it resolved that the Pacifica Foundation will organize and broadcast several days of full all-day programming with adequate publicity to serve the public interest in exploring the full context and complexities with all points of view expressed to fully understand the issues raised by the Arab/Israeli/Palestinian conflict.

This will be jointly planned throughout the network and the affiliates and will be must-carry programming.

The spirit of this would be the same ethos that animated the teach-in movement in 1965 to educate the public on the Vietnam war.

Substitute motion from Goodwin; Pagano seconded

All the Whereas clauses are the same as Dingeman's original motion

Substitute Dingeman's Resolution clause with

Be it resolved that there be an immediate convening of the programming committee within 2-3 days to set out what are the programming priorities and determine what type of programming would make a difference.

Substitute motion PASSED with 9 Yes (Allen, Goodwin, Gray, Hewitt, Jones, Lexa, Pagano, Rhodes, Tanaka); 5 No (Casenave, Dingeman, Dixon-Briggs, Martinez, Sagurton); 3 Abstentions (McFadden, von Gunten, Willies)

Main motion as amended

Whereas, the current outbreak of warfare in the Middle East cries out for the Pacifica Foundation to use this opportunity to engage in mass education with the American and global public of the conflict; and

Whereas, in Article II of the Pacifica Articles of Incorporation, the mission statement states:

"(d) In radio broadcasting operations to engage in any activity that shall contribute to a lasting understanding between nations and between the individuals of all nations, races, creeds and colors; to gather and disseminate information on the causes of conflict between any and all of such groups; and through any and all means compatible with the purposes of this Foundation to promote the study of political and economic problems and of the causes of religious, philosophical and racial antagonisms.

(e) In radio broadcasting operations to promote the full distribution of public information; to obtain access to sources of news not commonly brought together in the same medium; and to employ such varied sources in the public presentation of accurate, objective, comprehensive news on all matters vitally affecting the community."

Be it resolved that there be an immediate convening of the programming committee within 2-3 days to set out what are the programming priorities and determine what type of programming would make a difference.

PASSED with 6 Yes (Allen, Hewitt, Pagano, Rhodes, Sagurton, Tanaka); 3 No (Casenave, Dingeman, Jones) ;7 Abstentions (Dixon-Briggs, Goodwin, Gray, Lexa, Martinez, McFadden, von Gunten)

10. 11:54 Motion to Move into Executive Session

PASSED without objection

APPENDIX

===== **FOR OPEN SESSION** =====

5. KPFK LSB Committee Elections Issue (aka Ad Hoc Investigative Committee)

Motion passed at July 20, 2023 meeting (in executive session)

Whereas KPFK Delegate Eric C. Jacobson, KPFK representative on the national Elections Committee, was wrongly removed from the Committee roster and excluded from a Committee meeting at the direction of KPFK Secretary Pro Tem Kim Kaufman, on the basis that he was supposedly no longer a Delegate, which he contests; and

Whereas Mr. Jacobson was subsequently restored to his seat on the Elections Committee upon the intervention of Pacifica General Counsel; and

Whereas Mr. Jacobson, elected by KPFK Listeners to represent them on the KPFK Local Station Board, was wrongly removed from the LSB roster and excluded from an LSB meeting on the basis of the assertion of KPFK then-Secretary Pro Tem Kim Kaufman, Chair Harvey Wasserman and others, that he is supposedly no longer a Delegate, which he contests; and

Whereas Mr. Jacobson was provided neither warning, nor notice, nor opportunity to appeal the ruling locally, nor any other measure of due process, and was referred by the KPFK LSB Chair to the PNB for resolution of the matter; and

Whereas elections to replace Mr. Jacobson on the national Elections Committee and to fill other national committee seats have since begun and are now underway, excluding him and denying him participation as a candidate or nominator, or as a voter; and

Whereas such charges would be serious at any time, they are particularly so during Pacifica's long delayed national elections, with an elected seat on the national Elections Committee in question, with Pacifica's elections practices already under the scrutiny of the Court, and with Pacifica having been warned to adhere to the bylaws throughout;

Therefore be it resolved that the PNB shall schedule an executive session at a time to be determined, but no later than August 10, 2023, to hear and resolve the matter.

Be it further resolved that in it's [sic] duties of care, compliance, and fidelity, and to minimize the risk of further liability, the PNB hereby suspends the KPFK LSB elections to national committees, currently underway, until Mr. Jacobson's status as a Delegate is resolved and the correct KPFK roster is verified.

8a. Discussion on Protocol for Members to Voice Concerns about Staff

Sample website content that would be required on every unit's webpage:

Members who wish to voice concerns about staff or programs can send an email to concerns@pacificafoundation.org. Station staff report to the General Manager, who reports to the Executive Director, who reports to the Pacifica National Board. Concerns about staff are generally personnel issues which should be handled by management rather than elected delegates or directors. Management will routinely monitor emails sent to concerns@pacificafoundation.org and ensure that the appropriate actions are taken. Concerns about Pacifica policy can be sent to the LSB (insert station's LSB email) or to the PNB (pnb@pacificafoundation.org) as appropriate. Delegates serve as volunteers and will take up your concerns as time and priorities permit.

9a. Motion from Jim Dingeman

Whereas, the current outbreak of warfare in the Middle East cries out for the Pacifica Foundation to use this opportunity to engage in mass education with the American and global public of the conflict; and

Whereas, in Article II of the Pacifica Articles of Incorporation, the mission statement states: "(d) In radio broadcasting operations to engage in any activity that shall contribute to a lasting understanding between nations and between the individuals of all nations, races, creeds and colors; to gather and disseminate information on the causes of conflict between any and all of such groups; and through any and all means compatible with the purposes of this Foundation to promote the study of political and economic problems and of the causes of religious, philosophical and racial antagonisms.

(e) In radio broadcasting operations to promote the full distribution of public information; to obtain access to sources of news not commonly brought together in the same medium; and to employ such varied sources in the public presentation of accurate, objective, comprehensive news on all matters vitally affecting the community."

Be it resolved that the Pacifica Foundation will organize and broadcast several days of full all-day programming with adequate publicity to serve the public interest in exploring the full context and complexities with all points of view expressed to fully understand the issues raised by the Arab/Israeli/Palestinian conflict.

This will be jointly planned throughout the network and the affiliates and will be must-carry programming.

The spirit of this would be the same ethos that animated the teach-in movement in 1965 to educate the public on the Vietnam war.

MEETING NOTICE:

Thursday, October 19, 2023

Pacifica National Board

Purpose: The second regular meeting of the month. Part of the meeting may be closed.

Nancy Sorden

Posted: 09/28/2023 - 5:20 PM

8:30 PM ET
Teleconference
Committee Members

nancy.sorden@wap.org

Updated :09/28/2023 - 5:23
PM

Minutes approved at the November 16, 2023 meeting of the PNB