

Minutes of the KPFK Local Station Board Meeting of April 18, 2012

The regular monthly meeting of the KPFK Local Station Board was held on Wednesday, April 18, 2012 at 7:11 PM at Angelus Plaza, 245 South Hill St, Los Angeles, CA 90012, the chair (Michael Novick) being in the chair and the secretary (John P. Garry III) being present. The minutes of the two previous meetings (February 15, 2011 and March 17, 2012) were approved.

Nineteen members were present, constituting a quorum: Ken Aaron, Chuck Anderson, Rodrigo Argueta, Fred Blair, Lydia Brazon, John Cromshow, Tej Grewall, Leonard Isenberg, Kim Kaufman, Jim Lafferty, Ali Lexa (arrived 7:46), Brenda Medina, Dutch Merrick (arrived 7:48), Margie Murray, Michael Novick, John Parker (arrived 7:35), Summer Reese (arrived 7:18), Lawrence Reyes, John Wenger (arrived 7:35).

Five members were excused: Ankin Antaram, Aryana Gladney, Fred Klunder, Sequoia Olivia Mercier, Lamont Yeakey.

Also present: Bernard Duncan (KPFK General Manager), Terry Goodman (Audio Recordist) and members of the public.

Authority and Notice: The date for this meeting was authorized by the LSB by a motion approved at its meeting of February 15, 2012. The date was posted on KPFTX.org on February 18, 2012. The location was noticed to the board via email and posted on KPFTX.org on April 2, 2012. Additional notice was posted on KPFK.org and other websites beginning on April 11, 2012 (see Appendix A).

Audio Recording: The audio of the meeting is available for a limited time at KPFTX.org

[Audio Part 1]

I. CALL TO ORDER / ROLL CALL (7:11)

The meeting was **called to order** by the Chair at 7:11 PM with a quorum of fourteen.

EXCUSED ABSENCE REQUESTS (7:13)

Lafferty **moved** acceptance of the excused absence requests listed above. After Medina objected, the excused absence requests were **accepted** by a show of hands: Yes—6, No—2, Abstain—3.

GROUND RULES FOR COMMUNICATION (7:16)

The Chair reiterated principles of board and public meeting participation.

There were no announcements.

AGENDA APPROVAL (7:16)

Reyes **moved** to bring the General Manager Investigation Motion off the table. No vote taken. **Point of order** from Medina: Reported on when the Proposed Agenda was sent to the LSB. The Vice-Chair volunteered to print agendas for future meetings.

Brazon **moved** to place the Jackson Lewis motion in PNB Reports. **Passed** by a majority hand vote: Yes—11.

The Chair committed to address Aaron's Motion to Rescind first. Lafferty **moved** approval of the amended agenda. **Passed** without objection (see Appendix B).

Spanish translation was arranged for two members of the public.

MINUTES APPROVAL (7:36)

Isenberg requested a change to the wording of the General Manager Investigation Motion (moved and tabled by the board on February, 15, 2012). **Point of order** from Medina: You can't change your motion after it has been set in the minutes. The Chair ruled that no correction to the minutes was necessary.

Lafferty **moved** approval of the minutes of February 15, 2011 and March 17, 2012, which were distributed electronically to the board prior to the meeting. **Passed** without objection.

RESCIND ATTENDANCE POLICY (7:38)

Aaron **moved to rescind** the LSB Attendance Policy passed by the board on March 17, 2012. Brazon noticed an attendance motion for the next LSB meeting. Cromshaw called the question.

Motion to rescind **passed** by a roll call vote: Yes—12, No—1, Abstain—4.

Yes—Aaron, Argueta, Blair, Brazon, Cromshaw, Grewall, Kaufman, Lafferty, Murray, Parker, Reese, Wenger.

No—Reyes.

Abstain—Anderson, Isenberg, Medina, Novick.

II. SCHEDULING / LOCATION / ANNOUNCEMENT OF MEETINGS (7:46)

The Chair announced regular LSB Committee meeting times (listed at KPFFK.org).

III. CHAIR REPORT (7:48)

Omitted at the discretion of the Chair in the interest of time.

IV. IMPLEMENTATION / FOLLOW-UP / ACTION ITEMS (7:48)

The Chair committed to investigate LSB email communications problems.

Town Hall Task Force volunteers: Reyes (convener), Reese, Kaufman, Anderson, Murray. Public volunteers were Mike Clark, Israel Feuer, Reza Pour.

V. GENERAL MANAGER REPORT SUMMARY AND Q&A (7:52)

The GM summarized his monthly report, which was forwarded electronically to the board prior to the meeting and distributed in paper to the public (see Appendix C). Discussion followed.

[Audio Part 2]

Discussion of the GM report continued.

VI. PUBLIC COMMENT I (8:13)

Public comment was heard for eleven minutes. The Chair allowed a member of the public (Bella De Soto) additional speaking time to report on the Community Advisory Board. **Point of order** from Reyes: Requested three additional minutes of public comment. **Passed** without objection.

VII. GM RESPONDS TO PUBLIC COMMENT (8:24)

The GM responded to public comment. The GM noticed that the May LSB meeting will include a discussion of the Community Advisory Board.

VIII. PNB DIRECTOR REPORTS (8:27)

Reese, Brazon, Lexa, Aaron reported.

Lafferty **moved** (amended by Brazon) the following:

Motion Regarding Ending Pacifica's Employment of the Jackson Lewis Law Firm

WHEREAS Pacifica is a humanistic radio network that has for more than 50 years supported workers' rights, including their right to organize a union; and

WHEREAS non-management employees of four of five the Pacific Foundation stations are unionized; and

WHEREAS the national office of the Pacifica Foundation has retained the law firm of Jackson Lewis; and

WHEREAS Jackson Lewis is a notorious nation-wide anti-union law firm that specializes in preventing employees from unionizing their employer and employing scare tactics to portray unions as an enemy of business, according to John Logan, writing in the *British Journal of Industrial Relations* 44 (December 2006): 659; and, according to one of Jackson Lewis' own lawyers, "Jackson Lewis was founded on the concept of preventive labor relations, and we want to help our clients before there's full blown organizing. We are a full-service law firm. We just don't do the legal stuff—we handle the campaign;" and

WHEREAS Jackson Lewis regularly conducts seminars for corporate America on how to stay union free, its next such seminar, entitled "Union Free," scheduled to take place in Chicago on April 19th, Las Vegas on May 2nd and New York City on May 23rd;

NOW THEREFORE BE IT RESOLVED THAT THE LOCAL STATION BOARD MEMBERS OF PACIFICA RADIO STATION KPFK:

1) Therefore be it resolved that the KPFK Local Station Board calls for the Pacifica National Board and the Pacifica Executive Director to wind down all relationships with Jackson Lewis as quickly as possible subject to prudent attention to the financial penalties of changing attorneys in ongoing litigation; and BE IT FURTHER RESOLVED THAT:

2) in the hiring of any new law firm to represent the Pacifica Foundation in any matters whatsoever, no law firm known to be a firm representing and advising corporations and other businesses on how to prevent its workers from unionizing shall be employed by the Pacifica Foundation.

Brazon **moved to amend**: "four out of five stations." **Passed** without objection.

Brazon **moved to amend**: "1) Therefore be it resolved that the KPFK Local Station Board calls for the Pacifica National Board and the Pacifica Executive Director to wind down all relationships with Jackson Lewis as quickly as possible subject to prudent attention to the financial penalties of changing attorneys in ongoing litigation." **Passed** without objection

Kaufman **moved** to extend five minutes. **Passed** without objection. Discussion continued.

Wenger **moved to amend**: "calls for" to replace "calls on." **Passed** without objection. Reese and Parker **moved** for public comment on this motion. **Passed** without objection.

IX. PUBLIC COMMENT II (9:01)

Public comment was heard for eight minutes.

[Audio Part 3]

The amended Jackson Lewis motion **passed** by a roll call vote: Yes—13, No—0, Abstain—6.

Yes—Anderson, Argueta, Brazon, Cromshow, Grewall, Isenberg, Lafferty, Medina, Merrick, Novick, Parker, Reyes, Wenger.

Abstain—Aaron, Blair, Kaufman, Lexa, Murray, Reese.

X. PNB DIRECTORS RESPOND TO PUBLIC QUESTIONS

Interspersed throughout the PNB Report.

XI. OUTREACH COMMITTEE (9:13)

Reyes (Outreach Committee Chair) gave a verbal report and forwarded a written report electronically to the Secretary prior to the meeting (see Appendix D). Reyes **moved** board approval of an Outreach Committee picnic on June 10, 2012 in Brand Park, Glendale. **Point of order** from Medina: There is no public transit near Glendale. Motion **passed** by majority hand vote with two abstentions.

XII. PERSONNEL COMMITTEE (9:20)

Cromshow (Personnel Committee Chair Pro-Tem) reported on the last Personnel Committee meeting, the iPD evaluation survey, the upcoming GM survey, and other matters. May 16, 2012 was noticed as the next meeting Personnel Committee meeting. Discussion followed. Lafferty and Merrick publicly thanked Cromshow and Lexa for their work on the survey.

Lexa **moved** to keep the results of the iPD Survey remain sealed until after the position is filled. Motion **passed** without objection.

XIII. PD SEARCH REPORT (9:30)

Lexa (PD Search Committee Co-Chair) reported: There are 19 search semi-finalists, phone interviews are in progress. Questions from a public meeting were collected and used in the survey process. Lexa reported that he was trying to comply with the recent PNB motion on search committees. Discussion followed.

XIV. GOVERNANCE COMMITTEE REPORT (9:33)

Wenger **moved** the following:

Committee Chair Motion

“Any member in good standing of an LSB Committee may serve as chair of that committee.”

XV. PUBLIC COMMENT III (9:45)

Public comment was heard for five minutes on the pending motion and other matters.

The Governance Committee Report continued. (9:51)

Merrick read into the record a portion of the KPFK LSB Committee Staffing Policy; (passed February 5, 2005, amended January 7, 2006): “That Advisory Committee Chairs shall be LSB members.”

The Governance Committee motion **passed** by a roll call vote: Yes—10, No—8.

Yes—Anderson, Argueta, Brazon, Grewall, Lafferty, Medina, Novick, Parker, Reyes, Wenger.
No—Aaron, Blair, Cromshow, Isenberg, Kaufman, Merrick, Murray, Reese.

Kaufman **moved** for a time-certain adjournment at 10:00 PM. **Passed** without objection.

PROGRAMMING OVERSIGHT COMMITTEE REPORT (9:57)

Argueta **moved** the following:

Motion Passed by ProC 4/04/12 – KPFK/Pacifica Desist All Use of Arbitrons until it more accurately counts minority community members and is granted Media Ratings Council accreditation

WHEREAS Arbitron’s services for the Los Angeles region have not been accredited by the Media Ratings Council; and

WHEREAS Arbitron has lost its accreditation in locations across the US, including Riverside-San Bernardino, due to problems in its Sample Performance Indicator, specifically proportionality across age, race, ethnicity and other demographics;[1] and,

WHEREAS the California Attorney General sued Arbitron for its Portable People Meter (PPM) ratings methodology that under-represents African American and Latino listeners in its surveys in the state’s largest cities;[2] and

WHEREAS Arbitron reached a settlement with the Attorney General and with City attorney of Los Angeles and San Francisco relating to the marketing and commercialization of PPM in Los Angeles, Riverside-San Bernardino, Sacramento, San Diego, San Francisco and San Jose, California; and

WHEREAS the settlement announced March 26, 2012 mandates that Arbitron change its methods by December 31, 2012 to count minority listeners more accurately; and

WHEREAS Arbitron earlier pledged to use all reasonable measures to achieve Media Rating Council (MRC) accreditation for the data produced by the PPM ratings service in *all* California markets.[3]

THEREFORE, PrOC recommends that station management and the Local Station Board desist from using Arbitron measures until all corrective actions have been taken and Arbitron receives MRC accreditation for the southern California markets; and

FURTHER, that the KPFK LSB recommends to the PNB that no Pacifica station shall use Arbitron measures until all corrective actions have been taken and Arbitron receives MRC accreditation for all the signal areas.

Reyes appended a “News Release” from “Office of the Attorney General: Kamala D. Harris.” to the motion (see Appendix E).

Argueta **moved** to close debate. Motion **passed** by a majority show of hands (tally not recorded).

The Arbitron Motion **passed** by a show of hands: Yes—9, No—0.

The meeting **adjourned** without objection at 10:00 PM.

Respectfully submitted by John P. Garry III, Secretary
(these minutes were approved on June 20, 2012)

Appendix A—Public Notice

Emailed by Terry Goodman on April 11, 2012

The KPFK Local Station Board will meet on Wednesday, April 18, 2012 for its monthly meeting, from 7:00 pm sharp until 10:00 PM in the 4th Floor Cafeteria at Angelus Plaza, 255 S. Hill Street, L.A. 90012. Spanish translation will be available.

[...]

Refs:

<http://www.kpfk.org/lspbpbmenu/93-calenderandnotices/5923-local-station-board-4182012-700-pm.html>

http://www.kpfk.org/eventcal.html?task=view_detail&agid=2654&year=2012&month=04&day=18

http://www.kpftx.org/pacalendar/cal_show1.php?eventdate=20120418

Appendix B—Approved Agenda

Revised Proposed Agenda for KPFK LSB Meeting of 4-18-2012
(all times include board discussion time)

I. Call to Order, Roll Call, Excused Absence Requests, Agenda Approval, Ground Rules for Communication, Announcements, Minutes Approval (2/15/2012, 3/17/2012)	(15 min)
II. Scheduling / Location / Announcement of Meetings	(5 min)
III. Chair Report	(5 min)
IV. Implementation / Follow Up / Action Items	(5 min)
a. Electronic submission of Committee Reports to the LSB	
b. Town Hall Task Force meetings/membership/convener	
V. General Manager Report Summary and Q&A	(20 min)
a. CAB Status and next steps	
VI. Public Comment I (questions to GM)	(7.5min)
VII. GM responds to public comment	(5 min)
VIII. PNB Director Reports	(20 min)
a. Jackson Lewis Motion	
IX. Public Comment II (questions to PNB Directors)	(7.5 min)
X. PNB Directors respond to public questions	(5 min)
XI. Outreach Committee Report	(5 min)
XII. Personnel Committee	(15 min)
XIII. PD Search Report	(10 min)
a. Compliance with PNB and LSB motions.	
XIV. Governance Committee Report	(15 min)
a. Committee Chair Motion	
XV. Public Comment III (during Governance Committee Report)	(7.5 min)
XVI. Programming Oversight Committee Report	(10 min)
a. Arbitron Motion	

XVII. Finance Committee Report	(5 min)
XVIII. New Business	(5 min)
a. General Manager Investigation Motion	
XIX. Public Comment IV	(7.5 min)
	total 175 min

Appendix C—GM Report

PACIFICA RADIO KPFK 90.7 FM MANAGER’S REPORT TO THE LOCAL STATION BOARD

Wednesday, April 18, 2012
(Bernard Duncan, General Manager)

Manager’s Overview

- KPFK’s next fund drive is planned to begin on May 15.
- A fund-raising/listenership building idea-generating session to find new ways to sustain the station took place on 22 March at the KPFK premises on Cahuenga Blvd. W, and will be followed up with meeting on 19 April to discuss ideas raised, and allocate tasks to accomplish those ideas agreed upon.
- “Underground University”, an initiative discussed in last month’s Manager’s Report launched on April 9th and we received a solid attendance of about 25 people. The group was ethnically diverse and ranged in age from college-aged to mid career. This will continue to be developed through our volunteer outreach coordination.

Outreach and Development

- Outreach – KPFK is in the midst of a heavy rotation of outreach events and fundraisers, requiring that KPFK’s staff be All Out For The Listeners! We started out the month with the *All In For The 99%* art exhibition at the Ace Museum, where KPFK staff recorded vox pops and interviews. This past weekend we had two important outreach efforts:
 - o the KPFK media sponsored panel discussion with Ruben Luengas called *Ahora o Nunca*, which featured conversations with professor Miguel Tinker Salas, journalist and author Anabel Hernandez and Lorenzo Meyer, Professor Emeritus of History at

the Colegio de Mexico and a well-known columnist for *Reforma* and political analyst; and
o a much appreciated water station at *Ciclaviva*, staffed in part by the Music Director and volunteers to help promote our upcoming DJ events *Motherland* (April 18 at Mama Juana's) and *Elevation* (May 2, at The Virgil).

Another key event this past weekend was an outstanding discussion and book signing with Tavis Smiley and Dr. Cornel West at the Immanuel Presbyterian Church, where Tavis and Dr. West spoke to a packed house about their new book *The Rich and the Rest of Us: A Poverty Manifesto*, a collection of reflections and discoveries from their Poverty Tour. *Sojourner Truth* host Margaret Prescod served as MC and elicited a rousing round of cheers and applause for KPFK Radio after her opening remarks.

- This week KPFK is in preparation for *Motherland*, *Topanga Earth Day*, the *Tadasana Festival* in Santa Monica and the *L.A. Times Festival of Books*. Each of these events will serve as a means to connect with our listeners, promote the Pacifica Mission and forward promote the *2nd Annual Hero Awards & Tribute to Gil Scott-Heron* fundraiser on May 6th. All this activity is possible thanks to the efforts of our dedicated staff, volunteers and board members.
- Community Engagement: CAB – Notice has been sent out from the GM that the Interim Working Group of the CAB is defunct, and that a new body will be selected. Work on this is currently underway.
- Fund Drive “Community Premiums” – Development had requested the assistance of the Local Station Board in recommending ways KPFK can fulfill the commitment to listeners who donated to the station and the Solidarity with the 99% premium. The Solidarity Premium has been fulfilled in part and in installments, but has had to adjust to developments in the Occupy movement. The remaining amount to deliver as an in-kind donation is \$2,937.30. It has been suggested that KPFK may fulfill Solidarity with the 99% premium through the purchase of walkie-talkies for the May Day March and Rally.

Programming

- KPFK's interim Program Director is currently out of the country on vacation leave, so no specific programming issues are carried in this report. Issues and changes will be reported to the May meeting.

Operations

- Plumbing problems – On April 7th at approximately 12pm our sewage pipe leading from the building to the county's sewer system got backed up and over flowed, flooding much of the bathroom and surrounding area. This also affected the upstairs bathrooms.

Roto-Rooter was the only available choice at the time on the eve of a holiday. We tried to make arrangements to order porta-potties but given the time we were not able to get some out in hopes to buy us time for other bids. Given the circumstances and very little options available work commenced at approximately 5pm.

A hole near the access point near the front door was dug in order to provide greater access to the main sewer line. A video inspection was made inside the pipes towards the building. Heavy tree-root intrusions into the pipe were discovered.

Once roots are in the pipes they will likely cause an eventual blockage, continuing to grow, and if not disturbed, they will eventually completely fill the pipe with hair-like root masses. These masses can act as a net as they catch sewage leaving the building.

The roots were cleaned out with root saws, and high-pressure flushers. It was recommended that we install another access point near the back door entrance to allow for further root removal, since their equipment will not reach that far. This will help ensure that we do not have the same problem 25' past our front door access point. It is also recommended that we schedule regular cleaning of our sewer that will help reduce prolonged root growth.

Unfortunately our plumbing woes do not end there. We have discovered corrosion in piping leading to the hot water faucets in the women's restrooms resulting in tainted hot water, and this will also have to be addressed.

- Landscaping – We have received a commitment of some plant donations for our front area near the street. We will begin treating and tilling the soil in order to prepare the area to receive the plants on April 20th. This will involve watering the area on a weekly basis within the LADWP allowed time for watering.
- Painting – The kitchen area was painted on the weekend of April 6th by the Operations Director and volunteers. The total cost was \$335.35 for the project
- Piracy – On March 26th we were notified that NBC Universal contacted our ISP Telepacific to file a claim that there was illegal downloading of their copyrighted material. We were warned and asked to cease any further illegal downloads. While we can ascertain that the download was accessed from our building, it is more difficult to isolate the computer responsible.

The following email was sent to all staff, programmers and the LSB:

On March 26th we were contacted by our internet service provider Telepacific on behalf of NBC Universal in regards to an illegal download of “A Beautiful Mind”

Title: Beautiful Mind, A

Infringement Source: BitTorrent

Initial Infringement Timestamp: 21 Mar 2012 21:25:13 GMT

Recent Infringement Timestamp: 21 Mar 2012 21:25:13 GMT

Infringing Filename: A Beautiful Mind 2001 BRRip 720p x264 RmD (HDScene Release)

Infringing File size: 1928256978

We have been asked to stop downloading or uploading any film or TV shows owned or distributed by NBC Universal without authorization and to permanently delete from your computer(s) all unauthorized copies you may have already made of these movies and TV shows.

The illegal downloading and distribution of copyrighted works are serious offenses that carry with them the risk of substantial monetary damages and, in some cases, criminal prosecution. Any illegal activity over KPFK/ Pacifica internet services can put us in a precarious situation. Any copyright infringement violates our Internet Service Provider’s terms of service and could lead to limitation or suspension of our Internet service. Here is a website that you can visit if you would like to know more about the laws pertaining to this, www.respectcopyrights.org.

Anyone found conducting illegal activities through KPFK’s internet service may face serious repercussions.

- Theft – In recent weeks we have lost two sets of headphones and a microphone, which were stolen from the building outside of normal office hours. For this reason we intend to lock some studio areas and/or install cameras. During an intern orientation gathering in April a visitor to the station was caught on camera near Production going through programmers’ mail slots and pocketing some of what he found. We know the identity of this person and he has been instructed not to return to KPFK.

Engineering

- The Chief Engineer is currently out on vacation leave, but is monitoring transmission outages, and has provided a report.
- Studios – The studios are generally in good condition and repair with few problems. New CD players for Master Control will be installed soon. The audio network server (DRS) upgrade is being evaluated.

- Malibu Booster – We have to relocate the receive antenna and are in contact with property owners on Saddle Peak who may allow us to reinstall the antenna on their property. We are also looking into other ways to get the KPFK audio signal to the booster site.
- Rancho Bernardo translator – This translator is in good condition and is operating very well covering Northern San Diego County.
- Santa Barbara translator – The translator is in good condition and is operating properly and is covering the coastal area of Santa Barbara from Isla Vista to Montecito.
- Mt. Wilson transmitter – Repairs have been made over and over again to the old Armstrong transmitters, which at this point are considered unreliable. The new Nautel transmitter is serving as the backup transmitter as the the Armstrong transmitters continue to fail. Repair and rebuild of the Armstrong transmitters will take until at least the end of April. KPFK will continue to operate at reduced power until all repairs are made. An additional replacement transmitter the will allow KPFK to operate reliably at full power. This is critical as we go into the hot summer months when inversion layers bend the FM signal and cause a loss of or noisy reception in some signal areas.
- The emergency power generator fuel pump replacement did not fix the problem and the diesel engine will have to have some internal engine parts replaced before we can use the generator again.

Business Office

- Financial status as at **April 13** (cf. March 13) –
 - o Total Cash in Bank is **\$317,400** (551,200)
 - o The current balance in the solar project account is **\$21,400**. (Note: this is additional to Cash in Bank)
 - o Total payables stand at **\$72,000** (24,100).
 - o Central Services fees owed to National Office and Pacifica Radio Archives stand at **\$20,000** (145,600).

The annual planning process for the KPFK operational budget has begun.

Bernard Duncan
 General Manager
 April 17 2012

Appendix D—Outreach Report

Minutes from KPFK Outreach Committee Meeting April 10, 2012

Present: Lawrence Reyes, Ron Spriestersbach, Rudy Perez, Chuck Anderson, Van Mizell, Alise Sochaczewski, Rose Elizondo, Rob Macon, Pooyun Bokwer, Reza Pour, and Nancy Lawrence

1. Introductions and members outreach activities in the past month.
2. Lawrence had invited/suggested to Bernard Duncan that Jessica Woods attend the Outreach Committee meetings. Alise received a list of upcoming events volunteers could table at for KPFK from Jessica.
3. Van mentioned an event where the Tuskegee Airmen were going to appear at but it didn't materialize.
4. One member mentioned that 20-30% of people who he's reached out to express dissatisfaction with the reception they receive when they approach the station with suggestions or comments . They feel that their voices are not being heard and that they can not voice their opinion about the station or the programming. He speaks to people on the bus and at community events. Others present have found this sentiment among other people they have engaged with.
5. The upcoming Spirit Run in which people from Canada also participate was brought up. The time and date will be confirmed so we can table at this event.
6. Tabling at events for KPFK for 3 hours (not necessarily in one stint) will qualify volunteers for KPFK membership. This motion was passed in the past and documentation will be formalized.
7. Outreach picnics will be held. The first will be June 10th at Brand Park in Glendale. Time from 11am to 5pm. Picnic will include spoken word, musicians, singers and poetry. Lawrence will request that this be added to Community Calendar. It should be announced several times on air including 2-3 weeks before that weekend. The second will be later in the summer in Orange County, date to be determined.
8. An Outreach workshop concerning "The Media: Propaganda & Objectivity" is in the works. Tentative date is May 26th. Time and place to be announced.
9. The list of events for tabling was discussed and several people signed up to table at various events (i.e. L. A. Book Fair, CicLAvia, Smiley-West Event, Topanga Earth Day). Unfortunately many events occur concurrently.
10. Criminalization of Homelessness is an important issue that needs to be addressed. May be a topic for future event. Another topic is Racist Killings.

11. Rob Macon recommends a "Mission Rebuild" project to rebuild our economy, our schools, our radio station, and our community.
12. Michael Novick's LSB report on air was well received by the listeners. We recommend that this become a monthly on air report.
13. Next meeting will be May 8th, the second Tuesday of the month.
14. Meeting adjourned.

Minutes submitted by Rose 4-12-12.

Appendix E

Attorney General Kamala D. Harris Reaches Settlement to Ensure Equal Treatment in Radio Ratings for Minority Stations and Audiences

SAN FRANCISCO - California Attorney General Kamala D. Harris today announced a settlement with Arbitron Inc., the nation's dominant provider of radio audience ratings, over allegations that the method it used to collect ratings information discriminated against radio stations with predominantly African-American and Latino audiences. The settlement is the result of a consumer protection lawsuit filed jointly by the State of California and the cities of Los Angeles and San Francisco.

Attorney General Harris, Los Angeles City Attorney Carmen A. Trutanich and San Francisco City Attorney Dennis Herrera alleged that Arbitron Inc.'s implementation of "Portable People Meters" (PPM) to measure radio station listenership in California beginning in 2008 violated the state's Unfair Competition Law, False Advertising Law and Unruh Civil Rights Act by dramatically undercounting minority audiences, causing sharp declines in advertising rates and revenue for many broadcasters.

"This settlement ensures that California's diverse audiences will be fully counted by Arbitron's ratings systems and that broadcasters serving these communities will have the opportunity to compete fairly in the marketplace," said Attorney General Harris. "I am pleased that Arbitron will be revising its practices in the state and thank my partners in this effort, City Attorneys Carmen Trutanich and Dennis Herrera."

Arbitron's ratings are based on information provided by sample groups of listeners. In deploying a new system that relied on electronic metering devices in place of personal listenership diaries, Arbitron's listener recruitment methodology failed to reflect the diversity of broadcast audiences in California markets, according to the complaint filed in San Francisco Superior Court.

The settlement mandates that Arbitron meet concrete metrics in its efforts to ensure that its audience sampling methods are fair and representative of California's diverse media markets. Specifically, Arbitron will improve its sample-audience recruitment by increasing address-based outreach to 65 percent of its total recruitment activity by December 31, 2012. Previously, recruitment was conducted primarily via land-line telephone, a survey method that failed to adequately include minority households. Arbitron will also take all reasonable steps to increase minority participation in their sample audience panels in five California major media markets. Additionally, Arbitron will begin incorporating country of origin as a standard demographic characteristic collected from participating Hispanic households-an additional benefit to Spanish-language media outlets. The Columbia, Md.-based media research firm also has agreed to pay a total of \$400,000 to the plaintiffs: \$150,000 each to the State of California and City of Los Angeles and \$100,000 to the City and County of San Francisco.

Radio stations serving primarily African American and Latino audiences were disproportionately affected by the sample audience recruitment methods Arbitron began using with its switch to the PPM ratings scheme in 2008. Of the 18 stations serving minority audiences in Los Angeles, 16 experienced ratings decreases in excess of 30 percent under the initial PPM system. Three of these fell by over 70 percent. One Los Angeles radio station whose audience is mostly African-American, was rated 0.0 for a significant portion of the day immediately after implementation of the new PPM ratings. One Spanish- language radio station that had previously enjoyed a number one ranking in the Los Angeles market saw its ratings plummet by more than 50 percent under Arbitron's PPM ratings for September 2008. ?

Arbitron's PPM methodology was criticized by minority broadcasters and the Media Ratings Council, the independent industry body that accredits media ratings systems, which has found problems with minority representation in Arbitron's sample audiences in the past.

"Through this settlement, Arbitron has agreed to take important steps to ensure that minority radio stations are reasonably treated in order that they may fairly compete in the California marketplace," said Los Angeles City Attorney Carmen A. Trutanich. "In a city as diverse as Los Angeles, it is important that all of our residents and our businesses be equally represented and able to compete in our field of commerce. Only then will all Californians have a voice."

"Assuring the integrity of broadcast rating methodologies is essential to protect media outlets that serve California's diverse communities," said San Francisco City Attorney Dennis Herrera. "These measures set all-important ad rates and revenue, and largely determine the success or failure of media outlets in a competitive industry. I'm grateful for the hard work and expertise of my co-counsel in this case, Attorney General Kamala D. Harris and L.A. City Attorney Carmen Trutanich. I am also appreciative to Arbitron and its legal team for their cooperative approach and willingness to negotiate with us in good faith."

The case is the People of the State of California v. Arbitron, Inc., San Francisco Superior Court.

A copy of the settlement is attached to the online version of this release at www.oag.ca.gov

Link to the Media Rating Council

<http://mediaratingcouncil.org/History.htm>

[1] <http://rbr.com/mrc-withdraws-accreditation-in-five-ppm-markets/>

[2] http://ag.ca.gov/newsalerts/print_release.php?id=2651

[3] After the accreditation withdrawal in February 2012 cited above, Arbitron issued a response:
“Consistent with our long-standing priorities, we will work to retain accreditation where we have it, to regain accreditation where it was withdrawn and to achieve accreditation in our remaining PPM markets,”