

Emailed by Michael Novick to the Board on November 5, 2014:

As elected chair of the KPFK delegates' assembly, and pursuant to the motion passed at the last meeting of the delegates to postpone further consideration of the motion to remove director Kim Kaufman until the next meeting, I am giving notice that the meeting of the KPFK delegates is scheduled on Sunday, December 7, 2014 at 5:30 PM at 3916 S. Sepulveda Blvd., Culver City, CA 90230 to consider the removal of Director Kim Kaufman as PNB Director. In the event Director Kaufman is removed from the PNB, an election of a PNB Directors shall take place at the same meeting immediately following the removal process, per the bylaws calling for immediate replacement.

The motion under consideration is as follows:

Whereas Pacifica National Board Director Kim Kaufman, was one of the plaintiffs in a lawsuit against the Pacifica Foundation Radio and 12 of its Directors, resulting in legal expenses for the Foundation and,

Whereas Director Kim Kaufman destroyed resumes from the KPFK PD search, property of the Pacifica Foundation Radio, possibly resulting in exposure to penalties by EEOC and FCC and,

Whereas Director Kim Kaufman boycotted the August KPFK LSB and Delegates meetings, scheduled to consider the KPFK budget and a bylaws amendment passed by the PNB respectively,

Resolved that Kim Kaufman should therefore be removed as Director on the Pacifica National Board as she has exhibited conduct that is adverse to the best interests of the Foundation.

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Motion from Condon noticed at the October 18, 2014 LSB Meeting:

Censure Motion for Tej Grewall (staff representative, LSB Chair)

“That the KPFK LSB censures Tej Grewall, staff member, Chair, LSB for improperly calling a Delegates Assembly to remove Kim Kaufman as a Director to the Pacifica National Board, but with no specific written charges given and without proper procedure according to the Pacifica Bylaws and Roberts Rules of Order, which governs the Foundation. This violates Pacifica Bylaws Article Five, Section 7, “Removal of Directors,” specifically that “the Director shall be afforded reasonable and appropriate due process according to the circumstances, including notice and an opportunity to be heard,” as well as parts of Sections 61 and 63 of Robert’s Rules of Order as to proper procedures for an investigation and trial. Most particularly, in section 63, “the Secretary should immediately send to the accused by registered mail a letter notifying him/her of the date, hour and place of the trial, containing an exact copy of the charge(s)...”

Furthermore, Tej Grewall improperly represented herself in noticing this meeting as the “Chair of the Assembly of Delegates of KPFK.” This position does not commonly exist cannot be found in the Pacifica Bylaws, and if that body did, in fact, elect a person to said position, that action must be specified in approved Minutes of the KPFK Delegates Assembly.

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Motion from Condon noticed at the October 18, 2014 LSB Meeting:

Censure Motion for Lydia Brazon (listener-sponsor member, Director Pacifica National Board)

The KPFK LSB censures Lydia Brazon, listener-sponsor member LSB, Director, Pacifica National Board, for participating in, or instigating, an improperly and illegally called meeting to consider the removal of Kim Kaufman from the Pacifica National Board that violates the Pacifica bylaws and Robert’s Rules of Order for due process requirements.

In response to an email from nine LSB members requesting proper charges be given to Kim Kaufman 30 days in advance of a meeting and a proper and fair procedure be laid out in advance of a meeting. Lydia wrote an email on October 12 to the LSB citing, in very broad and vague, non-specific terms, three events that happened outside of an LSB meeting and one which occurred over a year ago, saying, in part, “the conduct has been known to you and to the members of the body for a period beyond the 30 days.” This violates Section 63, page 656, lines 1-6 of Robert’s Rules of Order: “A member or officer has the right that allegations against his good name shall not be made except by charges brought on reasonable ground. If thus accused, he has the right to due process—that is, to be informed of the charges and given time to prepare his defense, to appear and defend himself and to be fairly treated.” It violates the Pacifica Bylaw Article Five, Section 7, “Removal of Directors,” specifically that “the Director shall be afforded reasonable and appropriate due process according to the circumstances, including notice and an opportunity to be heard.”

Lydia also states in her email: “I believe this to be less about the facts...” which violates RRO section 63, page 662, line 32—“the “managers” at the trial...have the task of presenting the evidence against the accused...Their duty, however, us not to act as prosecutors--in the sense of making every effort to secure conviction but rather to strive that the trial will get at the truth and that, in the light of all the facts brought out, the outcome will be just.”

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