DRAFT MINUTES – 9/19/20 (REV. 10/18/20)

*Teleconference*

Local Station Board (LSB) Meeting

I. Call to Order / Opening Business 10:44 a.m.

Elizabeth von Gunten presiding as chair.

A. Mission Statement – by Bella De Soto

B. Roll Call Taken

Grace Aaron, Ken Aaron, Michael Atkins, Allan Beek, Fred Blair, Bella De Soto, Jan Goodman, Eric C. Jacobson, Evelia Jones, Ali Lexa, Michael Novick, Lydia Ponce, Lawrence Reyes, Paul Roberson, Oscar Ulloa, Polina Vasiliev, Beth von Gunten, Harvey Wasserman (late join), Kiyana Williams.

Anyel Fields present.

C. Approve Agenda

Motion by Eric C. Jacobson passes to adjourn in honor of the distinguished historian Stephen F. Cohen, an expert on US-USSR and US-Russia relations, who passed on Friday, Sept. 18th of lung cancer, as well as US Supreme Court Justice Ruth Bader Ginsberg, affectionately known as “the notorious RBG”, who passed on Friday, Sept. 18th of pancreatic cancer (see tribute text below).

Motion passes to combine items II & V of Public Comment

D. Excused Absences (Michael Adler, Sandy Childs, Barbara Marbach)

Objections of Sandy Childs by K. Aaron & B. DeSoto.

Grace Aaron (N), Ken Aaron (N), Michael Atkins (Y), Allan Beek (Y), Fred Blair (Y), Bella De Soto (N), Jan Goodman (Y), Eric C. Jacobson (Y), Evelia Jones (Y), Ali Lexa (Y), Michael Novick (Y), Lydia Ponce (Y), Lawrence Reyes (Y), Paul Roberson (Y), Oscar Ulloa (Y), Polina Vasiliev (Y), Beth von Gunten (A), Kiyana Williams (Y).

Approved - (YES (14); No (3); Abstain (1)
Objections of Barbara Marbach and Mansoor Sabbagh by K. Aaron & B. DeSoto.

(James Osbourne and Harvey Wasserman not present)

The chair requests for the Governance Ctme puts the issue of excused absences of the next month's agenda.

The chair appoints P. Roberson as timekeeper.

E. Approval of Minutes for 8/16/20 meeting

Motion passes that the board approve all outstanding minutes at October LSB meeting.

F. Set Time Certain to Adjourn (2:00 p.m.)

II Public Comment #1 (12:50 p.m.)

III Finance Committee Reports:

A. Treasurer Report – F. Blair reports on the monthly income of the station and the shortfall to the operating costs.

B. Finance Committee Report – K. Kaufman reports on the struggle to get proper numbers from management.

IV. GM Report and Discussion:

A. GM Report – A. Field read his report submitted earlier in the week.


V Public Comment #2 (1:40 p.m.)

VI Director’s Report:

A. L. Reyes – spoke about his written report submitted: Personnel Committee search for Executive Director and posting resources; PNB Budget Committee; Bylaws; Policies & Procedures. (see attached)
B. **P. Vasiliev** – spoke about Finance Committee (P & L Statement and prioritizing cutting costs at stations) and Programming Committee (use of Audio Port for programmers to communicate; Covid 19 Task Force weekly national show; national fund-raising).

C. **J. Goodman** – (see attached)

D. **G. Aaron** – (see attached)

VII. **Committee Reports**

A. **Programming Committee** – by B. von Gunten. Re-established to election of Michael Atkins to National Programming Committee.

B. **Governance Committee** – by B. von Gunten

    MOTION ADOPTED (no objection): LSB requires all reports by officers and committees and general managers be submitted in writing at least 2 days before the LSB meeting.

C. **Outreach Committee** – by B. De Soto reported the Townhall event will be Last Sunday of the month 9/27 at 11:30a.

D. **Development Task Force & Fundraising Committee** – by M. Novick.

    Committee determined it would be best to combine with the National Development task Force. Local meetings will be the 1st Tuesdays of the month. (see attached report)

    MOTION passes to extend for 15 mins.

E. **Personnel Committee** – by M. Novick, suggests LSB and staff members will have a recommendation requests Closed Session to discuss personnel matters before Oct LSB meeting. (for annual evaluation of the GM)

VII Public Comments #3

P: (2:00 p.m.)

Only one public present for public comment. Remainder of time saved for a 4th Public Comment after New Business (if more of the Public is present)

VIII New Business

    MOTION passes to extend to 2:30.

    MOTION passed to postpone the proposed motion of Allan Beek to establish a continual KPFK Town Hall at KPFK.org. (Yes: 9; No: 7.) (attached)
The most important thing to report is that there is still no plan on how to pay the balloon payment of $3.2 million due next April.

The PNB has been spending a great deal of time micro-managing trying to micromanage KPFK’s budget. This is a job that the Executive Director should be doing, but the PNB has been spending an extraordinary amount of time on this endeavor. In the process, the PNB and the ED have essentially ignored the recommendations of the KPFK GM with regard to the order of how to proceed in this endeavor. To date, with the method used by the PNB majority and the ED neither the station nor the network will see any net savings for over a year. Details will be forthcoming in Executive Session.

There has been a hiring freeze at Pacifica for quite a while now. However, many exceptions to this freeze have been made. One of those exceptions has been by the PNB to pay a staff director for doing certain work. The motion to do this included waiving any Conflict of Interest Considerations regarding the hire, since that person is on the PNB.

The Covid-19 Taskforce continues to broadcast on a weekly basis.

The PNB has finally settled the matter of Sharon Brown vs. Pacifica. This case arose from Ms. Brown, a former LSB member being terminated from the LSB because she was on a City Commission, which both the LSB, and later the Appeals Court found to be a disqualifying factor, making her ineligible to remain on the LSB.

Pacifia has now completed its 2018 Audit and is working on the 2019 Audit. 2018 Audit Management Letter – Eileen Rosin, Audit Committee Chair

The PNB passed a Motion regarding the KPFA LSB General Manager Evaluation.

There are ongoing problems at KPFT that keep bubbling up to the PNB, including with regard to management and the building.
Motion

IX Closing Business/ Good and Welfare (Announcements)

Eric. C. Jacobson read the following tribute to Professor Stephen F. Cohen, who passed Friday Sept. 18th of lung cancer:


https://kpfa.org/episode/upfront-march-7-2019/;


Whereas a central facet of the mission of the Pacifica Foundation is to: "In radio broadcasting operations to engage in any activity that shall contribute to a lasting understanding between nations;"

Whereas the distinguished historian Stephen F. Cohen, who passed on Friday of lung cancer, devoted his life and scholarship and activism over the last 50 years to achieving a "lasting understanding among" the US and the former USSR, and since December 1991 the US and Russia;

Whereas Prof. Cohen and his wife Katrina Vanden Heuvel, publisher and editor of The Nation magazine, appeared jointly at a fundraising event for Pacifica station KPFA in February 2019, which in turn helped KPFA and KPFK raise funds during a Letters and Politics segment in March 2019;

Whereas, like his (unrelated) namesake singer-songwriter Leonard Cohen, Stephen F. Cohen was "born with the gift of a golden voice."

Whereas Prof. Cohen used it to educate and buck-up all of us still working to create a peaceable world out of the ashes of 2 World Wars and the 45 year Cold War—which ostensibly ended between 1988 and 1991; and

Whereas his passing is an unfathomable loss to the cause of a lasting understanding among nations and improved US-Russia relations in particular;

Accordingly the KPFK LSB honors Prof. Cohen's life's work; adjourns its meeting today in his memory; and extends our deepest sympathies to Stephen and Katrina's entire family.
Lawrence Reyes submitted the tribute to Ruth Bader Ginsberg as well.

X Adjourn
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Director’s Report Sept. 2020 from Grace Aaron

First let me express the great sadness I feel about our loss of Supreme Court Justice Ruth Bader Ginsberg. I’m sure I can say the Pacifica National Board is also mourning her loss but keeping in mind the inspiration her life brings to all women, people of color and every person who believes in fairness and justice.

Over the last few years much progress has been made by the National Board and management of Pacifica. Go to https://pacificradio.org/press_news/20200823.php for a detailed list.

Our 2018 Audit has been completed and the 2019 Audit has started. The completion of the 2019 Audit would make it considerably easier to secure grant and major donor funding and we may eventually be able to regain Corporation for Public Broadcast funding, which has in the past brought us about 10% of our total revenue. Regaining that funding would go a long way to toward financial stability.

Our abysmal Charity Navigator score has improved from the worst possible category to one slightly less negative. This is a step in the right direction.

The National Personnel Committee has begun a search for an Executive Director. You can access the job description here: https://boards.greenhouse.io/livingstonassociates/jobs/4136258003?gh_src=fc38345a3us

The following Motion on Expense Cuts taken up in the PNB meeting of June 11, 2020 passed without objection:

Whereas: Currently the National Office has over $500,000 in outstanding payables. We owe NETA $206,000 currently as of June.
KPFK was unable to make its payroll in mid April. About $45,000 had to be taken from an Affiliate Program bank account to make that payroll.
KPFK is at least 5 months in arrears on its Central Service payments. It currently owes $154,000 in Central Service payments. The KPFK Business Manager stated on May 14th that up to the end of April 2020, KPFK listener support had declined by 11%, its total income had gone down by 22%, although its payroll had increased by 5%.
The KPFK Business Manager stated that this decline had very little to do with the Coronavirus epidemic as these numbers are mostly from before the lockdown.
In the last 2 months KPFK’s income has declined precipitously. KPFK is currently bringing in only half the income necessary to meet its expenses. This means that KPFK is not able to make Central Service payments currently, is backlogging bills and is having trouble meeting its own payroll. KPFK’s monthly expenses are about $300,000. KPFK’s income has only been $150,000 per month for the last 2 months.
It is unclear as to whether Pacifica will receive any emergency stimulus loans or if there will be any other significant influx of revenue sufficient to make up for the heavy loss of KPFK Central Service payments.
Compounding this is the fact that every station, with the exception of KPFA, is seriously in arrears in its Central Service payments, with the possible exception of KPFT.
We have no reserves. If our financial situation deteriorates any further we may be forced to sell one of our buildings.
Therefore, be it resolved that significant expense cuts be made at KPFK as soon as possible. These cuts should be at least 30%. Expenses must be less than income as there are no resources to cover any shortfalls.
Further, all units (excluding the National Office) should provide a plan within 1 week to the NFB, the PNB, the Management Team and the iED that balances expenses and revenues if the units in the preceding six months have had expenses that exceeded revenues. (ie, if a station's expenses are exceeding its income by 10% the plan should show an expense decrease of 10%.)
As KPFK is currently running a $150,000 per month deficit, it is absolutely urgent that expense cuts be made immediately at that station.
Other fundraising plans should be encouraged, but they would not be able to cover shortfalls of that magnitude. Thus, substantial expense cuts are unavoidable.

The PNB is continuing to monitor these expense cuts and is united in understanding their necessity. Expense cuts are also necessary at other stations and the National Finance Committee and PNB are paying close attention to any shortfalls.
The dedicated management and staff at KPFK have done a wonderful job over the years in maintaining very high revenue. However, our listener support has been diminishing over a number of years to the point where expense cuts are absolutely necessary. Because our revenue has been high, shortfalls are larger than at our other stations. There are no reserves to cover our shortfalls. This means that KPFK expenses that exceed its income can severely harm the entire network.
Therefore, it is absolutely urgent that expense cuts be made as soon as possible.

The PNB has spent a great deal of time and attention on the financial situation at KPFK. Here are the 2 Reports from the most recent closed sessions of the PNB:

Report Out from the PNB Closed Session of August 27, 2020:
The Pacifica National Board met with the General Manager of KPFK to discuss personnel matters, and addressed other personnel matters.

Report Out from PNB Closed Session of Sept. 10, 2020:
The PNB instructed the KPFK GM and iED to expedite the PNB mandated 30% reductions in KPFK expenses.
The PNB authorized a settlement in the Brown case.

On Sept. 3, 2020 the following resolution was adopted by the PNB giving the protocol for posting and recording LSB meethings and LSB Committee meetings:
LSB Responsibility for Posting and Recording all LSB and LSB Committee Meetings - Grace Aaron as PNB Secretary

Whereas, it is necessary that all Local Station Board meetings as well as LSB Committee meetings be properly noticed on KPFTX and,

Whereas, due to Covid-19 in person meetings are now being held by teleconference, significantly increasing the workload of Pacifica personnel to the point where the situation has become untenable,

Therefore, be it resolved that the Officers of Pacifica Local Station Boards arrange for:

1) The posting of all Local Station Board meetings as well as LSB Committee meetings on KPFTX.
2) The streaming of all above meetings when desired.
3) The recording of all meetings.
4) That all meeting recordings be made available to Otis Maclay within 24 hours of the meeting being held and that the name of the meeting as well as the date, and time the meeting started and ended be communicated.

Further, be it resolved that PNB Directors make sure that the above protocol be put in place as soon as possible, including assigning people to post, stream (if needed), record meetings and ensure that the agendas, minutes and recordings are posted on KPFTX.org. (It should be noted that only National meetings will be streamed on KPFTX by National Office staff.)

As a last update, Lydia Brazon, Pacifica IED, has reassured us that our application for the EIDL loan, which may be as much as $2 million, has been acknowledged and is in the process of being considered. This loan would give us considerable relief and flexibility as it is a loan at the very low interest rate of 2.75% for nonprofits and may be amortized for up to 30 years. It is uncertain, however, if this loan will be approved, if there are funds still available for this loan and how much we would qualify for. Let's keep our fingers crossed.

That's all for now!

In peace,

Grace Aaron, PNB Director and National Board Secretary
PNB Director Report to the KPFK LSB

Lawrence Reyes KPFK Listener Director

PNB Governance Comm. /Personnel Comm. Chairperson

Reporting that as Chairperson of the PNB Personnel Committee, we are active as a Committee concerning the Search for an Executive Director.

Our posting of the position of ED is up and running and will be advertised on many relevant Media entities and job search websites with the help of NETA HR and Livingston and Associates’

The search timeline will be finalized by the end of the month of September or Mid-October we currently have about 40 resumes and more are coming in as the position is posted on the Livingston Associates Website.

www.livingstonassociate.net, these resumes are being review by Committee members and shortly a ranking matrix will be implemented to vet these applicants and then notices for applicant’s interviews will be extended.

The PNB Personnel Committee Budget Request for $2,500 dollars to conduct its work was granted at the PNB Meeting on September 17, 2020 the proposed Search Plan from Livingston and Associates is attached to my report for your edification the Proposal was approved by the Personnel Committee without objection.

As Chairperson of the PNB Governance Comm. the committee is active and vibrant busy working on motions refer from the PNB and other Governance Committees as well as from Station Representatives both Local and National that form the Democratic Governance as well developing processes and data collection portals on Past and Present Policies to create a Historical Data Base for the edification of future and current reference to the members of the Pacifica Network.

The committee has three internal Sub-Committees to distribute the division of labor (By-Laws) work to assure the fidelity to the By-Laws are ensuring the
Democratic Rights of Listener Subscribe Members. A motion to better communicate with Network Subscribe Members will be discussed at the next schedule Governance Committee meeting October 21st at 5:30 PM Pacific Time and 8:30 PM Eastern Time streaming on www.kpftx.org that concludes my Director’s report see you all on Sunday morning please read the report and review the Personnel Committee Executive Director search timeline implementation. Every season has an opportunity to enjoy it’s Harvest.

This is truly a Labor of Love

Lawrence Reyes, KPFK Listener Director an Honor to be of Service.
During the September 9 FC meeting, the BM gave us a new budget. It is the fifth draft. Only slight progress has been made in these drafts. There are still many problems and corrections that have not been made. Information has been requested multiple times but still not received.

A large issue outstanding is establishing the listener support for the year. Despite a simple motion approved by this LSB at the last meeting (appended after my signature), these simple guidelines have not been followed. The BM has increased the listener support by about $500k in this last draft. There seems to be a basic lack of understanding by management as to how this works combined with management apparently not wanting to accept that $15,000 per day is the historical number that must be used going forward.

There are some other areas, specifically in development, that needs work and we need the requested information to finalize this area. Unfortunately, it seems the PNB is working at cross-purposes to the local effort but this all must be done regardless of their decisions.

The listener support year to date is $136,417 less than last year. The only reason this number is not much worse is because of the increase in fund drive days, a trick KPFK has used to puff up its listener support year after year. This has also increased KPFK’s central services. Last year had 138 fund drive days. The first half of this year was 90 days and still ended the Feb fund drive $140k short of goal. KPFK hit a wall because it can’t add more fund drive days. KPFK’s model of only the four paid programmers raising money, music programmers raising some and Christine Blosdale given the rest of the air time is not working. Based on the premiums, it looks like Christine does maybe 10 programs a year and they’re simply repeated many times. The per hour number she raises now is very low. This model for on-air fundraising simply will not support the operations, no matter how much expenses are cut. It is also not attracting new listeners.

The second half of this fiscal year has been marked by not only Covid but also a change of reporting from Memsys to Allegiance. The reports governance has seen have been sparse and somewhat unreliable especially compared to the P&L reporting. But basically KPFK has either been in a hard fund drive or a soft fund drive since the end of April. This has continued to depress the per day amount raised in regular fund drives.

Although the P&Ls still show a $101k mistake in the FY2019 P&L, KPFK received $550k in bequests last year. KPFK’s expenses continued to balloon and it still ended FY2019 with a $128k deficit (that we know of). The deficit was covered by not paying central services and other bills. We’re not getting accurate accounts payable reports so it’s hard to know how much is still owed to central services and other bills for this year. The deficit ytd is $484k, not including the $325k from PPP which we were told about but
hasn’t been recorded yet. This allowed KPFK to get through the last two months. The expenses ytd are $125k less than last year.

The financial reporting is problematic. NETA only inputs payroll and health benefits and doesn’t do anything else, i.e., they don’t review what they get from KPFK. I do review it and there have been obvious mistakes that should have been noticed by others.

I am attaching the latest P&Ls for FY2019 and FY2020 ytd only through July 31.

Kim
Chair, KPFK LSB Finance Committee
323-810-6476
kim.kaufman@att.net

Motion:

The Finance Committee recommends that the LSB NOT approve the most recent budget submitted by management and instead propose the following: A balanced budget of approximately $2,400,000 in total expenses based on the following anticipated revenues: $1,606,000 in listener support, derived from 126 total fund drive days (6 21 days of fund drives in Oct, Dec, Feb, Apr, Jun and Aug @ $15K per day and 85% fulfillment) plus $800K in other revenue. A total expenses of $2.4 million represents a cut of slightly over 33% of the current year's expenses of approximately $3.6 million, based on demonstrable anticipated revenue streams, incorporating a fund drive chart indicating an 85% fulfillment rate on $15,000 a day in pledges, and additional income from historically justified sources, including monthly sustainers, car donations, grants in hand, studio rentals, events, book sales, etc.

A suggested fund drive chart would cover six 21 day on-air fund drives in October, December, February, April, June and August for a total under the formula above of a little over $1.6 million, if $800,000 in specified and provable additional income can be identified in a fashion to meet the station's monthly cash flow for payroll and other expenses. However, recent historical amounts of "additional income" beyond on-air fund drives have amounted to about $250,000 apart from bequests. If provable anticipated additional income in the amount of $800,000 cannot be demonstrated, additional fund drive days and/or additional reductions in anticipated expenses will be required for a balanced budget proposal. During the course of the fiscal year, if anticipated revenues in any two-month period do not reach the anticipated level, management must make additional cuts in expenses to match the revenue shortfall.
Further, the KPFK Finance Committee urges the KPFK LSB to direct the General Manager and Business Manager of KPFK to present a balanced budget within the above parameters by August 25, 2020 at 5 pm.

If KPFK Management fails to present such a budget, the iED is expected to create one, with the assistance, if needed, of the KPFK Finance Committee and/or LSB.

If KPFK Management fails to comply with the above, negative personnel reports shall be sent to the personnel files of the GM and Business Manager.

Motion:

The FC committee approved the following motion at the July 8 meeting:

The KPFK Finance Committee requests from management a list of all premiums, listed by totals from most to least, by program/programmer, times each program has run, with the fulfillment rate and how much the premiums cost and net loss or profit for the last three years.

The LSB approved it at the July 19 meeting. The GM was present and said he couldn’t comply with any of it for six months.

Therefore, the FC requests that the GM provide what is already available: A “list of all premiums, listed by totals from most to least, by program/programmer,” has already been published in the GM’s recent fund drive report. We request the addition of “times each program has run,” which must by definition be already available in order to make the list. The fulfillment rate is required for properly making the budget.
KPFK Community Advisory Board organizing meeting report.  
(10/18/20)

Beth von Gunten

An ad hoc teleconference was held on Monday evening, October 12, 2020, to organize the reactivation of the KPFK CAB.
The first formal meeting of the KPFK LSB for 2020 is now scheduled for Monday, November 9, at 7pm via teleconference.
Reactivation of the KPFK CAB will be promoted via the current KPFK member lists, on air and online announcements, and other community networking opportunities.
For more information, contact Beth at meinerscanary@matilijasustainability.org

KPFK Programming Oversight Committee Report.  
(10/18/20)

by Beth von Gunten, Chair

The KPFK Programming Oversight Committee met on Monday, October 12, 2020.

An intimate group of LSB members and listener sponsors held a general discussion of the current fund drive, rumors of pending personnel cuts, and what works and doesn't work well in current programming.

Given that it was a federal holiday, the Program Director was unable to join us. He hopes to be with us next month.

The next KPFK Programming Oversight Committee meeting will be Monday, November 9, 2020, at 4pm via teleconference. For more information, contact Beth at meinerscanary@matilijasustainability.org.
Lawrence asked me to forward his director's report to the list, as he can't access the email account with which he is subscribed to the list. Documents are attached below.

I am taking the opportunity to also file brief written reports regarding some of the LSB committees, as proposed by the Governance Committee

1. Personnel Committee

The Committee has been meeting weekly, now in executive (closed) session to deal with confidential personnel matters, to wit the annual evaluation of the Program Director. You all have received a survey questionnaire, please fill it out promptly to assist the committee. We are also conducting a survey in English and Spanish of the staff, and are considering various sources of data including the Neilsen ratings, TapSCAN, archive and podcast listening data, fund drive results, etc. in the light of the PD's job description and relevant Pacifica policies and PNB motions. We anticipate having a recommendation and report to the LSB by the meeting next month, so time should be reserved for a closed session to consider confidential personnel matters at that meeting in October.

2. Fund-raising Committee and Development Task Force (DTF)

The Fundraising committee has not met recently. A number of us along with Steve Kaiser, a former member, met to try to constitute the DTF and determined that it made the most sense, rather than re-inventing the wheel, to join forces with a national DTF convened by the PNB and chaired by Nancy Sorden. That grouping has had a few meetings with substantial representation from KPFK including me, Eric, Michael Adler, and Steve Kaiser among others. The national DTF is seeking ways the Board(s) can assist in off-air fundraising and membership growth, and is looking to attract, with the assistance of the iED, some pro bono assistance with fundraising/development expertise, and with social media outreach, promotion and fund-raising. We are also investigating ways to seek major donations from well-endowed progressives, and to duplicate the small-donor digital fundraising success that a number of progressive political figures have enjoyed.

The KPFK LSB Fundraising Committee will meet again on Tuesday, October 6 at 7:30 PM PDT telephonically to discuss off-air fundraising ideas and platforms, and the LSB role in the on-air fall fund-drive taking place in October, such as recording pitches, and augmenting the on-air drive with social-media and other fundraising efforts.