

The meeting was called to order at 10:16 A.M.

In attendance:

Mark Hinkle	Chair
Jon Petersen	Northern Vice Chair
Bob Weber	Southern Vice Chair
Elizabeth Brierly	Secretary
Eric Fine	Treasurer
Tammy Austin	At-large Representative
Sharon Ayres	At-large Representative
Ted Brown	At-large Representative
Gail Lightfoot	At-large Representative
Aaron Starr	At-large Representative and Treasurer's Assistant
José Castañeda	Alternate At-large Rep #2
Doug Ohmen	Rep from Region 1, East Bay
Mark Murphy	Rep from Region 30, Orange County
Dan Litwin	Rep from Region 37, San Diego
Joe Dehn	Rep from Region 43, Santa Clara
Kit Maira	Rep from Region 61, L.A. - San Fernando Valley
Jeffrey Sommer	Alternate Rep from Region 1, East Bay
Terry Floyd	Member of Region 1
Juan Ros	Chair, Region 61, LA-San Fernando Valley
Brian Lee Cross	Secretary of Region 30
Ray Strong	Member, Region 43
Richard Venable	Member, Region 40

I. Minor changes were made to the agenda.

II. Chair's Report (Mr. Hinkle)

A. Withease Contract

Mr. Dehn has tendered his resignation as "interim database coordinator." Mr. Hinkle solicited a bid from Thea McLean of Withease. She has maintained the LPC database in the past. He would like her to do report-generating functions as well as field occasional clerical tasks normally directed to the Chair. Mr. Dehn is willing to continue with his data conversion duties but Thea would take responsibility for the reports. This would constitute a contractual obligation.

Discussion included the question of whether to have Mrs. McLean charge the LPC on an hourly basis, which might prepare us, when considering hiring an employee, to know whether it would be a full-time or part-time position.

Motion: Mr. Starr made a motion that the LPC adopt the contract as written, provided that a cap is placed on the number of hours Mrs. McLean may spend on LPC business. Mr. Brown seconded the motion. A show-of-hands vote was taken (requires 10 ayes to pass):

In favor:	10
Against:	3
Abstain:	2 (including Mr. Hinkle)

The motion passed.

B. Contracts

Mr. Fine expressed uncertainty about how to process certain bills, especially when they seem to be related to contracts. The gist of the discussion of the bylaws provision requiring Executive Committee approval of any contractual obligations and financial liabilities, was an attempt to preserve the apparent intent of the provision while avoiding micromanaging of minor day-to-day expenditures. It was mentioned that, for example, if we were to assign a contract with an executive director that's going to involve liabilities over an extended period of time, it may well be appropriate to conduct a vote on it. Mr. Hinkle suggested that our arrangement with TMW Marketing (the apparent trigger for Mr. Fine's concern) was a one-time fee and should not have been considered a contract.

Ruling: Mr. Hinkle ruled that a contract is required only in the case of an ongoing obligation. Mr. Fine objected.

Mr. Weber remarked on the differences between a *quid pro quo* relationship and a contract. Mr. Dehn commented that the bylaws are not clear on the subject and that he believes the ruling is too lenient. He expressed concern about the word "ongoing." Ms Ayres stated that the bylaws are indeed clear.

Motion: Mr. Starr made a motion proposing a standing resolution, as follows:

"A financial liability is any obligation to pay greater than \$2,500.00. A contractual obligation exists if the term of the agreement exceeds 30 days."

The motion was seconded.

Mr. Dehn made a motion to substitute this for Mr. Starr's motion:

"The Executive Committee delegates to the Operations Committee the authority to approve contractual obligations provided that they do not exceed 60 days, \$10,000, or the budgeted amount for that category of activity."

The substitute motion was seconded; a vote was taken, which passed by a voice vote and became the main motion.

Mr. Murphy moved to amend the motion, changing the dollar limit to \$2,500 and the time limit to 30 days. The motion to amend was seconded.

Mr. Fine moved to amend the dollar limit to \$5,000.

A straw poll was taken to determine which dollar limit was preferred.

\$2,500	0
\$5,000	5
\$10,000	7

The amendment for a \$5,000 limit passed in voice vote.

The new motion, incorporating the amendment on the floor, became:

"The Executive Committee delegates to the Operations Committee the authority to approve contractual obligations provided that they do not exceed 30 days, \$5,000, or the budgeted amount for that category of activity."

Mr. Petersen moved to omit the dollar limit altogether, but after Mr. Dehn objected, Mr. Petersen withdrew his motion. All pending questions were called.

The motion for the amendment specifying 30 days and \$5,000 failed in a voice vote.

The main motion became:

"The Executive Committee delegates to the Operations Committee the authority to approve contractual obligations provided that they do not exceed 60 days, \$10,000, or the budgeted amount for that category of activity."

The motion for the new standing resolution passed in a counted show of hands vote:

In favor:	10
Opposed:	4
Abstain	1 (Mr. Hinkle)

III. Report of the Northern Vice Chair (Mr. Petersen)

A. Thea McLean (rather than Mr. Petersen) will be responsible for providing hard copy membership reports from Joe Dehn's data.

B. Mr. Petersen's five-part fund raising mailing was delivered to all but 44 of the 337 addressees:

Cost of printing & mailing:	\$177
Undeliverable:	44
Replies:	23
Contributors:	45
Save the 2/3	\$477
Members Galore	\$180
Ballot Status Plus	\$731
Alpine Notch	\$281
Free the People	<u>\$250</u>
Total:	\$1,919

C. The LP of Napa County is considering annexing Solano County since there is no organization there. They are starting discussions with ISIL and local Libertarians.

D. Plans are also afoot for another Northern Conference meeting sometime after the Executive Committee meeting. Details will be available on the LPC echo.

IV. Report of the Southern Vice Chair (Mr. Weber)

Nothing new to report since the recent convention in February.

V. Report of the Secretary (Ms Brierly)

A. The minutes of the Feb. 16, 1998 Executive Committee meeting were amended and approved with no opposition.

B. The minutes of the February, 1998 LPC convention were amended and were approved with no opposition.

C. There was discussion of the three recent Executive Committee mail ballots; all of them failed, one for lack of a quorum, the others due to insufficient votes in favor).

D. Mr. Weber presented Mr. Kim Goldsworthy's Style Committee report, which pertained to the LPC bylaws and platform, subsequent to the changes made at the February convention. Mr. Dehn proposed that with regard to the bylaws, the Executive Committee take seven days to review the Style Committee report. The Secretary will then call for a mail ballot in two parts: one part consisting of a blanket vote on the items that had no corrections or objections with the 7-day period, and the other part consisting of separate ballots for each item against which objections were raised. Mr. Dehn also proposed that we post to the Web what we already have in writing from the Secretary; there was no opposition to this proposal. The Style Committee's report on the Platform shall be deferred.

VI. Treasurer's Report (Mr. Fine)

Mr. Fine presented financial statements for activity through March. There was a discussion of the accounting for convention promotion expenses and the question of whether the convention should be considered to have made a profit, including issues of compensating Laura McFadden, the contractor, as outstanding bills remained. After Mr. Fine

suggested that a Convention Committee be created, Mr. Hinkle stated that the Operations Committee is the proper place for such questions. Mr. Weber made a motion to direct this question to the Operations Committee; the motion passed in a voice vote. Note: Mr. Fine opposed the motion.

VII. Telemarketing Report (Ms Ayres)

Ms Ayres presented a proposal for utilizing a third-party telemarketing company, TMW Marketing, to conduct fund raising for the LPC. Responding to concerns about bothering members, she commented that the only way to not bother anyone is never to write and never to call. The telemarketing company will conduct a training seminar with the LPC's script; Ms Ayres and Mr Dean will observe to ensure that the staff is comfortable with the script, etc. They will track the results, so we will be able to clean up our mail list with those who ask not to be called. Ms Ayres remarked that if we undertake this, by the next Executive Committee meeting we will have a great deal of information available for review.

Motion: Mr. Starr made a motion to modify the budget to allow for a revolving fund called, "Fundraising, Telephone, Net," with no specific amount. The motion was seconded, and passed in a voice vote (Mr. Fine opposed the motion).

Motion: Mr. Brown made a motion that the proposed contract with the TMW Marketing be adopted. The motion was seconded.

Mr. Hinkle recited the contract. Mr. Maira asked whether any Executive Committee members have a personal interest in the company; the response was in the negative.

A vote was taken (requires 2/3, or 10) on whether to adopt the contract with TMW:

In favor: 15
 Opposed: 0

The telemarketing contract is approved.

VIII. Executive Director Position: Hiring Juan Ros (Mr. Hinkle)

Mr. Hinkle, referring the members to the written proposed agreement, explained that we would not be assuming the responsibility of a direct employer, but would be using an employee leasing company to employ Mr. Ros as our executive director. Michael Cloud's fund raising letter duties would be turned over to Mr. Ros in 1999. There was discussion of the distinctions between the responsibilities of Withease Services and Mr. Ros.

There was discussion of Mr. Ros's need and responsibility for an LPC credit card (for trips to Sacramento, etc.) and whether a dollar limit should be placed on it. Mr. Sommer inquired about the media relations role Mr. Ros would play. Mr. Murphy expressed concern about finances, and summarized the new expenses we face after our ballots of earlier in the day. Mr. Litwin asked Mr. Ros his comfort level with the LPC's current bank balance; Mr. Ros reported that he's happy with the current balance and that he and his wife are willing to have him take on some understandable level of risk.

Mr. Brown remarked that the membership has been enthused about the project and that once Mr. Ros is on the job and performing, we can easily demonstrate action. It was commented that this could be another draw for additional successful fund raising.

Motion: Mr. Brown made a motion that the LPC hire Juan Ros pursuant to Page 1 of the proposed agreement. The motion was seconded.

It was proposed and agreed upon that the reference to a bonus be removed until the next meeting, and that the word "travel" be deleted.

The results of the roll-call vote were:

Tammy Austin	no	Dan Litwin	yes
Sharon Ayres	yes	Kit Maira	no
Elizabeth Brierly	yes	Mark Murphy	no
Ted Brown	yes	Doug Ohmen	yes
Joe Dehn	yes	Jon Petersen	yes
Eric Fine	yes	Aaron Starr	yes

Mark Hinkle	yes	Bob Weber	yes
Gail Lightfoot	no		
In favor:	11		
Opposed:	4		
Abstentions:	0		

Thus, the motion carried; Juan Ros has been hired as Executive Director of the Libertarian Party of California.

IX. LPC's Position on the California Ballot Propositions (Mr. Brown)

A. Proposition 219: Ballot Measures; Application

Mr. Starr made a motion to support Proposition 219. Mr. Petersen seconded the motion. This vote was deferred until other measures were discussed. When discussion resumed, Mr. Weber made a motion to support it. Instead it was agreed to vote on whether to support the measure or to take no position:

Support:	9
Take no position:	1

o The LPC will endorse Proposition 219.

B. Proposition 220: Superior and Municipal Courts' Consolidation

Discussion included a comment that this measure "will help handle the explosion of the 'three strikes and you're out' law."

A motion was made to take no position on Proposition 220. In a voice vote the motion passed, with some opposition.

o The LPC will take no position on Proposition 220.

C. Proposition 221: Subordinate Judicial Officers; Discipline

A motion was made to take no position on this measure. The motion was seconded. After some discussion and objections, the motion was passed in a voice vote.

o The LPC will take no position on Proposition 221.

D. Proposition 222: Murder; Peace Officer Victim; Sentence Credits

Mr. Brown opposes the measure. Ms. Lightfoot pointed out that it replaces an existing law.

A motion was made to oppose this measure. In a show of hands vote, the motion passed:

In favor:	9
Opposed:	0

o The LPC will oppose Proposition 222.

E. Proposition 223: Schools; Spending Limits on Administration

It was mentioned that LP member Richard Rider has written an article opposing this measure, and that *United Teachers of Los Angeles* are supporting it.

A motion was made to have one combined vote, either for taking no position or for opposing the measure. The motion was seconded. The results of the show-of-hands vote were:

No position: 8
Opposed: 5

o The LPC will take no position on Proposition 223

F. Proposition 224: State-Funded Design and Engineering Services

It was mentioned that this has been dubbed the “government cost savings and taxpayer protection act,” and Mr. Ohmen mentioned that it is the so-called “CalTrans protection act.”

A motion was made and seconded to oppose this measure. The motion passed without dissent in a show-of-hands vote.

o The LPC will oppose Proposition 224.

G. Proposition 225: Limiting Congressional Terms

Mr. Litwin argued against endorsing this measure, saying that, if passed, it will be ruled unconstitutional. It was also mentioned that its initial supporters have abandoned it.

A motion was made and seconded to conduct a combined vote. The results were:

To endorse: 0
To oppose: 3
To take no position: 10

o The LPC will take no position on Proposition 225.

H. Proposition 226: Political Contributions by Employees, Union Members, Foreign Entities

Mr. Sommer asserted that by supporting this we would be condoning government mandates in private employer-union-employee relations.

A motion was made and seconded to conduct a combined vote. The result of the show-of-hands vote was:

To endorse: 7
To oppose: 6
To take no position: 0

o The LPC will take no position on Proposition 226.

I. Proposition 227: English Language in Public Schools

A motion was made and seconded to conduct a combined vote. The result of the show-of-hands vote was:

To endorse: 10
To oppose: 2
To take no position: 2

o The LPC will endorse Proposition 227.

X. 1999 LPC Convention Bids

A. Mr. Hinkle presented a bid from the Libertarian Party of California.

This bid proposed that the convention be held in San José, at the Airport Doubletree Hotel, over the Presidents Day holiday weekend. Discussion. Mr. Ohmen expressed concern that Mr. Ros could become burdened with convention planning, whereas in our vote earlier today on his being hired it was clear that he would have many important responsibilities already. Mr. Fine commented that it would be unlikely to obtain C-SPAN television coverage of our convention in the other yet-to-be-proposed convention site, San Luis Obispo.

B. Mr. Venable presented a bid from Region 40 (San Luis Obispo County) of the LPC.

This presentation mentioned that there are three television stations in San Luis Obispo, and two airports nearby. This proposal might or might not be slated for the Presidents Day holiday; a non-holiday weekend could afford lower hotel rates.

Motion: A motion was made and seconded to accept the bid by the LPC.

(Note: Mr. Brown and Mr. Starr excused themselves from the meeting; Mr. Castañeda, the only alternate representative present, stepped in for the purposes of voting.)

Motion: A motion was made and seconded to have members vote to indicate their **preference** between the two proposals. The result was:

San Luis Obispo:	8
San José:	6

Motion: Ms Ayres moved to set the date of the convention to that of the Presidents Day holiday weekend; this motion was seconded and passed in voice vote.

Motion: A motion was made to undertake the contract with Region 40, San Luis Obispo. The motion (requiring 2/3 to pass), failed:

In favor:	9
Opposed:	0
Abstain:	4 (including Mr. Hinkle)

Motion: Mr. Weber moved that we accept the LPC's proposal to hold the convention in San José; the motion was seconded.

Motion: Mr. Ohmen amended the motion to prohibit Mr. Ros from serving as the convention manager; the motion was seconded.

Substitute motion: Mr. Weber moved that the chair shall appoint a convention organizing committee; this substitution passed; the results were:

In favor:	8
Opposed:	2
Abstain:	1

The motion passes. The 1999 LPC convention will be held in San José.

XI. Next Meeting

The next meeting will be held on August 15, 1998 in southern California.

XII. The meeting was adjourned at 6:55 P.M.