

**CONSTITUENCY EXECUTIVE COMMITTEE MEETING
THURSDAY, MAY 27TH, 6-8 PM**

- Secretary calls the meeting to order at 6:07.
 - Bruce Rutledge, Mark Brady, Gordie McIntyre, Lisa Connolley, Nick Setten, Bob Messina, Colleen Bowman, Devin McComb, Haley Land, Joan Paulson, David Ghodoussi, Skip Knox in attendance
- Bruce moves to approve agenda. Agenda approved by acclimation..
- Bruce moves to approve minutes.
 - Joan mentions that minutes should be put forward twice before being approved.
 - Gordie says that the March minutes have been put forward twice and thus can be approved.
 - March minutes approved.
 - Aye: Nick, Gordie, Mark, David, Bruce
 - No: Joan
- Public comment
 - Haley asks about the status of the membership list considering the upcoming phone-banking efforts. He also asks about the status of the election committee and wondered about the number of members whose membership expired at the end of April. He expresses concern about the “membership section” of the website, which he says needs to be publicly discussed. He mentions that Adora wants to discuss the status of the election committee.
 - Mark mentions that the membership list has been passed to Bruce. Bruce confirms that he received the membership list from Laurie Johnson.
 - Gordie says there are probably more than 200 calls that need to be made. Bruce says a quick look at the membership list confirms that most of the 250+ members still need to renew their memberships.
 - Colleen offers congrats to Bruce for stepping in to fill the treasurer-secretary position and offers her help if necessary. She brings up four items: 1) There are issues with the text of the membership page of the Constituency’s website. She says that Patrice Barrentine, vice chair of the PDA Council, pointed out that the website says the Constituency conducts oversight of the PDA, which Patrice argues is not accurate. 2) In the first paragraph, it states that anyone who lives in Washington state is eligible to join the Constituency, but there is actually nothing in the bylaws stating one must live in Washington to be a member. Colleen asks for clarification. 3) Later, she says there is a phrase about “sacred rights” being eroded that is “not hitting ears or eyes well.” 4) The Constituency’s stated privacy policy to not share contents of its membership list is in direct conflict with the Public Records Act of Washington and may violate terms of the organization’s liability insurance. She says that the language on the Constituency’s website using words such as “sacred” is being perceived as openly hostile to the PDA
 - Bob suggests striking the term “sacred.”
 - Haley argues that the term “oversight” has two meanings: one connotes control, and the other connotes reporting back to.
 - Gordie suggests changing “sacred” to “inalienable.” He also says that he has studied the Constituency’s bylaws and that as far back as he can trace, the Constituency’s stated role was to provide oversight of the PDA.
 - David suggests just including the basic rules of the Constituency on the website without any editorializing.
 - Nick says it seems clear that the word “sacred” is not acceptable.
 - David suggests a compromise by amending the membership page text to be more specific and striking out any editorializing. He suggests just using language from the PDA charter and constituency bylaws.

- Nick moves to direct the website administrator to use simple and concise language on the Constituency’s website and strike any erroneous statements that restrict membership by geography. Bruce seconds.
 - Discussion
 - David asks that the passage about restricting membership by geography be stricken from the motion.
 - Gordie suggests striking the phrase “anyone who lives in Washington state.”
 - Skip says that this is further evidence of need for a good editor to keep the editorializing out of the newsletter and website.
 - Haley says the website language should ultimately encourage people to want to be members of the Constituency.
 - Aye – Haley, Bob, Colleen, David, Mark, Gordie, Bruce
 - No – Joan
 - Abstain – Skip

- Election Committee Report
 - Gordie says the chair of the elections committee is unavailable tonight, so he will speak in her place. He says no nominations have been taken, and this should happen at the next GA meeting. The constituency needs nominations for chair, secretary and two at-large seats.
 - Nick, Haley, Gordie, and Adora Lopez (not present) will spearhead the phone-bank efforts to make sure members have a chance to renew lapsed memberships.
 - Haley asks who has access to the membership list. He mentions that the cutoff date for being eligible to vote in the July election is June 20, which is just three weeks and three days away.
 - Gordie says he has received about 45 renewals.
 - Nick points out that Adora has put together a membership renewal program.
 - Haley says there is an issue with the membership list. He’s not sure who has it or what state it is in. With the deadline for membership registry on June 20, just two weeks away, he asks if we can have a resolution about getting the membership list.
 - Mark suggests that Bruce and Gordie update the list over the Memorial Day weekend so that it can be sent out to the election committee members for phonebanking. He says Memorial Day weekend would not be a good time to do the phonebanking.
 - Gordie says there are currently 257 members on the list. He also says that Adora says phonebanking works better on the weekends, although in his experience, Gordie prefers doing it midweek.
 - Haley says that access to the list needs to be sorted out. He asks how many members have signed up as of May 1 and up to now.
 - As for the phonebanking team, Nick, Haley, Gordie, and Adora express interest in volunteering.
 - Colleen asks whether phonebanking volunteers will be campaigning.
 - Gordie says that there will be no campaigning.
 - Haley says the phonebanking is just about renewing membership, but that phonebankers should mention the upcoming election.
 - Gordie agrees.
 - Haley says we need to sort out whether the membership list can be shared.
 - Gordie says the membership list is a public document and can be shared with people who request it.
 - Haley suggests that we send a letter to membership soon informing them about how to renew their membership.
 - Mark says he will ask Laurie Johnson to get something out soon.

- Nick mentions that there will be a demonstration of online voting so that people can understand the system. He also mentions that meetings from June will be run via a new Zoom link provided by the PDA.
- Haley asks if there is a date for the demo of Election Runner. Nick says no but says it will be done by the next general assembly meeting.
- Colleen says that Adora will administer the Election Runner demo.
- Bob asks whether there are any checks for people who try to vote in person and online.
- New Business
 - Nick says he doesn't have a record of any resolution regarding a privacy policy.
 - Gordie is the only one who's read through all the binders, and has never seen a privacy policy articulated in the last year. He has a copy of the policy that showed up in his email box this year, but to his knowledge there was never a policy that was agreed on.
 - Haley says he is curious what the privacy policy says and how it came to be added to any document, irrespective of whether it's in conflict of state law.
 - Gordie says that to his knowledge it was never voted on. He says it's been made apparent since then that anyone who requests it may have it since it's a public doc. He says there is a note at the bottom that states "unless required by authority."
 - Colleen says there are multiple issues with the policy on the constituency website. The privacy policy states in par:
 - "We will not disclose your information to anyone except our board members without your written permission unless we are required to comply with a subpoena or another legal process. The Pike Place Market Constituency stores and processes your personal information on computers with the latest security software and protects your information using strict security measures to reduce the risk of loss, misuse, unauthorized access, disclosure, or alteration to your data. Some of the safeguards the Pike Place Market Constituency uses include firewalls, physical access controls, and information access authorization controls.
 - Colleen notes, for example, that the sentence "We will not disclose your information to anyone except our board members without your written permission unless we are required to comply with a subpoena or another legal process" is in conflict with state law.\
 - Haley asks if this privacy policy is only about the membership list or if it refers to anything else. Gordie says this is only about the list.
 - **Nick moves that whereas the privacy policy was never voted on, and whereas it is out of accord with state law, we direct that we have the privacy policy removed from the website and other communications as soon as possible.**
 - Gordie seconds the motion.

Discussion

- Joan says that when we decided as an organization to do the newsletter it included the creation of a privacy policy. She says it happened 11 years ago.
- Nick says he doesn't think that is true.
- Based on Article V, Sec V of the Constituency bylaws, this vote includes all members attending this meeting.
- Haley speaking about Good Governance, there are a few places in the Constituency organization where our ducks are not all in a row and inconsistent with WA state law. Says we need to prioritize being in compliance with State Law.
 - Aye – Colleen, Devin, Haley, Bob, Mark, David, Gordie, Bruce
 - Nay – Joan
- **The motion passes.**

Membership page

- Oversight
From the Constituency website:
Enacted in 1971, the Save the Market Initiative legislated the official role of the "public" in the oversight of the PDA and PDA Council via the establishment of the Constituency.
- Haley has said a few times there are two definitions of “oversight”: one connoting control, the other connoting “reporting back to.” We don’t have “control” oversight but have an obligation to report back to the community.
From the Constituency website:
In order to preserve these sacred rights - particularly since recent actions have been taken to erode these rights-we encourage you to actively participate by exercising your "voice" to ensure the Market is serving the "public's" interest by renewing your membership or joining the Constituency in 2021...
- Bob says the word “sacred” is inappropriate.
- Colleen calls out the phrase “particularly since recent actions have been taken to erode these rights.”
- Gordie agrees deleting the word “sacred,” suggests replacing it with “inalienable.”
- David thinks we should just print and point out what our factual role is. Rather than rewriting this whole section, just print exactly the paragraphs of the bylaws that fulfill what the role of the organization is.
- Nick says he has read and offers to share the legal opinion from Pacifica.
- Mark says the word oversight is in our bylaws.
- Colleen says that there is no discussion here about changing bylaws, but trying to find out about the language that is on the site, who wrote it, when it was added, etc.
- Nick moves to strike some language as follows:

Enacted in 1971, the Save the Market Initiative legislated the official role of the "public" in the oversight of the PDA and PDA Council via the establishment of the Constituency. – Replace this with “participation” instead of “oversight,” and list our directives as listed in our bylaws.

In order to preserve these sacred rights - particularly since recent actions have been taken to erode these rights-we encourage you to actively participate by exercising your "voice" to ensure the Market is serving the "public's" interest by renewing your membership or joining the Constituency in 2021, to vote in our elections, and to communicate your concerns to the following: - Strike the word “sacred” and the phrase “Particularly since recent actions have been taken to erode these rights.”

Discussion

- Bruce seconds.
- Haley is in favor.
- David agrees, but thinks this is too wordy. He suggests using text from Constituency Bylaws and PDA Charter to make it easier and understandable. He also says that we need to start numbering motions.
- Nick accepts the amendment to just replace all text on the membership page with with Constituency duties and bylaws
- **Motion 052721 – Nick moves to replace the membership page language with simple, clear, and concise language about how to be a member and what it takes to be a member and how to register and renew. He also moves to strike the erroneous “residents of Washington” phrase.**
- Bruce seconds.

Discussion

- David says he is in favor of the first part but won't vote for it if the language about geography is included.
- Skip says there is no reason to have a succession of motion numbers that were on the cutting room floor if the motion is amended.
 - Aye – Haley, Bob, Colleen, David, Mark, Gordie
 - Nay – Joan
 - Abstain – Skip
 - **Motion passes**

Public Comment

- Skip says that lots of time has been spent discussing language on the website, which is often editorialized. He says care must be exercised when offering an opinion to state whose opinion it is.
- Haley commends Bruce on his running of the meeting.
- Bob agrees with Haley. He says we don't have to worry about a runaway editor, and thanks Skip for his professional parliamentary comments about numbering motions.
- Colleen agrees with Haley and Bob. In regards to Skip's question about membership voting, she reads article V, Sect 5 of the bylaws.
- Skip says as a student of bylaws and language he thinks that the article Colleen cited could be construed as vague and may refer to either the Executive Committee or the membership and suggests reviewing this at a Bylaws Committee meeting.

7:57 p.m. Meeting is adjourned.