

California Grand Jurors' Association Board of Directors Meeting— August 23, 2016

MINUTES

A. Call to Order and Roll Call

The roll was taken, and the meeting began at 7:02 PM.

Present: Directors Karen Jahr (president), Lloyd Bell, Medsie Bolin, Rich Knowles (joined at 7:56 pm), Jerry Kunkle, Joann Landi, Jerry Lewi, Jim Ragan, Barbara Sommer, Andi Winters

Absent: Marsha Caranci (excused), Mac Small

B. Agenda and Comments

B-1 Agenda Approval: Jahr

The Board unanimously approved the agenda.

B-2 CGJA Member Comments

None

C. Consent Items

C-1 Approve Regular Board Meeting Minutes, 06/28/16: Ragan

C-2 Acknowledge Committee Minutes and other documents in 08/23/16 meeting packet: Jahr/Ragan

The Board unanimously approved the consent items.

D. Officer and Committee Chair Reports

D-1 President's Report (Jahr)

Jahr reminded the Board of the contacts she has received over the past few months from the Grand Jurors' Association of Orange County (GJAOC) about SB 1292 and said that it had provided a thoughtful analysis of the bill. During a conference call yesterday, members of GJAOC made a number of proposals about how they could join forces with CGJA to prepare for the potential revival or reintroduction of the bill. Jahr said that she has appointed an ad hoc committee (Bell, Caranci, Johnson, and Jahr) to work with GJAOC's team. The joint committee agreed that GJAOC will continue to monitor the bill to see if it comes out of suspense by August 30 (after that date, it will be dead for the year). The committee will prepare a letter to the chapters soliciting ideas about legislative changes that could be beneficial to grand juries; these could be used as bargaining chips if the bill is revived or new legislation is introduced. The committee will also prepare a request to chapters that they help analyze a year or two of responses to grand jury reports to determine the frequency of responses that assert that the report is inaccurate in order to counter CSDA's informal survey of

special districts. This request would be in matrix form. Finally, Jahr noted that she has agreed to GJAO's request to speak to the Board about these matters at our November retreat. Lewi offered his help in producing the matrix for chapters to respond to the request just mentioned.

Jahr briefly discussed some legislation that is being proposed by the state's county clerks having to do with the roster of public agencies. Board members agreed that since the proposed legislation is not directly related to the grand jury system, we won't get involved.

Jahr reported that Todd Lloyd has resigned as chair of the Awards Committee. Landi and Sommer said that the committee is continuing to do its work and is getting ready to decide on the award recipients for this year.

Jahr mentioned that she will be away for vacation from August 30 until just before the September 27 Board meeting and thanked Ragan and Bell for preparing for that meeting while she is gone.

D-2 Officer Reports

Vice President Bell. No report.

Treasurer Bolin. No report. Bolin referred Board members to the financial statements in the Board meeting packet.

Secretary Ragan. No report.

D-3 Legal and Legislative Resources Committee (LLRC)

Vice Chair Jahr reported that there was no meeting in July due to committee members being on training assignments. She said that LLRC is receiving a number of questions that are easily answered in the training manual. LLRC is also considering adding new members to the committee.

D-4 Public Relations Committee (PRC)

Chair Ragan said PRC is moving ahead on transitions with respect to a new webmaster, Larry Herbst, and a new Journal editor, Lanny Larson. Lewi and Ragan will work with them. Ragan also said that Herbst pointed out that there is no description of PRC on our website. He has prepared the first draft of such a description, and PRC will act on it at its September meeting.

D-5 Membership Relations Committee (MRC)

No report. Chair Knowles had not yet arrived at the meeting.

D-6 Training Committee (TC)

Jahr said that Caranci is excused from the meeting, but the Board meeting packet contains the TC meeting minutes for August. Bolin thanked Landi for the tremendous job that she does in processing all the training invoices. Jahr added her recognition and thanks to Joann and all the other people who work "behind the scene" in our training and other efforts.

D-7 Finance Committee (FC)

Chair Bell said that FC has begun the budget process for 2017, and all committees should start the process, as well. In October, FC will send to all committees their year-to-date expenditures for 2016 through September. The FC will need all budget proposals for 2017 by early November.

D-8 Nominations-Elections Committee (NEC)

NEC Chair Lewi said that the election ballot is at the printer. He expects that it will be mailed to members on August 29 or 30. The five CGJA members in Ventura County will prepare the mailing. He said that NEC is now considering recommendations for CGJA officers, who the new board will elect. They will be recommendations only. Currently, he said, three incumbents – the vice president, the treasurer, and the secretary – have agreed to stand for reelection.

D-9 Awards Committee (AC)

AC Vice Chair Landi reported that the Rolando award subcommittee is ready to go; there are eight more days to receive nominations. EIR subcommittee chair Sommer said that the EIR nominations are due by the end of August. Bell asked whether it is the practice for the ACC to send confirmations of receipt of nominations. Sommer replied, yes. Bell said that he had received an inquiry from the Contra Costa chapter, which submitted a nomination but had not yet received a confirmation. Sommer responded that she had confirmed to Contra Costa but would do so again, with a copy to Bell.

D-10 Annual Conference Committee (ACC)

Chair Bell reported the ACC has modified the 2016 annual conference schedule to allow for more socializing. He said that the conference program will contain annual committee reports, with committee chairs present at the conference to answer questions. He announced two needs. First, the ACC needs someone to take all of the printed program information into a consistent format to deliver to the printer. Sommer volunteered to do so.

Second, the ACC is seeking a venue for the 2017 conference. ACC would like to announce this need in the next e-Blast to members, which will be in September. Lewi asked if this announcement might be premature, since we don't yet know how successful the new one-day format will be. Bell responded that it isn't too early to get chapters thinking along this line. Maybe someone will come along to help return to the two-day format. Jahr agreed. This planning takes time. Bell said that the long lead time is especially important for the two-day conference because of the need to get many panelists and speakers. There was general agreement to announce the need in the September e-Blast.

Winters asked about the advantages of holding the annual conference in the same location. There was general agreement that a one-day conference should be in a central location and that Sacramento is the logical place because there are many chapters in the area, we know the Sacramento facility we use, and the travel is not overly burdensome for most.

E. Action Agenda

E-1 Article 4, section 2(b) of our Bylaws requires the Board of Directors to approve associate memberships. At the June 28 Board meeting, it was noted that there are no criteria for the Board to use in considering whether to approve associate memberships. The Board referred the issue to MRC for a recommendation. There were several points of view expressed at the MRC meeting. As a result, MRC is proposing two options. The majority view is that CGJA should be an inclusive organization and not put any constraints on associate membership. Option #1 reflects this view. It removes the requirement for Board of Directors approval. There also was concern expressed about the possibility of an unvetted associate member taking action that would reflect adversely on CGJA. However, it was noted that this possibility exists with respect to voting members as well as associate members. Option #2 requires that an applicant for associate membership be recommended by a voting member. MRC recommends adoption of Option 1. If it fails, then MRC recommends adoption of Option #2. Both options are submitted by Knowles (who joined the meeting at 7:56 PM, prior to consideration of action item E-1). Each action requires a 2/3 vote of directors holding office to pass.

Option #1

Amend section 2(c) of Article 4 as follows:

“Associate Members. Any person interested in the affairs of the Corporation or the California grand jury system ~~may be approved by the Board as an associate member upon payment of dues~~ **is eligible for associate membership. Associate members shall pay dues. They** are not entitled to vote on Corporation issues. Associate members may serve on committees.”

Option #2

Amend section 2(c) of Article 4 as follows:

“Associate Members. Any person interested in the affairs of the Corporation or the California grand jury system ~~may be approved by the Board as an associate member upon payment of dues~~ **shall be eligible for associate membership if a voting member in good standing recommends that the person be granted associate membership. Associate members shall pay dues. They** are not entitled to vote on Corporation issues. Associate members may serve on committees.”

Discussion

Discussion focused generally around whether to be more inclusive (those favoring Option #1) or whether there should be some extra screening of applicants who had not been grand jurors (those favoring Option #2).

The voting procedure was to vote first on Option #1, MRC’s recommended option. If it were to pass, Option #2 would be moot. If Option #1 were to fail, then the Board would vote on Option #2.

The roll call vote on Option #1 was 6 YES (Knowles, Landi, Lewi, Ragan, Sommer, and Winters) to 4 NO (Bell, Bolin, Jahr, and Kunkle). There were no abstentions. The motion failed, since a 2/3-affirmative vote (8 YES) is required to pass.

The roll call vote on Option #2 was unanimous: 10-0-0. The motion passed.

Following the vote, Bolin asked if there would be a changed procedure on the website to ensure that an applicant to be an associate member cannot automatically charge the dues amount. Ragan responded that this issue is the purpose of the second action item this evening, E-2.

E-2 Approve removal of the electronic payment option for associate member applications only from the CGJA website. [Motion submitted by Bell]

CGJA bylaws state that interested individuals “may be approved by the Board as an associate member upon payment of dues.” Board approval should be obtained prior to the transfer of funds. However, this process has been recently circumvented twice by means of applying for associate membership through the CGJA website and providing credit card information, which is immediately processed as a credit to the organization. The issue is that the applicant’s funds have been received ahead of the Board vote, creating a sense of obligation on the part of the organization to approve the membership, thereby creating undue influence on the two-step process. The problem would continue even with the passage of Option #2 of E-1 above. The effect of removing the electronic payment option for associate membership from the website would be that the dues payment would be by check along with the application and the recommendation of one voting member in good standing.

The motion passed unanimously, 10-0-0, by voice vote.

Jahr said, in implementing the two actions this evening, we should appropriately revise our policy manual dealing with associate membership. Bolin asked how the changes would appear on the website with respect to applying for associate membership. Lewi said that he has already removed the electronic payment option. Further research is required with respect to telling applicants how they can apply. He asked MRC to give him the proper wording; he as webmaster will then do the mechanics.

F. Director Comments

With respect to information item H-5 on the administrative tasks for September, Jahr asked, “what is GEN reporting for subsidiaries?” Bell responded that this is a report generated by the IRS that presents CGJA as the parent organization and our chapters as subsidiaries under the group exemption for nonprofit status. He said he has just received the latest GEN. He will send it to Jahr, MRC, and TC to make sure that all the information is current and as accurate as we can make it.

G. Adjournment (8:19 PM).

Respectfully submitted,
Jim Ragan, Secretary