



Montclair Safety and Improvement Council (MSIC)

A Neighborhood Crime Prevention Council (NCPC)

Public Meeting Minutes

Thursday March 26, 2015 7:00 p.m. to 8:35 p.m.

Montclair Presbyterian Church, 5701 Thornhill Drive, Oakland California

www.montclairsic.org

The special MSIC meeting was called to order at 7:00 p.m. by Chair Jill Broadhurst, who defined the purpose of the meeting: to discuss and vote to ratify MSIC Bylaws. The proposed revised Bylaws had been posted on www.montclairsic.org Website and announced on the MSIC Yahoo! Group. After a period of community feedback the Bylaws Subcommittee and Steering Committee agreed upon three amendments to the revised Bylaws.

MSIC Steering Committee members attending:

Jill Broadhurst, Chair
Jim Clardy, Treasurer
Peggy Esposito
Nicki Kaiser
Doug Mosher
Sandra Pohutsky
Josh Shaw
Michael Tigges

Steering Committee members unable to attend:

Nancy Havassy
Barry Klezmer

Others in attendance: 8 Montclair residents, who were eligible to vote.

Guests in attendance: people who live outside of the MSIC area and were not eligible to vote; Angie Haller, Felicia Verdin, Police Officer Jurgens-Duenas, Patricia Rose, Joe De Vries from the office of the Oakland Administrator and Nancy Sidebotham who filmed the meeting.

OPEN FORUM

Comments from attendees, limited to two minutes per speaker:

Nick Vigilante said that things weren't adding up and stated that there were officers of MSIC yet there had been no elections held. He wants to see the following: 1. Annual public elections for all steering committee members 2. All meetings open to the public 3. Agendas posted on the Website. He mentioned compliance with Oakland City Council Resolution No. 79235.

Mimi Rohr asked about a motion made from the floor at the February 5th meeting, which was not on the agenda.

The open forum was closed at 7:08 p.m.

PROPOSED AMENDMENTS TO MSIC BYLAWS

Nicki Kaiser, a member of the Bylaws Committee, reviewed the three proposed amendments:

- 1.) Section II Purpose: Add: "As a Neighborhood Crime Prevention Council (NCPC), MSIC complies with the section 4 of Oakland City Council Resolution No. 79235".
- 2.) Replace all instances of "Appointed Representatives" with "Community Organization Representatives."
- 3.) Replace all references to "two year term" with "one year term."

VOTE ON THE PROPOSED AMENDMENTS

Amendment 1: 12 yes, 3 abstentions

Amendment 2: 11 yes, 2 abstentions

Amendment 3: 13 yes, 2 no, 1 abstention

The eight members of the Steering Committee present voted yes on each amendment.

VOTE ON THE BYLAWS AS AMENDED

Jill Broadhurst moved that we ratify the Bylaws as amended. Second: Jim Clardy

Discussion followed:

Nicki Kaiser stated that the intent of the Bylaws is to clarify the existing Bylaws, including publishing of agendas and elections.

Nicki Kaiser explained the reasoning behind the quorum requirement of the greater of 50% or 5. The definition quorum is not 50%, but rather the minimum number of members of a body necessary to conduct business. Robert's Rules of Order suggests that a quorum can be 50%, but RRO also explains that this is not always the best number. In the case of a committee that can have as few as 7 members a simple 50% quorum would result in 4 members being defined as sufficient to conduct business. This is both an even number and too small. Thus the absolute minimum for a quorum of Steering Committee Members was set at 5.

The addition of the large section on disruptive behavior came from the Oakland City Attorney's Office and the Neighborhood Services Division, to conform to Bylaws of other NCPCs in Oakland.

The application process to serve on the MSIC steering committee is now defined. Nicki Kaiser and Josh Shaw discussed this process in detail.

Nick Vigilante is concerned that his complaints have not been responded to.

Jill Broadhurst stated that we are a certified Neighborhood Crime Prevention Council (NCPC) and we have our Bylaws but every NCPC runs their meetings differently.

There have been 3 sets of MSIC Bylaws. The original Bylaws were based on corporation Bylaws and were too extensive and out of date. Simplified Bylaws were passed by the Steering Committee several years ago and posted on the MSIC Website. The Bylaws were valid and in compliance; the certification process was not otherwise defined by the City of Oakland.

The amendments to the Bylaws under consideration tonight may become the third set of Bylaws.

Jill noted that the Bylaws Committee members (Nicki Kaiser, Jim Clardy and Jill Broadhurst) had put in a lot of volunteer time outside of their busy schedules in reviewing and proposing the amendments.

David Sarber asked why there wasn't an opening for a Montclair Village Association representative and what the restrictions are. Jill replied that the MVA has always been asked to have a representative fully participate on the MSIC steering committee but there has been none for more than a year.

Daniel Swafford questioned why the MVA representative was not given voting rights. Jill Broadhurst said that was not true. Sandra Pohutsky said that the former MVA representative stopped attending MSIC meetings.

Daniel Swafford had a lot of questions about public election of MSIC Steering Committee Officers as defined in section IV of the Bylaws.

Response: Candidates run for and may be elected to the Steering Committee. Then, during the same election meeting Officers are nominated from the pool of elected Steering Committee members and voted upon. Candidates can indicate that they have an interest in becoming an Officer on their application.

Elections will be held May 7, 2015, at the second quarterly meeting.

Nick Vigilante wants answers from MSIC on the last election. He wants records for his pending complaint.

Question from someone in the audience elicited the following response: Barbara Goldenberg, who used to be the secretary, resigned. Since then the office of secretary has not been filled. The board and meeting notes were not passed on to the succeeding Steering Committee.

Question from Nick Vigilante: What is the closing date for applications? April 7, 2015.

Joe DeVries, Assistant to the City of Oakland Administrator, said he realizes we are all volunteers and that he has several suggestions:

1. He suggests that we have a specific number of people on the steering committee instead of the range provided in our Bylaws
2. He suggests that more issues be put to a public vote by those eligible attending MSIC meetings
3. He suggests that an annual election be held and that those who represent community groups be elected by their organizations.
4. He suggests that terms be for two years for the sake of institutional knowledge.

A discussion followed concerning how a resident of Montclair and an appointed person from an organization such as the Montclair Village Association, would only have one vote. Furthermore, a community organization may elect someone who doesn't live in Montclair to be their representative on the MSIC Steering Committee.

David Sarber pressed the question about who gets to serve on MSIC steering committee. Jill Broadhurst answered that we all do. We all get to decide at the election. We are inclusive, not exclusive. In the past, it was difficult to find volunteers to serve on the steering committee.

Jill Broadhurst said that the role of MSIC has changed in the last 12 years. It originally was a vital link in communication via the Yahoo! Group. Now the widespread organization of neighborhood groups with their own email lists and the fact that the Oakland Police Department communicates to residents via NextDoor.com and Twitter have all changed the role of MSIC for Montclair residents.

Nayeli Maxon, assistant to Anne Campbell-Washington, District 4 city council member, volunteered to help find a public meeting space for future MSIC meetings and to post announcements of steering committee meetings and community meetings in the Anne Campbell-Washington's newsletter.

Nicki Kaiser explained Range Voting which would be used in the MSIC elections if needed.

An attendee asked if there would be an opportunity for a candidate to make a speech on why they want to be elected. Response: Yes, at the beginning of the meeting in the portion allowing for general comment.

At 8:25 an attendee called for the question on adopting the amended Bylaws.

Vote on adopting the amended Bylaws, of 15 eligible to vote in attendance:

Yes: 12

No: 1 (Daniel Swafford)

Abstention: 1 (Nick Vigilante)

ADJOURNMENT

Meeting was adjourned at 8:35 p.m.

Minutes submitted by: Peggy Esposito and Sandra Pohutsky