

PROPOSAL NAME

Ape Foundation To Clarify Ability To Terminate Contracts

TEAM DESCRIPTION

[@SmartAPE](#) // Derek Smart, DAO member and writer-of-many-words

I am an indie software developer who has been in the games industry as a gamer and game dev for over 40 years. I have designed, developed, and published over a dozen games during my career.

My first game, Battlecruiser 3000AD (aka BC3K), was a ground-breaking game that was ahead of its time. Published by Take Two interactive in 1996, it was one of their portfolio titles when [they went public](#) in 1997. So, you could say that I helped the company succeed to where it is today.

Over the decades, I have worked with some of the best software developers and publishers around the world, and my works have been featured in various online and print magazines around the world.

You can learn more about me on my professional [LinkedIn page](#).

PROPOSAL DESCRIPTION

The ApeCoin DAO [governance guidance](#) indicates that the DAO has the ability to replace, at any time, a board member - that being a member of the Special Council - via a DAO vote.

This proposal seeks written

clarification from the Ape Foundation regarding its interpretation of this guidance.

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dao_guidelines

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ABSTRACT

[ApeCoin Governance](#)

[ApeCoin DAO Dissected: The Foundation](#)

[AIP-1: Proposing the DAO - Process](#)

[WebSlinger: APE Foundation Cayman Administrator](#)

[APE Foundation Players – The Special Council \[AIP-282\]](#)

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1. In June 2023, [AIP-277](#) was written with the expressed purpose of reducing the salaries of the Special Council.

After much discussions with the GwG, disposition of that AIP was as follows:

“On the call they said that because of “Contractual Obligations” they couldn’t let this AIP go up to vote and let the community decide whether to cut salaries or not

.”

And so, it never went to vote.

1. On Oct 8, 2023, [AIP-359](#) was written with the expressed purpose of, among other things, terminating two of the Special Council positions.

After much discussions with the GwG, the 02/15/2024 disposition (via email, as I was on a temp-ban from Discourse) of that

AIP was as follows:

“This AIP attempts to force the APE Foundation into multiple courses of action which would create significant risks and would not be consistent with the wellbeing of the APE Foundation and the ApeCoin DAO

.”

Following that, though given the opportunity to do so, I refrained from going through the resubmission process; primarily because the AIP was so detailed and complex, that it would have required a significant amount of time to sort through the issues with the GwG. You can read more about that in this [post](#).

1. On Oct 19, 2023, [AIP-337](#), by the same author, went to vote - and failed to pass.
2. On Oct 26, 2023, [AIP-350](#) created by a member of the Special Council, went to vote - and passed.
3. [AIP-426](#) clarified the role of the Special Council as:

The Special Council of the APE Foundation, at the behest of the ApeCoin DAO members, acts as a liaison between the ApeCoin DAO members and the directors and officers of the APE Foundation. The Special Council exists to serve the vision of ApeCoin DAO.

An “Advisory Board” that serves an advisory function with no corporate decision-making power

1. There have been several instances whereby the DAO community does not have clarity on various activities conducted by the Ape Foundation obo of the DAO. These pertain not only to legal matters, but also activities related to the treasury, as well as certain disclosures and processes.
2. The Ape Foundation did not hire nor did the DAO vote to put kings above the DAO. In that regard, the insinuation that once elected, a member of the Special Council or the GwG cannot be voted out of office is not only preposterous, but also goes against the very principles that the founding fathers envisioned when the DAO was created in Mar 2022.

BENEFIT TO APECOIN ECOSYSTEM

In the name of transparency and accountability

, clarity as to the function of the Ape Foundation and indeed the Special Council within it, is crucial to its role as an advisory group that functions at the behest of the DAO

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STEPS TO IMPLEMENT

Upon passing of this proposal, the Ape Foundation, via the Special Council while acting at the behest of the DAO, will clarify the following via a Discourse forum thread entitled “Ape Foundation -Obligations & Processes

” explaining the following:

That the Ape Foundation:

1. Has the ability to allow the DAO to put up for vote a proposal that seeks to terminate the role - and thus the contracts (if any) - of any member of the Special Council and the Working Groups.
2. Has the ability to produce - upon request - any and all documents (redacted where applicable, and long as it pertains to warranted confidentiality) related to the DAO.
3. That going forward, any/all contracts that the Ape Foundation causes to be created obo of the DAO - including those related to the Ape Foundation, will have, as per standard contracts, adequate provisions for termination clauses. And that if any such contract currently exists, but is missing this termination requirement, it will have them amended to include this termination requirement.
4. Whether or not the Ape Foundation determines that it has the authority and the ability to perform any/all of the aforementioned requests, it is to submit a detailed report (as per above) to the DAO outlining any/all details related to its performance or lack thereof under this request. That report should further include what remedies - if any - can be put into place in order to satisfy any specific request that it cannot comply with as per this proposal.

REPORTING EXPECTATIONS

The expectation is that this proposal would be implemented by the DAO’s administrative team.

The community should regularly review the impact of this proposal.

If accepted, the administration and the community should review the impact of the updates after the 3-month period for conflict ends.

OVERALL COST

Total amount requested from the ApeCoin Ecosystem Fund = 0