

**PEACE & JUSTICE COMMISSION MEETING AGENDA**  
**Monday, April 8<sup>th</sup>, – 7:00 p.m.**  
**Berkeley City Hall,**  
**2180 Milvia, Cypress Room Berkeley, CA**

**SECTION A. PRELIMINARY MATTERS**

1. Roll Call
2. Announcements
3. Comments from the Public (*subject to time limits applicable to all speakers as necessary*)
4. Review and approval of meeting minutes - see attachment 2
5. Commission Updates & Chairperson's Report
6. Secretary's Report (including status of passed items from previous meetings)

**SECTION B. SUBCOMMITTEE REPORTS AND OTHER COMMISSION BUSINESS**

7. Subcommittee on The Convention on the Rights of Persons with Disabilities (Commissioner Maran) discussion and potential appointments
8. Subcommittee on Socially Responsible Investments and Procurement (Commissioner Bohn) discussion and potential appointments
9. Subcommittee on BUSD issues

**SECTION C. ACTION ITEMS**

10. Discussion and possible action to pass resolution or send a letter to Council re: 50 Year Commemoration of People's Park (Commissioners Tregub and Han) – see attachment 3
11. Send letter to Council about Sanctuary Contracting Ordinance (Commissioner Lippman) – see attachment 4
12. Resolution opposing US withdrawal from the Intermediate-Range Nuclear Forces Treaty (Commissioners Maran and Bohn) - see attachment 5

## SECTION D. COMMUNICATIONS

## SECTION E. BACKGROUND INFORMATION


## SECTION F. ADJOURNMENT

### Attachments:

1. Roster, enabling legislation, work plan, and status of commission items
2. Minutes of February 4, 2019 meeting and Minutes of March 4, 2019 meeting
3. Resolution re: 50 Year Commemoration of People's Park
4. Letter to Council about Sanctuary Contracting Ordinance
5. Resolution opposing US withdrawal from the Intermediate-Range Nuclear Forces Treaty.

The next meeting of the Peace & Justice Commission is scheduled for April 8, 2019. All proposed Commission agenda items should be submitted to the Commission Secretary by or before March 29 2019. Dates are subject to change, please contact the Commission Secretary by email at [bslimick@cityofberkeley.info](mailto:bslimick@cityofberkeley.info) to confirm receipt of submitted items.

### ADA Disclaimer

 "This meeting is being held in a wheelchair accessible location. To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at 981-6342 (V) or 981-6345 (TDD) at least three business days before the meeting date. Please refrain from wearing scented products to this meeting."

### Communications Disclaimer

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### SB 343 Disclaimer

Any writings or documents provided to a majority of the Commission regarding any item on this agenda will be made available for public inspection at Old City Hall located at 2134 Martin Luther King Jr. Way, Berkeley, CA 94704.

### Commission Contact Information

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<b>Peace and Justice Commission Roster</b>		
<b>Name</b>	<b>Appointer</b>	<b>District</b>
Omeed Askary	<i>Levy-Cutler</i>	<i>BUSD</i>
Zo Pancoast	Alper	BUSD
Zaira Rodriguez	Student Director	BUSD
Rachel Pierce	Julie Sinai	BUSD
<b>VACANT</b>		<b>BUSD</b>
Grace Morizawa	Appel	BUSD
<b>Igor Tregub (Chair)</b>	Arreguin	Mayor
Rita Maran	Maio	1
Dr. Hatem al-Bazian	Davila	2
<b>J. George Lippman (Vice Chair)</b>	Bartlett	3
Diana Bohn	Harrison	4
Judith Gussmann	Hahn	5
Robert L Meola	Wengraf	6
Denny Han	Worthington	7
Angie Chen	Droste	8

## Chapter 3.68 PEACE AND JUSTICE COMMISSION

### Sections:

- [3.68.010](#) Findings.
- [3.68.020](#) Established--Membership--Appointment.
- [3.68.030](#) "Peace and justice" defined.
- [3.68.040](#) Automatic termination of appointment.
- [3.68.050](#) Liaison representative to other City entities.
- [3.68.060](#) Organization, meetings, rules, and procedures.
- [3.68.070](#) Functions.

### **3.68.010 Findings.**

The council finds as follows:

- A. The intentional destruction of cities in war is the rule and not the exception.
- B. State, national and international governmental bodies have failed to control war and in fact, have in many cases, been responsible for war and the conditions of war.
- C. The wealth that could be spent to help the poor, heal the sick, house the homeless, educate the children, and care for the elderly is now spent on ever more costly weapons of mass destruction.
- D. Peace is not a fictitious tranquil end-state, but the process of solving differences constructively, creatively, and non-violently.
- E. Peace is inseparable from justice.
- F. The present threat of nuclear or biological holocaust is not peace, but a condition of war against all humanity.
- G. Initiatives are needed to reverse the drift toward war and to remove the causes of war.
- H. Our best protection lies in initiating, devising, and promulgating peaceful and just policy alternatives.
- I. Individual citizens, unless organized, are virtually powerless in confronting and influencing larger governmental bodies.

J. It is the responsibility of one and all to labor hard for peace and justice within forums of appropriate scale.

K. The residents of Berkeley have continually demonstrated their concern for peace and justice based on equality among all peoples.

L. The residents of Berkeley have welcomed to our City those who have been forced into exile, and who have come fleeing torture and death.

M. The Berkeley City Council, to act successfully in furthering peace and justice, must have wise counsel, accurate research, vigorous analysis, articulate formulation of issues and proposals for action, and thus the establishment of a Peace and Justice Commission is proper. (Ord. 5705 § 1, 1986)

### **3.68.020 Established--Membership--Appointment.**

A Peace and Justice Commission is hereby established. The commission shall consist of fifteen members. Six members shall be appointed by the Berkeley Unified School District Board and nine members shall be appointed by the Berkeley City Council. Commission members shall have a demonstrated interest in the area of peace and social justice. It is suggested that the commission should have some representation of political refugees and political exiles who are residents of Berkeley and otherwise eligible to serve on the commission. Berkeley City Council appointments to the commission shall be made, and vacancies shall be filled in accordance with the provisions of Sections [2.04.030](#) through [2.04.130](#) of the Berkeley Municipal Code enacted as Ordinance No. 4780-N.S. by the voters of the City. (Ord. 5705-NS § 2, 1986)

### **3.68.030 "Peace and justice" defined.**

For the purpose of this chapter, "peace and social justice" shall refer to the goal of creating a world community in which the relations between people are based on equality, respect for human rights, and the abhorrence of exploitation and all forms of oppression. (Ord. 5705-NS § 3, 1986)

### **3.68.040 Automatic termination of appointment.**

A. The appointment of any member of the commission who has been absent from three consecutive meetings shall automatically terminate as set forth in Berkeley Municipal Code Chapter 3.02 unless: (i) the absence of the commissioner is due to incarceration for acts of conscience or is due to absence from the City for work related to that of the commission, (ii) in the case of absences for reasons stated in item (i) it is strongly urged that in accordance with Section [3.02.030](#) of the Berkeley Municipal Code the appointing councilmember grant a leave of absence for not more than three months, and fill the vacancy with a temporary appointment to the commission.

B. The chairperson of the commission shall report the attendance records of each member of the commission to the City Clerk monthly for each regularly scheduled meeting.

C. Any member absent as noted in items A (i) and A (ii) above shall be recorded as "excused". Any member absent without being recorded as excused from three consecutive regular meetings as reported monthly shall be terminated automatically after the third missed meeting.

D. The City Clerk shall notify any member whose appointment has automatically terminated and report to the appointing City Councilmember or School Board that a vacancy exists on the commission and that an appointment should be made for the unexpired term. (Ord. 5705-NS § 4, 1986)

### **3.68.050 Liaison representative to other City entities.**

The commission may designate one or more of its members to act as a liaison representative to any other board, commission, or committee of the City. The functions of the liaison representative may include:

A. Attendance at meetings of such other boards, commissions or committees;

B. Advising the Peace and Justice Commission on the background behind those recommendations to the City Council of other boards, commissions or committees; and,

C. On request of any member of such other board, commission or committee giving advice to such other board, commission or committee of policies, and procedures and recommendations to the City Council of the Peace and Justice Commission that may bear upon matters under discussion by such other board, commission or committee. (Ord. 5705-NS § 5, 1986)

### **3.68.060 Organization, meetings, rules, and procedures.**

A. The commission shall organize by electing from its members one chairperson and one vice-chairperson and such other officers as may be necessary, who shall hold office for one year and until their successors are elected unless their terms as members of the commission expire sooner. An officer or employee of the City designated by the City Manager shall serve as secretary to the commission.

B. The commission shall establish a regular place and time for meeting. All meetings shall be noticed as required by law and shall be scheduled in a way to allow for maximum input from the public. The frequency of meetings shall be as determined by City Council resolution. The scheduling of special meetings in addition to those established by City Council resolution, except special meetings that take the place of cancelled regular meetings, shall be subject to approval by the City Council. A request for a special meeting shall include the

reason for the proposed meeting and should be expedited on the City Council' s agenda, or in the alternative, placed before the Agenda Committee for approval.

C. The commission shall establish internal working rules and procedures which do not violate those rules of governance existing in the City Charter, the Commissioner's Handbook, or established through the authority of the City Council. (Ord. 6899-NS § 1, 2006: Ord. 5705-NS § 6, 1986)

### **3.68.070 Functions.**

The commission shall perform the following functions:

- A. Advise the Berkeley City Council and the Berkeley Unified School Board on all matters relating to the City of Berkeley's role in issues of peace and social justice, including, but not limited to the issues of ending the arms race, abolishing nuclear weapons, support for human rights and self-determination throughout the world, and the reallocation of our national resources so that money now spent on war and preparation of war is spent on fulfilling human needs and the promotion of peace.
- B. Help create citizen awareness around issues of social justice and develop educational programs for implementation by the City Council and the School Board.
- C. Help develop proposals for the City Council and the School Board for actions in furtherance of the goals of peace and justice, and help publicize such actions in the community.
- D. Hold public hearings and community forums on issues that fall within the charge of the commission, and call on appropriate witnesses to provide pertinent information.
- E. Initiate and encourage research programs to collect and assess information relevant to the functions of the commission including the effect of the arms race and military spending on funding for City and school programs and on the quality of life for citizens of Berkeley.
- F. Develop ways to resolve conflict which do not involve violence and which may be applied on a local level as well as a national level.
- G. Initiate and develop cultural and educational foreign exchange.
- H. Act as a liaison between community groups organizing around issues of peace and social justice and City government.

I. Prepare inventories of City resources, both public and private that are available for furthering the work of promoting international peace and social justice.

J. Provide information to other municipalities and school districts on the work of the commission, and exchange information on actions taken by cities and the School Board in furtherance of the goals of the commission.

K. Assist the Director of Finance in the annual evaluation of financial institutions for qualification of City investments; complete development and assist in the implementation of a linked deposit program; encourage target investments; coordinate with City agencies, appropriate community organizations, public and private investors, and the Governor's Public Investment Task Force; and advise the City Council on matters relating to the responsible investment of public funds in accordance with the responsible investment policy established by Resolution No. 55,141A-NS.

L. Perform such other functions and duties as may be directed by the City Council or prescribed or authorized by any ordinance of the City, and such other functions and duties not prohibited by City Council which the commission should decide are consistent with its overall function of promoting peace and social justice.

M. In prescribing the above duties and functions of the commission, it is not the intent of the council to duplicate or overlap the functions, duties, or responsibilities heretofore or hereafter assigned to any other City board or commission or to a City department. As to such functions or responsibilities above set forth which are partially or wholly the responsibilities of another board or commission or of a department of the City, the commission will render such assistance and advice to such board, commission or department as may be requested. (Ord. 6017-NS § 1, 1990: Ord. 5705-NS § 7, 1986)



Peace and Justice Commission  
2018-2019 Annual Work Plan

Mission Statement:

The Peace and Justice Commission advises the Berkeley City Council and the Berkeley Unified School District Board on all matters relating to the City of Berkeley's role in issues of peace and social justice. (BMC Section 3.68.070.A.) Under its mandate, the Commission also helps create citizen awareness around issues of social justice, holds public hearings and community forums, initiates and encourage research programs, develops ways to resolve conflict which do not involve violence, acts as a liaison between community groups organizing around issues of peace and social justice and City government, and assists the Director of Finance in the evaluation of financial institutions for socially responsible investing.

I. Resolutions and communications to Council and the Board of Education.

Address homelessness, racial and gender justice, policing policy (including external BPD relationships such as NCRIC and UASI), protection of Ohlone sacred sites, civil liberties, international peace with justice, and other social issues as they arise throughout the year with proposals and communications as appropriate.

II. Other existing responsibilities and subcommittees.

- a. Continue the established responsibility for Nuclear Free Berkeley Act oversight and waiver process, as proposals are submitted to the Commission by City staff. Continue to collaborate with the international movement against nuclear weapons.
- b. Subcommittee on the Convention on the Rights of Persons with Disabilities (CRPD).

The Subcommittee held a successful forum on the CRPD in 2018, and plans to hold a follow-up forum in 2019.

- c. Socially Responsible Investing and Procurement Subcommittee (SRIP).
  - i. Improve and institutionalize the City's commitment to Socially Responsible investing, banking, and procurement.<sup>1</sup>

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<sup>1</sup> BMC Section 3.68.070.K: "The [Peace and Justice] Commission shall perform the following functions...K. Assist the Director of Finance in the annual evaluation of financial institutions for qualification of City investments...and advise the City Council on matters relating to the responsible

Develop a resolution to propose a mechanism to fulfill the Commission's mandated advisory role.

- ii. Work with the Mayor's Task Force on Banking to strengthen and make effective the SRIP program, especially with regard to Procurement
- iii. Work with the BUSD School Board Policy Committee to establish an effective Sweatfree Berkeley Schools Policy.

### III. Proposed expansions of responsibility.

The Commission has proposed two areas in which it could assist the Council in support of its Sanctuary City/City of Refuge declaration. As Berkeley has no Immigrant Rights Commission, Peace and Justice functions in that capacity on a de facto basis.

- a. Regional Sanctuary Community Working Group. The Commission offered to take on coordination with other Sanctuary communities (cities and counties) in a resolution passed July 9, 2018. Mayor Arreguin asked the Commission to do this work through the Mayor's Sanctuary City Task Force.
  - b. Sanctuary City Contracting Ordinance — Ban ICE data brokers from city contracting. The Commission reviewed the ordinance referred to it by Council, and responded with suggested language giving the Commission a role in vetting contracts, patterned after its role in the Nuclear Free Berkeley Act. The Commission's letter appeared in a subsequent Council agenda packet as a communication and is pending Council action.
- IV. Cooperate with the school board and the BUSD community on social issues of mutual interest affecting students and youth, with special consideration to the problem of the educational opportunity gap and sexual harassment in the schools, in the context of Title IX. Success of this initiative depends on School Board members fully appointing membership of the Peace and Justice Commission (to its statutory number of six BUSD-appointed commissioners from the present two).

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investment of public funds in accordance with the responsible investment policy established by Resolution No. 55,141A-NS.”)

The Commission will support the development of the African American Holistic Resource Center.

Background:

### CRPD

The Peace & Justice Commission established the Subcommittee on the Convention on the Rights of Persons with Disabilities (the Subcommittee) in 2014, in order to institutionalize the City of Berkeley's long-standing focus on promoting and protecting the legal rights of persons with disabilities. The City has held a leading position in the field of disability rights for many years, and is well-known nationally and internationally as an unusually fruitful breeding ground for grassroots non-profit organizations working in that field.

Together with representatives from four other City of Berkeley Commissions: the Commission on the Status of Women, the Commission on Disability, the Commission on Mental Health, and the Commission on Aging, the Subcommittee published its Mission Statement; requested the Peace & Justice Commission to ask the City Council to write to the U.S. Senate urging ratification of the Convention on the Rights of Persons with Disabilities (duly done in 2015); and held a public Forum at the Ed Roberts Campus in May 2018.

The Subcommittee is working on plans to hold another public Forum in 2019.

The Honorable Jesse Arreguin, Mayor of the City of Berkeley, welcomed the Forum participants at this successful Subcommittee initiative that extended knowledge and applicability of the international treaty in Berkeley.

### Nuclear-Free Berkeley

The Nuclear Free Berkeley Act came into force in 1986 (Chapter 12.90.070 Section 030D). The Peace & Justice Commission established the Subcommittee on The Nuclear Free Berkeley Act (NFBA) to oversee and reinforce compliance with the terms of the Act. The Subcommittee's activities have included:

- recommendation against a waiver for continuation of the Berkeley Public Library's contracts with 3M (2009-2010);
- consideration of a waiver for the City of Berkeley Public Health Division's proposal on medical supplies (2012);
- recommendation of a waiver for the SkyDeck Business Incubator-Accelerator Contract (2012);
- recommendation (February 7, 2013) to the Regents of the University of California that it phase out responsibility for operating the Nuclear Weapons Laboratories in Livermore and Los Alamos;

- a letter from the City of Berkeley to President Obama in 2014 urging support of a ban on nuclear weapons.

More recently, in light of the Award of the Nobel Peace Prize in 2017 to the International Campaign to Abolish Nuclear Weapons (ICAN), whose goal is international adherence to and full implementation of the Treaty on the Prohibition of Nuclear Weapons (the Treaty), the Peace and Justice Commission will seek to collaborate further with ICAN on activities of mutual concern. We would note that the California State Senate and the California State Assembly voted affirmatively on a bill in September 2018 to urge U.S. Senate adoption of the Treaty. Strong support comes also from the International Red Cross Red Crescent Movement; NuclearBan.US, The City of Los Angeles, California; the City of Takoma Park, Maryland; Physicians for Social Responsibility; and the U.S. Conference of Mayors, among others.

#### Indigenous Peoples:

Between December 2015 and January 2016, the Berkeley City Council, upon the recommendation of the Peace and Justice Commission, adopted five important resolutions supporting the treaty rights of indigenous people in Berkeley. The resolutions included: recognition of the Ohlone people as the original inhabitants of Berkeley and the Bay Area, pledging to work in good faith with Ohlone representatives; implementing the UN Declaration on the Rights of Indigenous Peoples as municipal policy; endorsing the upgrading of the Declaration to a Convention; honoring the Berkeley Shellmound indigenous site; and urging the East Bay Regional Parks District to protect the Ohlone place of origin sacred site.

The resolution on the Berkeley Shellmound mandated that “free, prior, and informed consent of the Ohlone and other indigenous peoples of the region should be integral to any alteration planning for the Berkeley Shellmound site, in accordance with the provisions of the United Nations Declaration on the Rights of Indigenous Peoples.”

In 2018-2019 the Peace and Justice Commission will support the implementation of these resolutions with particular attention to proposed development of the Berkeley Shellmound site.

#### Sweatshop-Free Berkeley:

The Sweatshop-free Berkeley Policy now has a zero dollar threshold per supplier per year for textile products purchased by the City. This threshold is an improvement over the previous minimum of \$1,000 purchase per supplier for the Policy to apply. However, the policy is complaint-driven, so the burden is on community members to research the supply chain for each supplier. The SRIP Subcommittee proposes to establish a mechanism for suppliers to show that they are using Sweatshop Free products for City purchases.

The Policy governs textile purchases only. The goal is to identify sweat-free alternatives for technology purchases so tech can be covered as well.

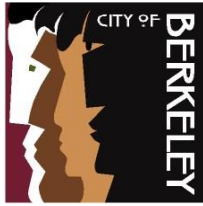
The BUSD, through the School Board Policy Committee, is in the process of establishing a Sweatfree Schools Policy for athletic supplies. The SRIP Subcommittee and the Commission are supporting the BUSD to ensure the development of an effective policy.

	Item Name	Date Passed by Commission	Council Meeting Date	Action Taken by Council/Staff	Final Status
1	Resolution declaring Berkeley's opposition to fascism	9/11/2017	12/19/2017	Resolution adopted #68,268 - N.S.	Completed
2	Letter to Council resisting white supremacy and fascism	9/11/2017	9/12/2017	Letter received by Council	Completed
3	Resolution in opposition to the US military helipad construction and training operations in Takae, Okinawa	10/17/2017	12/19/2017	Resolution adopted #68,269 N.S.	Completed
4	2017-18 PJC Work Plan adopted	10/17/2017	4/24/2018	Info item to council received	Completed
5	Approval for COSOW to present joint council report and resolution Freedom from Domestic Violence is a Human Right	11/6/2017	1/23/2018	Resolution adopted #68,301 N.S.	Completed
6	Resolution allowing PJC to endorse and sponsor the film "The Boys Who Said NO!"	11/6/2017	12/19/2017	Resolution adopted #68,267 N.S.	Completed
7	Resolution calling on the federal government to extend Temporary Protected Status	11/6/2017	1/23/2018	Resolution adopted #68,302 N.S.	Completed
8	Resolution allowing establishment of a sister city relationship with Gonju, Republic of Korea	1/8/2018	2/27/2018	Resolution adopted #68,340 N.S.	Completed
9	Resolution on Emergency Outdoor Shelters for the homeless	2/5/2018	5/1/2018	Companion report recommended alternate action. Council voted to refer to the City Manager to develop health and safety standards as called for under AB 932 for alternative housing models.	Completed
10	Resolution declaring itself strongly supportive of the UN Treaty on the prohibition of nuclear weapons	4/2/2018	5/15/2018	Resolution adopted #68,447 N.S.	Completed

	Item Name	Date Passed by Commission	Council Meeting Date	Action Taken by Council/Staff	Final Status
11	Letter to Council proposing "Sanctuary City Contracting Ordinance"	6/4/2018	2/26/2019	Letter received by Council. PJC ordinance to be considered. Councilmembers Worthington, Davila, Bartlett, Harrison. Pending council action .	
12	Letter to Council supporting Berkeley Community United for Police Oversight proposed charter amendment for a new police commission	6/4/2018	6/12/2018	Letter received by Council	Completed
13	Resolution Bay Area Working Group on Immigration Resistance	7/9/2018	7/24/2018	Resolution adopted #68,575 N.S.	Completed
14	2018-19 PJC Work Plan adopted	9/17/2018	10/30/2018	Info item to council received	Completed
15	Resolution to establish policy against City of Berkeley investment in weapons and weapons systems	9/17/2018	2/19/2019	Commission made revisions to this item at the 1-7-19 meeting. Companion report drafted by staff. Both items heard by council on 2-19-19.	Completed. Approved by Council with Amendments
16	Letter to Council regarding Comprehensive Investment Policy based on ESG Principles.	11/19/2018	11/27/2018	Letter received by Council	Completed
17	Resolution on Socially Responsible Investment and Procurement (SRIP)	11/19/2018	TBD	Report submitted by the commission. Companion report is being drafted by staff. Staff will provide the commission an oppty to view concerns/questions prior to item being seen by Council	
18	Letter to Mayor and Council: Reiterate Commission Mandate to Advise on Human Rights Worldwide	1/4/2019	2/19/2019		Completed. Letter appeared in 2/19 Council packet
19	Letter to Council regarding environmental consequences of US military bases in Okinawa	3/4/2019		Staff submitted to council	
20	Resolution opposing US withdrawal from the INF Treaty			Moved to April 8th meeting	

	<b>Item Name</b>	<b>Date Passed by Commission</b>	<b>Council Meeting Date</b>	<b>Action Taken by Council/Staff</b>	<b>Final Status</b>
21	Reccomendation to bring justice to Mr. Leonard Powell and to institute certain policies that provide housing stability for homeowners and tenants	3/4/2019		Staff is drafting a companion report	
22	Resolution regarding Venezuela	3/4/2019		Staff submitted to council	





Peace and Justice Commission

Peace and Justice Commission Meeting  
Regular Meeting – Monday, February 4th, 2019  
City of Berkeley City Hall, 2180 Milvia, Berkeley CA, Cypress Room

**DRAFT MINUTES**

The meeting convened at 7:03pm with Chair Lippman presiding.

**1. Roll Call**

Present: al-Bazian, Bohn (7:06), Chen (7:09), Gussman, Han, Lippman, Maran (7:35), Meola, Morizawa, Pancoast (7:06), Pierce, Rodriguez, Tregub

Absent: N/A

Excused: N/A

**2. Announcements**

**3. Comments from the Public**

Public Attendance: 5

Public Comments: 3

**Action Items**

**4. Review and Approval of Meeting Minutes**

Item #4: The Peace and Justice Commission adopted minutes for January 7, 2019 meeting.

Ayes: al-Bazian, Bohn, Chen, Gussman, Han, Lippman, Meola, Morizawa, Pancoast, Pierce, Rodriguez

Noes: None

Abstain: Tregub

Absent: Maran

Excused: None

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**5. Commission Updates and Chairperson’s Report (No Action Taken)**

**6. Secretary’s Report (No Action Taken)**

**7. Subcommittee on The Convention on the Rights of Persons with Disabilities (Commissioner Maran)**

**8. Subcommittee on Socially Responsible Investments and Procurement  
(Commissioner Bohn)**

**9. Election of Chair and Vice Chair**

Item #9: The Peace and Justice Commission elected Igor Tregub as the  
commission Chair

Ayes: Chen, Gussman, Han, Meola, Pancoast, Pierce, Tregub

Other: al-Bazian, Bohn, Lippman, Maran, Morizawa, Rodriguez  
(Votes for George Lippman)

Abstain: None

Absent: None

Item #9: The Peace and Justice Commission elected George Lippman as the  
commission Vice Chair

Ayes: al-Bazian, Bohn, Chen, Han, Lippman, Maran, Morizawa, Pancoast,  
Pierce, Rodriguez,

Other: Gussman, Meola  
(Votes for Bob Meola)

Abstain: Tregub

Absent: None

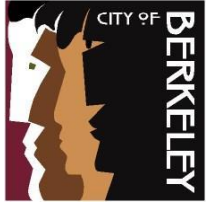
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The meeting was adjourned at 9:20 PM.

Respectfully Submitted,

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Breanne Slimick, Secretary  
Peace and Justice Commission



Peace and Justice  
Commission

**Peace and Justice Commission Meeting  
Regular Meeting – Monday, March 4th, 2019  
City of Berkeley City Hall, 2180 Milvia, Berkeley CA, Cypress Room**

## **MINUTES**

The meeting convened at 7:02pm with Chair Tregub presiding.

### **1. Roll Call**

Present: al-Bazian (7:04), Bohn, Chen, Gussmann, Lippman (7:15), Maran (7:23), Meola (7:09), Morizawa, Pancoast, Pierce, Rodriguez, Tregub

Absent: Han

Excused: Pancoast

### **2. Announcements**

### **3. Comments from the Public**

Public Attendance:

Public Comments:

### **Action Items**

#### **4. Review and Approval of Meeting Minutes**

The Peace and Justice Commission adopted minutes for February 4, 2019 meeting.

**M/S/C:** Chen, Gussman

**Ayes:** Bohn, Chen, Gussman, Lippman, Maran, Meola, Morizawa, Pierce, Rodriguez, Tregub

**Noes:** None

**Abstain:** None

**Absent:** Han

**Excused:** Pancoast

The Peace and Justice Commission reconsidered minutes February 4, 2019 meeting.

**M/S/C:** Maran, Meola

**Ayes:** Bohn, Chen, Gussman, Lippman, Maran, Meola, Morizawa, Pierce, Rodriguez, Tregub

**Noes:** None  
**Abstain:** al-Bazian  
**Absent:** Han  
**Excused:** Pancoast

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5. **Commission Updates and Chairperson’s Report (No Action Taken)**
6. **Secretary’s Report (No Action Taken)**
7. **Subcommittee on The Convention on the Rights of Persons with Disabilities (Commissioner Maran)**
8. **Subcommittee on Socially Responsible Investments and Procurement (Commissioner Bohn)**

The Peace and Justice Commission approved Judith Gussmann and Igor Tregub to SRIP

**M/S/C:** Meola, Pierce  
**Ayes:** Bohn, Chen, Gussman, Lippman, Maran, Meola, Morizawa, Pierce, Rodriguez, Tregub  
**Noes:** None  
**Abstain:** al-Bazian  
**Absent:** Han  
**Excused:** Pancoast

9. **Discussion of Covering a BUSD subcommittee and potential appointments**

The Peace and Justice Commission appointed Rachel Pierce, Zoe Pancoast and Zaira Rodriguez to the BUSD subcommittee

**M/S/C:** Meola, Rodriguez  
**Ayes:** al-Bazian, Bohn, Chen, Gussman, Lippman, Maran, Meola, Morizawa, Pierce, Rodriguez, Tregub  
**Noes:** None  
**Abstain:** None  
**Absent:** Han  
**Excused:** Pancoast

10. **Discussion and possible action on letter to Council regarding environmental consequences of US military bases in Okinawa (Commissioner Bohn)**

The Peace and Justice Commission accepted letter and forward letter to Council with the attachments with amendments.

**M/S/C:** Bohn, al-Bazian

**Ayes:** al-Bazian, Bohn, Chen, Gussman, Lippman, Maran, Meola, Morizawa, Pierce, Rodriguez, Tregub

**Noes:** None

**Abstain:** None

**Absent:** Han

**Excused:** Pancoast

**11. Resolution opposing US withdrawal from the Intermediate-Range Nuclear Forces Treaty (Commissioner Bohn)**

Discussion of withdrawal from the Intermediate-Range Nuclear Forces Treaty to be continued to April meeting.

**M/S/C:** Bohn, Maran

**Ayes:** al-Bazian, Bohn, Chen, Gussman, Lippman, Maran, Meola, Morizawa, Pierce, Rodriguez, Tregub

**Noes:** None

**Abstain:** None

**Absent:** Han

**Excused:** Pancoast

**12. Recommendation to bring justice to Mr. Leonard Powell and to institute certain policies that provide housing stability for homeowners and tenants (Commissioner Tregub)**

The Peace and Justice commission authorized the chair to draft proposed letter from the council to the judge and adopt the recommendations to council as amended.

**M/S/C:** Lippman, Bohn

**Ayes:** al-Bazian, Bohn, Chen, Gussman, Lippman, Maran, Meola, Morizawa, Pierce, Rodriguez, Tregub

**Noes:** None

**Abstain:** None

**Absent:** Han

**Excused:** Pancoast

**13. Review and provide comment to the City of Berkeley Fire Department regarding citywide disaster preparedness efforts using a social justice lens (Commissioner Lippman)**

The Peace and Justice commission expressed support of commissioner Lippman's comments for the LMHP and for them to submit on behalf of the Peace and Justice commission and to include a cover letter.

**M/S/C:** al-Bazian, Bohn

**Ayes:** al-Bazian, Bohn, Chen, Gussman, Lippman, Maran, Meola, Morizawa, Pierce, Rodriguez, Tregub

**Noes:** None

**Abstain:** None

**Absent:** Han

**Excused:** Pancoast

#### **14. Resolution re Venezuela (Commissioner Bohn)**

The Peace and Justice commission passed the amended resolution regarding no U.S. intervention in Venezuela

**M/S/C:** Meola, Lippman

**Ayes:** al-Bazian, Bohn, Chen, Gussman, Lippman, Meola, Morizawa, Pierce, Rodriguez, Tregub

**Noes:** Maran

**Abstain:** None

**Absent:** Han

**Excused:** Pancoast

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The meeting was adjourned at 10:05 PM.

Respectfully Submitted,

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Breanne Slimick, Secretary  
Peace and Justice Commission

**Whereas** March 15<sup>th</sup>, 2019, is the 50<sup>th</sup> anniversary of “Bloody Thursday” in Berkeley; and

**Whereas** the world must long remember the events of that day, why those tragedies occurred, and their continuing relevance to our society; and

**Whereas** on May 15<sup>th</sup> 1969 Berkeley Mayor Wallace Johnson and California Governor Ronald Reagan directed the California Highway Patrol and the Berkeley Police to surround the People's Park - then three weeks old - to fence it in and destroy it; and

**Whereas** a spontaneous and militant protest that afternoon confronted those police and were greeted with clubs and teargas, sparking a rebellion in the streets; and

**Whereas** during the ensuing melee, Governor Reagan's Secretary of State Edwin Meese directed the Alameda County Sheriffs force to suppress the rebellion; and

**Whereas** the Sheriffs attacked the rebellion with teargas, batons, and live fire of bird shot and buckshot, blinding Alan Blanchard, killing James Rector, and sending numerous others to the hospital; and

**Whereas** Governor Reagan then ordered the National Guard into Berkeley and the Guard dropped tear gas from helicopters, imposed curfews and checkpoints, strung barbed wire across roads, and patrolled with loaded rifles and bayonets; and

**Whereas** in the days that followed, after memorializing James Rector, activists defiantly created a separate park on Hearst St., then dubbed the People's Park Annex; and

**Whereas** the Berkeley Police violently attacked the people who were building the People's Park Annex; and

**Whereas** that park, the People's Park Annex, is today honored by the name Ohlone Park; and

**Whereas** decades of research by journalist Seth Rosenfeld has exposed the attack on the Park as not merely a defense of University-owned land, but as part of a systematic program of political oppression of activists who were viewed as a threat to capital and to U.S. imperialism; and

**Whereas** the founding organizers who sparked creation of the Park included Telegraph Avenue area business owners, property owners, students, other UC affiliates, and activist organizers; and

**Whereas** the Park was envisioned as a true Free Speech forum, a cooperative project, much needed green and open space, an expression of hope for the oppressed, a tribute to the power of community, and a place of joy and celebration; and

**Whereas** today those ideals are still practiced at the Park and define its daily life; and

**Whereas** as the Park has endured harassment and neglect by local and state powers over many years, and has gained an unearned reputation simply for experiencing its share of regional violence and other crime; and

**Whereas** the founding ideals of the Park remain critically important today.

**Therefore Let It Be Resolved** that the Berkeley City Council pronounces May 25, 2019, as a Day of Bloody Thursday Remembrance, a day on which the People of Berkeley and the world may reflect upon the continuing history of the People's Park and its significance for our present society.

**Be It Further Resolved** that on this day we reflect upon the importance of Free Speech, cooperation, green and open space, hope and possibility for the future, the power of community, joy and celebration, justice, peace, and love.



Berkeley Peace and Justice Commission Letter to Mayor and Council:  
Commission Role in Sanctuary Contracting Ordinance  
April 8, 2019

Hon. Mayor Arreguin and Members of the Berkeley City Council:

The Peace and Justice Commission appreciates Council's support for our proposed Sanctuary Contracting Ordinance. Simply put, companies that supply Data Broker or Extreme Vetting services to ICE should not have the privilege of contracting with the City of Berkeley.

We understand that the Agenda and Rules Committee recommended removing the advisory role for the Peace and Justice Commission from the Ordinance. We'd like to take this opportunity to reiterate why this role is useful and deserves a second look.

While the City as a whole is committed to social justice, this Commission is the specialized body that is solely devoted to its advancement. Since 1990, advising on socially responsible investing has been explicitly called out in our mandate as a core responsibility.<sup>1</sup>

Under Berkeley's system of governance, the Council sets overall policy and professional staff execute it; in the case of procurement and contracting, that staff sits in the Finance Department. A third sector of municipal government, the commission structure, provides advisory support to the Council and staff. Berkeley is justifiably proud of this renowned model of community engagement in government. The "Message from the City Clerk" introduces the Commissioner's Manual with this passage:

Members of boards and commissions provide an invaluable service to our City. They advise the City Council on a wide variety of subjects by making recommendations on important policy matters. Without the assistance of the various boards and commissions, the City Council could give many complex and significant matters only a perfunctory review. The detailed studies and considered advice of boards and commissions are often catalysts for innovative programs and improved services.<sup>2</sup>

The Commission respects the specialized knowledge, experience, and integrity of the Finance staff. We see our advisory role as assisting Finance's assignment to avoid contracting with enterprises that assist ICE in its dragnets against immigrants. Our draft

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<sup>1</sup> Berkeley Municipal Code Chapter 3.68.070, Function K

<sup>2</sup> City of Berkeley Commissioners' Manual, 2018 Edition, p.3,

[https://www.cityofberkeley.info/uploadedFiles/Clerk/Level\\_3\\_-\\_Commissions/Commissioners%20Manual%20ADOPTED%206-12-2018%20v2.pdf](https://www.cityofberkeley.info/uploadedFiles/Clerk/Level_3_-_Commissions/Commissioners%20Manual%20ADOPTED%206-12-2018%20v2.pdf)

ordinance assigns to the Peace and Justice Commission the responsibility of hearing staff requests for waivers from the Sanctuary City Contracting Ordinance.

The following process shall be followed in considering a waiver: the City Manager or designee shall file a waiver request with the Peace and Justice Commission. The Commission shall weigh the above considerations [intent and purpose of the ordinance; availability of alternative services, goods and equipment; and quantifiable additional costs resulting from use of available alternatives] and make a recommendation to the City Council. The Council shall make the final decision on granting the waiver.

This provision was based on the procurement advisory process used for the Nuclear Free Berkeley Act (NFBA), in which the Commission reviews in depth specific cases of proposed contracts with entities that cannot sign a document declaring they don't do work for nuclear weapons. Our Commission's assessment is that the NFBA process, which the Commission was created to manage after the electoral passage of the NFBA in 1986, has been a successful collaboration among staff, the Commission and the Council. In most cases, the Commission grants the waiver sought by staff on the basis of need and the lack of reasonable alternatives. In one notable case, in which the Commission recommended denial of a waiver for the nuclear company 3M, the Council agreed but gave the Public Library a temporary waiver of 24 months to find a suitable alternative.

We ask that you retain the assignment of the Commission's advisory role as provided in our draft ordinance.

Signed,

Chairperson, Peace and Justice Commission

**Draft Resolution opposing US withdrawal from the Intermediate-Range Nuclear Forces Treaty (INF Treaty)**

WHEREAS, the Peace and Justice Commission advises the City Council on all matters relating to the City of Berkeley's role in issues of peace and social justice (Berkeley Municipal Code Chapter 3.68.070); and

WHEREAS, On February 1, 2019, Secretary of State Michael R. Pompeo announced that the U.S. would withdraw from the Intermediate-Range Nuclear Forces Treaty (INF Treaty) in 6 months, in accordance with Article 15 of the treaty (1); and

WHEREAS, THE RUSSIAN FEDERATION (Russia) subsequently made a similar announcement with respect to Russia's withdrawal; and

WHEREAS, Article 15, paragraph 1, stating that the INF Treaty is of "unlimited duration" is followed by Paragraph 2, thus: "Each Party shall, in exercising its national sovereignty, have the right to withdraw from the Treaty if it decides that extraordinary events related to the subject matter of this Treaty have jeopardized its supreme interests. It shall give notice of its decision to withdraw to the other Party six months prior to withdrawal from this Treaty. Such notice shall include a statement of the extraordinary events the notifying Party regards as having jeopardized its supreme interests;" (2) and

WHEREAS, the Russian missile deployment that the U.S. claims violates the treaty terms does not constitute an "extraordinary event" that jeopardizes U.S. "supreme interests;" and

WHEREAS, the U.S. deployment of anti-missile missile launchers that Russia claims violates the treaty terms does not constitute an "extraordinary event" that jeopardizes Russian "supreme interests;" and

WHEREAS, nowhere in the INF Treaty is it accepted that one party to the treaty may withdraw on the grounds that they have reason to believe the other party is in material breach of the treaty provisions; the treaty provides instead in Article 15 that issues of compliance are brought before a Special Verification Commission; and

WHEREAS, in addition to the Special Verification Commission, the U.S. and Russia may call upon third-party technical and legal experts to assist in resolution of the dispute; request the UN Security Council pursuant to Article 36 of the UN Charter to recommend a procedure for resolution of the dispute; or refer the matter by special agreement to the International Court of Justice;

BE IT THEREFORE RESOLVED that the City of Berkeley calls on President Trump to rescind the US notice of withdrawal from the INF Treaty, and to confirm that the United States will continue to comply with the said Treaty until such time as extraordinary events related to the subject matter of this Treaty have demonstrably jeopardized the supreme interests of the United States.

BE IT FURTHER RESOLVED that the City of Berkeley calls on Congress to oppose U.S. withdrawal from the INF Treaty and to support resolution of the dispute through the treaty's Special Verification Commission and other international procedures as needed.

BE IT FURTHER RESOLVED that the City of Berkeley calls on Representative Barbara Lee to support H.R. 1249, the "INF Treaty Compliance Act of 2019," which would prohibit funds being made available for any missile prohibited by the INF Treaty.

BE IT FURTHER RESOLVED that the Council of the City of Berkeley send a copy of this resolution to President Donald Trump, Secretary of State Michael R. Pompeo, Senators Dianne Feinstein and Kamala Harris, and Representative Barbara Lee, and

BE IT FURTHER RESOLVED that the Council of the City of Berkeley send a copy of this resolution to Vladimir Putin, President of the Russian Federation, with a formal request that he, likewise, rescind the Russian notice of withdrawal from the INF Treaty and commit to fully complying with the terms of this Treaty.

**(1)** Secretary of State Michael R. Pompeo says U.S. plans to withdraw ...  
<https://www.state.gov/secretary/remarks/2019/02/288722.htm>

**(2)** Intermediate-Range Nuclear Forces Treaty (INF Treaty): [www.state.gov](http://www.state.gov) and The Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles, commonly referred to as the INF (Intermediate-Range Nuclear Forces) Treaty, requires destruction of the Parties' ground-launched ballistic and cruise missiles with ranges of ... INF Treaty: Treaty Text - [acq.osd.mil www.acq.osd.mil/tc/inf/INFtext.htm](http://acq.osd.mil/www.acq.osd.mil/tc/inf/INFtext.htm)

This Treaty shall enter into force on the date of the exchange of instruments of ratification.

This Treaty shall be registered pursuant to Article 102 of the Charter of the United Nations.

DONE at Washington, D.C., on December 8, 1987, in two copies, each in the English and Russian languages, both texts being equally authentic.

1987 INF Missile Test Ban Treaty | Missile Types | Treaty