

## MINUTES

The meeting convened at 7:03 pm with Chairperson Anne Wagley presiding.

### ROLL CALL

Present: Royce Arasteh, Donald Brody, Leslieann Cachola, Elliot Cohen, John Lavine, George Lippman, Rita Maran, Mark McDonald, Thom Seaton, Michael Sherman, PhoeBe ANNE (sorgen), Anne Wagley, Nicholas Yuen

Absent: None

LOA: Steven Freedkin

NOTE: Commissioner Freedkin has been granted a leave of absence through July 2003. George Lippman has been temporarily appointed to fill his position.

### COMMENTS FROM THE PUBLIC

Jim Harris, International Solidarity Movement Support Group, regarding the proposed resolution concerning Rachel Corrie.

Frank Vargas, Cuban Sister City, regarding the proposed resolution on Cuba's use of the death penalty.

Jon Jackson regarding the proposed resolution concerning Rachel Corrie.

Clare Weaver, US-Cuba Sister Cities Assn., proposed resolution against Cuba (dissidents).

David Welsh, Berkeley-Palma Soriano Sister City Assn., regarding the proposed Cuba resolution.

### ACTION ON MINUTES

**M/S/C (Lavine, Seaton)** to approve the minutes from the regular meetings of May 5, 2003 and June 2, 2003 with two corrections to the May minutes. **Ayes:** Arasteh, Brody, Cachola, Cohen, Lavine, Lippman, Seaton, Sherman, Wagley, Yuen; **Abstain:** Maran, McDonald, (sorgen); **Absent:** None.

Commissioners Maran, McDonald, and (sorgen) abstained from the vote because they were not present for the May and/or June meetings.

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**ACTIONS TAKEN**

**REPORT ON DRUGS, THE DRUG WAR, AND PUBLIC HEALTH**

**M/S/C (Sherman, Wagley)** to support the action taken by the Police Review Commission to endorse the Report on Drugs, the Drug War, and Public Health. **Ayes:** Arasteh, Brody, Cohen, Lavine, Lippman, Maran, McDonald, Seaton, Sherman, (sorgen), Wagley, Yuen; **Abstain:** Cachola; **Absent:** None.

Commissioners Cachola abstained from the vote because she did not have a chance to read the report, and feels uncomfortable voting on the item.

**MEDICAL MARIJUANA**

**M/S/C (Cohen, McDonald)** to ask the Community Health Commission to consider resubmitting its recommendation to the City Council on the amount of medical marijuana and the number of marijuana plants that would be presumptively considered “personal use” for an individual patient. **Ayes:** Unanimous; **Absent:** None.

**STANDARDS OF CONDUCT**

**M/S/C (Yuen, Sherman)** It is the sense of the Peace and Justice Commission that the recommendations of the City Manager regarding "standards of conduct" of commission members are at this point unnecessary, and in fact could serve to stifle open discussion and debate among commission members. Further, under the existing commission procedures, commission chairs are granted adequate authority through Robert's Rules of Order to maintain "civil discourse" at commission meetings. Moreover, commission appointments are renewed on a yearly basis and so commission members can be removed at that time if needed. Therefore, the Peace and Justice Commission recommends that the City Council reject the City Manager's recommendations relating to "standards of conduct" of City commissions. **Ayes:** Unanimous; **Absent:** None.

**HOUSE CONCURRENT RESOLUTION 111**

**M/S/F (Seaton, Brody)** to adopt the following resolution:

WHEREAS, the citizens of the City of Berkeley long have supported a peaceful and just resolution of the conflict between the Israelis and Palestinians; and

WHEREAS, peaceful resolution of the conflict will be furthered by fair, impartial analysis of allegedly improper and illegal acts committed by the Israeli government, by the Palestinian Authority; and Palestinian militant groups; and

WHEREAS, in addition to Rachel Corrie, 17 Americans have been killed since September 2000, including Americans dedicated to a peaceful resolution of the conflict. One of these victims was Marla Bennett, a former Berkeley student, active in Hillel, who was obtaining an advanced degree at Hebrew University when killed in the university cafeteria on July 31, 2002 by a Hamas suicide bomber who also killed 8 others innocent individuals. Another victim was Abigail Little, a Christian eighth grader from New Hampshire who was participating in a special program "Children Teaching Children at a Jewish-Arab Center for Peace. The program teaches tolerance, pluralism and coexistence. A Hamas suicide bomber destroyed the bus on which she was riding; killing Abigail and 16 others; and

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WHEREAS, in November 2002, Human Rights Watch prepared an extensive detailed report entitled "Erased in a Moment" in which it described suicide bombings of civilians as "war crimes: and "crimes against humanity."

NOW THEREFORE, BE IT RESOLVED that the Berkeley City Council urge Barbara Lee and Senators Dianne Feinstein and Barbara Boxer to support a full, fair and expeditious inquiry into the deaths of all Americans killed in Israel and Palestine since September 2000 to determine the circumstances of those deaths and those responsible for those deaths and to urge that the United States and the Palestinian Authority take steps to ensure that such incidents do not occur in the future. **Ayes:** Brody, Cachola, Seaton; **Noes:** Arasteh, Lavine, Lippman, Maran, McDonald, Sherman, (sorgen), Wagley, Yuen; **Abstain:** Cohen; **Absent:** None.

**M/S/C** (*Lippman, Sherman*) to adopt the following Resolution:

WHEREAS, the Peace and Justice Commission is required to advise the Berkeley City Council and Berkeley Unified School District on all matters related to the City's role in issues of peace and social justice, including, but not limited to 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 is spent on fulfilling human needs and the promotion of peace (*Berkeley Municipal Code 3.68.070A*); and

WHEREAS, the Peace and Justice Commission shall act as a liaison between community groups organizing around issues of peace and social justice and City government (*Berkeley Municipal Code 3.68.070H*); and

WHEREAS, in a two-month period, three volunteers working with the International Solidarity Movement in the West Bank and Gaza have been killed or injured (*Rachel Corrie of Olympia, Washington, Brian Avery of New Mexico, and Tom Hurdall of Britain*); and

WHEREAS, these people were working non-violently to oppose destruction of homes, restriction of movement of the people of Palestine or protecting children; and

WHEREAS, the City of Berkeley supports peace and justice and opposes the senseless killing of innocent civilians including Palestinians, Israelis and others, and

WHEREAS, numerous residents of Berkeley have actively participated with the International Solidarity Movement, risking their safety and standing up for the principles of peace and justice, and have spoken before the Peace and Justice Commission; and

WHEREAS, United States House Concurrent Resolution 111 calls for a full and independent investigation into the death of Rachel Corrie.

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Berkeley directs the City Manager to send a letter to President George Bush, Senators Barbara Boxer and Dianne Feinstein, and Representative Barbara Lee calling on the United States Government to undertake a full, fair, and expeditious investigation into the death of Rachel Corrie, and urging the adoption

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of House Concurrent Resolution 111, which expresses the same intent. *Ayes:* Arasteh, Cachola, Lavine, Lippman, Maran, McDonald, Sherman, Wagley, Yuen; *Noes:* Brody, Seaton; *Abstain:* Cohen, (sorgen); *Absent:* None.

**NEXT MEETING**

The next regular meeting will be on Monday, September 8, 2003, at 7:00 pm at the North Berkeley Senior Center.

The meeting was adjourned at 10:33 pm.

Respectfully submitted

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Manuel Hector Jr., Secretary  
Peace and Justice Commission