

MINUTES

The meeting convened at 7:04 pm with Chairperson Anne Wagley presiding.

ROLL CALL

Present: Donald Brody, Leslieann Cachola, Elliot Cohen, Steven Freedkin, Jesse Gabriel, John Lavine, Jane Litman, Rita Maran, Thom Seaton, Michael Sherman, Phoebe ANNE (sorgen), Anne Wagley, Jamie Wright

Absent: Mark McDonald

LOA: Elliot Cohen

COMMENTS FROM THE PUBLIC

1. John Gertz regarding the Geneva Accords Peace Plan.
2. Steve Berley, Jewish Community Relations Council, regarding the Geneva Accords Peace Plan.
3. Seymour Kessler regarding the Geneva Accords Peace Plan.
4. Hilda Kessler, Bridges to Israel-Berkeley, regarding the Geneva Accords Peace Plan.
5. Elizabeth Kashner, Jewish Community Relations Council, regarding the Geneva Accords Peace Plan.
6. Adam Meislik regarding the Geneva Accords Peace Plan.
7. Marian Magid regarding the Geneva Accords Peace Plan.
8. Barbara E. Sykes, Marin Peace and Justice Coalition and Citizens for Democratic Change, regarding how impeachment is necessary for Dems in the 2004 election.
9. Alan Barnett, Marin Peace and Justice Coalition, regarding the impeachment resolution.
10. Pat Jordan, Marin Peace and Justice Coalition, regarding the impeachment resolution.
11. Jaye Scott, Berkeley Grey Panthers, regarding the impeachment resolution.
12. Hank Levin regarding the impeachment resolution.

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13. Margot Smith, Gray Panthers of the East Bay, regarding the impeach Bush resolution.
14. Hal Carlstad, Unitarian Fellowship-Social Justice, regarding the impeachment resolution.
15. Pablo Rodriguez endorsing the impeach Bush resolution.
16. Eleanor Walden, Peace and Freedom Party, regarding the impeachment of G.W. Bush.
17. Frances Hillyard, Berkeley Fellowship Unitarian, regarding the resolution to endorse the impeachment of Bush and Cheney.
18. Marjorie Athwal, Citizens for Democratic Change, regarding the impeachment resolution.
19. Ingrid Kepler-May regarding the impeachment resolution.
20. Gordon Wright strongly encourages resolution of impeachment.

ACTION ON MINUTES

M/S/C (*Seaton, Wright*) to approve the minutes for the regular meeting of November 3, 2003. **Ayes:** Brody, Cachola, Seaton, Sherman, sorgen, Wagley, Wright; **Noes:** None; **Abstain:** Lavine, Litman, McDonald, Bernardi; **Absent:** Freedkin, Maran.

Commissioners Lavine, Litman, McDonald, and Bernardi abstained from the vote because they were not present at the November 2003 meeting.

M/S/C (*sorgen, Litman*) to approve the minutes for the regular meeting of December 1, 2003. **Ayes:** Brody, Cachola, Litman, McDonald, Seaton, Sherman, sorgen, Wagley, Wright; **Noes:** None; **Abstain:** Lavine, Bernardi; **Absent:** Freedkin, Maran.

Commissioners Lavine and Bernardi abstained from the vote because they were not present at the December 2003 meeting.

ACTIONS TAKEN

M/S/C (*McDonald, Bernardi*) to approve the following resolution as corrected:

WHEREAS, the City Council has found that 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 (*Berkeley Municipal Code Section 3.68.010.B*); and

WHEREAS, Initiatives are needed to reverse the drift toward war and to remove the causes of war (*Berkeley Municipal Code Section 3.68.010.G*); and

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WHEREAS, Individual citizens, unless organized, are virtually powerless in confronting and influencing larger government bodies (*Berkeley Municipal Code Section 3.68.010.I*); and

WHEREAS, the United States Constitution states that “The President, Vice-President and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery or other high crimes and misdemeanors” (*Article II, Section 4*); and

WHEREAS, President George W. Bush and Vice-President Richard B. Cheney allegedly participated in activities to deceive the people of the United States, the United States Congress, the United Nations, and the international community in order to justify illegal acts of war by the United States and allies against another country. Examples of such are:

- President Bush and Vice-President Cheney both claimed to have evidence of an imminent attack by Iraq against the United States and its allies using weapons of mass destruction. No such evidence has been provided or discovered.
- President Bush and Vice-President Cheney on numerous occasions have allegedly claimed to have evidence that Saddam Hussein was cooperating with the Al Qaida terrorists, and that Iraq was involved in the September 11, 2001 attacks on New York and Washington, D.C. No such evidence has been provided or discovered.
- President Bush and Vice-President Cheney both allegedly claimed to have proof that the Iraqi government had purchased processed uranium ore from Nigeria for the purposes of developing nuclear weapons. It has been proven that this purchase was extremely unlikely.

NOTE: for a more extensive list of alleged offenses and documentation, please see attached National Lawyers Guild documents and F. Boyle/R. Clark documents.

WHEREAS, President Bush and Vice-President Cheney have allegedly violated the rights of United States citizens as guaranteed by the First, Fourth, Sixth and Eighth Amendments of the United States Constitution by indefinitely incarcerating them as “enemy combatants” without access to legal counsel or due process; and

WHEREAS, President Bush and Vice-President Cheney have allegedly violated human rights of non-citizens both inside and outside the United States by ordering their indefinite detention and labeling them illegal combatants; and

WHEREAS, the involvement of the United States and its allies in a preemptive war has potential direct effects on the City of Berkeley in the following ways:

- Immeasurable grief and loss to Berkeley families whose member(s) are killed or injured while serving in the armed services.

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- Diminished funding for Berkeley schools, which are already suffering from insufficient resources.
- Diminished funding for health services for the citizens of Berkeley with the added burden of care for any injured in the war.
- Diminished funding for libraries, civil facilities, social programs and other aspects of our citizenry's well being.

WHEREAS, Vice-President Cheney allegedly continues to receive significant monetary compensation from United States firms who have been granted huge no-bid United States government contracts in the so-called reconstruction of Iraq; and

WHEREAS, Resolutions on impeachment have been passed by city councils in Santa Cruz and Arcata, organizations such as the National Lawyers Guild and Gray Panthers, and labor representatives at a national union conference held at the ILWU Hall in San Francisco, CA (*see attached documents*).

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Berkeley calls upon the City Manager to send a letter to our Honorable Representative Barbara Lee requesting that she submit a resolution to the House Judiciary Committee requesting an investigation as to whether impeachable offenses were committed by George W. Bush, holder of the title United States President, and Richard B. Cheney, holder of the title United States Vice-President.

BE IT FURTHER RESOLVED that the Council of the City of Berkeley requests that copies of this Resolution be sent to Senators Barbara Boxer and Diane Feinstein, and Representatives Nancy Pelosi and John Conyers.

Ayes: Cachola, Lavine, Litman, McDonald, Sherman, sorgen, Wagley, Bernardi; **Noes:** Brody, Seaton; **Abstain:** Wright; **Absent:** Freedkin, Maran.

Commissioner Wright abstained from the vote because she does not feel that the standards for impeachment have been met.

NEXT MEETING

The next regular meeting will be on Monday, February 2, 2004 at 7:00 pm in the North Berkeley Senior Center.

The meeting was adjourned at 9:55 pm.

Respectfully submitted

Manuel Hector Jr., Secretary