

Peace and Justice
Commission

PEACE & JUSTICE COMMISSION MEETING AGENDA

Monday, October 4, 2021 – 7:00 p.m.

PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED EXCLUSIVELY THROUGH VIDEOCONFERENCE AND TELECONFERENCE

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, the January 25, 2021 meeting of the Peace and Justice Commission will be conducted exclusively through teleconference and Zoom videoconference. Please be advised that pursuant to the Executive Order and the Shelter-in-Place Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, there will not be a physical meeting location available.

To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device: Please use this URL

<https://us02web.zoom.us/j/89026171227>

If you do not wish for your name to appear on the screen, then use the drop-down menu and click on "rename" to rename yourself to be anonymous. To request to speak, use the "raise hand" icon by rolling over the bottom of the screen.

*To join by phone: Dial 1-669-900-9128 and enter Meeting ID 89026171227. If you wish to comment during the public comment portion of the agenda, Press *9 and wait to be recognized by the Chair.*

Please be mindful that all other rules of procedure and decorum will apply for Commission meetings conducted by teleconference or videoconference.

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 B)
5. Commission Updates & Chairperson's Report
6. Secretary's Report (including status of passed items from previous meetings)

SECTION B. DISCUSSION/ACTION ITEMS

7. Chair and Vice-Chair Elections (Chair Tregub and Secretary Vance-Dozier)
8. Create Meeting Calendar for Balance of 2021 (Commission on Chair and Secretary Vance-Dozier)
9. Review of FY 2022 Work Plan (Chair and Vice-Chair)
10. Discussion and Possible Action on the Process on the Commission Reorganization (Chair and Vice-Chair)
11. Discussion and Possible Action on the Haitian Refugee Crisis (Commissioner Tregub)

12. Discussion and Possible Action on Homelessness Issues Resolution (Commissioner Bohn)
13. Council Referral to Peace and Justice on the Rights of Nature: Commission Discussion and Possible Action. (Chair and Vice-Chair)
14. Set Special Meeting if Necessary (Chair and Vice-Chair)

SECTION D. COMMUNICATIONS


15. No communications received.

SECTION E. BACKGROUND INFORMATION

SECTION F. ADJOURNMENT

Attachments:

- A. Commission Roster
- B. January 2021 Draft Meeting Minutes
- C. Proposed Meeting Schedule
- D. FY 2022 Work Plan as Passed in January 2021
- E. Proposed Response on Commission Reorganization
- F. Proposed Haitian Refugee Crisis Resolution
- G. Proposed Homelessness Issue Resolution
- H. Council Referral on rights of Nature

 Meeting Access: To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services Specialist, at 981-6418 (V) or 981-6347 (TDD), at least three (3) business days before the meeting date.

Communications Disclaimer

*Communications to Berkeley boards, commissions or committees are public record and will become part of the City's electronic records, which are accessible through the City's website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to a City board, commission or committee, will become part of the public record.** If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the secretary of the relevant board, commission or committee. If you do not*

want your contact information included in the public record, please do not include that information in your communication. Please contact the secretary to the relevant board, commission or committee for further information.

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

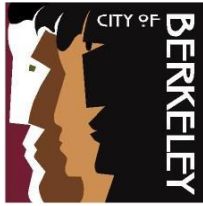
*Okeya Vance-Dozier, Secretary
Peace and Justice Commission
City of Berkeley
2180 Milvia Street, 5th Floor
Berkeley, CA 94704
ovancedozier@cityofberkeley.info (email)*

Peace and Justice Commission

| District | Name / Address | Phone | Appointed By | |
|-----------------|---|----------------|---------------------|--|
| BUSD | Alessandra Leon-Maldonado 2105 7th St. Berkeley CA 94710 | (510) 527-5834 | Vasudeo | alessandraleonmald@students.berkeley.net |
| BUSD | Grace Morizawa 1528 Holly St. Berkeley CA 94703 | (510) 526-9041 | Appel | gmorizawa@yahoo.com |
| BUSD | Reichi Lee 1221 Cornell Ave. Berkeley CA 94706 | (415) 519-9203 | Babitt | reichilee@gmail.com |
| BUSD | Zaira Rodriguez 1290 Hopkins Street #8 Berkeley CA 94702 | (510) 528-2752 | Student Director | zairarodriguez@students.berkeley.net |
| BUSD | Vacant | | Sinai | |
| BUSD | Vacant | | Brown | |
| District 1 | Rita Maran 1326 Shattuck Avenue #4 Berkeley CA 94709-1483 | (510) 540-8017 | Maio | maranrita@gmail.com |
| District 2 | Veta Jacquilin 1425 Oregon St. #D2 Berkeley CA 94702 | (510) 570-5838 | Taplin | vetajac@gmail.com |
| District 3 | J. George Lippman 2615 Milvia Street Berkeley CA 94704 | (619) 236-6874 | Anderson | geolippman.pjc@earthlink.net |

Peace and Justice Commission

| District | Name / Address | Phone | Appointed By | |
|-----------------|---|----------------|---------------------|---------------------------|
| District 4 | Vacant | | Harrison | |
| District 5 | Judith Gussmann 2705 Benvenue Ave. Berkeley CA 94705 | (510) 849-1492 | Hahn | teachergus@aol.com |
| District 6 | Bob Meola 2335 Acton Street Berkeley CA 94702 | (510) 644-1102 | Wengraf | bobmeola@mindspring.com |
| District 7 | Jasmine Perry 2617 Hillegass Ave. #3A Berkeley CA 94704 | (310) 994-3369 | Robinson | jasmineperry@berkeley.edu |
| District 8 | Vacant | | Droste | |
| Mayor | Igor Tregub 1043 Virginia Street Berkeley CA 94710 | (510) 295-8798 | Arreguin | itregub@gmail.com |



Peace and Justice
Commission

Peace and Justice Commission Meeting January 25, 2021

Pursuant to March 17, 2020 Governor's Executive Order N-29-20, this meeting was held electronically.

MINUTES (Draft)

The meeting convened at 7:03 pm with Igor Tregub (Chair) presiding. Melissa McDonough, Senior Management Analyst, was acting Secretary. Melanie McLean, Administrative Assistant to the Deputy City Managers, was also present.

SECTION A. PRELIMINARY MATTERS

1. **Roll Call**

Present: Askary, Bohn, Gussmann, Jacquelin, Lippman, Meola, Morizawa, Perry, Tregub

Absent: Maran, Rodriguez

Excused: None

Leave of Absence: None

Commissioner Maran arrived at 7:45 p.m.

2. **Announcements**

3. **Comments from the Public**

Public Attendance: 2

Public Comments: 2

4. **Review and approval of meeting minutes**

Peace and Justice Commission approved minutes from 3/2/20.

M/S/C: Askary, Perry

Ayes: Askary, Gussmann, Lippmann, Meola, Morizawa, Perry, Tregub

Noes: Bohn

Abstain: Jacquelin (new commissioner, did not attend 3/2/20 meeting)

Absent: Maran (arrived later), Rodriguez

Excused: None

5. **Commission Updates & Chairperson's Report (No Action Taken)**

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

SECTION B. DISCUSSION/ACTION ITEMS

7. Discussion and Action on Fiscal Year 2022 Peace and Justice Commission Work Plan

Motion to adopt and submit to City Council the Fiscal Year 2022 Peace and Justice Commission Work Plan, with amendments to: (1) authorize the Chair to revise the Plan for clarity (e.g., updating dates), and (2) add language indicating that, “The Commission’s ability to do the COVID-19 proximate work identified in the Plan is contingent upon the Commission’s ability to meet regularly” and that, “The Commission commits itself to carrying out, in this current year, the COVID-19 proximate work identified in the Plan.”

M/S/C: Meola, Pierce

Ayes: Askary, Bohn, Gussmann, Jacquilin, Lippmann, Maran, Meola, Morizawa, Perry, Tregub

Noes: None

Abstain: None

Absent: Rodriguez

Excused: None

SECTION C. COMMUNICATIONS

8. No communications received prior to meeting.

During Announcements, the Chair shared two communications with the Commission. These communications are available upon request by contacting the City Manager’s Office at city.manager@cityofberkeley.info

SECTION D. ADJOURNMENT

The meeting was adjourned at 8:31 PM.

M/S/C: Meola, Bohn

Ayes: Askary, Bohn, Gussmann, Jacquilin, Lippmann, Maran, Meola, Morizawa, Perry, Tregub

Noes: None

Abstain: None

Absent: Rodriguez

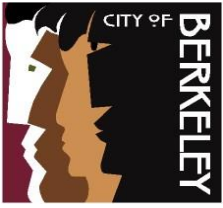
Excused: None

Respectfully Submitted,

Melissa McDonough, Acting Secretary

Peace and Justice Commission

DRAFT



Commission on the
Status of Women

**Peace and Justice Commission
Approved 2018 Meeting Schedule
North Berkeley Senior Center**

1. Monday, November 1, 2021 at 7pm
2. Monday, December 6, 2021 at 7pm
3. Monday, January 10, 2022 at 7pm



Peace and Justice Commission

INFORMATION CALENDAR

March 9, 2021

To: Honorable Mayor and Members of the City Council
 From: Peace and Justice Commission
 Submitted by: Igor Tregub, Chairperson, Peace and Justice Commission
 Subject: FY 2021-2022 Peace and Justice Commission Work Plan

INTRODUCTION

At its January 25, 2021 meeting, the Peace and Justice Commission adopted its Fiscal Year (FY) 2021-2022 Work Plan (Attachment 1).

CURRENT SITUATION AND ITS EFFECTS

On January 25, 2021, the Peace and Justice Commission adopted the attached work plan through the action detailed below.

Work Plan

Motion to adopt and submit to City Council the Peace and Justice Commission Work Plan, with amendments to: (1) authorize the Chair to revise the Plan for clarity (e.g., updating dates), and (2) add language indicating that, "The Commission's ability to do the work identified in the Plan is contingent upon the Commission's ability to meet regularly" and that, "The Commission commits itself to carrying out, in this current year, the work identified in the Plan."

M/S/C: Meola, Pierce

Ayes: Askary, Bohn, Gussmann, Jacquelin, Lippmann, Maran, Meola, Morizawa, Perry, Tregub

Noes: None

Abstain: None

Absent: Rodriguez

Excused: None

BACKGROUND

In 2016, the City Council adopted direction to commissioners to submit a work plan annually.

ENVIRONMENTAL SUSTAINABILITY

There are no identifiable environmental sustainability impact associated with the adoption of this work plan.

POSSIBLE FUTURE ACTION

The commission is working on several priorities in alignment with this work plan, and may bring them to the Council for action in the future.

FISCAL IMPACTS OF POSSIBLE FUTURE ACTION

Fiscal impacts will depend on the actions recommended and the Council's decision.

CONTACT PERSON

Melissa McDonough, Interim Secretary, City Manager's Office, (510) 981-7402

Attachment 1: FY 2021-2022 Work Plan

Appendix 1: Peace and Justice Committee Fiscal Years 2021-2022 Work Plan

Participation in Community Engagement Process to Develop a New Paradigm of Public Safety and Racial Justice

The Commission shall focus its work in Fiscal Years 2021-2022 on contributing to two priority Council initiatives: “Community Engagement Process to Develop a New Paradigm of Public Safety in Berkeley” and “Declare Racism as a Public Health Crisis, a Threat and Safety Issue in the City of Berkeley.”

The Commission brings to bear on this initiative a history of engagement with subjects at the heart of re-imagining public safety, as well as a practice of community engagement. Over the last decade, it has sponsored community roundtables on such issues as “breaking the prison cycle,” sex-trafficking, immigration, and the international human rights framework. Our practice has been to bring together stakeholders concerned with a common issue but with diverse perspectives. Using a social justice lens, Peace and Justice views community concerns that are typically stovepiped in a holistic manner. The search for positive and non-punitive solutions to social problems such as conflict and anti-social behavior, providing healthcare, education, housing, and counseling at the front end rather than policing at the back end, has been fundamental to the Commission dating back to our founding mandate in 1986.

Some elements of the Commission’s participation in the re-imagining process may include:

1. Participating in the Reimagining Public Safety Task Force if invited, or else in a structured relationship with the Task Force.
2. The Commission’s participation recognizes that the Task Force’s charter integrates public safety with the public’s health. This concept is critical not only because safety and health are integrally connected, and because of the emerging awareness that armed police intervention should be minimized in mental and behavioral health incidents. Most importantly, the Commission will help ensure that a consciousness of public health shall include the social and racial determinants of health. This understanding of the interrelatedness of key human needs has long been an integral part of the Commission’s practice.
3. The Commission will pursue an anti-racist approach, recognizing and committing in our proposals to dismantle the institutional and social structures of white supremacy, and committing in our process to, as the Council has stated, “centering the voices of those who are most impacted by our current system of public safety.”
4. The Council recommended on December 15, 2020 that “Berkeley leverage our commissions and community organizations to provide additional input and research to inform the Task Force’s work.” The Peace and Justice Commission is uniquely situated to assist in coordinating work of other civic boards and commissions due to its holistic social justice

approach, its long history of work with multiple commissions, and its practice of public education on social issues.

5. Recognizing the City's priority of work on the Covid-19 pandemic, city management has asked that all commissions' work have a focus on efforts to fight the pandemic. Under the Council's "holistic, anti-racist approach to community safety," the public's health is key to community safety. Racial disparities in pandemic infection rates are gravely concerning from a human rights perspective. According to City statistics, infection rates per 100,000 of City population are over five times as high for the Latinx population as for White people, and for African Americans, twice as high as for White people. The holistic approach demands of us who seek a new paradigm of public safety that we envision an end to racial discrimination in the pandemic.
6. The "Declare Racism as a Public Health Crisis, a Threat and Safety Issue in the City of Berkeley" proposal, passed by Council on January 19, 2021, provides an additional framework and greater depth for Peace and Justice participation in the Council initiative for a new paradigm in public safety.¹

Ongoing Projects

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

¹ The "Declare Racism as a Public Health Crisis, a Threat and Safety Issue in the City of Berkeley" proposal reflects on both the disparate impact of Covid-19 on Black, Latinx, Native American, and Asian American communities, and the heightened understanding of structural and institutionalized racism nationally. The proposal commits the City to eliminate all socioeconomic barriers to health equity. Specifically, it calls for a series of town hall meetings throughout the sessions to address the concerns of people of color and marginalized community members and to strengthen the anti-racist capacity building; establishment of a working group to promote racial equity; the City Manager to explore greater health disparities that have emerged as a result of the COVID-19 crisis; to propose a Health in All Policies Ordinance; mandatory anti-racist training for City employees; a Strategic Plan for Health Equity; an anti-racism dashboard; work with BUSD to study whether "race-based differential access means that some students have less access to educational opportunities."

(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; Nuclear Ban 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.”

Socially Responsible investment and Procurement Policy (SRIPP) and Sustainable Sweatshop-Free Berkeley

The SRIPP Subcommittee of the Peace and Justice Commission was chartered by resolution of the Berkeley City Council on July 16, 2019. Its immediate charge is to develop a proposed policy to “govern the Commission’s advisory role in socially responsible investing and socially responsible procurement.” Prior to March 2020, the subcommittee held several meetings

including one discussion with City Finance Department staff and used those conversations to craft a draft SRIPP ordinance that is responsive to the City Council's request.

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 SRIPP 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 Sweatshop-Free Schools Policy for athletic supplies. The SRIPP Subcommittee and the Commission are supporting the BUSD to ensure the development of an effective policy.

Subcommittee on the Convention on the Rights of Persons with Disabilities

The mandate of the Peace & Justice Commission's "Subcommittee on the Convention on the Rights of Persons with Disabilities" (CRPD) expired in 2019. During its five years of operations, the Subcommittee educated broadly about the CRPD via public newsletters, public conferences, and initiatives with educators, non-governmental organizations, and legislators of the City of Berkeley, the State of California, and the U.S. Congress.



Peace and Justice Commission

[] CALENDAR

[Meeting Date (MM dd, yyyy)]

To: Honorable Mayor and Members of the City Council

From: Peace and Justice Commission

Submitted by: [], Chairperson, Peace and Justice Commission

Subject: Response to Proposed Commission Reorganization

RECOMMENDATION

Send a letter to the Berkeley City Council requesting that it maintain the current structure of the Peace and Justice Commission.

SUMMARY

On June 15, 2021, the Berkeley City Council approved an item to reorganize various city commissions.^{1 2 3} In particular, it approved the following language concerning the possible future of the Peace and Justice Commission (PJC):

“Phase 2: All other Commissions as proposed below. As staff is able to make recommendations on consolidation, after consultation with the impacted commissions, they can bring those recommendations forward one by one...

New Commission Name (suggested): Peace, Justice, and Human Welfare

Former Commissions to be Reorganized: [PJC] and [Human Welfare and Community Action Commission (HWCAC)]...

¹ https://www.cityofberkeley.info/Clerk/City_Council/2021/06_June/Documents/2021-06-15_Supp_2_Reports_Item_1_of_SPECIAL_MEETING_Rev_Harrison_pdf.aspx

² https://www.cityofberkeley.info/Clerk/City_Council/2021/06_June/Documents/2021-06-15_Special_Item_01_Commission_Reorganization.aspx

³ https://www.cityofberkeley.info/Clerk/City_Council/2021/06_June/Documents/06-15_Special_Annotated_Agenda_pdf.aspx

2180 Milvia Street, Berkeley, CA 94

The Peace, Justice and Human Welfare Commission will be comprised of only Mayor and Council appointees...

Retain the Representatives of the Poor on the new Peace, Justice, and Human Welfare Commission.”

For reasons described below, the PJC respectfully requests that its current structure be maintained.

FISCAL IMPACTS OF RECOMMENDATION

Should the Council accept this recommendation, the costs associated with staffing PJC meetings shall remain virtually the same. Marginal savings associated with continuing to hold PJC meetings virtually may occur.

CURRENT SITUATION AND ITS EFFECTS

The PJC was established in 1986 by Council Resolution (Berkeley Municipal Code Chapter (BMC) 3.68)⁴ and currently provides the following functions⁵:

- 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

⁴ <https://www.codepublishing.com/CA/Berkeley/?Berkeley03/Berkeley0368/Berkeley0368.html>

⁵ *Ibid.* BMC 3.68.70: Functions

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)

BMC Chapter 3.68 further states: " The commission shall consist of fifteen members. Six members shall be appointed by the [Berkeley Unified School District (BUSD)] 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.”⁶

ENVIRONMENTAL SUSTAINABILITY

There are no identifiable direct environmental impacts or opportunities associated with the subject of this report.

RATIONALE FOR RECOMMENDATION

The PJC recommendation is made for the following reasons:

1. While the City of Berkeley appears to have largely turned the corner on the pandemic, significant swaths of Berkeley – particularly in communities that have been most impacted by historical economic and social disparities – are still falling behind. It is time to make full use of the expertise, passion, and hard work of the commissioners’ expertise, rather than saving a relatively insignificant amount of funding on consolidation with the Human Welfare Commission.
2. As was described in a recent letter by the HWCAC Chairperson on behalf of the HWCAC (Attachment 1): “[T]he missions of these two commissions are very different. A consolidation would create an unwieldy catch all commission. Instead of being focused on clear goals, a consolidated group would get mired in vastly different objectives competing for limited commission time and resources, reducing its effectiveness. This would be unproductive and more importantly unfair to the communities that we’ve all been asked to represent.” This is even more true given the monumental scope of the PJC as prescribed in BMC Chapter 3.68.
3. No rationale has been given – or exists – for the removal of the six Berkeley Unified School District (BUSD) slots from the PJC. The PJC is the sole Berkeley commission that provides an intersectional formal setting for BUSD appointees to discuss and act on matters of peace and justice with Mayoral and Council appointees. At a minimum, prior to considering such a decision, a vote of the BUSD Board should occur.

⁶ <https://www.codepublishing.com/CA/Berkeley/?Berkeley03/Berkeley0368/Berkeley0368.html>. BMC 3.68.20. Established--Membership--Appointment

ALTERNATIVE ACTIONS CONSIDERED

The PJC considered an alternative of only stating concerns regarding the dissolution of BUSD appointments, while not voicing a preference between consolidation with the HWCAC and retaining the current PJC structure completely intact. For the reasons described under the “Rationale for Recommendation” section above (particularly, in deference to the request of the HWCAC, Reason (1)), the PJC respectfully maintains the proposed recommendation.

CITY MANAGER

The City Manager [TYPE ONE] concurs with / takes no position on the content and recommendations of the Commission’s Report. [OR] Refer to the budget process.

Note: If the City Manager does not (a) concur, (b) takes any other position, or (c) refer to the budget process, a council action report must be prepared. Indicate under the CITY MANAGER heading, “See companion report.” Any time a companion report is submitted, both the commission report AND the companion report are Action reports.

CONTACT PERSON

[], Chairperson, Peace and Justice Commission

Okeya Vance-Dozier, Interim Commission Secretary, City Manager’s Office (510) 981-xxxx

Attachments:

1. Communication regarding the consolidation of the Human Welfare and Peace and Justice Commissions by HWCAC Chair Sood, dated July 28, 2021
2.



Igor Tregub <itregub@gmail.com>

SUPPORT: Supp 2 at Special Meeting; Item 35 at Regular Meeting

Igor Tregub <itregub@gmail.com>
Bcc: Igor Tregub <itregub@gmail.com>

Thu, Sep 30, 2021 at 9:38 AM

----- Forwarded message -----

From: **Igor Tregub** <itregub@gmail.com>
Date: Tue, Jun 15, 2021 at 7:37 AM
Subject: SUPPORT: Supp 2 at Special Meeting; Item 35 at Regular Meeting
To: <council@cityofberkeley.info>, City Clerk <clerk@cityofberkeley.info>

Dear Mayor Arreguin and Members of the City Council,

I write the below comments as an individual, and they may not necessarily be representative of the opinions of my commission colleagues.

I write in support of the revised Supp 2 item submitted by Councilmember Harrison regarding Commission Reorganization discussed at today's special meeting. I agree with the immediate-term proposals, including to merge the Housing Advisory Commission and Measure O Bond Oversight Committee. I also feel strongly that the second phase of the proposed reorganization, at minimum, needs consultation from commissioners that will be impacted by these sweeping proposals. The proposal in Supp 2 is a thoughtful compromise that provides a deliberative, step-wise approach and ensures consultation with impacted stakeholders - the commissioners who have devoted many long hours of largely volunteer time in the service of our shared community.

Thank you for your consideration.

Respectfully,
Igor

--

Igor A. Tregub (he/him)
Mobile | 510-295-8798

"The arc of history is long, but it bends towards justice." - Martin Luther King, Jr.



Igor Tregub <itregub@gmail.com>

Opposition to Peace and Justice Commission consolidation and truncation

George Lippman <george@igc.org>

Tue, Jun 15, 2021 at 8:16 AM

To: "mayor@cityofberkeley.info" <mayor@cityofberkeley.info>, council@cityofberkeley.info

Cc: auditor@cityofberkeley.info, manager@cityofberkeley.info, "Buddenhagen, Paul" <PBuddenhagen@cityofberkeley.info>, Igor Tregub <itregub@gmail.com>

Hon. Mayor Arreguin and Members, Berkeley City Council:

I urge Council to maintain the Peace and Justice Commission in its current structure. I call for a deep consultation with all commissions prior to making any changes. The overwhelmingly volunteer commissions are a great asset to the life of the city, as well as to your work as the city's legislative body.

With the pandemic largely overcome in Berkeley, it is time to make full use of the expertise, passion, and hard work of the city's residents, rather than saving pennies on consolidation and minimization of meetings.

Others have spoken about the importance of a commission that brings together appointees of the Council and the school district. I agree that we must work together to promote social justice within the vibrant school community as well as in the city at large. With regard to merging Peace and Justice with Human Welfare and Community Action, the merits of this idea should be openly discussed with all parties before such a proposal comes to Council. But the effect of these combined changes would be to severely damage the functioning of a what is the only City body devoted solely to promoting social justice in Berkeley.

I will give one example of the value of the Peace and Justice Commission that goes beyond the typical activity of passing resolutions and proposing legislation. In its role as the city's human relations commission, we had occasion a few years ago to hear from community activists concerned about circumcision. We met to hear their concerns about the human rights of babies. Without taking a position on the subject, we appreciated their bringing the issue to our attention. However, we also raised concerns with them about certain tropes we considered anti-Semitic and persuaded them that distributing such negative stereotypes was inappropriate, unacceptable, and undermined the legitimacy of their campaign. Such discussion is as key a part of leadership in social justice as are initiatives to change government policy.

Please maintain this unique institution for future generations of Berkeleyans.

George Lippman

Vice-Chair, Berkeley Peace and Justice Commission (for identification only)

June 15, 2021

 **Letter to Mayor and Council on P&J consolidation.docx**
14K



Igor Tregub <itregub@gmail.com>

Opposition to Peace and Justice Commission consolidation and truncation

George Lippman <george@igc.org>

Tue, Jun 15, 2021 at 11:46 AM

To: Igor Tregub <itregub@gmail.com>, Diana Bohn <nicca@igc.org>, "Robert L. Meola" <bobmeola@mindspring.com>, grace morizawa <gmorizawa@yahoo.com>, Judith Gussmann <teachergus@aol.com>, Zaira Rodriguez <zairarodriguez16@berkeley.edu>, Rita Maran <maranrita@gmail.com>, Jasmine Perry <jasmineperry@berkeley.edu>
Cc: Omeed Askary <omeed.askary@gmail.com>, Hatem Bazian <hatemb@berkeley.edu>

Another letter, from fellow Commissioner Zaira Rodriguez:

* * *

Hey George, this is the letter i sent yesterday:

Dear Mayor and the City Council,

The news of wanting to merge the Peace and Justice Commission with the Human Welfare and Community Action Commission and removing BUSD appointees concerns me. As a BUSD appointed member of the Peace and Justice Commission for 5 years, I was able to experience what it is like to do community work without a rigorous process to get into the commission. Young Berkeley citizens like myself who want to be involved with community work are not always aware of how to get involved or the process of applying for a commission, but contacting a BUSD student director is easier than contacting city council members or the mayor. I would also like to highlight that merging the commissions together would lose a young minority (me) being involved in community work and have an input to make a difference. Merging the commissions would also lose the fantastic work that the Peace and Justice Commission have done throughout the years.

Sincerely,
Zaira Rodriguez

--



**Zaira Rodriguez | Professional and Academic Development for Women of Color
Department| Associate**

Office of ASUC Senator Rodriguez

Associated Students University of California

(510) 334-3602 | bCal: zairarodriguez16@berkeley.edu

[Quoted text hidden]

[Quoted text hidden]

<Letter to Mayor and Council on P&J consolidation.docx>

<Grace Morizawa.docx>

Diana Bohn's letter:

Dear Mayor and Council Members:

I hope you will keep the Peace and Justice Commission intact.

The Peace and Justice Commission serves a good, useful purpose for the city.

Here below is an outline of resolutions that the council has passed that were presented by the Peace and Justice Commission:

Outline of Peace & Justice Commission work since 2006

Peace and Justice Commission has passed resolutions on:

Local issues: 31
State issues: 5
National Issues: 31
International issues: 23
8 resolutions related to Issues regarding Immigration -
Indigenous issues: 4

A complete list is attached.

In 2020, Congresswoman Barbara Lee thanked the PJC for introducing resolutions that dealt with international issues!

I hope you will keep us active and intact.

Thank you.
Sincerely,
Diana Bohn
<Peace & Justice Commission work.docx>
[Quoted text hidden]



Igor Tregub <itregub@gmail.com>

Opposition to Peace and Justice Commission consolidation and truncation

George Lippman <george@igc.org>

Tue, Jun 15, 2021 at 8:37 AM

To: Igor Tregub <itregub@gmail.com>, Diana Bohn <nicca@igc.org>, "Robert L. Meola" <bobmeola@mindspring.com>, grace morizawa <gmorizawa@yahoo.com>, Judith Gussmann <teachergus@aol.com>, Zaira Rodriguez <zairarodriguez16@berkeley.edu>, Rita Maran <maranrita@gmail.com>, Jasmine Perry <jasmineperry@berkeley.edu>
Cc: Omeed Askary <omeed.askary@gmail.com>, Hatem Bazian <hatemb@berkeley.edu>

Commissioners, [Igor, can you please forward to anyone I may have missed?]

I am forwarding four letters that commissioners have sent to the city council expressing concern about the action council is considering to restructure Peace and Justice. See below for letters from Grace, Diana,, Bob, and me.

Consolidation of a number of commissions will come up at an early special council meeting at 4pm today. There is still time for other commissioners to send your own thoughts, even if only a line, to council members; or to speak in public comment at 4pm. You can find the address to write to all council members below.

Here is the agenda for the 4pm meeting: https://www.cityofberkeley.info/Clerk/City_Council/2021/06_June/City_Council__06-15-2021_-_Special_Meeting_Agenda.aspx

At a minimum I hope the council decides to consult with P&J and other commissions before making any significant changes to the structure.

To access the 4pm meeting remotely: Please use this URL <https://us02web.zoom.us/j/87908681987>.

To join by phone: Dial **1-669-900-9128 or 1-877-853-5257 (Toll Free)** and enter Meeting ID: **879 0868 1987**. If you wish to comment during the public comment portion of the agenda, Press *9 and wait to be recognized by the Chair.

Thanks,
George Lippman

Begin forwarded message:

[Quoted text hidden]

Diana Bohn's letter:

Dear Mayor and Council Members:

I hope you will keep the Peace and Justice Commission intact.

The Peace and Justice Commission serves a good, useful purpose for the city.

Here below is an outline of resolutions that the council has passed that were presented by the Peace and Justice Commission:

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A complete list is attached.

In 2020, Congresswoman Barbara Lee thanked the PJC for introducing resolutions that dealt with international issues!

I hope you will keep us active and intact.

Thank you.
 Sincerely,
 Diana Bohn

* * * * *

Bob Meola's letter:

Dear Mayor and Councilmembers,

I am distressed to find that you are considering passing item 1. on your Action Calendar--Old Business "Commission Reorganization for Post-COVID19 Budget Recovery" on Tuesday's 4:00 P.M. Special Session Meeting.

I am a long time member and former Vice-Chair and former Chairperson of the Berkeley Peace and Justice Commission. I do not know enough about the missions of all of the commissions that you are proposing to merge. I do know that I urge you to either vote NO on this item or sever the portion that addresses the merger of the Peace and Justice Commission with the Human Welfare & Community Action Commission.

These two commissions have distinct mission mandates. The Berkeley Peace and Justice Commission is thirty-five years old. Chapter 3.68 of the Berkeley Municipal Code, added in 1986, addresses the establishment, organization, mission, and functions of the Peace and Justice Commission. Section 3.68.010 of Chapter 3.68 lists the thirteen Findings--A. through M.--the reasons for the establishment of the Peace and Justice Commission. Section 3.68.070 of Chapter 3.68 lists the thirteen Functions--another A. through M.--of the Peace and Justice Commission.

The Peace and Justice Commission has many functions and a broad mandate. Critics [both Berkeley residents and Councilmembers] over the years, who have not known or understood the purpose and functions of the Peace and Justice Commission, as written in the BMC, have incorrectly accused the Commission of taking stands on issues of Peace and Justice across the country and around the world instead of just in Berkeley. If they would read the Berkeley Municipal Code Chapter 3.68, they would know that the Peace and Justice has always followed the mandate given to it by the City of Berkeley 35 years ago.

The proposed merger of these two commissions also would abolish the six Berkeley Unifies School District seats on the Peace and Justice Commission. That too would be a mistake. The Peace and Justice Commission is mandated to advise both the Berkeley City Council and the Berkeley Unified School District on matters of Peace and Justice. Besides giving numerous Berkeley High School students an opportunity to participate in the Commisison process over the years, as appointees of school board members, the Commission has worked with the Superintendent of Schools as well as BUSD directors in forming policy beneficial to BUSD students.

We need more democracy in our community and in the world---not less. Merging the Peace and Justice Commission with another commission will have the effect of reducing democracy. Through the years, I have seen full agendas at Peace and Justice Commission meetings. The Commission has worked hard and produced many good results for decades. It has a hard enough time getting things done with only ten meetings per year. Merging the Peace and Justice Commission with the Human Welfare & Community Action Commission will be a disservice to both commissions. It may be the dream of some politicians and city bureaucrats. But it will restrict and reduce the ability of the Peace and Justice Commission to function effectively, as the City of Berkeley intended, for the many reasons, and in the many ways, it enumerated in Chapter 3.68 of the Berkeley Municipap Code.

I urge you to please not make the mistake of merging the Peace and Justice Commisison with any other commission. It has many reasons to continue as its self---see BMC Chapter 3.68.

Thank you.

Sincerely,

Bob Meola, Commissioner, Berkeley Peace and Justice Commission

3 attachments

 **Letter to Mayor and Council on P&J consolidation.docx**
14K

 **Grace Morizawa.docx**
18K

 **Peace & Justice Commission work.docx**
133K

Hon. Mayor Arreguin and Members, Berkeley City Council:

I urge Council to maintain the Peace and Justice Commission in its current structure. I call for a deep consultation with all commissions prior to making any changes. The overwhelmingly volunteer commissions are a great asset to the life of the city, as well as to your work as the city's legislative body.

With the pandemic largely overcome in Berkeley, it is time to make full use of the expertise, passion, and hard work of the city's residents, rather than saving pennies on consolidation and minimization of meetings.

Others have spoken about the importance of a commission that brings together appointees of the Council and the school district. I agree that we must work together to promote social justice within the vibrant school community as well as in the city at large. With regard to merging Peace and Justice with Human Welfare and Community Action, the merits of this idea should be openly discussed with all parties before such a proposal comes to Council. But the effect of these combined changes would be to severely damage the functioning of a what is the only City body devoted solely to promoting social justice in Berkeley.

I will give one example of the value of the Peace and Justice Commission that goes beyond the typical activity of passing resolutions and proposing legislation. In its role as the city's human relations commission, we had occasion a few years ago to hear from community activists concerned about circumcision. We met to hear their concerns about the human rights of babies. Without taking a position on the subject, we appreciated their bringing the issue to our attention. However, we also raised concerns with them about certain tropes we considered anti-Semitic and persuaded them that distributing such negative stereotypes was inappropriate, unacceptable, and undermined the legitimacy of their campaign. Such discussion is as key a part of leadership in social justice as are initiatives to change government policy.

Please maintain this unique institution for future generations of Berkeleyans.

George Lippman

Vice-Chair, Berkeley Peace and Justice Commission (for identification only)

June 15, 2021



Human Welfare and Community
Action Commission

Communication
July 28, 2021

To: Honorable Mayor and Members of the City Council

From: Human Welfare Community Action Commission (HWCAC)

Submitted by: Praveen Sood, Chair, HWCAC

Subject: Communication regarding the consolidation of the Human Welfare and Peace and Justice Commissions

Peace and Justice Commission Mission: Advises the Council and the School Board on issues of peace and social justice. Creates citizen awareness and develops educational programs.

Human Welfare and Community Action Commission (HWCAC) Mission: Advises the Council concerning social welfare needs. Creates citizen awareness and encourages improved standards. Assists in the administration of the Community Action Program.

The Human Welfare and Community Action Commission (HWCAC) asks you to vote against or rescind any vote for this consolidation for several reasons:

1. As you can see above, the missions of these two commissions are very different. A consolidation would create an unwieldy catch all commission. Instead of being focused on clear goals, a consolidated group would get mired in vastly different objectives competing for limited commission time and resources, reducing its effectiveness. This would be unproductive and more importantly unfair to the communities that we've all been asked to represent.
2. The HWCAC provides a forum and voice for members of the low-income community. We provide a way for these often-quiet community members to share experiences and to work through ideas before coming to council, while providing a mechanism to move policies forward when they're ready. We feel that by combining the commissions you would stifle those voices. In these times of economic challenge, we believe the work of the HWCAC is more important than ever and that instead of reducing access, the members of the HWCAC should be enabled and encouraged to connect with the low-income community to an even greater level.
3. The HWCAC is made up of a dynamic and diverse group of Commissioners that crosses multiple demographics. We want to continue to be focused in our commitment to addressing the needs of economically vulnerable Berkeley citizens who are often marginalized and require targeted services with one or more of the following challenges:

- Age
- Disabilities
- Food and Housing insecurity
- Educational disparities
- Poverty
- Health Access
- Personal Safety

The commissioners of the Human Welfare and Community Action Commission ask you to allow us to continue to do the work we have chosen to be a part of. We believe that our commission provides valuable advice, experience, and information on how low-income support policies actually play out in the community. We also provide a community forum that council may not otherwise have the resources for. This saves time; taxpayer money; liability risks; and provides support for the community, while providing a place for new ideas to be born, and giving a voice to a broad range of people.

Thank you for your time and we ask again that council urge the city manager to not consolidate the Human Welfare Community Action Commission and Peace and Justice Commission in their recommendation.



Praveen Sood, Chair
Human Welfare and Community Action Commission

Grace Morizawa
1528 Holly St.
Berkeley CA 94703
gmorizawa@yahoo.com

June 14, 2021

Rashi Kesarwani
rkesarwani@cityofberkeley.info

Dear Councilmember Kesarwani:

I am writing to ask for your support for the continuation of a separate Peace and Justice Commission. I have officially been on the Peace and Justice Commission for a little over three years. I believe it has a unique role in Berkeley's governance and democratic process because of its broadly defined mission. "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."

The commission has been a place where individuals and groups have been able to bring their concerns to the city regarding such disparate issues such as support for African American Holistic Resource Center, consideration of the use of spit masks by the Berkeley police, the proposed development of the Shellmound site, and oversight of Nuclear Free Berkeley Act. As a commissioner, I have attended the Regional Sanctuary Community Working Group and the SRIPP subcommittee.

Because many BUSD appointees have been high school and college students, the commission serves as a place where youth have equal voices and equal votes. It gives them a doorway to voice their concerns with the hope of support from the community. Just before the pandemic, Berkeley high commissioners shared that many of the students and the faculty were traumatized by participating in mandated safety scenarios with enactments of shootings. The commission worked with them to resolve this issue in their school. Having BUSD commissioners on board narrows the gap between school issues and city issues. The problems of equity and access are both school and community concerns and need multiple entry points to promote conversations that make a difference. The Peace and Justice Commission is one ongoing platform that listens and studies these common concerns. Cutting the appointment of BUSD commissioners diminishes the opportunity for youth voices and those who have expertise in the school community. I am a retired teacher and school principal appointed initially by BUSD board member, Judy Appel.

If we had met during the pandemic, I would have liked to work with the Peace and Justice Commission on local policy and educational programs regarding HR40, the House proposal for hearings about redress and reparations for African Americans. In my 20's I worked on

reparations for Japanese Americans and am presently working with “Tsuru for Solidarity” to develop national support for HR40. Additionally, in this time of heightening racial awareness and conflict, a time when many community groups are organizing, the city needs a commission to listen and work with concerns of these groups to make concrete recommendations so that the community and city step forward together.

In many ways, the Peace and Justice Commission has served as a space where the commission, as appointed members of the community, maintains a portal for Berkeley residents on issues of social justice and human rights issues that will eventually be addressed by the city council. As a Japanese American, I like to think that if there had been such a community and city-based commission in 1942, my parents’ generation would have felt they could go to a small commission meeting to ask for support against the build-up of the mass hysteria that led to their forced removal and incarceration.

I urge you to vote for the reinstatement of the Peace and Justice Commission.

Thank you.

Sincerely,

Grace Morizawa
Peace and Justice Commissioner

CC Berkeley City Council
Mayor Jesse Arreguin.

City of Berkeley Resolution in Support of Justice for Haitian Refugees

WHEREAS on September 19, 2021 images emerged “which appear to show border agents on horseback driving migrants [from Haiti] back to a river;”¹ according to the BBC, and “Border Patrol agents on horseback [hounded] Haitian migrants near the US-Mexico border, more than 14,000² of whom were camped under the Del Rio bridge...” according to Vox.com; and

WHEREAS according to Vox.com, “Haitians have sought asylum at US borders for decades, but every presidential administration since the 1970s has treated Haitians differently than other migrant groups, rejecting asylum claims, holding them longer in detention, and making it harder for them to settle down in safety;”³ and

WHEREAS the wave of Haitian migrants are fleeing a nation that just this summer experienced both a magnitude 7.2 earthquake and storm that killed approximate 2200 people and the assassination of its Haiti’s former president which exacerbated violence and instability, all while the nation has yet to recovery from a 2010 earthquake that affected 3 million people and irreparably destroyed infrastructure some of which has not been rebuilt;⁴

BE IT RESOLVED that the City of Berkeley condemns the current deportation efforts of Haitian migrants that are underway on American soil, is pained at the parallels between the images that came to light on September 19, 2021 and the tumultuous and traumatic past of American slavery, and questions the stark contrast between the treatment of migrants from Haiti and those seeking asylum from other countries;

BE IT FURTHER RESOLVED that the City of Berkeley send to President Biden, Senators Feinstein and Padilla, and Congresswoman Lee a copy of this resolution along with a call to cease all deportation efforts against our fellow humans and respect their right to seek asylum in this country.

¹ <https://www.bbc.com/news/world-us-canada-58637116>: “The pictures taken by AFP photographer Paul Ratje show Haitians going back and forth across the border to get food for their families, and finding themselves blocked by the horses.” <https://www.vox.com/22689472/haitian-migrants-asylum-history-violence>: “The uniformed men swung their long horse reins — which many interpreted as whips — to keep the migrants from crossing into Texas. In one photo, an agent grabbed the T-shirt of a migrant, while another shouted in a video, “Get out now! Back to Mexico!””

² <https://www.nytimes.com/2021/09/23/us/haitian-migrants-texas-camp.html>

³ <https://www.vox.com/22689472/haitian-migrants-asylum-history-violence>

⁴ *Ibid.*

Reso on Homelessness

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, according to the 2017 homeless count, there is an estimated 1000 homeless people in Berkeley(1) and in 2019, there were 1108 (2), and

WHEREAS U.S. appeals court says L.A. can't seize and discard homeless people's bulky property (3), and

WHEREAS, on Friday, July 9th, 2021 BPD officers gathered belongings from the vicinity of 8th & Harrison including a stack of 5 solar panels (4) and

WHEREAS, on August 9, 2021, Governor Newsom participated in a sweep of Seabreeze - lower encampment in which he is shown on his twitter feed throughing people's belonging away(5), and

WHEREAS, WA Supreme Court said it is unconstitutional to impound or resell a vehicle that doubles as a homestead (6), and

WHEREAS, more than 1,000 homeless people in Berkeley and Oakland are getting money from Caltrans: A lawsuit settlement required payback for property destroyed during encampment sweeps. (7)

THEREFORE BE IT RESOLVED that the Council of the City of Berkeley make every effort to make sure that no possessions of homeless people or RV dwellers are confiscated, and

FURTHER BE IT RESOLVED that Homeless people are given a satisfactory, safe place to go with adequate facilities for survival, and

FURTHER BE IT RESOLVED that the Council of the City of Berkeley Asks the City Clerk to send a copy of this resolution to the City of Berkeley Public Health Department Services for the Homeless Department.

(1) . Mayor/Homelessness: <https://www.cityofberkeley.info>

(2) Berkeley now estimates 2K people experience homelessness <https://www.berkeleyside.org> › 2019/04/05

(3) [Court says LA can't discard bulky items from homeless - Los ...](#) Sep 2, 2021 — A federal appeals court upheld an injunction that stops Los Angeles from taking and destroying bulky items used by homeless people on public: <https://www.latimes.com > california > story > appeals-c...>

(4) link to the videos of this act::

https://drive.google.com/folderview?id=1opA1ntANfwbNrLpKEmgJKDxQONGIhC_u

(5) Newsom's tweet text (pictures and text at above link):

California is moving folks out of encampments, into safe housing and getting them the mental health services they need. The conditions at this site in Berkeley are unacceptable and unsafe. Homelessness can be solved and the #CAcomeback Plan puts us on that path: <https://twitter.com/CAGovernor/status/1424819204750905377>

and

Live from the eviction happening NOW at Downstairs Seabreeze. There is an abundance of COPS but no one from the #CityofBerkeley. No one from #MentalHealth. No one from the new shelter in town #HorizonTransitionalVillage. There is no here offering hope, options, or shelter:

<https://twitter.com/Copwatch411/status/1424775528444137475>

(6) <https://www.autoblog.com/2021/08/15/wa-vehicle-impoundment-court/>

and:

[washington-ruling-protects-homeless-people-from-having-vehicles-towed/?fbclid=IwAR0DoAUaUxr99SW-A281hzbGutxzwuDwmnEjgUACH2VFETr1LWjhhA1LS2o](https://www.washingtonpost.com/news/immigration/wp/2021/08/15/washington-ruling-protects-homeless-people-from-having-vehicles-towed/?fbclid=IwAR0DoAUaUxr99SW-A281hzbGutxzwuDwmnEjgUACH2VFETr1LWjhhA1LS2o)

<https://www.opb.org/article/2021/08/12>

(7) [More than 1,000 homeless people in Berkeley ... - Berkeleyside](#)

<https://www.berkeleyside.org > 2021/08/01 > more-tha...>



Cheryl Davila
Councilmember
District 2

ACTION CALENDAR

March 30, 2021

To: Honorable Mayor and Members of the City Council

From: Councilmember Cheryl Davila

Subject: Recognize the Rights of Nature

RECOMMENDATION

Adopt a resolution to recognize that the natural living world has a right to exist, thrive, regenerate and evolve its life cycles; to protect the ecosystems upon which our own vitality depends; and to transform our human relationship with nature from a property-based to a legal rights-bearing entity.

POLICY COMMITTEE RECOMMENDATION

On March 3, 2021, the Facilities, Infrastructure, Transportation, Environment & Sustainability Policy Committee moved to send the item back to Council with the qualified positive recommendation revising the final resolved clause of the draft resolution to place obligation on the City and not the residents. Vote: All Ayes

BACKGROUND

Currently, the legal systems are doing very little to protect our ecosystems from the destruction by economically driven industrialization. In fact, not only is there no regard to the impacts this will have on future generations, but the degradation of our natural world is often encouraged. Currently, our laws view nature as human-owned property, confirming human authority over all of nature. The natural world has no legal standing in a court of law. There needs to be a legal shift in the way we view our human relationship with the natural world. It is our responsibility to live respectfully within the natural order of life. We must redraw the boundaries of the economy taking into consideration the ecological and planetary limits. All rights, including human rights depend on the health and vitality of Earth's living systems. Therefore, the needs of nature must be elevated and protected by legal rights and maintained through life-sustaining systems of exchange and reciprocity.

Five countries and dozens of US communities have recognized the rights of nature and are resolving to provide adequate protection for the health of local ecosystems. It is our responsibility to recognize and respect the rights of the natural world so that we may sustain and protect our environment, and help secure the well-being of future generations.

ENVIRONMENTAL SUSTAINABILITY

From the impacts of climate change, to the tar sands of Alberta to mountaintop removal for coal

extraction, to fracking and the destruction of vast tropical rainforests, we have witnessed the horrifying damage these negligent practices are imposing on our environment. This resolution will help provide environmental protection and sustainability.

FINANCIAL IMPLICATIONS

There is no limit on the value of the Rights of Nature.

References:

Global Alliance for the Rights of Nature

[https://therightsofnature.org/what-is-rights-of-](https://therightsofnature.org/what-is-rights-of-nature/#:~:text=Rights%20of%20Nature%20is%20the%20recognition%20and%20honoring%20that%20Nature%20has%20rights.&text=Rather%20than%20treating%20nature%20as,and%20regenerate%20its%20vital%20cycles.)

[nature/#:~:text=Rights%20of%20Nature%20is%20the%20recognition%20and%20honoring%20that%20Nature%20has%20rights.&text=Rather%20than%20treating%20nature%20as,and%20regenerate%20its%20vital%20cycles.](https://therightsofnature.org/what-is-rights-of-nature/#:~:text=Rights%20of%20Nature%20is%20the%20recognition%20and%20honoring%20that%20Nature%20has%20rights.&text=Rather%20than%20treating%20nature%20as,and%20regenerate%20its%20vital%20cycles.)

CONTACT PERSONS

Cheryl Davila

Councilmember District 2

510.981.7120

cdavila@cityofberkeley.info

ATTACHMENTS:

1. Resolution

RESOLUTION NO. ##,###-N.S.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BERKELEY, CALIFORNIA, RECOGNIZING THAT THE NATURAL LIVING WORLD HAS A RIGHT TO EXIST, THRIVE, REGENERATE AND EVOLVE ITS LIFE CYCLES; TO PROTECT THE ECOSYSTEMS UPON WHICH OUR OWN VITALITY DEPENDS

WHEREAS, the natural living world has a right to exist, thrive, regenerate and evolve its life cycles; and

WHEREAS, all rights, including human rights, depend on the health and vitality of Earth's living systems; and

WHEREAS, our current laws view nature as human-owned property, confirming human authority over all of nature; and

WHEREAS, the natural world has no legal standing in a court of law; and

WHEREAS, the current legal systems are doing very little to protect our ecosystems from the destruction by economically driven industrialization; and

WHEREAS, from the impacts of climate change, to the tar sands of Alberta to mountaintop removal for coal extraction, to fracking and the destruction of vast tropical rainforests, we have witnessed the horrifying damage these negligent practices are imposing on our environment; and

WHEREAS, not only is there no regard to the impacts this will have on future generations, but the degradation of our natural world is often encouraged; and

WHEREAS, we must redraw the boundaries of the economy taking into consideration the ecological and planetary limits; and

WHEREAS, there needs to be a legal shift in the way we view our human relationship with the natural world; and

WHEREAS, we must transform our human relationship with nature from a property-based to a legal rights-bearing entity; and

WHEREAS, the needs of nature must be elevated and protected by legal rights, and maintained through life-sustaining systems of exchange and reciprocity; and

WHEREAS, five countries and dozens of US communities have recognized the rights of nature and are dedicated to providing adequate protection for the health of the local ecosystem; and

WHEREAS, it is our responsibility to recognize and respect the rights of the natural world so that we may sustain and protect our environment, and help secure the well-being of future generations.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Berkeley recognizes the Rights of our local ecosystem to exist, flourish, and regenerate its natural capacities.

Recognizing these rights places obligations on the City to live within, not above, the natural world, of which we are only one part, and to protect and replenish the ecosystems upon which our mutual well being depends. In essence, it is necessary to transform our human relationship with nature from property-based to a legal rights-bearing entity.

Council Action Items

31. **Recognize the Rights of Nature** *(Reviewed by Facilities, Infrastructure, Transportation, Environment & Sustainability Committee)*
From: Councilmember Davila (Author)
Recommendation: Adopt a resolution to recognize that the natural living world has a right to exist, thrive, regenerate and evolve its life cycles; to protect the ecosystems upon which our own vitality depends; and to transform our human relationship with nature from a property-based to a legal rights-bearing entity.
Policy Committee Recommendation: Send the item to City Council with the qualified positive recommendation revising the final resolved clause of the draft resolution to place obligation on the City and not the residents.
Financial Implications: See report
Contact: Cheryl Davila, Councilmember, District 2, (510) 981-7120
Action: Moved to Consent Calendar. Referred Item 31 to the Peace and Justice Commission for further analysis, and that the Commission is to return to Council with the results of its analysis.

Information Reports

32. **FY 2020 Fourth Quarter Investment Report: Ended June 30, 2020**
From: City Manager
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Received and filed.
33. **FY 2021 First Quarter Investment Report: Ended September 30, 2020**
From: City Manager
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Received and filed.
34. **Referral Response: Second Dwelling Unit/Accessory Dwelling Unit Pilot Program to House the Homeless**
From: City Manager
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
Action: Received and filed.
35. **Report on Workers' Compensation Annual Program Review FY 2019-2020**
From: City Manager
Contact: LaTanya Bellow, Human Resources, (510) 981-6800
Action: Received and filed.

Public Comment – Items Not Listed on the Agenda - None.