

Valero trying to influence our election

By Bob Berman, October 7, 2018

Valero has now admitted being behind the Benicia City Council telephone poll that, to many who received it, appeared to be highly biased against City Council candidate Kari Birdseye, and seemed intended to boost the candidacy of Lionel Largaespada.

I do not know what involvement, if any, Lionel had with the poll. It is however my understanding that coordination between candidates and independent expenditure committees (PACs) is illegal.

Why has Valero decided it was necessary to sponsor and pay for such a bias poll? Why has Valero decided it was necessary to secretly get involved in the Benicia City Council campaign? Perhaps it is because as a member of the Benicia Planning Commission, Kari Birdseye voted against the Valero Crude by Rail proposal, while Mr. Largaespada spoke in favor of it in front of both the Planning Commission and City Council.

As an important part of the City's economy, Valero has a right to make their opinions known. They could have made the maximum \$580 contribution to Largaespada's campaign. Or, using their PAC, they could have taken out ads in the Benicia Herald or Benicia Magazine boosting his candidacy. Instead, they tried to influence the election with a highly suspect "poll" without being identified as the sponsor.

I do not believe in corporate donations for local elections (and Ms. Birdseye does not accept them), but the Supreme Court, in the highly controversial Citizens United decision, gave corporations the right to make virtually unlimited contributions to elections at any level.

But thanks to the efforts of Councilmember Tom Campbell and others, the Benicia City Council in 2011 unanimously adopted a fair elections code. It requires PAC's to identify themselves, along with their major funders, within 24 hours of making significant expenditures. This was done long before this poll and is one reason the City Council has voted to pursue a legal remedy for violation of the Code.

It is imperative that Valero comply with the City Attorney's request and supply both a full copy of the script used by the pollsters, as well as detailed invoices and records to show the number and date of calls made to Benicia voters, (whether or not the voters actually answered the poll questions).

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