



## BENICIANS FOR A SAFE AND HEALTHY COMMUNITY

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April 6, 2016

Christina Ratcliffe, AICP  
Community Development Director  
City Hall  
250 East L Street,  
Benicia, California 94510

Re: Submission of Petition Signatures In  
Opposition to Valero's Crude by Rail Project

Dear Ms. Ratcliffe:

I am the Steering Committee Chairperson with *Benicians for a Safe and Healthy Community* ("BSHC"). On Monday, April 4, 2016, during the City Council hearing to receive public comment on Valero's proposed crude by rail project, BSHC presented petition signatures for all of the signatures we gathered during the pendency of this process. As everyone saw, we had previously taped together the pages of signatures that were handwritten, put them on a roll ("Scroll Version") and then unfurled that roll during BSHC's portion of the public comment. At the same time, we submitted a typewritten version for the record ("Typed Version").

Directly after that, not understanding that we had submitted the Typed Version for the record, City Staff presumed the Scroll Version was what we were going to submit, and attempted to physically pick-up the Scroll Version which was on the floor. Roger Straw from BSHC and City staff both attempted to retrieve it at the same time, resulting in a minor struggle for possession. Roger explained what was intended to be submitted and what wasn't. Staff argued with him but eventually gave back the Scroll Version. The City's presumption and resulting misunderstanding caused a minor disturbance during the City Council meeting which BSHC regrets.

Yesterday, the Typed Version was uploaded to the City's website. However, on the cover it included the attached memorandum from City staff which states:

A scroll of signed petitions was shown during the presentation which the representatives for Benicians for a Safe and Healthy Community refused to submit for the record. In its place, they submitted the following typed document and note for the record. Due to the fact that we could not examine the scroll, we cannot verify if the lists are the same.

BSHC considers this memo to reflect a serious prejudice by staff against BHSC and a continuing bias in favor of Valero. It misrepresents our intentions and the legitimacy of the document itself. Staff has no right to include their thoughts about the document or how we wanted it to be presented for the record as a prelude to the submitted document itself.

BSHC's submission, given to staff at the conclusion of our formal verbal presentation, included all legible and confirmed signatures from our local petition along with the extensive list of additional persons who oppose Valero Crude by Rail, gathered from four different online petition signature campaigns.

That extensive list of 4,081 names was itself carefully culled to remove duplicates and formatted for presentation to our City Council representatives. It includes 1,204 Benicia citizens, many of whom are well-known and respected leaders of our community. The Scroll Version only consisted of the handwritten signatures. It would have taken a lot longer than 15 minutes if we were to have printed out and unfurled ALL 4,081 signatures. Everything was merged into the Typed Version which we submitted.

We understand that it could have just been a misunderstanding, and once staff realized that we had another document that was easier to read, more inclusive and more concise, that should have been the end of it. A scroll is not easy to put into the record, or post on line for that matter. It was for demonstration purposes **ONLY**. Council chambers is not a courtroom. City staff has no right to choose what we want to submit and what we don't, nor to make derogatory comments such as, "...**refused** to submit for the record." What we submit is our choice only, and to interfere with that process impedes the democratic process of the Council hearings.

If the intent of staff's memo is to discredit the submission, that is clearly wrong and completely inappropriate. We have spent three years gathering signatures, and with a brush of a pen, the staff memo puts a shadow on the legitimacy of the entire document. It is not only inappropriate, it is insulting to BSHC and to all of the petition signors, all 4,081 of them. Valero has submitted similar typewritten lists without back-up material. Why wasn't Valero's submission given the same critique?

To remedy this matter, BSHC requests that staff's April 5, 2016 memo on top of the petition signatures be removed from the on-line version and from the record entirely, along with Roger Straw's handwritten note of explanation, as it has no bearing as to the submitted document. The Typed Version submission of 4,081 names should stand on its own, highlighting the broad opposition to Valero's proposal, with no comments regarding the scroll, the document's legitimacy or the inappropriate comments regarding our intentions, "...**refusal** to submit it for the record."

Please respond to me regarding this matter as soon as possible.

Thank you,



Katherine Black

Steering Committee Chair

*Benicians for a Safe and Healthy Community*

CC: Mayor Elizabeth Patterson  
Vice Mayor Mark Hughes  
Council Member Tom Campbell  
Council Member Alan Schwartzman  
Council Member Christina Strawbridge  
City Manager Brad Kilger  
City Attorney Heather McLaughlin



Community Development Department  
**MEMORANDUM**

**Date:** April 5, 2016  
**To:** Valero CBR File  
**From:** Amy Million, Principal Planner  
**Re:** **Benicians for a Safe and Healthy Community Petition Submitted at City Council Meeting- April 4, 2016**

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Amy & Heather -

The transcribed document turned in by Andrés Soto includes all the signatories on our "demonstration hand-signed petitions." So, the demo is not needed for the record.

Roger Straw