

**LETTER BY MARILYN BARDET  
TO THE BENICIA CITY COUNCIL ON AT-LARGE v. DISTRICT VOTING IN BENICIA  
January 21, 2020**

Dear Mayor Patterson, Vice Mayor Strawbridge and Councilmembers, Young, Campbell and Largaespada,

As a 33+ year resident having voted in every Benicia election, I agree with Terry Mollica's legal perspective, addressed in his personal letter to you, on the issue of changing our Council election system from "at large" voting for council seats to district elections.

While I agree and approve of the intent of the California Voting Rights Act, to protect against racial bias in elections, Benicia, being a small city, does not have the demographic profile nor voting history, as Terry's research suggests, that would trigger such need to change to district elections. Apparently the SoCal law firm that is arousing such fears, seeks to force cities' compliance with a broad stroke, hitting cities large and small, though the intent of the CVRA aims particularly at large cities where percentages of residents of ethnic minorities are much higher, and where concerns for social justice are paramount to make each citizen's vote count.

Terry's letter clarifies the evidence in our favor to allay fears of a lawsuit—court precedents set and the success of other small cities that have challenged suits filed against them.

Terry lays out in detail the potential negative impacts of adopting a district election system for Benicia and considers the staff's review of the issue unpersuasive without substantiation. Neither fear of a lawsuit and/or that the issue is "fresh" in the public's mind after BUSD's adoption of district elections should cause us to "jump", like a herd at a cliff. Changing our voting procedure before the 2020 election I'd consider a "rush to judgment" and the public would need to know substantive reasons "why". What's the rush?

Terry's reasoning can serve as a template for our City Attorney to fully research issues that separate concerns of small cities like ours from those of large Bay Area cities, including S.F, Oakland, San Jose, and Fremont. How are other small cities in our region handling this? Certainly our City Attorney wouldn't have to invent the wheel. The SoCal law firm would have us quaking in fear, despite the fact the City of Benicia has at its fingertips the evidence to support a viable, winnable challenge.

We should go slow. In any case, we should not be trying to change election procedures for the 2020 election, which would, at the very least, cause major confusion, public outcry, mistrust and division. Let's reason clearly with the evidence at hand.

Thank you for your close attention to this matter.  
I'll be at the council meeting tonight to voice my concerns publicly.

Respectfully,

Marilyn Bardet  
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