

From: [Michelle Bigelow](#)
To: [Kim Mancera](#)
Subject: Fwd: [EXTERNAL] Public Comment Re: RECONSIDER ACTION TO ADOPT CITY COUNCIL DISTRICT MAP 103 - FROM MARCH 2, 2022 CITY COUNCIL ACTION
Date: Wednesday, April 6, 2022 10:43:43 AM

Please supplement

Michelle Bigelow, MMC, CPMC
City Clerk/Interim Communications & Engagement Director
she | her | hers ([what's this?](#))

City of Morgan Hill
City Clerk's Office
17575 Peak Avenue, Morgan Hill, CA 95037

D: [408.310.4678](tel:408.310.4678) **O:** [408.779.7259](tel:408.779.7259)
michelle.bigelow@morganhill.ca.gov
morganhill.ca.gov | [facebook](#) | [twitter](#)

Begin forwarded message:

From: Joe Baranowski <[REDACTED]>
Date: April 6, 2022 at 10:16:44 AM PDT
To: Rich Constantine <Rich.Constantine@morganhill.ca.gov>, Yvonne Martinez Beltran <yvonne.martinezbeltran@morganhill.ca.gov>, Rene Spring <Rene.Spring@morganhill.ca.gov>, John McKay <john.mckay@morganhill.ca.gov>, Gino Borgioli <Gino.Borgioli@morganhill.ca.gov>
Cc: Christina Turner <Christina.Turner@morganhill.ca.gov>, Donald Larkin <Donald.Larkin@morganhill.ca.gov>, Michelle Bigelow <Michelle.Bigelow@morganhill.ca.gov>, [REDACTED] <[REDACTED]>
Subject: [EXTERNAL] Public Comment Re: RECONSIDER ACTION TO ADOPT CITY COUNCIL DISTRICT MAP 103 - FROM MARCH 2, 2022 CITY COUNCIL ACTION

Dear Council Members:

When Morgan Hill decided to adopt district-based voting in 2017, council members expressed serious reservations as to whether doing so would achieve the stated goal of making our government more inclusive. Mr. Constantine and Mr. Spring, I am sure you recall your comments and feelings when you voted. I was quite surprised when I heard them when reviewing the video archive recently. However, as attorney Morris Baller's February 16th

letter to you noted, the results of that decision, which led to the formation of districts which are essentially those of Map 103, have indeed made our City more representative of the residents you pledge to serve:

The resulting change in both election outcomes and governance in the City within the few brief years since then has been remarkable, and, I firmly believe, beneficial to all portions of the community from a democratic and representational standpoint.

Don't turn your back on the progress that has been made!

I want to tell my neighbors that have taken the time to stand up and be heard that I sincerely appreciate their engagement and their wisdom. I hope none of them will let the cynical thoughts and actions of a few deter them from participating in the future of our City. While some in our government literally could not identify communities of interest and then have the nerve to suggest *their* blindness is the issue, most of us stand together looking at our past and hopeful for our future. We WILL eventually have a City Council that doesn't need to be told who they are representing and all of you who have spoken out are needed to help make that happen.

In contrast, Mr. Tate says he will not "sit idly by" and yet that is exactly what the former mayor and his political allies did during the entirety of the long process. They all stood idly by. And now they want us to believe they are fighting for a legal principle. And their lawyer says that "the illegality of Map 103 could not be more patently obvious" - which only serves to show that their true intention is not what is best for the community but something altogether different.

To make believe it is "patently obvious" the courts would find Map 103 is illegal or that, as suggested by our City Attorney, that the state Attorney General would agree is to ignore the intent of the author of the Fair Maps Act and the California legislature when

they enacted the Act. I again refer to attorney Baller's comments:

The clear intent of the Fair Maps Act *was intended to protect minority and COI voting strength, not to diminish it by a wooden interpretation that effectively makes a narrowly defined contiguity factor eliminate all other considerations. It would be not just ironic, but tragic, if Morgan Hill were to cancel out the most practically significant gains of its recent election system change in the mistaken belief that it is thereby bowing to the Legislature's actual intention, when that intention was to empower – not disenfranchise – minority voters.*

Those who stood idly by offer NOTHING new and the record of their attorney is dubious. Courts would not use a wooden interpretation and neither should you. As the City's consultant has said multiple times "we wouldn't be here" except for the 'new' way that contiguity is written into the Fair Maps Act. Don't make the mistake of believing a rigid interpretation of any singular criteria was the Legislature's actual intention and keep Map 103 which in empowering the minority voters in our City has made Morgan Hill a better place.

Regards,

Joe Baranowski

WARNING: This message is from an external user. Confidential information such as social security numbers, credit card numbers, bank routing numbers, gift card numbers, wire transfer information and other personally identifiable information should not be transmitted to this user. For question, please contact the Morgan Hill IT Department by opening a new helpdesk request online or call 408-909-0055.