



## Berryessa Citizens Advisory Council

Mr. Richard De La Rosa  
San Jose Redistricting Advisory Commission, Chair  
c/o The Office of the City Manager – Redistricting San Jose  
200 East Santa Clara Street,  
San Jose, CA 95113

Dear Chairman De La Rosa and Commission Members,

We of the Berryessa Citizens Advisory Council (BCAC) want to make our case for drawing district boundaries that will keep our community within a single district. We understand that meeting all of the legal mandates and balancing among the many laudable goals is a challenge. So we have carefully documented how boundaries that enclose our community within a single district are both feasible and aligned with the full range of mandates and challenges.

Our fundamental recommendation is that you adjust the boundary between District #4 and #3 to transfer population to the west of Zanker Road, Interstate 880, or Old Oakland Road (depending on how much population is transferred) to District #3. We believe that this will address all of the mandates on the Commission and embrace the desirable goals.

1. **Mandate - Equalize the population count in each district within 10%.** Our recommendation would comply.
2. **Mandate - Minimize the dilution of votes and avoid the fragmentation or the over compaction of ethnic communities.** In order to respect the Voting Rights Act Section 2 the Commission should protect District #4's 61.3% Asian-American and 4.6% Pacific Islanders population. This is the highest concentration of Asian population in the City, (almost twice the City average) and by keeping the existing boundary with District #5 you prevent dilution of this ethnic group's political power. .
3. **Mandate - Comply with all applicable laws including avoidance of gerrymandering.** The BUSD boundary complies with all laws, is compact, and isn't gerrymandered. In fact, holding to the BUSD boundary respects the concentration of Asian voters not found anywhere else in the City.
4. **Mandate - Geography and consideration to natural boundaries, street lines and city boundaries.**
  - East – The proposed District #4 would follow the hills which are also the City boundary
  - South – Highway 101 is a natural dividing line which then follows Mabury and other streets to the foothills. Our community interests could accommodate transfer of population south of Mabury Road to District #5 if it would make for a more uniform line.

Founded in 1973, the Berryessa Citizens Advisory Council is a non-partisan neighborhood association representing the interests of citizens living and working in San Jose City Council District #4 and/or the Berryessa Union School District. BCAC meets at 7:30PM on the second Monday of each month at the Berryessa Community Center and everyone is welcome. Visit our web site at [www.BcacOnline.org](http://www.BcacOnline.org)

- West – The Santa Clara and Sunnyvale city borders dictate most of this boundary, but there is flexibility along the District #3 boundary. The recommendation to move the District #3 boundary to Zanker Road, Interstate 880, or Old Oakland Road (depending on how much population is in these areas). would transfer out of District #4 up in the North First Street area to Alviso.
  - North – This boundary is dictated by the Milpitas border and San Francisco Bay.
5. **Mandate - Cohesiveness, continuity, integrity compactness of territory.** Though the current District #4 boundary is not “compact” compared to the other City districts this is driven by the Sunnyvale, Santa Clara, Milpitas and San Jose borders. Our recommendation to secure the BUSD within District #4 is compact, cohesive, continuous, and high integrity. Our community would be represented by one county, one city, one high school district, and one elementary school district (BUSD).
  6. **Mandate - Community of interest.** There is a great community of interest within the elementary school district (BUSD), neighborhood association (BCAC), and the Berryessa Business Association that all speak to our community of interest. We sponsor the Berryessa Art & Wine Festival at Penitencia Creek Park, adjacent to the Community Center, once a year which benefits the BUSD. We have a robust Farmer’s Market each weekend in the BUSD parking lot. During election years the BCAC sponsors well attended candidate forums for mayoral, supervisorial, council, and school board candidates to ensure that our community gets “face time” with the people who want to lead us. Our BCAC neighborhood association is a longstanding fixture in the community that annually recognize a citizen of the year and feature the culture, food, and entertainment of one of our ethnic communities. We have sponsored several historic presentations of the Berryessa family that connects us to our common history.
  7. **Guideline - Where possible, do not divide school districts.** The Berryessa Union School District (BUSD) is completely within District 4. and the East Side Union High School District (ESUHSD) . This alignment of community interest with a single school district can be seen in a) the 72.52% 2008 passage of Measure W (a self imposed, 5-year, \$79/parcel tax to support the schools), b) the weekend Farmers Market hosted on BUSD land, and c) the annual Berryessa Art and Wine Festival for the benefit of the BUSD.
  8. **Guideline - Maintain cohesive neighborhoods within districts, and, where possible, keep neighborhood associations within a single district.** The BCAC, founded in 1973, is, by far, the largest serving the Berryessa area and has the same boundaries as District #4. Our organization provided leadership that resulted in the construction of our Community Center; hosts candidate forums for mayoral, city council, supervisorial, and school boards candidates; served as a channel of communication regarding land use; encourages disaster preparedness; and helps staff the Berryessa Art and Wine Festival, and community clean-up projects.
  9. **Guideline - Where boundaries meet charter requirements, maintain continuity of existing Council Districts as much as possible.** Our recommendation would minimize the change to District #4 boundaries while meeting the mandate balancing district population. At a Special Meeting of the BCAC on March 7, 150 of our members heard Professor Terry Christensen

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and Commissioner Mike Flaughner explain the redistricting process and the mandates and guidelines. We received clear guidance from them that keeping the BUSD boundary was the highest community priority.

10. Guideline - Park and public facilities. If the District #5 boundary is moved north into District #4, then we would lose our biggest park, the Penitencia Creek Park Chain, which our community members put in over 20 years of effort to acquire and develop the land as well as construct our only community center, the Berryessa Community Center. Some of our BCAC members serve on the Board of the Berryessa Community Center Advisory Council. We also have a youth center on Morrill, which is a joint venture between the BUSD and the city of San Jose and needs to stay in District #4.
11. Guideline - Income diversity. Our proposed boundaries enclose a population with income diversity ranging from those living in the subsidized senior apartments at Piedmont Road and Sierra Road to exclusive homes that dot the hillsides. We have working class families, professionals, entrepreneurs, retired seniors, and government employees.
12. Guideline - Balance Council District interests with City-wide interest, but not at the expense or exclusion of individual Council Districts.
13. Guideline - Avoid unseating current City Councilperson. Councilman Chu's residence is ~0.5 miles north of the boundary with District #5 so our recommendation will not relocate him. The Commission should recognize that moving the District #5 boundary north could violate this guideline.

We believe that our recommended reconfiguration of District #4 addresses ALL OF THE MANDATED REQUIREMENTS and offers an elegant balance among the redistricting guidelines.

If I can provide the Redistricting Advisory Commission additional information or assistance, please contact me.

Regards,



Marc Liebman, President  
Berryessa Citizens Advisory Council Board

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