



David J. Wolfe
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September 23, 2020

Via U.S. Mail and E-Mail: meloandsarsfield@icloud.com

John Sarsfield, Esq.
Law Offices of Melo and Sarsfield LLP
4216 South Mooney Boulevard
PMB 136
Visalia, CA 93277

Re: Notice of Violation of the California Voting Rights Act (CVRA) and Intent to File Lawsuit

Dear Mr. Sarsfield:

Our office represents the City of Clovis. The City forwarded to us your letter dated September 15, 2020, received by the City on September 18, 2020, contending that the City is in violation of the California Voting Rights Act. In particular, you contend that the violation exists from the City's at-large method of electing its City Council members and its general election scheduled for March 2021. You provide no evidence of minority vote dilution in your letter, concluding that it is self-evident that the minority vote is suppressed in the City despite the fact that the current makeup of the City Council reflects the demographics of the City, with one Hispanic Councilmember and one Asian-American Councilmember.

The City has been regularly monitoring election results and the need to move to district-based elections. The next evaluation is planned to occur after the 2020 census is completed to enable the City to make use of the most relevant and accurate population data. Additionally, with respect to the March election, in 2017, the City amended the Municipal Code, Chapter 1.6 in accordance with the California Voter Participation Rights Act (the "Act") to change the election date from March in odd number years to November in even number years beginning in 2022. Thus, as permitted under the Act, March 2021 will be the last Council election not part of the regular November election schedule.

The City has committed to evaluating the 2020 census data and whether to move to district elections, and what that would mean, in time for the November 2022 election. However, to try and move to district elections before that time would be a waste of resources and time, as the City would have to almost immediately prepare another evaluation, and would result in district boundaries based on inaccurate and outdated population data to the detriment of all voters within

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the City. Armed with the 2020 census data, the City, and its voters, will be able to make a more informed decision on any transition to district-based elections. You are welcome to be part of this public process in evaluating the 2020 census data, and further, in determining whether district elections are needed and what that would look like.

As the City is already committed to protecting minority voter rights and performing a meaningful evaluation of the 2020 census data, there is no need to file a lawsuit at this time.

In order for the City to properly plan its agenda items, and in light of the Voting Rights Act deadlines, please let our office know no later than 5:00 p.m. on Friday, October 02, 2020, whether you are amenable to this process. Correspondence may be directed to myself or James McCann, who is another attorney in our office.

Sincerely,

LOZANO SMITH

A handwritten signature in blue ink, appearing to read "David J. Wolfe".

David J. Wolfe

DJW/sv

cc: Luke Serpa, Clovis City Manager
John Holt, Clovis City Clerk