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April 4, 2016

**VIA FACSIMILE: (951) 361-0888
& U.S. MAIL**

Ike Bootsma, Mayor
City of Eastvale
City Hall
12363 Limonite Avenue, Suite 910
Eastvale, CA 91752

Re: City of Eastvale's Voting System

Dear Mr. Bootsma,

We have received complaints from Latino voters in Eastvale that the use of an at-large electoral system for the election of city council members results in the underrepresentation of Latinos on the City Council, by preventing Latino voters from electing candidates of their choice. We have analyzed demographic and electoral information pertaining to your jurisdiction with particular attention to the prohibitions of the California Voting Right Act of 2001 ("CVRA"). Based on our investigation, we believe that the City of Eastvale is in violation of the CVRA and must convert to a by-district election system.

The CVRA, California Elections Code § 14027, states in relevant part:

An at-large method of election may not be imposed or applied in a manner that impairs the ability of a protected class to elect candidates of its choice or its ability to influence the outcome of an election, as a result of the dilution or the abridgment of the rights of voters who are members of a protected class...

Latino residents of Eastvale are a "protected class" within the meaning of the CVRA. U.S. Census population data reflects that Latinos constitute 40% of the total population and 35% of the Citizen Voting Age population of the City. However, there has not been a single Latino city councilmember since the incorporation of Eastvale. Based on our review of election returns and demographic information, we believe that the absence of Latinos on the City Council results from the inability of Latino voters to elect candidates of choice due to racially polarized voting among the electorate in your City's at-large elections. Such voting patterns were present both in the original vote on

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whether to incorporate as a city and, if so, whether to adopt an at-large or by-district election system, in elections for the City Council, and in voting for county and statewide offices by voters in Eastvale precincts. Based on this evidence, we have concluded that continued use of at-large elections by Eastvale violates the CVRA. We therefore demand that the City convert its at-large election system to a district-based electoral system. Under the authority of Government Code § 34886, the City Council can effect that conversion by passage of a resolution, and we demand that it do so without delay.

We request your response to this demand by April 30, 2016. In the absence of a satisfactory response, our clients will have no alternative but to seek judicial relief in the form of an action to obtain an order mandating the conversion of the election system from at-large to by-district, together with other relief provided for in the CVRA, including an award of litigation and expert witness costs, and attorneys' fees. The City can avoid the imposition of a judicially-mandated plan, including district maps designed or approved by the Court, by taking appropriate action without the filing of litigation.

We are available to discuss this matter with you.

Sincerely,



Matthew J. Barragan
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MJB/mg

cc: Joseph Tessari, Mayor Pro Tem
Clint Lorimore, Councilmember
Adam Rush, Councilmember
John Cavanaugh, City Attorney