



ALEX PADILLA | SECRETARY OF STATE | STATE OF CALIFORNIA
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May 1, 2020

Mayor Brian Goodell
City of Mission Viejo
200 Civic Center
Mission Viejo, CA 92691

Re: Your Letter of April 28, 2020

Dear Mayor Goodell,

I write to express and document my profound disappointment with your inaccurate characterization of the phone conversation of April 24, 2020 which included you, the City Attorney and other city staff, and my chief counsel, Steve Reyes.

First and foremost, as Mr. Reyes made abundantly clear on your call — and as I state again here — the Secretary of State's position is that it is **UP TO THE LEGISLATURE** to authorize any alternative voting system(s) and that the creation of "voting protocols" are insufficient under current state law.

Second, contrary to your assertion in the letter, the Secretary of State's office has **NEVER** agreed that "there are both strong merits and substantial obstacles presented in each of our conceptual analyses structures." As we have expressed repeatedly to the City Attorney by phone, in writing, and during the April 24th call, the Secretary of State's office **DISAGREES** with the City Attorney's claim that cumulative voting is currently authorized under state law. Our position remains unchanged - we do not believe your legal analysis regarding the California Voting Rights Act has merit.

Third, and contrary to your representation in your letter, **AT NO POINT** did the Secretary of State agree "to have his staff, lead or overseen generally by you both" any assistance to the City. As shared several times during the call, our office offered only to provide input to any legislation, in the same manner we have provided to others, no more, no less. During the call, Mr. Reyes specifically and expressly asked Mr. Curley that the conversation **NOT** be represented as a joint City-Secretary of State project or in any way that would imply any endorsement, whatsoever, of any alternative voting system.

During my last call with you, I shared that we were willing to look past the serious concerns we raised in our February 25, 2020 letter regarding Mr. Curley's **MISCHARACTERIZATION** of our offices' previous interactions so that we could jointly discuss your recent requests.

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So to be crystal clear, I will state again that our office HAS NOT AGREED to draft or sponsor any legislation related to authorization of alternative voting systems. Our office offered ONLY to provide general input to any draft legislation you seek to propose. But given the CONTINUED MISREPRESENTATIONS of our communications, I am reconsidering this offer and may prefer to wait to comment on proposed legislation once it has been properly introduced in the legislature.

Sincerely,

A handwritten signature in black ink, appearing to read "Alex Padilla", is centered on the page. The signature is written in a cursive style with a large, prominent "A" and "P".

ALEX PADILLA
California Secretary of State