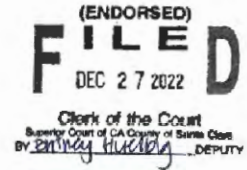


City of Gilroy Mayor's Office

City Hall
7351 Rosanna Street
Gilroy, California
95020-6197

Marie Blankley, Mayor
marie.blankley@cityofgilroy.org
City Hall Office (408) 846-0227
Cell Phone (408) 465-6032
www.cityofgilroy.org

December 22, 2022



Honorable Beth McGowen
Presiding Judge
Superior Court of Santa Clara County
191 North First Street
San Jose, CA 95113

**Subject: 2022 Civil Grand Jury of Santa Clara County Report
"If You Only Read the Ballot, You're Being Duped"**

Dear Judge McGowen,

Thank you for the opportunity to review and respond to the 2022 Civil Grand Jury of the Santa Clara County Report "If You Only Read the Ballot, You're Being Duped." Please find below the City of Gilroy responses to the finding and recommendations in the report on the wording of ballot measure questions. The responses were approved by the Gilroy City Council at the December 12, 2022 City Council Meeting.

Finding 1:

The Civil Grand Jury finds that in the current environment, which is unregulated at the local level, it is easy for the author of a ballot measure question to write the question in a way that is confusing or misleading to voters.

City of Gilroy Response to Finding 1:

The City of Gilroy disagrees with the finding that the writing of ballot measures at the local level is unregulated. All ballot measure questions are reviewed and approved by the Gilroy City Council and subject to State Law. In addition, there is a judicial remedy available by State Law.

The main concern raised by the SCCCJ report focuses on Measure A submitted by Valley Water. The City of Gilroy, therefore, disagrees that additional restrictions and oversight of the City of Gilroy by the County of Santa Clara are necessary and does not support the removal of local control.

Recommendation 1b:

Governing entities within Santa Clara County should voluntarily submit their ballot questions to the County Counsel for review prior to submission to the Registrar of Voters, unless and until Recommendation 1d is implemented.

City of Gilroy Response to Recommendation 1b:

The City of Gilroy finds this recommendation unwarranted, and it will not be implemented by the City. The City of Gilroy will retain local control of ballot measure questions and will not hand over that responsibility to County Counsel. The Gilroy City Council will continue to review and approve ballot measure language, as the Gilroy City Council is the body elected by, and responsible to, the residents of the City of Gilroy. In addition, the City of Gilroy has a qualified City Attorney to provide the review as is being proposed in Recommendation 1b.

Recommendation 1c:

Governing entities within Santa Clara County should, by March 31, 2023, adopt their own resolution or ordinance to require submission of their ballot questions to the County Counsel for review prior to submission to the Registrar of Voters, unless and until Recommendations 1d and 1e are implemented.

City of Gilroy Response to Recommendation 1c:

The City of Gilroy finds this recommendation unwarranted, and it will not be implemented by the City. The City of Gilroy does not often have local measures on the ballot, and has not encountered the type of problem discussed in the report. The Gilroy City Attorney will continue to provide the services identified and the City will not be shifting those responsibilities to County Counsel.

Recommendation 1e:

Governing entities within Santa Clara County should submit their ballot questions for review by the Good Governance in Ballots Commission pursuant to Recommendation 1d.

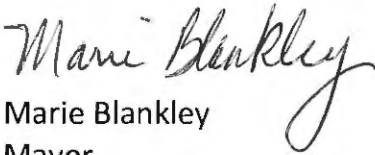
City of Gilroy Response to Recommendation 1e:

The City of Gilroy finds this recommendation unwarranted, and it will not be implemented by the City. The County of Santa Clara does not have the authority to regulate another agency and, as a Charter City, Gilroy will retain local control.

Passing legislation that would enable the County of Santa Clara to have an express grant of power over local agencies would be a dangerous precedent and would take away local Gilroy control and grant control to the County of Santa Clara. The elected officials of Gilroy take the ballot measure process very seriously and will continue to satisfy their responsibilities to the residents of Gilroy to ensure a thorough review and approval of any ballot measure questions.

The City Council has carefully reviewed and considered the concerns raised in the report. The Gilroy City Council supports clear, accurate, and non-biased ballot measure questions and is mindful of the issues raised. We thank the Civil Grand Jury for their interest in this important issue.

Sincerely,



Marie Blankley
Mayor
City of Gilroy

cc: Gilroy City Council Members
Gilroy City Administrator
Gilroy City Attorney
Gilroy Assistant City Administrator