



City of Gonzales

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George A. Worthy
Mayor

March 6, 2007

Delia Gutierrez
Mayor Pro Tem

The Honorable Stephen A. Sillman
Presiding Judge, Superior Court
Of California, County of Monterey
240 Church Street
Salinas, CA 93901

Matt Gourley
Councilmember

RE: City of Gonzales Response to the 2006 Grand Jury Report

Dear Judge Sillman:

Maria Orozco
Councilmember

We are in receipt of the Final Report of the 2006 Grand Jury Report. The City is required to respond to the section of the report entitled "Elected Officeholder's Residency Requirements," where the Grand Jury reviewed election documentation concerning residency for each member of the Board of Supervisors, each Mayor and each City Council member within Monterey County, and the section entitled "Use of Tasers by Law Enforcement Agencies" where the Grand Jury reviewed law enforcement agencies' Taser policies and procedures.

Lisa M. Senkir
Councilmember

René L. Mendez
City Manager

Before moving on to our response, on behalf of the City Council and community of the City of Gonzales, thank you for the time taken by the 2006 Grand Jury members to review and comment on procedures used by jurisdictions in Monterey County, including the City of Gonzales.

Sincerely,

George A. Worthy
Mayor

cc: Philip J. Galanti, Presiding Juror
2006 Grand Jury
County of Monterey
P.O. Box 414
Salinas, CA 93902

**CITY OF GONZALES
RESPONSE TO THE 2006 GRAND JURY REPORT**

The following is submitted by the City of Gonzales in response to the 2006 Grand Jury Report section entitled "Elected Officeholders Residency Requirements".

GRAND JURY FINDINGS: The Grand Jury has noted 2 Findings with respect to this study. The City is required to respond to both findings to indicate agreement or disagreement.

Finding 7.1: Review of "Monterey County Petition In Lieu of Filing Fee" and State of California, County of Monterey Voter Registration" forms showed that two members of the Board of Supervisors, one Mayor, and two City Council members listed a business address as their residence.

Response 1: The City has no basis to agree or disagree with this finding.

The City cannot speak to the content of this finding since it has not reviewed the basis of the information for the finding nor does it have any requirement or intention to do so.

Finding 7.2: Visual surveys of residence of all Supervisors, Mayors and City Council members who listed their business address as their address of residence indicated that all but one appeared to be a residence in addition to being a business. The one exception was a Pacific Grove City Council member who listed a business address that could not possibly be a residence.

Response 2: The City has no basis to agree or disagree with this finding.

The City cannot speak to the content of this finding since it has not reviewed the basis of the information for the finding nor does it have any requirement or intention to do so.

GRAND JURY RECOMMENDATIONS: The Grand Jury has made 2 Recommendations with respect to its study. The City is required to respond to Recommendation 7.1.

Recommendation 7.1: The City Attorney of each city, in conjunction with the Monterey County District Attorney should review and determine the residency of its Mayor and City Council members. If any Mayor or City Council member is found not to meet the residency requirements for elected public office as required by the city's charter or general law, the Mayor or Council member should be required to vacate his or her office.

Response 1: There is no basis to implement this recommendation within the City of Gonzales. All City Council members list their homes as their place of residence. As it pertains to working with the Monterey County District Attorney, the City has not been contacted by the District Attorney's Office and will respond if contacted. Finally, the City does not believe that there is any authority or rational basis for requiring the City Attorney of each City to verify residence. This is a duty that should be assigned to the County Elections Department.

The following is submitted by the City of Gonzales in response to the 2006 Grand Jury Report section entitled "Use of Tasers by Law Enforcement Agencies".

GRAND JURY RECOMMENDATIONS: The Grand Jury has made 3 Recommendations with respect to this item. The City is required to respond to Recommendation 12.3.

Recommendation 12.3: All Taser-using agencies should evaluate the use of the "Taser-cam".

Response: This recommendation will be implemented in the future as part of the Gonzales Police Department's ongoing and continuing efforts to improve police procedures, practices, policies and efforts.