



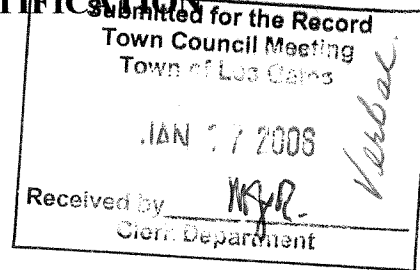
TOWN OF LOS GATOS

OFFICE OF THE TOWN CLERK

CIVIC CENTER
110 E. MAIN STREET
P.O. BOX 2
LOS GATOS, CA 95031

AFFIDAVIT OF CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF SANTA CLARA) SS
TOWN OF LOS GATOS)



MARIAN V. COSGROVE, BEING FIRST DULY SWORN, DEPOSES AND SAYS THAT SHE IS THE DULY ELECTED AND QUALIFIED TOWN CLERK OF THE TOWN OF LOS GATOS; AND THAT SHE HAS HELD THE PRESENT OFFICE OF TOWN CLERK SINCE DECEMBER 6TH, 2004 AND HAS RECEIVED INSUFFICIENT INFORMATION TO CERTIFY ANYTHING BUT THE NOVEMBER ELECTION OF 2004.

Marian Cosgrove
MARIAN V. COSGROVE, TOWN CLERK
TOWN OF LOS GATOS, CALIFORNIA
JANUARY 17, 2006

REGARDING:

FILING OF FAIR POLITICAL PRACTICES COMMISSION FORM 700 FOR THE YEAR 2005

In November of 2004 a deputy of the elected town clerk asked the elected town clerk if the deputies of the town clerk could give the town clerk a departing gift. These deputies knew that the town clerk had been re-elected, but they had accepted the fact that the manager had taken charge of the clerk's office in June of that year.

The senior deputy clerk had verbally contracted with the manager to rid Los Gatos of an elected town clerk without putting the question to a vote of the people which is required by state code for all General Law cities such as Los Gatos.

The town clerk, elected by the people for five consecutive terms, considered a knowledgeable professional with full certification and college degrees in public administration, was locked out of the clerk's office by the past senior deputy clerk who had changed the locks and moved the files. This was with full support and approval of the current elected council.

The town clerk told the manager's staff that under the circumstances no gift was expected, wanted or appreciated from the deputies, the manager or the council. Having stolen the Elected Town Clerk's position from the people underhandedly, with only three days notice, the town clerk could see no reason to accept or celebrate any form of congratulations from any of the so called representatives of the people. These underhanded and devious actions have been developed and propagated by the league of California cities and the associations of area governments. We no longer have a government of the people but a government of an association of managers and attorneys.

The drive to eliminate the elected town clerk in Los Gatos was begun twenty years ago when the current manager was the assistant manager of our town. The procedures to slowly eliminate all state mandated powers from elected officials has been an ongoing movement for many years. The theories that elected officials can't possibly know all that is necessary to run an organization is unfounded. Our federal and state governments were established on acknowledging the rights of each individual citizen to have the opportunity to run for public office and to be heard and respected while holding that office.

The town clerk's office is based on the rights of all citizens to have access to the business of the people. This thesis was established in the California public records act and is upheld in the mandated duty established in state code that the town clerk has custody of all legislative action. The town clerk constantly informed the deputies in the office that the custody of the town's records was mandated to the elected town clerk and that they owed the people of Los Gatos due diligence in supplying the requested documents and information. Many times the town clerk stepped in to make those records available, as was her duty in following the state law regarding access to the people's business.

The clerk's deputy who asked if the town clerk would accept a gift from the office staff was told no by the town clerk. The deputy asked if the town clerk would have lunch with two deputies and the answer was yes. The lunch never materialized, but the deputy brought a prettily wrapped book for Thanksgiving which was accepted and put away to put under the Christmas tree.

Christmas came and went with many gifts being placed under the tree. The little gift was forgotten until the Christmas tree was taken down about this time last year. The gift was discovered behind the tree and opened, and found to be a lovely book with messages from the heart which the town clerk appreciates and will keep. Inside the book was a monetary gift card from the senior deputy and deputies. The town clerk had made it clear that a gift would not be accepted or honored from those who had manipulated the people's rights. It was audacious of the manager's clerk, the prior senior deputy, to offer anything in friendship, honor, respect, or in understanding of what the elected position of town clerk stood for.

The current town clerk wants nothing from that person. The historic position of a full time Elected Los Gatos Town Clerk has been held for 117 years. The current manager's clerk has turned the proud history of Los Gatos into a farce for her own personal gain. The ridiculous uneducated manipulations by that person during the last election could alone create a book. The Los Gatos Elected Town Clerk is therefore returning this gift card and submitting this year's Form 700 as required by the Fair Political Practices Commission.