



Office of the City Attorney

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June 18, 2008

Judge Murray
c/o Trisa L. Martinez
222 E. Weber Ave., Room 303
Stockton, CA 95202

Re: Grand Jury Report (Final Report – Case No. 03-07) Response

Honorable Judge Murray:

Pursuant to Penal Code Section 933.05, this letter is to inform you that the City Council of the City of Lathrop reviewed the above referenced Grand Jury Report and directed me to write this letter on their behalf at their Regular meeting of June 17, 2008.

In Response to Finding 1:

Council views this finding as a factual finding at the conclusion of an investigation in which the Council did not participate. As such, this Council respectfully disagrees with the finding.

In Response to Finding 2:

Council views this finding as a legal conclusion based on the fact that elected City officials are not required to step down from voting that may affect campaign contributions so long as those contributions are properly disclosed. The Council did not participate in the Grand Jury's investigation herein and therefore respectfully disagrees with the finding.

In Response to Finding 3:

Council views this finding as a factual finding at the conclusion of an investigation in which the Council did not participate. As such, this Council respectfully disagrees with the finding.

In Response to Finding 4:

Council views this finding as a factual finding at the conclusion of an investigation in which the Council did not participate. As such, this Council respectfully disagrees with the finding.

In Response to Finding 5:

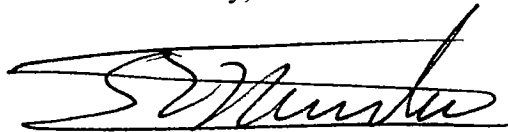
Council views this finding as a legal conclusion based on the fact that businesses are permitted to contribute unlimited amounts to the campaigns of elected council members so long as those contributions are properly disclosed. The Council did not participate in the Grand Jury's investigation herein and therefore respectfully disagrees with the finding.

In Response to Finding 6:

Council views this finding as an issuance of opinion at the conclusion of an investigation in which the Council did not participate. As such, this Council respectfully disagrees with the finding.

If you have any questions, please contact me directly.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Navarrete', written over a horizontal line.

Salvador V. Navarrete
City Attorney

ITEM 4.2

**CITY OF LATHROP
CITY COUNCIL REGULAR MEETING
TUESDAY, JUNE 17, 2008
7:00 p.m.
COUNCIL CHAMBERS, CITY HALL
390 Towne Centre Drive
Lathrop, CA 95330**

MINUTES

PLEASE NOTE: There was a Closed Session which commenced at ~~6:00 p.m.~~ The Regular Meeting reconvened at 7:02 p.m.

The City Council held a meeting, June 17-18, 2008, and June 24, 2008, to discuss the FY 2008/09 Budget until their review and discussions have concluded.

1. PRELIMINARY

1.1 Call to Order – Mayor Sayles called the meeting to order at 6:01 p.m.

1.1.1 CLOSED SESSION:

Conference with Legal Counsel: Anticipated Litigation -
Significant Exposure to Litigation Pursuant to Government Code
Section 54956.9(b)

- 5 Potential Cases

1.1.2 CLOSED SESSION:

Conference with Labor Negotiators Pursuant to Government
Code Section 54957.6
Agency Negotiators: Yvonne Quiring
Employee Organization: Service Employee International Union
(SEIU) Local 790

1.1.3 CLOSED SESSION:

Conference with Labor Negotiators Pursuant to Government
Code Section 54957.6
Agency Negotiators: Yvonne Quiring
Unrepresented Employees: Accounting Manager, Animal Control
Manager, Assistant Chief Building Official, Assistant City
Manager, Assistant Public Works Director, Chief Building Official,
Chief Planning Official, Chief Utility Operator, City Clerk, Code
Compliance Supervisor, Economic Development Administrator,
Finance Director, Human Resource Director, Legal Secretary,
Maintenance Services Supervisor, Management Analyst I/II
(Confidential), Management Analyst I/II, Parks and Recreation
Director, Permit Center Manager, Police Office Supervisor,
Principal Engineer, Public Works Director, Senior Accountant,
Senior Administrative Assistant, Senior Center Manager, Senior
Engineer, Senior Management Analyst, Senior Planner, Street
Maintenance Supervisor, Technology Manager, Technology

Technician, Utility and Streets Maintenance Superintendent,
Utility and Streets Maintenance Supervisor

RECONVENE – Mayor Sayles reconvened the meeting at 7:02 p.m.

1.1.4 Report Out From Closed Session – None.

1.2 Roll Call Present: Mayor Sayles; Vice Mayor Dhaliwal;
Councilmembers: Dresser and Salcedo.

Absent: Vacant.

1.3 Invocation – Eric Baca of Lathrop Christian Center gave the invocation.

1.4 Pledge of Allegiance – Mayor Sayles led the pledge of allegiance.

1.5 Announcement(s) by Mayor / City Manager – None.

1.6 Informational Items – None.

1.7 Declaration of Conflict(s) of Interest – None.

2. PRESENTATIONS

2.1 PROCLAMATION: United States Army Week; June 9–15, 2008.

3. CITIZEN'S FORUM

Rhonda Rallios (Lathrop Little League) spoke expressing thanks and expressing additional concerns regarding park needs. Steve McKee (Tuolumne, CA) spoke citing the Brown Act and expressing concerns relating to Item 4.8. Laura Thimler (Tuolumne, CA) spoke expressing concerns relating to stress and communication. Christopher Mateo (Lathrop, CA) spoke congratulating Councilmember-Elect Robert Oliver. Bennie Gatto (Lathrop, CA) spoke expressing concerns relating to parking ordinance and Chief of Police. Gloryanna Rhodes (Lathrop, CA) spoke expressing various concerns including microphones, budget work session set-up, and poles on Harlan Road. Yvette Sharifrejad (Lathrop, CA) spoke expressing concerns relating to sidewalk near Lathrop School and need for stop signs on Pinecrest/Granite; Peridot/Granite; Marble/Boulder; and Boulder/Slate. Frank Vigil (Lathrop, CA) spoke expressing concerns relating to Harlan Road. Chaka Santos (Lathrop, CA) spoke expressing various concerns including newspaper nuisance and recyclables. Daniel Doyle (Lathrop, CA) spoke expressing concerns relating to Item 4.8. Rosalinda Valencia (Lathrop, CA) spoke expressing various concerns including morning coffee meetings, sidewalks at Lathrop School, RD 17 vote, fireworks, and Harlan Road. There were no other speakers.

4. CONSENT CALENDAR

4.1 WAIVING OF READING

On a motion by Vice Mayor Dhaliwal, seconded by Councilmember Dresser, the City Council waived the reading of Ordinances and Resolutions on tonight's agenda unless otherwise requested by the Mayor or a Councilmember.

Ayes: Mayor Sayles, Vice Mayor Dhaliwal,
Councilmembers: Dresser and Salcedo.
Noes: None.
Absent: Vacant.
Abstain: None.

4.2 APPROVAL OF MINUTES

On a motion by Vice Mayor Dhaliwal, seconded by Councilmember Dresser, the City Council waived the minutes for the Regular Meeting of June 3, 2008.

Ayes: Mayor Sayles, Vice Mayor Dhaliwal,
Councilmembers: Dresser and Salcedo.
Noes: None.
Absent: Vacant.
Abstain: None.

4.3 JULY MEETING CHANGE

On a motion by Vice Mayor Dhaliwal, seconded by Councilmember Dresser, the City Council rescheduled July 1, 2008, Regular Meeting due to birthday celebration event to July 8, 2008, Special Meeting.

Ayes: Mayor Sayles, Vice Mayor Dhaliwal,
Councilmembers: Dresser and Salcedo.
Noes: None.
Absent: Vacant.
Abstain: None.

4.4 SECOND AMENDMENT TO AGREEMENT FOR CONSULTING SERVICES WITH EDAW INC. TO PERFORM ONGOING MITIGATION/CONSTRUCTION MONITORING FOR THE RIVER ISLANDS AT LATHROP PROJECT

On a motion by Vice Mayor Dhaliwal, seconded by Councilmember Dresser, the City Council adopted Resolution 08-2643 authorizing the City Manager to execute a second amendment to agreement for consulting services with EDAW Inc. for the River Islands at Lathrop Project.

Ayes: Mayor Sayles, Vice Mayor Dhaliwal,
Councilmembers: Dresser and Salcedo.
Noes: None.
Absent: Vacant.
Abstain: None.

*4.5 TITANS FOOTBALL 2008 FACILITY FEE WAIVER (Continued from June 3, 2008)

Mayor Sayles opened for public comment. Chaka Santos (Lathrop, CA) spoke requesting information relating to non-profit status. A question and answer period followed. Jaime Hernandez (Lathrop Titans) responded to questions raised throughout the discussion. Rosalinda Valencia (Lathrop, CA) spoke regarding ten day response. There were no other speakers. Mayor Sayles closed public comment. Another question and answer period followed. Councilmembers commented on the matter.

On a motion by Vice Mayor Dhaliwal, seconded by Councilmember Dresser, the City Council adopted Resolution 08-2627 authorizing the City Manager to waive facility fees associated with Sangalang Park for the Lathrop Titans 2008 football season.

Ayes: Mayor Sayles, Vice Mayor Dhaliwal,
Councilmembers: Dresser and Salcedo.
Noes: None.
Absent: Vacant.
Abstain: None.

*(This item was removed from the Consent Calendar.)

4.6 AWARD CONTRACT FOR CONSULTING SERVICES FOR HARLAN ROAD WIDENING AND REHABILITATION PHASE I

Staff requested Council consideration to pull this item from consideration. Consensus of Council pulled this item from consideration. No further action was taken.

4.7 2008 CALFED WATER QUALITY GRANT PROGRAM CONCEPT PROPOSAL APPLICATION

On a motion by Vice Mayor Dhaliwal, seconded by Councilmember Dresser, the City Council adopted Resolution 08-2645 authorizing City Staff to submit a concept proposal application for the 2008 CALFED Water Quality Grant Program.

Ayes: Mayor Sayles, Vice Mayor Dhaliwal,
Councilmembers: Dresser and Salcedo.
Noes: None.
Absent: Vacant.
Abstain: None.

4.8 AGREEMENT WITH MUSD FOR PROVISION OF SERVICES FOR LATHROP HIGH SCHOOL

Staff requested Council consideration to pull this item from consideration. Consensus of Council pulled this item from consideration. No further action was taken.

5. SCHEDULED ITEMS

5.1 GRAND JURY REPORT RESPONSE *(Scheduled at the Regular Meeting of May 20, 2008; Continued from the Regular Meeting of June 3, 2008)*

City Attorney Salvador Navarrete provided an overview. A question and answer period followed. Mayor Sayles opened for public comment. Rosalinda Valencia (Lathrop, CA) spoke expressing concerns relating to conflict of interest for Mayor Sayles. Gloryanna Rhodes (Lathrop, CA) spoke explaining the action as merely an acceptance. There were no other speakers.

On an amended motion by Councilmember Dresser, seconded by Vice Mayor Dhaliwal, the City Council accepted the grand jury report and directed City Attorney to submit letter to the presiding judge of the San Joaquin County Superior Court respectfully disagreeing with the findings of the Grand Jury Report on behalf of the City Council.

Ayes: Vice Mayor Dhaliwal,
Councilmembers: Dresser and Salcedo.
Noes: Mayor Sayles.
Absent: Vacant.
Abstain: None.

5.2 FY 08/09 BUDGET REVIEW AND APPROVAL

City Manager Yvonne Quiring provided a general overview of the proposed FY 2008/09 Budget. A question and answer period followed. Finance Director Terri Vigna provided detailed information relating to budget summary, appropriations, process, general fund, revenue, capital improvement projects, water, and wastewater. Another question and answer period followed. Gloryanna Rhodes (Lathrop, CA) spoke expressing concerns relating to rate increase and positions being eliminated. There were no other speakers. Another question and answer period followed. Councilmembers commented on the matter. Consensus of Council continued the department presentations to begin.

at the Special Meeting of June 18, 2008. It was further noted that department presentations may be taken out of order and/or may take place on different dates and the budget schedule may be amended as deemed necessary. No further action was taken.

6. COUNCIL COMMUNICATIONS

6.1 Council Referrals

6.1.1 MAYOR SAYLES/VICE MAYOR DHALIWAL REFERRAL: Discussion Regarding 4-Way Stops at the Following Intersections:

- Slate/Deerwood
- Opal/Deerwood
- Warfield/Orlando

Consensus of Council continued this matter to the Special Meeting of July 8, 2008. No further action was taken.


6.1.2 MAYOR SAYLES REFERRAL: Discussion Regarding Resolution Opposing the Delta Vision Blue Ribbon Task Force Recommendations for the Sacramento-San Joaquin River Delta (*Enclosure*)

Consensus of Council continued this matter to the Special Meeting of July 8, 2008. No further action was taken.

6.2 Mayor & Councilmember Committee Report(s) – None.

6.3 Mayor & Councilmember Comment(s) – None.

7. ADJOURNMENT – There being no further business, Mayor Sayles adjourned the meeting at 10:00 p.m. The remaining departmental presentations will continue on Wednesday, June 18, 2008.



Rick Caldeira, City Clerk