

FINAL REPORT – CASE NO. 03-07 CITY OF LATHROP

SUMMARY

A citizen complaint alleging misconduct in the matter of campaign contributions and alleged unethical behavior by the Mayor of Lathrop are found to be untrue by the Grand Jury.

REASON FOR INVESTIGATION

The 2007-2008 Civil Grand Jury received one complaint in September 2007 regarding alleged improprieties in the campaign contributions for the current Mayor of Lathrop, California. The complaint was non-specific in nature and implied that she, as a candidate for Mayor, took contributions from developers who may have been interested in the Lathrop area. The complaint also alleges unethical actions are being made by the Mayor of Lathrop. Included with the complaint was the California Form 460, Schedule A which listed a number of campaign contributors with the same business address.

BACKGROUND

The City of Lathrop is located in Northern San Joaquin Valley at the intersection of I-5 and 120 Freeways. The city is in a metro triangle which is bounded by the Bay Area, Stockton and Sacramento. Lathrop's current population is nearly 14,625 and is expected to reach 30,000 by 2012. The City of Lathrop is one of Northern California's fastest growing and most comprehensive Master Planned Communities.

In November 2005, the current Mayor was elected to the Lathrop City Council. In July of 2006 she was appointed Mayor Pro Tem and in November of that year she was elected Mayor which is a two-year term.

In this election she received contributions from several different land developers interested in the Lathrop area.

METHOD OF INVESTIGATION

Materials Reviewed

- The minutes of all Lathrop City Council meetings from January 2007 to the present date
- The list of campaign contributions received by the Mayor of Lathrop in her election bid

- Fair Political Practice Commission (FPPC) rules governing contributions and ethical conduct

Sites Visited

- A physical inspection was made of the specific address which houses the offices of the campaign contributors listed in the complaint.

FINDINGS

1. The current mayor has presided over forty-five City Council meetings and has recused herself in ten of those meetings due to a conflict of interest.
2. As an elected official, the mayor is not required to step down from voting that may affect campaign contributors.
3. The office building that was inspected houses a large number of different businesses, such as law offices, county law centers, land developing companies and architectural firms.
4. The Civil Grand Jury finds no evidence that the current Mayor of Lathrop received excessive campaign contributions.
5. No one business contributed more than is legally allowed.
6. It has been determined that the mayor is now and has been acting in a reasonable and ethical manner in matters where the City Council is considering new business in the City of Lathrop.

RECOMMENDATIONS

The Grand Jury has no recommendations regarding this matter at this time.

RESPONSE REQUIRED

Pursuant to Section 933.05 of the Penal Code:

The Lathrop City Council shall report to the Presiding Judge of the San Joaquin County Superior Court, in writing and within 60 days of publication of this report, with a response as follows:

As to each finding in the report a response indicating one of the following:

- a. The respondent agrees with the finding.
- b. The respondent disagrees with the finding, with an explanation of the reasons therefore.

As to each recommendation, a response indicating one of the following:

- a. The recommendation has been implemented, with a summary of the action taken.
- b. The recommendation has not yet been implemented, but will be with a time frame for implementation.
- c. The recommendation requires further analysis, with an explanation of the scope of analysis and a time frame not to exceed six (6) months.
- d. The recommendation will not be implemented, with an explanation therefore.