



From left to right: Stockton Mayoral candidate Christina Fugazi, City Councilmember Michelle Padilla, city council candidate Mario Enriquez, San Joaquin County Supervisor candidate Mario Gardea and city council candidate Jason Lee stand on the stage last weekend at Michael Fakkis Park in Stockton last weekend. (File photo)

## LOCAL GOVERNMENT

# Padilla's party in the park reportedly violated Stockton City Council funding rules



by **Cassie Dickman**

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Stockton City Councilmember Michele Padilla may have run afoul of council policy at a community event she hosted over the weekend by providing a public platform for local candidates seeking political office.

The event reportedly cost more than \$10,000 to host and was paid for with City Council discretionary funding, which councilmembers are barred from using for political events.

Stocktonia was sent several videos recorded by an attendee of the Saturday-evening event, described as a community BBQ with free food and entertainment in a flier on Padilla's social media accounts, showing four candidates that are running for office locally in San Joaquin County on a stage with the District 1 councilor and other officials giving speeches that were largely political in nature.

Reached Wednesday evening, Padilla sent a written statement in response to Stocktonia's request for comment denying she'd done anything inappropriate.

"Your question implying that there was a \$10,000 expenditure on a 'political event' seems to impose judgment before presenting all the facts," Padilla wrote, noting this was the second year in a row that she's hosted the community BBQ in her Council district.

Padilla said she's well aware of California state law surrounding the use of public resources and that she "can emphatically state that there was no violation."

"Every expenditure of public funds for this event was reviewed by legal counsel from the city and approved," Padilla wrote. "This event was open to the public, and all community members, elected or not, had the opportunity to speak. I believe in upholding the First Amendment right to speech and do not censor community members."







Local candidates running for local office speak at a community event hosted by Stockton City councilmember Michele Padilla on Saturday. Padilla may have run afoul of council policy at the event, described as a community cookout/BBQ, by providing a public platform for local candidates seeking political office.

Council discretionary money is required to be spent on resources that “will be a substantial benefit to the City and its residents,” according to Council policy, and can’t “be religious or political in nature” or used for “personal benefit.”

Speakers at the event included current Stockton mayoral candidate former Vice Mayor Christina Fugazi, Stockton City Council candidates Jason Lee and Mario Enríquez, and San Joaquin County Supervisor candidate Mario Gardea.

The only candidate to not explicitly mention they were running for local office was Fugazi, though she was shown wearing a campaign-style t-shirt. She also mentioned wanting “to work with this wonderful group of people up here” as she motioned to those standing on stage with her.

Councilmember Dan Wright, one of the most senior members of the Stockton City Council, told Stocktonia Wednesday evening that campaigning at a city event is “not okay” and a violation of city code. Wright says using discretionary funding should be done with caution and that he doesn’t typically throw his own events but will sometimes support others in the community.



“Let’s look at the nonprofits and the good deeds that are going on in the community, and use our discretionary monies to support them,” Wright said, adding that he would not “make any expenditure of city funds that I don’t think my constituents would support.”

Guidelines for use of discretionary [funding allocated to the mayor and councilmembers](#) were approved by the City Council in 2016, Stockton spokesperson Connie Cochran told Stocktonia Wednesday. The mayor is allocated \$60,000 per year, while councilmembers each have access to \$15,000. The fiscal year runs from July 1 to June 30.

To access their discretionary funding, Cochran said the mayor and councilmembers have to first fill out a form. The form is then submitted for review and approval by the city attorney. If approved, the city manager’s office processes the requested payment.

According to documents and emails provided to Stocktonia by the city of Stockton, Padilla applied for a special city event permit in May to hold the “Annual Community Event,” with an expected attendance of 700 people. Padilla described the event on social media as the “2nd Annual Council Member Padilla’s Community Cookout.”

The cookout was held Saturday from 6 p.m. to 9 p.m. at Michael Faklis Park in north Stockton. A flier for the event boasted live music, free food, face painting, backpack giveaway and a raffle drawing with some premium prizes, such as a 70-inch television.

Part of the process in applying to use discretionary funding includes identifying the purpose of the request.

“The object (of the event) is to bring together the diverse residents of District 1 in a relaxed and enjoyable setting,” Padilla wrote in her expenditure forms. “This is to create a sense of belonging and strengthen the bonds within our community. Constituents will be able to engage with one another, exchange ideas, and build relationships.”

She also emphasized this purpose in email communications to city staff and the mayor, where she sought support from city departments “so we can really reap the benefits of coming together as a community.”

City Council policy states that councilmembers’ expenses must have incurred within “the performance of official duties” in order for them to be covered by their discretionary funding allocations in addition to not being political or religious in nature or personally beneficial to the councilmember.



Padilla portrayed the cookout as an event that would benefit her constituents, sponsored by their councilmember.

On Friday, Padilla [posted a video to social media](#) of herself at the park to encourage community attendance. She also noted in the video that landscapers were at the park providing maintenance in preparation for the event, though it was unclear if that maintenance was funded by the city. Her city email was also included on the event's flier as a point of contact.

Videos sent to Stocktonia show that at some point during the cookout some public officials in attendance — including Fugazi, Lee, Gardea and Enríquez — joined Padilla on stage to say a few words.

Lee noted during his comments with some humor that he hadn't realized he'd be required to speak.

“Only Michelle would trick me to come out to a picnic — and I come out in house shoes — and then ask me to come up here and look crazy,” Lee joked.

Gardea, Lee and Enríquez are shown in the videos describing themselves as candidates running for office. All four candidates, including Fugazi, also briefly talked about various issues, such as public safety, homelessness, Stockton's youth, opponents and post election plans.

Lee, who is running to unseat Councilmember Kimberly Warmesley in Stockton Council District 6, also hinted that he, Fugazi, Padilla and Enriquez would together be able to take action on the City Council.

“I do a lot of education that it takes four votes to make things happen,” Lee said, before encouraging the audience to count with him the potential four-member City Council voting block on the stage with him. “All of us are aligned on the big bucket vision of the full potential of this city.”

The Stockton City Council is made up of seven members including the mayor, thus four members would constitute a majority.

Councilmembers who violate discretionary funding policies could face various disciplinary actions, including restitution to the city and criminal prosecution for misuse of public resources. City Council policy violations must be addressed during public session by a majority vote of councilmembers.

In a statement to Stocktonia on Wednesday, Warmesley said she was “deeply disappointed” that Padilla's city-funded event turned political instead of her taking the opportunity to properly use those resources in bringing the community together.

Though she recognized the importance of reaching as many potential voters as possible, Warmlesley added that using taxpayer funds in promoting election campaigns is wrong.

“Councilmember Padilla broke state and local law, and the consequences must be swift for those involved,” Warmlesley said. “Our residents depend on elected officials to ensure trust in government. Unfortunately, this event further sows mistrust in our city, our system, and our community.”

Warmlesley wants the City Council to address the issue “swiftly” and called for an investigation by the proper enforcement officials in what she described as a misuse of city funds.

“We must protect the integrity of community events from partisan agendas or political motives and keep Stockton united no matter how this election goes,” Warmlesley said.

Councilmember Michael Blower described promoting politics at a city-funded event as “a pretty egregious infraction” and said Padilla should have known better.

“It just couldn’t be more clear that it’s inappropriate to use your discretionary funds for an event that’s political in nature,” Blower said, noting that each councilmember is extensively instructed on Council policies during orientation. “The second somebody got up and started giving a political speech turned the event into a political rally.”

He agreed with Warmlesley that the Council should address the issue at its next meeting.

City documents provided to Stocktonia show that the city has so far processed payment for about \$10,300 in discretionary funding requests related to the event, which included food vendor, entertainment and city park rental costs. There is also a possibility that more requests could get approved in the coming days.

Only one of Padilla’s requested expenditures was approved and had payment processed before July 1. That means she has used more than half of her discretionary funding this year for Saturday’s event.

Padilla may have also violated permitting requirements for the event, according to city documents, which mandated that security be provided.

One check from the city to the security company Alpha Guard for \$280 was voided Monday, though payment to the company had been processed July 2. A request made to the city to void payment for the security company’s services reported that the vendor was a no show to the event.

## Attachment D

According to a Stockton public event requirement letter, Padilla needed to provide security during the event. Documents show that it was intended for two security guards to be present during the cookout, an hour before and 30 minutes after.

Alpha Guard was approached about providing security for the event, but the contract fell through. According to an Alpha Guard representative, the company had never received a contract back from the city.

Stockton City Council's next regular meeting is scheduled for Aug. 20.

*Miriam Waldvogel contributed to this report.*