

Resolution No.

STOCKTON CITY COUNCIL

RESOLUTION CENSURING COUNCILMEMBER PADILLA FOR VIOLATION OF COUNCIL POLICY 5.10.010- MAYOR AND COUNCIL DISCRETIONARY FUNDING

Council Policy Manual Chapter 4.08 (Council Censure) establishes the process for the censure of councilmembers; and

The process begins with the submission of a complaint by two councilmembers and an initial discussion before Council to determine whether the process should move forward; and

Absent a unanimous vote by the uninvolved councilmembers (those who did not submit and are not the subject of the complaint), the process continues; and

On August 2, 2024, Councilmembers Blower and Villapudua submitted a complaint to the Interim City Clerk pursuant to Council Policy 4.08 requesting a censure hearing regarding an alleged violation of Council Policy 5.10 by Councilmember Padilla; and

At the August 20, 2024, Council Meeting, there was no unanimous vote to stop the process the Mayor appointed the Council Censure Ad-Hoc Committee pursuant to Council Policy 4.08.020(2).

On October 7, 2024, the Ad Hoc Censure Committee reviewed and discussed the evidence compiled by staff and appointed Committee members Wright and Lenz to draft the report and recommendation to be submitted to the clerk and forwarded to the full Council; and

In accordance with Council Policy 4.08 – Council Censure, the City Council has considered the report and recommendation of the Censure Ad Hoc Committee, reviewed the evidence presented, and heard the testimony of Councilmember Padilla; and

The City Council has determined that findings support the censure of Councilmember Padilla; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:

1. Based on its review of the entire record herein, the City Council makes the following findings:

- A. The residents of Stockton are entitled to responsible, fair honest, and ethical City Government. Accordingly, it is the policy of the Stockton

City Council that all its members shall abide by Federal, State, Charter, Code, and Council policies.

- B. Council Policy 5.10 prohibits the use of discretionary funds for activities which are political in nature.
- C. There were several candidates for local office present at the event, Councilmember Padilla invited them to speak, at least one candidate-speaker referenced the creation of a majority voting block, councilmember Padilla wore a campaign shirt, one candidate-speaker encouraged voting for the other candidate-speakers, and the candidate-speakers discussed their candidacy and the upcoming election.
- D. These actions were political in nature and undermine public trust in the fair and ethical use of public funds and so constitute a serious violation of Council Policy 5.10.010(B)(ii).

2. Based on its review of the entire record herein, all supporting, referenced, and incorporated documents, and all comments received, the City Council hereby censures Councilmember Michelle Padilla, for violation of Council Policy 5.10.010.

PASSED, APPROVED and ADOPTED November 12, 2024.

KEVIN J. LINCOLN II
Mayor of the City of Stockton

ATTEST:

KATHERINE ROLAND, CMC, CMPC
Interim City Clerk of the City of Stockton