The vice president of Southwestern College hosted a political wine-and-cheese fundraiser at his home, at which many of the invited guests represented companies that do business with the college under contracts he oversees.

The fundraiser was legal, experts say, but might give the impression of a pay-to-play setup where contractors would have to give to the political campaigns in question to maintain the college’s favor. The fundraiser was to support two incumbents on the college district board who are facing a robust challenge from union-supported candidates displeased with the current administration. Nicholas Alioto, the vice president for business and financial affairs, said he invited a broad range of contacts to the May 20 fundraiser for trustees Yolanda Salcido and Terri Valladolid in an effort to get them re-elected.

The officials said there is no link between the contracts and the contributions, but critics are skeptical. “I think it’s highly unethical for Vice President Alioto to host a fundraiser for contractors who are doing business with the college,” said trustee Nick Aguilar, who has clashed with the other board members and is supporting one of the union-backed challengers. “The incumbents have either approved or are going to approve contracts.”

Donors included Seville Construction Service, which has been awarded $2.7 million in construction management services for a $55 million Southwestern bond project. Seville contributed $2,500 to each candidate.

Christopher Rowe, who owns Echo Pacific Construction and attended the Chula Vista fundraiser, donated $1,000 each to Salcido and Valladolid. A month later, the two joined a unanimous board vote to approve a $4 million contract with his firm.

Both trustees raised the same amount from Jan. 1 through June 30: $17,550. All of the contributions landed
on May 20, May 21 and June 2 and included the same donors. Of 24 donors, at least seven have or had contracts with Southwestern College, according to a review of campaign forms and district documents by The Watchdog.

Alioto and his boss, college president Raj Chopra, said they see nothing wrong with the fundraiser. Alioto said it was important because there is so much at stake in the upcoming election, in which union-friendly candidates are trying to unseat those who support Chopra and Alito.

“If they take over the board, they will fire Chopra and me,” Alioto said. “I did something on my time on my dime to support candidates that I feel are good for the college.”

“I am not going to go in the corner and hide on this deal.”

Alioto said he did not see a conflict with the fact that he oversees the business contracts donors have with the college because the board has the final say on those contracts.

“I am very confident that I broke no laws and that I am within my federal civil rights and I will defend those completely,” he said. “I didn’t put any kind of pressure on any people.”

Anyone bidding on construction jobs funded by the bond proposition must go through a competitive bid process and must be vetted and interviewed, Valladolid said. Then Alioto and Chopra make a recommendation to the board for final consideration.

Both Valladolid and Salcido said they did not base their votes on who contributed to their campaigns. “I don’t remember who donated or not,” Valladolid said. “So when they come before us, we go by the criteria that was established and the recommendation of the president.”

Salcido said businesses give to candidates they believe in.

“There are many businesses, just like individuals, that are engaged in the political process and support individuals,” Salcido said.

Calls to contributors at Seville and Echo were not returned.

Both Salcido and Alioto said they are more concerned with an incident on campus Monday, when teacher’s union members promoted their slate of candidates before a mandatory back-to-school event on a day they were paid to work.

Andy MacNeil, president of the Southwestern College Education Association, said union members handed out T-shirts and other items promoting candidates Norma Hernandez, Tim Nader and Jesseca Saenz-Gonzalez, but that it was before the official work day started so they were not interfering with college business.

MacNeil said it was inappropriate for Alioto to host the fundraiser.

“When the person who is vetting all of the bids and the vendors here on campus is throwing a fundraiser and inviting them to support the candidates who will be voting on those bids, I find it a huge conflict of interest.”

Experts in government ethics say Alioto’s actions were not illegal, but fall into a gray area.

“I think any time you deal in government, you have to be concerned about the appearance of impropriety,” said Jeffrey Joseph, associate dean and general counsel for Thomas Jefferson School of Law. “It might appear to some people as pay-to-play. Even if your actions are innocent, they are susceptible of being misinterpreted.”

Joseph previously ran the San Diego legal office for Caltrans, where he advised officials who work on millions of dollars of transportation contracts every day. He said inviting contractors to a political fundraiser could suggest a future payback.
“The appearance is that if they contributed that perhaps they will be granted a favor that perhaps someone who didn’t contribute would not,” he said.

Robert Fellmeth, a professor of public interest law at University of San Diego School of Law, said Alioto’s situation is a symptom of pervasive problem.

“It’s a regrettable offshoot of our campaign finance system,” Fellmeth said. “I’ve been lobbying in Sacramento for 35 years. We don’t get in to see the members. The campaign contributors do. The agenda is being set by access, and access is determined by campaign contributions.”

Alioto said about 25 people showed up to his event, although he doesn’t necessarily remember them all. “I encouraged them to mix and mingle and drink wine,” Alioto said. “We put envelopes at the front door when they came in and they gave to the candidates.”

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