

From: Patricia Mahan [REDACTED]
To: complaint@fppc.ca.gov
Date: February 20, 2020 at 5:28 PM
Subject: Sworn Complaint - City of Santa Clara; Public Funds for Campaign Purposes

Violation Type: Mass Mailing Sent at Public Expense
Violation Type: Public Funds for Campaign Purposes

Complaint against the following Individuals

-Mayor Lisa Gillmor

-City Manager Deanna Santana

-City Attorney Brian Doyle

-City Clerk Hosam Haggag

Address: 1500 Warburton Ave, Santa Clara, CA 95050

As a former mayor and councilmember of the City of Santa Clara, it saddens me to be filing this complaint, however, it must be done to preserve fair elections in Santa Clara.

The current administration, under direction from Mayor Gillmor, City Manager Deanna Santana, and City Attorney Doyle, have continued to use public funds for the purposes of elections. Unfortunately, the Mayor and the majority block have cornered City staff to only taking their guidance, making it almost impossible for me to stop some of the city's improper activities during my time in office.

MEASURE A

First, I would like to point to the City's activities surrounding Measure A.

- A recent article published by San Jose Spotlight on January 15 by Janice Bitters, entitled “Santa Clara has no records of PR firm’s campaign work.” The title alone tells it all.
- In the article, Bitters shines light on misconduct that the City was clearly trying to keep in the dark. According to the reporting, the City used taxpayer funds for a political and communications consultant to work on a ballot measure. FPPC Chair Richard Miadich is actually quoted in the article, stating that the use of public funds for political reasons is illegal.
- In 2019, the City of Santa Clara was exposed by the Santa Clara County Civil Grand Jury for having extremely poor record-keeping. It seems that Mayor Gillmor and City Manager Santana have not taken the Civil Grand Jury report seriously as once again, City Hall was unable to produce documents that it should be able to share quickly and efficiently. It is inappropriate for documents to just go missing into thin air – we cannot claim to be the technology epicenter of the world and then also claim that we do not know how to archive files.
- Instead of working to solve the issues highlighted in your report, the City has instead tried to convince the public that the Grand Jury found no wrong-doing, however, that is not the case. Furthermore, since the Grand Jury released its report, Mayor Gillmor and City Manager Santana have hired additional public relations firms to assist in campaign activities, paying upwards of \$300,000 in tax-payer funds to these firms.

MEASURE C

The City's misconduct did not stop with Measure A. Mayor Gillmor, City Manager Santana, and City Attorney Doyle are now trying to influence voters on Measure C, which is on the ballot on March 3rd.

- The City has circulating mailers that are clearly trying to sway residents towards voting YES on Measure C. The mailers only outline what would happen if Measure C passed but do not acknowledge the outcome if the measure is rejected. A city's informational pieces should not reflect any bias. The mailer can be found here:
<https://www.santaclaraca.gov/home/showdocument?id=66128>
- City Attorney Doyle has been campaigning on social media (Nextdoor) during business hours and spreading misinformation. Example is below:
- Additionally, City Clerk Haggag has used his platform to spread misinformation about supposed "dark money" in an effort to sway voters to pass Measure C. The No on Measure C campaign has been transparent about funding and has followed campaign finance law but the Clerk has continued to use a false narrative to sway voters. Haggag has used public Council meetings as an opportunity to push voters to vote Yes and he has also launched social media campaigns, using the City's accounts, to push a false narrative of "dark money." I

believe these activities constitute an illegal use of public funds for campaign activities and require the City to report its own campaign expenditures under state campaign finance law.

I request that the FPPC investigate this issue further. Taxpayer funds are not a slush fund for elected officials to stay elected and it is becoming clear that Santa Clara's leadership is using public funds for political reasons. To make matters worse, the City is going to great lengths to destroy evidence of their misconduct.