September 10th, 2023

City Clerk Haggag
Assistant City Clerk Pimentel
Cc: Glen Googins, City Attorney
Jovan Grogan, City Manager

Santa Clara's Ordinance No. 1979 (*Exhibit 1*), popularly known as the "Dark Money Ordinance," has been violated, we, Councilmembers Anthony Becker, Suds Jain, and Kevin Park are formally filing this complaint about Stand Up for Santa Clara.

We have already filed a formal complaint with the FPPC for a number of violations, including the lack of a registered committee and the lack of public filings for donations or expenditures in support of or opposition to candidates/officeholders [see attachment 1: FPPC complaint]. We want the Santa Clara City Clerk's office and Santa Clara City Attorney's office to conduct a thorough inquiry into the violations of the Dark Money ordinance by Stand up for Santa Clara because the FPPC cannot take up concerns of local code violations like the Dark Money ordinance. The following data amply demonstrates that Stand up for Santa Clara's political actions are neither transparent nor honest.

As of September 10th, 2023, Stand Up for Santa Clara is running Facebook ads (Exhibits 2A & 2B), about which we are reporting. They were running ads on candidates and elected officials with a political focus as well in the 2022 election cycle. Since 2016, Stand Up for Santa Clara has been actively involved in political campaigns. They have become increasingly politically oriented in recent election cycles. They state that they are a 501(c)(3)Corporation, which is regarded as a non-profit, on their website (Exhibit 3). According to the IRS website, a non-profit like Stand for Santa Clara, which describes itself as a 501(c)(3), is in violation of the rule against engaging in political activity by endorsing or opposing candidates (see exhibit 4A) "Organizations are absolutely prohibited from directly or indirectly participating in, or intervening in, any political campaign on behalf of (or in opposition to) and candidate for elective public office". There is no way to confirm that this organization is a 501(c)(3) Corporation if you look on the IRS website and search both Stand up 4 Santa Clara and Stand up for Santa Clara searches that failed to turn up any results. Keep in mind that Stand Up for Santa Clara was established in 2015. (Exhibit 4B & 4C below and Attachment 11). It really seems that they are not transparent and misrepresent themselves to the public on their website. We ask that you look into their status with the IRS into the use of 501(c)(3).

The evidence that follows will show all of the political activities in which Stand up for Santa Clara is involved, from websites they have developed and funded to Facebook ads that are aired through their profile on Facebook (https://www.facebook.com/standupforsantaclara/). How are they paid for? How are they supported? Who pays for them? The mystery remains.

The address for Stand Up for Santa Clara cannot be confirmed since mail is frequently returned there at 1202 Franklin Mall, Santa Clara CA 95050 (*Exhibit 5A-5E*). It is situated on a piece of real estate held by Mayor Gillmor in the Franklin Mall (To note-Mayor Gillmor's business is 1201

and 1203 Franklin Mall- *Exhibit 6A-5C* and *Attachment 2 and 3*), which seems to be a major conflict of interest, for more read full FPPC complaint in *attachment 1*.

Instead of an FPPC#, they list an EIN—Employer Identification Number—in their Facebook Ads disclaimer (*Exhibit 7*). This was how they were confirmed and approved for ads on October 18th, 2022. The phone number 408-758-6260 mentioned in the same disclaimer and is really a Google Voice account. Who is the account owner for Google Voice? (*again Exhibit 7*) When the address and phone number cannot be confirmed, how is that transparent? City Clerk and City Attorney need to investigate how did Stand Up For Santa Clara get approved to run Facebook ads without an FPPC # and got around the strict process to run political ads that we candidates had to go through. Was their misleading info in their application? This needs to be identified.

In relation to the mentioned Facebook Ads (*Exhibits 8A–8I*), Stand Up for Santa Clara has spent the most money on these. We can validate this based on Facebook's Ad Details, which list the cost of an ad and give statistics as seen in *Exhibit 9*. Stand Up for Santa Clara has spent more than \$7,000 on the running costs of these ads. For example, *Exhibits 8D and 8E* show that Stand up for Santa Clara paid \$3,000–\$3,500 on Facebook advertisements supporting the grandjuryreport.com website and paid another \$2,500-\$3,000 on Facebook advertisements for the santaclaraquiz.com website. The majority of the Facebook ads were launched during the 2022 election and ones more recently try to persuade individuals to request resignations and to offer their opinions on the current Charter Review subject. None of these Facebook sponsored advertising have an FPPC#. Unlike the Facebook Ads, we don't know how much money Stand Up for Santa Clara spends on the multiple sponsored websites. Below is a list of the websites they support.

- https://standupforsantaclara.com/ (Main Website Exhibit 10A)
- https://stadiumdebt.com (Exhibit 10B)
- https://saveoursantaclara.com/ (Exhibit 10C)
- https://www.protectsantaclara.org/ (exhibits 10D-10F)
- https://santaclaraquiz.com/ (Exhibit 10G-9H) (attachment 4)
- https://grandjuryreport.com/ (Possibly done by Stand Up for Santa Clara based on similar Domain Info as other websites in Exhibit 11)

Stand Up For Santa Clara promoted a website they developed with the URL https://santaclaraquiz.com/ (*Exhibit 10G & 10H*). This website aims to elicit replies to politically charged questions that are prejudiced towards the five members of the Santa Clara City Council who disagree with Mayor Lisa Gillmor's agenda. The goal of the quiz was to gauge the knowledge of Santa Clara residents and voters who would take it in exchange for the chance to win donuts. (*See Attachment 4 for full quiz questions and answers*). The quiz was released during the middle of a campaign on October 25th, 2022 and is an In-Kind contribution not being reported. The date can be proven by the domain details (*attachment 5*). Additionally in *attachment 4* You can see that they invite individuals who took the quiz to join Stand up for Santa Clara at the conclusion.

The multiple other political websites managed by Stand Up for Santa Clara continue to back the Mayor while criticizing any opposition, 5 Councilmembers. For these kinds of initiatives, shouldn't there be some kind of oversight for political activities? Stand Up for Santa Clara disseminates false information and political prejudice in the community using their platform and non-profit organization "status". The websites range from false facts about finances at Levi's Stadium (*Exhibit 10B*) (https://stadiumdebt.com/), a recall campaign effort- *Exhibit 10C* (https://saveoursantaclara.com/), and lastly a site (*Exhibits 10D through 10F*) to support getting councilmembers to resign and protecting the elected police chief and elected city clerk (https://www.protectsantaclara.org/) which is currently under review with the Charter Review Committee. There is a possibility that the site grandjuryreport.com (*exhibit 11*) could be a Stand Up for Santa Clara sponsored website, the domain information is similar to other websites in *attachment 5*.

Just like the Facebook Ads, all of these Stand Up for Santa Clara driven political websites have no FPPC#'s or disclaimers. These websites are shared in the community via social media Facebook, NextDoor, Twitter and on the blog https://santaclaranews.org/ that is aligned with the Mayor of Santa Clara. There is no transparency or documentation of expenses of these websites with city filings.

During the 2022 election, the POA-Police Officers Association distributed mailings that promoted websites sponsored by Stand Up For Santa Clara, including stadiumdebt.com and the site grandjuryreport.com, which was either launched by Stand Up For Santa Clara, the Santa Clara POA, or an unidentified source. These mailers distribution made use of the union's mailing services promoting Stand Up for Santa Clara webpages. None of the Santa Clara POA expenditures or in-kind services/donations do not include any of these transactions. How is any of this acceptable? (attachment 6)

There is no way for anyone to know who paid for the websites, ads, etc. As mentioned numerous times there are no disclaimers, no filings with the City Clerk's office or the state. As prior candidates and current elected officials we know all too well the requirements of disclaimers on materials, websites, ads, and the filings needed legally with the city and the state. Essentially this is dark money because no one knows who is funding them and how they are paying for their political ads.

We are held to very high standards for the financial openness of election committees as Councilmembers. We submit our paperwork, obtain FPPC numbers, disclose who contributes to our campaigns, as well as how and where the money is spent. For both us candidates and other organizations, there are checks and balances. In this instance, Stand Up for Santa Clara's activities are not subject to checks and balances, accountability, or transparency. We are hoping that your offices can weigh in and uphold the regulations because there are so many questions with little solutions.

Taken right from our city Website

"Santa Clara implemented its Dark Money Ordinance in 2018 to shine light on where the money is coming from in local elections. Clean elections demand all campaign contributions and expenditures in municipal elections be fully and truthfully disclosed so voters are fully informed about sources of contributions for or against city candidates or local ballot measures. It is the law to file for these expenditures, and Santa Clarans deserve clean, fair elections"

-https://www.santaclaraca.gov/Home/Components/News/News/39942/3171?npage=20

Since almost ten years ago, Stand Up For Santa Clara has been opaque, failing to disclose any kind of campaign funding reports or even confirming that it even has a campaign committee. This so-called non-profit is not accountable for or subject to any regulations regarding its political advocacy. The bank account for this organization, which should be listed on a form 410, is not provided. Actually, no one has the tools necessary to examine and confirm any campaign spending by this entity. We are surprised that the elections officer, City Clerk Hosam Hagagg, has not taken note of or enquired about groups like Stand Up for Santa Clara, who are well-known and actively involved in local politics by supporting and opposing candidates. In fact, before being elected in 2018, Clerk Haggag attended a Stand Up for Santa Clara press conference at City Hall in 2016 and even asked questions. https://youtu.be/ImATHxGA9IA?si=Nzs_aRu2_WUyoKDW.

Clerk Haggag is responsible for enforcing violations committed by groups like these. He hasn't contacted the FPPC about Stand Up for Santa Clara, so we're hoping he will now. The Clerk has previously exercised his authority and assumed responsibility by getting in touch with the FPPC for other cases. The city clerks and city attorney's office needs to investigate and look into Stand Up for Santa Clara's leadership Burt Field, and who the organization is meeting with.

The City Clerk's office also needs to look into lack of campaign filings locally. Candidates and committees that support and oppose candidates <u>must</u> file forms with the state and local municipality. For example 410 must be filed with the California Secretary of State to create a committee to support or oppose candidates. In addition <u>form 460's guidelines state-</u> The Form 460 is also <u>required if \$2,000 or more will be raised or spent during the calendar year at the behest of the officeholder or candidate. Form 461 Guidelines</u> states an individual or <u>entity</u> that makes <u>monetary or nonmonetary contributions to local officeholders, candidates and committees totalling \$1,000 or more in a calendar year. - An individual or <u>entity</u> that makes independent expenditures totalling \$1,000 or more in a calendar year to support or oppose local candidates. Lastly, Form 496's Guidelines clearly states that the <u>form is needed by committees that make independent expenditures whose combined total is \$1,000 or more to support or oppose a single candidate for elective office. See <u>Attachment 7</u> pulled from the FPPC website. https://fppc.ca.gov/forms.html. Stand Up for Santa Clara is in violation for not filing 410, 460, 461, 496 and the reason for our corresponding FPPC complaint filed.</u></u>

It is now undeniably clear that the money involved is dark money, and Ordinance No. 1979 should be enforced to stop Stand Up for Santa Clara's flagrant violations of it. Again, no one knows who is funding political websites or advertisements or where the money is coming from. We are shining light about the financing sources for political websites, ads, and local elections.

The irony of all this is in the most recent ads put out by Stand Up for Santa Clara (*Exhibit 2*), have statements that describe their organization as "a community watchdog organization committed to an open, honest and transparent government in our beautiful city" and asking people to "sign the petition and add your voice to the growing list of Santa Clara residents who demand accountability and transparency". Additionally, comments by Burt Field on SantaClaraNews.org on September 6th at 10:15am (*Exhibits 12A and 12B*) stated, "Register to vote. Learn to filter the negative flyers that will come out... they always do, why because they work. (*Simple check, who is paying for the Flyer*)". I guess we can say the same about Stand up for Santa Clara's hypocrisy. We, and the people of Santa Clara, demand clean elections, and demand Stand Up for Santa Clara to be transparent and honest about their finances & campaign activities.

Thank you,
Councilmember Anthony J. Becker
Councilmember Sudhanshu Jain
Councilmember Kevin Park

Exhibits

ORDINANCE NO. 1979

AN ORDINANCE OF THE CITY OF SANTA CLARA, CALIFORNIA, AMENDING CHAPTER 2.130 OF "THE CODE OF THE CITY OF SANTA CLARA, CALIFORNIA" TO ENACT REGULATIONS REGARDING CONTRIBUTIONS INFLUENCING LOCAL CITY ELECTIONS (DARK MONEY)

Exhibit 1: Ordinance No. 1979, see attachments for full Ordinance.



Exhibit 2A: New Stand Up for Santa Clara ads running as of 9/9/2023 - Note says paid for by Stand up for Santa Clara.

https://www.facebook.com/100069519202301/posts/611167857877182/



Stand Up for Santa Clara

Sponsored · Paid for by Stand Up for Santa Clara · ❸

We are Stand Up For Santa Clara, a community watchdog organization committed to promoting an open, honest, and transparent government in our beautiful city.

We have an urgent matter that needs your attention and action - especially if you're concerned about the direction our city governance is taking.

Council Member Anthony Becker has been indicted for leaking a Grand Jury report and lying about it. If convicted, he could be facing jail time. Despite vocal requests from concerned members of the community for his resignation, Mr. Becker refuses to step down from his city council seat.

Enough is Enough. Join us in standing up for the core values that should define public service: honesty, integrity, and accountability. Council Member Anthony Becker's actions and subsequent lack of accountability go against these values.

ACTION PLAN:

ACTION PLAN:

- 1. Like Our Facebook Page Stay updated with ongoing developments and how you can participate in ensuring the integrity of our city's governance.
- 2. Sign the Petition Add your voice to the growing list of Santa Clara residents who demand accountability and transparency.

Together, our community can ensure that those in positions of power are held to the standards we all expect and deserve.

We can't do this without YOU. Sign the petition today! Share with other community members to have them sign too!

#StandUpForSantaClara #Transparency #Accountability #CommunityFirst



Exhibit 2B: Full view of the Ad. Here is the link too to the petition-

https://communitypetition.com/account/campaign/144/1?utm_source=protectscpaid&utm medium=facebook&utm_campaign=community_petition&fbclid=lwAR1Ka6gpVsYv2TMQ FrvIIMJTpQTguZv2AsPNdIE7yIEwM5mtEKdOfotejfU_aem_ATybpOCDISmdPdZkbWfvT5A zcaxgRmnPVLLAvaN39rdY5I9RwnS9vXJw3GXbZ9HsJwfQn_8pc3LhXWqvCiI4IbJ3

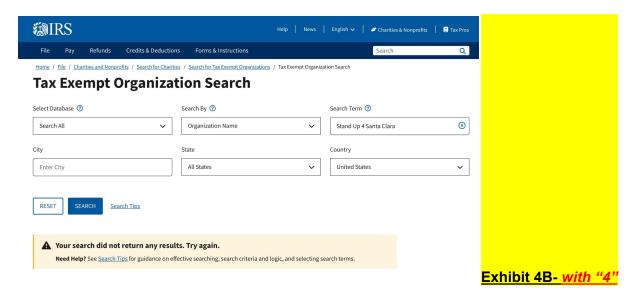


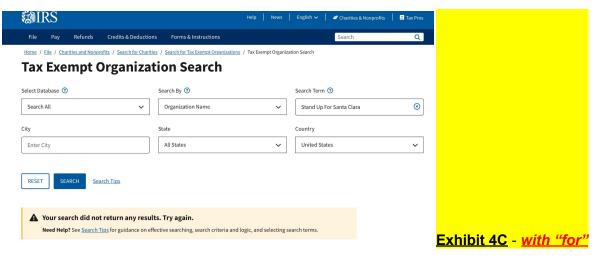
Exhibit 3- Stand up for Santa Clara webpage with Non-Profit disclaimer as of 9/8/2023



Exhibit 4A: IRS non profit strictly prohibits campaigning.

https://www.irs.gov/charities-non-profits/charitable-organizations/the-restriction-of-political-campaign-intervention-by-section-501c3-tax-exempt-organizations





Copyright © 2021 Stand Up for Santa Clara, All rights reserved.

You are receiving this email because you opted in via our website.

Our mailing address is: Stand Up for Santa Clara 1202 Franklin Mall Santa Clara, CA 95050-4806

Add us to your address book

Want to change how you receive these emails?
You can update your preferences or unsubscribe from this list.

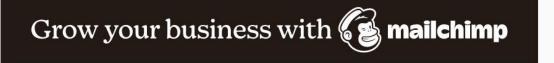
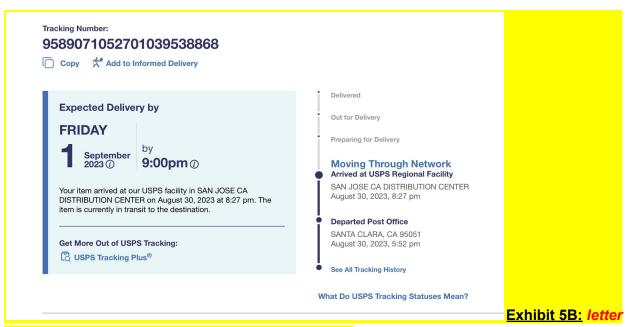
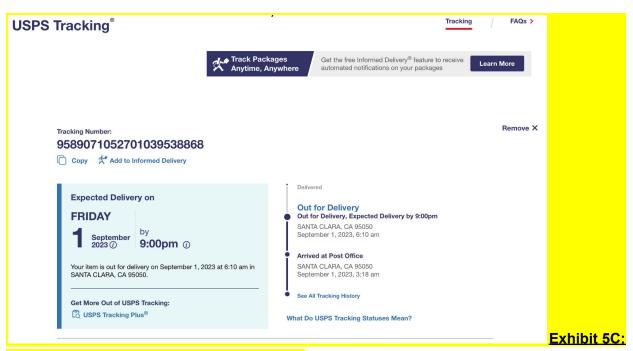


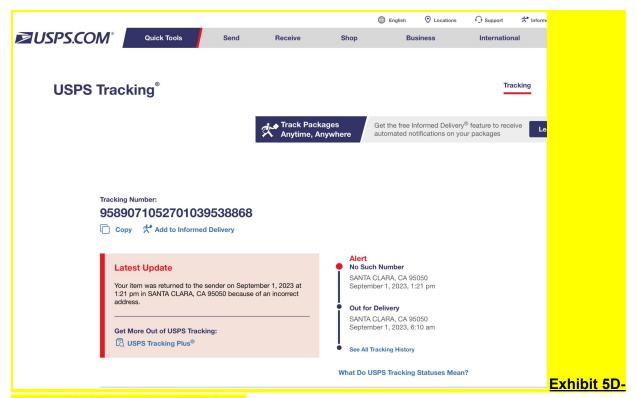
Exhibit 5A: Stand Up for Santa Clara Address in their subscription emails.



to 1202 Franklin Mall, Moving through the network



Letter to 1202 Franklin Mall out for delivery



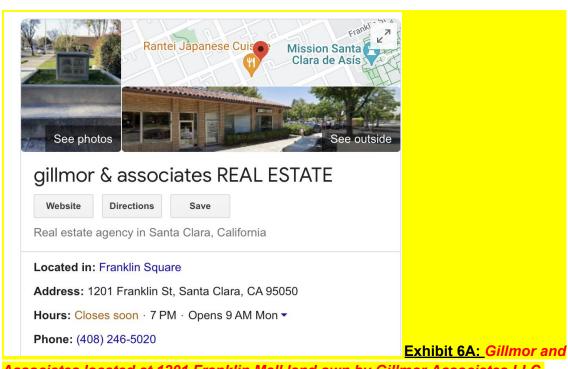
Delivery Failure, No such address



Exhibit 5E: Returned letter no such address 1202 Franklin Mall



Exhibit 5F: Returned letter no such address with certified receipt stub.



Associates located at 1201 Franklin Mall land own by Gillmor Associates LLC.

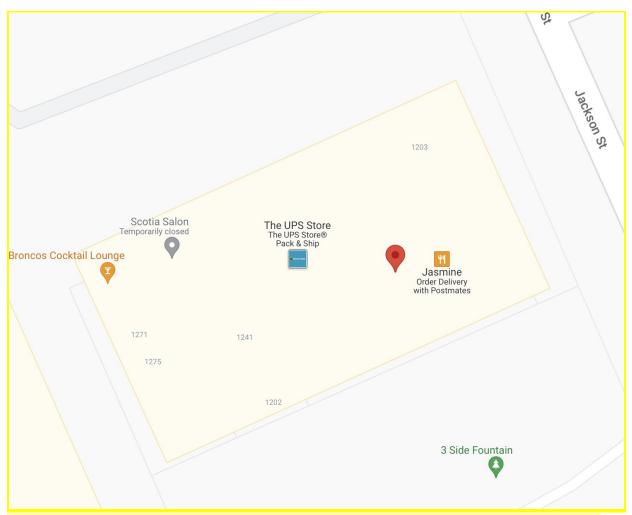


Exhibit 6B: Map of Franklin Mall- Note 1202 there but not found, however 1203 listed.



Exhibit 6C, 1201 & 1203 Franklin Mall-Gillmor & Associates, no 1202 in Franklin Mall

Information from the advertiser



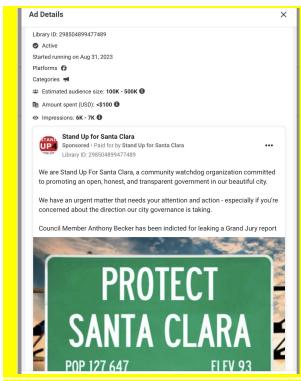
Stand Up for Santa Clara provided the following info to Facebook which was confirmed using an employer identification number (EIN).

Submitted Oct 18, 2022

- Disclaimer Stand Up for Santa Clara
- Phone number+14087586260
- Email contact@standupforsantaclara.com
- Website https://standupforsantaclara.com/
- AddressSANTA CLARA, CA

Visit the Help Center to learn about what we require from advertisers to run ads about social issues, elections or politics. Learn more

Exhibit 7



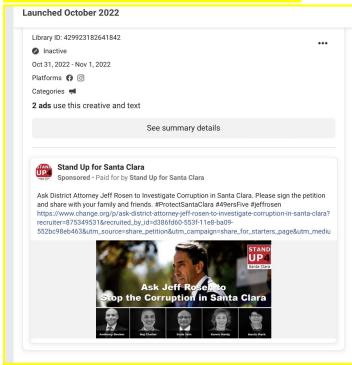


Exhibit 8A: Who Paid for it? no FPPC# -

https://www.facebook.com/ads/library/?id=298504899477489- Note, Ad says ACTIVE, https://www.facebook.com/ads/library/?id=429923182641842 -

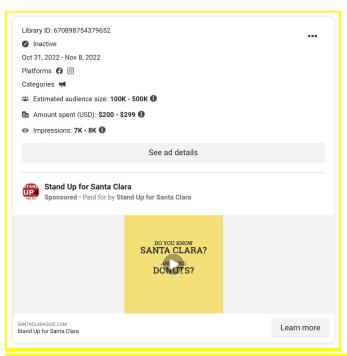


Exhibit 8B: \$200-\$299 spent https://www.facebook.com/ads/library/?id=670898754379652

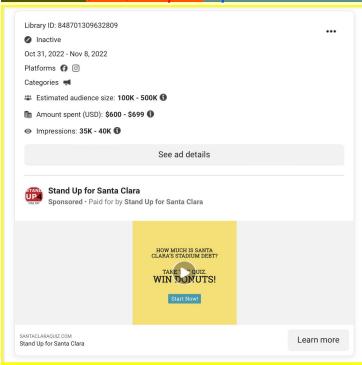


Exhibit 8C: \$600-\$699 spent https://www.facebook.com/ads/library/?id=848701309632809

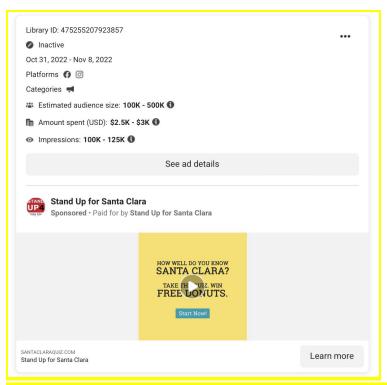


Exhibit 8D: \$2.5k-\$3k spent https://www.facebook.com/ads/library/?id=475255207923857

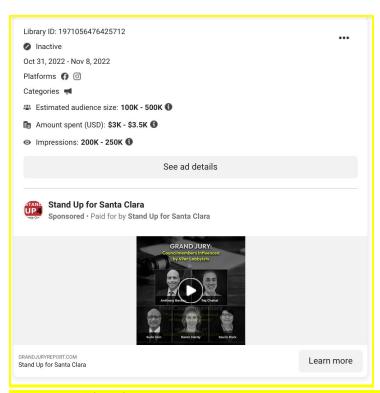


Exhibit 8E: \$3k-\$3.5k spent https://www.facebook.com/ads/library/?id=1971056476425712

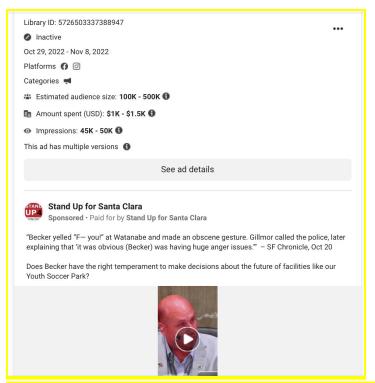


Exhibit 8F: \$1k-\$1.5k spent https://www.facebook.com/ads/library/?id=5726503337388947

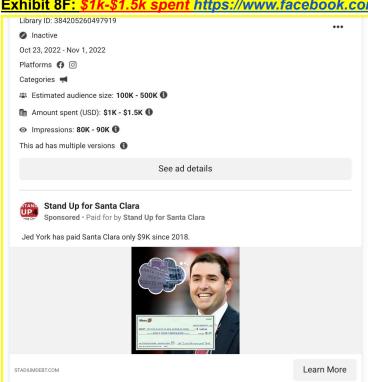


Exhibit 8G: \$1k-\$1.5k spent https://www.facebook.com/ads/library/?id=384205260497919

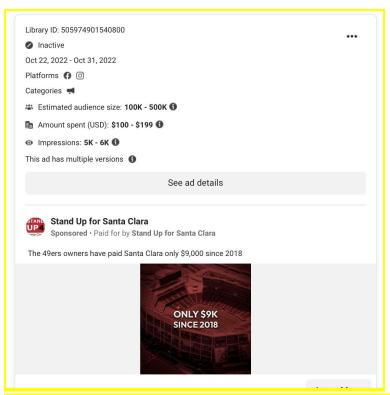


Exhibit 8H: \$100-\$199 spent https://www.facebook.com/ads/library/?id=505974901540800

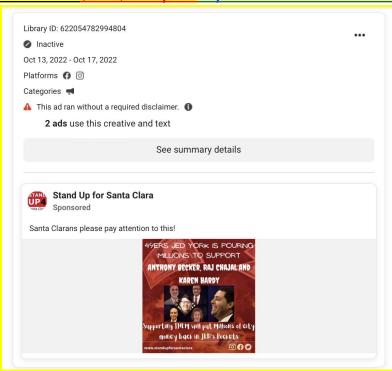


Exhibit 8I: Ran without Disclaimer and campaigned against a majority of a city council https://www.facebook.com/ads/library/?id=622054782994804



Exhibit 9: Metrics Data from ad on Grand Jury Report advertising website GrandJuryReport.com https://www.facebook.com/ads/library/?id=1971056476425712 Note the cost \$3k-\$3.5k also Exhibit 8.

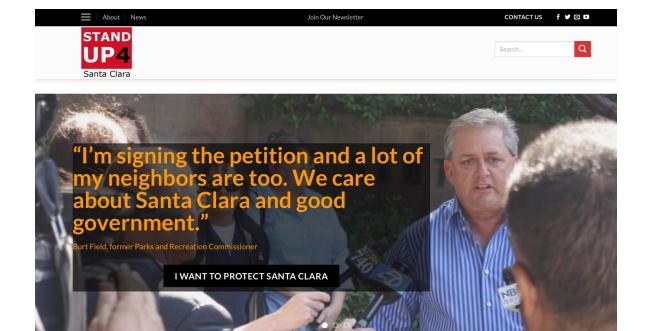




Exhibit 10A: Main Website of Stand Up for Santa Clara



https://stadiumdebt.com/



Save Our Santa Clara - https://saveoursantaclara.com/



Protect Santa Clara- https://www.protectsantaclara.org/

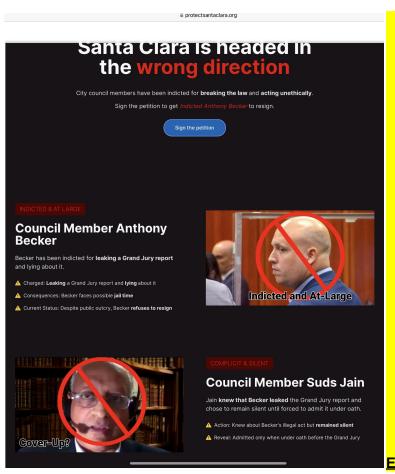


Exhibit 10E- Protect Santa Clara

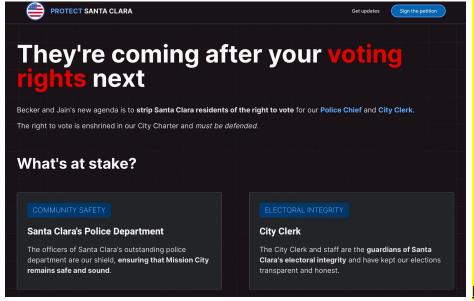


Exhibit 10F- Protect

Santa Clara



Exhibit 10G: SantaClaraQuiz.com- https://santaclaraquiz.com/

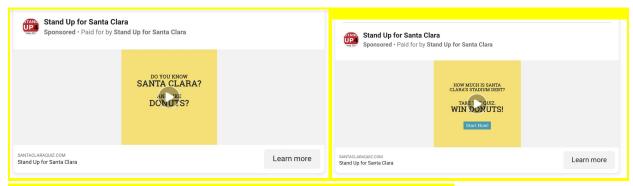


Exhibit 10H: Santa Clara Quiz.Com Stand Up for Santa Clara Ad.

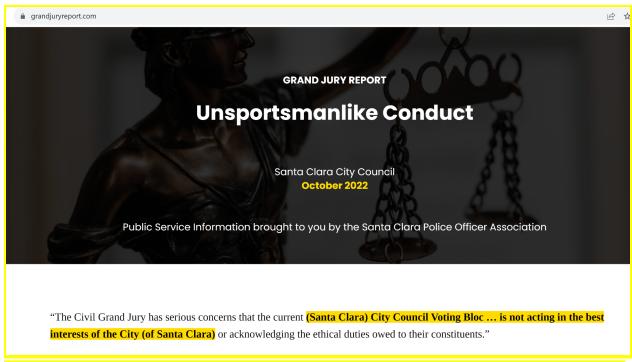


Exhibit 11: GrandJuryReport.com suspected of being started by Stand Up for Santa Clara

One comment



Mr. Haugh... I'm not one to wave the "Murky News" Banner. But this was in the early editions...

https://www.mercurynews.com/2023/09/06/ex-city-attorneyfierce-critic-of-the-49ers-sues-santa-clara-over-unlawful-firingretaliation-for-whistleblowing/

This is not going to be a good look for anyone, and for sure not the 49ers. or their City Council.

Just for one second, try to make sense why the 49er Council would at any time choose to fire the attorney who was 7-0, and by all accounts projected to be 9-0 in short order.

Then, quickly, settle out of court. The 49er Council (Sock Puppets / Shills) voted in favor of setting out of court.

One of the lawsuits was over the use of the Santa Clara Golf
Course for event parking, something the 49ers made some serious

The agreement was for 3 years. For two years, they were very happy.... Then suddenly as the 3rd and final year was winding down, they saw something that merited a Lawsuit?

Bottomline, they knew the agreement was now over. All parking money had been collected, now all they had to do was pay the landlord the agreed upon amount of \$700K.

Long story short. Santa Clara was then forced to defend itself, and spend \$250K in attorney cost. Not to mention lots of City Staff time wasted as well.

So what did the 49er Council settle for us? The 49ers ended up paying us \$500k, not the \$700k they had agreed upon.

Now you also have to subtract the \$250K that we needed to spend to protect our interest, and we net, \$250K and a lot of bad blood.

Was it worth it to the 49ers, I guess. Really horrible look, and for what? They got to keep a few \$'s more, or was it really about showing us just how much power they really had?

One step closer to Yorkville.

Next on their list is removing our ability to elect our own Police Chief and City Clerk.

Don't even think if you want to volunteer for our City that you can say what you think you need to say. First Amendment Rights go away as soon as you volunteer to help the City.

Sound crazy, far fetched... not so much.

As bad as this may be for our City... this had to be done. I applaud Mr. Doyle, and look forward to maybe Mrs. Santana having her day as well.

So, how are things in our City looking right now?

Can we even for one second say, our City in a better shape now with both Deanna Santana and Brian Doyle gone?

Those 49er Council Members who are not "Indicted for Felony Perjury" have their "Head" buried so deep in 49er Red and Gold, that we no longer can even hear them say, "Thank you Sir, may I have another". It's just all kind of muffled now.

Actually, now that I think about it, what better way for me not to hear Kevin Prank talk? Oh to dream Big....

Register to vote. Learn to filter the negative flyers that will come out... they always do, why because they work. (Simple check, who is paying for the Flyer)

Talk to each other, let people know what is happening in their own town.

Santa Clara is worth fighting for.

We can do this.

Burt Field



Top Posts & Pages

- In-N-Out Burger Stabbing
 Suspect Identified, Santa
 Clara Police Seek Witnesses
- Santa Clara Police Arrest
 Suspect in Stabbing at
 Normandy House Lounge
- Silicon Valley Central Chamber of Commerce Sends Out Worst Press Release of the Year
- Santa Clara Police
 Department Receives Grant
 to Fight Alcohol-Related
 Harm
- Vacation Day

Exhibit 12A:Full Comment for quote

source

santaclaranews.org/2023/09/06/santa-clara-police-arrest-suspect-in-stabbing-at-normandy-house-lounge/

Register to vote. Learn to filter the negative flyers that will come out... they always do, why because they work. (Simple check, who is paying for the Flyer)

Talk to each other, let people know what is happening in their own town.

Santa Clara is worth fighting for.

We can do this.

Burt Field

Exhibit 12B-Close up on Comment with quoted source

Attachments

Attachment 1: FPPC Complaint by Councimembers Anthony Becker, Suds Jain and Kevin Park against Stand up for Santa Clara and Mayor Lisa Gillmor.

Attachment 2: Gillmor full 700 form

Attachment 3: Gillmor form Highlighted with Address of Franklin Mall

Attachment 4: santaclaraguiz.com Q&A, all 10 guestions and answers.

Attachment 5: Website Domain Info from "Who-Is search" results per website created by Stand Up for Santa Clara.

Attachment 6: Political Mailers put out by Santa Clara POA with Stand Up for Santa Clara sponsored websites

Attachment 7: FPPC Forms Guidelines, 410, 460, 461, 496

Attachment 8: Santa Clara City Code Chapter 2- Political Campaign Finance Reform Act

Attachment 9: Full City of Santa Clara Ordinance No. 1979 (Dark Money Ordinance)

Attachment 10: Copy of Rejected mail from US Postal Service to 1202 Franklin Mall, Santa Clara 95050

Attachment 11: IRS alphabetical non profit list and no Stand Up for Santa Clara

Attachment 12: More proof of Property Ownership in Franklin Mall

Witnesses

Santa Clara Mayor Lisa M. Gillmor lgillmor@santaclaraca.gov, 408-836-0313

Burt Field, President of Stand Up for Santa Clara burt.field@gmail.com & contact@standupforsantaclara.com 408-687-2622

Vice Mayor/ Councilmember District 4 Kevin Park kpark@santaclaraca.gov 650-313-9088

Santa Clara Councilmember District 2 Raj Chahal rchahal@santaclaraca.gov 408-690-3219

Santa Clara Councilmember District 3 Karen Hardy khardy@santaclaraca.gov 408-315-5580

Santa Clara Councilmember District 5 Sudhanshu Jain sjain@santaclaraca.gov, 408-499-2955

Santa Clara Councilmember District 6 Anthony J. Becker abecker@santaclaraca.gov 408-691-4907

Elected City Clerk Hosam Haggag hhaggag@santalclaraca.gov 408-615-2220

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Attorney John Mlnarik john@mlnariklaw.com , 650-861-7700

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