

**RESOLUTION NO. [2022-XX]**

**A RESOLUTION OF THE SAN JOSE BOARD OF FAIR CAMPAIGN AND POLITICAL PRACTICES MAKING CERTAIN FINDINGS PURSUANT TO SAN JOSE CITY COUNCIL RESOLUTION NO. 79187 RELATING TO A COMPLAINT AGAINST MAYOR SAM LICCARDO, COMMON GOOD SILICON VALLEY, SOLUTIONS SAN JOSÉ, JAMES SUTTON, JONATHAN P. FISHER, SCOTT KNIES, AND MATTHEW ALVAREZ**

**NOTICE TO ALL PARTIES**

**THIS IS A RESOLUTION OF THE SAN JOSE BOARD OF FAIR CAMPAIGN AND POLITICAL PRACTICES MAKING CERTAIN FINDINGS. READ THIS RESOLUTION CAREFULLY.**

**THE TIME WITHIN WHICH JUDICIAL REVIEW MUST BE SOUGHT TO REVIEW THE FINDINGS BY THE BOARD OF FAIR CAMPAIGN AND POLITICAL PRACTICES CONTAINED IN THIS RESOLUTION IS GOVERNED BY CHAPTER 1.16 OF THE SAN JOSE MUNICIPAL CODE AND THE PROVISIONS OF CALIFORNIA CODE OF CIVIL PROCEDURE SECTION 1094.6.**

**BE IT RESOLVED BY THE SAN JOSE BOARD OF FAIR CAMPAIGN AND POLITICAL PRACTICES:**

**WHEREAS**, pursuant to the San José Municipal Code and San José City Council Resolution No. 79187, the Evaluator of the San José Board of Fair Campaign and Political Practices (hereinafter referred to as “BF CPP” or “Board”), conducted a preliminary evaluation of a Complaint filed on May 31, 2018 by Judy Pipkin (“Complainant”), alleging Mayor Sam Liccardo, Common Good Silicon Valley, Solutions San José, James Sutton, Jonathan P. Fisher, Scott Knies, and Matthew Alvarez (“Respondents”) violated Title 12 of the San José Municipal Code Sections 12.06.210 (Campaign contribution limitations), 12.06.290 (Campaign and post-election contribution collection period), 12.06.810 (Officeholder account prohibited), and 12.16.030 (Fund-raising solicitation(s));

**WHEREAS**, the Evaluator issued a Report and Recommendation (“Report”) dated August 29, 2022;

**WHEREAS**, Neither Complainant nor Respondents submitted written responses to the Report;

**WHEREAS**, the BFCPP conducted a hearing on September 8, 2022, pursuant to the San José Municipal Code and Resolution No. 79187, for which Respondent was provided notice and a full opportunity to be heard and present evidence and testimony about the Report; and

**WHEREAS**, Complainant was not present;

**WHEREAS**, no Matthew Alvarez appeared for Respondents;

**WHEREAS**, at the September 8, 2022 hearing, the BFCPP received and considered testimony, evidence, and the Report, which constitutes the record in this matter;

**NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE BFCPP:**

After considering all Reports, testimony, and evidence presented at the public hearing, which are incorporated into this Resolution by reference, the BFCPP makes the following findings and conclusions:

1. That the Evaluator’s recommendation that there is no cause to investigate because the allegations, even if true, do not amount to a violation of Title 12 is hereby approved;
2. That there is insufficient evidence to establish that a violation of Title 12 occurred; and
3. That the file in this matter should be closed without further action.

ADOPTED this 8th day of September, 2022, by the following vote:

AYES: GONZALES, SILVER, PAVEL, LOPEZ

NOES: NONE

ABSTAINED: NONE

ABSENT: NONE

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ADRIAN GONZALES, Chair  
San José Board of Fair Campaign  
and Political Practices

ATTEST:

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TONI TABER, CMC  
City Clerk