

December 9, 2022

Via E-mail
abecker@santaclaraca.gov

Anthony Becker, Council Member
City of Santa Clara
1500 Warburton Avenue
Santa Clara, CA 95050

Re: Closure of Investigation

Council Member Becker:

As you know, the City retained an outside investigator, Anjuli Fiedler of Van Dermyden Makus, to investigate allegations made against you. Ms. Fiedler is a licensed attorney and experienced investigator. She had full freedom to conduct the investigation as she saw fit without interference or influence from the City. As part of the investigation, she interviewed numerous individuals, including yourself, and reviewed documentary and video information and evidence.

The investigation has concluded. Based on a preponderance of the evidence standard, which means that evidence on one side outweighs the evidence on the other side, Ms. Fiedler did not sustain any of the allegations made by Mayor Gillmor or Council Member Watanabe against you related to the incident that took place during open and closed session meetings on August 30, 2022. Specifically, Ms. Fiedler did not find that you made “hostile,” “bullying” or “unprofessional” comments to Mayor Gillmor during the open session meeting nor did you “threaten” her during the closed session meeting. Ms. Fiedler did not find sufficient evidence to support a finding that you raised your middle finger toward Council Member Watanabe during the closed session meeting. Ms. Fiedler did find that you said “eff off” to her during the closed session meeting, but this action was mitigated by the fact that you said this in a low tone and not in a raised voice as alleged and it was said in response to profanity directed towards you. The Investigator found this action to be unprofessional, but not hostile or bullying.

The City appreciates your participation and cooperation in this investigation. As previously discussed, the City takes such allegations very seriously and will not tolerate inappropriate behavior in the workplace. Everyone is encouraged to bring such matters to our attention at any time, without fear of any adverse action being taken against them for doing so. Please be aware that no employee may retaliate against an individual reporting any incidents of violations of City policy, local, state or federal laws or regulations, or participating in an investigation of incidents

Anthony Becker, Council Member

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Page 2

of alleged violations. Please report any perceived incidents of retaliation to me as soon as possible.

Your complaints against Mayor Gillmor and Council Member Watanabe have been provided to Interim City Attorney Steve Ngo for follow-up.

Thank you for your cooperation in the investigative process.

Sincerely,



Genevieve Ng