

RESOLUTION NO. 2021-24

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS TAKING A LEADERSHIP ROLE ON AN ISSUE NEGATIVELY IMPACTING THE LOS ALTOS COMMUNITY

WHEREAS, at the regular meeting of the Los Altos City Council on November 24, 2020, a Los Altos resident, Kenan Moos, sent Council Member Lynette Lee Eng the following text messages after Council Member Lee Eng asked about the cost of employing a 3rd party to provide intake services for the Los Altos Police Department:

“Your name will be all over the papers. We know there are racists that supported you. You are trying to delay this.”

“It has nothing to do with budget and you know this.”

“You lied to me in our discussions that you were going to support racial matters. You said you were the only one in favor and it looks like you are the only one against them. Very disappointing;” and

WHEREAS, Council Member Lee Eng did not read Mr. Moos’ text messages out loud, but made the following statement (“November 24th Statement”) on the public record:

“Before we move forward onto that item, I just want to make a comment that the reason why I voted what I did is because I’m getting information or comments from members of Vanguard calling me racist now so I don’t appreciate it. And I would like to state that I did it because I lacked information and there are other reasons why I took the position that I have. I’m making this known public because if anything were to occur to me or my family, I’m making it known that I voted the way I did and I’m representing my concerns because of lack of information and because I had concerns moving forward. So, that said, I’m just want to protect myself and protect my family. Thank you. Now we can move on;” and

WHEREAS, after Council Member Lee Eng made her November 24th Statement, Mr. Moos then sent her the following text message during the meeting:

“I just want to be clear, this is no way a threat of any kind. This is me expressing my disappointment;” and

WHEREAS, Council Member Lee Eng never read this last text message from Mr. Moos into the record; and

WHEREAS, Council Member Lee Eng knows Mr. Moos and had communicated with him multiple times before he sent her these text messages; and

WHEREAS, although Council Member Lee Eng did not use the word “threat,” many individuals, after hearing Council Member Lee Eng’s November 24th Statement, said they thought Mr. Moos had physically threatened Council Member Lee Eng and her family; and

WHEREAS, at the November 24, 2020 regular City Council meeting, in reaction to the November 24th Statement, the other four Council Members and the City Attorney made comments including “Lynette, if those emails were sent by email, I think you should send them on to the City Manager or the Police Chief. That would be important to have those emails sent in;” and

WHEREAS, since the November 24, 2020 meeting, members of the public, including many constituents, have sent emails to Los Altos Council Members and spoken at every regular City Council meeting on this issue. Members of the public sought some form of closure on this issue for the community and many asked Council Member Lee Eng, among other things, to address the impact of the November 24th Statement and her subsequent refusal for 5 months to respond to her constituents and the community; and

WHEREAS, although both parties had agreed to participate in mediation in an attempt to resolve this issue, the mediator canceled the mediation; and

WHEREAS, when Council Member Lee Eng made a statement five months later at the April 27th, 2021 regular City Council meeting (the “April 27th Statement”), she did not address many of the issues raised by her constituents, including

- that her November 24th Statement was wrongly perceived and/or understood by many that Mr. Moos had physically threatened her and her family in his text messages,
- addressing the impact of that wrongful perception and understanding, and
- admitting that Mr. Moos did not call her racist; and

WHEREAS, as of the date of this Resolution, Council Member Lee Eng still had not responded to these specific issues raised by her constituents, and this situation continues to consume a significant portion of Council time and staff time; and

WHEREAS, the City Council believes leadership is necessary to directly address this situation and the impact on the community; and

WHEREAS, this Resolution does not seek to punish, embarrass, or discipline any City Council Member or member of the community, nor does it question how anyone may have felt when they read the text messages.

NOW THEREFORE, by this resolution, the Los Altos City Council

1. acknowledges that at the regular meeting of the Los Altos City Council on November 24, 2020, in his text messages to Council Member Lee Eng, Mr. Kenan Moos:
 - a. DID NOT physically threaten Council Member Lynette Lee Eng;
 - b. DID NOT mention Council Member Lee Eng’s family, or threaten them in any way; and
 - c. DID NOT call Councilmember Lee Eng racist; and
2. is taking the leadership role necessary to respond to the concerns raised by the Council’s constituents over the last six months to bring this issue to resolution.

The Los Altos City Council asks the community to join us in finding ways to move forward and to unite our community.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the 25th day of May, 2021 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Neysa Fligor, MAYOR

Attest:

Andrea Chelemengos, MCC, CITY CLERK



DISCUSSION ITEM

Agenda Item # 7

PUBLIC

CORRESPONDENCE Meeting Date: May 25, 2021

Subject: Resolution No. 2021-24 City Council Taking a Leadership Role

The following is public correspondence received by the City Clerk's Office on this matter. Individual contact information has been redacted for privacy. This may *not* be a comprehensive collection of the public correspondence, but staff makes its best effort to include all correspondence received to date.

To send correspondence to the City Council, on matters listed on the agenda please email PublicComment@losaltosca.gov

From: Douglas Krause [REDACTED]
Sent: Monday, May 17, 2021 7:47 AM
To: Andrea Chelemengos <achelemengos@losaltosca.gov>
Subject: REGARDING MS. LEE ENG ON MAY 25TH MEETING

Hello:

PLEASE READ THIS STATEMENT FROM ME ALOUD AT SUBJECT MEETING

1. I support Ms. Lee Eng and she should not apologize for something she did not do.
2. The City Council should not take sides. This is an impasse between two people and it should be resolved outside City Council meeting times.
3. Ms. Lee Eng is the victim of bullying and harassment at a time when we should all be against Anti-Asian hate.
4. People have been afraid to speak out earlier.
5. People have not known that Justice Vanguard has been attacking an Asian American woman at every City Council meeting since last November.
6. Ms. Lee Eng has an outstanding record on social justice issues
7. The City Council should not take sides. This is an impasse between two people and it should be resolved outside City Council meeting times. The City Council should support and pay for qualified, objective mediators. We understand co-mediators, one who is African American, and one who is Asian American, are available.
8. Any "solution" that supports Kenan Moos and condemns Lynette is unacceptable.

Doug Krause

From: [REDACTED]
To: [Public Comment](#)
Subject: PUBLIC COMMENT AGENDA ITEM ## - MAY 25, 2021
Date: Monday, May 17, 2021 9:03:41 AM

Dear Los Altos City Council:

I write to express support for council member Lee Eng and to decry the mendacious campaign by unscrupulous agitators against her.

The record clearly shows that Ms. Lee Eng has pursued her responsibilities as a council member forthrightly and with integrity.

The campaign of intimidation against her must not be allowed to succeed. Los Altos will be fundamentally harmed if it does.

Please now do your job forthrightly and with integrity by supporting your colleague and rejecting the illegitimate campaign against her.

Respectfully,

David Burkean

[REDACTED]

From: [Nga Le](#)
To: [Public Comment](#)
Cc: [Nga](#)
Subject: Support for County council Lee Eng
Date: Friday, May 14, 2021 6:40:41 PM


Lee Eng was duly elected by voters and she is representing those who elected her based on her viewpoint and those of her constituents. The hostility of those who oppose her viewpoint is apparent here. They appear to be attempting to

attack her character and shame her into silence using the now familiar tactics that the radical left is using to slander and silence people who oppose their political narrative by attacking them as “racist!” Such behavior is disrespectful of our democratic tradition and of a nation that is not fearful of alternative viewpoints. It appears that some Los Altos council members and our nation are emulating totalitarian regimes such as the CCP who use undemocratic methods to silence dissent and our First amendment rights to freedom of speech. Remember Justice Brandeis who said that the solution to hate speech, or other speech that we disagree with, is not to censor such speech but to allow “more speech! Reasonable minds can and do differ, and allowing a “diversity” of different viewpoints other than one’s own chosen “political narrative” is what make America unique and different from all other countries in the world. Please urge those who are doing so to back off their disrespectful and undemocratic attacks on this elected council member. I believe a retraction and an apology to Ms. Eng is in order.

Sincerely,

A concerned citizen and voter.

Sent from my iPhone

From: 
To: [Public Comment](#)
Subject: Support Ms. Lee Eng.
Date: Monday, May 17, 2021 7:32:22 AM

Dear Los Altos City Council:

On my behalf of my family, I'm writing to express our full support of Ms. Lee Eng.

Ms. Lee Eng has an outstanding record on social justice issues. Ms. Lee Eng is the victim of bullying and harassment at a time when we should all be against Anti-Asian hate. Ms. Lee Eng should not apologize for something she did not do.

People have been afraid to speak out earlier. People have not known that Justice Vanguard has been attacking an Asian American woman at every City Council meeting since last November.

The City Council should not take sides. This is an impasse between two people and it should be resolved outside City Council meeting times. The City Council should support and pay for qualified, objective mediators. We understand co-mediators, one who is African American, and one who is Asian American, are available.

Any "solution" that supports Kenan Moos and condemns Lynette is unacceptable.

Thank you.

Zhang family

From: [REDACTED]
To: [Public Comment](#)
Subject: PUBLIC COMMENT AGENDA ITEM ## - MAY 25, 2021
Date: Monday, May 17, 2021 12:22:22 PM

To Whom It May Concern,

I have been a long standing business women and resident of Santa Clara County and I am outraged by the behavior against Ms Lee Eng!

First of all the City Council should NOT be taking sides. Ms Eng is the victim of bullying and harassment at a time when we should all be against Anti Asian hate!

Interesting as people have not known that "Justice Vanguard" has been attacking, Ms Eng, an Asian American Woman, at every City Council meeting since November of 2020! Why is that? Ms Eng has an outstanding record on social justice issues. Possible, the City Council should support and pay for qualified, "objective" mediators!

Why is it that people are afraid to speak out? Because of attacks like this on Ms Eng!

You should be supporting Ms Eng and certainly she should NOT be apologizing for something that she did NOT do or say! Also, asking her to resign is ridiculous and an attack against Ms Eng! Amazing how the other side lies and takes Ms Eng's narrative out of context!

The attacks against Ms Eng are diverting hours of time and attention of the City Council from more important matters and this needs to stop!

Sincerely,

Maryann Bettencourt