

**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 the messages out loud, but made the following statement (“November 24<sup>th</sup> 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**, Council Member Lee Eng did not state the Vanguard member’s name who sent the text messages, and no one asked Councilmember Lee Eng to read the information or comments she referenced in the November 24<sup>th</sup> Statement; and

**WHEREAS**, Mr. Moos then sent Councilmember Lee Eng the following text message during the November 24<sup>th</sup> meeting:

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

**WHEREAS**, this text message from Mr. Moos to Council Member Lee Eng was also not read into the public record; and

**WHEREAS**, at the November 24, 2020 regular City Council meeting, in reaction to the November 24<sup>th</sup> Statement, the other four Council Members and the City Attorney made comments including Mayor Pepper said, “No one should be threatening anyone based on this, and that’s not ok, and thank you for...”, and the City Attorney stated, “I just want to say something. 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. Thank you;” and

**WHEREAS**, Council Member Lee Eng had communicated with Mr. Moos multiple times before the November 24<sup>th</sup> meeting through text messages or email; and

**WHEREAS**, although Council Member Lee Eng did not use the word “threat,” many individuals, after hearing Council Member Lee Eng’s November 24<sup>th</sup> Statement, said they thought Mr. Moos had physically threatened Council Member Lee Eng and her family; 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. Many 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 24<sup>th</sup> 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 27<sup>th</sup>, 2021 regular City Council meeting (the “April 27<sup>th</sup> Statement”), she included the following points:

- She believed she had done nothing wrong and therefore does not owe anyone an apology; and
- She will not resign and thereby disenfranchise the nine thousand plus Los Altans that voted for her; and

**WHEREAS**, Councilmember Lee Eng did not address many of the issues raised by her constituents, including the following:

- that her November 24<sup>th</sup> 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 embarrass a member of the community, nor does it question how anyone may have felt or thought when they read or sent the text messages; and

**WHEREAS**, the City Council will make it a priority to comply with the City Council Norms and Procedures.

**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;
  - c. did not call Councilmember Lee Eng racist; and
  - d. did state that there are racists that supported you.
2. acknowledges that Councilmember Lee Eng did not use the word 'threat' in her November 24th Statement.
3. 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 25<sup>th</sup> day of May 2021 by the following vote:

AYES: Council Members Meadows, and Weinberg and Mayor Fligor  
NOES: Council Member Lee Eng and Vice Mayor Enander  
ABSENT: None  
ABSTAIN: None

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Neysa Fligor, MAYOR

Attest:

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Andrea Chelemengos, MCC, CITY CLERK