



PUBLIC CORRESPONDENCE

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Censure Los Altos City Council

Dear Councilmembers


At your next Council meeting September 14, 2021 there is a proposal on Item #9 to add the ability for Council members to Censure other Council members. There are some major disadvantages to taking this action.

1. The city needs to come together and this action is divisive. It will appear that some of the Council members want to punish another Council member. The city of Stockton in their policy No. 100-11 defines a Censure as "...A Censure is a punitive action that serves as a punishment for wrong doing." Los Altos City Councils have had a reputation of being dysfunctional and this will reinforce this perception. Councilmember Sally Meadows campaigned on a slogan "It's About All of Us" I understood that to mean that all would be treated fairly, regardless of their views. This Censure appears to be about powerful people wanting authority over others.
2. From a report in San Clemente in 2020 it documents Braun, supra the Taft City Council voted to censure council member Braun for disclosing confidential employment document to the press. Councilmember Braun challenged the censure arguing that the disclosure was proper and within the public interest. The Court agreed with councilmember Braun. (Braun, supra, 154 Cal, App.3d at 347-348. During the last campaign there were accusations that the City of Los Altos was spending too much money on lawsuits. Putting in a policy that allows Censure is a law suit waiting to happen. We don't need Councilmembers in court fighting other Council members. It is destructive and unnecessary. On one occasion this year, at a Council meeting Jonathan Weinberg apologized to a former Parks and Rec. Commissioner. Would he have been as forthcoming if he believed his actions might result in his censure?
3. Putting a Censure Policy in place is inviting members of the community to write to City Council demanding Council Censure a person they don't like or agree with or have little knowledge of the law. You are on a very slippery slope where the public may feel it is fine to attack their political enemy quoting a written policy. Earlier this year the Kenan Moos debacle brought out the worse in many who would have liked City Council to punish Councilmember Lynette Lee Eng. Kenan had threatened to put Lynette's name all over the news papers and follow up with his threat. Lynette legitimately felt fearful. Thank goodness the issue is over, and bringing it up again is destructive. If the Council had had the right to censure at the time, I do not believe it would have resolved the issue any sooner as Kenan was getting all the attention and press coverage, he wanted for his BLM cause. In the last campaign candidates had racist stickers placed on hundreds of their yard signs even though they were not racists. Candidates were attacked because political they were identified as Republicans although some were not. It would be great if Council spent their time, energy, money and legal advice on uniting the community and demonstrating that City Council can work together for the good of the community.
4. If a City Council Member does something illegal or unethical, we already have legal process in place. It is called a recall election. If the majority of the community feels that a Councilmember is not serving the community well, they can recall that person. That's how democracy works. It is unfair to the whole to cater to a special interest group of 20 or 30 people with their own political agenda. It is unethical for Council members to grant themselves additional power. You are the Executive branch of our government, not the Judicial Branch.

5. It is worth mentioning that in the Stockton Censure Policy that the " resolution must be affirmed by at least four affirmative votes of the Council" I doubt that in Los Altos that four Council members would vote to Censure another Council member. You should hold yourself to this high standard.

Sincerely

Roberta Phillips

From: 
To: [City Council](#); [Public Comment](#)
Cc: [Andrea Chelemengos](#)
Subject: public comment regarding item # 9 on 9/14/2021 agenda
Date: Sunday, September 12, 2021 7:54:27 PM

The city council should vote "no" on this action since it is just a thinly-veiled excuse for continuing your anti-Asian jihad against Council Member Lee Eng. We all know this proposal, particularly section 6.8, came about because Lee Eng had her phone on due to a family emergency. Someone sent her some racist tweets that became a six-month soap opera until the City council passed Resolution 2021-24 which was a shameful attempt to appease the woke mob by throwing Council Member Lee Eng under the proverbial bus.

If the council took its Resolution 2021-17, which condemned intimidation, aggression and violence against Asian-Americans, seriously, this would not have happened and there would be no need to revise the Los Altos City Council norms and procedures. I doubt the anti-bias training described in section 6.7 will do anything to fix the damage done by Resolution 2021-24. These new policies will simply allow council to check a box to make it harder to sue the city.

You fail to realize that Resolution 2021-24 continues to spread misstatements and disingenuous statements, and these procedures won't do anything about it. Council Member Lee Eng did not allege that anyone threatened her or mention anybody by name. However, she had every right to be concerned by the texts that were sent to her. Although the final text in the series reads, "I just want to be clear, this is in no way a threat of any kind. This is me expressing my disappointment," one has to ask why this statement was necessary if the texts in question were unambiguously NOT a threat? Considering recent events around the country, it is reasonable to fear doxxing, vandalism or physical harm. Last year, this happened to the mayors of San Jose and Oakland.

People have fanned the flames by demanding Lee Eng apologize but her enemies need to acknowledge that the texts could be interpreted as a threat. The existence of the final text admits that possibility. Lee Eng should not apologize or resign, however, Justice Vanguard owes the city an apology for keeping this issue alive. In the spirit of Resolution 2021-17, the council must rescind Resolution 2021-24 and vote "no" in item 9.

Bill Hough
Los Altos