

# Upfront

Local news, information and analysis

## Huge political contributions spark outcry, suspicion

After Kou and Keller get about \$100K, the city's former mayors warn of 'undue influence' in local politics  
by Gennady Sheyner

As September wound down, Palo Alto City Council candidate Lydia Kou's campaign had plenty of endorsements but not a lot of cash.

Kou, a longtime neighborhood activist who in July became the first person to declare her candi-

dacy, had received nearly \$17,000 in contributions by Sept. 24, according to her financial disclosure forms. Despite enthusiastic support from the city's slow-growth "residentialists," including contributions from council members Tom DuBois and Eric Filseth

and from Cheryl Lillienstein, president of the grassroots group Palo Altans for Sensible Zoning (PASZ), Kou found herself in the middle of the pack in terms of campaign cash.

Then came an October surprise: a sequence of large checks, each totaling \$6,000 or more, that collectively pushed her total contributions received to more than \$40,000. Additional checks arrived at the end of last week,

leaving Kou with a war chest of \$78,537.

Arthur Keller, a former planning commissioner who is also popular with the limited-development crowd, did somewhat better than Kou by the end of September, with contributions of slightly more than \$24,000. But both he and Kou lagged far behind fellow candidate and planning commissioner Greg Tanaka and council incumbent Liz Kniss,

who each had more than \$45,000 in their war chests, along with endorsements from the Democratic Party and the council's moderate members.

But like Kou, Keller found his fortunes shift for the better in the first two weeks of this month. A series of contributions, ranging from \$2,100 to \$6,500, pumped nearly \$60,000 into his campaign,

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Veronica Weber

### Not that wall

Aaron Benson uses a drill to secure the approximately 1,000 2x4s of lumber that make up the installation "Running Wall" created by his father, artist Aaron Lee Benson, in Palo Alto's King Plaza on Oct. 20. The installation will be up until spring; afterward the wood will be donated to the nonprofit Habitat for Humanity.

### HOUSING

## Hundreds beseech East Palo Alto council to end evictions

City Council votes to look at amending ordinance, create housing task force

by Sue Dremann

Facing a chamber overflowing with hundreds of residents Tuesday night, the East Palo Alto City Council addressed how the city could best turn the tide of recent evictions from red-tagged and illegal dwellings while responsibly keeping its residents safe and enforcing the city's laws.

City leaders listened to a litany of concerns from residents, land-

lords and housing advocates, who outlined the impact of the recent ramp-up of code enforcement, which has forced about 50 people out of their homes, according to the city's own estimates.

The city has red-tagged 53 structures deemed hazardous, according to a staff report.

In the end, the council voted unanimously to direct staff to form a community task force to

find solutions to the problem. The council also unanimously directed staff to look into changing the city's current ordinance, which requires evictions after a 10-day notice for a dangerous or illegal structure. The city could extend the notice to 30 days.

East Palo Alto has long been troubled by illegal second-dwell-

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### ELECTION 2016

## Six compete to lead Foothill-De Anza district

Community-college board has three seats and one incumbent in the race

by Kevin Forestieri and Elena Kadvany

This November, voters in several north county and west valley cities will decide who will lead the Foothill-De Anza Community College District. Six candidates are vying for three seats on the district's board of trustees. The election marks only the second contested race in the last decade.

The Foothill-De Anza district serves 64,000 students each year and encompasses Mountain View, Palo Alto, Los Altos, Los Altos Hills, Cupertino, Sunnyvale, Stanford and parts of Saratoga and San Jose.

Whatever the outcome, there are sure to be new faces on the board this year. The terms of trustees Laura Casas, Betsy Bechtel and Joan Barram end this year, but Casas is the only incumbent on the ballot. Other candidates are Cupertino City Councilman Gilbert Wong, former Cupertino councilman Orrin Mahoney, Cupertino resident Patrick Ahrens, Los Altos resident Peter Landsberger and former Foothill employee Eric Rosenthal.

The district has an unrestricted general fund budget of \$204 million for operations and a total budget of \$322 million. Foothill-De Anza has only recently gotten back in the black, having run a budget deficit from the start of the 2008 recession until the 2014-15 school year.

Following deep budget cuts, the district is still on the road to recovery, and some big problems remain today. Candidates agree that deep decreases in enrollment, which began in the 2008-09 school year and never rebounded, need to be

addressed by the new board. At its peak, the district had 38,000 full-time equivalent students attending Foothill and De Anza colleges, but that number has since dropped to about 31,900 students.

The district is also wrapping up construction with the \$490 million Measure C bond, which voters approved in 2006. Final projects include a \$41.5 million education center at the former Onizuka Air Force Station on Moffett Field, as well as a \$20 million district office.

### Patrick Ahrens

Age: 27

Education: associate's degree, De Anza College; bachelor's degree, political science, University of California, Los Angeles.

City of residence: Cupertino

Occupation: education policy adviser and senior district representative

Website: patrickahrens.com

Patrick Ahrens is a former De Anza College student who couldn't stay away from the district for long. After launching a fast-moving career in politics and landing himself a senior staffing job for California State Assemblyman Evan Low, Ahrens decided in April to throw his hat in the ring for the Foothill-De Anza Board of Trustees.

At 27, Ahrens is the youngest candidate in the field by far, and he vows to bring "new energy" to the district by addressing the problems that students face. As a for-

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raising his total to \$84,000, far more than anyone else.

Keller and Kou say the contributions were unexpected. Kou said she knows donor Gabrielle Layton, a Downtown North resident who supported Kou's bid for council in 2014 and more recently served on a committee that crafted downtown's new Residential Preferential Parking program. The other contributions, Kou said, came as a "surprise" in that she has never talked to the donors.

The contributors include venture capitalist Tench Cox and nonprofit executive Simone Cox, who between them gave \$12,000 to Keller and \$12,900 to Kou (they had also made smaller contributions earlier in the year). Gabrielle and Thomas Layton gave \$12,500 to each candidate; Helyn MacLean, whose husband Asher Waldfoegel serves on the city's Planning and Transportation Commission, likewise gave

\$12,500 to Kou and \$12,500 to Keller. Rounding out the list of the major donors are G. Leonard and Mary Anne Baker; and Michael and Paula Rantz.

The total contributions by these donors to the Kou and Keller campaigns, as well as to the PASZ political action committee, added up to \$162,000 as of Oct. 19.

Keller wasn't as surprised as Kou when the funds began arriving. Donors had contacted him, he told the Weekly, to offer their help. Keller said the donors alluded to the fact that four other council candidates — Adrian Fine, Liz Kniss, Don McDougall and Greg Tanaka — had just won the blessing (if not the outright endorsement) of the Chamber of Commerce, which emailed members encouraging their support of the quartet.

"They did contact me and indicated their desire to help my campaign and Lydia's campaign by making these donations so that we could better compete with the Chamber of Commerce-endorsed candidates," Keller said. "I figured

we can use the help."

Keller said he has not had any conversations with the donors about any specific issues and noted that they did not ask for anything in exchange for their donations. Kou said the same. The donors indicated that they want Keller and Kou to "continue along the policies that they know we've espoused for some time," Keller said.

"They know that, in my case, I've been scrutinizing developments carefully and that I do understand issues of development," Keller said.

Donor Tench Cox concurred. He told the Weekly that he and wife Simone decided to support Kou and Keller "because we believed they best represented our goals of intelligent growth for Palo Alto."

He said he is particularly frustrated by the city's lack of planning on traffic and parking management, as well as by the city's "lack of willingness to speak about what a bullet-train corridor would mean."

"I am not anti-growth, but I believe we should have a traffic and parking plan (first) and then a plan for low-income housing," Cox said in an email.

The couple's donations to the two campaigns are so sizable, he said, because "we perceive the developers to be spending a lot of money (on other candidates

and not to have the best interests of the city in their focus." He stressed that he and Simone have "absolutely not asked either candidate for anything in return for our support."

Others offered similar reasons. Waldfoegel — who made a \$500 donation to Keller and a \$100 to Kniss in September, but no major contribution this month — told the Weekly that he and the other donors discussed the candidate pool. They agreed that they want to support Keller, a former member of the planning commission, and Kou, a Barron Park resident who helped lead the neighborhood's opposition to a new housing development on Maybell Avenue in 2013 and who was edged out for the fourth open council seat in 2014.

"Arthur knows more about development issues in Palo Alto than anyone else," Waldfoegel said. "And Lydia is a community organizer with a big constituency, and she is able to get things done."

MacLean noted that her contributions to Keller and Kou were the single largest that she has ever given to any campaign.

"I made them because I have lived in Palo Alto for 25 years," MacLean wrote last week on Town Square, Palo Alto Online's discussion forum. "I like its suburban, college town character. I'm afraid that we are in danger of losing that. Many candidates

seem to be supporting growth to benefit large corporations and developers."

**Developer money trail**

Developers have indeed made contributions to Fine and Tanaka, though these contributions pale in scale when considered alongside the recent inflow of cash to the Kou and Keller campaigns. The exact amount of contributions from developers is difficult to peg because only a few identify themselves as such on campaign forms (for example, Roxy Rapp, a prominent downtown developer who contributed \$1,000 each to Tanaka and Fine, has his profession listed as "Keeping Palo Alto Beautiful and Prosperous" on Tanaka's campaign-finance statement and as "self-employed" on Fine's).

Tanaka did receive contributions from Jim Baer (\$250), a land-use consultant who developed many of Palo Alto's "planned community" projects; John Goldman (\$1,522), partner at Premier Properties; Sam Hawkes and Brittany Davis of King Asset Management (\$1,000 each); David Kleiman, whose two recent downtown projects faced unsuccessful citizen appeals (\$250); and from developers Boyd and Lund Smith (\$1,000 each). Al-

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**SEE MORE COVERAGE ONLINE**

A complete archive of the Palo Alto Weekly's articles, photos and videos of the City Council candidates has been posted at [Storify.com/paloaltoweekly](http://Storify.com/paloaltoweekly).

Videos of the City Council candidates' endorsement interviews with the Weekly's editorial board can be found there and also at [YouTube.com/paweekly](http://YouTube.com/paweekly). In the interviews, the candidates share their views on development, housing, traffic, retail and other key issues facing Palo Alto.

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*Paid for by Gilbert Wong for Foothill-DeAnza Community College Trustee 2016. FPPC # 1382149. 22103 Hibiscus Court, Cupertino, CA 95014.*

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**Politics**

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together, the contributions from the developer community added up to a little over \$9,500, according to the Weekly analysis. This does not include architects, real-estate agents, real-estate attorneys, environmental planners and members of other professions associated with construction. An analysis by PASZ of “developer money” included donors in these professions.

Fine, for his part, received only about \$6,000 from developers as of Oct. 19, which includes \$2,500 from Stephen Reller of R&M Properties; \$1,000 from Hawkes of King Asset Management; \$250 from Goldman; and \$500 each from Jaime D’Allesandro and Tod Spieker, whose development company Windy Hill Property Ventures is looking to build a 60-unit housing complex on El Camino Real and Page Mill Road.

**The push back**

While donors to Kou and Keller say they are looking to level the playing field and counterbalance the developers’ influence, the large infusion of funds into the election has sparked concern and suspicion from other council candidates — as well as from eight former Palo Alto mayors.

In a letter provocatively titled, “Is someone trying to buy Palo Alto City Hall?” former mayors Betsy Bechtel, Larry Klein, Bern Beecham, Sid Espinosa, Dena Mossar, Leland Levy, Lanie Wheeler and Gail Wooley characterized the large amount of cash raised as “disturbing,” noting that it sets a tone that “many, if not most, of us don’t want in our town.”

“Not only are these contributions shocking and deeply troubling, but checks for \$5,000 or more are unprecedented in our City Council elections!” the letter stated. “In the past, individual donations rarely exceeded \$500, and for good reason: Candidates did not want the appearance of undue influence from big donors.”

The letter states that, as former mayors, the signatories are “deeply concerned about the unprecedented role that large contributions are playing in this year’s election at the last minute.”

“No one knows how these funds will be used, if attacks and negative campaign tactics are coming, or (whether) new City Council members ... will be beholden to big money.”

The mayors are hardly nonpartisan bystanders, however. Almost all have endorsed Fine and Tanaka, the two candidates who are generally seen as moderate on growth. Bechtel is an honorary campaign chair for Fine’s campaign while Beecham and Klein (along with Assemblyman Rich Gordon and Susan Rosenberg) serve in the same capacity for Tanaka. Fine also has the endorsements of Klein, Mossar, Espinosa, Wheeler and Beecham. Tanaka, meanwhile, has the endorsements of Espinosa, Levy, Mossar and Bechtel.

Espinosa said his biggest concern with the recent big donations is the prospect that it will make running for council a much more expensive proposition, potentially shrinking future candidate pools.

“If this sets a precedent, it will really limit who decides to run for council in this city,” Espinosa told the Weekly.

**Negative advertising**

The mayors’ suspicions became

amplified after an online ad began making its way around social media targeting Fine, the candidate who chairs the Planning and Transportation Commission and who sits, along with Kou and Keller, on the citizens’ committee that is working on the Comprehensive Plan update.

“Developers and candidates like Adrian Fine want to push through many high-rise office and luxury condo projects,” the ad states. “The result? More traffic and crowded schools.”

The ad then encourages viewers to support Kou and Keller. Fine, whose pool of contributors includes business professionals, former mayors (among them Bechtel, Peter Drekmeier and Greg Scharff), architects and members of the citizens group Palo Alto Forward, said the ad completely misrepresented his position.

“I never said I was in favor of high-rises, offices and luxury towers,” Fine told the Weekly. “I put forward a balanced vision for balanced growth for Palo Alto to address housing and transportation needs that I heard residents call for.”

Fine said he was surprised both by the huge amount of money donated to Kou and Keller and by the candidates’ decision to use the funds on what he referred to as “completely unfounded attacks.”

He also pointed to the fact that the same donors who made the recent contributions to Keller and Kou have also contributed to the Palo Altans for Sensible Zoning Political Action Committee. The committee’s campaign statement shows that Gabrielle Layton, Helyn MacLean and Mary Anne Baker contributed \$5,000 each to the committee, as did Rita Vrhel and Michael Rantz. Tench and Simone Coxe contributed another

**Public Agenda**

**A preview of Palo Alto government meetings next week**

**CITY COUNCIL ...** The council plans to meet in a closed session to discuss labor negotiations with the Palo Alto Fire Chiefs’ Association and with the Utilities Management and Professional Association of Palo Alto. The council is also scheduled to adopt the Professorville Historic District Guidelines; pass an emergency ordinance banning the outdoor cultivation of marijuana; and provide direction on the creation of a stakeholder committee to advise the council on a potential local tax to raise funds for transportation programs and projects. The closed session will begin at 5 p.m. on Monday, Oct. 24, at City Hall, 250 Hamilton Ave. A regular meeting will follow in the Council Chambers.

**PARKS AND RECREATION ...** The commission plans to hear an update on planned special events; consider the “Healthy Cities Healthy Communities Resolution”; and discuss the Parks, Open Space, Trails and Recreation Facilities Master Plan. The meeting will begin at 7 p.m. on Tuesday, Oct. 25, in the Council Chambers at City Hall, 250 Hamilton Ave.

**PLANNING AND TRANSPORTATION COMMISSION ...** The commission plans to hold a study session on the Comprehensive Plan update; hear an update on transportation projects along Middlefield Road; and consider a request by Kohler Associates Architects on behalf of Greg Xiong to subdivide an existing 30,837-square-foot parcel into three parcels. The meeting will begin at 6 p.m. on Wednesday, Oct. 26, in the Council Chambers at City Hall, 250 Hamilton Ave.

**LIBRARY ADVISORY COMMISSION ...** The commission plans to see a presentation from Mary Gloner about Project Safety Net; discuss the Library Volunteer Program; and review its recent study session with the City Council. The meeting will begin at 7 p.m. on Thursday, Oct. 27, in the Community Meeting Room at City Hall, 250 Hamilton Ave.

\$5,000. Until recently, the group’s treasurer was Tim Gray, who stepped down to become treasurer of Kou’s campaign. On Wednesday, the committee contributed \$10,000 to the Kou campaign, according to campaign-finance documents.

“Palo Alto has never seen this before,” Fine said. “This pales in comparison to what other candidates have received from any types of residents or business owners in the city.”

Keller and Kou stood by the ad, noting that Fine had previously voiced opposition to both the city’s 50-foot height limit for new developments (he once called it “arbitrary”) and to the annual cap on new office space that the City Council adopted last year (he called it a “blunt instrument”). As a commissioner, Fine initially voted against the office cap; he now says he favors keeping it at least until the update of the Comprehensive Plan is complete. He also said recently that he would be in favor of retaining the 50-foot height limit.

Keller said the ad “accurately represents Adrian Fine’s positions before he changed them to run for council.” Kou concurred and said that Fine is now “pivoting” on these issues.

“You have to have some consistencies with what you stand for,” Kou told the Weekly.

Other candidates share Fine’s concerns about the outpouring of cash. Leonard Ely, who is not affiliated with either the slow-growth or the Palo Alto Forward crowds, told the Weekly that the donations make it look like “someone is trying to buy the election for Kou and Keller.” The fundraising, he said, is “getting out of hand.”

“I’m concerned, as a citizen, that this sort of fundraising is taking the race out of the realm of ‘I’m just a guy that wants to help the city,’” Ely said.

**‘Vote your conscience’**

The donors, for their part, co-wrote their own letter to clarify



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**Foothill-De Anza**

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board president, superintendent and De Anza College president — to strengthen ties and talk about common issues, such as traffic. He said he valued these regular collaborative meetings as a “healthy” way to “create a sense of open communication and transparency.”

If elected, Wong said he would also continue already aggressive marketing efforts underway to attract more full-time students to the community colleges.

Another top issue facing Foothill-De Anza is retaining part-time teachers and striking a balance between the community colleges’ full-time and part-time faculty, Wong said.

“Part-time teachers do not have the full-time benefits of full-time faculty, which causes an inequity in our system,” he said. “However, we need to be nimble and flexible as enrollment is going down

but could also increase in a short period of time.”

He said he would direct the district to start conversations with the schools’ part-time teachers during contract negotiations and to “provide assistance programs for these teachers until they have an opportunity for tenure.”

Wong is critical of the current board’s process and ultimate decision to retrofit De Anza’s Flint Center parking garage. He called the district’s hiring of a consultant to develop four plans for a public-private partnership feasibility study, looking at concepts from housing to retail to more classrooms, a “waste of taxpayer money.”

“The main goal of Foothill-De Anza is to provide students with an education and not to be in the business of retail/housing,” he said.

Wong “strongly felt” that the district should have pursued a transit center for the campus by partnering with the Santa Clara Valley Transportation Agency, the city of Cupertino and Caltrans. A transit center with ample public-transportation options could help to mitigate traffic and make De Anza a more attractive option to students, faculty and staff.

Wong also serves on the De Anza Commission and volunteers with the college’s Asian Pacific American Leadership Institute. ■

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their reasons for supporting Kou’s and Keller’s campaigns. In observing the run-up to the election, they say they saw “pro-developer candidates campaigning on a slate” and misleadingly “shift (their) positions on affordable housing, parking and traffic.”

“We support affordable housing,” states the letter co-signed by the Bakers, the Coxes, the Laytons, the Rantzes, MacLean and Waldfogel. “We support ground-floor retail. We support candidates who are the best choice to achieve positive growth for the city.”

“When we saw the developer money and the Chamber weigh in just before the ballots were mailed, we realized that helping our candidates get their message out quickly was important. So we stepped in to help. Disagree? Then vote your conscience. We will.” ■

*Staff Writer Gennady Sheyner can be emailed at [gsheyner@paweekly.com](mailto:gsheyner@paweekly.com).*

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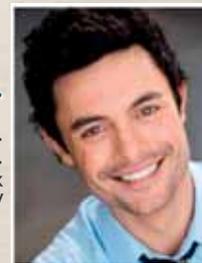
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