FATAL ERRORS

DID CITY VIOLATIONS CAUSE THE DEATH OF ELECTRIC LINEMAN DONATUS OKHOMINA?

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Where do your recyclables go? It’s hard to say

New report suggests city’s haulers, brokers remain reluctant to disclose their clients

By Gennady Sheyner

Palo Alto leaders often tout the city’s strong record when it comes to preventing waste from going into landfills. Between 2007 and 2016, the city’s rate of diversion — which includes recycling, composting and reuse — jumped from 62% to 82%. By 2030, city leaders hope to bring it to 95%, a key goal of the city’s Zero Waste Plan.

But even though local numbers appear strong, things get really murky as soon as recycled goods leave town. The city’s hauler, GreenWaste Recovery, brings local recyclable materials to its material-recovery facility in San Jose, where items are combined with tossed goods from other communities, separated by type and baled. The materials are then marketed to brokers, who ship them off to various destinations around the world.

When the City Council signed its most recent agreement with GreenWaste, council members made it clear that they would like the hauler to track the final destination of the city’s recyclables so as to avoid shipments to places with poor environmental or human rights records. GreenWaste was charged with requesting information from its purchasers about the disposition of local recyclable materials. The hauler was also required to analyze this information and, relying on credible media reports from the nations that receive local materials, assess if there’s any risk of environmental and human rights violations associated with waste operations.

To date, however, GreenWaste has failed to meet the council’s expectations. Its most recent report suggests city’s haulers, brokers remain reluctant to disclose their clients. (continued on page 32)

LAW ENFORCEMENT

Police launch interactive map of service calls

Tool comes a year after agency encrypted radio communications

By Gennady Sheyner

One year after the city of Palo Alto encrypted its police radio communications, preventing the public from tracking police activity, the police department has launched an interactive map to provide a snapshot of where officers have responded to calls within the past day.

The map shows the general locations of calls for help from the community after police have “closed” the incident and left the scene. Incidents will remain visible on the map for 24 hours. The map uses data from the department’s computer-aided dispatch center and can be found at cityofpaloalto.org/PAPDmap.

Department leaders say the map offers the public the most detailed information online of any police agency in the Bay Area.

“The map offers enhanced community awareness on police calls for service while protecting personal identifying information and was developed as a better alternative to monitoring police radio scanners,” according to a department news release issued Monday.

Last year’s sudden encryption of all radio communications followed a directive from the state Department of Justice, which gave cities the option of either fully encrypting or creating a system in which the personal information of individuals involved in the police calls would be relayed through a secure channel to protect privacy.

Though the Department of Justice required cities to submit a plan for encryption by Dec. 31, 2020, it did not mandate a start date.

Palo Alto was among the first cities to switch to the full-encryption tool comes a year after agency encrypted radio communications. (continued on page 33)

CRIME

Resident shot at after he confronts thieves

$20K reward offered in Fairmeadow shooting

By Sue Dremann

A nonprofit has offered a $20,000 reward for information that leads to an arrest in an interrupted car burglary late Saturday night, when a Palo Alto resident was shot at after confronting people who were stealing from cars.

Police received a 911 call on Saturday at about 11:58 p.m. regarding a shot fired in the 3600 block of South Court in the Fairmeadow neighborhood, police said in a press release.

A man in his 30s had noticed lights shining in the street outside his home and saw multiple people walking down the street with flashlights. They appeared to be shining the lights into parked cars and trying to open car doors.

The resident went outside to confront them and found a person standing by the open driver’s side door of his car in the driveway. He chased the thieves on foot as they ran to a waiting getaway SUV.

The man heard what sounded like a gunshot and thought he saw the impact of the round on the pavement in front of him.

He was not hit by the gunfire and never saw the weapon, police said. But officers later located an expended casing from a .40-caliber handgun at the scene and will be processing it for evidence.

The man said he saw five or six people in a full-sized, dark colored SUV, which drove north on Miller Drive before fleeing north on Fairmeadow around a corner and swerving a bit in the street.

A Palo Alto resident was shot at after he confronts thieves. (continued on page 10)
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CULTURAL PRESERVATION...

The future of Cantonese language classes at Stanford University has been in turmoil since December 2020, when the university cut the only lecturer position for the program. The decision propelled a group of students, alumni and community members to band together and form the Save Cantonese at Stanford campaign. Since then, Stanford has brought back two Cantonese courses taught by a part-time instructor. The group’s goal is to endow a permanent, full-time lecturership at the university was recently boosted by a $1 million gift from S.J. Distributors Inc. The company is a Micro-basit-based wholesaler that provides vegetables, frozen meat, seafood and dry goods for the public, restaurants and chain stores. “Language is how we transmit culture. Handled down from ancient times to the modern age, Cantonese still retains much of the pronunciation, vocabulary and grammar of classical Chinese literature, which proves that this language is of profound cultural importance,” S.J. Distributors CEO Scott Suen said in a Jan. 28 press release. By providing long-term support for Cantonese classes, we believe this opens a channel for those who love Cantonese language and culture to continue to access them.” Save Cantonese at Stanford’s leaders were grateful for the substantial donation. "When S.J. Distributors reached out to us with their offer, we were simply floored. This is a dream come true for the entire team,” campaign leader Dr. Jamie Tam said in a statement. The spirit of appreciation also resonated with fellow leader Maciej Kurzynski. "We are thrilled that S.J. Distributors shares our vision and that Cantonese continues to be taught as a modern, living language," Kurzynski said.

SHIFING GEAR... New express lanes on U.S. Highway 101 are set to go live in southern San Mateo County on Friday, Feb. 11. The lanes span from the Santa Clara County line in Palo Alto to Whipple Avenue in Redwood City, giving FastTrak Flex toll tag users dedicated space to travel. Work on the segment, the first of two, started in March 2019 as part of Caltrans’ San Mateo 101 Express Lanes Project. The express lanes will be in operation from 5 a.m. to 8 p.m., on weekdays to people with FastTrak Flex. With the tag, buses and carpools of three or more people can use the lanes for free, while drivers of two or in certain clean-air vehicles are eligible for a 50% discount when the lanes first open. Tolls will be adjusted during operating hours depending on demand and traffic patterns, with the goal of keeping the express lanes traffic flowing smoothly,” according to a Feb. 1 press release from the San Mateo County Transit District. The lanes merge express lanes in Santa Clara County. The second segment, which covers Redwood City to Interstate Highway 380 in South San Francisco, is expected to open later this year. For more details, visit 101express.com.

MUCH-NEEDED SUPPORT... As the start of the third year of the COVID-19 pandemic draws near, the challenges brought by the health crisis persist. In an effort to help address the wide-ranging issues impacting San Mateo and Santa Clara counties, San Francisco’s Equity Forward Engagement has announced a second round of seed funding. A total of seven projects received additional funds based on shared proposals by non-profits and leaders in area schools, public health, civic organizations and community colleges. One of those projects is Equity Forward, which will use the funds to bring together 14 higher education institutions in both counties. The partnership aims to set up a regional grant-making program that addresses economic and racial inequality. The support allows the Stanford Children’s Health Teen Van, which has provided COVID-19 tests and vaccines to locals, to add 6 1/2 more clinics over the next six months. “Stanford’s ties with regional partners allow us to more effectively deploy our expertise and resources to address these urgent challenges,” Megan Sweeney Fogarty, the university’s associate vice president for community engagement, said in a Jan. 20 press release. “Our commitment to co-created engagement and the strength of relationships is key to these collaborative efforts.”

QUOTE OF THE WEEK

“It’s way too much to ask a friend to do.”

— Ros, a childless older adult, on hiring a fiduciary to provide help as she ages. See story on page 29.
The Palo Alto Tall Tree Awards return to celebrate outstanding civic service

Rare ‘Global Impact Award’ to honor Drs. Sara Cody and Yvonne Maldonado

Emerging from a two-year, pandemic-forced hiatus, the Palo Alto Tall Tree Awards are back this year and making up for lost time.
The Palo Alto Chamber of Commerce and Palo Alto Weekly have announced an unprecedented 10 honorees — individuals and organizations that have exemplified outstanding service to the Palo Alto community and beyond.

For only the third time ever this year’s Tall Tree ceremony, scheduled for April 21, will include the Global Impact Award. This special award recognizes a community member whose work has had a long, significant influence beyond Palo Alto in the areas of technology, education, environmental stewardship, medicine, the arts or other fields.

The co-recipients of the 2022 Global Impact Award will be Santa Clara County Health Officer Dr. Sara Cody and Stanford University Professor Dr. Yvonne “Bonnie” Maldonado, who specialize in pediatrics and epidemiology.

CRIME

Wave of thefts rocks Palo Alto condo complex

City vows to do more as neighbors complain of growing crimewave

by Gennady Sheyner

Sharon Lee-Nakayama moved into Altaire Walk, a residential community, in south Palo Alto, as soon as it opened in 2010, and for the first decade she didn’t have to worry about crime.

Then things changed abruptly in March 2020, just as the pandemic was kicking off. Packages started disappearing from the condominium complex, which is located near San Antonio Road, next to the Osman Family Jewish Community Center. Bikes went missing from the garage, which is at the ground level of the gated community. Cars were broken into. Mailboxes were routed ransacked.

The thieves, she said, also became more brazen. One day, they opened the mailbox bank by crowbarring it and stealing everyone’s mail. When the mailbox was repaired, the thieves managed to steal the master key to the mailbox bank and opened it, once again stealing mail that in many cases contained personal information.

The trend has continued unabated since then and it’s taken a toll on the community, which includes 103 residences. Lee-Nakayama told the Weekly. Neighbors have become vigilant, sharing stories of recent thefts and photos of the perpetrators. Children who play outside are now suspicious whenever they see strangers. And aside from a few cases, the police have not been able to offer much help.

Lee-Nakayama, who serves on the board of the Altaire Walk housing association, said she and her neighbors have shared photos of the thieves and their vehicles with the police. That didn’t help. A conversation with a Palo Alto police officer who was informed about the crimewave also went nowhere.

“The person basically said to me that there’s nothing they can do about it, that their hands are tied,” she said.

This month, residents took their concerns to the City Council by submitting a petition describing their predicament and urging a more proactive approach by the city to prevent crimes. Within days, the petition launched by Lee-Nakayama had 107 signatures.

“We have provided the police with many videos of the crimes being committed, clear pictures of the perpetrators, pictures of cars, pictures of the license plates, etc. Nothing is done,” the petition states. “The SAME criminals come back week after week, often multiple times on the same week, terrorizing our community and children.”

This week, Lee-Nakayama and some of her neighbors spoke to the council, with resident Scott Yoo recalling an incident when his wife was preparing to pick up his children from school and she noticed a stranger with a mask sitting inside her minivan in the complex parking lot.

“She was scared, very afraid, but she then realized it was kids anyway,” Scott Yoo said. “She stepped closer and knocked on the window, and that really scared the guy too. He opened the door and just ran away.”

The thieves, he said, have become confident that they can come into Palo Alto and steal people’s belongings with impunity.

“They have the confidence that they will never get caught because of a lack of resources we have,” Yoo said.

Paige Cook, who recently moved to Altaire Walk, recalled an incident in January when she walked to the garage to retrieve her locked bike and, as she was exiting, noticed an individual whom she’d never seen in the community before take two packages from inside the mailroom.

“Feeling my Mama Bear instincts kick in, I said, ‘Hey, you’re stealing.’ He started coming toward me and I felt very nervous,” Cook told the council.

She watched the man walk into a car and drive away without any other confrontations. Then, two days later, as she was leaving to pick up her children from school in the afternoon, she saw the same person in the upper part of the community, “shopping” the front doors of residents’ homes.

“That is what really, really infuriates me, that the same gentlemen were now inside the community where our children play,” Cook said.

This month alone, there were at least three occurrences of theft, according to resident Ivan Kissiov. He urged the council to make public what’s going on.

“It’s over 100 families and when something happens, 100 people feel it,” Kissiov said. “We are a community; we are all experiencing it.”

Both Mayor Pat Burt and City Manager Ed Shikada assured the residents that the council is taking their concerns seriously, even as Shikada emphasized that the issue of residential burglaries is not unique to Palo Alto or to Altaire Walk.

Residents at Altaire Walk have complained about a pattern of thefts from the residential complex.

(continued on page 8)
Altaire

(continued from page 7)

Shikada said the police department will remain engaged with Aliardo to inform them about steps they plan to take to curb the thefts.

“Obviously, this is an issue that’s evolving and one that we will stay in touch on, but I do want to assure that our communication lines remain open throughout this active and ongoing investigation so that residents are experiencing,” Shikada said Monday.

He also said the city will “bring all available resources to bear” to address the problem.

Resources, however, remain an issue. Buttal said the staffing cuts that the council made in the police department in 2020 as part of its effort to slash about $40 million in spending in response to fallout from the COVID-19 pandemic had already caused the city’s revenues have somewhat recovered since then and the council plans to restore some services. Buttal said the police staffing remains a problem.

“I fully appreciate that our police department has been slashed in staffing in the last few years and we’re asking our police department to respond to its share of a regional uplift that is significantly less efficient, but I fully appreciate that’s a constraint on their ability to do investigations and address all the different crimes and all kinds of things that they’d be doing in response to this,” he said.

Even acknowledging these limitations, Butt requested that Shikada provide a more in-depth report in the future about how the city is responding to the wave of thefts, as well as what the city can do to take care of the city’s resources to respond more effectively.

The message from the police department was received Monday, said Lee-Nakayama. Though the officials she has spoken to have pointed to a lack of resources as the reason for their efforts to prevent thefts, shortly after the petition was submitted she received a message from Chief Robert Jonsen telling them that the department is filling its vacancies and that more would be done.

While the issue of crime prevention naturally feels close to home, Lee-Nakayama said that she and her neighbors want to see the city make it a higher priority for the entire city. She pointed to other Bay Area cities where mayors have made crime prevention a priority, including San Francisco Mayor London Breed’s recent efforts to highlight the issues in the Tenderloin district. While the city council is preparing to set its priorities for the year on Saturday, Lee-Nakayama said she hopes crime prevention will be a top priority.

“I think we all want Palo Alto to be a frontrunner on this issue,” Lee-Nakayama said. — Employee Staff Writer Gennady Sheyner at gsheyner@paloaltonews.com.
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James Henry Minnis
April 26, 1929 – January 12, 2022

James “Lee” Minnis, 92, passed away peacefully on January 12, 2022. Minnis was born on April 26, 1929 in Virginia to Thomas and Bessie Minnis. As a child, Minnis acquired the nickname “Lee” from his siblings. He had six older sisters, one older brother, and one younger brother, all of whom proceeded him in death. James is survived by his four children (Debra, Michael, Ted, and James) and three grandchildren (Joshua, Harper, and Hannah).

After graduating from high school, Minnis moved to California in 1949 with his older brother Richard. He began working in fine dining establishments before being drafted to the Korean Conflict, where he served in the Army, achieving the rank of sergeant. Minnis was devoted to serving God and his community. Minnis endeavored by joining the Menlo Park Senior Center, where he was an active member.

A small service took place on January 19, 2022 at SkyLawn Cemetery. All will be welcomed at a “Celebration of Life” later this summer at the Community Church. In lieu of sending flowers, please make any gifts in kind to Community Church of East Palo Alto, 2201 University Avenue, East Palo Alto, CA 94303.

Mark Steven Moriconi
May 7, 1948 – January 25, 2022

Mark Steven Moriconi passed away on January 25, 2022 at the age of 73 in Redwood City, California after a decade long battle with Early Onset Alzheimers.

He was born to Bill and Ardevina Moriconi on May 7, 1948. Mark will be lovingly remembered by his wife of 33 years, Susan Moriconi; his son, Alex Moriconi; brothers, Bill Moriconi (Susan) of St. Louis, Missouri and John Moriconi (Eric) of Wichita, Kansas; step children Jeff Bergman (Alexis) and Lisa Bergman (who preceded him in death), grandchildren Christopher and Nicholas Bergman and his nephews and niece.

Mark received a Ph.D. in Computer Sciences from The University of Texas at Austin. He published over 20 technical papers and held many patents. Mark had many passions including gardening, sports and wine. He enjoyed fine dining, cooking and travel and, more than anything, loved sharing those experiences with the people he held dear.

A celebration of Mark’s life was held on Thursday, February 3, 2022 at the Church of the Nativity. Memorial donations may be made in his honor to the Peninsula Humane Society & SPCA. https://pbs-spca.org/
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FATAL ERRORS

Did city’s safety violations cause the death of electrical lineman Donatus Okhomina?

By Geniddy Sheynner

Donatus Okhomina, Jr., was on his fifth day on the job as an electrical lineman for the city of Palo Alto Utilities when he went out on what would prove to be his final assignment.

Okhomina, 42, was part of a five-person crew that was scheduled to replace two transformers that were mounted on a pole and then move two high-voltage lines affixed to a crossarm closer in. Joining him for the work at a substation near the corner of Middlefield Road and East Meadow Drive were foreman George Haupert, a 12-year veteran of the Utilities Department, journeyman lineman Jose Rivera, electrical assistant Steven Melo and apprentice lineman Collin Williams.

The crew began work at about 6 a.m. on Nov. 16, 2019. The employees positioned their articulating boom lift — an Ateek AM60 utility truck equipped with high-reach baskets — near the utility pole with the transformers, next to the Covenant Presbyterian Church. The plan was to de-energize the transformers, strip all the old equipment and then relocate the lines and install new equipment, according to documents from the California Division of Occupational Safety and Health, known as Cal/OSHA, that were obtained by the Palo Alto Weekly through a Public Records Act request.

There was nothing unusual about this assignment, Palo Alto’s linemen work on electrically energized (or “live”) lines, as well as on de-energized power lines, just about every day, according to the city. At times, their assignments involve other tasks such as installation of services, replacement of distribution equipment and installation and maintenance of underground power lines.

“What’s really been tough about this situation is — it’s routine work,” Utilities Director Dean Batchelor later told the Utilities Advisory Commission. “We looked at averages that we had over the past four years, (and) we routinely do this work. ... About 42 times a year, we replace transformers that are up in the air.”

The task on this day was split into two parts. The first called for two employees, working in separate buckets, to work on the de-energized equipment. The second part required two employees to get hoisted up in the same bucket so that they could work on the high-energy voltage lines. The buckets included sleeves containing tools such as insulated gloves, which the linemen would be required to use for the second, dangerous task.

Working on the first task, Okhomina, wearing a hard hat, fleece hoodie and leather gloves, got into one of the two buckets, which was then lifted about 38 feet off the ground on the south side of the pole. About three feet beneath him was a bucket occupied by Rivera, who in 2019 had been with the Utilities Department for 12 years.

The rest of the crew was on the ground, according to documents from Cal/OSHA. Williams was preparing the new transformer for installation while Haupert and Melo were having a conversation, according to notes from the investigation.

Stationed in the lower bucket, Rivera proceeded to unbolt the old transformer on his side of the pole, reportedly with the understanding that Okhomina would hold the equipment from his side. Then things got out of sequence. At about 9:40 a.m., Okhomina called down to Williams to ask for a grip — an unusual request given that neither the tool nor Okhomina’s leather gloves were insulated to protect against the high-voltage lines that, at that moment, were about two feet away from him.

No one, however, apparently gave it much thought at the time. Williams sent the grip through the hand line on Okhomina’s bucket and proceeded with his prep work. Haupert was talking to Melo, according to Cal/OSHA, and did not hear Okhomina make the request.

Neither, evidently, did Rivera, who was preoccupied with his own task of removing the transformer. He told a Cal/OSHA investigator just after the accident that he didn’t know why Okhomina made the request. Maybe, he surmised, Okhomina was “trying to stay ahead of the game.”

“I wonder if he got ahead of himself,” he said, according to Cal/OSHA notes.

None of the four crewmates saw Okhomina, holding a non-insulating grip in his leather glove, approach the two high-voltage electric lines of 4,160 volts. By the time Rivera looked up, it was too late. An electric arc formed between the two high-voltage lines, right where Okhomina was standing, instantly electrocuting him.

Melo told an investigator that he heard yelling and saw fire. Williams said he heard the arcing above him.

The crew reacted quickly. Williams got into the truck and lowered Okhomina’s basket to the ground while Melo ran over to the Mitchell Park Fire Station to get help, according to Cal/OSHA documents. Though there were no fire engines at the station, Battalion Chief Steve Lindsey was there and he rushed to the accident site and tried to...
resuscitate Okhomina using CPR.

Police records show that paramedics were still trying to revive him at 10:34 a.m., though by that point, an officer at the scene reported the incident as a “possible fatality.” Okhomina’s fleece KwikSafety hoodie was scorched through at the lower neck area and his leather glove was still stuck to his hand as he was rushed by an ambulance to Stanford Hospital.

Okhomina was pronounced dead at Stanford later that afternoon. Stanford’s emergency room staff lined the exits as Okhomina’s body was transferred out of the emergency room, according to City Manager Ed Shikada, and on-duty fire units assembled in salute as he was transported out of the hospital. He was the city’s first utility employee to die in the line of duty in more than three decades.

The Investigator’s Findings

What went wrong that day?

That’s a question that Palo Alto and Cal/OSHA, the state agency charged with enforcing and improving workplace safety, have been investigating and disputing for more than two years. And who is to blame is a key question that remains open to this day.

The agency, which is part of the California Department of Industrial Relations, began its investigation immediately after the accident. By May 2020, the agency concluded the city had committed eight safety violations, some of which directly contributed to Okhomina’s death. The city is appealing these citations — a process that is expected to take months, if not years, to resolve.

Cal/OSHA inspector Geraldine Tolentino found that the city had violated a long list of state laws, with devastating consequences.

“What’s really been tough about this situation is — it’s routine work. … About 42 times a year, we replace transformers that are up in the air.”

— Dean Batchelor, Utilities director, city of Palo Alto

Her investigation included interviews with all of the employees involved in the incident as well as reviews of all equipment that was used during the operation and of all relevant city policies. What she found prompted Cal/OSHA to slap Palo Alto with eight citations, seven of which fall into the “serious” category — the most egregious class in the agency’s taxonomy. The only citation that fit into the “general” category pertained to the city’s failure to investigate an occupational injury — a charge that the city has formally challenged.

When asked what the city’s review of the incident entailed, Shikada declined to comment, citing advice from legal counsel and the city’s pending appeal of the Cal/OSHA citations.

The other seven citations touch on everything from Okhomina’s qualifications to perform the dangerous work to the failure of his colleagues to ensure his safety. Five of the citations carry the agency’s maximum penalty of $18,000 each.

Specifically, Cal/OSHA concluded that the city had:

• Failed to ensure that only qualified workers work on high-voltage systems, as required by state law.

• Failed to ensure that a qualified worker is acting as an “observer” for the purpose of preventing an accident or rendering immediate assistance in the event of an accident, as required by the state’s Code of Regulations.

• Failed to prevent employees from approaching a conductive object without an approved insulating handle as they got within the minimum distance of a conductive object, as established by an employer (in this case, 25 inches).

• Failed to ensure that employees working on exposed energized conductors within reach of any part are covered with “suitable protective equipment.”

• Failed to ensure that precautions are taken to protect an employee from “accidental contact between the energized high voltage conductors.”

• Failed to adopt provisions to “isolate and insulate the employee” during work in which conductors are being installed, relocated or removed and when there is “a possibility of the conductors accidentally contacting an energized high-voltage circuit or receiving a hazardous induced voltage buildup.”

The city is appealing all eight violations and claiming in most cases that Cal/OSHA’s classification of these violations is incorrect and that its proposed penalties, which add up to $104,060, are unreasonable.

Furthermore, it is also asserting in its appeal that nearly all of the alleged violations cited by Cal/OSHA were the result of “independent employee action.” The whole situation is — it’s routine work. … About 42 times a year, we replace transformers that are up in the air.”

— Dean Batchelor, Utilities director, city of Palo Alto

(continued on page 14)
2020

May 15
Cal/OSHA issues eight citations against city of Palo Alto relating to the accident, seven of which are classified as serious and five of which are serious and accident related. These include a failure to ensure that an employee working on an energized high-voltage circuit is properly isolated or insulated and failure to make sure an employee working on exposed energized conductors is covered with suitable protective equipment. The eight citations add up to $104,060 in penalties relating to the incident.

July 2
The city appeals all eight citations, arguing that most of the violations were caused by "independent employee action" and that the proposed penalty is unreasonable.

Sept. 15
Okhomina’s wife, Tammy Okhomina, files a petition for “serious and willful misconduct” against the city, which cites Cal/OSHA’s findings and states that the employer failed to provide a safe working environment, which resulted in the electrocution that caused Okhomina’s death.

2021

Jan. 20
An attorney representing the city responds to the “serious and willful misconduct” petition by denying that the city was responsible for Okhomina’s death and arguing his death was caused by “a substantial and unforeseeable deviation” by Okhomina from the job task at hand.

May 4
Cal/OSHA notifies the city that the Bureau of Investigations has closed the criminal aspect of the case, indicating that no “willful” violations were found, and that the matter is “now appropriate for resolution of the civil citations.”

Dec. 13
The city reaches a settlement with Okhomina’s family, which includes payments of $30,000 to Tammy Okhomina and $5,000 to her attorney to settle the “serious and willful” claim. The family also receives $580,512.66 in benefits.

2022

The appeals process drags on, with Palo Alto’s attorneys and Cal/OSHA holding numerous status conferences.

Errors
(continued from page 13)

appeal does not specify whether the “employee” refers to Okhomina or one or more other utility employees.

Making the citations even more egregious, Cal/OSHA is also stat- ing that some of the city’s trans- gressions are part of a pattern that extends well beyond the No- vember 2019 incident. Each Cal/ OSHA citation is accompanied by a “supplemental worksheet” that provides more context for the in- spector’s decision to cite.

Somewhat surprisingly told Tolentino that Okhomina was a qualified worker and that he had relied on Okhomina’s past experi- ence, he was unable to furnish any training records to substantiate this conclusion.

The foreman, according to Cal/ OSHA, was confident that Ok- homina “knew the job based on observing him on a similar job two days prior, although the job was not exactly the same.”

The city did have reasons to feel confident about Okhomina’s qualifications to do the job. Ac- cording to his resume, Okhomina had worked in the electric utility industry since June 2000, when he began a five-year stint as a journeyman lineman with the In- ternational Brotherhood of Elec- trical Workers, Local 1245. He then moved on to the Sacramento Municipal Utilities District, which provides electrical services to the city of Sacramento, and held nu- merous positions there, including an electrician, a supervisor of cable splicers and a substation assets su- pervisor, which involved clearing transmission lines.

Most recently, he worked as an electrical supervisor at PG&E, where his responsibilities included training and development of work crews. What’s more, his employee transcript from PG&E showed that he had completed numerous courses relevant to the job at hand, including ones focused on person- al-protective equipment and safety in electric operations.

But after city staff weren’t able to furnish Okhomina’s training records, Tolentino concluded that the city had failed to comply with a state law requiring employers to make sure only qualified electrical workers work on energized high-voltage systems. Had it followed the law, she noted in her report, Okhomina would not have been alone in the bucket.

Tolentino — whose investiga- tion included interviews and cor-respondence with the crew at the scene, utilities management, Hu- man Resources and a representa- tive from Service Employees Inter- national Union, Local 521, which represents Okhomina and other linemen — also regarded the lack of an observer as a “common practice” at the job site and notes that the employer had received complaints from other employ- ees about this type of violation. Even though there had been three other workers in close proximity to Okhomina, none of them were functioning as observers, accord- ing to Cal/OSHA. The foreman, Haupert, reportedly did not see Okhomina request the grip be- cause he was talking to Melo. And Rivera was busy unbolting the transformer while Williams was passing the grip on to Okhomina. Tolentino also stated that not wearing proper protective equip- ment such as rubber gloves and flame-resistant apparel was com- mon practice in Palo Alto. The violation, she noted, occurred while supervisors were in close proximity. If Okhomina had “worn flame-resistant apparel, this cloth- ing would have not burned,” her report states. The inspection reports sug- gest that the city’s failure to cover the high-voltage line in protective equipment and to ensure that employees maintain a safe, es- tablished minimum distance also fit a broader pattern. Neither the inspectors nor body camera foot- age from Palo Alto police officers who responded to the accident show any protective covering of the high-voltage lines, according to Cal/OSHA.

Finally, after Palo Alto had failed to furnish a report on its ac- cident investigation to Cal/OSHA, the agency also classified this vi- olation a “common practice at job site.”

City officials have declined to discuss the Cal/OSHA investi- gation, citing advice from legal counsel and the city’s ongoing ap- peal. But Shikada and Batchelor both said in a recent interview that safety is — and has been — the department’s top concern. They pointed to numerous steps that the city has taken since the accident to improve safety, including strength- ening rules for verifying the quali- fications of new employees and in- stituting a new requirement that all utility employees working in the field wear city-issued clothing and personal-protective equipment. Shikada emphasized, however, that these actions do not in any way imply that the city shares Cal/OSHA’s assessment that these factors caused the fatal accident. Rather, he said, they are part of the city’s continuous push to improve safety.

“It’s really important not to as- sume that the reinforcement we’re describing is directly related to this incident,” said Shikada, who served as a utility director before becoming city manager. “The fact that following a tragic incident we are reinforcing our practices is in no way intended to suggest that this is what we’re communicating as causes in that case.”

The Emotional Aftermath

Okhomina’s tragic death not- withstanding, Batchelor said the city takes great pride in its safety record.

“We keep track of every day that we have no lost time to accidents,” he said. Prior to Nov. 16, 2019, the elec- tric operation had tallied more than 1,600 consecutive days with- out lost time, he said. That day, the counter tallying the days was reset to zero.

Workplace fatalities in Palo Alto are thankfully rare. According to Cal/OSHA, three individuals have died in the line of duty since 2017, two of whom worked for private companies and not the city. In May 2018, a landscape worker died while cutting a tree, when a branch that his neck was tied to fell into a woodchipper, dragging him along. Two months later, a worker died after he was crushed by a Bobcat skid steer with a sweeper that backed into him. Serious accidents involving city workers are rarer still. So when the accident happened, it sent “a shock wave through the entire city fam- ily,” Shikada said. One of the city’s priorities in the aftermath was to make sure that utilities employees had all the support they needed. Batchelor said the city offered grief counseling to employees throughout the department. The city also offered additional time off to the employees who were part of the crew.

They took a few extra days off; two decided they wanted to come back to work right away, the fol- lowing Monday,” Batchelor said. “They were grieving in their own ways as well.”

Shikada notified the entire workforce about the accident later in the afternoon, through a city- wide email. The message did not provide details about what hap- pened but rather informed em- ployees that the person was injured...
and transferred to a local hospital, where he died from his injuries. “This is a sad reminder of the risks involved in the critical functions that our Utilities employees perform daily,” Shikada wrote.

Shikada did not disclose the name of the employee because the family had not yet been notified. He invited employees to take advantage of the counseling services provided in the Employee Assistance Program and assured them that the Human Resources department was standing by to assist them.

“In challenging moments like this it is truly a testament to the caring and committed people that we pull together as one city family,” Shikada wrote.

The following day, he followed up with another email informing the staff that the employee involved in the workplace incident was Donatus Okhomina, whom Shikada described as a “veteran of the United States Air Force and a seasoned electrical lineman.” He informed employees about the GoFundMe account that the Utilities Department opened to support Okhomina’s family, his wife, Tammy, and his four daughters, aged between six and 17 at the time of the accident.

“I know we all have his family and loved ones in our thoughts and our hearts,” Shikada wrote.

More than 900 people donated to the account, which passed its $75,000 goal within days and, as of now, is at $100,000 and counting donations. The city’s main fire-fighter union, International Association of Firefighters, Local 1319, contributed $2,000. SEIU Local 521, the city’s largest employee group and the one that represented Okhomina during his brief tenure on Palo Alto.

Testimonials poured in for Okhomina, a Mississippi native who served in the United States Air Force before settling in Dixon with Tammy, a nurse in the local school district, and raising four daughters.

His friends recalled his fondness for riding motorcycles, jiu jitsu and spending time with his family.

Corey Sales, a colleague from Travis Airforce Base, recalled Okhomina installing chrome Dayton rims on his green truck and riding around the airport base. Another friend, Vic Baker, recalled the motorcycle trips they took together. Ernesto Veil called him “the kind of friend that leaves a mark on your heart and in your life.”

Rumi Portillo, who contributed $1,250 on behalf of the city’s executive leadership team, recalled hanging out with Okhomina at the orientation just days before the accident, which included taking a bus tour of the SoMa Sports Unisport campus and other local landmarks.

“Donatus talked with us about his family, his home in Dixon and his excitement for the new job,” Portillo wrote. “Donatus stood out for his bright energy, humor and wonderful smile. We are deeply saddened and extend our sincerest condolences to the Okhomina family.”

Batchelor also said that Okhomina was looking forward to working in Palo Alto, which he saw as more stable than his prior jobs.

“He was very excited about having the opportunity to be here,” Batchelor told the utilities commission on Dec. 4.

City leaders also tried to offer support to the Okhomina family in other ways. Shikada, Portillo, Fire Chief Geo Blackstone, Batchelor and City Council member Alison Cormack all went to Dixon on Nov. 23 to pay their respects at Okhomina’s funeral at Living Hope Church.

The service included an honor guard from the city’s fire department.

On Dec. 9, 2019, the council held a moment of silence for Okhomina and passed a resolution in his honor, calling him a “beloved father, friend and colleague who chose to serve his community in a very high risk but critical role as a lineperson with the city of Palo Alto.”

Cormack recalled Okhomina’s funeral, during which the family was presented with the U.S. flag.

“It was my honor to travel to Dixon for Mr. Okhomina’s funeral, to pay my respects and our respects to his family, to hear each of his four daughters speak about what his presence was like in their lives and to see his family receive the folded flag that was a mark of respect for his service,” she said.

Aside from internal communications and words of condolences immediately after the accident, Palo Alto officials have had little to say publicly over the past two years about the incident and what they’re doing in response.

The Utilities Advisory Commission did not review the city’s safety procedures or issue any recommendations. Council members did not hold any hearings to discuss what went wrong that day and how the city could improve safety. The deadly incident has not come up once since Shikada’s public comments at council meetings, in informational reports or during council discussions.

Shikada said in an interview that the lack of hearings on safety protocols does not in any way suggest that the incident was not being taken seriously. Rather, it’s a reflection of his view that the issues surrounding the accident are not a matter of setting new policies — which would involve the council and the utilities commission — but of improving internal operations.

“I really see this as operational issues,” Shikada said. “These are areas we’re focusing on an ongoing basis.”

The Weekly also contacted members of Okhomina’s crew who said they’re not aware of how many of the employees responded, and the city declined the Weekly’s request to talk to them. Shikada and Batchelor also declined to discuss whether anyone faced discipline after the accident, though they confirmed that all four employees who were part of Okhomina’s crew are still working for the city.

But even though the city’s public response has been relatively muted since December 2019, utilities administrators have taken a stronger stance in court filings and appeals, which largely diverted blame away from the city and pinned it on Okhomina himself.

This position is most evident in the case that Tammy Okhomina filed against the city in September 2020, alleging “serious and willful misconduct.” The claim, which was submitted by her attorney, Mark Vickness, noted that Donatus Okhomina received no training from the city of Palo Alto and argues that the city “knew of a dangerous condition on the worksite and failed to provide a safe working environment as required by applicable law.”

“These failures resulted in the electrocution, which caused Mr. Okhomina’s death,” Vickness wrote in the claim.

In a January 2021 filing to the Workers Compensation Appeals Board, an attorney representing the city responded to the claim by denying that Okhomina was electrocuted while performing the task that he was instructed to do: hoisting and lowering the second transformer off the pole. Instead, Okhomina “willfully deviated from that task and, for reasons unknown, moved his bucket into the contact area placing himself between the two phases of high voltage energized lines,” the city alleged in a filing that was obtained by the Weekly.

“The city’s response to Tammy Okhomina’s claim also takes issue with the claim itself, interrogating, among other things, which claims it was neither thor- ough nor “based on fact.”

“In fact, Cal/OSHA’s findings fail to clearly establish that the city relied primarily on its past experience, rather than firsthand observations, as evidence that he failed to follow instructions,” the city’s response states. “In fact, the city had represented to the city that he ‘had been working in the field since 1996 and had extensive experience in this line of work,’ Ambroz wrote.

The city’s response to Tammy Okhomina’s claim also takes issue with the claim itself, interrogating, among other things, which claims it was neither thorough nor “based on fact.”

“The city’s response to Tammy Okhomina’s claim also takes issue with the claim itself, interrogating, among other things, which claims it was neither thorough nor “based on fact.”

The city’s response to Tammy Okhomina’s claim also takes issue with the claim itself, interrogating, among other things, which claims it was neither thorough nor “based on fact.”

City administrators have also made it clear to their own work force that the city disputes Cal/OSHA’s findings about the various alleged violations that led to Okhomina’s death. In July 2020, three months after Cal/OSHA issued its citations, Batchelor expressed the city’s response during a phone call on the agency’s findings in an email to utilities employees.

“The city does not agree with these allegations and we are working with the City Attorney, Human Resources and City Manager’s Office on the city’s appeal,” Batchelor wrote.

He criticized Cal/OSHA’s finding that the city’s failure to properly train new employees was misconduct in its response and the agency’s conclusions that Palo Alto had failed to ensure that “only qualified electrical workers worked on energized conductors (continued on page 16)
Errors
(continued from page 15)

or equipment connected to ener-
gized high-voltage systems” and that employees have “demonstrat-
ed proficiency in the work prac-
tices” before they are considered “properly instructed/trained.” “For this instance, we are con-
vinced Donatus Okhomina met the qualifications and was appropri-
ately skilled for the position,” Batchelor wrote.

However, he said, “While the city is not in agreement with these
allegations, we recognize there are ways to improve, as an organ-
ization and we are re-examining existing safety practices and pro-
tocols. The city has already made and will continue to make internal improvements to a number of ar-
eas throughout the department.”

The city is prioritizing three areas: protective clothing, hiring and onboarding; training and work-
place practices; and a new safety officer, a position that was filled at the time of the accident but that
became vacant in December 2019, when the person who was filling it retired.

With respect to hiring, he wrote, “I have asked Human Resources
to work with an industry expert to build in additional screening steps and to hire more broadly at our
hiring practices throughout the department.”

Batchelor also wrote that he was working with the maintenance team to update the department’s
training materials and had changed the reporting structure so that the worker would report directly to him.

The city has changed numer-
ous policies since the accident, Batchelor said in a Jan. 20 inter-
view. In the past, when new em-
ployees would come on board, the
city would sometimes allow them
to wear their own fire-resistant clothing for the first few weeks, while the city worked to get their equipment properly sized. That is no longer happening.

“No, the new policy is that any
person in the electrical organiza-
tion that needs fire-resistant cloth-
ing, it’s got to be issued by the city before they start to enter any type
of situation with energized lines,” Batchelor said.

The city also now asks new employees to provide certificates of training and other proof dem-
onstrating their proficiency. This allows the employee to start the training facility and to ask the employee during the interview process more specific questions about the safety protocols and procedures to which they are accustomed.

Unanswered questions

The city’s response to Cal/OS-
HA’s citations leaves open a litany of questions. Why didn’t anyone on the crew stop Okhomina from
an event that contributed to the acci-
dere? Why was he provided with a
non-insulated grip? Why was he allowed by his supervisor to be on a ladder that
was about to move live wires? Why wasn’t he required to wear rubber gloves or other protective equip-
ment? Did he receive any training at all from the city before he went up in the bucket? And do the vi-
olations cited by Cal/OSHA truly represent a pattern of laxity on the city’s part or were they a one-time,
tragic confluence of errors?

These are questions that the city
has declined to discuss, pending the
conclusion of Cal/OSHA’s investigation.

But even as the city continues to
deal with Cal/OSHA’s citations as well on documents

City Manager Ed Shkeda speaks at the Dec. 9, 2019 City Council meeting, during which the city passed a special proclamation in
honor of Donatus Okhomina.

City Manager Ed Shkeda speaks at the Nov. 16, 2019 accident and
time, the agency’s appeals board.

WHAT WENT INTO REPORTING THIS STORY

This investigative article
into the death of a city en-
ployee began with a phone call.
A worker relied heavily on in-
formation that the Weekly ob-
tained through numerous Public Records Requests, which included both to the city of Palo Alto and to the state Department of
Industrial Relations, which in-
cludes the Division of Occupa-
tional Safety and Health, also
known as Cal/OSHA.

The documents included oth-
er reports on similar cases
from the Cal/OSHA investigation, which was launched immediately after the
Nov. 16, 2019, accident and concluded in May 2020, when the watchdog agency issued eight citations against the city.

The case is detailed in a report from Cal/OSHA interviewing with crew members and
other officials, and it was the primary document used by the Weekly to determine and describe
what happened on the day of the accident.

The allegations that Cal/OSHA
issued against the city provided insight into what the agency viewed as the primary causes of the
accident.

Obtaining information from
city administrators about the fatal incident proved challenging. Reporter Annemarie Hinson
asked for an interview with City Manager Ed Shkeda and Utili-
ties Director Dean Batchelor
and was told they would not speak about the accident or past
practices due to the city’s pending
appeal of the Cal/OSHA cit-
a tions. That included comment on what the city’s own investiga-
tion of the accident entailed and what it concluded. (They did, however, speak to current safety practices.)

To depict the actions the city
took in response to the fatal inciden-
t then, the Weekly cited public
statements made by city
officials, as well as emails ob-
tained through a Public Records Act request.

To get insight into the city’s
position, the Weekly relied on its
appeals of the Cal/OSHA cit-
as well as documents relating to the city’s settlement with the family of Donatus
Okhomina.

The Weekly also reached out
to members of the Nov. 16, 2019
utilities crew and requested an
interview with them, a request that
the city denied.

‘Cal/OSHA’s findings from its investigation make clear that it relied on speculation and conjecture to support several of its key findings.’

—City of Palo Alto’s appeal of Cal/OSHA’s citations

But even if the appeals board is unlikely to drop all of the cita-
tions, other recent cases involv-
ing workplace fatalities involv-
ing electrocution suggest that a settlement with a reduced fine is a strong possibility. The Palo Alt
o incident was one of 18 fa-
tal electrocutions that occurred in California between March 10, 2017 and July 1, 2020, according to Cal/OSHA data. Two of them
occurred in San Jose: one in Feb-
uary 2018, when a chainsaw op-
erator for a landscaping company was trimming a 12-foot-long tree
that made contact with a power line; and another in July 2018, when an employee of a re-
modeling company was electro-
cuted while connecting wiring as part of a kitchen renovation.

After investigating the two San
Jose cases, the agency issued the landscaping employer, Rafael
Munez, a fine of $33,550, which it later reduced to $11,400 in pen-
alties. The renovation company, Douglas Hsiung and Amy Wang-
Hsiung, was initially fined $33,550. The penalty was later reduced to
$15,955, according to Cal/OSHA records. Both cases remain open, according to the agency.

Regardless of the agency’s ac-
ctions, Palo Alto administrators are
moving ahead with various chang-
es in the city’s electric operation that they say will improve safety, coordination and reliability.

In 2020, the city hired a new
safety officer, who came from an outside consultant who was hired by the
company after about a year in the
city, given the competitive labor market, utilities staff asked the City Council last October to ap-
prove a salary increase for the util-
ity safety officer, a position that a
staff report describes as “critical” and that would increase the pay of the 200+ employees who work each day to ensure the safe and reliable use of public utilities in the city of Palo Alto. Meanwhile, the city relied on an outside consultant, the firm ESCI Safety, Training & Consulting Services, to moni-
tor the safety program, which will be paid largely through

After the council raised the maximum salary for the position
from $138,528 to $154,586, the
City moved quickly to hire a new safety officer, whose first day on the job was last Jan. 24, Batchelor told the Weekly. He also noted in a Jan. 10 report to the City Council that the city is “exploring an option to supplement and expand safety-related services using consulting firms and to provide additional exp-
ertise in electrical utilities train-
ing and assessments.”

“Remember looking at im-
provements in our safety policies,”
Batchelor said in an interview. “It
goes well beyond this incident.”

Email Staff Writer Gennady Sheynyer at gsheynyer@pawweekly.
.com

About the cover: Photos by Magali Gauthier. Photos courtesy Cal/OSHA and city of Palo Alto. Photo illustration by Douglas Young.
Nestled near the end of a quiet cul-de-sac in Palo Alto’s coveted Midtown neighborhood, this wonderful single level home provides the rare combination of a prime location, exceptional floor plan, plus outstanding schools!

- 4 bedrooms and 2 bathrooms
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- Private and serene cul-de-sac—only 7 homes on Martinsen Court
- Excellent location near Hoover Park
- Outstanding Palo Alto schools

**Celotti Group**

Greg Celotti, Candi Athens & Katherine Celotti

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The idyllic Fairmeadow neighborhood provides the perfect backdrop for this timeless Eichler that has been updated to suit a modern lifestyle, with an ideally shaped lot providing a spacious backyard. Eichler details including paneled ceilings create an inviting ambiance, while excellent use of glass fills the home with natural light. Comfortable spaces begin in the living room with a shared fireplace plus floor-to-ceiling windows with views of the backyard lawn. From there, the living room flows into the dining area and kitchen outfitted with new quartz countertops, ample cabinetry, and a skylight for additional natural light. The spacious primary suite is a retreat in and of itself with a large en suite bathroom, walk-in closet, and sliding glass Andersen doors that lead to the backyard deck. Two additional bedrooms, preceded by an elegantly tiled hallway, complete the accommodations. Outside, the backyard enjoys a sizable lawn and deck, providing an excellent venue for entertaining. Plus, this home is a short distance to Mitchell Park Library and Community Center, while children may attend top schools including Fairmeadow Elementary, JLS Middle and Gunn High (buyer to verify eligibility).

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Nothing compares.
Palo Alto Art Center show explores creativity as response to challenging times

By Sheryl Nonnenberg

What have people been doing to keep calm and sane during the pandemic? Cleaning closets, baking bread, learning a new language?

Karen Kienzle, director of the Palo Alto Art Center, was musing about this over a year ago and thought it might be a good theme for a show. She recruited Anna Trinca, an independent curator, to organize a group exhibition that is now on display. “Creative Attention: Art and Community Restoration” features the multimedia work of 18 artists and, according to the press statement, addresses “practices of mending, healing, restoration, belonging, sustainability and resiliency.” The show is on view until May 21.

Trinca explained that she was contacted in October of 2020 with the idea of an exhibition that would respond to current political events and dissease, as well as the impact of the pandemic.

“We wanted to incorporate programs, partnerships and installations that would help people cope with grief and suffering,” she said. “We also wanted to celebrate the positive effects of looking at art, learning about others and opening your heart.”

Because she believes that “every artist is a healer,” it was no small task to narrow the scope to just 18 artists. “We researched artists who had previously partnered with their communities or had produced new work in reaction to the pandemic,” she said.

It might be expected that a show with such serious themes might be heavy going. That’s not the case here, both because there is an array of media (everything from video to ceramics) but also because the artists were free to express their own take on the subject.

Most of the work is contemporary, often created just last year, but the show opens with four bright, bold and hopeful prints by Corita Kent, dated from the early 1970s. The serigraphs here are typical of her playful abstractions, usually involving calligraphic strokes in primary colors, each with thoughtful quotations by such literary notables as D.H. Lawrence penned at the top. They may not be current but they are still relevant and food for thought.

Jeremiah Jenkins is represented by an eye-catching display of ceramic bowls and plates, each a simple form in off-white, that have been embellished with shards of blue and white pottery. These broken pieces are affixed in such a way as to be decorative, as well as a great example of recycling. According to the label statement, the artist is interested in “the way things are made and the way they break.”

Addressing the need for healing during a time of illness is the work of Tucker Nichols. His “Flowers for Sick People” addresses the need for healing during a time of illness. Above: The “Creative Attention” show includes Lynn Beldner’s “Emergency Blankets,” center background, and Johnna Arnold’s “Expanding Space Project,” right foreground. Show title lettering by Christine Wong Yap. Below: Jeremiah Jenkins’ ceramic pieces look at “the way things are made and the way they break.” Photos courtesy Palo Alto Art Center.

This piece consists of nine small squares of flannel fabric in an array of colors and patterns that have been bordered in corresponding colors of satin and hung on the wall. It may be the colors, or the softness of the fabrics, but this piece felt like a comforting hug. The label explains that Beldner made these pieces right after 9/11, “but they still feel emotionally and conceptually necessary.” And, she sagely notes, “emergencies seem to be our new norm.”

A lighter approach has been taken by San Francisco artist Leah Rosenberg with her video piece, “At a Loss for Words.” As the title implies, the piece consists of 10 one-minute videos created to look like silent movies—complete with original sound track. In these charming black-and-white vignettes, the artist turns the camera upon herself as she makes tea, sorts a stack of books, plays guitar and ices a cake (to name just a few tasks), all in the comfort of her white pajamas. It’s a fun and clever take on how we all have made to learn to make the best of isolation by making even the simple tasks meaningful and fun.

When asked why this exhibition is especially timely, given the current pandemic situation, Trinca responded, “I see artists as second-responders, attending to our emotional needs and offering hope. Art can help us relax and slow down and it helps us to connect to other people. My hope for this exhibition is that visitors are deeply affected and have the chance to process complicated emotions.”

The center will host an artist discussion on March 4, a Community Day Celebration on April 10 and is sponsoring weekly virtual meditation sessions, Thursdays at noon through June 30. For more information, visit cityofpaloalto.org.

Email Contributing Writer Sheryl Nonnenberg at nonnenberg@aol.com.
See a pediatrician who will go the extra mile.

Virtual visits or in-person visits at Peninsula Pediatric Medical Group

Stanford Children’s Health

genpeds.stanfordchildrens.org

Answers to this week’s puzzles, which can be found on page 35.
The quintessential beauty of Portola Valley provides the perfect backdrop for this spectacular estate of over 7,400 square feet, including a beautiful guest home of more than 700 square feet, resting on over 3.5 verdant acres of resort-like grounds. A gated paver motor court introduces the property, and inside, this home presents a luxurious ambiance with soaring ceilings, fine millwork, floors of marble and hardwood, and stunning walls of glass that bring the outside in. The floorplan is scaled for entertaining yet comfortable enough for everyday living, and features the living room with a fireplace, the chef’s kitchen with high-end appliances, and the expansive family/game room, plus a theater, wine cellar, yoga/fitness room, and so much more. Accommodations include 4 bedroom suites, highlighted by the incredible primary suite with a sitting room and fireplace, while the detached guest home offers an additional bedroom, bathroom, and kitchen. Experience true indoor/outdoor living as multiple points throughout the home open to a multi-level deck with a built-in grill and peaceful views of the home’s magnificent grounds, featuring meandering walking trails, a gazebo, and a side area with an enticing blend of both natural and synthetic grass. Moments from beautiful nature preserves and trails, this home is just minutes to the iconic Roberts Market, and offers access to acclaimed Portola Valley schools (buyer to verify eligibility).

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Democracy and journalism go hand in hand.

The community remains vibrant and socially aware due to the ongoing efforts of the Palo Alto Online publishing team and its visionary publisher. Life is change and though one can never return to yesteryear, Palo Alto Online continually strives to keep its readership informed of the pertinent changes and conflicts that impact Palo Alto everyday life. Kudos to Palo Alto Online and its commitment to journalistic integrity.

— Aron M., member since XXXX

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Eating Out

Carb cravings

Boichik Bagels to open in Palo Alto, while Rözmary Kitchen’s sandwich pop-ups return to The Midwife and the Baker

By Julia Brown and Sara Hayden

If freshly baked breads is your idea of heaven, Palo Alto and Mountain View might just become your new happy places in coming weeks with the opening of Berkeley’s famed Boichik Bagels and the return of Rözmary Kitchen’s sandwich pop-ups at the Midwife and The Baker.

‘This is just the beginning’ for Boichik Bagels

After a glowing writeup in the New York Times and the announcement of plans for a bagel factory and second retail location in 2021, Boichik Bagels owner Emily Winston is starting 2022 off with even more big news: She’s opening a new outpost of her Berkeley-based shop at Palo Alto’s Town & Country Village this summer.

Housed in between CVS and Wildseed, the planned second location for the vegan eatery, Boichik joins Manresa Bread as another new addition to the shopping center this year.

“My operations guy is awesome and chomping at the bit to have more operations to run,” Winston said. “It’s definitely going to be a challenge and we’re going to learn a lot from it.”

“More operations to run,” Winston said. “It’s definitely going to be a challenge and we’re going to learn a lot of stuff, but it’s theoretically very doable.”

“People want a good bagel down here, that’s for sure, and they prefer not to drive an hour.”

Boichik Bagels (coming soon), 855 El Camino Real, Suite 115, Palo Alto; boichikbagels.com. Instagram: @boichikbagels.

Rözmary Kitchen’s weekly sandwich pop-ups return

After a three-month hiatus following the birth of their first child, Rözmary Kitchen operators Nick Rappoport and his wife, Melissa Johnson, are bringing back the sandwich pop-up that they launched a year ago in collaboration with The Midwife and the Baker in Mountain View.

Rözmary Kitchen will be back at The Midwife and the Baker every Friday, starting Feb. 4, serving up seasonal sandwiches made on the bakery’s bread. The sesame Dutch Crunch, hoagie-style rolls that the bakery began making especially for the pop-up will return, along with sandwiches made on sesame rolls and ciabatta. They’re also offering a salad option again, with the current Big O’ Market Salad ($10) featuring pickled veggies, lettuces, cucumbers, citrus, chicken, crispy shallots and seeds and creamy red wine tahini vinaigrette.

“Every sandwich is unique,” Rappoport said. “Most of our product is housemade: the pickles, all the sauces, aiolis — just keeping it fresh and simple.”

The Fanucchi sandwich ($16), served on a sesame roll with prosciutto capicola, sharp provolone, cherry peppers, fresh mozzarella and fresh arugula, is Rappoport’s personal favorite.

“It’s really going to happen this next year.”

“The Fanucchi sandwich is awesome. We’re not sure where or when, but this gives us a chance to test out the sauces and see which ones people gravitate toward so we can get a collection of big hitters for a menu when the time comes to open up.”

Johnson said she and Rappoport learned a lot during the first year of their pop-up, between operating in farmers markets and running online ordering, and are eager to return to Mountain View.

“It was really great. When people found out we were having a baby, people were congratulating us, giving us gifts, checking in with us as we’ve been on leave,” she said. “We’re really appreciative of all of our customers and are really excited to see what’s going to happen this next year.”

Rözmary Kitchen pop-up at The Midwife and the Baker, 846 Independence Ave., Mountain View. Every Friday from 10 a.m. to 2 p.m.; preorders only. Preorders start at 10 a.m. every Wednesday, rozmarykitchen.com. Instagram: @rozmary_kitchen. The Midwife and the Baker, 650-336-7697, themidwifeandthebaker.com. Open Tuesday through Saturday, 7 a.m. to 12:30 p.m. Instagram: @themidwifeandthebaker.

Email Editor Julia Brown at jbrown@thesixfifty.com.

Pork n’ Greens, an Italian roast pork shoulder sandwich, is on the menu at Rözmary Kitchen’s weekly pop-up at The Midwife and the Baker.

Emily Winston is opening up the first Peninsula location of her popular bagel shop, Boichik, in Palo Alto’s Town & Country Village.

“Eating Out” By Julia Brown and Sara Hayden

“Carb cravings” Boichik Bagels to open in Palo Alto, while Rözmary Kitchen’s sandwich pop-ups return to The Midwife and the Baker

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“The Palo Alto location will offer the same chocolate malted iced coffee, bagel and sandwich offerings as the original Berkeley eatery, with tables and chairs outside for dining. The dough will be made at the Berkeley store and delivered to the Peninsula, where the bagels will be boiled and baked.

Once the West Berkeley bagel plant is up and running this fall, all of Boichik’s dough will be made there, supplying Winston’s stores, as well as supermarkets, Winston said.

“This is just the beginning,” she said. “We’ve got big plans, that’s why we’re building a big plant.”

Winston grew up in suburban New Jersey with fond memories of eating H&H bagels as a treat when her father’s business would take him to New York City’s Upper West Side. In 2011, H&H was shut down for tax fraud, news that hit Winston “like the death of a loved one I just hadn’t been in contact with in a long time,” she says on her website.

“And so I embarked on what became my five-year quest, through trial and error, to create a bagel I longed to eat,” she said.

Winston said a big population of native New Yorkers, along with an existing fan base built up through delivery orders and hour-long drives to Berkeley, is part of what drew her to signing a lease in Palo Alto.

“People want a good bagel down here, that’s for sure, and they prefer not to drive an hour.”

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Golden State
HEART & VASCULAR

Dr. James Joye
Dr. Ajanta De
Ros and John know first-hand the particular challenges of navigating old age alone. The longtime married couple, who agreed to share their story but asked that their last names not be published to protect their privacy, are childless and without immediate family to provide them needed care as they age.

John, a software engineer, was diagnosed with cancer in 2005 at age 49, and had to stop working remotely for Stanford University. When he was young, he and his wife Ros, who is in her 60s, looks after him needs considerable care. Ros, difficulty walking, suffers from sickness alone. The longtime married couple, who agreed to share their names not be published to protect their privacy, are childless adults.

Ros and John are among a growing group of “solo agers” — couples who do not have children and need to plan for their future care.

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Senior Focus

HELP WITH TAXES ... The AARP Tax-Aide program is offering tax assistance and electronic filing on Fridays from Feb. 4 through April 15 at Avenidas, 450 Bryant St. The program is intended for low- to moderate income tax-payers with special emphasis on those over age 60. The service is by appointment only and tax documents are required. To make an appointment, call 650 289-5400 and leave your name and phone number.

UPDATING ESTATE PLANS ... Los Altos estate planning, probate and trust lawyer Deborah G. Kramer Radin will discuss considerations around freshening up estate planning documents in a free, virtual presentation on Thursday, Feb. 10, at 1 p.m. To register, go to avenidas.org, click on “classes” and search for “will and trust.”

VILLAGE POWER ... Members of Avenidas Village will mark the group’s 15th anniversary on Tuesday, Feb. 15, with a free, virtual discussion of how senior “villages” make it easier for older adults to remain in their own homes as they age. The event coincides with National Villages Day, marking the 20th anniversary of the first “senior village” — Boston’s Beacon Hill Village. The movement has grown to more than 300 community-based senior villages with more than 40,000 members nationwide. Avenidas Village, founded in 2007, is a dues-based organization of seniors living in their own homes in and around Palo Alto. The organization helps members coordinate daily living and social and recreational activities: home maintenance, health, transportation, social engagement, care giving, end-of-life concerns and other challenges that often confront older adults. To register for the free, online event, scheduled for 3 p.m., go to avenidasavillage.org.

MUSIC AND LOVE STORIES ... The Community Tuesdays program at the Oshman Family Jewish Community Center will present Romantic Passions: Classical Composers and Their Stories of Heartbreak on Tuesday, Feb. 15, from 1 to 2 p.m. Plianist and host Ian Scarfe will be joined by clarinetist James Pytko and cellist James Jaffe as they share music and love stories centered around composers Michael Glinka and Johannes Brahms. The event will be offered via livestream and in person at the JCC’s Schulitz Cultural Arts Hall. Admission is $20 at the door. Advance reservations suggested. Contact Michelle Rosengaus at mrosengaus@paloaltojcc.org or 650-223-8616.

RETIREMENT SAVINGS ... Many adults approaching retirement age may not be financially prepared. According to the U.S. Census Bureau’s Survey of Income and Program Participation, 49% of adults ages 55 to 66 had no personal retirement savings in 2017. Among the survey, 22% of women have $100,000 or more in personal retirement savings compared to 39% of men. The vast majority of the nation’s 54 million adults 65 and over participate in Social Security (86%) and Medicare (93%). Among older adults getting both Social Security and Medicare in 2019, 16% received needs-based assistance from the government, such as rental subsidies or nutrition assistance, according to the survey.

Items for Senior Focus may be emailed to Palo Alto Weekly Contributing Writer Chris Kenrick at ckenrick@paweekly.com.
Silicon Valley REALTORS’ Announce Scholarship Program for High School Seniors

The 23rd annual Silicon Valley REALTORS’ Scholars Program for graduating seniors from 18 public high schools in Silicon Valley is under way. The scholars program is sponsored by the Charitable Foundation of the Silicon Valley Association of REALTORS® (SVVAR), a professional trade organization representing 5,000 REALTORS® and affiliate members engaged in the real estate business on the Peninsula and in the South Bay. The REALTOR® scholars program is a partnership with local public high schools in SVVAR’s service area. Principals and faculty at 18 participating high schools nominate three exceptional graduating seniors. Final selections will be made by a committee that includes representatives from SVVAR.

The Charitable Foundation will award $1,500 to one nominee from each school in recognition of their exemplary record, outstanding academic performance and community spirit. Since its inception, the program has awarded $409,500 in scholarships to high school seniors in Silicon Valley.

“This program is part of a long-term effort to make an investment in our collective future – our youth,” said Tina Yamaguchi, Silicon Valley REALTORS® Charitable Foundation Scholars Program chair. “The annual scholarship program is our way of thanking the students, teachers, administrators and school board members in our communities for their hard work and dedication to make the schools in our communities among the best in California and in the nation.”

The participating schools include Leigh High School and Lynbrook High School in San Jose, Westmont High School in Campbell, Fremont High School in Sunnyvale, Los Altos High School in Los Altos, Los Gatos High School in Los Gatos; Gunn High School and Palo Alto High School in Palo Alto, Menlo-Atherton High School in Atherton; Santa Clara High School and Wilson High School in Santa Clara, Cupertino High School, Homestead High School and Monta Vista High School in Cupertino; Prospect High School and Saratoga High School in Saratoga; Mountain View High School in Mountain View; and Woodside High School in Woodside.

The scholarship is open to graduating seniors from the above-mentioned high schools who plan to attend a four-year U.S. college or university in the fall. Scholarship applications and a list of other requirements may be obtained from the student’s school guidance or career counselor. The completed application must be returned to the high school’s principal or career counselor by Friday, March 4, for submission to the Silicon Valley REALTORS® Charitable Foundation. For further information, please contact Tina Yamaguchi at (408) 861-8822 or tina.yamaguchi@cnb科尔.com.

Information provided in this column is presented by the Silicon Valley Association of REALTORS®. Send questions to Rose Mely at rmely@silvar.org.
Some brokers claim they don’t know where local materials are going. Others know but don’t want to tell. Others seemingly don’t want to know.

So most of the local materials continue to get exported, much of it to destinations unknown. GreenWaste reported that about 60% of the 164,681 tons that it recovered from local recycled material in 2021 went abroad, while 39% went to domestic markets. All of the paper GreenWaste received was exported, as well as 95% of all rigid plastic and film plastic.

The biggest questions pertain to cardboard. GreenWaste recovered 67,593 tons of cardboard from local recycling bins, making it by far the largest category of material. It exported 95% of its cardboard, working through brokers such as Novato-based CellMark Inc., Orange-based Newport CH International and Berg Mill Supply, which is based in Los Angeles.

All three of these companies declined to disclose where the cardboard goes. OGO Fibers, which is based in Canada, was somewhat more forthcoming, reporting that the cardboard it gets from GreenWaste goes to Thailand, Vietnam, Malaysia, Korea and India. The brokerage Super Link International and Berg Mill Supply, which is based in Los Angeles.

With few exceptions, brokers have not been forthcoming about where the waste goes next. And GreenWaste acknowledges that it and other haulers dealing with these brokers have not been keen on pressing the issue.

Given the current state of the market, brokers are “not in a position to place requirements on customers,” according to the hauler.

“Moreover, information on commodity markets, pricing, buyers and other information pertaining to commodity sales transactions constitute confidential and proprietary corporate trade secrets,” the GreenWaste report states.

Disclosure of trade secrets could risk the loss of markets for specific materials such as clamshells or film plastics and jeopardize relationships with buyers, potentially leading to lost business, GreenWaste states.

The problem of tracing the destination of local trash became more acute in 2018, when longtime purchaser China closed off its market to almost all recyclable goods, leaving many nations, states and cities scrambling for new markets. The uncertainty in the market, as well as questionable labor and environmental practices in new markets, prompted the council to adopt the new tracing policy.

Just before the council voted in 2019 to approve the new GreenWaste contract, with the traceability provisions, City Manager Ed Shikada said that he believes Palo Alto is “really breaking new ground in taking responsibility for what really is an international crisis.”

GreenWaste argues in the new report that the task has proved all but impossible for some of the material that gets shipped abroad. At the same time, though, it has been able to find domestic markets for other materials, including for 100% of the locally recycled aluminum cans, aluminum foil, tin and glass.

It also has found domestic markets for 99% of local high-density polyethylene (HDPE) plastic (which is commonly used for milk jugs and shampoo bottles), as well as for 99% of polyethylene terephthalate (PET) plastic (the type that is often used for soft drink bottles).

In its report, GreenWaste offered other ideas for ensuring that local waste is diverted from landfills. One proposal is for a pilot project in which mixed paper is shredded and composted. Another would create a process for GreenWaste and the city to quickly respond to availability of domestic processors, even at a higher cost.

Yet another calls for exploring gasification for diapers and problematic plastics, a process that would convert these materials to natural gas. To date, the technology has been cost-prohibitive, according to the hauler.

The city is also considering alternative strategies. A new report from the Public Works Department acknowledges that the lack of information from GreenWaste and its brokers, “it is not possible to definitively determine whether the materials are being recycled properly or whether they may be causing environmental or social problems.” In response, staff is having conversations with other cities that have their recyclable materials processed at the GreenWaste facility about “requesting greater accounting of secondary markets utilized for recyclable materials.”

Initial feedback is that the majority of jurisdictions do not have recycling traceability requirements within their contracts but are interested in either joining a discussion forum or minimally being informed of Palo Alto’s progress,” the report states.

The city is also communicating with local legislators about developing policies that would require tracking of recyclable materials. This could involve creating a certification process to verify that recyclables are actually recycled and to “keep recyclables within the United States where laws and regulations can protect the environment and human health.”

Email Staff Writer Gennady Sheyner at gsheyner@paweekly.com.
Police

(continued from page 5)

move was criticized by police watchdogs and some City Council members for significantly reducing transparency in the police department.

City Manager Ed Shikada said during Monday’s council meeting that the new map provides “near real-time information” on police responses to calls for service. The information, he said, is posted within an hour of the call. He called the new service “groundbreaking.”

"This new online map has been eagerly anticipated by many of us for a while," Shikada said.

Chief Robert Jonsen called the map, which is in beta mode, “innovative.”

Email Staff Writer Gennady Sheyner at gsheyner@paweekly.com.

TALL TREE

(continued from page 7)

coronavirus pandemic.

The only other recipients of the Global Impact Award were Stanford University President John Hennessy in 2013 and philanthropists Gordon and Betty Moore in 2017.

The Tall Tree Awards have been given to community members since 1980, but the 2020 awards event was put on hold after the pandemic shutdown was announced in March 2020. The 2021 event was canceled.

Now, four recipients chosen in 2020 and four from 2022, in addition to Cody and Malandro, have been announced and will be celebrated for their civic contributions.

The winners for outstanding nonprofit are theater company Palo Alto Players (2020) and land-conservation group Peninsula Open Space Trust (2022).

The outstanding business awards go to commercial real estate firm Premier Properties (2020) and hotelier Homewood Suites (2022).

The Tall Tree ceremony will be held at the Oshman Family Jewish Community Center at 3921 Fabian Way, Palo Alto, from 5:30 to 8 p.m. on April 21. The plan is to hold an outdoor reception and indoor presentation of awards, public health conditions permitting.

The cost to attend is $100 per individual. More information about the Tall Tree Awards, including ticket purchasing, will be posted at paloaloohoch.com on Feb. 7.

— Palo Alto Weekly staff

CityView

A round-up of Palo Alto government action this week

City Council (Jan. 31)

Relocation assistance: The council voted to expand the city’s law on relocation assistance for tenants facing eviction so that it applies to all apartment buildings with 10 or more dwellings. Yes: Burt, Comack, D’Bois, Filetti, Kou. No: Tanaka. Recused: Stone.

Water rights: The council discussed a proposal from Mayor Pat Burt and Council member Alison Comack to explore selling a portion of the city’s water rights to another jurisdiction served by the Bay Area Water Supply and Conservation Agency. The council did not vote on the proposal after most members expressed opposition. Action: None.

Council Finance Committee (Feb. 1)

Utilities: The committee recommended that the city activate the electric hydro rate adjustment (E-HRA), a surcharge that is used to maintain long-term rate stability. Yes: Unanimous.

Utilities Advisory Commission (Feb. 2)

Fiber: The commission discussed community engagement efforts relating to the city’s expansion of its fiber-optic network. Action: None.

Electricity: The commission received a presentation on modernization of electric distribution infrastructure. Action: None.

OPEN SAT & SUN 1:00 - 4:00 PM

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* Courtesy of The Law Offices of Michael J. Repka

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Across
1. Air marshal’s org.
4. Hilarity, on the Interwebs
8. West ___ (Long Island locale)
13. “Believe” singer
14. Opera showstopper
15. See 22-Across
16. Flag position in remembrance
18. Go inside
19. Holiday visitor, maybe
20. “Along with all the rest” abbr.
23. Robbie who was Cousin Oliver on “The Brady Bunch”
26. “Famous Potatoes” state
28. Meat and mushroom dish originally made with a mustard and sour cream sauce
33. Notable time division
34. Appear
35. Column style simpler than ionic
37. Bits of work
39. Prepares, as kiwifruit
42. Prefix before “plasmosis”
43. Ancient artifact
45. First-timer, slangily
47. Yes, in France
48. German-born NBA player who appeared multiple times on “Parks & Recreation”
52. “You ___ not pass!”
53. Gang leader?
54. Mo. for most of Sagittarius
56. Promotional bit
58. Skewered dish
62. Knock for ___
64. 1986 Fabulous Thunderbirds song (or the album it was on)
67. Neutral brownish color
68. Singer Fitzgerald
69. Low quartet?
70. Adjust to fit

Down
1. “Easier said ___ done”
2. Put on the marketplace
3. Pound sound
4. Back muscle, in the gym
5. “Koa ___” (Maori greeting)
6. Subject of many toasts
7. Rubenesque
8. Country with fjords
9. “Sanford and ___”
10. What uncramped areas have
11. Furniture store with meatballs
12. Salon do
13. Sox home, on scoreboards
14. Opera showstopper
15. See 22-Across
16. Flag position in remembrance
18. Go inside
19. Holiday visitor, maybe
20. “Along with all the rest” abbr.
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26. “Famous Potatoes” state
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This week’s SUDOKU

Answers on page 22.
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51 FAIR OAKS LANE, ATHERTON

$4,250,000 • 3 Bed • 2.5 Bath • 51FairOaksLn.com
Elyse Barca
650.745.0734
DRE 01006027
Lily Billings
415.637.4495
DRE 02142106

425 ALDER LANE, PALO ALTO

$3,198,000 • 5 Bed • 3.5 Bath • 425AlderLn.com
Lynn North
650.703.6437
DRE 01490039

4126 WISTERIA LANE, PALO ALTO

$2,400,000 • 3 Bed • 2.5 Bath • 4126wisteria.com
Carol Carnevale, Nicole Aron &
James Steele Team
650.465.5958
DRE 00946687 | DRE 00952657 | DRE 01872027
Lily Billings
415.637.4495
DRE 02142106

55 NORTH 20TH AVENUE #109, SAN MATEO

$999,000 • 2 Bed • 2 Bath
Sean Foley
650.207.6005
DRE 0087012

550 PALO ALTO AVENUE, MOUNTAIN VIEW

Call for details • 2 Bed • 2 Bath
Kathleen Wilson
650.207.2017
DRE 00902501

555 BYRON STREET #107, PALO ALTO

Call for details • 2 Bed • 2 Bath • 555byron107.com
Kathleen Wilson
650.207.2017
DRE 00902501

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