

COMMUNITY

Art exhibition explores Palo Alto's 'hidden' public spaces

'Public Benefit' encourages the community to exercise its right to its 'POPOS'

By Karla Kane

A lush garden behind a seemingly locked gate. A plaza featuring restaurant seating and nude warrior sculptures. A concrete triangle. Those are just a few of the 12 "POPOS" (privately owned, public open spaces) sprinkled around Palo Alto — alleys and nooks that many may assume are off limits but are in fact, technically, open to everyone.

The POPOS are the result of past development deals that mandated the creation of "public benefit" elements as part of the city's once contentions and recently rebranded "Planned Community" zoning program, which grants developers zoning exemptions in exchange for plazas, art installations and other community benefits. In her mixed-media art exhibition "Public Benefit," Palo Alto artist Lisa

Van Dusen explores these "public spaces hidden in plain sight," as she put it, drawing on (no pun intended) diligent research, an appreciation for absurdity and a passion for community engagement to shed light on these slices of the city and, she hopes, inspire the public to better use what it's owed.

The exhibition, installed on the first floor of Avenidas' downtown facility at 450 Bryant St., is made up of seven pieces, including "Deals Were Made," a wall display of zoning ordinances; "For You, Really," an offering of buttons proclaiming "Public"; and "Glimmers: Map Piece," mixed-media collages incorporating maps, watercolors, sketches, thread and more devoted to each POPOS.

As part of "For You, But Not Really," a transparent ballot box

that appears to be locked, containing a mini park bench with a sign that says "free," is a playful nod to spaces that are accessible in theory but not always in practice. "Glimmers: Video" (also available online) offers more information and shows a few of Van Dusen and others' efforts to use some of the spaces — holding a pop-up yoga class and an evening dance party, for example. "The Archive" gives a peek into her research process and sources of inspiration. Van Dusen's website offers a guide to each POPOS, the descriptions often laced with wry humor.

The goal of the project is to help the public realize it has rights to these areas and to consider how to best actually benefit from them.

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Courtesy Lisa Van Dusen

Artist Lisa Van Dusen looks up at "Deals Were Made," part of her "Public Benefit" exhibition at Avenidas through Oct. 31.

COURTS

Bulos Zumot found guilty of 2009 murder after retrial

Former owner of Palo Alto hookah shop was charged with killing his girlfriend, Jennifer Schipsi

By Riley Cooke

A second jury on Wednesday found Bulos "Paul" Zumot guilty of murdering his girlfriend Jennifer Schipsi in 2009 following a retrial in which Zumot hoped that additional evidence would support his alibi on the day of the murder.

Zumot, who formerly owned a downtown Palo Alto hookah shop, was convicted of murder and arson in 2011 for killing Schipsi on Oct. 15, 2009, and setting their shared cottage on Addison Avenue in Palo Alto ablaze. He was sentenced to 33 years in prison at the time.

But Zumot successfully petitioned for a retrial in 2020, when U.S. District Court Judge William H. Orrick found that Zumot's legal counsel, led by celebrity attorney Mark Geragos, fell "below the objective standard of reasonableness."

The retrial began in August in Morgan Hill after years of delays, and the jury went into deliberations last Friday afternoon. The jury reached its verdict on the 16th anniversary of the murder.

This jury also found Zumot guilty of arson, according to Deputy District Attorney Michael Gadeberg.

Several witnesses and Palo Alto Police Department officers were present during the Oct. 15 video broadcast of the verdict reading,

including Lt. Kara Apple, who audibly cheered when the clerk read that the jury found Zumot guilty of first degree murder.

"Screw that guy!" she yelled, in reference to Zumot.

After visible confusion from the clerk and members of the jury, the video stream from the courtroom was cut.

"Turn it off altogether," someone in the courtroom said shortly before the broadcast ended.

People tuning into the broadcast were advised to keep their camera and microphone off during the verdict reading.

Zumot was convicted in 2011 of murdering Schipsi and setting fire to the cottage in what prosecutors successfully argued was an attempt to cover up the evidence. At the time of the murder, Zumot owned a hookah lounge called Da Hookah Spot in downtown Palo Alto that was at the heart of the alibi he presented to the jury.

It took years before Zumot was granted a writ of habeas corpus and a retrial, and years of further delays for that trial to actually begin. U.S. District Court Judge William H. Orrick wrote in 2020 that Zumot's initial legal counsel — led by celebrity attorney Mark Geragos — fell "below the objective standard of reasonableness."

One of the key pieces of evidence in the retrial was new DNA

and forensic analysis and surveillance footage from Da Hookah Spot on Oct. 15, 2009, the day of the murder. The defense hoped the security camera clips would be enough to convince the jury that Zumot was at the hookah lounge about 10 minutes before a fire truck speeds past, which would not leave Zumot enough time to have set the cottage on fire and return to the shop.

The jury began to deliberate on Oct. 10, nearly two months to the day after the retrial began. In the last three weeks of the retrial, the prosecution and defense teams examined about two dozen witnesses, including several Palo Alto police officers, forensic experts and friends and relatives of both Zumot and Schipsi.

Many were involved in the initial investigation and served as witnesses in the 2010 trial, including Aaron Sunseri, who was the lead Palo Alto detective on the case. Schipsi's grandfather Philip and her younger sister Shelby also testified in the retrial, according to court records. The list of expert witnesses included forensic psychologist Dr. Mindy Mechanic and fire debris expert Douglas Byron.

One major reason behind the delay in the retrial is the prosecution's difficulty in contacting witnesses and experts, some of whom



Sketch by Vicki Ellen Behringer

Bulos Zumot is depicted in this sketch from his 2011 trial.

had retired in the years since the first trial in 2011, according to the District Attorney's Office.

The evidence presented to the jury ranged from text messages and photos to DNA analysis and latent fingerprints, according to court documents.

The prosecution also sought a witness in Daniel Carlos Garcia, an inmate from Corcoran State Prison who was brought without advance notice to Santa Clara County on Sept. 1.

Garcia wrote in a motion that his only connection to Zumot was a "brief acquaintance" about 10 years ago when the two were both housed at the Salinas Valley State Prison. Although the prosecution compelled him to testify, Judge Javier Alcala granted Garcia's motion to quash the subpoena because Garcia's previous traumatic experiences in the Santa Clara County Jail were causing him extreme

distress and he would not be able to provide reliable testimony.

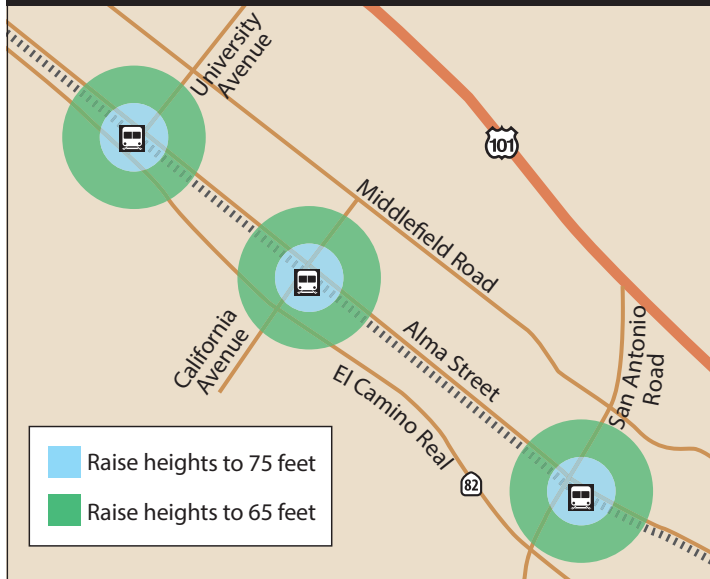
Alcala ordered that Garcia be transported back to Corcoran State Prison by Oct. 7 and that other documents related to Garcia's psychological health be placed under seal for his privacy.

Zumot will return for sentencing on Nov. 21, according to the District Attorney's Office. He faces life in prison, the office said in a statement.

"Justice for Jennifer took far too long," District Attorney Jeff Rosen said. "Her family, the Palo Alto police officers, my prosecutors, and this community, never forgot her. This week, 16 tragic and frustrating years later, this defendant found out that you can't play the system forever. You can't get away with murder in Santa Clara County." ■

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How SB 79 will impact Palo Alto



The map shows areas in Palo Alto where SB 79 would raise heights to 75 feet (in blue) and 65 feet (green).

SB 79

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opposition to the provisions of the bill, there is at least a strong possibility that the council will explore alternative paths to compliance.

The council will discuss SB 79 and its implication for the downtown planning processes at its Oct. 22 meeting. Whichever path the city chooses is almost certain to lead to taller buildings

and more housing units than many in the city had anticipated just months ago, when Palo Alto commenced its new plans for the downtown and San Antonio Road.

"In the end, if development does happen, then it helps us meet the (regional housing) goals, so that's not a bad outcome," Akin said. "It's just that there will be other consequences that we don't have any real way to plan for."

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Spaces

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Van Dusen said she's interested not in dwelling on past decisions but in exploring the possibilities.

"What was done was done, but what are we going to make of these spaces?" Van Dusen said. "That to me is where the art comes in, and the activity comes in." She hopes that visitors will come away from the exhibition with plenty of ideas of their own. The most important thing is empowering the public simply to be there.

"Your presence alone serves as an invitation to others who 'didn't know,'" as Van Dusen puts it in her description of the wedge of POPOS at Homer Avenue and High Street.

She recalled her experience bringing a picnic to the Sheridan Plaza POPOS, occupied by outdoor seating for Caffè Riace. To the uninformed, it could appear to be reserved only for cafe patrons, and Van Dusen comedically rolled out a long "scroll" of printed ordinance information to show to the restaurant representative that she was allowed to be there.

Ivy Park, the assisted living and memory care community, has two POPOS areas, neither of which were easy to locate. With the help of Ivy Park's executive director, Van Dusen learned that one of the areas is a small lawn, apparently

intended to be a dog park. By reading the ordinance, the director learned that there were meant to be seating options, which she told Van Dusen she would order.

"She was eager to be compliant. You can see how this happens. There's not necessarily institutional memory of these things, and there's certainly no enforcement about it," Van Dusen said, of how the POPOS go undiscovered and underused. Some infrastructure in the form of adequate signage and maps could help a lot in rectifying that, she said.

Van Dusen has a background in philanthropy, social entrepreneurship and media. She worked for the Palo Alto Weekly (a publication of Embarcadero Media) for nearly two decades and was honored last year by the Palo Alto Chamber of Commerce's Athena Leadership Award for her work building community and supporting local organizations, including the Palo Alto Community Fund. The year-long (so far) "Public Benefit" project is part of her MFA program in interdisciplinary arts at the University of Nevada, Reno, at Lake Tahoe. She said she is inspired by social practice art, which emphasizes collaborative, community-engaging work.

"Public Benefit" is on view at Avenidas through Oct. 31, with the website ongoing. An artist talk, moderated by Palo Alto Art Center Director Karen Kienzle, and reception will be held Oct. 22,

5:30-7:30 p.m., and guided tours will be offered throughout the exhibition's run, including on Oct. 25 at 11 a.m., starting at Avenidas.

"We're proud to collaborate on an exhibition that welcomes the Public in the broadest sense, raising awareness of these valuable public assets — some just steps from our downtown Avenidas location — intended to be open and accessible to people of all ages and stages of life," Avenidas President and CEO Kristina Lugo stated in a press release.

While this project is hyperlocal to Palo Alto, the themes explored have a wider scope, exploring urban planning and overall erosion of access to public space — physically and conceptually.

"It's such a kind of microcosm, or concrete manifestation, of things that are much larger questions and issues," Van Dusen said. And, as she wrote in her artist statement, "If the public doesn't exercise its power, it risks losing it."

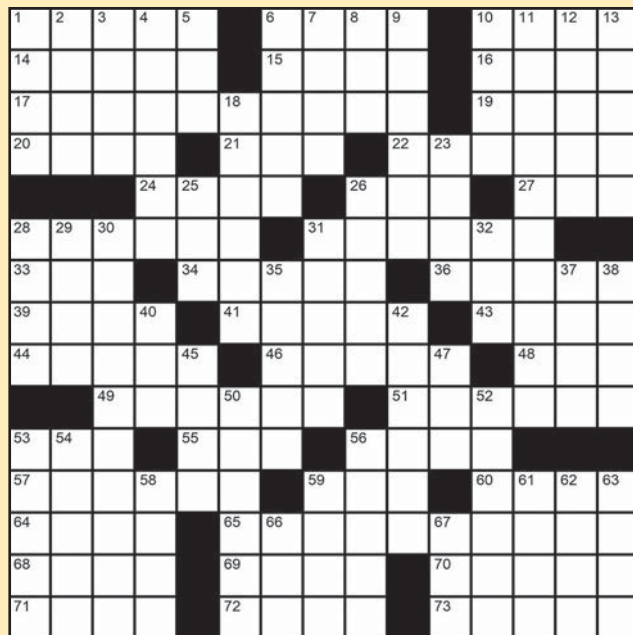
Email Assistant Lifestyle Editor Karla Kane at kkane@pawekly.com.

'Public Benefit' is on view through Oct. 31 at Avenidas, 450 Bryant St., Palo Alto; open Monday-Friday from 9 a.m. to 5 p.m. and Saturday, Oct. 25, from 9 a.m. to 5 p.m.; paloaltopopos.org.

"On and On" — two things follow on.

Across

1. 2006 mockumentary full of catchphrases
6. Prefix before spa
10. Lines of fashion
14. Keyboard exercise piece
15. Piece of news
16. Leave off
17. Sponsored product used only for testing purposes?
19. Ship's mast
20. Jukebox choice
21. ___ ...tats-Unis
22. One-named "Queen of American Folk Music"
24. Ancient Egyptian bird
26. Pair count
27. Rocket's deviation
28. Weak excuse
31. Lahore's region
33. Eggs
34. Ornamental plant
36. Floating
39. Exercise units
41. Alleviates
43. "Tomb Raider" protagonist Croft
44. Joints that may get shaky
46. It's a crowd, so to speak
48. Letters that used to follow CD
49. Land holdings
51. Result of brushing against wet ink
53. Seer's skill
55. "30 Rock" star
56. Man-goat creature
57. Purple flower
59. May honoree
60. You, to Quakers
64. Highlight of some musical performances
65. Intermission of a play?
68. Refuse to authorize



Puzzle answers can be found on page 31.

69. Bunch
70. Heart stat
71. Docs that use endoscopes
72. Follow
73. Cheesy sandwiches

Down

1. Racetrack transactions
2. "___ Atardecer" (2022 Bad Bunny track meaning "Another Sunset")
3. Archaeological site
4. Slow movement, in music
5. Hebrew for "hill"
6. Gets stuck
7. Airline approximations
8. Hobby room
9. "Sounds fun"
10. Garden shed implement

11. Chess game with no pieces?
12. 1989 Mazda debut
13. Milkshake insert
18. Cheerful and carefree
23. ___ Cat ("SNL" Season 51 opening musical guest)
25. Ride around town, maybe
26. Ube, for one
28. Stopper
29. Cookie sheet destination
30. The nose of a folded airplane?
31. Overly assertive
32. The whole thing
35. In disrepair
37. Pond dweller
38. Domesticated
40. Perceive

42. Source of some bun seeds
45. Sound's partner
47. Jazz ___ (comedic musician named for a flightless bird)
50. Releases
52. Not so
53. Get away from
54. Ambulance sound
56. Low-visibility, in a way
58. Big name in chips
59. Lipizzaner feature
61. It's for children, according to Pat Benatar
62. Oregon-to-New York direction
63. ___ out a victory
66. Key near Q
67. Heart stat, for short



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