

RECOUNT

next to the Woodside Community Museum. The final result by the election's office was with 1,160 votes, or 50.11%, approving the measure while 1,155 Woodside residents voted no on the measure. The measure only needed a simple majority to win.

The recount was requested by resident Alan Watkins, according to Assistant Chief Elections Officer Jim Irizarry.

\$8,000 recount

Any voter can request a recount, Irizarry said, citing the state elections code. The recount, expected to begin today at 9 a.m., will take no more than two days and will cost \$4,000 a day, Irizarry said. Watkins will be responsible for paying for the recount.

The Post tried to call Watkins but did not hear back.

If the ayes still have the majority, the projects don't have the green light even though the measure has officially passed. Instead, this starts the process where town leaders could decide whether to move forward with each project. Current laws on the books require voter approval of such projects.

Opponents of the measure said there are other outdoor dining options for Woodside residents. Primary opponent, Don Pugh, said trees could be cut down and trails moved if the projects go forward.

Primary proponents Alex Tauber and Peter Bailey, wrote on their side's website that the "sense of community built around sharing a meal extended into the question, 'Why doesn't Woodside have a community gathering spot?'"

Tauber and Bailey also said that a conditional use permit would be voted on by the town council if an amphitheater does get built, which would prohibit events such as loud rock concerts.

History of recounts

Irizarry said there have been three recounts in the last 43 years, the most recent was in 2005 for a Half Moon Bay City Council seat where an incumbent challenged the 14 vote win of his opponent.

In 1990, a recount was held regarding the results of the county coroner's race, which was not changed.

In 1978, however, there was a recount over an Assembly seat that did reverse the results of the race, Irizarry said.

The first-ever recount occurred in the Nov. 2, 1886 election for county auditor. Although three additional votes for the loser turned up, it did not change the results of the election, according to Irizarry.

This is hardly the first time where the number of ballots that separate the winners from losers could be counted on your fingers.

In the November 2016 election, Lynette Lee Eng defeated Neysa Fligor by just five votes for a seat on the Los Altos City Council. But it took 58 days — until Jan. 5, 2017 — to determine the winner in that race due to a recount and an audit of the vote. Fligor ran for council in 2018 and secured a seat.

In November 1998, Nicholas Jellins eked out a four-vote victory over Bernie Valencia for a seat on the Menlo Park City Council.

year, preventing the public and journalists from listening to police activity in real time.

FUSE

ments filed by Rosen's deputy prosecutor on the case, Jason Malinksy.

Benitez was called to Buena Vista Mobile Home Park by Officer Christopher Conde, who saw resident Gustavo Alvarez driving home and suspected him of driving with a suspended license.

Conde followed Alvarez home, and Alvarez parked in his driveway, went inside and refused to come out.

Four officers responded as backup, including Benitez and DeStefano. Home surveillance video captured Benitez kicking down Alvarez's door, pulling him outside and pinning him to the hood of his car.

Three officers wrestled with Alvarez's arms to put handcuffs on, and Benitez hit Alvarez in the head and told him to shut up.

After Alvarez was handcuffed, Benitez lifted him up by his sweatshirt and slammed him back down into the car.

"You think you're a tough guy, huh?" Benitez said before walking Alvarez to a police car.

Alvarez said he was bleeding, and Benitez responded, "You're going to be bleeding a whole lot more," and "What's wrong — you're not so tough now."

Later that night, DeStefano told Officer Kevin Mullarkey about the incident in car-to-car messages, referring to Benitez by his nickname "the fuse," according to Rosen.

Here's the exchange:

DeStefano: "You missed out — the fuse was lit tonight!"

Mullarkey: "That's my favorite thing ever ... I saw it go off before when I was brand new and I was like this is what it's like in Los Angeles."

DeStefano: "Yup ... it happened tonight."

Mullarkey: "Amazing ... I love it ... that's a 100% real cop right there."

DeStefano: "We got to 87 later ... I want to hear it and tell you what I saw ... allegedly."

Mullarkey: "Let me know."

To "87" is presumably a police code for meeting up.

Written report contradicted video

Benitez wrote in his police report that "no other force was used" beyond grabbing Alvarez's shirt to handcuff him. The home surveillance video, which was recorded without the officers knowing, didn't come out until Alvarez's attorneys shared it nine months later in April 2019. Benitez retried in September 2019 and was charged with two misdemeanors in October 2020. He is free on bail.

DeStefano left the department in September, and the city won't say why. He is named in a separate use-of-force lawsuit for grabbing Palo Alto resident Julio Arevalo by the wrists and swinging him to the ground outside of a donut shop.

The lawsuits are stacking up against Palo Alto police: Arevalo is suing the city for \$10 million, and a third man, Joel Alejo, is suing Palo Alto for \$20 mil-