

Letters to the editor

Rotary's fight against polio

Polio is not something we think about, and there's a reason. In our country it has been wiped out. Worldwide, almost.

October 24 was World Polio Day, providing a good time to reflect on what has been accomplished.

In 1988, some 350,000 cases were reported in 122 nations. Thanks in no small part to Rotary, cases reported globally last year were down to 13, split between Afghanistan and Pakistan. In partnership with the World Health Organization and the Bill and Melinda Gates Foundation, the campaign launched by Rotary International in 1985 has been a phenomenal success.

Many are old enough to remember the scourge of polio. At its peak in 1952, 57,628

cases were reported in the U.S. However, with the introduction of the Salk vaccine in 1955, the number began to drop dramatically.

Since Rotary International spearheaded the ambitious campaign 30-plus years ago, more than 2.5 billion children have been vaccinated globally. Although the wholesale cost of an orally administered drop of vaccine is under 50 cents, cumulatively the cost is in the billions. Until the disease is totally eradicated, Rotary will continue to fund the effort.

Cliff Dochterman, now in his 90s and a longtime member of the Rotary Club of Moraga, deserves a salute from all of us. Cliff was instrumental in getting the initiative off the ground. And as president of Rotary International in 1992-1993, he was able to impart momentum

personally.

As sitting president of Lamorinda Sunrise Rotary, I can observe Rotary's impact locally. There are four clubs within this paper's circulation territory. In addition to the one in Moraga and ours, there are chapters in Orinda and Lafayette.

If you think you might like to "give back," membership in Rotary is a great means of doing so. For more information about Lamorinda Sunrise, and Rotary in general, visit our website at www.lamorindasunrise.org or email me at rotarytg@gmail.com. We will get back to you to explore how Rotary can help you get involved.

Tom Guyette
Lafayette

A thanks for birdhouse creations

We all love our birdhouse stop sign! Please continue this wonderful lovely hobby. Thank You!

Bev Rubini
Moraga



Opinions in Letters to the Editor are the express views of the writer and not necessarily those of the Lamorinda Weekly. All published letters will include the writer's name and city/town of residence -- we will only accept letters from those who live in, or own a business in, the communities comprising Lamorinda (please give us your phone number for verification purposes only). Letters must be factually accurate and be 350 words or less; letters of up to 500 words will be accepted on a space-available basis. Visit www.lamorindaweekly.com for submission guidelines. Email: letters@lamorindaweekly.com; Regular mail: Lamorinda Weekly, P.O.Box 6133, Moraga, CA 94570

Public Forum

Public Forum response regarding Candell recusal

Lafayette Councilmember Candell has a common law conflict of interest and can't lawfully vote on the Terraces Apartments Project

Vocal opponents of the 315-unit Terraces of Lafayette apartment project continue to mislead Lafayette residents. For example, a recent "Public Forum" comment from one opponent in the October 30, 2019 edition of the Lamorinda Weekly incorrectly asserts that City Councilmember Susan Candell has a right to vote on the project based on a 1975 case, *City of Fairfield v. Superior Court*, that did not address common law conflicts of interest. That "Public Forum" assertion regarding the Terraces contradicts the facts regarding Ms. Candell's project opposition and has no basis in the applicable law that does address common law conflicts. The only rights at stake here are those of O'Brien Land Company, whose constitutional right to procedural due process demands the recusal of biased local officials such as Ms. Candell.

Among other things, Ms. Candell signed two citizen petitions against the project

and has actively opposed it since 2012. On the eve of her candidacy last summer Ms. Candell encouraged the City to hire a new attorney to handle the project and spoke in favor of the City Council considering what it would take to make the stringent findings necessary to deny the project.

In seeking to raise campaign funds to aid in the defense of her unconstitutional activities to thwart the project, while sitting as a duly-elected public official and not a "mere" private citizen, she also recently admitted in writing to the Fair Political Practices Commission that "I have a common law conflict." She also admitted that the City's attorney for the project (the same attorney she encouraged the City to hire) advised her that she should recuse herself.

The City's attorney also explained in a February 26 letter that Ms. Candell originally recused herself "due to her past opposition to the Terraces of Lafayette project." And in a February 27 letter rejecting Save Lafayette's haphazard argument that Councilmembers Anderson, Burks, and Geringer have their own conflict of interest, he also agreed with us regarding the cases—*Nasha L.L.C. v. City of Los Angeles* (2004) and *Woody's Group, Inc. v. City of*

Newport Beach (2015)—that establish the relevant legal standard for determining when public officials such as Ms. Candell must recuse themselves due to a common law conflict of interest—"an unacceptable probability of actual bias."

Save Lafayette has a history of making dubious arguments based on bad advice from attorneys opposing the project who presumably should know better.

Tellingly, one of those attorneys is on the opposite side of the City's ongoing successful defense in *Fowler v. City of Lafayette*, which will ultimately cost taxpayers more than \$1M before the case is finally resolved in the City's favor. Perhaps more notably,

Ms. Candell's own attorney on this critical issue, an attorney she touts as an ethics expert, wisely has yet to make any public statement or produce anything in writing to support the unsupportable.

Ms. Candell cannot lawfully vote on or participate in the City's processing of the project and doing so will severely and unnecessarily raise the City's legal risks.

Bryan Wenter, a land use partner at Miller Starr Regalia and former city attorney for Walnut Creek, represents O'Brien Land Company.

Lamorinda growers begin grape harvest



Photo Wendy Scheck

Sal Captain, holding the hose, and Neal Captain filling the fermenting tub with fresh crushed Petit Verdot wine.

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Starting at 7 a.m., after getting comfortable and having some coffee, along with a hardy breakfast and orientation, club members picked up a lug (a rectangular bin) and got to the real experience, Captain said.

"The vines at the bottom of the hill were still in the early morning shade, perfect for the harvest," Scheck said. "The bins filled up quickly to about 30 pounds; some harvesters carried them out to the sideline or even all the way up to the top of the hill. Besides the conversations among the harvesters who got to know each

other, calls for empty lugs filled the hillside."

With the first truckload harvested, winemaker Sal Captain and his nephew Neal Captain started processing the grapes in the winery's garage. The club members could watch the work or empty lugs into the stemming machine, Scheck said.

Each lug is weighed and documented at crush, Captain explained. "Once we reach the limit, we stop and invite everyone to meet at the deck to start the celebration with lunch and wines of the grapes harvested."

This year, due to the heat and the abundant crop, Captain said they had to stop be-

fore completing the harvest. "We continued the next day until all the Cabernet Franc and Petit Verdot were totally harvested and crushed." The grapes go through the fermentation process for around a week, depending on the weather, then it is ready to be pressed.

"The harvest and crush is a great opportunity for club members to experience the joy, friendship, cooperation, challenge and hard work that goes into a truly small family-owned and operated winery," said Captain. "That day, we harvested 1,309 Cab Franc and around 1,800 Petit Verdot. We continued the harvest for the next three days. Total Petit Verdot was 5,905 pounds!"

"It was hard work to carry the bins with the grapes up the hill but we had much fun," Scheck said. "It is a nice experience to work at the base of the wine production."

Captain Vineyards is part of the Lamorinda American Viticultural Area – the only one in Contra Costa County. All of the approximately 100 LWGA members are backyard vintners and many have won awards for their wines. Captain Vineyards has been recognized for its dry farming and becoming the first and only green winery in Contra Costa County. For information about Captain Vineyards, visit captainvineyards.com.



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