

PORTOLA VALLEY bicyclist struck,
killed on Skyline Boulevard. Page 7

The Almanac

THE HOMETOWN NEWSPAPER FOR MENLO PARK, ATHERTON, PORTOLA VALLEY AND WOODSIDE

JULY 26, 2006 www.AlmanacNews.com

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Building boom

A crisis erupts as Atherton's
building department faces
deeper scrutiny into charges
of wrongdoing by staff over
uncollected fees and sloppy
procedures, and a frustrated
City Council seeks answers.

Page 12

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Inside

This week's news, features and community events.

FIRST SHOT



The Almanac/Marjan Sadoughi

Working out the plinks

Henry Warde and Leo Matthews played an impromptu duet on July 20 at the first in a series of weekly "Open Mic" events hosted by Kepler's bookstore. About 30 people gathered outside the store on a sultry summer evening to check out the local talent, which included two poets, one pianist, another guitarist, and a singer. Mr. Warde, a Menlo-Atherton High School alumnus, and Ms. Matthews, a senior at M-A, played "High on a Mountain Top."

Menlo Park

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- Las Lomitas foundation sets record with \$1 million grant. **Page 15**
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On the cover

Homebuilding is big business in Atherton, bringing in \$2 million in fees annually. Problems in the town's building department — allegations of wrongdoing by staff, an audit that found that \$100,000 in fees weren't charged — are creating a credibility crisis for the town. City Council members call for a more extensive audit and are fighting for the release of an investigator's report on the staff. Photo by Marjan Sadoughi. Story begins on **Page 12**.

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EYE CARE NEWS
Presented by Mark Schmidt
Licensed Optician
THE BEST OF BOTH WORLDS
Nearsighted individuals with presbyopia (age-related loss of accommodation that makes reading glasses necessary) often must resort to wearing bifocals or progressive lenses. Another approach, called monovision involves correcting one eye for distance vision and the other for near vision with contact lenses. While it may seem odd to purposely have mismatched eyes, the brain is capable of integrating the inputs into a single, clear field of vision. The nearsighted individual wears one lens for clear distance vision while the other eye is either uncorrected (because it already sees well up close) or is fitted with a contact lens that boosts near vision. This option is for anyone who doesn't want to wear reading glasses. Regardless of your vision problem, MENLO OPTICAL can fit you with a pair of attractive eyeglasses or help you with contact lenses. We fill prescriptions with lenses that provide distance, intermediate, and near vision correction. Our lightweight lenses come in a variety of materials and designs and can meet specific tasks like close-up work and computer use. Call us at 322-3900, or bring your prescription to 1166 University Drive, on the corner of Oak Grove Avenue and University Drive.
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Mark Schmidt is an American Board of Opticianry and National Contact Lens Examiners Certified Optician licensed by the Medical Board of California. He can be easily reached at Menlo Optical, 1166 University Drive, Menlo Park. 650-322-3900

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Game Plans

ASIDE from providing the healthful benefit of relatively low fat content, game meats bring to the table fairly exotic flavors and textures that one rarely finds in meats from domesticated animals. These flavors are usually best served accompanied with an assertive red wine. For instance, a spicy, youthful, forward Zinfandel with charm to spare can stand next to any roasted game dish. Zinfandel is a big wine with bracing fruitiness and intensity that has the strength of character to go with game. It is just the choice to go with a dish of duck prepared in fruit sauce. If venison is on the menu, a luxuriant Cabernet Sauvignon with rich berry and chocolate flavors will hardly disappoint, while a more rounded Cabernet Sauvignon with oak nuances and rich plum flavor is a good choice to go with game birds. When rabbit is the dish, Chianti made from the Sangiovese grape with lively fruit and fresh, spicy flavors should be just right.

Making wine tasting part of your entertaining can really add interest and fun to a dinner with friends. Ask us for what will work best with your entree selection. You'll love it here, because we offer an unusual array of specialty items as well as fine wines, should you choose to entertain your guests with a tasting. You'll find our service to be old-fashioned – which is a real treat in this day and age. We offer spacious, welcoming surroundings designed to make browsing through our aisles into a real pleasure. We hope to see you soon!

Hint: The newly popular red wine known as Merlot also goes well with grilled meats, with its velvety, balanced character and spicy fruit flavor.



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DALE – GROCERY

WINE

BBQ Reds

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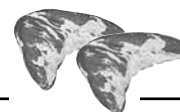
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**Hot enough for you?**

Nan Chapman, former Atherton mayor now residing in Woodside, stopped by the Almanac last week dressed in shorts and a lightweight white blouse on a day the temperature was soaring toward the century mark.

She'd just come out of Draeger's, she said, where she was approached by an earnest young activist with a clipboard, who asked her if she wanted to know about global warming.

"I know *enough* about global warming," she told the young man, she recounted wryly.

Art gallery departs from Portola Valley

A goodbye shin-dig marking the closing of the Portola Valley Art Gallery at 765 Portola Road is planned for 1 to 4 p.m. Saturday, July 29.

The gallery, for 35 years located at Town Center, is relocating to the Allied Arts Guild at 75 Arbor Road in Menlo Park, and is set to open in mid-September.

The old gallery and most of the other buildings at Town Center will be demolished this fall to make way for a new complex.

Too darned hot

Ted Bache, a resident of the Stanford Weekend Acres neighborhood, kept a running tally of the rising mercury on his backyard thermometer on Sunday, July 23. The high was a scorching 106.2 degrees at 2:30 p.m., he reports.

He apparently was one of the few who didn't escape to the beach. Woodside resident Heather Keller says on a typical hot summer day, 20 or so cars headed for the coast can be backed up at the intersection of highways 84 and 35. On Sunday, the line was 223 cars long, she says.

Edited by Andrea Gemmet. Send e-mail to agemmet@almanacnews.com.

State agency: 'No problems' with Bayfront Park playfields proposal

■ Permit amendments needed, but playfields proposal 'headed in right direction,' official says.

By **Rory Brown**
Almanac Staff Writer

Even with support from Menlo Park voters, building playing fields at Bayfront Park is far from a done deal. But one permitting agency said developing the 160-acre park isn't out of the question.

Steve McAdam, deputy director of the San Francisco Bay Conservation and Development Commission (BCDC), a state agency that regulates filling and dredging the Bay, said he has no problems, thus far, with conceptual plans to build four playing fields on the

southern portion of the park.

Mr. McAdam noted that the new plans are much more realistic than previous plans for playing fields and a golf course at the park, which is built atop a capped landfill off Marsh Road.

He added that he has also discussed the plans with Ruben Nino, the city's director of engineering services.

Mr. McAdam said current plans "won't experience the problems" that a previous proposal would have; that proposal was to build a 75-acre golf course at the park and three lighted playing fields on

■ MENLO PARK

the park's tidal marsh.

"Menlo Park has definitely eliminated some of the problems that were in the earlier proposal," Mr. McAdam said. "As far as these plans, I don't see any major show-stoppers. I think [the city] is moving in the right direction."

Mr. McAdam noted that BCDC will not take an official position on plans to build fields at the park until the city finalizes a design, moves forward with a proposal, and the public weighs in on a specific proposal to develop the park.

BCDC has jurisdiction over

Council backs ballot measure on Bayfront Park playfields, **Page 8**

the 17-acre site proposed for playing fields because that portion of the capped landfill sits on top of a former salt marsh, Mr. McAdam said.

In order for fields to be built on the site, which is also the flat-test portion of the park, BCDC would have to amend permits granted to the city years ago that call for keeping the park in "passive recreation" use.

At its July 18 meeting, the City Council voted 3-2 to put an advisory measure on the November ballot that will ask voters if they want fields at the park. ■

Grand jury raps Woodside's building-review process

■ Town is working on the problem, mayor says.

By **Richard Hine**
and **Andrea Gemmet**
Almanac Staff Writers

The town of Woodside's building-permit process came in for criticism last week from the San Mateo County civil grand jury.

The process tends to be a series of fragmented activities that cause permit applicants to see the results as "random outcomes or favoritism," the grand jury said in a report released July 18 that's titled, "Summary of Trouble in Paradise."

"Everyone is looking at the trees; nobody is surveying the forest," said grand jury foreperson Ted Glasgow.

Mayor Deborah Gordon said the report is "pretty balanced" in laying out the problems Woodside faces. "These are problems we are working on," she said. A staff report written by Town Manager Susan George agreed with most of the grand jury's seven recommendations.

The Woodside Town Council is set to discuss the grand jury report, and the town's response, at its Tuesday, July 25, meeting.

'Clash of cultures'

The permit process, Mr.

Glasgow said, "fosters a persistent clash of cultures."

On the one hand, he said, "some applicants do not always respect and often question intentions of the staff." On the other hand, "the staff does not always produce a level of customer service that precludes applicants' questioning their motives."

The town has commissioned studies to improve the process, though recommendations from studies are not always adopted, Mr. Glasgow said.

Town Manager Susan George noted that within six months the town instituted 15 of 22 recommendations from a 2001 study by Irwin Kaplan, and is currently putting into place 16 recommendations from a more recent Management Partners review of the engineering department.

To improve Woodside's building-permit process, the grand jury recommended that the council:

■ Place one building professional in charge of the entire building-review process, includ-

See **GRAND JURY**, page 8



Photo by Kyle Terada/Palo Alto Weekly

Giving his all

Alpine/West Menlo player Travis McHugh takes a cut during his team's 9-1 loss to Palo Alto National during the first of two championship games in the California District 52 Majors 11-12 All-Star tournament at Middlefield Park in Palo Alto. See story on **Page 19**.

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Portola Valley cyclist struck, killed on Skyline Boulevard

■ Confusion leads to delayed reporting.

By David Boyce
Almanac Staff Writer

The life of Tom Colby Maddox came to an untimely end Saturday, July 15, after the Portola Valley resident and cyclist was struck by a car three days earlier while cycling with a longtime friend on Skyline Boulevard in Woodside, just north of Highway 84.

Mr. Maddox, 65, died at Stanford Hospital, the Santa Clara County Coroner's Office confirmed. Information as to the cause of death will be released after the completion of an investigation into the accident, a coroner's office spokeswoman said.

The Almanac's reporting on the story is delayed by a week and relies mainly on witness accounts because the reliability of accident reports filed by local police agencies seems to have suffered from a disruption in the normal police investigative and reporting process.

The reports from the California Highway Patrol and San Mateo County Sheriff's Office differ in several key respects, including the color, make and model of the vehicle that struck Mr. Maddox; the date of the accident; and the extent of Mr. Maddox's injuries.

The accident happened between 11 and 11:30 a.m. Wednesday, July 12, on Skyline Boulevard about a 0.6-mile north of the intersection with Highway 84, said Tom Strand of Los Altos, a friend of Mr. Maddox for about 37 years and his cycling partner that day.

The two men, both teachers at Foothill College, were traveling southbound on the two-lane road in a section with a steep bank but no shoulder or bike lane, Mr. Strand said. They were just emerging from a series of S turns on a slight downhill grade and moving at the "speed of traffic," about 30 mph, he said.

Mr. Strand said he was about 50 yards ahead of Mr. Maddox when he "heard a crash, like somebody dropping a tray full of dishes." He turned back to find Mr. Maddox splayed in the road, his helmet still on, and two cars pulled over.

The vehicle that hit Mr. Maddox was a blue Subaru Forester driven by Redwood City resident Beverly Oaks, 81, said CHP Officer Steve Perea.

Stacy Binns, a resident of San Mateo who was driving about



Tom Maddox gave his time and energy to environmental and political causes, says his family. See obituary on **Page 14**.

two car lengths behind Ms. Oaks, told the Almanac that she witnessed the collision.

Mr. Maddox was occupying about one-third of the lane when the Subaru "sped up a bit and went to pass (him) on a curve with a double-yellow line," Ms. Binns said. The Subaru "shot back in before she passed Tom, and she sideswiped him and went right into him," she said.

"I don't think he knew she was coming," Ms. Binns said. There was no traffic coming from the other direction, she said, but she had planned to pass the cyclist near the intersection of Highway 84, where there was more room.

"It was a horrible, horrible accident," she said. "It just didn't make any sense. It shouldn't have happened. I think about him every day. It's heartrending."

At the scene, Ms. Binns said she sent her daughter to find a resident with a land line to call 911 after attempts to use a cell phone failed due to bad reception.

Ms. Binns, Mr. Strand and Ms. Oaks all waited at the scene for the CHP to arrive, said Ms. Binns.

Mr. Strand said an ambulance came after about 30 minutes and

medics drove Mr. Maddox, who was reportedly unconscious, to Stanford Hospital. Plans to use a helicopter fell through because the nearest one was too far away, Mr. Strand said he was told.

Mr. Maddox was bleeding from the mouth, nose and ear, Mr. Strand said. He said he adjusted Mr. Maddox's head slightly to allow him to breathe.

Damage to Mr. Maddox's helmet indicated an impact just behind his left ear, Mr. Strand said, adding that he was told by the physician at Stanford that Mr. Maddox died of as a result of head injuries.

Coordinated response?

The CHP and the Sheriff's Office split duties when it comes to patrolling Skyline Boulevard, with the CHP handling traffic enforcement and the Sheriff's Office taking on all other law enforcement duties, such as crimes.

Deputies from the Sheriff's Office arrived in minutes, said Lt. Ken Jones. Firefighters and medics responded quickly, as well, said Capt. Rob Lindner of the Woodside Fire Protection District.

But on that morning, the Redwood City office of the CHP was on reduced duty to commemorate an officer who had recently died. Their patrol duties were being shared by the San Francisco and San Jose offices.

The nearest available CHP officer was about 30 miles away and took 45 minutes to an hour to get to the scene, said Officer Perea of the San Jose office.

By the time the CHP officer arrived, the scene had been cleared, Mr. Perea said.

"I was surprised about how little (the law enforcement officers) asked me," said Ms. Binns. "It was a deadly accident."

The CHP initially reported that Ms. Oaks was driving a white Toyota and that the accident occurred on July 15.

The Sheriff's Office report had Ms. Oaks in a charcoal minivan, leaving the scene of the accident and driving over Mr. Maddox; it also stated that his injuries indicated "some bleeding (but) nothing serious." ■



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Council backs ballot measure on Bayfront Park playfields

■ Specific costs, environmental effects will be addressed if ballot measure passes, says staff.

By Rory Brown

Almanac Staff Writer

Menlo Park voters will likely get the chance in November to advise the City Council on a controversial issue in the community — whether to build playing fields for soccer and baseball at the 160-acre Bayfront Park off Marsh Road.

The City Council voted 3-2 on July 18 to put an advisory measure on the ballot. Final council action is expected at tonight's (July 25) meeting.

The meeting is scheduled to start at 7 p.m. in the council chambers at the Civic Center. Check AlmanacNews.com for a news update.

The city still doesn't know the specific costs and environmental effects of building fields at the park, which is atop a capped landfill and adjacent to a wildlife refuge.

Consultants hired by the city said it is possible to build fields at the park, and have pegged the costs of grading, capping and building on the landfill at about \$1 million an acre.

Specific line-item costs and additional estimated costs for maintaining the fields will not be determined before voters head to the polls in November, said Ruben Nino, the city's director of engineering services.

He said the city will continue further studies, including an environmental impact report and traffic studies, only if the advisory ballot measure is passed.

Thus far, representatives from the Bay Conservation and Development Commission and the Regional Water Control Board "have no problems" with the city's conceptual plans to develop the park, Mr. Nino said.

Public Works Director Kent Steffens said if the city doesn't have any problems with obtaining support from regulatory agencies, fields could be built at the park in about three years.

Divided council

At last week's meeting, council members Nicholas Jellins, Mickie Winkler and Lee Duboc supported the measure. They have pushed to build fields at the park since November, and are backed by local sports groups.

'To get what we need when it comes to sports fields, we need to consider Bayfront Park.'

COUNCILWOMAN LEE DUBOC

Council members Kelly Ferguson and Andy Cohen opposed the measure. They have called for keeping the park, which is adjacent to the Bay and a wildlife refuge, as open space. They are backed by environmentalists and open space advocates.

Mayor Jellins said that any decision regarding the future of the park will become a "political issue," and it should be up to the voters whether to move forward with putting fields at the park.

Ms. Ferguson and Mr. Cohen said it's still far from proven that fields can be built at the park. They said the high costs of building the fields — estimated at \$15 million to \$17 million for four fields — plus the process of amending permits with regulatory agencies, could keep voter-approved fields from ever being built.

They said the three council members in the majority want the measure on the ballot to garner support from sports groups in a

year when all three of their seats are up for election.

"This is clearly a political ploy that is nothing short of deceitful in order to get the support of the sports community," Ms. Ferguson said. "This is another example of the council majority trying to hoodwink the public."

Mayor Jellins said he does not intend to run for re-election, and council members Winkler and Duboc have yet to announce whether they will run.

Ms. Duboc said despite the high costs of building fields at the park, the process would be less expensive than buying land elsewhere for new fields. "To get what we need when it comes to sports fields, we need to consider Bayfront Park," she said.

It would cost the city about \$30,000 to put the advisory measure on the November ballot.

No funds have been earmarked for developing the park. However, Mr. Steffens said, if several proposed housing projects are approved, the city could receive about \$6.5 million of recreation-in-lieu fees for field construction.

Questions remain

Thirteen of 16 people who addressed the council said they had reservations with moving forward with the ballot measure because the city has yet to determine if fields can be built at the park.

Speakers included representatives from local environmental groups and three members of the city's Parks and Recreation Commission.

"We have to hear all the information to make decisions," said Richard Cline, a parks commissioner. "[The commission's] recommendation is to take your time and get all the information before making a decision." ■

GRAND JURY

continued from page 5

ing long-range plans, staff training and customer satisfaction.

■ Expand the number of building projects that are eligible for permits that can be issued quickly and inexpensively by creating a "fast track" permit process.

Town staff response

Although she questioned the details and the workability of some aspects of the grand jury's recommendations, Ms. George, the town manager, generally agreed with them in her written report, and has already added

several to the town's work plan.

These include providing continuing training to planning staff, updating the official geological hazards map, and creating procedures to continually improve the development review process.

Ms. George also indicated that an overhaul of the town's staffing would not be unwelcome. In her written report, she agreed that the pending retirement of Town Engineer Kent Dewell, and her own potential retirement next year, afforded "an excellent window of opportunity for restructuring the town's organization."

Choosing the types of permits that could be fast-tracked will

require some review and possibly some minor changes in town regulations, she wrote.

Her report did highlight a few potential problems with the grand jury's recommendations. For example, the creation of a "complaint board" would have to be done carefully because of Brown Act requirements for open public meetings.

Mayor's comments

Mayor Gordon said she would like to hear directly from more people about their problems in dealing with the permit process. "I don't have a lot of people calling and saying it's terrible," she said.



The Almanac/David Boyce

Looking for lunch?

A great blue heron, often thought of as a marshland bird, has been seen regularly patrolling dry grassy stretches of Sharon Hills Park in Menlo Park. In addition to their aquatic diet, herons also eat insects, mice and toads, according to the U.S. Geological Survey.

Talk on Lebanon, Gaza Strip situation

A conversation on the current situation in Lebanon and the Gaza Strip is set for 7 p.m. Tuesday, August 1, at the Community Media Center, 900 San Antonio Road in Palo Alto.

Speakers are Rachelle Marshall, a correspondent for the Washington Report on Middle East affairs, and Khalil Bar-

houm, a specialist for African and Middle Eastern languages and literature at Stanford University.

Sponsored by the Peninsula Peace and Justice Center, the event, called "Lebanon and Gaza Under Siege," is free and open to the public. For more information, call 326-8837. ■

■ INFORMATION

■ For the grand jury's full report, go to sanmateocourt.org/grand-jury/ and click on "Final Reports 2005-2006" on the right.

■ For Woodside staff's response to the grand jury report, go to woodsidetown.org and click on "Town Government," then on "Town Council," and select the agenda report for the July 25 meeting and scroll to page 55.

■ To comment on this story, send an e-mail to editor@AlmanacNews.com and state whether it's for publication.

Utility tax measure expected to be on Menlo Park ballot

■ Decisions on the tax rate and other factors are due this week.

By Rory Brown
Almanac Staff Writer

Menlo Park City Council members support asking voters in November to approve a utility tax measure to help balance the budget, but key decisions — including the tax rate — won't be made until tonight's (July 25) meeting.

The council is scheduled to meet at 7 p.m. in the council chambers at the Civic Center, between Laurel and Alma streets. Check AlmanacNews.com for a news update.

City Manager David Boesch recommended July 19 that the council consider a rate of 3 to 4 percent. The tax would be paid by both residents and businesses and would be based on their use of electricity, gas, water, phone and cable TV.

The council voted unanimously to further consider such a tax.

A simple majority of voters can pass such a measure.

Council members Nicholas Jellins, Kelly Fergusson and Andy Cohen expressed support for a tax in the 3 to 4 percent range, which would produce an estimated \$2.4 million to \$3.2 million for the city.

The current budget anticipates

■ MENLO PARK

that city spending will exceed revenues by \$1.85 million during the year that began July 1. The city plans to pull that amount from reserves to cover the expense.

Effect on business

Council members Mickie Winkler and Lee Duboc asked for further study and discussion. Both expressed concerns

A 4 percent utility tax would cost Tyco Electronics in Menlo Park about \$320,000 a year, said Spence Leslie, director of site services for the company.

over the effects on local businesses, which might wage a campaign against the measure, they said.

"A lot of people in the community are not going to look at [a tax] favorably," Ms. Duboc said.

Two-thirds of the council — four council members — must approve the resolution for the tax measure to be placed on the ballot.

Mr. Boesch suggested that the tax have a \$50,000 cap, meaning no single utility user would pay more than \$50,000 a year. Ms. Winkler said such a cap would make the tax a "big burden on the business community." She said the cap should be no more than \$6,000 a year.

Spence Leslie, director of site services for Tyco Electronics, said a 4 percent utility tax would cost Tyco's Menlo Park campus about \$320,000 a year if there is no cap. A tax may "scare business away," he said.

Ms. Winkler said the tax should expire in two to four years.

"I think we can grow our way out of this deficit," Ms. Winkler said. She noted that the recently approved hotel and office complex off Sand Hill Road proposed by Stanford University is expected to add \$1.9 million a year to the city's coffers by 2011.

City staff plans to return with a draft ballot resolution at the July 25 meeting, when the council is expected to decide the tax rate and whether there will be a cap or an expiration date.

The deadline to place a measure on the November ballot is August 11.

A recent survey of 400 registered voters showed that 60 percent of the respondents said they would probably support a 4 percent utility tax. ■

Menlo Park, police agree to labor contract

■ Salary increases for the city's 37 line officers; pension rates unchanged.

By Rory Brown
Almanac Staff Writer

After 10 bargaining sessions and two meetings with a state mediator, the Menlo Park Police Officers Association and the city have negotiated a new two-year labor contract.

The agreement includes increases in wages and health insurance coverage for the 37 officers represented by the association.

Both issues proved difficult during negotiations, and a state mediator was "instrumental" in getting the two sides to reach an agreement, said Glen Kramer, the city's personnel director.

The new agreement will boost the average line officer's month-

■ MENLO PARK

ly salary from about \$6,572 to about \$6,835 — a 4 percent increase. The figure doesn't include benefits.

The new rate puts Menlo Park's officers at "pretty much average" pay compared with nearby cities, Mr. Kramer said.

"We feel the needs of the employees have been met, and we've stayed within the cost constraints of the city," Mr. Kramer said.

The agreement also calls for the city to pay about 12 percent more of officers' health insurance costs.

For example, the city currently provides about \$988 per month for costs associated with a family health insurance plan, and the contract calls for that figure to increase to about \$1,106.

Officers will continue to receive the state's top pension

rate, Mr. Kramer said. At age 50 they can retire and receive 90 percent of their highest annual salary if they have worked 30 years or more as an officer.

"We can certainly live with this agreement," said John Noble, a labor relations consultant representing the police officers association from the Pleasant Hill-based law firm of Rains, Lucia and Wilkinson.

The agreement was reached July 17, about a month after both parties declared impasse and called in a state mediator.

The City Council is scheduled to consider the agreement at its meeting Tuesday, July 25. If approved by the council, the salary increases will be retroactive to July 1.

The council is scheduled to meet at 7 p.m. in the council chambers at the Civic Center, between Laurel and Alma streets. ■

REAL ESTATE Q&A

by Monica Corman



The Importance of Sellers Inspections

Q: In preparation for selling my house, my agent suggested that I have the property inspected at my expense. The home inspector noted some foundation issues in his report and recommended consulting a structural engineer, which I did. The structural engineer said everything was normal. I am upset with the home inspector for issuing a negative statement about the property especially since I am the one who paid for the inspection. Am I right?

A: No, you are not right about this. A reputable home inspector should issue the same report regardless of who pays for it. He is obliged to make note of any material adverse conditions that he observes. If his report varied according to whether the seller paid for it or the buyer did, it wouldn't be worth the paper it is written on.

The fact that you subsequently received a favorable report from a structural engineer makes your property condition disclosure much stronger. Any buyer interested in your property should feel comfortable reading such a candid and complete report. This is exactly the way the disclosure process should work.

What if you had not obtained these reports in advance of putting your house on the market? What if you had relied solely on the buyer to hire inspectors? Most buyers would react strongly to any material adverse condition found through their own inspections and would either rescind the contract or try to renegotiate the price. You have protected yourself from this likely outcome by giving buyers a straightforward, complete disclosure before they even make an offer. By doing so, you have taken a potentially negative issue off the table.

For answers to any questions you may have on real estate, you may e-mail me at mcorman@apr.com or call 462-1111, Alain Pinel Realtors. I also offer a free market analysis of your property.

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New candidate in MP council race

■ John Boyle says he 'tends to agree more' with current council majority.

By Rory Brown

Almanac Staff Writer

■ ELECTION 2006

Menlo Park Mayor Nicholas Jellins may not be seeking re-election this November, but one prospective candidate is ready to fill Mr. Jellins' shoes on the City Council.

John Boyle, a 22-year Menlo Park resident and member of the Transportation Commission, has announced he intends to run for one of three open seats on the City Council. He took out his candidate papers on July 20.

All three seats are occupied by the current majority on the five-member council; candidates representing their views must win all three seats to stay in power.

Parks and Recreation Commissioner Richard Cline, who announced his intent to run for a council seat months ago, is the only other person to have taken out papers as of midday July 24.

"When [Mr. Jellins] said he wasn't running for council, it created this need for someone with the right background to

come in," Mr. Boyle said. "[Mr. Jellins] is thoughtful and runs a good meeting, and he does his best to try and bridge the two parties on the council — that's what I want to do."

Mr. Boyle is a member of the Budget Advisory Committee, a council-appointed group of 14 residents formed in May 2005 to help structure the community-wide budget survey and workshops.

He serves as the advisory committee's representative on the Child Care RFP Committee, a task force formed to help the city narrow down candidates to operate the city's child care programs.

Mr. Boyle was appointed to the Transportation Commission in April.

A stay-at-home father of three, Mr. Boyle said he's "taking a break" from work in the venture capital industry to spend time with his family and get more involved in nonprofit work and

serving the community.

He said his background in business and "fiscal responsibility" would help the council through tough decisions regarding the budget.

"The big issue ... is figuring

'When [Mr. Jellins] said he wasn't running for council, it created this need for someone with the right background to come in.'

CANDIDATE JOHN BOYLE



the time in their everyday lives to attend council meetings and be directly involved in city politics.

"I don't have an agenda coming in," he said. "I'm not biased ... or predisposed to vote one way or the other."

Mr. Boyle said when he watches council meetings, he tends to agree more with Mr.

voted to appoint Mr. Boyle to the Transportation Commission.

Ms. Duboc and Ms. Winkler have not publicly announced whether they will seek re-election.

Mr. Boyle said he has yet to decide whether he will align himself with current council members or other candidates leading up to the election.

Mr. Boyle also serves on the board of directors for the Menlo Park-Atherton Education Foundation.

Other candidates

The filing period for candidates opened July 17.

Former mayor Steve Schmidt and Bayfront Park advocate Elizabeth Lasensky have also announced they intend to run for council.

Parks and Recreation Commissioner Heyward Robinson said he is considering running, and Vincent Bressler, a Linfield Oaks resident who has been outspoken against recent housing projects planned for the neighborhood, is also considering jumping into the race.

Stu Soffer, a former planning commissioner and another Linfield Oaks resident opposed to the proposed housing projects, has also expressed interest in running. ■

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Wireless broadband may be coming to a park bench near you

By David Boyce
Almanac Staff Writer

Local libraries have wireless broadband Internet access. So do some coffee shops and nightclubs. What if you could have broadband access while sitting on a bench in any park in Atherton, Menlo Park, Woodside or Portola Valley? Or while riding Caltrain through San Mateo and Santa Clara counties?

It's still just an idea, but plans are afoot that would make much of Silicon Valley a wireless hot spot.

The impacts could be significant, said Brian Moura, who chairs the Wireless Silicon Valley Task Force.

■ Small businesses and start-ups could locate anywhere and have Internet access, Mr. Moura said. Today, many local locations are shut out because they're too far from trunk lines.

■ Low-income residents could have free or very low-cost access to the Web, he said. Today, the so-called digital divide between rich and poor prevents Internet access to many families in low-income communities.

■ Competition from existing Internet and phone service providers could drive down prices, or drive up network speeds for everybody, he said. Unlimited phone service over a wireless network could change the local landscape of telephone technology.

The task force recently received proposals from seven vendors or consortiums of vendors to install a wireless network throughout some 1,500 square

miles of Silicon Valley, including all of San Mateo County, most of Santa Clara County and the city of Santa Cruz.

The year-old project is the brainchild of the San Mateo County Telecommunications Authority and Joint Venture: Silicon Valley Network, a nonprofit that analyzes issues affecting the region's economy and quality of life.

Wireless networks were already on the minds of some Silicon Valley local government officials, Mr. Moura said, so "it made more sense" to form a group. Membership so far includes representatives from 40 local governments, including those of Atherton, Menlo Park, Portola Valley and Woodside.

If the network were to happen, Wireless Silicon Valley would not shut out existing Internet service providers — residents and businesses could make their own decisions — but would enter into a non-exclusive agreement with a vendor who would compete with existing providers, Mr. Moura said.

"We sort of view this as another choice. Certainly (at the county telecommunications authority), we're always trying to bring more telecommunica-



The Almanac/Marjan Sadoughi

Internet access without wires is common today at places such as Menlo Park's Cafe Borrone, where patrons like John Adams can take advantage of the proximity to the British Bankers Club, which offers free wireless Internet access.

tion choices to everybody. That's really the goal here. We're trying to stimulate competition."

A committee is now reviewing the proposals and will be making a short list "of the strongest proposals," then conducting interviews to

learn more about vendors' visions for the project, he said.

The agreement would address access rights to street light poles and public buildings, tiers of service, pricing, privacy and security, said Mr. Moura. The

individual government agencies would then need to approve a final agreement.

For more information about Wireless Silicon Valley and to read the vendor proposals, go to wirelessiliconvalley.org. ■

Jensen Hauser

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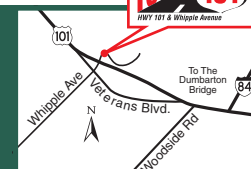


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The Almanac/Marjan Sadoughi
Construction sign on Park Lane in Atherton. A recent count showed that Atherton had about 110 residential construction projects going on in a town

Atherton's probe of building department widens

■ Town official reports at least \$100,000 in missed fees and alludes to evidence that suggests “a pattern of inappropriate conduct.”

By Andrea Gemmet

Almanac Staff Writer

Staff in Atherton's building department failed to charge at least \$100,000 in fees due the town for building projects, a town official revealed last week — the latest development in a matter that has roiled the town in recent weeks.

Finance Director John Johns told the City Council at its July 19 meeting that an internal audit of building department files on major construction projects turned up uncharged fees, undervalued projects, and evidence that procedures and controls were not in place or not used by staff.

A full written report on what he has dubbed “phase 2” of the internal audit is to be released in time for the Thursday, July 27, finance committee meeting, Mr. Johns said.

“It's very clear that the building department has not been collecting all the fees it should have,” Councilman Jerry Carlson said.

Citing a crisis in the town government's credibility, the council authorized an extensive audit to investigate the building department's books, and called for a special meeting in the first week of August.

“Our big business in Atherton is real estate,” said resident Jim Dobbie. “The council should be representing the residents. The perception is that the building department has been favoring the developers.”

A recent count showed that Atherton had about 110 residential

construction projects going on in a town of about 2,400 households. Atherton's building department collects about \$2 million a year in various fees, according to Mr. Johns.

The fees pay for building department operations as well as infrastructure projects, such as road pairs, related to construction. The building fees may also be used to reimburse other town staff, such as police officers who enforce construction rules.

Emergency resolution

The building department audit was not on the meeting's agenda, but was added by an emergency resolution unanimously passed by the council.

Ordinarily, the state's open meeting law requires at least 72 hours' public notice of any topic a city council is to discuss, but the courts give wide latitude when it comes to determining what constitutes an emergency situation, said Jim Ewert, legal counsel for the California Newspaper Publishers Association.

Rumors have been swirling around Atherton in the wake of last month's sudden retirement of town building official Mike Hood, and the disclosure that an investigator hired by the town

was wrapping up an eight-month investigation into possible wrongdoing by building department staff.

The town's finance director, Mr. Johns, said the internal audit he oversaw was conducted independently of the personnel investigation.

The second phase of the audit reviewed 140 permit files, Mr. Johns told the council.

“I can't tell you in how many files fees were improperly assessed,” Mr. Johns said. “The majority (of the 140 files) appeared to be processed correctly, but there are exceptions in the population that give us pause.”

He said about six cases were discovered in which excavation fees totaling \$70,000 should have been charged by the building department, but weren't.

Excavation fees of \$22 per cubic foot are triggered by grading work, such as leveling a sloping lot, or by building a swimming pool or basement, and are intended to help pay for damage to Atherton roads caused by trucks loaded with dirt.

The problems in the building department went beyond failure to charge builders excavation fees, Mr. Johns said. He found some instances when fees on

remodeling projects should have been calculated based on a standard valuation of \$250 per square foot, but instead were based on the property owner's declaration of value, which was significantly lower.

He gave the example of an owner declaring that a remodeling project was worth \$40,000 when, calculated on the \$250-per-square-foot standard, the project's valuation should have been \$120,000.

In an example of building department procedures not being followed, Mr. Johns said he found that an employee had been informally authorized by a superior to sign permits in place of other employees.

Evidence of wrongdoing

Mr. Johns was circumspect, but made comments indicating that he had found evidence of wrongdoing by staff. The audit was done solely to find out if fees had not been properly collected, he said.

“Unfortunately, as a result, we identified exceptions that suggested a pattern of inappropriate conduct,” Mr. Johns told the council. “We have found evidence that we believe is useful to the personnel investigation.”

Mr. Johns also referred to documents compiled by the auditor that “could serve as evidentiary (material).”

“We provided it to management and we're not at liberty to disclose it because it is privileged,” he said.

Jerry Carlson asked him if anything had impeded his investigation, and Mr. Johns replied: “Yes. That is subject to the personnel investigation, and I am not at

■ MEETING

A report on the recently completed audit of the Atherton building department is set to be discussed at the Thursday, July 27, Audit Committee Meeting. The committee meets at 5:30 p.m. in the conference room in the town's administrative offices, 91 Ashfield Road.

- Information is available at ci.Atherton.ca.us or by calling 752-0500.
- Check AlmanacNews.com for an update.

liberty to disclose it.”

The third, more expansive audit should take eight to 12 weeks, and will be conducted by Eric Spivak, who conducted the previous two phases of the building department audit, Mr. Johns said. He also said the audit would require the services of a professional engineer, and told the council he would prepare a plan outlining the scope of work for the audit for council members to review at a special council meeting to be scheduled for the first week of August.

The council had previously canceled its regular August meeting in order to take its traditional summer recess. Councilman Alan Carlson said the matter couldn't wait until September.

“My No. 1 goal is to move this thing quickly,” he said.

The council requested audit results be ready in time for their October 18 meeting. The vote was 5-0.

Council members incensed at being denied report

■ Council says the town faces a credibility crisis.

By Andrea Gemmet

Almanac Staff Writer

Atherton City Council members and residents alike are agitating for the release of an investigator's report probing charges of wrong-doing by employees in the town's building department. An expert on public records law said it was "incredible" that town staff was blocking a city council's access to a report it clearly was entitled to see.

In November 2005, the town hired attorney Lance Bayer to investigate a number of residents' complaints about the building department, and his report was delivered some time in June. According to Atherton City Attorney Marc Hynes, disciplinary action may be taken against some building department employees as a result of that investigation.

So far, that investigator's report has only been seen by City Manager Jim Robinson and by Mr. Hynes, and attempts by two council members to view the report, even in an edited form to protect employees' privacy, have been rebuffed.

At the council's July 19 meeting, council members Kathy McKeithen and Jerry Carlson criticized Mr. Robinson and Mr. Hynes for keeping the investigation report under wraps. Ms. McKeithen called the city attorney's arguments for refusing to release the report "essentially rote."

"If the alleged problems are



'It has been said that sunlight can be a powerful disinfectant.'

COUNCILWOMAN KATHY MCKEITHEN

found to be as inconsequential as the town's response indicates, then show us the report and let us get back to more important matters," she said. "If, however, improprieties have occurred and were found to exist, then let us shed some light on them. It has been said that sunlight can be a powerful disinfectant."

At that same council meeting, it was revealed by Atherton Finance Director John Johns that an internal audit of the building department found employees failed to charge developers a total of about \$100,000 in building fees, based on a review of major projects over the past 18 months.

"The whole secrecy thing, in my mind, doesn't make any sense," Atherton resident and a veteran council-watcher Jim Dobbie told the council. "It's high time we got back to being squeaky clean. If something is wrong, we can deal with it, and if nothing is wrong, we can say it."

Credibility crisis

Rumors about exactly what has been going on in the building department have reached a boiling point in town, especially in the wake of Building Official

Mike Hood's sudden retirement June 30. Council members called the situation a crisis in the credibility of Atherton's government and called for a more extensive audit of building department files.

The heightened tensions between the council and Mr. Robinson, the city manager, and Mr. Hynes, the city attorney, may account for Mr. Carlson's caveat that a new audit is to be overseen by Mr. Johns, the finance director, and that the city manager is to have no direct involvement.

Mr. Robinson told the council he saw no problem with that, and only suggested that measures be taken to ensure that building department staff had time to keep up with its day-to-day business — conducting building inspections, reviewing applications and issuing permits — while the audit is conducted.

Mr. Robinson has repeatedly referred questions about the investigator's report, its contents and its release, to Mr. Hynes.

According to Mr. Hynes, the contents of the report on the investigation of building department employees has not been

released because of the privacy rights of the employees and the attorney-client privilege.

Although Mr. Hynes told the Almanac that nothing of a criminal nature was revealed by the investigation, Mr. Johns told the council at the July 19 meeting that his audit turned up documents that could be considered "evidentiary," implying that a more serious type of misconduct may have occurred.

McKeithen's request

Ms. McKeithen has said that what was supposed to be an investigation into specific allegations was initiated at her request in November 2005, in response to citizen complaints, and she was led to believe that she would see a copy of Mr. Bayer's report, with the names deleted, when it was completed.

"Unfortunately, this promise seems to have been forgotten, or perhaps the correct word is overridden, by directions from the city manager and the town attorney to Mr. Bayer to reveal no investigatory results," Ms. McKeithen said.

She said she then filed a public records act request for the report that was denied by Mr. Hynes.



'I'm damn certain we have a responsibility to (see the report), and we are going get some answers.'

COUNCILMAN JERRY CARLSON

Mr. Hynes told her the report was exempt from public disclosure due to attorney-client privilege, because it pertained to discipline of public employees and would go into their personnel files, and because the employees' privacy interest "outweighs the public interest served by disclosure."

"I think the arguments are specious, and don't really give you any specifics," Ms. McKeithen said.

She said she found it suspicious that the response to her public records request was delayed until the end of June, coinciding with Mr. Hood's departure June 30.

Councilman Jerry Carlson said he tried to get a copy of the report, and was also denied.

"I'm damn certain we have a responsibility to (see it), and we are going get some answers," Mr. Carlson said.

Both Ms. McKeithen and Mr. Carlson told the Almanac that they intend to continue their efforts to get access to the investigator's report. Ms. McKeithen said if the report is released to the council, she couldn't see a reason why the report should not also be available to the public. ■

Attorney: No good argument for denying report to council

By Andrea Gemmet

Almanac Staff Writer

Jim Ewert, an authority on public records law who serves as the legal counsel to the California Newspaper Publishers Association, called "incredible" the arguments by City Attorney Marc Hynes against releasing a report of an investigation of Atherton building department employees.

"I've seen that argument about privacy used for keeping information from newspapers, but never have I heard that argument used for keeping a information from a city council," Mr. Ewert said. "That's taking it to its nth degree."

The actual client who hired the investigator is the Atherton City Council, not the city manager, Mr. Ewert said. Therefore,



Lawyer Jim Ewert says he'd tell city staff: 'Give (the report) to me now, or go look for work somewhere else.'

the attorney-client privilege only exists between the City Council and the investigating attorney, he said.

As the client, a majority of council members could choose to waive that privilege and make the report public, he said.

The argument for keeping the report a secret because it involves personnel matters and employees' expectation of privacy doesn't hold up either, Mr. Ewert said.

Even assuming that the employees in question have reasonable expectation of privacy — "a huge leap of faith," he said — the council is the employer,

with the city manager acting as its agent.

"The City Council has a fiduciary duty, not only to the employees, but to the city itself to be informed," Mr. Ewert said.

The state's public records act prevents such information from being disclosed only if it is an "unwarranted invasion of personal privacy," he said. There's no prohibition on invading an employee's privacy if it is war-

ranted, he said.

Mr. Ewert said if he was a member of the Atherton City Council, he wouldn't file a public records request, he would simply demand to be given the report.

"Give it to me now, or go look for work somewhere else," he said. "Or I'd go directly to the attorney who wrote the report."

Mr. Ewert said he'd never seen a city attorney "stiff-arm a council" in such a fashion.

"For the city attorney to be the gatekeeper, I find that to be career suicide," he said. "It raises my suspicions about the attorney's role in the building department debacle, and what participatory role the city manager had. People become naturally suspicious when doors are closed. I've never heard of doors being closed to a city council." ■

■ KEY DEVELOPMENTS

■ **June 23:** The Almanac learns from Town Attorney Marc Hynes that an investigator hired by the town had conducted an eight-month-long investigation into possible wrongdoing by Atherton building department staff.

■ **June 30:** The head of the building department staff, building official Mike Hood, retires after giving two weeks' notice.

■ **July 19:** Town Finance Director John Johns tells the City Council that an internal audit of building department files on major construction projects turned up \$100,000 in uncharged fees, and evidence that procedures and controls were not in place or not used by staff. His full audit report will be presented at the Audit Committee meeting on July 27.

■ **July 20:** Atherton City Attorney Marc Hynes tells the Almanac that disciplinary action may be taken against some building department employees as a result of an investigation.

■ OBITUARIES

Thomas Colby Maddox

Teacher, cyclist, craftsman, environmentalist

Tom Maddox of Portola Valley, a longtime economics instructor at Foothill Community College, is being remembered by family and friends as a creative, intelligent and caring individual with many talents and interests.

Mr. Maddox died July 15 of injuries sustained when he was hit by a car while riding his bicycle June 12 with a friend on Skyline Boulevard, north of Skylonda near Woodside. An ardent cyclist, he was wearing a bike helmet at the time of the accident. He was 65.

Throughout his life, he was a constant support to his family, neighbors, students and colleagues, said his sons Colby and Heath Maddox, who graduated from Portola Valley schools.

He was a skilled, self-taught carpenter, furniture and knife-maker, and delighted in creating useful artifacts from reused materials, they said.

Mr. Maddox gave his time and energy to environmental and political causes, and spent many months in Nicaragua working with "Bikes Not Bombs," a nonprofit organization working for alternative transportation and community development. He collected donated bicycles and parts and helped construct bike shops in Nicaragua, where local people were given the skills to repair and maintain their bicycles and become community leaders.

An environmentalist, he enjoyed collecting and cultivating native plants that he used in his garden in Los Trancos Woods.

Mr. Maddox was born in Flat

Rock, Illinois. He grew up in Denver, and graduated with a bachelor of arts degree in international relations and a master's degree in economics from the University of Denver. In 1969, he moved to Portola Valley.

He was known as a dedicated and gifted teacher, and taught economics for 33 years at Foothill. Besides being well-read, he was a world traveler, having spent time in Europe, Asia, South and Central America, and other parts of the world.

Mr. Maddox is survived by his sons Colby Maddox of Chicago and Heath Maddox of Oakland; two granddaughters; his father, Robert Maddox of Denver; and five brothers and sisters.

A gathering of family and friends took place July 17 at the Maddox home.

The family suggests that memorial contributions in his name be made to nonprofits he was interested in: Bikes Not Bombs, 89 Amory St., #103, Boston, MA 02119 (617-442-0004); or Heifer Project International, P.O. Box 8088, Little Rock, AK 72203 (800-422-0474).

Russell Mason

Clinical psychologist

Russell Ellsworth Mason, a resident of Portola Valley for more than 50 years, died July 16 in Palo Alto. He was 85.

Mr. Mason was a clinical psychologist, a prolific writer, and founder of FI, a communications company. He and his wife, Yuri, also founded the Ethical Society, an organization promoting ethical living as a means of bettering society.

Mr. Mason was born in Washington, D.C. He graduated from Columbia College in Chicago and earned his doctorate at Purdue University. He served as

a lieutenant colonel in the U.S. Army during World War II. He practiced clinical psychology at the Veterans Affairs hospitals in Menlo Park and Palo Alto for 26 years.

His wife, Yuri, is a painter whose studio is located in their home, and Mr. Mason was dedicated to her talent. He frequently kept her company while she painted and helped with household chores so she could spend more time on her art, according to family friend Monica Olson.

Mr. Mason is survived by his wife and two cousins.

Robert Durwood Kimler

Former Woodside resident

Robert Durwood Kimler, who was born in Woodside and moved to Black Mountain, North Carolina, last March to live with his twin sister, died June 12 in Black Mountain. He was 48.

Mr. Kimler received a bachelor's degree from the University of California at Berkeley and a master's of divinity from St. Patrick's Seminary in Menlo Park.

He was a great lover of art, music, animals, architecture, landscaping and languages, said his family, and also was dedicated to community service.

Mr. Kimler is survived by his mother, Cary Kimler of Woodside; father Byron Kimler and his wife, Paula, of Beaverton, Oregon; twin sister Kay Kimler of Black Mountain; two brothers, Ernst Kimler of Emerald Lake and Russell Kimler of Morristown, Tennessee; and half-sister Elizabeth Jurica of Beaverton.

The family prefers donations in Mr. Kimler's name to the Peninsula Symphony Associa-

tion, 146 Main St., Los Altos CA 94022, or Friends of Filoli, 86 Canada Road, Woodside CA 94062.

Miller's Funeral Home and Father Seabo of St. Margaret Mary's Catholic Church in Black Mountain arranged the service. He was buried June 30 in Gut Lohne, Germany.

Joann Storum

Lived in Menlo Park, Atherton for 37 years

Joann Storum, wife, mother and business woman, died July 16 after a 2-1/2-year struggle with amyotrophic lateral sclerosis (ALS) at the family home in Atherton. She was 71.

She and her family moved to Menlo Park in 1969 and to Atherton in 1998.

Ms. Storum learned the real estate business while her husband, Bill Storum, made the transition from working with Chevron to starting his own business in 1977. She made the President's Club all four years that she worked at Fox & Carskadon in Menlo Park. Then she pitched in and helped her husband with his business, Auto Pride Car Wash, until 2005.

Born in Solano Beach, Ms. Storum grew up in Coronado and was chosen Miss Coronado when she graduated from high school in 1952. She worked in the Hotel Del Coronado's publicity department and attended San Diego College for Women, now the University of San Diego.

She married Bill Storum in March 1955 when he was a lieutenant in the Navy. They lived in Washington, Nevada and elsewhere in California before settling in Menlo Park.

Ms. Storum is survived by her

husband of 51 years and their four children: Ken Storum, an oral surgeon in San Diego; Bill Storum, an attorney in Chesapeake, Virginia; Steve Storum of Menlo Park, who is in the family business; and Marie Mitchell of Santa Rosa. She had 11 grandchildren.

Family and friends gathered July 22 to celebrate her life. Interment will be on July 29 in El Camino Memorial Park in San Diego.

Rudolf Bock

A memorial service for Dr. Rudolf "Rudy" Bock will be held at 11 a.m., Saturday, August 5, at Woodside Village Church.

Dr. Bock died at home July 17 in the company of family and friends. He was 91.

A Woodside resident for 20 years, Dr. Bock was born in Austria, and practiced ophthalmology in Palo Alto from 1953 until his retirement.

He volunteered his medical expertise on missions to Peru, Afghanistan, Botswana, Nicaragua, Bali, Jamaica, India and Mexico.

Dr. Bock is survived by his wife, Odessa, and five children: Marianne Schlumberger of Menlo Park; Oliver Bock of Woodside; Catherine Bock of Sweden; Peter Bock of Kansas; and Michael Bock of Forrest Knolls, California.

He is also survived by his former wife, Trude, four stepchildren, 18 grandchildren and three great-grandchildren.

Woodside Village Church is at 3154 Woodside Road, near Albion Avenue.

PROBE

continued from page 12

Preferential treatment?

Councilwoman Kathy McK-eithen said the council and the city manager for years have been thwarting her efforts to look into complaints about the building department.

In September 2003, Ms. McK-eithen questioned numerous building department practices that she said amounted to preferential treatment for some residents, and offered a list of "perceived irregularities."

Town staff was given two months to investigate, and returned to the council that November saying that nothing improper had been discovered. The majority of the then-council concurred, and on a 4-1 vote, with Ms. McKeithen opposed, affirmed the conduct of the

building department and the building official, Mr. Hood.

At last week's council meeting, Councilman Alan Carlson tried to keep the focus on the audit and on what needed to be done to fix building department procedures and restore confidence in the town government.

"I once had a law professor who said, don't let the sideshow take over the circus. The personnel matter is the sideshow," said Alan Carlson. "Our focus should be on what went wrong and how do we now fix it."

"When I tried to bring this to the council couple of years ago, you led the sideshow," Ms. McKeithen reminded Mr. Carlson. "If you'd actually let the circus in then, how much grief might have been avoided for the town?" ■

BevMo headed for Dal Baffo site on Santa Cruz Ave.?

■ NEWS BRIEFS

restaurant, we were unable to do so. It was a great disappointment to us," he said.

Morrow murder trial gets new date

The trial of Joseph Morrow, suspected of killing his wife Donna in their Menlo Park home in December 1991, is set to resume on September 5.

Mr. Morrow's trial came to a halt on March 27 due to the non-disclosure of a fraudulent letter written by a death row inmate at San Quentin State Prison in 1992, alleging he killed Donna Morrow. Defense attorney Bob Courshon filed a motion to have the case thrown out because the letter was

never shown to the grand jury.

In the letter, the inmate claimed that he buried Donna Morrow's body in Port Chicago, near the Concord Naval Weapons Station. It was deemed fraudulent when Ms. Morrow's skeletal remains were found in Los Gatos in September of 2003.

The state Supreme Court has yet to rule on Mr. Courshon's motion. Steve Wagstaffe, the county's chief deputy district attorney, said he hopes the new trial date will help expedite a judgment on the motion.

Mr. Morrow's trial, originally scheduled to start in April of 2004, had been pushed back several times at the request of Mr. Courshon.

— Bay City News contributed to this story.

Schools

NEWS OF LOCAL SCHOOLS, STUDENTS, TEACHERS, AND PARENTS.

Portola Valley school budget tops \$10 million

■ Local property taxes, foundation grants main source of funding.

By Marjorie Mader

Almanac Staff Writer

The Portola Valley School District started its 2006-07 fiscal year July 1 with a balanced \$10.1 million budget after facing a \$500,000 deficit in the early stages of the budget's development.

"We really scrutinized our numbers, made some changes and came up with a sound, solid budget for 2006-07," said Tim Hanretty, the district's assistant superintendent.

Trustees unanimously adopted the budget at their June 20 meeting.

The budget projects both revenue and expenses increasing 5.5 percent — about \$534,000 — over last year's \$9.46 million budget. It is subject to modification based on actual property tax increases and the finalization of the state's budget for K-12 education.

Mr. Hanretty advised trustees to "take a deep breath and plan better for expenditures" this coming year because the district "continues to spend as much as we take in."

He warned the board that the district could face deficits in the next two fiscal years unless spending is

reduced or revenue increased.

Portola Valley schools rely on local funding — property taxes, foundation contributions and parcel taxes — for 87 percent of the budget to maintain the level of programs and services at Ormondale, a K-3 school, and Corte Madera, for grades 4-8.

The district receives 69 percent of its income from property tax revenue, about \$6.6 million. Growth in property tax revenue is projected to be 8.4 percent, based on the San Mateo County assessor's projections.

Contributions from the Portola Valley Schools Foundation account for \$1.21 million, representing 9 percent of the district

budget.

Revenue from the district's parcel tax — \$290 per parcel — will total about \$656,000 this year. Other local income, such as after-school sports fees, facility leases, and reimbursements for services from other districts, will total about \$550,000.

The district receives only 1 percent of its budget from the state and 2 percent from the federal government.

Salaries, benefits and payroll taxes for teachers, administrators and classified personnel such as aides, maintenance and office workers account for 82 percent of all general fund operating expenses.

The budgeted personnel figures

include cost of wage adjustments on the salary schedules, plus a possible cost-of-living adjustment.

A total of 3.75 full-time-equivalent teaching positions have been eliminated because of a projected decrease in enrollment and lessened demands for particular kinds of services, said Mr. Hanretty.

Staff changes in the district office this year have resulted in creating the full-time "administrator coordinator" position by replacing the full-time positions of an administrative assistant and the student information system technician.

Copies of the 2006-07 budget are available at the district office, located at Corte Madera School, 4575 Alpine Road in Portola Valley. ■

PV foundation raises \$1.21 million for schools

By Marjorie Mader

Almanac Staff Writer

The Portola Valley Schools Foundation has given \$1.21 million in grants for the 2006-07 school year to the Portola Valley School District to "maintain the excellence of the current programs" and to support future initiatives.

The largest grant — \$775,000 — goes into the district's operating budget, providing about \$1,150 per child in the K-8 district's two schools, Ormondale and Corte Madera. The district has 670 students.

The funds were raised by the foundation's annual campaign and its gala held last May at Portola Valley Town Center.

"The success of our fundraising is a vote of confidence in the wonderful job being done by our teachers, staff and administrators in providing a solid, well-rounded education to our children," said Joy Elliott and Jon Goulden, foundation co-presidents, in a written report last month.

"We should be proud that, as a community with many strong and diverse opinions, we have been able to unify around a worthy goal — the continued excellence of our schools," they wrote.

The foundation's contributions represent 9 percent of the revenue in the district's \$10.1 million this fiscal year.

Additional foundation grants

include:

■ \$80,000, the last distribution from the foundation's multi-year capital fund known as the 21st Century Fund, to be used during the school year.

■ \$20,000 as a general grant from eScrip proceeds, derived from purchases by community members at stores that give rebates to participating schools.

■ \$37,000 from the foundation's endowment to fund specific district requests. The foundation may grant up to \$100,000 for the 2006-07 school year from its endowment fund.

■ a \$200,000 commitment from gala proceeds to further fund the endowment.

■ \$100,000 has been set aside from gala proceeds to help the district administration and board determine how best to allocate these funds to meet both short- and long-term needs of the district.

The community's efforts to support education, said the foundation co-chairs, are reflected in the schools' recent state accolades.

Ormondale was recognized as a distinguished elementary school last spring for the fourth time, and ranked first in the state among a grouping of similar schools. Corte Madera ranked second in the state's grouping of similar schools. Corte Madera has been recognized nationally as a "Blue Ribbon" middle school by the U.S. Department of Education. ■



Photo by Lyn Healy

'Dreamcoat'

Among those performing in the Peninsula Youth Theatre's production of the musical, "Joseph & the Amazing Technicolor Dreamcoat," are, from left, Jennifer Kranz of Atherton, John Bujalski of San Jose and Molly Murphy of Redwood City. The show will run from July 29 through August 6 at the Mountain View Center for the Performing Arts, 500 Castro St. in Mountain View. Tickets cost \$18 for adults and \$15 for kids and seniors. Call 903-6000 for more information.

Las Lomitas foundation sets another record

By David Boyce

Almanac Staff Writer

Facing a second consecutive year of having to draw on its reserves, the Las Lomitas Elementary School District can take some comfort in the generosity of parents and community members: they set another record with their annual gift this year.

The grant from the Las Lomitas Education Foundation to the two-school K-8 district is \$1.06 million, a 15 percent increase

over last year's record grant of \$925,000, said Superintendent Mary Ann Somerville.

The money will go toward hiring teachers, maintaining favorable student-to-teacher ratios, offering elective and support classes, and purchasing playground equipment and instructional materials, said Ms. Somerville in a written statement.

The foundation's overall fundraising campaign met its goal of a 69 percent participation rate in the community, said Ms.

Somerville. The district's 1,075 students live in parts of Menlo Park, Atherton and unincorporated San Mateo County.

The grant, announced at the June 21 school board meeting, included \$25,000 donated by grandparents of district students, with the money to be split evenly for playground equipment for the two schools.

The annual Hoedown fundraising event raised \$40,000 for instructional materials, supplies and equipment. ■

Tight budget year for high schools

■ Revenues are up, but so is spending.

By David Boyce

Almanac Staff Writer

If fallen leaves at local public high schools go uncollected this fall and the grass next spring is a little longer, blame the officials of the Sequoia Union High School District. In anticipating a very tight budget year, they plan to cut back on routine maintenance so that cuts aren't necessary inside the classrooms.

The district expects to spend \$88.8 million in the 2006-07 school year on revenues of \$87.5 million plus \$1.3 million from reserves, making this the second straight year that the district has had to draw on reserves. The Board of Trustees approved the budget June 26.

Expected revenues are up by \$3.8 million — about 4.5 percent over

last year — but expected costs are up, too, including \$2.9 million more for charter schools and \$1 million more for special education services, said Ed LaVigne, the district's financial officer.

Compounding these expenses is the fact that the district did not receive about \$1.5 million in property tax revenues expected for the previous school year and needed to pay bills. Instead of the 9 percent increase the San Mateo County Assessor's Office had predicted back in July 2005, the district received just 6 percent more, Mr. LaVigne said.

The news was a surprise because for five years in a row, the county's predictions had been accurate to within a few hundred thousand dollars, Mr. LaVigne added. "You know," he said in an interview, "it's really hard to plan a year and have to patch it after the fact."

Board president Gordon Lewin sounded a similar note. "You're told you're getting X, and then, by the end of the (school) year, you're getting X minus 30 percent," he said.

With money tight, the district plans to control costs in several ways, including freezing spending, cutting \$1 million from the textbook budget, and perhaps laying off some staff in school maintenance departments.

There are no plans to raise staff salaries beyond the built-in annual increases, Mr. LaVigne said.

"It's going to be a very, very tight year financially," said Gordon Lewin, president of the district's Board of Trustees.

There are more autistic children who need special education services in the district, Mr. Lewin said. To control those costs, the district plans to hire trained staff rather than use contractors.

The Sequoia district is also planning for 474 new charter school students in the coming school year, including about 400 Summit Prep High School students, Mr. LaVigne said. Each student requires a payment to the charter school of about \$6,200. ■

Art on a plate

Civic pride suffused the air of second-grade classes at Woodside Elementary School recently as students Cassie Miller, left, and Leila Schneider showed Town Manager Susan George a set of painted ceramic plates, including one of the Town Hall, above.

The plates, which commemorate the town's 50th anniversary, were painted by students and lettered by parents. Ms. George visited the classes to talk about the town and take student questions.

The Almanac/David Boyce



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Elaine Winer winds up her 34-year teaching career

By Marjorie Mader

Almanac Staff Writer

■ PORTOLA VALLEY

Coming from congested Los Angeles, Elaine Winer says she has loved teaching and being a part of the Portola Valley community, where “everybody knows your name.”

“I’m going to miss the kids, seeing my friends on a regular basis, but I’m not going to miss the report cards, parent conferences and being sleep-deprived,” Ms. Winer says.

She retired June 30 after teaching in the Portola Valley School District for the past 34 years. Most of those years were spent teaching fourth grade.

Ms. Winer says that closing down her classroom was “a mind-boggling job.”

Over the years, she has collected a literary treasure of more than a thousand books, stashed on the cupboard shelves, and pounds of curriculum materials and reports. She plans to find new homes for the books with other teachers and pass on curriculum material to Denise Falzon, who’s returning to the fourth-grade classroom after teaching fifth grade.

Ms. Winer has also taken down from the wall the class pictures of every class she’s taught at both Corte Madera and Ormondale since she came to the district in 1972 as the youngest teacher on the staff.

She quickly became a key player in the district. She arrived with a “halo,” recalls colleague Eloise Fredrickson Pollock, because she did demonstration teaching for “the godmother of individualized instruction and the five-step lesson plan, Madeline Hunter,” at the University Elementary School on the UCLA campus.

During Ms. Winer’s internship at the university school, she taught grades three, four, and five,

all at the same time in the same room. Her first parent conference concerned student Adam Nimoy, the son of Leonard Nimoy — Mr. Spock of “Star Trek” fame.

She taught for five years at a brand new school in Malibu where some students rode their horses to school and went surfing at lunch time. With a starting salary of \$5,600, she became a member of the teachers’ bargaining team for the Santa Monica District.

After experiencing two Malibu fires and the 1971 earthquake, Ms. Winer decided to leave L.A. and return to the Bay Area, where she had studied at UC Berkeley before she returned to and graduated from UCLA.

Her first class at Ormondale was a challenging group of fifth-graders. They informed her that she would be there only for a year because every teacher they ever had had left after a year with them.

Undaunted, Ms. Winer not only survived that class but also several district reorganizations, eight new superintendents and the saga of revolving principals at Corte Madera.

She played a leadership role in the schools and district. She was a member of the steering committee that successfully passed the first tax override measure that marked the beginning of school districts’ having to supplement their budgets with community funds to preserve quality education.

A major accomplishment was serving on the teachers association’s first collective bargaining team, inaugurated by a new state law, that negotiated the first col-

Elaine Winer has shared her love of books and learning with hundreds of students during her more than three decades of teaching in Portola Valley.

The Almanac/
Marjorie Mader



Over the years, she has collected a literary treasure of more than a thousand books, stashed on cupboard shelves.

lective bargaining contract in San Mateo County. She headed the bargaining team in the 1980s that negotiated an unprecedented 29 percent salary boost for teachers, spread over three years.

Ms. Winer brought her early training in individualized instruction — tailoring instruction to the needs of children

— to her classrooms at Ormondale and Corte Madera. Now, a similar approach is called “differentiated instruction,” geared to providing instruction that meets the needs and learning styles of groups of students.

“The school district has the reputation of being able to meet the needs of children with a vast array of abilities, needs and learning styles,” she says.

Ms. Winer has been a mentor teacher in the district, both officially and informally. She’s now the guru of the traditional fourth-grade Gold Rush field trip and

initiator of the annual “Fantasy Tea,” when her students come as their favorite literary character.

Her love of children’s literature spurred her to bring high-quality book fairs to both schools and start the book donation program that has put more than 1,000 new books on the libraries’ shelves.

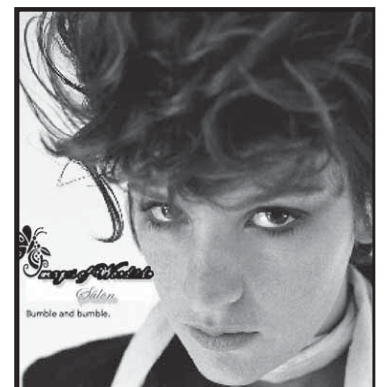
Dreams of having a children’s bookstore came true when she partnered with former librarian Ann Woodrow and Cherry Lyon in running “If Wishes Were Horses” in Palo Alto.

Her students have played a huge part in her life. Three stand out: a young surfer, Sean Penn; the mischievous Eric Byrnes, now playing center field for the Arizona Diamondbacks, who visited her class and told students to “listen to your teacher”; and a budding genius, Tom Woodrow, now executive producer shooting a film on location in Macedonia that might be shown at the Cannes Film Festival.

Ms. Winer plans to “not commit to anything for a year, just see what comes along.” She says she will “sleep late, stay up late, and subscribe to and read the

New York Times.”

Her class has some other ideas for her, which were written and illustrated in her “happy retirement” book. Each page begins with, “I think Ms. Winer should travel to ...” Students completed the sentence with suggestions including: the Borghese Gardens, to rent a motorized bike; Flagstaff, Arizona, to see a 9,000-year-old petroglyph and call the owner (phone number included); and the Mauna Lani Resort on the Big Island of Hawaii. ■



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Ladera church names transitional pastor

Ladera Community Church will welcome The Rev. Dr. Alfred E. Williams Jr. as its transitional pastor on August 2. He will lead the worship service on Sunday, August 6, at 9:30 a.m. in the church’s sanctuary at 3330 Alpine Road in Portola Valley.

He takes over from The Rev. Dr. Wayne Dalton, who retired in June after serving as the church’s minister for 11 years.

The Rev. Williams recently served as transitional minister for the First Baptist Church in Palo Alto. He retired to Foster City in 1991 after serving for 36 years as an associate conference minister and later as conference minister with United Church of

■ NOTES

Christ conferences in Illinois and Massachusetts. He received a master of divinity degree in 1956 from Union Theological Seminary in New York City.

The Ladera church, part of the United Church of Christ community, is at 3300 Alpine Road in Portola Valley. For information, call the church office at 854-5481 or e-mail church@ladera.org.



The Rev. Williams

Grant funds computers at Canada College

A 2006 Technology for Teaching grant from the Hewlett Packard Corp. will be paying for new HP tablet computers and associated equipment at Canada College in Woodside.

The \$120,500 grant includes 42 computers and other equipment, said college spokesman Robert Hood.

A tablet computer accepts both handwritten and typed input. This system allows a teacher sitting at a faculty computer to view the computer screens of individual students and offer “real-time” assis-

tance and/or assessment of the student’s work, Mr. Hood said.

The 2006 grant builds on a \$74,000 grant from HP last year.

Dropping off hazardous waste

Residents of Atherton, East Palo Alto, Menlo Park, Portola Valley, Redwood City and Woodside are invited by the San Mateo County Health Department to make an appointment to drop off household hazardous waste at a location in Menlo Park on Saturday, August 12.

There is no charge for residents, who are urged to make an early appointment by calling 363-4718 or online at smhealth.org/hhw/appt.

County celebrates 150 years; three exhibits open Saturday

History buffs are invited to dress up in period costumes — 1850 to 1950 — for the opening of three new exhibits at the San Mateo County History Museum on Saturday, July 29, from noon to 4 p.m.

The grand opening party is part of the San Mateo County Historical Association's year-long series of events celebrating the county's creation in 1856. There will be music, family activities and docent-led tours of the new galleries.

The new exhibits are:

■ "Land of Opportunity: The Immigrant Dream" will track the ways that immigrants have fared in San Mateo County. The exhibit will explore the experiences, good and bad, of the Italians, Irish, Chinese, Portuguese, Mexicans, and others who have come to make a life in the county. At 12:15 p.m. Umang Gupta will cut the

ribbon to open the exhibit.

■ "San Mateo County History Makers: Entrepreneurs who Changed the World" focuses on eight county entrepreneurs who developed businesses that impacted lives here and around the world. They include A.P. Giannini who founded Bank of America; Alexander Poniatoff of Ampex; Gordon Moore of Intel; Tom Siebel of Siebel Systems; and surgeon-inventor Dr. Thomas Fogarty of Portola Valley, who will be honored by the association at a History Makers dinner September 21. At 12:45 p.m., Dr. Thomas Fogarty of Portola Valley will open the exhibit.

■ "Living the California Dream" features a state-of-the-art "object theater" which traces the California dream from the era of great estates, through the growth of suburban living. Sunset Magazine will have a special display. At 1:15

p.m. representatives of the Carl Gellert and Celia Berta Gellert Foundation will cut the ribbon.

The new exhibits, paid for by \$3 million in donations, will double the exhibit space of the history museum. Three current exhibits are also open: "Nature's Bounty," which explores how Peninsula residents have used their natural resources; "Journey to Work," about transportation since stagecoach days; and a temporary exhibit baring the skulduggery that surrounded the creation of San Mateo County out of San Francisco.

The event is free at the museum; the entry is at 750 Middlefield Road, Redwood City.

Other events are planned for the Sesquicentennial celebration. They include:

■ Dedication of a plaque honoring the two Irishmen who

founded Menlo Park, Saturday, August 12, from 1:30 to 3:30 p.m. at the Menlo Park train station. There will be historical exhibits, and copies of a new edition of "Menlo Park: Beyond the Gate."

■ Release of a new book, "San Mateo County: Sesquicentennial History," By Mitch Postel, president of the San Mateo

County Historical Association. Date to be announced.

■ Grand opening of restored County Courthouse and the plaza facing it on Broadway in Redwood City. Date to be announced.

■ Other events, including historic tours in different cities may be checked online at www.smc150.org, or by calling 299-0104. ■

Mitch Postel, president of the San Mateo County Historical Association, stands with a paper sculpture of the Virgin of Guadalupe, which marks the entrance to "Land of Opportunity: The Immigrant Experience," one of three new exhibits opening Saturday, July 29, at the San Mateo County History Museum.

The Almanac/Marion Softky



NOTICE OF PUBLIC COMMENT PERIOD Proposed Soil and Groundwater Remedies and Negative Declaration

**Tyco Electronics Corporation
300 Constitution Drive
Menlo Park, California 94025**

PUBLIC COMMENT PERIOD: July 27 to September 11, 2006

Si desea mas informacion en Espanol, comuniquese con Jacinto Soto, al numero (510) 540-3842

WHAT'S BEING PROPOSED?

The California Department of Toxic Substances Control (DTSC) is requesting public comment on the proposed remedies for soil and groundwater contamination at the Tyco Electronics Corporation (Tyco). The proposed remedies are described in the Corrective Measures Study/Implementation Plan (CMS/IP) and Land Use Covenant Implementation and Enforcement Plan (LUC I&E Plan) submitted by Tyco. Tyco has conducted several interim soil removals and been monitoring the groundwater wells during the past 20 years. The proposed remedies include installing new wells, sampling and monitoring groundwater, and entering into a land use covenant with DTSC to restrict the land use to commercial and industrial use. DTSC has also prepared a proposed Negative Declaration in compliance with the California Environmental Quality Act for this project.

WHY THIS NOTICE?

The purpose of this notice is to provide the public with the opportunity to learn more about the project and to provide comments to DTSC concerning the proposed soil and groundwater remedies and proposed Negative Declaration. Written Comments must be postmarked by September 11, 2006.

HOW DO I PARTICIPATE?

Your participation is encouraged. Comments concerning the proposed remedies and proposed Negative Declaration must be submitted in writing and postmarked by September 11, 2006 to: Wei-Wei Chui, Section Chief, Standardized Permitting and Corrective Action Branch, Department of Toxic Substances Control, 700 Heinz Avenue, Suite 300, Berkeley, CA 94710 Email: wchui@dtsc.ca.gov or (510) 540-3975. For more information you may also contact Richard Perry, DTSC Public Participation Specialist at (510) 540-3910. For media questions, please contact Angela Blanchette, DTSC Public Information Officer at (510) 540-3732 or ablance@dtsc.ca.gov

PUBLIC HEARING

DTSC has not scheduled a public hearing on the proposed remedies. However, interested parties may request a public hearing in writing. Public hearing requests must state the reasons for the public hearing and the issues or concerns that would be raised. Public hearing requests must be sent to Wei-Wei Chui at the address above and be received by the close of the public comment period.

WHERE DO I GET MORE INFORMATION?

The full Administrative Record for this project is available at the DTSC Office listed above. A copy of the Corrective Measures Study/Implementation Plan, Proposed Negative Declaration, and various investigation reports are available for review in the Information Repositories located at the Belle Haven Branch of the Menlo Park City Library, Reference Desk, 413 Ivy Drive, Menlo Park, California 94025 (650) 330-2540.

Talk on weekend adventures

Travel writer Carole Terwilliger Meyers will discuss the latest edition of her guidebook of Northern California weekend getaways on Saturday, August 5, in the Menlo Park Library.

Ms. Meyers will give examples from her book, "Weekend Adventures in San Francisco & Northern California," during the free presentation, which begins at 11 a.m.

The book, first published in 1977, is now in its eighth edition. It includes suggestions for weekend trips that include panning for gold, spending the night in a lighthouse, relaxing and tasting in the Wine Country, and hiking and biking in hills, mountains and parks.

The library is at 800 Alma St. Free van service is available for Menlo Park seniors and residents with disabilities. Transportation can be scheduled by calling Roberta Roth at 330-2512.

Acterra recruiting for leadership program

The environmental organiza-

NOTES

tion Acterra is seeking people with a passion for environmental causes to apply for its "Be the Change Environmental Leadership Program."

Starting its second year, the program will train a diverse group of 25 to 30 people in a 10-month program that involves monthly seminars, workshops, and field trips; each student will conduct a project to tackle a specific environmental problem.

Prospective candidates for the class beginning in September are being interviewed. The deadline to apply is July 31.

Program Director Kay O'Neill is looking for people from many fields, including business leaders, educators, scientists, and social activists.

Tuition is \$1,600; scholarships are available.

For information, or to apply, go to acterra.org/leadership; or call Kay O'Neill at 962-9876, Ext. 345.

Sports

NEWS OF LOCAL ATHLETES AND TEAM SPORTS

Alpine/West Menlo All-Stars fall in championship game

After coming within one win of the District 52 championship, the Alpine/West Menlo 11-12 year-old Majors All-Star team lost two games to Palo Alto National at Middlefield Park on July 17 and 18, ending its run through the tournament.

Alpine/West Menlo dropped the first contest by a score of 9-1 and the second, 3-2, after breezing through the winners'

bracket with four victories.

Palo Alto National took a more circuitous route to the final, clawing its way out of the consolation bracket with eight straight wins.

Title game

Graham Marchant pitched the first five innings of the July 18 game for Palo Alto, and Freddy Avis finished off the

contest on the hill. The day before, Avis had tossed a complete-game three-hitter to keep his team's season alive against Alpine's Travis McHugh and Jordan Winawer (in relief).

Alpine's ace, Sam Falkenhagen, pitched a four-hitter in the title game.

Alpine/West Menlo had an opportunity to take the lead when it loaded the bases with no

See picture on Page 5.

one out in the fifth inning, but Marchant struck out Falkenhagen and induced two ground balls, allowing only one run to come across.

For Alpine and head coach Dave Denier, the loss was a cruel twist of fate. They were the last team to win the district out of the losers' bracket, back in 2001,

with Denier as their coach.

He had helmed Alpine's 10-year old All-Stars for the past three or four years, but decided that the chance to coach the group of kids rising from his level this year was too good to pass up.

"We did it in 2001 and I knew Palo Alto was the team that could do it this year," Denier said. "They're a really talented club."

— *Palo Alto Weekly*

Minors All-Star team reaches tournament title game

By Sean Howell

Special to the Almanac

A team of 8-12 year-olds from the Menlo-Atherton Little League reached the title game of the Super Bowl Minors All-Star tournament on June 28 before losing to the Palo Alto National League All-Stars in the final contest.

In the 20 years that the Menlo-Atherton Little League had been participating in the Minor and Major Super Bowl games, none of its teams had ever reached the final round before, said League President Robert Crowe.

The single-elimination tournament was made up of 15 teams from District 52, which stretches from just south of San Francisco to Palo Alto.

The team won two of its first three games in convincing fashion, dispatching two clubs <0x2014> Redwood City American and San Carlos by mercy rule, 14-4 and 10-0. The rule states that the game will be called when one team leads by 10 runs or more after the fourth inning.

Menlo-Atherton came from behind in the sixth inning of the second game to beat Redwood City, 8-6.

Scott Barnum, Jon Duane and Brian Iwashita coached the team.

According to Barnum, this All-Star tournament is one of four that the Menlo-Atherton Little League is involved in each year.

"The idea is to give as many kids as possible a chance to compete at a higher level of play," Barnum said. ▀



Courtesy of Scott Barnum.

Members of the Menlo-Atherton Little League's Minors All-Star team. The players pictured are, back row, from left, Coaches Jon Duane, Scott Barnum and Brian Iwashita; second row, from left, Charlie Duane, Paul Iwashita, Grant Stewart, Zach Moore, John Hardy, Henry Walker, and Emma Heath; and front row, from left, Walker Barnum, Bobby Roth, Riley Haught and Jackson Williams.

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■ POLICE CALLS

This information is from the Atherton and Menlo Park police departments and the San Mateo County Sheriff's Office. Under law, people charged with offenses are considered innocent until convicted.

ATHERTON

Residential burglary report: Residence broken into, first block of Wilburn Avenue, July 17.

MENLO PARK

Assault with a deadly weapon report: Man, 61, attacked a 44-year-old man with a mop handle, 1200 block of Willow Road, July 19.

Grand theft reports:

■ Bracelet stolen from residence, 500 block of Ivy Drive, July 15.

■ Copper tubing stolen from residence, 2400 block of Sand Hill Road, July 17.

■ Jewelry stolen from residence, 1800 block of Oak Avenue, July 20.

Stolen vehicle report: Silver Nissan Maxima, 800 block of Coleman Avenue, July 15.

Auto burglary reports:

■ Change stolen, 300 block of Oakwood Place, July 16.

■ Stereo stolen, 100 block of Elliot Drive, July 19.

■ Laptop computer and emergency road

kit stolen from two locked vehicles, 800 block of El Camino Real, July 20.

Fraud reports:

■ Suspect befriended and convinced victim to wire money to him in London, 700 block of Laurel Street, July 15.

■ Identity theft, July 18.

■ Identity theft, 600 block of Sand Hill Circle, July 19.

■ Fake checking account set up in resident's name to pay bills, 1000 block of Colby Avenue, July 19.

■ Resident received e-mail from someone posing as credit-card company, asking to confirm charges on card, 700 block of Menlo Avenue, July 20.

PORTOLA VALLEY

Auto burglary: Cell phone and wallet stolen, Windy Hill Open Space parking lot at Alpine Road and Willowbrook Drive, July 13.

WOODSIDE

Residential burglary reports:

■ Construction equipment missing and tires slashed, 300 block of Jane Road, July 12.

CharStyle:bullet>n Unknown man seen prowling on residential property, 300 block of Eleanor Drive, July 17.

Menlo Park PD hires seven new officers

The Menlo Park Police Department swore in seven officers on July 21, filling several of the positions that had been left vacant by eight departures from the force in 2005.

Five of the new hires will fill officer positions, while two will work part time as reserve officers.

Nicholas Douglas, 33, is the most experienced of the full-time officers, having worked with the New York Police Department for three years as an officer.

The other four full-time officers graduated from the police academy in June 2006. They are: Victoria Martinez, 27; Joshua Russell, 23; Matthew Saylor, 33; and Allen Swanson, 23. Ms. Martinez has worked with the

department before, most recently as a secretary for the commanders. Mr. Russell worked in the department as a "cadet explorer" when he was 16.

Mr. Saylor previously served in the United States Army as a specialist/corporal.

Thomas Lu and Jacqui Perna are the new reserve officers. Mr. Lu volunteered at the Mountain View Police Department; Ms. Perna served in the San Francisco police department for five

years.

The department is still looking for three more officers, and also has two openings at the sergeant level, which it will fill internally, according to department spokeswoman Nicole Acker.

It will also interview candidates for the position of commander in early August. That spot was left vacant when Bruce Goitia was promoted from commander to police chief, replacing Chris Boyd.

Parks sales tax likely on November ballot

A proposal to increase San Mateo County sales taxes by one-eighth of a cent to pay for park upkeep and services is likely to be on the November ballot.

The Board of Supervisors voted unanimously July 18 to put the measure on the ballot. Final action by the board is set for August 1.

The county estimates that the sales tax would cost the average county resident \$18 a year and would generate about \$16 million annually for county parks, 20 city parks and recreation departments in the county, the Ladera and Highlands recreation districts, and the Midpeninsula Regional Open Space District.

The funds must be used to support parks and recreation services, including the maintenance of park bathrooms, the repair and upgrading of playgrounds, and the preservation of open space within the county. Teen after-school groups, senior fitness and nutrition programs, and athletic programs would also benefit from the tax.

— Bay City News Service

Driver rescued after 100-foot plunge

A La Honda man survived after the Mercedes SUV he was driving plunged about 100 feet into a valley in the mountainous part of Highway 84 in Woodside on Sunday afternoon, July 15.

The driver, Martin Browne, 56, was put on a stretcher and hauled up by firefighters who rappelled down on ropes to reach him. He was taken to Stanford Hospital with moderate injuries and was cited for drunken driving, said Sgt. Gary Brown of the San Mateo County Sheriff's Office.

The incident happened around 1:30 p.m. The road was closed for three hours, Sgt. Brown said. The

■ NOTEBOOK

rescue operation took about one and a half hours and involved three fire trucks and an ambulance, said Battalion Chief Rawn Pritchard of the Woodside Fire Protection District.

The vehicle, a 1999 Mercedes SUV, clipped a tree on the way down and probably was airborne after leaving the road, Mr. Pritchard said.

Tour de Peninsula set for August 6

Bicycle buffs and park supporters are gearing up for the annual Tour de Peninsula bike

ride Sunday, August 6, to benefit the San Mateo County Parks and Recreation Foundation and Bicycle Sundays.

The 33-mile bike ride, Northern California's largest, starts and ends at Sequoia High School. There are four rest stops; 17- and 21-mile routes are available.

The ride is \$35 for adults and \$15 for kids 16 and under, if they register ahead of time. It's \$5 more to register the day of the ride.

Registration starts at 6:30 a.m.; the ride starts at 8:30. Volunteers are also needed to help with the ride.

For information, to sign up for the ride, or to volunteer, go to supportparks.org; or call 321-5812.

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Staff Writers Andrea Gemmet,

David Boyce, Rory Brown

Editorial Intern Sean Howell**Contributors** Barbara Wood,

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**WHAT'S YOUR VIEW?**

All views must include a home address and contact phone number. Published letters will also appear on the Almanac web site: www.AlmanacNews.com

EMAIL your views to letters@AlmanacNews.com. Indicate if it is a letter to be published.

FAX to Editor at 854-0677.

MAIL or deliver to: Editor at the Almanac, 3525 Alameda de las Pulgas, Menlo Park, CA 94025.

CALL the Viewpoint desk at 854-2626, ext. 222.

Atherton must shed light on probe

It's been observed that, when it comes to government scandals, it's not the crime that people can't forgive, it's the subsequent cover-up. In Atherton, scandal is brewing over the town's building department, and to many observers, Atherton officials' handling of the situation has the whiff of a cover-up.

There are a few things that are known: The head of the department, Building Official Mike Hood, retired unexpectedly June 30; an investigator hired by the town spent about eight months digging into charges of wrongdoing by building department staff; and a separate audit turned up \$100,000 in building fees that should have been charged and weren't.

But what is really feeding the scandal is what is unknown.

Did an overburdened staff make sloppy mistakes, or were favors exchanged? Should the city manager have been paying more attention, or were things being hidden from him? Were there warning signs that were ignored? How long have the problems gone on?

Because City Attorney Marc Hynes has blocked access to the investigator's report even to the City Council members themselves, rumors and conjecture have taken over. At public meetings, residents have come up with scenarios involving bribes, favoritism, and managerial ineptitude as possible reasons for covering up the report's contents.

At the moment, none of those hypotheses appear to have any substance, and they are certainly damaging to everyone involved — town officials, building department staff, and any builder who has had business with the building department.

Besides employee privacy, Mr. Hynes cites attorney-client privilege for withholding the report. This argument is clearly ludicrous. The city manager is an agent working on behalf of the council. If he hires an attorney to investigate the building department, who, if not the City Council, is ultimately the client?

And that is why all five members of the Atherton City Council must demand the release of the investigator's report and make public its findings. A well-regarded authority on the state's public records law told the Almanac that the council has a right to the report, and that a majority of council members can vote to make its contents public. We urge them to do exactly that.

Atherton has done a credible job of restoring public confidence in a town government that six years ago was rocked by a series of

embarrassing revelations. Back then, disgruntled Atherton residents twice refused to pass the special parcel tax, throwing the town into a financial crisis and making it impossible for town officials to turn a blind eye to the problems.

Since that time, Atherton has been running smoothly and quietly under the direction of City Manager Jim Robinson, and the town's formerly bungled finances have been receiving unqualified audits from an outside auditor — proof that Atherton has gotten its fiscal house in order.

The problems within the building department, whether perceived or real, represent the first serious threat to the town's stability since 2000 and were accurately described by council members as a crisis in Atherton's credibility.

While Mr. Robinson's cautious handling of the investigator's report is certainly understandable, it is no longer wise. Fear of litigation is not a valid excuse for blocking access to information about the building department investigation. Steps can, and should, be taken to protect the privacy of individual building department employees who are implicated.

However, refusing to reveal anything about the investigation, including its scope and its findings, makes it impossible for the council members to their job — to answer to their constituents, to assess the competence of the town's employees, and to oversee the town's finances.

It's fitting that Councilwoman Kathy McKeithen, who worked to shed light on Atherton's problems six years ago, was the first to bring allegations of possible improprieties in the building department to the attention of the city manager last November. She deserves credit for pursuing the matter and for her dogged determination to restore transparency to Atherton town government.

Atherton's newest council member, Jerry Carlson, also deserves to be commended for working to gain access to the investigator's report. "The perception of wrong-doing may be a lot larger than the actual wrong-doing, but by not having the information, all you can do is speculate," said Mr. Carlson. "My personal goal is to get things out into the open and end the speculation."

As Ms. McKeithen said at last week's council meeting, sunshine is a powerful disinfectant. We wholeheartedly concur. The Atherton City Council needs to shine a light on the building department's troubles and end the rumors.

LETTERS

Our readers write

Give PV a PO,
not a new town hall

Editor:

I would like to know when they are going to have a post office (in Portola Valley) again. I understand that they are working on plans for a new town hall. We need a post office again, not a new town hall.

I have lived here for over 50 years. We don't need to go backwards. People pay high taxes up here. We have to go nearly 5 miles to get a roll of stamps or to mail a package. What with high gas prices. It stinks.

Willis H. Knapp
Corte Madera Road
Portola Valley

See **LETTERS**, next page



Courtesy Sandi Jelich Anderson/Portola Valley Archives

Our Regional Heritage

Firefighter George Jelich stands in front of the original Portola Valley fire station in 1939. His daughter, Sandi, reports that he loved planting and tending the beautiful garden at the station, which is a part of the Woodside Fire Protection District. Besides flowers, Mr. Jelich applied his green thumb to growing strawberries, which his daughter remembers picking during visits to the station.

LETTERS

Continued from previous page

Five theses to move Menlo Park forward

Editor:

This letter is in rebuttal to Martin Engel's op-ed column on his 18 theses. Most Menlo Park residents do not share his reactionary views about trying to turn Menlo Park back into a small residential village.

On the one hand, Martin Engel says he wants to encourage economic development so the city's revenue will increase, but on the other hand he wants to discourage businesses and new housing. You can't have it both ways, since revenue needs to come from someplace. For instance, either the city allows businesses to move in to replace the car dealerships along El Camino, or the city makes zero sales tax revenue from those sites.

In contrast to his 18 theses trying to turn the clock back in Menlo Park, instead I propose these five theses that will allow the city to function smoothly in the 21st century.

1. Make it easier for businesses to relocate to Menlo Park or expand their operations in the city, thus bringing in much-needed tax revenue so our city budget can get out of the red.

2. Examine empty lots or parcels that have been unused for years. The city can choose to turn this space into parks, rezone them to make it practical to develop, or allow existing buildings to be replaced with something that is economically viable.

3. Stand up to the public employees' union. Our employees at City Hall have very high salaries and can retire with unbelievably generous pay and benefits. We taxpayers can no longer afford to underwrite this extravagance.

4. Pursue federal and state funding to help pay for Caltrain grade separations. It has to happen sooner or later, so we might as well get someone else to help foot the bill.

5. Remove traffic bottlenecks so cars don't belch smoke into our city's air, and waste the time of drivers. We don't have a case of "if you build it, they will come." They are already here, stacked up behind the bottlenecks we have created.

Sue Kayton
Doris Drive, Menlo Park

Where are the minutes for Menlo council meetings?

Editor:

The Menlo Park City Council has apparently decided that it no longer needs to make council meeting minutes available to the public. This is contrary to the published Procedures Manual, Menlo Park City Council, dated

January 24, 2006, that states on page 10 that "minutes of the meeting are taken by the City Clerk or designee and made available for public inspection."

The city has posted no minutes for meetings since those for March 28, 2006 — four months ago! And any agenda item calling for review and approval of minutes of past meetings is absent from current and tentative future council agendas.

This malpractice is taking place at a time when the council has been making highly contentious decisions concerning the privatization of the new pool complex, the possible privatization of the new child care facility, the approval of major developments in Linfield Oaks and along El Camino, the placing of an advisory measure for \$15 million to \$17 million in sports fields east of U.S. 101 on the November ballot, and the need to address the on-going several million dollar operating budget shortfall with new taxes.

Is it just possible that the council majority and the city manager would prefer that concerned citizens not be able to easily access records of council actions and citizen comment on these issues?

I really would like to know. All citizens of Menlo Park deserve to as well.

Nancy Borgeson
Laurel Street, Menlo Park

Travel restriction equals reduction of freedom

Editor:

In a guest opinion in the July 12 issue, Tracy Cox stated that "there is a difference between riders and drivers commuting to work or doing errands and those who use the roads for personal training," and called for a change in the California Vehicle Code that would presumably give preferential use of public roads to those whose trips are considered important. This would require a sweeping change to more than just the California Vehicle Code, and implies a fundamental reduction of freedom in our

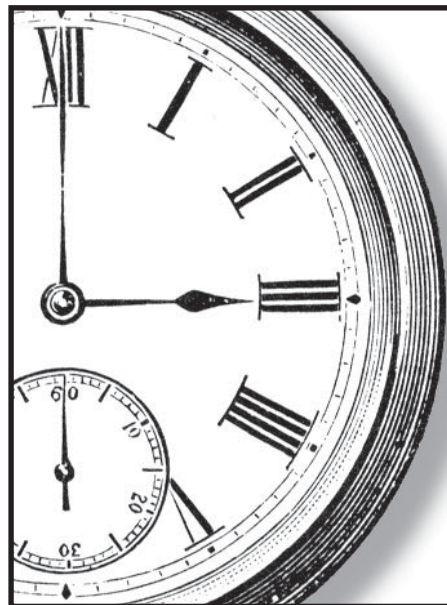
society. The 14th amendment to the United States Constitution is widely recognized as granting freedom of travel, with no regard to the purpose of the travel. To restrict travel based on purpose would raise many difficult moral issues as well as being an enforcement nightmare.

Once we decide to restrict access based upon someone's judgment of the value or importance of a trip, we will have many decisions to make. Should trips to movie theaters, amusement parks and beaches be prohibited during commute hours? Should shopping trips be banned during hours of heavy congestion? Should busy executives be allowed to speed through school zones because their trips are so much more valuable than those of children? Should overweight people be prohibited from traveling to grocery stores or restaurants during peak traffic times because their trips are considered unnecessary? What happens to freedom of expression when travel to a political event is restricted because someone in authority decides it is not important?

Additionally, the argument about personal training is founded on the incorrect assumption that fitness is a frivolity with no value to society. We are facing a tremendous public health crisis due to a lack of fitness, and we will pay an inestimably high price to deal with the consequences of this. If you consider all the costs, including health care, air and water pollution, foreign wars to preserve sources of oil, road maintenance and others, it is not clear whether my fitness ride is more or less valuable to society than your car trip to the store. The accounting here is very difficult and depends on how wide you are willing to place your horizon.

Restricting access to public roads depending on the purpose of travel would open vast new territories for discrimination, preferential treatment and abuse. No politician with a shred of integrity would vote for such a proposal.

Richard Swent
Clara Drive, Palo Alto



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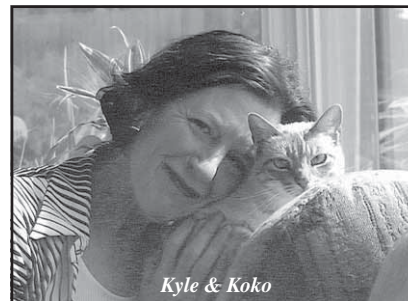


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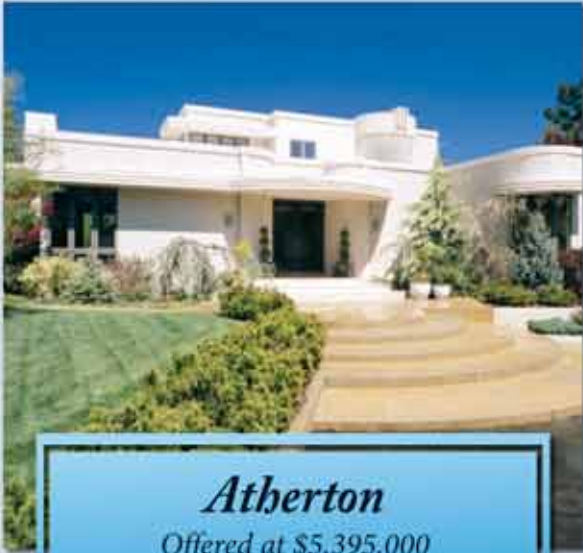
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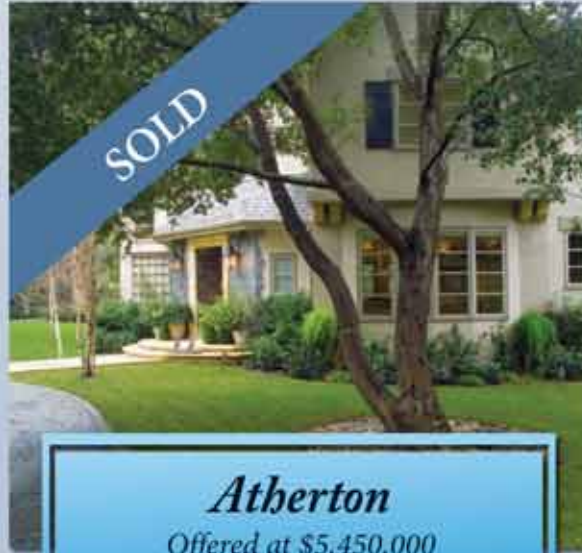


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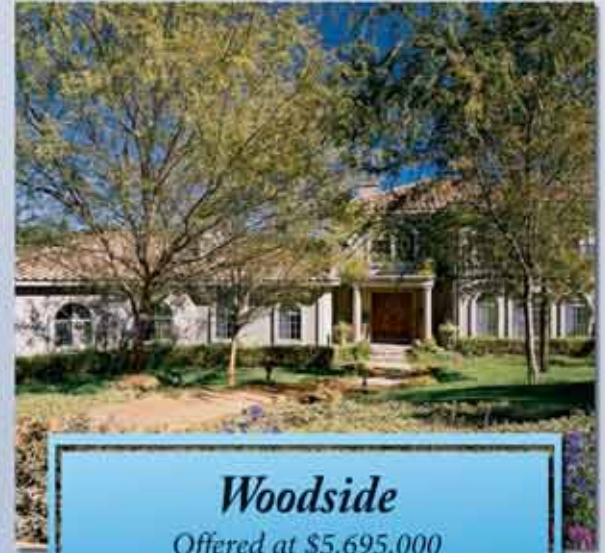
represented by Scott Dancer



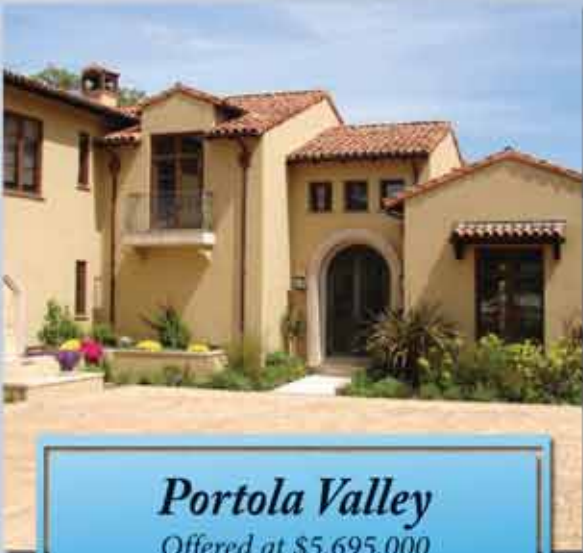
Atherton
Offered at \$5,395,000



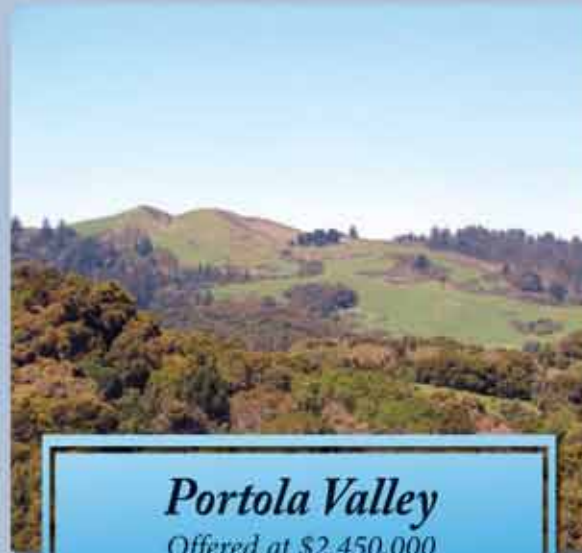
Atherton
Offered at \$5,450,000



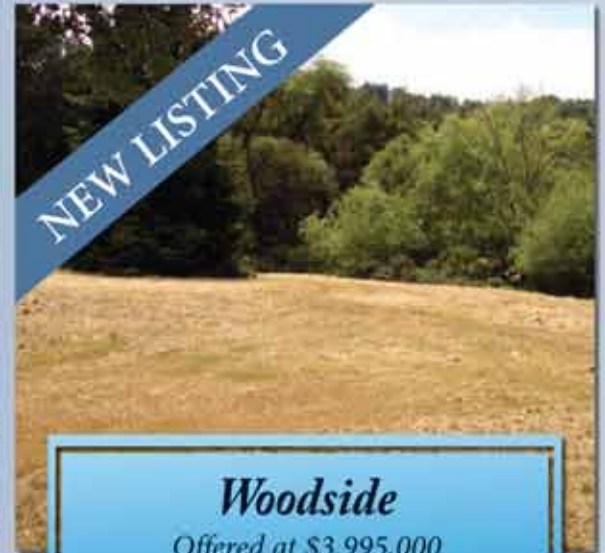
Woodside
Offered at \$5,695,000



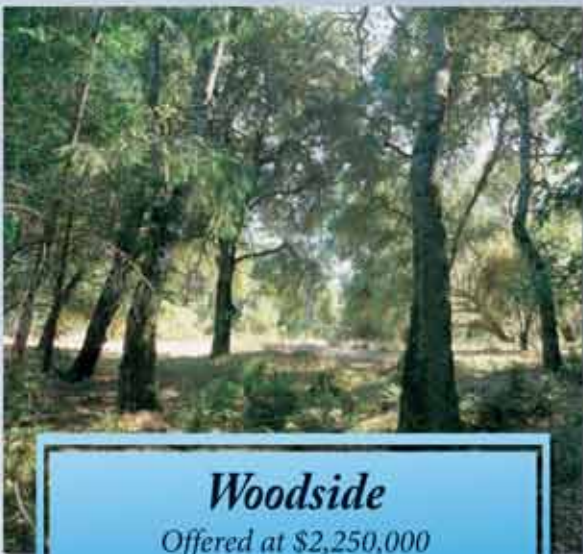
Portola Valley
Offered at \$5,695,000



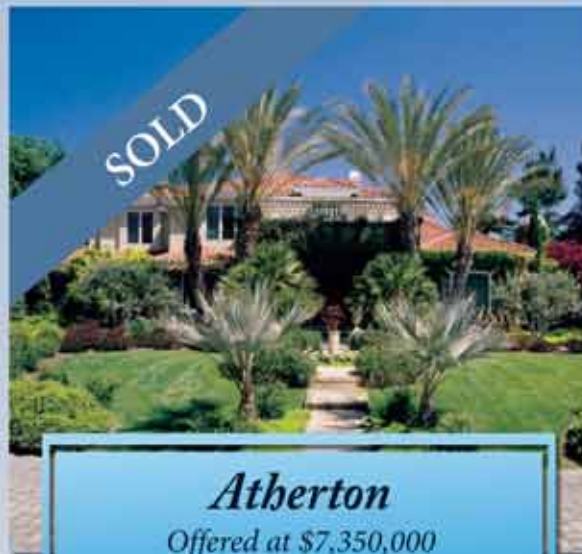
Portola Valley
Offered at \$2,450,000



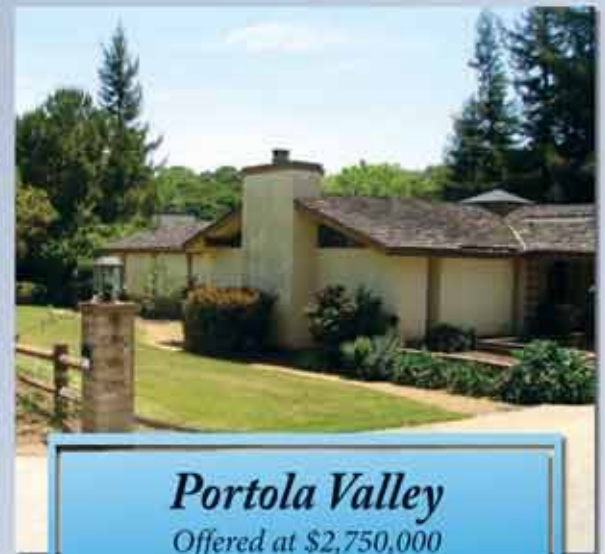
Woodside
Offered at \$3,995,000



Woodside
Offered at \$2,250,000



Atherton
Offered at \$7,350,000



Portola Valley
Offered at \$2,750,000



2969 WOODSIDE ROAD · WOODSIDE, CA 94062

650-529-2454

SCOTT DANCER

All information deemed reliable but not guaranteed.

