



DALAI LAMA tells local students:
'Pay attention to your heart.' Page 3

The Almanac

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[Section 2]

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Photo by Michelle Le/The Almanac

Holding a gift from students, the Dalai Lama chats with Costano Elementary student Rudy Rivera, left, while Belle Haven student Adagio Lopeti, right, and another student anticipate their group picture.

Dalai Lama: 'Pay attention to your heart'

By Chris Kenrick
Embarcadero Media

The Dalai Lama told 400 students from Menlo Park and East Palo Alto on Oct. 13 that responsibility for the 21st century rests on their shoulders — and that they should manage it from their hearts.

In an hour-plus discussion in the Costano Elementary School gym in East Palo Alto, the exiled Tibetan Buddhist leader responded to questions on topics ranging from his childhood memories to methods he uses to cheer himself up after a “sad day.”

Asked what he would do if he were president of the United States, he laughed and said the country probably would “face bankruptcy” after a few weeks of his leadership.

Eleven of the students, from middle schools as well as Menlo-Atherton and Sequoia high schools, earned the chance to personally address the world-famous 75-year-old monk after submitting essays on what constitutes a “meaningful life.”

“You belong to the new century,” the Dalai Lama told Tatyana

Spears, a 13-year-old McNair Middle School eighth-grader who asked how young people can find peace in their lives.

“You have nine decades to make it become peaceful, compassionate and friendly — or more destructive. It’s entirely up to you,” the Dalai Lama said.

“Education — development of the brain — is not sufficient. You must pay more attention to your own heart, to what we learn from our mothers at a very young age.”

Vanessa Tostado, an eighth-grader at Willow Oaks School in Menlo Park, asked about racism.

“We have different races, different faiths, nationalities, positions, rich families, poor families — sometimes in the past and even today, we have too much emphasis on race, nationality, and we sacrifice fundamental human values,” the Dalai Lama responded.

“First we must realize, nearly 7 billion human beings are the same. Everyone wants a happy life. Racism, discrimination based on faith or point of view is a total mistake — very backward thinking.”

The Dalai Lama sat in an overstuffed chair on the gym stage and

spoke in what he described as “broken English,” frequently conferring with a translator sitting to his left.

Sitting in the rear of the gym were dignitaries, including U.S. Rep. Anna Eshoo, D-Menlo Park.

Adagio Lopeti, 13, of Belle Haven School in Menlo Park, said he won the essay contest by writing that “sometimes you have to suffer to get peace.”

“Peace can be like an old married couple walking in a park,” Adagio said he wrote. “They know how a relationship takes so long, they never break a promise, they stay married for a lot of years.”

Adagio asked the Buddhist leader — who was plucked from a rural village and educated for future leadership from the age of 6 — if he ever wished to live like an “ordinary person,” with a family and children of his own.

The monk recalled sitting with his tutor as a child, and seeing local people returning their animals from pasture.

“They were ordinary boys and girls, singing, and sometimes I wished I were one of them, so

See DALAI, page 10

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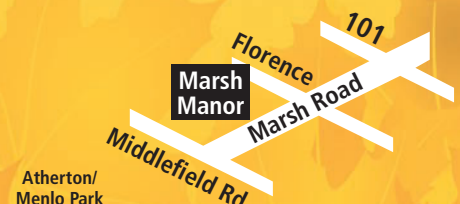
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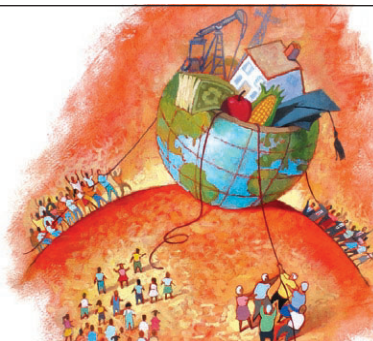
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Local News

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Bohannon vs. Bernstein: Politics inspire hit pieces

By Sandy Brundage

Almanac Staff Writer

Politicians aspire to stand out during campaign season. One way to do that? Mention “sabotage” during a public forum while discussing a controversial development project like the Bohannon Gateway.

The man behind the unfortunate choice of words is educator and City Council candidate Chuck Bernstein, who, yes, opposes Measure T, a ballot measure that would let David Bohannon build his huge hotel-office complex in Menlo Park.

To be precise, while speaking at the League of Women Voters forum on Sept. 29, Mr. Bernstein said, “...what I pledge to both Mr. Bohannon and the people of Menlo Park, is that I will abide by whatever that vote shows. No more sabotage, no more delay — move



David Bohannon and Chuck Bernstein

forward to the next things we have to deal with.”

But a mailer sent out by the Bohannon organization says the opposite: that Mr. Bernstein “said publicly that he is out to ‘sabotage’ Menlo Gateway and Measure T” during the forum. Therefore, according to the mailer’s logic, he would “cost Menlo Park taxpayers over \$1.6 million per year” by “sabotaging” the city’s annual revenue expected from Gateway.

It’s clear how Mr. Bohannon spent some of the \$150,000 invested in his Measure T campaign.

A second mailer sent during the third week of October also depicts a photo of a smiling Mr. Bernstein surrounded by text that repeated “sabotage” in bold font over and over, and claimed the candidate “would be very expensive for Menlo Park schools” based on the same logic.

“I’ve heard him say things that are inaccurate, misrepresenting the facts about the project, the housing impacts, the school money,” Mr. Bohannon told The Almanac. “I would interpret those misrepresentations, those untruths to voters, as sabotage.”

The developer said the forum comment implied that the sabotage would only stop after the election, and that he doesn’t find the candidate’s pledge to respect the voters’ decision credible if Measure T passes, since the council will still have input on how construction

proceeds.

“I don’t look forward to working with Chuck. Why would I think he would be credible in that, if he’s not credible in how he presents the project to voters?” Mr. Bohannon asked.

What does Mr. Bernstein think of all this?

“First, it makes me feel very powerful. Second, I am mystified by his rationale; this issue would be resolved by the time I would be elected and I think he is jeopardizing his project with a nasty mailing,” he said, suggesting that Menlo Park voters’ sense of fair play may rebel against smear campaigns.

“I don’t do sabotage: I am up front and have been speaking out against this project for a very long time.” What he intended to convey, he said, was his opposition to such tactics.

A press release circulated by Mr. Bernstein called the mailers “false attacks” emphasized his educational and business background, and quoted a fiscal impact analysis by Bay Area Economics that stated the housing demand created by Menlo Gateway would lead to \$12,000 to \$45,000 budget deficits for three local school districts.

Bohannon spokesman Patrick Corman called the quote from the analysis an example of the candidate’s misrepresentations.

“It’s a hypothetical, not a likely scenario. It could happen, but the moon could turn green, too,” Mr. Corman said, since those deficit calculations assume that the new housing would be built within a single school district.

Go to tinyurl.com/MP-forum2010 to view the complete League of Women Voters candidates forum. ■

Atherton hopes to name short-term manager soon

By Renee Batti

Almanac News Editor

Atherton City Council members are scrambling to find a short-term town manager until another interim manager is appointed next month after the unexpected Oct. 15 announcement by the assistant city manager that she is retiring, effective Thursday, Oct. 21 — one day before City Manager Jerry Gruber’s last day on the job.

After meeting twice in special sessions since the weekend, council members say they hope to appoint, at the Oct. 20 regular council meeting, one of three candidates identified as potential short-term managers, according to Deputy City Clerk Theresa DellaSanta.

In the wake of Atherton City Manager Jerry Gruber’s resignation last month, Assistant City Manager Eileen Wilkerson announced her retirement last week, giving only one week’s notice.

Ms. Wilkerson, who was hired by Mr. Gruber in 2008, could not be reached for comment. A two-sentence announcement was sent out Oct. 15 by the deputy city clerk.

Assuming that the assistant city manager would be able to oversee Town Hall operations

for a short period after Mr. Gruber’s departure, the council had begun a process to appoint an interim city manager by early November until a permanent manager could be found.

But with Ms. Wilkerson’s unexpected announcement, Mayor Kathy McKeithen, Councilman Jim Dobbie and Mr. Gruber immediately shifted into high gear to find a temporary manager to bridge the period between next week and the interim manager’s appointment. The mayor and Mr. Dobbie have been working as an ad-hoc committee to find an interim city manager.

“We have some good possibilities (for an immediate replacement) in mind,” Ms. McKeithen said last week.

But even though the person will be appointed for only a few weeks, she added, “We don’t want a bad fit. ... (The appointment) won’t be so extremely rushed that we make a bad decision.”

Ms. McKeithen noted that the entire council will make the appointment. “It will be the council’s choice, not just the (ad-hoc) committee’s,” she said.

See **MANAGER**, page 8



Photo by Dave Boyce/The Almanac.

Atherton police gather evidence on El Camino Real near Watkins Avenue on Friday morning, Oct. 15, after an accident that took the life of Honofre Mendoza, a 55-year-old homeless man who was struck by a car.

Fatalities prompt probe of El Camino safety

By Dave Boyce

Almanac Staff Writer

Plans are under way to try to improve the safety of El Camino Real as it passes through Atherton between Selby Lane and Valparaiso Avenue, a stretch of road that has seen two fatalities in the three weeks.

Honofre Mendoza, a 55-year-old homeless man, died Friday, Oct. 15, after being struck

while crossing the road by a car just north of the intersection of Watkins Avenue at 6:15 in the morning, police said. The area where Mr. Mendoza was struck has no crosswalk.

A block away on Sept. 30, bicyclist Christopher Chandler was riding in an uncontrolled crosswalk — not associated with a stop sign or traffic light — when he was struck and killed where El Camino

Real intersects with Isabella Avenue.

Atherton’s police and public works departments and city manager’s office are talking with the state Department of Transportation, which has jurisdiction over El Camino Real, “to identify any factors ... that need to be addressed in order to improve traffic safety,”

See **FATAL**, page 8



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Phillips Brooks names head of school

■ Scott Erickson will take the post July 1, 2011.

Scott Erickson, director of the middle school at National Cathedral School in Washington, D.C., has been named the new head of Phillips Brooks School in Menlo Park.

He will take over as the fourth permanent head of the private elementary school on July 1, 2011, the school announced Oct. 13. Mr. Erickson will succeed Michael Eanes, the current interim head of school.

A total of 276 students are enrolled at Phillips Brooks, a co-

educational school for grades pre-kindergarten through 5. It is located at 2245 Avy Ave. in Menlo Park.

Prior to his post at National Cathedral School, Mr. Erickson served nine years on the staff at St. Paul's School in Concord, New Hampshire, including as head



Scott Erickson

of the Humanities Division and chaplain.

Mr. Erickson received a bachelor's degree in music from Chicago's North Park University in 1989. He has a doctorate in theology from Uppsala University in Sweden, a postdoctoral fellowship at Harvard University, and an Aspiring Heads Fellowship from the National Association of Independent Schools.

"Scott fully embodies the PBS mission and core values," said Ken Lawler, chair of the board of trustees, in the written announcement.

Portola Valley: Cell tower will rise on Cal Water site

By Dave Boyce

Almanac Staff Writer

It may be a faux tree, it may be a pole, it may even be an objet d'art, but a 50- to 55-foot cell phone tower will rise at the corner of Peak Lane and Golden Oak Drive in Portola Valley, there to co-exist with a 750,000-gallon water tank owned by the California Water Co.

Neighbors concerned about views, radiation and seemingly-uncared-for landscape screening urged the Town Council on Oct. 13 to reject a conditional use permit application from T-Mobile West Corp., which wants to erect a tower to improve coverage in central Portola Valley.

The council approved a permit in a unanimous vote, with Councilman John Richards absent, but it had little choice. The federal government disallows consideration of concerns about radiation and property values, and tips the scales in favor of closing "significant" phone coverage gaps.

T-Mobile's evidence of a significant gap, and a concurring finding from the town's independent analyst, made the decision more or less inevitable. Other factors that might have weighed in favor of denial faded in comparison with the significant gap finding, a trump card for the company.

In its July rejection of T-Mobile, the Planning Commission claimed impacts to "the spirit and natural beauty of Portola Valley." But a denial for aesthetic reasons requires "substantial evidence," according to a report

by Town Attorney Sandy Sloan. The presence of telephone poles, for example, could undermine claims of views being damaged by the addition of a similarly shaped object.

"I would place a heavy weight and a much higher priority on that (concurring) evidence" of a significant gap, Councilwoman Ann Wengert said.

Councilwoman Maryann Derwin said she found her choice to be "extremely painful" and her greatest challenge since joining the council in 2005. "I'm going to have to err on the side of a significant gap even if it pains me to do so," she said.

"Our consultant found a gap," Councilman Ted Driscoll said. "It's hard for me to see how we can prevail in litigation if our consultant is contradicting us."

Mayor Steve Toben, calling the decision "exceedingly painful," noted the council's obligation to follow the law. One positive outcome, Mr. Toben added, is that the tower could add redundancy to phone coverage after a major disaster such as an earthquake.

Would T-Mobile sue if rejected, Mr. Driscoll wanted to know. The case would be handed off to a national law firm, said Paul Albritton of the San Francisco firm Mackenzie & Albritton, who was representing T-Mobile at the meeting.

Ms. Wengert commented that this case is likely to be merely Round 1. "We are in the middle of a telecommunications revolution," she said. "Communications are not only changing, they're changing rapidly."

The tower doesn't have to be an eyesore, Ms. Derwin noted. A Web search, she said, turned up towers that are windmills, smokestacks, flagpoles with flags, crosses, grain silos, and works of art.

In an e-mail that included several examples was one near Barcelona, the Montjuic Communications Tower — though at 446 feet tall not necessarily apropos for Portola Valley. The soaring white structure by noted Spanish architect Santiago Calatrava is both dramatic and mysterious.

Resident views

"Large companies use federal law to enable them to bludgeon local communities," said resident Ray Conley. He received a round of applause from the audience.

Cal Water claims to maintain landscape screening of the water tank but does not follow through, a Peak Lane resident said amid other such complaints. "What we have at this point is a series of empty promises."

Vegetation is removed to improve fire safety, and complaints about a new trench are misplaced in that it will improve tank water levels, a Cal Water spokesman said. "We're damned if we do and damned if we don't," he added. "We're doing our best is all I'm trying to get at."

"We want to see the screening maintained, enhanced and made better," Mayor Toben asserted in response. Find that "happy medium" in being sensitive and responsive to the community, he added. ■

County wins \$2 million to treat mental, substance-abuse disorders

A federal grant to San Mateo County may brighten the prospects for victims of mental health and substance-abuse disorders, two categories of illness often made worse by conditions such as diabetes, hypertension, heart disease and asthma.

The four-year \$2 million grant, awarded in October by the Substance Abuse and Mental Health Services Administration, will enable a consortium of regional health care outlets, including two county clinics, to provide better primary and behavioral care

services, according to a county statement.

The grant money "will help to improve their quality of life and provide them with tools to manage their health," said Louise Rogers, the county's director of behavioral health and recovery services.

REAL ESTATE Q&A

by Gloria Darke



How To Calculate Capital Gains

Q. Can you explain the basics of how capital gain is computed?

Diane M.

Dear Diane, Fortunately, married home sellers are now only responsible for paying capital gains tax on the sale of their principle residence on profits above \$500,000. Singles have a \$250,000 tax exclusion. Any profit over that amount is taxable. Also, home sellers no longer need to be age 55 or older to get the tax free exclusion.

Here's how capital gains is computed. Capital gains actu-

ally means the profit made on the sale of the property. To figure the profit, start with the cost basis of the home. That's the original price you paid for your home plus certain closing costs, for both buying and selling, and the money you invested in improving your property. Normal repair items don't count.

Take your adjusted cost basis and subtract it from the net selling price. This is a simplified version of figuring capital gains. For a more in depth explanation consult with your tax advisor.

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Healthcare workers: Are *they* getting flu shots?

By Sandy Brundage

Almanac Staff Writer

Flu season's here, and with it come messages urging everyone to get vaccinated. Hospitals near Menlo Park are trying to practice what they preach by vaccinating more employees for flu than in previous seasons, and last year they beat the average statewide vaccination rate.

Vaccinating healthcare workers helps reduce the severity of flu outbreaks among patients, according to the Centers for Disease Control and Prevention (CDC). The agency recommends all healthcare workers get annual flu shots, but no law requires employees to do so.

However, since 2008, California hospitals are required to report how many workers get the shot each year. The Consumers Union, the nonprofit publisher of Consumer Reports, filed a public records request with the California Department of Public Health for statistics on flu vaccination rates among healthcare workers for 2008 through 2009. The data showed an average rate of 52.4 percent statewide.

Local hospitals

Hospitals near Menlo Park, however, are doing better than average. The Almanac checked the Consumers Union data for Stanford Medical Center, Lucile Packard Children's Hospital, Menlo Park Surgical Hospital, Kaiser Redwood City, San Mateo Medical Center, and VA Palo Alto, and calculated vaccination rates ranging from 56 to 83 percent.

Ranked last is the San Mateo Medical Center, where, according to the Consumers Union data, only 56 percent of its employees were vaccinated during the 2008-09 flu season. The hospital is encouraging workers to get the shot this year, according to representative Jana Cramer.

She said the actual number vaccinated may be higher because

the state required a signed form that not all employees may have completed. Next came the Menlo Park Surgical Hospital, with a 66 percent vaccination rate during that timeframe, confirmed by spokesperson Cynthia Greaves. Data for 2009-10 wasn't available.

Kaiser Redwood City showed a more modest increase from 66 percent in the 2009-09 season to 69 percent during 2009-10. Media relations manager Matt Brown said that data includes all hospital staff and volunteers.

VA Palo Alto, Stanford Hospital tops

Next comes the VA Palo Alto Healthcare System, which had the highest rate for 2008-2009. Although federal facilities are not required to report that data to the state, spokesperson Kerri Childress said last year its vaccination rate remained steady at "just over 80 percent" for the approximately 3,200 employees working at facilities in Palo Alto, Menlo Park, and Livermore.

"We really get pushed to try and inoculate as many people as possible," Ms. Childress said. "It's a high priority for our central agency. The goal was 70 percent nationwide, so we exceeded that."

The award for "most improved" goes to Stanford Hospital and Clinics. Spokesperson Liat Kobza said 67 percent of the staff got the shot in 2008-09; anyone who did not had to take an educational course before refusing the vaccination. The education effort paid off; the following flu season showed an increase of 16 percentage points, with 83 percent of the employees getting vaccinated.

Subsidiary Lucile Packard Children's Hospital matched those rates. Robert Dicks, senior media relations manager, attributed the increase to "an extraordinary awareness campaign" conducted through videos, flyers, signs, and classes. ■

Best of breed

Mogul, a 5-year-old Great Pyrenees, won best of breed in California at the Diamond Anniversary Great Pyrenees Specialty Dog Show held Sept. 10 in Petaluma by the Great Pyrenees Club of California, according to his owners Rita and Wyn Wachhorst of Atherton. Mogul was chosen from a field of 45 Great Pyrenees. His handler was Terri Brennan Weiss (center) of the East Bay. Mogul has two or three walks a day and is brushed daily, says Ms. Wachhorst (right). The judge (left) is Thomson P. Stanfield Jr.



Mysterious protest at Sacred Heart Prep

By Sandy Brundage

Almanac Staff Writer

Drivers along Valparaiso Avenue on Oct. 14 may have wondered why two men sat outside the gates of Sacred Heart Preparatory school holding a banner that read, "Shame on Sacred Heart."

Their purpose remains a mystery, since the two men refused to shed much light on why they were there. They did hand out a flier that warned, "Beware Astro Turf the synthetic turf company on your new athletic fields is currently in a lawsuit! Don't get caught up in the mess! Get out while you can!"

They declined to answer The Almanac's questions without first getting permission from whomever was responsible for the protest.

According to Astro Turf, the only lawsuit the company is currently involved in is a Michigan case against the manufacturer over an alleged patent infringement. However, Darren Gill, a spokesperson for plaintiff FieldTurf, said they "were in no way connected to whatever is happening at Sacred Heart Prep."

Sacred Heart has not yet installed the new fields, according to Millie Lee, the school's director of communications.

■ MENLO BRIEFS

Council reviews budget, housing

The Menlo Park City Council will hold its regular Tuesday night meeting on Oct. 19, after a week's hiatus. Scheduled for discussion are the city's below-market-rate units and other aspects of its affordable housing program, as well as a financial review of the general fund, which includes an unexpected \$517,000 sales tax shortfall, according to the staff report.

The council will also consider whether to formally support Measure M on the San Mateo County ballot, and oppose state Proposition 26. The county measure seeks to add \$10 to the vehicle registration fee to fund pollution and traffic mitigation; Menlo Park would receive an estimated \$143,100 annually from Measure M, according to the staff report. Proposition 26 would require all state or local tax increases, as well as certain types of fee increases, to be approved by two-thirds of voters in an election.

The meeting starts at 7 p.m. in the council chambers at the Civic Center (701 Laurel St.)

Preliminary hearing on hit-and-run case

The driver who allegedly hit a motorcyclist in Menlo Park on Oct. 4, then fled the scene despite the victim, who suffered a broken back, pleading for help, will face a preliminary hearing on Tuesday, Oct. 19.

Police arrested Eric Olvera Nieto, 21, at his girlfriend's home in Ripon. According to the district attorney's office, Mr. Nieto rear-ended the motorcycle at a red light, throwing the victim onto the hood of the car.

Police said the suspect had no license, and fled because he was in the United States illegally. Mr. Nieto remains in custody on \$50,000 bail.

Chamber mixer, Allied Arts event

On Wednesday, Oct. 20, the Menlo Park Chamber of Commerce will hold a mixer at AutoVino (205 Constitution Dr.) from 5:30 p.m. to 7 p.m. The event is open to Chamber members and their guests.

For weekend mingling, the Allied Arts Guild (75 Arbor Road) will host an open house on Saturday, Oct. 23, from 11 a.m. to 3 p.m., with refreshments, live music and garden tours. For more information, call 322-2405.

MANAGER

continued from page 5

Another search

In the search for an interim city manager who will oversee Town Hall until a recruitment process finds a permanent manager, the town has set a 5 p.m. Oct. 29 deadline for applications, hoping to have someone in place by Nov. 8 or soon after.

The council decided in late September to appoint an interim manager to head operations in

Town Hall to allow the town to take its time in finding a permanent city manager in a process that will include appointing a citizens committee to help interview the council-chosen finalists among candidates.

After this week, three of Atherton's top management positions will be vacant. Former building official Mike Wasmann left his position as head of the troubled building department in August, and the council is seeking applications for a replacement. ■

FATAL

continued from page 5

Lt. Joe Wade said in an Atherton Police Department bulletin published on Oct. 16.

For its part, starting on Monday, Oct. 18, the police department boosted traffic patrols in the area and will have officers visiting Atherton schools to talk about pedestrian and bicycle safety, Lt. Wade said.

Mr. Mendoza, though homeless, was a familiar presence in Atherton

and known to the police. "It was not out of place for him to be there," Lt. Wade said, adding that the roadsides of El Camino are popular with homeless people traveling between Redwood City and Menlo Park.

Mr. Mendoza's companion crossing the street with him was not injured and, as the only witness, was interviewed by police, Lt. Wade said.

The driver of the Toyota Camry that struck Mr. Mendoza is a 44-year-old man and Atherton resident who had been traveling

alone and who volunteered to be tested for drug or alcohol abuse, Lt. Wade said. Test results were negative, he said.

Police closed traffic on El Camino for four hours in the southbound direction and three hours northbound while investigating and recording evidence at what had been designated as a crime scene.

"That's what we classify it as when we have a fatality," Lt. Wade said. "Just to make sure that all the evidence is preserved as best as possible." ■

Old fire engine returns to Menlo Park

By Dave Boyce

Almanac Staff Writer

The Menlo Park Fire Protection District is now in possession of a red convertible, but whether it has the magnetic appeal typically associated with red convertibles, you'll have to ask the firefighters.

Basically, it's a fire engine without a roof, a Seagraves machine built in the 1950s. It's back in the district after 30 years in the northern Idaho town of Juliaetta, population 609, to which the Menlo Park district sold it in the late 1970s, Chief Harold Schapelhouman said in an e-mail.

The fire engine played a part in just 38 emergency calls in 2009, climbing steep mountain roads and operating in sub-zero temperatures, the chief said. The engine is now at Station 77 on Chilco Avenue in eastern Menlo Park thanks to a gift from former fire district board member Peter Carpenter and his wife Jane.



Photo courtesy of Menlo Park Fire Protection District.

This fire engine from the 1950s went to Idaho when the Menlo Park Fire Protection District sold it in the late 1970s. It is now back in Menlo Park thanks to a gift from former district board Peter Carpenter and his wife Jane Carpenter, according to fire district Chief Harold Schapelhouman.

The district paid \$4,000 to buy back the engine, Chief Schapelhouman said. The plan is to restore it, which should not be difficult as the firefighters in Juliaetta took good care of it, he said.

The Menlo Park fire district, which dates to 1916, owns two other antique firefighting vehicles: a hose wagon built in 1900 and a Aherns Fox fire engine from 1930, the chief said. ▀

County motion to dismiss Buckheit lawsuit fails

By Renee Batti

Almanac News Editor

With a recent ruling by U.S. Magistrate Judge Joseph Spero, Atherton resident Jon Buckheit has prevailed a second time in defending his right to move forward with his federal lawsuit against the town of Atherton and San Mateo County.

The \$10 million lawsuit was filed in October 2009 as a result of Mr. Buckheit's arrest a year before at his home. He had called the police to intervene during a domestic violence incident involving his then-girlfriend and housemate, and even though he said he was the victim — and had the injuries to prove it — the police arrested him instead of the woman.

The county District Attorney's Office never prosecuted the case, and Mr. Buckheit in January won a declaration of factual innocence in San Mateo County superior court. But the arrest and its aftermath started a chain of revelations and accusations that have resulted in increased legal costs for the financially strapped town and closer scrutiny of the police department.

Mr. Buckheit has amended his original lawsuit twice, and his amendments name three officers involved in the arrest and Councilman Jerry Carlson as defendants. Mr. Carlson, he charges, opposed his appointment to the town's Finance Committee in retaliation for his lawsuit against the town.

After the lawsuit was amended the first time, Atherton and the county tried and failed to have it dismissed last spring. Mr. Buckheit amended the lawsuit a second time in June, and the county filed a motion to dismiss that version of the lawsuit without a trial.

In a Sept. 24 ruling, Judge Spero allowed the lawsuit to proceed, rejecting most of the county's claims in its motion while upholding several others.

The lawsuit

Among the assertions in the lawsuit, Mr. Buckheit maintains that his arrest instead of his girlfriend's was the result of a county policy of discriminating against men when domestic abuse incidents are reported "so that adult males are much more likely to be arrested and prosecuted, regardless of the true circumstances or facts."

The lawsuit also cites the county's role in denying him a copy of the police report of the arrest, although the report was essential for his pursuit of a court declaration of factual innocence.

(The town of Atherton also refused to give Mr. Buckheit the police report, and has already paid him \$8,000 for his attorney's fees after he had to sue for the document.)



Photo by Dave Boyce
Jon Buckheit

Mr. Buckheit added complaints to the lawsuit after the court hearings leading to his declaration of factual innocence. Those complaints centered on the addition of a false charge of child abuse in the police report, and the admission under oath by police officer Tony Dennis that he hadn't included that charge in the original report.

As a result of Mr. Dennis' statement, the county District Attorney's Office is investigating whether the police report had been falsified, and by whom.

Mr. Buckheit has opposed turning the investigation over to the district attorney, maintaining that it is "totally inappropriate" for the county, which is a defendant in his lawsuit, to be involved. "The D.A. has a vested interest in not exposing the wrongdoing," he said last spring.

Rather, he said, an outside agency such as the state attorney general's office or the FBI should investigate the matter. The investigation is stalled because Mr. Buckheit has refused the county investigator's request to release the police report, which was sealed by the court as part of the factual innocence declaration. He said he would turn the report over to another agency if it were assigned to investigate, but he wouldn't agree to unseal it for

See **BUCKHEIT**, page 14

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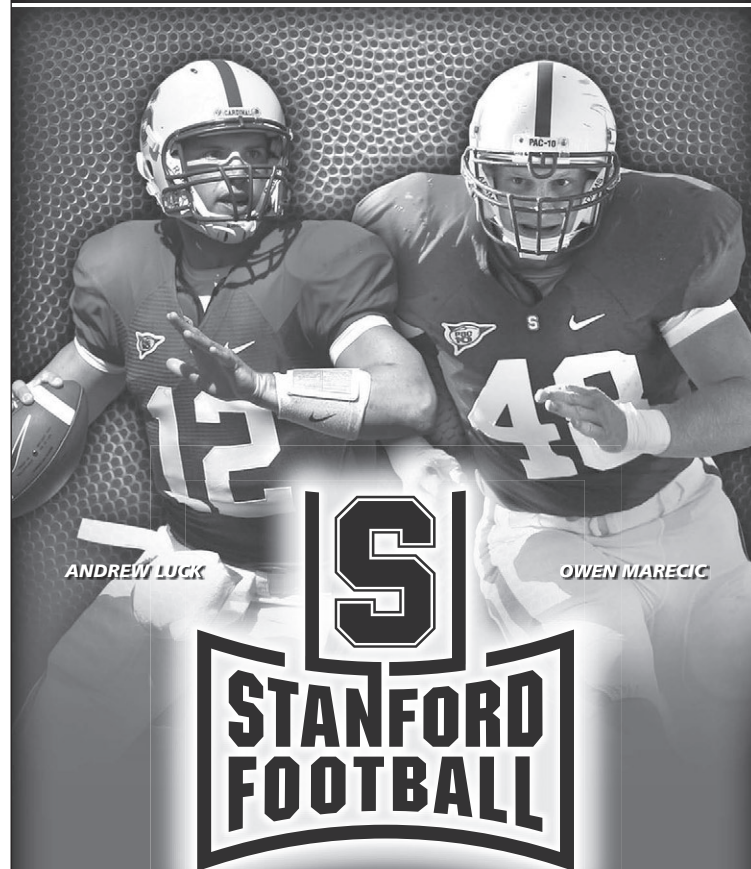
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Local merchants invited to ShopMenloPark demo

Representatives of ShopMenloPark.com will explain the free website to members of the Menlo Park Chamber of Commerce Downtown Group at 8 p.m. Tuesday, Oct. 26, at the Menlo Park Presbyterian Church Social Hall behind Ace Hardware, 700B Santa Cruz Ave.

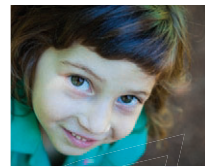
ShopMenloPark.com is a business directory hosted by the Almanac, and supported by the Chamber of Commerce, Hometown Peninsula, and the city of Menlo Park. More

than 400 local businesses have signed up and can now take advantage of a wide variety of web tools to promote their businesses. The ShopMenloPark team will illustrate how the site works and will be available to answer questions.

Dexter Chow, of Cheeky Monkey Toys, said the group also will discuss holiday promotion ideas and hear reports from City Council member John Boyle and other city officials. For questions, contact the Chamber at 325-2818.



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Dobbie leads in fundraising, spending in Atherton council race

By Renee Batti

Almanac News Editor

Incumbent Jim Dobbie has a large lead in fundraising and spending in the race for three seats on the Atherton City Council, recently released campaign finance statements show.

The statements, submitted by all four candidates, cover the period from July 14 to Sept. 30.

Mr. Dobbie raised \$14,131 during that period; the sum includes a \$1,400 loan to himself. He has spent \$9,877.

Among Mr. Dobbie's largest donors were Robert Wilson, Joan and Elmo Sanders, and O.L. Hoch, all of whom donated \$1,000 each. He also received a number of \$500 donations; they came from Herman Christensen, Isobel Christensen, Marcia Wythes, Paul Wythes, and Alicia and James Seebold (jointly).

Challenger Bill Widmer raised \$9,840 during the reporting period, a figure that includes a \$1,000 loan

to himself. He has spent \$6,896.

Herman Christensen and Isobel Christensen each donated \$1,500 to Mr. Widmer's campaign. Marcia Wythes and Paul Wythes each donated \$750, and current Councilwoman Elizabeth Lewis and William Zappettini each donated \$500.

Incumbent Jerry Carlson raised \$6,147 during the reporting period, and spent \$3,053. His statement lists him and his wife, Shirley, as a \$500 contributor.

Councilwoman Elizabeth Lewis and her husband, Joe Lewis, donated \$500 to Mr. Carlson's campaign, as did Greg Conlon, Jeff Wise, Steve Dostart, and Mervin Morris.

Challenger Cary Wiest raised \$1,376; that figure includes an \$876 loan to himself. The only other donor listed on his statement is the Silicon Valley Association of Realtors, which contributed \$500.

The candidates must submit updated campaign spending forms by Oct. 21. ■

DALAI

continued from page 3

occasionally I had such feelings," he said.

"But eventually I realized my own responsibility, and that was an opportunity to do something meaningful."

M-A student Leslie Cisneros asked the monk how he cheers himself up after a "sad day."

"In daily life there are a number of things that cause disappointment or sadness," he replied.

"I take a more holistic view. If you think negative, it brings sadness. But if you look for a wider perspective, there are some positive things.

"The same event — even something very unbearable — can be

negative from one dimension, and from another dimension may be positive."

Sequoia High School student David Montenegro asked whether world peace is "ever really achievable."

The Dalai Lama launched into his view on the importance of maternal love early in a child's life. He said a combination of "human intellect and compassion" can bring about a more peaceful world.

"So we have to work for that," he said. "I myself have dedicated my life to bringing a more peaceful world, more compassionate world.

"In my case, just talk. In your case, action," the monk said, sparking laughter from the students, and breaking into laughter himself. ■

Palo Alto Medical Foundation to Open New Breast Imaging Center

Although breast cancer survival rates have improved in recent years, the number of new cases is rising. One out of eight women in the United States will be diagnosed with breast cancer at some point in her life, and the risk of developing the disease increases with age.

Now, PAMF is responding by creating a world-class facility dedicated to the screening, diagnosis and treatment of breast cancer. The 20,000-square-foot building located on the campus of PAMF's Palo Alto Center will open on November 1, 2010.

You not only saved my life, you saved my twin boys' mother.

—Christie Leidholm

A Team Approach

PAMF is already recognized as a leader in breast care services. The existing Breast Care Center at PAMF's Palo Alto Center received American College of Radiology certification for its stereotactic biopsy unit and was designated as a Breast Imaging Center of Excellence. Over the past four years, PAMF has reduced the wait time between detecting a breast lump to a definitive diagnosis to about a week compared to three or four weeks at most other health care providers. A primary goal of the new Center will be to reduce that wait time to just 48 hours.

The healing journey will begin at the moment of diagnosis, with each patient having the full support of a multidisciplinary team, which may include surgeons, oncologists, nurse practitioners, psychological counselors and a nurse navigator to smooth the process of care.

For Donors Who Care

PAMF is seeking additional funds to reach its \$16 million campaign goal to complete construction of the new Breast Imaging Center. Rita Sohlich, M.D., head of mammography at



Breast cancer survivor Christie Leidholm with PAMF breast radiologist Rita Sohlich, M.D. at the new PAMF Breast Imaging Center, opening soon.

PAMF, will serve as lead radiologist for the new Center, which will offer digital mammography, high-resolution ultrasound and breast MRI technology. "I feel so fortunate to be working at a state-of-the-art breast imaging center in today's health care environment," she said.

"Philanthropic donors have an opportunity to make a real difference by funding tangible gifts like new breast care equipment that translate directly to improved patient care," Dr. Sohlich noted. "If people want to give to a worthy cause that is highly likely to touch the lives of their friends and family, this is it."

Breast cancer survivor Christie Leidholm expressed her gratitude for the care she received from Dr. Sohlich. "You not only saved my life, you saved my twin boys' mother."

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Sequoia Healthcare District slate wants to stop tax

By Dave Boyce
Almanac Staff Writer



If a trio of candidates for the governing board of the Sequoia Healthcare District are elected, they pledge to try to stop collection of about one-tenth of 1 percent of property tax revenues from Atherton, Woodside, Menlo Park and Portola Valley.

That's the amount being collected for the health-care district.

Using a formula provided by the county agency that oversees special districts, incumbent board member and Libertarian Jack Hickey proposes to lower property taxes by about \$100 out of the \$7,000 paid annually for every \$700,000 in property value.

Mr. Hickey says his plan would first need a like-minded majority on the five-member board. On Nov. 2, voters would have to re-elect him and choose his two tax-averse companion candidates: Frederick A. Graham and Michael G. Stogner. The three are running as a slate.

While these fellows may think they can cut property taxes — and they have a May 2008 legal opinion from a lawyer for the district that says they can — they, in fact, can't cut the tax, said the county's deputy controller, Kanchan Charan.

Proposition 13 sets the property tax rate at 1 percent of assessed value, and at 1 percent it must remain. No higher, and no lower, Mr. Charan told The Almanac.

If a majority of the Sequoia Healthcare District board agreed, a resolution could be crafted to refuse to receive the district's revenues, said Martha Poyatos, the executive officer of San Mateo County LAFCo, the Local Agency Formation Commission. But the tax would not be reduced and the money would be distributed to other agencies in the county, she said.

The other candidates for the health-care district board are licensed social worker Ruth West-Gorin, small business owner Alpio Barbara, incumbent board member Arthur J.

Faro, and physician and former district board member Jerry Shefren.

False philanthropy?

The Sequoia Healthcare District, like all health care districts in the state, used to oversee a public hospital. The state Legislature changed the missions of these districts in 1994 to reflect an evolution of medical practice away from hospital services and toward outpatient services.

The Sequoia Healthcare District now funds regional programs such as low-cost or free clinics in Redwood City and unincorporated North Fair Oaks, and a program to restore nurses to public high schools and fund school gardens, health education and walk-to-school programs, outgoing board President Don Horsley told The Almanac.

In addition to stopping tax collection, Mr. Hickey would like to dissolve this district and set a precedent for the other districts in the state. Why? Because the Legislature's actions in the mid 1990s do not square with voter intentions in forming the hospital districts in the mid 1940s, he said.

"The district is running illegitimately," Mr. Hickey told The Almanac. "They lost their credibility when they sold their hospital."

The distribution of property tax revenues to local nonprofits is "false philanthropy," he added. "This sort of giving money that isn't (the district's). This is taxpayers' money. Unfortunately, the government has gotten in the way of true philanthropy."

Dissolution of the district is possible, but not without the approval of a majority of seven-member governing panel of LAFCo and a vote of the people, Ms. Poyatos said. (The LAFCo panel includes two county supervisors, two city or town council members, two board members of special districts and one at-large public member.)

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Mid-Peninsula High holds open house

Mid-Peninsula High School, an independent alternative school, is hosting an open house for prospective students and families from 10 a.m. to noon Saturday, Oct. 23. Mid-

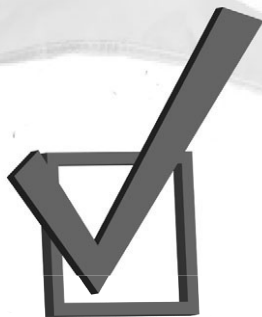
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Menlo Park Downtown Alliance Supports Three Candidates For Menlo Park City Council

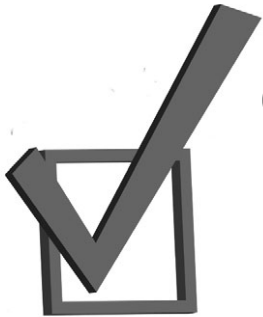
The Menlo Park Downtown Alliance of business and property owners desires measured, intelligent growth for our downtown. We do not want our downtown converted to a high-density, overbuilt and unfriendly downtown, as proposed in the city's draft plan.

Only three council candidates hear our plea and support our vision to maintain the charming village atmosphere which makes Menlo Park a unique and desirable place to shop.



Peter Ohtaki

“Our City Council needs to focus on attracting business to Santa Cruz Ave. and improving the appearance of El Camino Real. I will work with the downtown leadership to preserve the charm and enhance the economic vitality of our downtown.”



Chuck Bernstein

“Any downtown development must conform with the existing village character of our downtown. We need to slow down the process, listen to, and gain the support of the downtown merchants.”



Russ Peterson

“The Specific Plan needs to focus on El Camino Real and not the downtown. We don't need to radically change our downtown. Business owners should not be ignored, but included in the process. We need to listen to their positive ideas for enhancing the economic vitality of our downtown.”

**The Menlo Park Downtown Alliance Supports These
Candidates And Urges You To Do So Too!**

Tea Party for three Menlo candidates

By Sandy Brundage

Almanac Staff Writer



As the Nov. 2 elections approach, the hype flies fast and furious, and so do the innuendos.

Former Menlo Park mayor and staunch Democrat Gail Slocum sent an e-mail on Oct. 9 urging supporters to donate time or money to Rich Cline, Kirsten Keith and Heyward Robinson, the three council candidates endorsed by the San Mateo County Democratic Party.

Nothing unusual there. What caught the eye, however, were two sentences buried within the 1,054-word e-mail:

“Rich, Kirsten and Heyward are all endorsed by the Democratic Party and Sierra Club, as well as many local business and sustainable development leaders. The other three candidates — two of whom are very well funded — have all been endorsed by the local chapter of the ‘Tea Party.’”

Ms. Slocum didn’t name the “other three candidates,” but obviously meant Chuck Bernstein, Peter Ohtaki and Russell Peterson.

“I mentioned it in my e-mail because Democrats are very concerned nationwide about the Tea Party movement and I believe they deserve to know there is an active chapter in our county that endorsed in our own Council race,” Ms. Slocum told *The Almanac*.

“If knowing about this Tea Party endorsement helps get

otherwise complacent people off their butts and a little more involved in this City Council race and longer term in the city and beyond, I see that as a good thing.”

Candidates normally parade their endorsements on their campaign websites, but in this case, Chuck Bernstein, Peter Ohtaki and Russell Peterson all said they had no idea that the Tea Party had endorsed them.

“That is such a smear,” said Mr. Bernstein, referring to Ms. Slocum’s e-mail. “It makes me angry to see Gail doing that because the Tea Party has such a bad reputation around here. I didn’t seek it out, I’m not affiliated with the Tea Party. I’m not going to print that endorsement on any of my campaign literature.”

Mr. Peterson said he would, however, accept the endorsement, being neither a Republican nor a Democrat, but understanding the nationwide frustration that spawned the Tea Party movement.

“We have important issues and rather than toss things into the Bay I decided to run for council,” he said. “As hard as campaigning might be, it’s slightly easier than a revolution.”

As for Mr. Ohtaki, he said he’d probably accept the endorsement. “I haven’t given it much thought, to be perfectly honest. I get endorsements every day and

I’m grateful for everyone who endorses me of every political stripe.”

According to the MyLiberty website, the group supports limited government and fiscal responsibility, as well as ending affirmative action, closing the United States borders, flat-rate taxation, and using profiling to prevent terrorist attacks.

Its goal of “slaying the public employee pension monster” probably falls under fiscal responsibility, and might explain the endorsement choices, since all three men support Measure L, a pension reform initiative on the November ballot.

MyLiberty director Leonard Stone confirmed that the group didn’t contact any Menlo Park candidates. He told *The Almanac* that these were recommendations, not endorsements, explaining that recommendations don’t include advertising and other assistance. However, the group’s events page shows upcoming “phone banking to win!” sessions and precinct walking related to the November elections.

Mr. Stone said the Menlo Park candidates were not in the phone queue, to the best of his knowledge, but “individuals who also are affiliated with our group may call of their own volition.”

BUCKHEIT

continued from page 9

“a conflicted party.”

Meanwhile, a mandatory mediation session is set for next month between the plaintiff and defendants, Mr. Buckheit said. “I’m going in with an open mind, but given their failure to try to correct this thing — which could have been solved very easily and very cheaply — I’m not optimistic” about a settlement, he said.

Strategizing on where to put their silver coins and “bomb” another grade in the St. Raymond School Penny War are, from left, fourth-graders Kelly Hamer and Jack Lonergan, and third-graders Beley Chaikovsky and Katie Staas.



Penny War is on at St. Raymond School

This story was submitted by Kim McNair, a spokesperson for St. Raymond School.

It’s that time of year again at St. Raymond School in Menlo Park.

About two weeks ago, Nicholas Kaloust, a second-grader at St. Raymond, went into the principal’s office to suggest that the school start its annual Penny War fundraiser so the

money raised could help San Bruno fire victims. Sr. Ann Bernard, the school’s principal, took that idea to the student council, and this year’s Penny War was on.

The way the Penny War works is that each grade puts as many pennies as possible in its own jar. At the same time, each grade puts silver coins or paper money in the jars of other grades. For each silver coin or paper dollar in a jar, that grade has to take out an equal number of pennies. So, one quarter in, means 25 pennies out. The objective is to have the most pennies remaining in your grade’s jar at the end of the week.

Last year, the funds raised went to earthquake victims in Haiti. This year, St. Raymond raised nearly \$2,700, which will be donated to St. Roberts School in San Bruno, where 15 families were affected by this tragedy.

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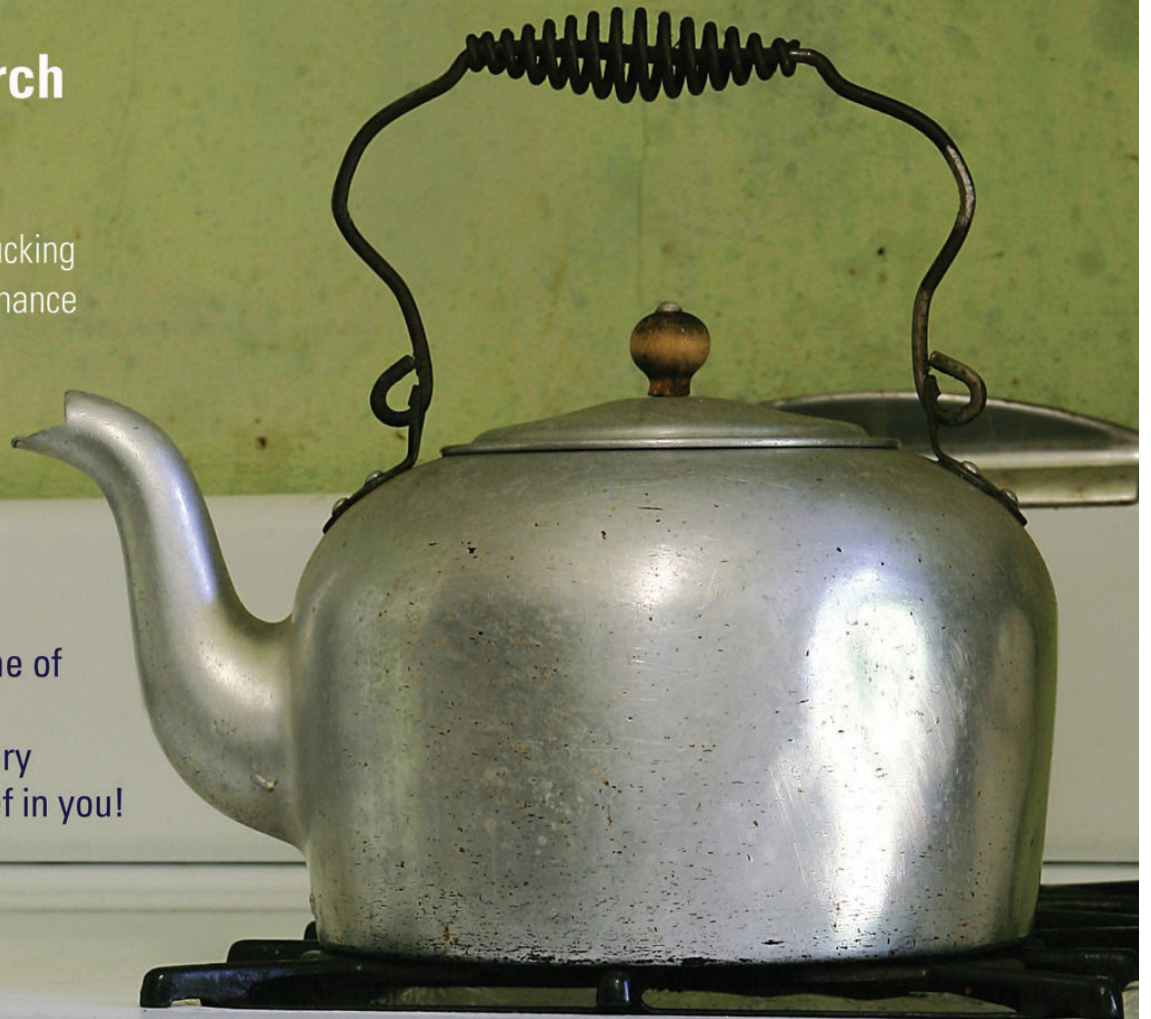
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ERIC DENTON TUNIS

Eric Denton Tunis died unexpectedly on Sunday, October 10, 2010, in Honolulu, Hawaii. He was 66. He was born May 12, 1944 in Springfield, Massachusetts to Emily and Edward Tunis. After a brief time living in Longmeadow and South Egremont, Mass., he moved with his family to Southern then Northern California where they lived on Whiskey Hill Rd. He attended Woodside School, Woodside High School and Menlo School. He graduated from Middlebury College in Vermont, majoring in geography, which became a lifelong interest.

Eric joined Peace Corps in 1967, serving two years in Eastern Iran.

A career as a Foreign Service Officer with the State Department ensued, with posts in Kabul, Djakarta, Cyprus, Katmandu, Western Samoa, New Delhi, and as Consul General in Lahore, Pakistan. He spoke French, Farsi and Indonesian.

After he retired in 1999 to Carmel Valley, California, he continued to do contract work for the State Department, mostly in Pakistan.

Eric's great passions were travel, gardening, language, humor and collecting art. He had friends in many parts of the world.

Survivors are two nephews, Douglas Van Cott Niven (and wife Saowalak) of Santa Cruz, Edward Bradford Niven of Oakland, a niece, Laura Niven of Leipzig, Germany; and a sister, Leila Hall and brother-in-law Samuel Hall, of Los Ranchos, New Mexico.

A gathering of friends of Eric will take place on Saturday, November 20, at 2 pm at the home of Janet Swords in Carmel. The address is 26359 River Park Place.

Committal of ashes will be private.

PAID OBITUARY

Endorsements from the public

PUBLIC ENDORSEMENTS

continued from page 19

Please vote "Yes" on Measure T.

Katie Ferrick
Planning Commissioner
Bay Road, Menlo Park

Belle Haven group supports Measure T

Editor:

The Belle Haven Neighborhood Association supports Measure T, the Menlo Gateway proposal.

The anticipated jobs and revenue are indeed the important centerpiece, but there are other factors to consider. Measure T represents an opportunity to upgrade an outdated, unattractive corner of our city. Most of Menlo Park is aesthetically attractive and we wish to see that quality extended to all areas. After all, it's our town as well.

Like other communities, Belle Haven is concerned with issues that directly impact us and like other communities we have the right to prioritize what we feel is important to us. To those who wish to maintain the status quo, we say: You have that right.

We also say maintaining the long-time status quo is not an acceptable standard in all parts of this city.

Menlo Gateway is looking to the future, but knowledge of the future is unknown to all!

We do believe that it is safe to say that change will occur whether we are ready or not. So, as a city, let's choose to be ready and vote yes on Measure T.

Matt Henry
Belle Haven Neighborhood Association

Measure T jobs a long way off

Editor:

As I drive around the Belle Haven community, I notice myriad signs in favor of Measure T, the Bohannon project, but the subtext of these signs confuses me. "Jobs" are touted as a reason for supporting this ill-conceived measure.

Given the fact that the developer has negotiated an agreement with Menlo Park that the project need not be started for eight years, and that construction of the final phase can begin as many as 20 years hence, no jobs appear on the horizon in the near term.

Perhaps in a better economic climate many years from now the project may offer temporary jobs to construction workers. And when the development is finally complete, those who take office jobs or patronize the hotel will drive their cars through our neighborhoods and add congestion at our freeway exits.

My logic warns me, no on Measure T.

Nancy Barnby
Spruce Avenue, Menlo Park

Don't be fooled by Measure L

Editor:

In the spirit of full disclosure, I am eligible for a California Public Employees Retirement (CalPERS) pension. I have worked in municipal government for long time, but am not asking for more than I think I deserve.

I have contributed to the system

since I began working for the city of Menlo Park in 1991. I agree that California's pension system needs reform. Unfortunately, Measure L does not achieve its stated goals and could cause irreparable harm. The only real way to solve the state's pension crisis is to put pressure on the governor and legislators to get the job done in Sacramento. This is not an issue that can be solved piecemeal, one city at a time.

Read the impartial analysis in your sample ballot booklet: Menlo Park could be dropped by the CalPERS retirement plan, and thus incur lower investment returns and higher administrative costs.

City employees receive no Social Security, only CalPERS benefits. The average employee who retired in the last five years gets \$16,750 a year in benefits — hardly the huge benefits depicted by the proponents of Measure L.

The state Legislature has decided that for general law cities such as Menlo Park, only a city council may make the final decision about employee compensation, including retirement benefits. The measure is non-binding. This initiative is illegal. If this measure passes, the city should expect to be sued for violating state law that allows only city councils to set compensation. Legal costs will be borne by Menlo Park taxpayers.

Measure L does nothing to reduce current expenditures since it would only apply to future hires. Savings would not begin to accrue for 14 years; the full benefit would take 30 or more to be realized. The Menlo Park City Council's solution to require all non-safety employees to share health care costs and, if contribution levels rise, pension cost increases, created immediate budget savings.

Measure L does not address public safety (police) salaries and benefits, which is the single greatest escalation problem in the budget.

Don't be fooled. Measure L is not the solution. Vote no on Measure L.

Michael Taylor
Menlo Park resident and former city employee

ARLA KATHARINE MIDDLETON



Arla Katharine Middleton passed away peacefully on September 22 after a long battle with Alzheimer's disease. She was 80 years old.

Arla was born in 1930 in Utica, NY, to Raymond and Ruth Mellen. At New

Hartford High, Arla excelled in sports and was captain of the field hockey team. This capacity for leadership would become a theme of her life. After receiving her AA degree from Western Reserve University in Cleveland, Ohio, Arla headed for nursing school at Columbia Presbyterian in New York City. There she developed lifelong friends, as well as a dedication to helping people in need.

While in New York, the spirited, pretty nursing student caught the eye of Howard Middleton, an army lieutenant from the San Francisco Bay Area. They were married in 1954 and remained together for the next 56 years.

Arla was devoted to her church, Christ Church Episcopal, and her community. In Portola Valley, where she lived since 1968, Arla organized drives to feed homeless people, established a youth employment agency, headed the local Girl Scout troop, and dedicated herself to youth ministry. She also volunteered as a hospice nurse and worked as head nurse for American Red Cross blood banks for 13 years.

Smart and inquisitive, Arla loved to travel, embraced social change—especially expanding roles for women and protecting the earth—and studied the works of spiritual writers.

Arla pledged never to leave her beloved adopted home, the golden hills and sapphire bay of the San Francisco

Peninsula. Sailing was a cherished treat, and she delighted in her turn at the helm and the challenge of navigating westward into the wind. She turned her love of place into support for environmental organizations like the Peninsula Open Space Trust and the Sierra Club. She and Howard visited every national park in the West.

Family was Arla's key focus, especially as her children were growing up. She was the glue that held the family together through many moves around the country—helping the kids navigate their new schools and neighborhoods, and quickly establishing the family friendships that would endure for decades.

And always, there was the music. It was not uncommon to find Arla in quiet moments before the kids came home from school, listening to Rachmaninoff or Tchaikovsky, her full concentration on the powerful sweep of the notes. When she sang at folk masses, her voice was clear and enthusiastic, as though music could capture and express the full range of her hopes and beliefs.

In the end, after the disease had robbed her of her ability to communicate verbally, music continued to stir, to comfort, and, along with a well-timed lift of eyebrow that would bring smiles around the room, to provide evidence that there was a little more life to be lived before she headed out.

Arla is survived by her husband Howard of the Sequoias Portola Valley; her siblings Raymond Mellen (Sally), Richard Mellen (Dorothy) and Candace Prossner (David); her son Craig (Holly) of San Francisco; her daughter Debbie Hamilton (Bruce) of Newcastle, WY; her daughter Hilary Wills (Geof) of Los Angeles; and four grandchildren: Casey, William, Ella and Roxanne.

A memorial service will be held at Christ Church, Portola Valley, at 1 pm on October 23. Donations may be made to Christ Church Youth Ministry or to the American Red Cross in Arla's name.

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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 the law, people charged with offenses are considered innocent until convicted.

MENLO PARK

Grand theft report: Diamond earrings and diamond rings with total value of \$19,500 stolen from hotel room, Stanford Park Hotel at 100 El Camino Real, Oct. 10.

Residential burglary reports:

■ Home ransacked; losses totaling \$2,250 in theft of plasma TV, digital camera and cash, 1100 block of Bieber Ave., Oct. 11.

■ Computers and cable box valued at \$1,900 stolen, 1300 block of Madera Ave., Oct. 11.

■ Losses totaling \$1,705 in theft of three bicycles, an air compressor, a video game player and hats, 1300 block of Madera Ave., Oct. 9.

■ Loss of \$600 in theft of three tires, 1100 block of Willow Road, Oct. 8.

Commercial burglary report: A total of \$936 in cash and a \$50 lock stolen, Oil Changers at 944 Willow Road, Oct. 11.

Assault and attempted armed robbery report: Victim approached by man with air gun who attempted to rob victim but was fought off and fled, 1100 block of Carlton Ave., Oct. 11.

Auto burglary report: Loss estimated at \$100 in theft of CD and MP3 player, 1200 block of O'Brien Drive, Oct. 8.

Fraud reports:

■ Victim using Craigslist wired \$500 to hold vehicle for sale at dealership in Monterey only to discover the dealership did not exist, 1200 block of Sevier Ave., Oct. 12.

■ Loss of \$50 in unauthorized access to bank account, 1200 block of Sevier Ave., Oct. 12.

WOODSIDE

Auto burglary reports:

■ GPS valued at \$2000 stolen, Park-and-Ride lot at Woodside Road and Interstate 280, Oct. 9.

■ Window smashed and expensive high-tech equipment stolen, Park-and-Ride lot at Woodside Road and Interstate 280, Oct. 9.

■ MORE ONLINE

Go to AlmanacNews.com for more news and sports, including a report on the Vikings Pop Warner football teams.

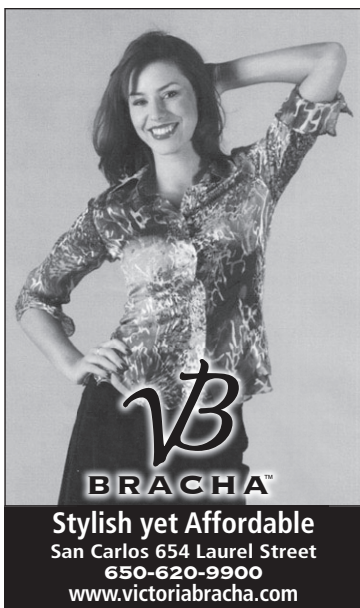
Pancake breakfast raises funds

The community pancake breakfast, held Oct. 2 at Fire Station No. 1 in Menlo Park, raised more than \$10,300 for the Alisa Ann Ruch Burn Foundation, according to Jon Jonston of the Menlo Park Fire Protection District.

Hosts for the breakfast were the Menlo Park Protection District, the Menlo Park Firefighters' Association, the Junior League of Palo Alto/Midpeninsula, and the Stanford Park Hotel.



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The Almanac, established in September, 1965, is delivered each week to residents of Menlo Park, Atherton, Portola Valley and Woodside and adjacent unincorporated areas of southern San Mateo County. The Almanac is qualified by decree of the Superior Court of San Mateo County to publish public notices of a governmental and legal nature, as stated in Decree No. 147530, issued November 9, 1969.

Subscriptions are \$60 for one year and \$100 for two years.



WHAT'S YOUR VIEW?

All views must include a home address and contact phone number. Published letters will also appear on the web site, www.TheAlmanacOnline.com, and occasionally on the Town Square forum.

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Board dropped ball on lights

We sympathize with the Menlo-Atherton High School students who found out just two days before Homecoming that their big football game could not be played under the temporary lights set up at the school's gridiron.

Instead of a night game at home, only the second at-home night game in the school's 59-year history, the game had to be shifted to Sequoia High in Redwood City after a judge sided with school neighbors who demanded that M-A conduct an environmental study before turning on the temporary lights.

EDITORIAL
The opinion of The Almanac

For fans of the M-A football program, the lawsuit filed by an anonymous neighbor or neighbors — known only as the Protectors of Atherton's Residential Character (PARC) — the decision issued by Superior Court Judge Marie Weiner cruelly tossed a monkey wrench into the works of the school's football season.

And in our view, the neighbors could have been a lot nicer and agreed to allow a few home games to go forward under temporary lights. That would have given M-A football fans what they wanted and the school district time to complete the environmental report.

But that is not what happened, and most of the blame can go to the Sequoia High School District trustees and their attorney, who either through ignorance or an attempt to be clever, misapplied the state's environmental quality laws. Not so fast, said Judge Weiner, who is likely to decide at a Nov. 9 hearing to grant a restraining order stopping the lights pending a study of the impact of night games on neighborhood noise, traffic, light and safety.

(A year or so ago, the district got itself in another spat with Atherton neighbors over the impact of the new performing arts center at M-A, a situation that came to an amicable close.)

In the end, we believe lights for football games and soccer and lacrosse and practice sessions will come and will not be an undue hardship on M-A's Atherton neighbors. Only the football games will be permitted to use a public address system and the district has promised to turn off the lights by 10:30. Any other sport that uses

lights will have to wind up play by 8:30. No use of lights would be permitted on weekends.

These self-imposed restrictions are a good-faith effort by the school district to accommodate the neighbors and save some night athletic activities, pushed into the evening by a later starting time for classes. But it will take an environmental study to move the ball in Judge Weiner's courtroom. It was a fumble on the district's part and the neighbors took full advantage of it.

Sadly, the M-A Bears will have to wait until next year to gain full use of their field after the sun goes down.

Endorsement

Sequoia Healthcare District

Of the seven candidates running for the three open seats on the Sequoia Healthcare District board, four are qualified to serve. We endorse incumbent Art Faro, former CEO of the hospital, which is now owned by Catholic Healthcare West; Ruth West-Gorin, a social worker and Woodside resident; Dr. Jerry Shefren, a former board member; and Alpio Barbara, owner of Redwood General Tire in Redwood City.

Three other candidates, led by incumbent and Libertarian Jack Hickey, advocate doing away with the district, which would be a tragedy for the thousands of county residents who are served by nonprofits that receive funding from the district. Mr. Hickey's idea to

shut down the district and return money to the taxpayers is bogus — by law the money will continue to be collected but distributed to the remaining special districts.

While years ago funds generated by the district tax were used to defray hospital costs, the income has long been diverted to nonprofit agencies around the county, like the Ravenswood Clinic in East Palo Alto and the Fair Oaks Medical Clinic. The \$7 million a year generated by the hospital tax is being spent wisely now, and should continue. Vote for three of the following four candidates: Art Faro, Ruth West-Gorin, Dr. Jerry Shefren or Alpio Barbara, for the health-care district board.

LETTERS

Our readers write

Why is council ignoring the Downtown Alliance?

Editor:

Menlo Park City Council member Kelly Fergusson's Oct. 6 guest opinion regarding the city's draft plan for the downtown is persuasive, but misleading.

She states that "thousands of residents have participated" in the process. The Menlo Park Downtown Alliance, composed of over 120 downtown property and business owners, was formed because we were left out of the process. The city labels us a "special interest group" and will not engage us.

Ms. Fergusson's letter claims that "the plan allows the people that care the most about Menlo Park to shape our future." Don't we the business owners care? Why are our constructive ideas for improving the downtown being ignored?

Council member Fergusson claims that "out-of-town" developers won't determine our future. If that is the case, why does the draft plan propose that our city government should be able to lease or sell the downtown parking plazas? The plan claims the parking lots are underutilized and would be better with buildings, two five-level parking structures, and condos on them.

Will opening the floodgates for potentially 400,000 additional square feet of downtown buildings enhance and preserve our downtown charm, as Ms. Fergusson claims the city wants to do?

The Downtown Alliance has proposed several intelligent, con-

structive, and moderate ideas for improving the downtown long-term. Only council member Andy Cohen listens to and supports our ideas. Why won't the other council members engage the business community in a constructive way?

Three new candidates for City Council share our concerns about the city's draft plan. We urge voters to examine the positions of all the candidates to determine where they stand on this important issue.

Mark Flegel
Flegels Home Furnishings
Co-Chair, Downtown Alliance

M-A lights: Was lawsuit necessary?

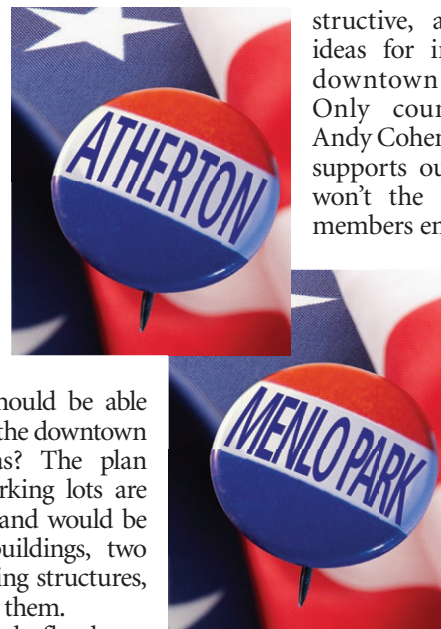
Editor:

I hate to resort to name-calling, but I am so disgusted with the lack of civility and judgment on display by the "Protectors of Atherton's Residential Character" that I find it hard to restrain myself.

For the uninitiated, Menlo-Atherton High School would like to install lights on its football field to enable student athletes to practice longer and to hold nighttime sporting events.

A group of apparently timid Atherton residents, acting under their anonymous superhero name of "Protectors of Atherton," has successfully sued to stop the turning on of the lights for essentially the entire football season at a minimum. Score that handful of cranky neighbors 1 — hundreds of community families 0.

See **LETTERS**, next page



LETTERS

Continued from previous page

Thereby they provide a modern civics lesson to our high school students, that if you are the squeaky wheel, particularly a well-funded squeaky wheel, you can bring in a San Francisco law firm to shut things down on technical grounds.

Forget the fact that the Protectors of Atherton elected to move next to a school (at least in the case of the only resident with enough guts to put her name on the lawsuit). Sometimes being part of a community requires that you hear the cheers and maybe even see the residual light from an event at a school that you chose as your neighbor. Events at schools create community and bonding experiences for our kids and families.

I think the situation could have been addressed in a more productive manner than a lawsuit on one side or the exercise of eminent domain on the other.

**Jay Hansen, parent of
M-A student in the dark and
happy neighbor of Hillview
Middle School**

Why M-A students want the lights for sports

By students of the M-A editorial board

Was it so surprising for our residential neighbors to wake up one morning and find themselves living next to a high school? M-A was founded in 1951, but perhaps we should have known that 59 years is too short a notice to spring something like football games on the locals.



GUEST
OPINION

Yes, the Sequoia Union High School District brought in temporary lights in an attempt to sidestep the environmental impact report (EIR) that prevents or at least delays the installation of permanent lights. Yes, the town of Atherton has the right to bring this to a judge's attention. And yes, the judge's decision

was perfectly reasonable. However, the very nature of the report itself is superfluous, because it can only show what we already know: students will be at school.

According to PARC, the report is needed to evaluate the "potential harm to the neighbors of increased traffic, increased noise, increased influx of gangs or other non-residents, increased crime, and infiltration of bright lights, all during the evening, night, and weekend hours

Editor's Note: *Two days before Menlo-Atherton High School's homecoming football game Oct. 7, a group of anonymous Atherton residents, known only as Protectors of Atherton's Residential Character (PARC), put the stops on the Bears' holding the game at home. This year, M-A installed temporary lights for night games, but (PARC), citing a pending environmental impact report, asked Judge Marie Weiner to suspend their use. The judge approved the request and M-A had to move the homecoming game to Sequoia High School in Redwood City at the last minute. Here is a response from the editors of the M-A Bear News.*

when no such harms presently exist."

So let's examine their concerns.

Traffic. Is the traffic for football games really going to be worse than traffic for the basketball games we hold at the exactly same time? Or for the classes we attend every day? There will be traffic. But there is no reason to believe that Atherton can't handle three evenings a year for which traffic is no more than at any school morning or afternoon.

We hardly think that a football game that takes place before the noise curfew will cause more noise and "infiltrating" light than night games at Woodside, Sequoia, or thousands of other high schools in normal parts of the nation.

As for the gang members and "non-resi-

dents," could these "non-residents" be the east Menlo Park and East Palo Alto students that pass to and from the Atherton neighborhood to get an education every single day? The same "gangs" who, though they attend Menlo-Atherton High School, do not have a 94027 ZIP code to their name?

Surely the only thing keeping them from pillaging your Atherton homes was the poor lighting.

PARC's lawyer Anna Shimko claims that Menlo-Atherton "[has] not justified the need for the late use of the lights at all."

However, Shimko seems unable to comprehend that winter sports are played in winter. Night falls at about 5 p.m. Coaches have repeatedly explained in innumerable public settings that our new, later start time pushes games and practices into the later hours of the evening. PARC has heard these reasons before, and ignores them. In doing so, they deny the importance of having sports at all.

Instead of creating deliberate delays in an inevitable process, our neighbors should let the temporary lights stand. What better way to evaluate the lights' environmental impact than to see their effects firsthand?

Apparently there is no room in Atherton's "residential character" for a high school football game. If given the chance, based on their intolerance for normal school functions, PARC would injunct Menlo-Atherton itself.

Endorsements from the public

Vote for experience

Editor:

Whether one agrees or disagrees with the decisions made by Menlo Park City Council incumbents Rich Cline and Heyward Robinson, it can't be denied they have four years of experience in the trenches. Likewise Kirsten Keith has six years of experience on the Planning Commission, which is another trench where at times the decisions that must be made can be uncomfortable.

All the candidates running for City Council are more than qualified. The critical difference is that only these three candidates have years of experience in dealing with city issues and have had to make many important decisions in our council chamber.

Rich Cline, Heywood Robinson and Kristen Keith have grown over the years and are familiar with the issues. They don't need on-the-job-training. Elect them to sit in the big chairs in the council chambers for the next four years.

**Matt Henry
Belle Haven Neighborhood
Association**

Incumbents not the best choice

Editor:

After reading the Almanac's endorsements for Menlo Park City Council, it is clear that the editor wants us to vote for the status quo, with the same four

members making up the council majority and replacing John Boyle with Peter Ohtaki.

Quite frankly, it might not matter if the new member is Mr. Ohtaki, Kirsten Keith, Chuck Bernstein, or Russell Peterson. If you only replace one of the five existing council members, it's not clear that much of anything will change.

Peter Ohtaki is a great choice, but he alone isn't going to change the council. After six years of Kelly Fergusson and Andy Cohen and four years of Rich Cline and Heyward Robinson, isn't it time for a change? "Experience" and "continuity" make for great simplistic campaign slogans, but sometimes what we really need is "new ideas."

El Camino has been blighted for six-plus years, the city's budget has worsened each year to the point where it now appears this past year will show a deficit of over \$1.5 million (and growing), sales tax revenue is down, and we're still stuck in "study and analyze everything to death" mode. Hiring consultants and doing studies is not the same as actually making decisions.

Voting for Mr. Robinson and Mr. Cline will continue the status quo of indecision and inaction. If we want change, we need new council members. Peter Ohtaki's a great start, but voters should elect two of the other challengers from among Ms. Keith, Mr.

Bernstein and Mr. Peterson.

**Frank Tucker
Politzer Drive, Menlo Park**

Families work hard on council picks

Editor:

We are a group of families that represent a number of neighborhoods across Menlo Park who are taxpayers, homeowners, and parents of children in the local schools. We want our City Council to: improve our community, demonstrate fiscal responsibility, and achieve reasonable development in our downtown corridor. More specifically, we support:

■ Timely, reasoned development to address the blight on El Camino, increase business, and eliminate retail vacancies by adopting and implementing a specific plan for the downtown and the El Camino corridors. Much work has been done in this area — it's now time to finalize discussions and make a decision on the future of our city's downtown.

■ Measure T to boost tax revenues and improve neighboring Belle Haven and surrounding communities.

■ Responsible management of our city budget, looking for ways to increase revenues and reduce expenditures to address our structural budget deficits.

■ Measure L as a reasonable starting point to address the escalating cost of our pensions, which threatens to impact the city's ability

to deliver services in the future.

■ A common-sense approach to high-speed rail that is financially sound and supports the interests of our residents.

■ Our local police department's high level of service, while ensuring it is based on a sustainable financial model.

We recently invited the six council candidates to two informal forums at a local Menlo Park home. The candidates did not fill out any surveys nor make a pledge to a position on any of the issues. The forums were open to all candidates, and allowed the candidates to interact directly with us to discuss their civic experience, why they are running and their views on various issues facing Menlo Park.

After careful consideration, we believe the three candidates who are best equipped to address Menlo Park's critical challenges are Peter Ohtaki, Rich Cline and Kirsten Keith. We do not endorse them as a "slate" but as three individual candidates we believe will bring decisiveness, relevant and varied experience, and a sense of urgency to the Menlo Park City Council.

**Jeff and Diane Child and
19 other Menlo Park families**

Exaggerated traffic claims against Measure T

Editor:

There has been a lot of talk about the expected traffic increase caused by Measure T (allowing Bohannon to build office-hotel complex). The opposition is exaggerating when referring to traffic.

What they don't tell you is that U.S. 101 and Highway 84, not service streets, will handle 90 percent of traffic related to this project. According to the draft environmental impact report, after this project is built and **before** mitigation is implemented, the amount of time you will wait at major intersections during peak hours will increase by only a few seconds.

To mitigate the traffic caused by this project, improvements will be made to seven intersections, including additional traffic signals, right-turn lanes, left-turn lanes, and merge lanes. The Bohannon Development Company will be paying \$2.5 million to make these improvements.

The development company has also established a transportation demand management (TDM) program which includes shuttle services to Caltrain, a vanpool program, subsidized public transit passes, and bike lockers and showers for employees.

Now that you know the truth about traffic, you need to know the truth about the benefits. When built, this project is projected to generate \$1.67 million in net annual revenue for our city, and create 1,900 temporary jobs and 2,500 quality permanent jobs with many having first priority hiring preference for Menlo Park residents.

This is a huge opportunity for our city and will put fellow Menlo Park residents back to work. To me, that is worth waiting a few extra seconds at an intersection.

See **PUBLIC ENDORSEMENTS**, page 16

It doesn't get much better than these...

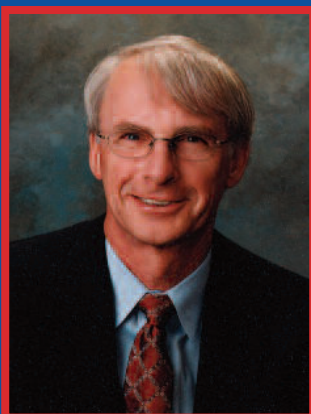


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