



VETERANS DAY: Keeping the Spirit of '45 alive. Section 2

The Almanac

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

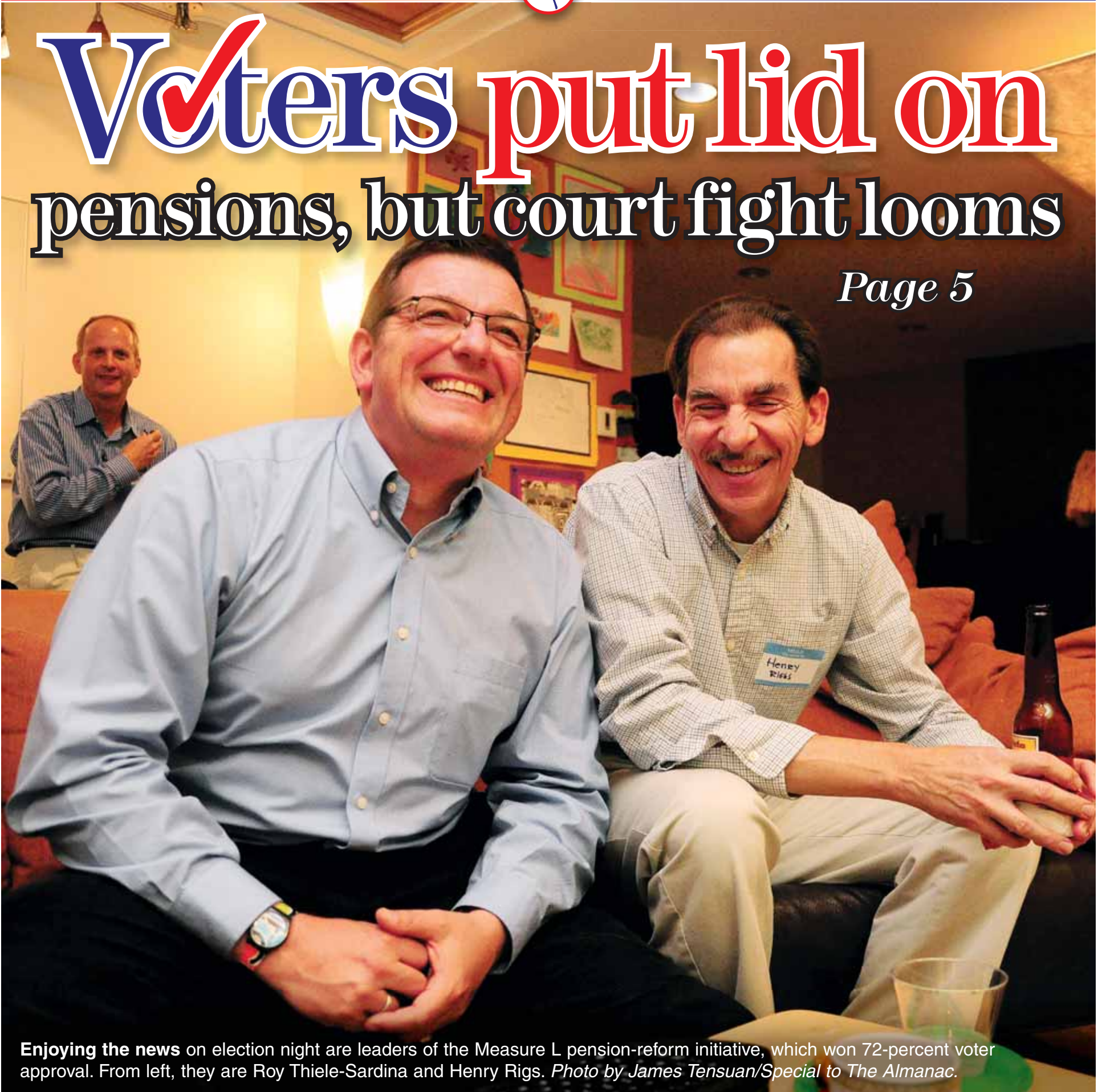
NOVEMBER 10, 2010 | VOL. 46 NO. 11



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Voters put lid on pensions, but court fight looms

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Enjoying the news on election night are leaders of the Measure L pension-reform initiative, which won 72-percent voter approval. From left, they are Roy Thiele-Sardina and Henry Rigs. Photo by James Tensuan/Special to The Almanac.

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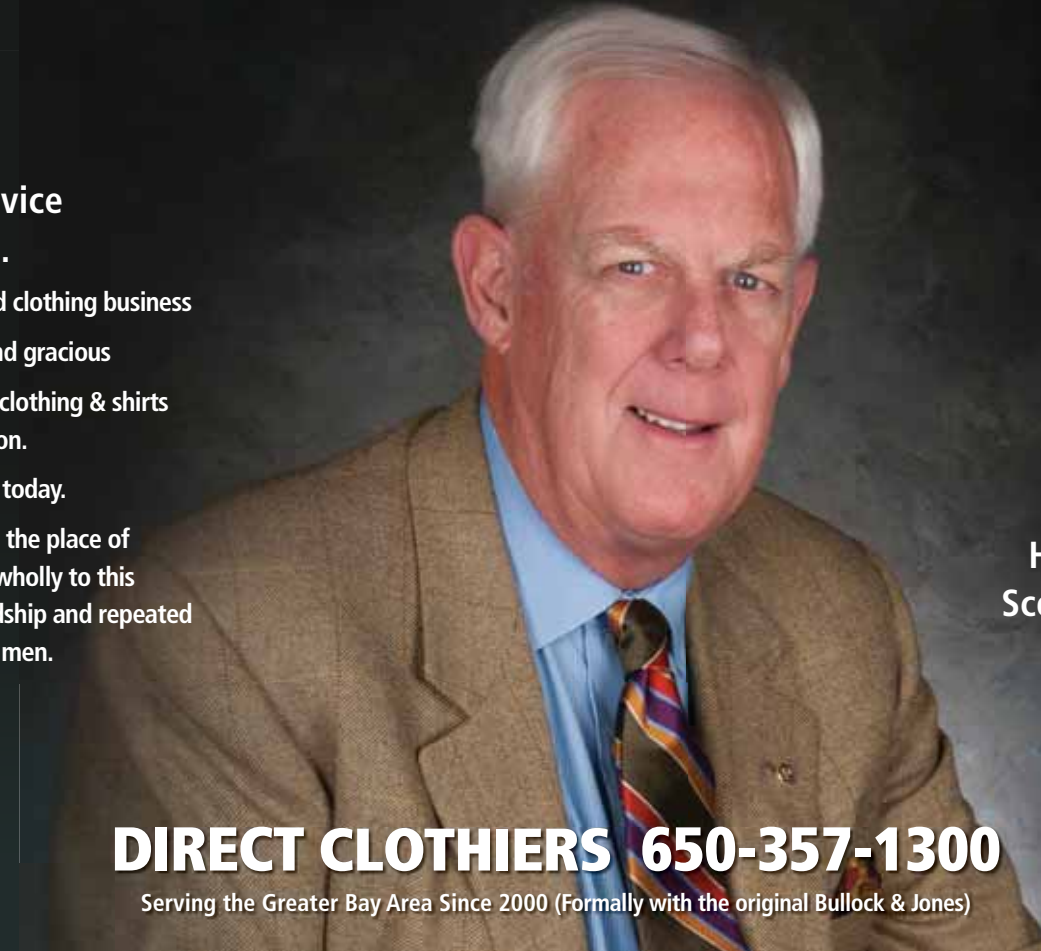
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Photo by Michelle Le/The Almanac

Ron Ramies hugs a customer at Portola Valley Fuel near the corner of Alpine and Portola roads on a recent day. After selling the operation eight months ago, Mr. Ramies realized how much he missed the gas station and automotive repair shop and is back as the owner.

Back to the future for gas station

■ Ron Ramies reclaims Portola Valley Fuel.

By **Dave Boyce**

Almanac Staff Writer

It was eight months ago that Portola Valley native Ron Ramies sold Portola Valley Fuel, the independent gas station and auto repair shop near the town's principal intersection at Portola and Alpine roads.

"It felt like eight years," Mr. Ramies said recently. After selling the operation, he had asked himself the dreaded question: "Oh my God, what did I do?" he said. "It hit me like a ton of bricks. Everything that I did, selling that business, was emotional. I think I needed to do that to learn about myself."

He may now find out what he learned. On Oct. 26, Mr. Ramies signed the papers to reclaim his station and shop from Woodside resident Dieter Mees, a Porsche-trained mechanic who bought the operation in February.

Mr. Mees, who is "very good on Porsche and Mercedes," will continue to be available for repairing older models, Mr. Ramies said.

Mr. Ramies was never far from home. He rents a cottage in Woodside and aside from a few weeks in Italy, he's been working in his vehicle fabrication shop in San Carlos. Friends would call to say how much they missed his presence in Portola Valley, he said.

"I'm at peace," Mr. Ramies said after his purchase. "I've been overwhelmed by people coming by."

Once things settle down, there may be some changes at the station. A few ideas Mr. Ramies said he is tossing around: a coffee cart, free ice cream on Fridays for kids who walk or ride their bikes to school, wine tasting, and car detailing and washing.

Diesel customers could possibly have bio-diesel, dogs would have biscuits, and everything will be as green as possible, he said.

The first free ice cream event is set for the afternoon of Friday, Nov. 19, in the back of the station, Mr. Ramies said.

"It's a second chance to do bet-

ter," he said. "I sometimes think about all the things I disengaged from. (Portola Valley) is a one-of-a-kind place. I know now that I would enjoy myself more with this community."

Residents comment

"I'm thrilled," said Danna Breen, who lives up the road and was a not-infrequent customer. "When he left, it felt like your physician is retiring or something. You're left feeling all alone."

Angela Siddall, a resident and customer for about 10 years, recalled the recent experience of having had a flat tire in Mountain View. She drove to Portola Valley on a refill of air and stopped by the station, where Mr. Ramies happened to be, and had her tire repaired with a plug and refilled, all in four minutes and all at no charge.

"As a single woman, you need a place you can count on," Ms. Siddall told The Almanac. "They do whatever's necessary to get me rolling."

Ms. Breen, a member of the town's architecture review panel, expressed concern about support

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Local News

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Measure L headed for second court challenge

■ Unions spent \$69,000 to defeat pension-reform measure, and they are not done fighting yet.

By **Sandy Brundage**

Almanac Staff Writer

Even though Menlo Park's pension reform initiative was approved by 72 percent of the voters, opponents of the measure said they will again pursue a legal challenge.

"We believe provisions of the measure are unconstitutional. We will be asking a judge to take another look at its constitutionality and overturn it if necessary," said Jerry Jimenez, spokesman for the Service Employees International Union (SEIU) Local 520, which fought the measure during the campaign.

SEIU and the American Fed-

eration of State, County, and Municipal Employees (AFSCME) lost a lawsuit in August to keep Measure L off the ballot, and then poured at least \$69,000 into defeating it at the ballot box, according to campaign finance addendums filed in the week preceding the election.

That's about \$30 per "no" vote; 2,272 people voted against the measure, according to the latest count.

Former mayor Gail Slocum signed a ballot argument against Measure L, but said she was not involved in the campaign. "As an outsider on No on L, my impression is that the campaign leaders should have started earlier. Even if they had, it prob-



ably still would have passed, because the arguments one has to understand to oppose L are more complex, and the Yes on L message sounds simple."

Ms. Slocum said that many people weren't aware the council had voted in May to impose a similar "2 at 60" pension structure on SEIU.

However, that structure would only have gone into effect next year if AFSCME also agreed to the same terms.

"L was about requiring a vote of the people to change, which most people I talked to, once they understood it, thought was not a good idea," Ms. Slocum said.

Measure L headed to voters after a grassroots campaign led by the Menlo Park Citizens for Fair and Responsible Pension Reform collected enough signatures to place it on the ballot. Planning Commissioner Henry Riggs, along with Roy Thiele-Sardina and Ed Moritz, spearheaded the drive, assisted by council candidate Chuck Bernstein.

"We hope they re-think biting the hand that feeds them," said Mr. Riggs when asked about a possible second lawsuit.

Measure L raises the minimum retirement age for new public employees, excluding police officers, by five years to 60, and also decreases their maximum pension benefits by 0.7 percentage points to 2

percent of their highest annual salary averaged over three years. Increasing those benefits will require a simple majority approval by voters.

Under this measure, a new hire who retired at age 60 after working for the city for 30 years receives 60 percent of that average salary. Current employees can retire at age 55 and get 81 percent after working 30 years.

Proponents of pension reform aren't done fighting yet either.

"Next up is to make clear that L was only a stop gap that does not by itself achieve sustainability — that the full range of contract issues is indeed the purview of [City Council] and must be addressed with courage and conviction in future bargaining," Mr. Riggs said. ■

Cyclist dies after colliding with side of big rig

By **Dave Boyce**

Almanac Staff Writer

Accident investigators with the California Highway Patrol are puzzled as to how Los Altos Hills resident and cyclist Lauren Perdriau Ward, 47, happened to collide with the side of a big rig Thursday, Nov. 4, at about 3:40 p.m. on Alpine Road near the interchange with Interstate 280.

Ms. Ward, who had been riding a pink Trek bicycle, died of major head trauma after colliding with the left side of the truck's cab, Redwood City CHP Officer Art Montiel said in a phone interview. A bicycle helmet was found at the scene.

Ms. Ward had been dragged under the truck and was found under the trailer near its right rear wheels, Mr. Montiel said.

The rig has 26 wheels, 10 for the truck and 16 for the trailer, which was carrying a forklift, Mr. Montiel said. The rig had been heading west from a job site near Sand Hill and Alpine roads, he said.

Both Ms. Ward and the truck had been traveling westbound on the brief straight section of roadway just west of the stop sign at the northbound entrance to I-280.

The truck had been headed to the southbound entry ramp of the freeway, Mr. Montiel said. "For unknown reasons, the two

collided," he said. "We're looking for witnesses. We can't seem to put two and two together to make it obvious what happened."

There are three westbound lanes of traffic on Alpine Road as it approaches the southbound ramp: a left and middle lane that merge as they head straight into Ladera and Portola Valley, and the right lane that curves on to the freeway.

As they ride into Ladera, bicyclists traveling west on the right edge of Alpine Road have to negotiate a crossing of the freeway entry lane so as to get to the middle lane and continue west.

It's possible, Mr. Montiel said, that Ms. Ward had crossed the freeway entry lane behind the truck and was beside it on the right edge of the middle lane when she was forced into the truck's side by another vehicle coming up behind her in the middle lane.

The impact point was on the side; the front of the truck was not damaged, Mr. Montiel said.

"Why was she that close?" he wondered. "I'm hoping somebody will call in."

Tests of the truck driver for impairment came up negative, Mr. Montiel said.

The I-280 entry and exit ramps were closed for three hours.

See **CYCLIST**, page 6



Photo by James Tensuan/Special to The Almanac

David Bohannon invited some candidates to his election night party, including incumbent Rich Cline (second from right), who won re-election.

Voters OK with Bohannon development

By **Sandy Brundage**

Almanac Staff Writer

While developer David Bohannon celebrated the passage of Measure T, which allows him to build Menlo Gateway, a nearly 1-million-square-foot office-hotel complex, opponents of the project closed their website, and paused to consider their defeat.

Measure T passed Nov. 2 with a 65.1-percent "yes" vote. (Accord-



ing to the latest count, 6,036 voters favored the measure and 3,241 were opposed.)

After hosting an election night party at the Oak City Bar and Grill in Menlo Park, as midnight approached Mr. Bohannon said, "Right now I'm so tired I can't think of what to say. It does look like we're pretty

clearly going to win."

Asked what he would do now with his spare time, he laughed, thought for a moment, and answered, "Well, I'll be happy not to be involved in a political campaign, believe me, and go back to my life as a real estate guy."

Former Planning Commissioner Patti Fry, who helped start "Measured Growth for Menlo Park," a coalition hoping to see Measure

See **BOHANNON**, page 6

MP school board: Rich, Thygesen, Lambert elected

Laura Linkletter Rich was re-elected Nov. 2 to the Menlo Park City School District board, where she and trustees Maria Hilton and Mark Box will welcome new board members Terry Thygesen and Joan Lambert next month.

The three women were the top vote-getters in a race that drew four contenders, including Ana Uribe-Ruiz.

Ms. Thygesen's newcomer status is qualified by the fact that she served two previous terms on the board — from 2000 to 2008 — before taking a break.

The latest vote count is: Ms. Rich, 4,405; Ms. Thygesen, 3,714; Ms. Lambert, 3,662; and Ana Uribe-Ruiz, 2,248.

Although her children are now adults, Ms. Rich said she wanted to serve one more term to see some key projects through to completion, among them the rebuilding of Hillview Middle School.

In addition to her prior service



From left: Laura Linkletter Rich, Terry Thygesen and Joan Lambert.

as a board member, Ms. Thygesen was active in parcel-tax efforts to raise money for the district, and has served on the Menlo Park-Atherton Education Foundation board.

Ms. Lambert will begin her first term on the board next month. She has been an active volunteer in three of the district's four schools, as a board member of the nonprofit school foundation, and as one of the leaders in the Measure C parcel tax campaign.



Photo by Michelle Le/The Almanac

L'esprit

The third week of October was Spirit Week at Woodside High School and on Oct. 21, the seniors won the weeklong contest of seeing which class — 2011, 2012, 2013 or 2014 — could attract the most students to the lunchtime rally in the school quad. "The seniors won, which they typically do," Principal David Reilly said.

Las Lomitas: one seat too close to call

Ann Jaquith and Jay Siegel were elected Nov. 2 to four-year terms on the school board of the Las Lomitas Elementary School District. The third spot is too close to call and could change when all ballots — including absentee ballots dropped off on election day — are counted.

Four candidates contended for three seats. The latest count is: Ann Jaquith, 2,175; Jay Siegel, 1,851; Richard Ginn, 1,696; and Mark Reinstra, 1,610.

Ms. Jaquith, an educator and educational researcher at Stanford

University, will be the only board member with a background in education.

Mr. Siegel, appointed to the five-member school board in 2009, was the only current member running.

Mr. Ginn, who has been a volunteer coach for his son's soccer team, applied for a board seat in 2009 when a trustee resigned, but wasn't chosen. He works in the financial industry.

Mr. Reinstra, who has volunteered in the classroom and with the Las Lomitas Education Foundation, is an attorney.

BOHANNON

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T defeated at the ballot box, called the results disappointing, but said she was very proud of the "fact-based and honorable grassroots campaign."

During the campaign, the coalition argued that the project's environmental impacts, such as carbon emissions, traffic, and noise, would outweigh the city's financial benefits. They also stated that the city's revenue is a fraction of the \$40 million to \$60 million Mr. Bohannon would earn.

What could the coalition have done differently? "Win the lottery," she suggested. "So we would have had more resources to communicate the facts, refute misleading information, and denounce the

personal attacks and smear tactics used by a wealthy developer to win his special and exclusive deal."

Ms. Fry also said that the coalition could have spent more time with individual council members to help explain the financial and environmental complexities of the project, and the need to hire professional negotiators to represent the city's interests in the deal.

Measure T amends Menlo Park's general plan to add a "business park" land-use category, and applies that category to 16 acres on the east side of U.S. 101 that span Independence Drive and Constitution Drive, where Mr. Bohannon plans to build Menlo Gateway.

The total floor area of the planned office buildings, seven-floor hotel, restaurant, parking garages, and fitness club would be roughly equiva-

lent to that of the Sun Microsystems campus at the east end of Willow Road, according to city planning staff.

Mr. Bohannon had thrown \$475,000 at last report into funding the campaign to support Measure T, with at least \$14,864 dedicated to a series of mailers attacking the one City Council candidate who vocally opposes Menlo Gateway, Chuck Bernstein.

Mr. Bohannon also contributed an as-yet-undisclosed amount of assistance, in the form of precinct walkers handing out campaign fliers, to four council candidates who support Measure T: Incumbents Rich Cline and Heyward Robinson; Planning Commissioner Kirsten Keith; and Menlo Park Fire Protection District Board President Peter Ohtaki. ■

A womanly place

Mr. Ramies' three daughters are all interested in the business, he said. "We didn't know how good we had it," his oldest daughter Diana said at one point, Mr. Ramies recalled.

Diana is training as a paramedic and firefighter and has designed a set of women's tools, colored pink, Mr. Ramies said. She is also handy with a welding torch.

Megan, the middle daughter, recently graduated from a Notre Dame de Namur business program and is interested in maintaining the books for the station and the shop, Mr. Ramies said.

Brianna, a sophomore at Woodside High School and a varsity basketball player, has pumped gas and cleaned car windows at the station, Mr. Ramies said. ■

FUEL

continued from page 3

for local businesses to keep them vital. She has some comfort about this one. "Ron grew up here," she said. "I think it will be secure, that the garage will stay there during his lifetime."

CYCLIST

continued from page 5

Ms. Ward, a trained nurse, won state Sen. Joe Simitian's "There Oughta Be a Law" contest after suggesting a bill to add a bitter-

ing agent to antifreeze so that children and animals would not be accidentally poisoned. The law was passed in 2002 and was introduced as a federal bill by Congressman Gary Ackerman, D-New York, in 2004.

Investigators are asking for witnesses to come forward. Anyone with information is asked to call Officer K. Nielsen at 369-6261. ■

Sue Dremann of Embarcadero Media contributed to this report.



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Schools hit by Lehman Brothers losses file claim against county, treasurer

By Renee Batti
Almanac News Editor

Twelve area school districts and the county superintendent of schools have taken the first official step toward filing a lawsuit against San Mateo County and its soon-to-leave treasurer Lee Buffington over the loss of about \$20 million Mr. Buffington's office had invested in Lehman Brothers Holdings Inc. before that financial giant bankrupted in September 2008.

The consortium of school districts filed a claim in September, putting the county on notice that a lawsuit may be imminent. The dozen school districts involved in the legal action include Menlo Park City, Las Lomitas, Portola Valley, and Woodside.

Anne Campbell, former superintendent of the Portola Valley district and now the county's superintendent of schools, said the consortium of school districts, represented by San Francisco-based Jenkins Goodman Neuman & Hamilton, has not decided whether to go forward with the lawsuit, and has until March to decide.

Locally, the Menlo Park City School District was by far the biggest loser: Its budget took a nearly \$4 million hit. The Las Lomitas district lost almost \$400,000; the Portola Valley district, nearly \$150,000; and the Woodside district, nearly \$100,000.

The county's investment pool lost a total of about \$155 million

due to the Lehman Brothers failure, leaving holes in the budgets of participating public agencies including some municipalities and the county itself. But unlike some investment pool participants, the school districts were required to put their bond revenue and other working funds into the pool.

The claim asserts that the treasurer's office placed an "imprudent portion" of the pool's funds in Lehman, and kept them there despite its awareness months before Lehman's collapse that the company was on increasingly shaky ground. By not reinvesting funds in more stable institutions, the county

changed to make sure this doesn't happen again. ... We haven't been able to ascertain whether that's happened."

County Manager David Boesch said the county had crafted new policies based in part on recommendations by Alan Biller and Associates, a Menlo Park firm brought in to do a forensic analysis of investment practices that led up to the 2008 loss of investments. The policy changes will be voted on by the Board of Supervisors at the beginning of next year, when new two new supervisors takes their seats and a new treasurer replaces Mr. Buffington.

Mr. Boesch said, however, that "the county feels it's in a very strong position" if it has to defend

itself against a lawsuit by the school districts. "We can demonstrate that the office has used best practices" in investing funds, he said.

Some of the Biller firm's recommended changes to the county's investment policies were measures the treasurer's office had already put into practice, Mr. Boesch said.

When Lehman Brothers declared bankruptcy in 2008, Mr. Boesch said, "the board (of supervisors) acted immediately ... to pursue any and all remedies to restore the losses." Actions included filing a claim in bankruptcy court against the principals of the failed company, and mounting an aggressive effort to receive federal funds through urgency financial measures passed by Congress. ■

The Menlo Park City School District was by far the biggest loser, taking a \$4 million hit.

"engaged in a high-stakes gamble that the government or some other entity would rescue Lehman," the claim says.

The treasurer's office violated county and state investment policies in investing so much of its funds in a single institution, and in the types of securities and notes it invested in.

Ms. Campbell said her office, school district representatives and the county had been working together for nearly two years to find ways to recover the money, but it had become apparent over the last few months that legal action might be required.

She said the districts not only want their money back, but want "to be sure that the policies of the county investment pool have been

Portola Valley looks at huge Cargill development plan

Portola Valley's Town Council will consider Wednesday, Nov. 10, the environmental ramifications of a plan to build a major new community on what is now a salt flat off Redwood City.

The proposal by the Cargill Salt Corp. and an Arizona developer would turn 1,436 acres just offshore into a community of 12,000 homes, 1 million square feet of commercial space, and 800 acres of outdoor recreational space and wetlands.

The council will meet at 7 p.m. in Hanford Hall at The Sequoias retirement community at 501 Portola Road.

The public has until Feb. 28 to submit formal written comments to the Redwood City Planning Department.

Woodside weighs in on Cargill development plan. **Page 14**

Building code

The other major item on the Portola Valley council agenda is a proposal by the town's building official to adopt the new state building code. The proposal includes local amendments that would require the use of fire-resistant materials and methods in new construction, including fire retardant roofs, automatic sprinkler systems in buildings meant for human occupancy, and earthquake-activated shutoff valves for gas lines.

Cargill workshops

The Cargill proposal was the subject of a Nov. 6 informational workshop in Redwood City that focused on land use and housing. Another workshop is set for Tuesday, Nov. 30, from 6:30 p.m. to 9 p.m., to look at water supply, wastewater and flooding. The workshop will be held at the Sandpiper Community Center, 797 Redwood Shores Parkway in Redwood City.

As the developer prepares an environmental impact report, more workshops may be held in early 2011, according to the project website. The EIR will be lengthy and is expected to take at least another year to complete.

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by Monica Corman

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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. www.MonicaCorman.com

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Menlo Park City Council acquires new shape post-election

By Sandy Brundage

Almanac Staff Writer

Incumbent Heyward Robinson and educator Chuck Bernstein are reflecting on their unsuccessful bids for Menlo Park City Council, as Peter Ohtaki, Kirsten Keith, and incumbent Rich Cline were elected Nov. 2.

The latest vote count: Peter Ohtaki, 4,735; Kirsten Keith, 4,441; Rich Cline, 4,134; Heyward Robinson, 3,844; Chuck Bernstein, 3,028; Russell Peterson, 1,560.

The Elected

Top vote-getter Peter Ohtaki didn't expect to finish in first place. "I thought I'd come in second, third, or fourth. I was very pleasantly surprised and quite frankly didn't believe it until 21 of 21 precincts reported in," he said.

Mr. Ohtaki gets excited about number-crunching in a way most people reserve for great Christmas gifts. He sounded gleeful when describing his eagerness to work on the city's budget, and while he admitted that his enthusiasm may seem a bit odd, the newly elected council member thinks his fiscal responsibility resonated with voters.

He shared a campaign trail highlight with *The Almanac*. "One Sunday morning, where we were at the farmers' market,



it was Heyward, Chuck, myself, and Kirsten's husband all passing out fliers at the north end," he recalled with a laugh. "It got to the point where people were cutting through booths to get out of the way. The poor customers were like, 'Enough!'"

Since he currently serves as president of the Menlo Park Fire Protection District Board, discussions about how to replace him are under way before the new council is sworn in on Dec. 7.

Mayor Rich Cline sounded surprised and grateful for his own third-place finish. The mayor said he thought fellow incumbent Heyward Robinson would've taken the spot. So that shows you how much I know," he said.

He thinks people will like the open demeanor and fairness of the two new council members, whom he described as "quality folks."

According to the mayor, the votes this year were split by Measure L and Measure T, as well as by concern over the economy and the downtown specific plan. Like Mr. Robinson, he endorsed Menlo Gateway, but unlike his colleague, did not oppose the pension-reform initiative.

"I think four years ago it was very much one side against



Elected to four-year terms on the Menlo Park City Council were, from left, Peter Ohtaki, Kirsten Keith and Rich Cline.



another — so that vote split was really on a single issue — so you saw thousands of votes between winners and losers. In this case it was a few hundred for each," he said.

The remaining council member-elect, Planning Commissioner and attorney Kirsten Keith, appeared ebullient as she monitored the polls first at the "Yes on Measure L" election night party, then over at David Bohannon's Measure T gathering at the Oak City Bar and Grill.

She said she's looking forward to working with Mr. Ohtaki, who she praised for running a great campaign, and Mr. Cline, who provided support during the election season.

"I've been volunteering on Menlo Park commissions for a decade. My commitment to collaboration and cooperation will continue as I serve Menlo Park on City Council. I look forward to working with everyone on

behalf of the residents of Menlo Park," Ms. Keith said.

The Unelected

Incumbent Heyward Robinson, who ran a close fourth to Mr. Cline, thought an anti-incumbent vibe and a targeted smear campaign contributed to his loss.

"It didn't help that two of my council colleagues campaigned against me," he said. "I don't think there's any one thing, but it all kind of added up."

"Voters took us for granted a bit, not appreciating what we're doing," he added. "One of my concerns with the two new people coming in is our ability to be effective advocates on high-speed rail, and the Dumbarton Rail project. It's frustrating for me because we get no press coverage; no reporter ever comes to those meetings."

Still, Mr. Robinson, who doesn't think he'll run again,

was pleased with his strategy, describing it as a very positive, issues-oriented campaign.

So was challenger Chuck Bernstein. "I ran the campaign I wanted to run, and I felt like I said the things that needed to be said, and I don't have regrets about any of it."

Don't expect Mr. Bernstein to retire from the political arena any time soon. "I'm going to have a response to the letter (city manager) Glen Rojas wrote about the budget. I'm still on the case," he said, laughing. "I've always been involved, and yes, I'm disappointed, but I'm not going anywhere."

High-speed rail activist Russell Peterson placed last, with 7 percent of the vote. There were "off-screen" surprises for the candidate, who said he'd found more collegiality than conflict. "There are a lot of civic leaders and engaged residents that really worked to make the process better for all of us, regardless of their political stripes," he commented. "Conflict makes headlines but when non-supporters and others are generous with their time and willing to share their experience and knowledge I can only be grateful."

On the bright side, losing the election does allow Mr. Peterson to continue scrutinizing high-speed rail; as a council member he would have had to recuse himself from those discussions. ■

Atherton council race: Challenger gets most votes, incumbents re-elected

By Renee Batti

Almanac News Editor

Atherton voters decided to keep two council members in office, but showed the most enthusiasm for challenger Bill Widmer, who campaigned on promises to improve communications between the town and residents, and establish financial stability and accountability in town government.

Mr. Widmer was the top vote-getter in last week's City Council election, with incumbents Jerry Carlson and Jim Dobbie coming in second and third, respectively.

Challenger Cary Wiest, who has lived in Atherton less than a year, came in fourth and out of the running.

The latest election count: Mr. Widmer, 1,827; Mr. Carlson, 1,603; Mr. Dobbie, 1,380; and Mr. Wiest, 923.

A member of the town's Audit Committee and an active participant in its Finance Committee, Mr. Widmer next month will replace Councilman Charles Marsala, who did not seek re-



Elected were, from left: Bill Widmer, Jerry Carlson and Jim Dobbie.

election.

Mr. Widmer, who has extensive experience in finances and management, said he plans to apply those skills to balancing the town's budget, which now is saddled with a \$1 million structural deficit.

Both incumbents have also been outspoken about the urgency of getting the town's spending under control. During prolonged budget discussions last spring, Mr. Carlson hammered on the need to develop a five-year financial plan, which would include addressing rapidly growing employee costs.

Mr. Dobbie, a member of the town's Finance Committee, has referred to employee costs as

"the elephant in the room" — accounting for nearly 80 percent of the town's spending. He said the Finance Committee is studying options for reining in those costs, including by increasing employee contributions for benefits.

Among members of a sometimes polarized council, Mr. Dobbie now often finds himself holding a minority position along with Mayor Kathy McKeithen, while Mr. Carlson is considered by many to be the swing vote on contentious issues.

In addition to the town's budget-related headaches, the new council faces a number of challenges over the next two years, beginning with



the hiring of a new town manager and a town attorney. City Manager Jerry Gruber resigned his post last month. An interim manager, Nadine Levin, is now overseeing Town Hall, and the council is poised to appoint a longer-term interim manager, perhaps as soon as this week.

With a new council seated next month, the town will be seeking proposals from attorneys to provide legal services. Current attorney Wynne Furth has expressed interest in retaining the position.

The town also is the defendant in several lawsuits seeking millions of dollars in damages for complaints ranging from alleged police department misconduct and building department negligence, to improperly charging developers road-impact fees.

The newcomer

Mr. Widmer's success at the polls has something to do with the fact

that he "walked around a lot and met a lot of people," he said the morning after the Nov. 2 election. But, he added, "I think my slogan, 'Expect More,' really hit the mark with people. They do expect more, and some people really want a fresh approach.

"With my qualifications, I can bring a fresh approach, but it will be a measured fresh approach."

One "fresh approach" may be that he intends to keep his campaign promises, among them, to be a "budget-minded, independent, listening leader," he said. He also reaffirmed his commitment to maintaining an active website that will include town-related news to keep residents informed, and his voting record as a council member.

Mr. Wiest could not be reached for comment for this article, but by the morning of Nov. 3, he had posted the following message on his website: "I am thankful we were able to bring some issues to light through the democratic process. However, ultimately the voters decided to leave things status quo, which is unfortunate." ■

Council to decide Menlo BevMo's fate

By Sandy Brundage

Almanac Staff Writer

Should another liquor store be allowed to open in Menlo Park? What role should city government play in regulating economic competition? Those are the questions the City Council faces at its meeting on Tuesday, Nov. 9, when considering whether to let Beverages & More open a store on El Camino Real.

In a 4-3 vote, the Planning Commission in August granted Beverages & More a use permit to open an 8,900-square-foot store in the same strip mall where Staples and Big 5 operate.

However, local resident Maureen Hogan appealed the decision, which means the outcome rests in the hands of the council. Ms. Hogan, along with other supporters of local businesses, such as Beltramo's and Draeger's, have bombarded the council

■ BRIEFS

with e-mails stating their opposition to the store.

Other residents wrote the city to say the council should not interfere with a free market economy, and that fear of competition isn't a reason to deny BevMo's permit.

(The Almanac was unable to get confirmation or comment from Beltramo's regarding a Daily News story that Beltramo's employees had been ordered to attend the council meeting to oppose the BevMo permit. If more is available, it will be reported on AlmanacNews.com.)

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

Veterans Day closures

Veterans Day falls on Thursday, Nov. 11, this year. City Hall, along with Menlo Park public libraries

and the Chamber of Commerce, will be closed in observance of the federal holiday.

Tuesday: Meals on Wheels fundraiser

Eleven local restaurants will donate 10 percent of their sales on Tuesday, Nov. 9, to a local volunteer organization that delivers approximately 1,000 hot meals each week to seniors and housebound residents.

The 11 are: Amici's, Celia's, Bona Restaurant, British Bankers Club, Cedro Ristorante Italiano, El Cerro, Gambardella's, Marche, Oak City Bar and Grill, Round Table Pizza, and Parkside Grille.

The proceeds benefit Peninsula Volunteers, which runs the Meals on Wheels program in southern San Mateo County. For more information, call Linda Drew at 598-0190. ■

Cohen withdraws request for council to reconsider

By Sandy Brundage

Almanac Staff Writer

The fate of a heritage redwood tree on University Drive may — or may not — return to Menlo Park City Council. Without explanation, Councilman Andy Cohen has now twice requested, and then withdrawn the requests, that the council consider reconsidering its vote.

The request did finally appear on the Nov. 9 council agenda, only to be taken off the day before the meeting, according to the city clerk's office.

On Oct. 26 the council voted 3 to 2, with John Boyle and Rich Cline dissenting, to pay an architect to attempt to design a house around the tree instead of immediately allowing property owner Kim LeMieux to cut the tree down.

Mr. Cohen's requests for reconsideration appear controversial in

■ MENLO PARK

light of comments he made to Ms. LeMieux before the meeting.

He refused to answer when The Almanac asked whether he would now recuse himself from future council action on the tree.

The staff report on the councilman's request indicates that he assisted Ms. LeMieux in writing a letter to the council after the Oct. 26 vote. The letter states "three architects and three arborists, City planning staff and the Planning Commissioners have all conclusively agreed" that building around the tree is impossible without damaging the redwood. Ms. LeMieux called the hiring of yet another architect "an unjustifiable use of public funds" given the research she's already done.

According to City Attorney Bill McClure, recusals are required when a council member has a financial conflict of interest,

or has shown bias either for or against an applicant.

"While there may be a question about the appropriateness of the comments alleged to have been made, I have not heard or read anything that would indicate that there is either a financial conflict of interest or bias in favor of or against the applicant," said City Attorney Bill McClure.

Known for criticizing the ethics of other council members, both in Menlo Park and beyond, in June Mr. Cohen filed a complaint with the Fair Political Practices Commission (FPPC) about a Redwood City council member's failure to recuse herself from voting on the Cargill Saltworks project while employed by a business association that endorsed it. The FPPC did rule that her conduct violated the conflict of interest policy.

At the time, Mr. Cohen said, "Even the appearance of a conflict is what I was taught should warrant recusal." ■

Field narrowed to five for Atherton interim manager post

■ BRIEFS

The Atherton City Council has narrowed its field of candidates for the interim city manager job to five, and has asked the city attorney to conduct background checks and set up interviews with the candidates.

The council met on Saturday, Nov. 6, and reviewed applications in closed session. City Attorney Wynne Furth said the town had received more than 50 applications for the short-term post.

As of The Almanac's press time, town officials were trying to set a date for a special meeting, perhaps early next week, which will include an extended closed

session to interview candidates.

The council wants "to proceed expeditiously" in naming the interim manager, Ms. Furth said last week, and may do so at its regular monthly meeting on Wednesday, Nov. 17.

Man arrested on pornography charges

Acting on a tip from someone in the Atherton public library, police from Atherton and Redwood City on Oct. 30 arrested

Thomas Willis Hemmenway, a Redwood City resident and registered sex offender, on charges "related to the control and possession of child pornography," according to an Atherton Police Department bulletin.

An investigation by the Atherton police began after a library patron called to report a man viewing child pornography on a computer available for use by the public, the bulletin said.

Police arrested Mr. Hemmenway at his residence in connection with a parole search and booked him into San Mateo County jail.



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Arrillaga to fund rec center renovation

By Sandy Brundage

Almanac Staff Writer

The Burgess Recreation Center may soon get a facelift, thanks to developer John Arrillaga.

Menlo Park City Manager Glen Rojas confirmed that Mr. Arrillaga offered to assist the city with the renovation. City staff estimated the total cost of the project at approximately \$3.3 million. He said staff will ask the City Council to appropriate \$1.75 million at its meeting on Tuesday, Nov. 9. Mr. Arrillaga would cover the rest of the expenses.

"We are extremely grateful to Mr. Arrillaga and his generos-

ity toward the city, but more importantly the community of Menlo Park, who use the recreation center," Mr. Rojas said.

The recreation center currently contains several multi-purpose rooms for rental, and kitchen facilities. The renovation would add 1,100 square feet to the center, replace two patios, and improve the interior with new paint, flooring, and other upgrades.



John Arrillaga

Mr. Arrillaga, a developer and philanthropist, received a Golden Acorn Award this year for his contributions to the city's new gymnasium, which opened Oct. 16. He donated most of the \$11.5 million construction cost of the gym, with the city contributing \$5.62 million.

Also, thanks to Mr. Arrillaga, the city is about to start building a new gymnastics center in the Civic Center.

The new gym was re-named the Arrillaga Family Gymnasium in his honor; no word yet on whether the recreation center will also get a new name to go along with its new look. ■

Menlo meets Sacred Heart Prep at Valparaiso Bowl

For the eighth year in a row, rival football teams from Menlo School and Sacred Heart Preparatory will face each other in the Valparaiso Bowl, set for Saturday, Nov. 13.

The games raises money for the Peninsula Bridge program, which provides additional academic training for students from East Palo Alto, east Menlo Park, Redwood City and San Mateo. Some 250 middle-schoolers each year attend summer courses at Sacred Heart Prep, Menlo

School, and other campuses on the Peninsula.

For the first time, the game will be played under the lights at Sequoia High School, 1201 Brewster Ave. in Redwood City.

The junior varsity game will start at 4 p.m., followed by the varsity game at 7 p.m. Tickets are \$7 for students, \$10 for adults, and no charge for children 5 and under.

Refreshments will be sold, and all gate and food proceeds will

benefit Peninsula Bridge.

Old Pro restaurant and sports bar in Palo Alto is donating food and will donate food sale proceeds to Peninsula Bridge, according to Ellen Moran, SHP football parent and member of the Valparaiso Bowl Committee.

The Valparaiso Bowl is so named because players on the two teams go to school only a few doors from each other on Valparaiso Avenue in Atherton.

—Kate Daly

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Measures M and U pass; Eshoo, Yee re-elected

Voters passed two San Mateo County measures on Nov. 2 and re-elected U.S. Rep. Anna Eshoo, D-Menlo Park, and Democratic state Sen. Leland Yee, whose District 8 includes Portola Valley and Woodside.

Fifty-five percent of county voters approved Measure M, which levies a \$10 annual vehicle registration fee for 25 years for road, transportation and transit projects. The measure passed 87,551 to 72,641, according to the latest count.

Voters also approved county Measure U, which requires a special election to fill a vacancy on the county Board of Supervisors if that vacancy occurs before Oct. 15 of the third year of the term. The measure also authorizes the county to hold an all-mail election for vacancies in any county elected office, and to commence the process for filling the vacancy on the date a resignation letter is filed.

The latest count shows 92,467 (65.6 percent) voted yes on

Measure U, and 48,558 were opposed.

Rep. Eshoo, who has represented the 14th Congressional District since 1993, was elected to her 10th two-year term. The latest count shows she received 115,081 votes (68.8 percent), compared with 47,177 for her Republican opponent Dave Chapman.

State Sen. Yee, D-San Francisco/San Mateo, won re-election to his second term, receiving 78.6 percent of the vote — 160,820, compared to 43,842 for his Republican opponent, Doo Sup Park

According to the latest count, 51.6 percent of registered voters in San Mateo County cast ballots in the Nov. 2 election. About 48 percent of the 178,755 ballots cast were by mail.

Go to tinyurl.com/SM-vote-2010 to see all San Mateo County election results.

Go to vote.sos.ca.gov/ to see all state and U.S. House and Senate results.



Attorneys say no Brown Act violation

Public rights advocate retracts accusation.

By Sandy Brundage

Almanac Staff Writer

Californians Aware attorney Terry Francke has retracted his statement to a local newspaper that three members of the Menlo Park City Council violated the Brown Act by exchanging e-mails discussing campaign business.

He told one of the council members involved, Heyward Robinson, that he had not actually read the e-mails before talking to the Daily Post, but had only heard the reporter's description of them.

Now Mr. Francke says there was no substantive discussion in the e-mails, and no Brown Act issue.

"I apologize for whatever embarrassment my mistaken conclusions caused you and the others," the attorney told Mr. Robinson in an e-mail.

A "Citizens' Brown Act Violation Fund" sprung up in the wake of the Daily Post reporting. Founded by Peter Carpenter, a staunch defender of the public's right to know what the city's doing, the fund had \$3,000 pledged as of Nov. 1.

The e-mails were shared between council member Kelly Fergusson,



'I apologize for whatever embarrassment my mistaken conclusions caused you and the others.'

ATTORNEY TERRY FRANCKE

and incumbents Rich Cline and Mr. Robinson, who are running for election.

City Attorney Bill McClure also said no violation took place. He explained the Brown Act applies to communication between a majority of members on items within the jurisdiction of the council.

The only e-mails between multiple council members related to campaign mailings — with no discussion of content or positions on issues — and attendance at a Felton Gables neighborhood event, according to Mr. McClure. "Neither topic being or relating to an item of business within the subject matter jurisdiction of

the city council," he wrote in an e-mail to The Almanac.

Ms. Fergusson said a handful of e-mails, out of "thousands and thousands," were inadvertently sent from her city account.

Asked why she later sent a statement supporting Measure T, the Menlo Gateway project, to the City Council e-mail list, her answer blended both public and private reasons.

"There's a lot of misinformation out there. It was signed by five mayors and I'm one of them. I used my private e-mail address, as a private citizen," said Ms. Fergusson.

Another e-mail, sent to a Menlo Park resident from Ms. Fergusson's city account, made an argument for voting against Measure L, the pension reform initiative, claiming it would stop city employees from paying \$100 per month toward medical expenses, an amount she estimated at \$200,000 a year.

However, Measure L would only affect new hires, not current employees, and doesn't change any already-established agreement. The initiative passed with a 72 percent "yes" vote on Nov. 2. ■

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Atherton plans to adopt water-efficiency rules

By Renee Batti

Almanac News Editor

The City Council is poised to adopt a new ordinance establishing water-efficiency landscaping standards for Atherton residences at its Nov. 17 meeting.

The council approved the first reading of the ordinance last month after a public hearing; a second reading is required for final approval.

The town has been working on the proposed ordinance since early this year, facing a December deadline to adopt the state's new stringent ordinance or come up with its own, "as long as it's as restrictive as the state's," Kathy Hughes Anderson, the town's arborist, told the council at its Oct. 20 meeting.

The proposed ordinance would affect new landscaping projects of 5,000 square feet or more of irrigated landscape area, when planning and/or building review is required. Lawns would be limited to 25 percent of the irrigated area unless the applicant chooses to develop a water budget.

Also, the ordinance would require that at least 80 percent of plants in non-turf areas be native or deemed low-water-use plants unless a water budget is developed.

The ordinance was crafted with the help of the town's General Plan Committee, which recommends that the council approve it. It is as effective and stringent as the state's model ordinance, "but simpler and easier to implement," according to the staff report.

Whether Atherton adopts the state's standards or an ordinance styled specifically for the town's needs, the changes add new levels of oversight by town

staff and added steps for home builders seeking town permits.

The financial impact of the new standards for applicants will be in permit fees charged by the town, costs for developing a landscape project application, and costs of outside review for more complicated projects, such as those requiring a water budget, according to the staff report.

The town's fiscal impact will be from the additional staff time needed to inform the public about the standards, and for reviewing project checklists or contracting with an outside firm to review more complicated landscape plans, the report said.

One of the challenges that the staff and General Plan Committee faced was in creating standards that fit the needs of the town while not being too far out of line with rules adopted by other local jurisdictions. The Bay Area Water Supply and Conservation Agency (BAWSCA), which represents all water agencies in the Bay Area, developed its own version of water-efficiency standards, and asked local jurisdictions to adopt them instead of the state's ordinance.

Ms. Hughes Anderson said in the staff report that while Atherton's proposed ordinance is a modified version of BAWSCA's standards, it will be largely "consistent with other local jurisdictions, making it easier for the architects and contractors to decipher." ■

■ INFORMATION

The Nov. 17 council meeting will begin at 7 p.m. in the town council chambers at 94 Ashfield Road in the Town Center.

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NEWS**

Presented by
Mark Schmidt
Licensed Optician

A FISH STORY

In order to stave off the leading cause of vision loss among older adults, eat more fish packed with healthy omega-3 fatty acids. This advice comes from a new study that investigated nutrition-based approaches to preventing age-related macular degeneration (AMD). Afflicting about 1.75 million Americans, this eye disease involves deterioration of the retina. Because drug treatments for AMD are limited in their effectiveness, prevention is the preferred way of handling this disease. When research-

ers analyzed nearly 2,000 individuals with early signs of AMD, they found that those with the highest consumption of omega-3 fatty acids were 30 percent less likely to progress to the advanced form of the disease over a 12-year period than those with the lowest omega-3 intake.

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P.S. Increasing blurriness of printed words is one of the early signs of age-related macular degeneration.

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.

Hickey slate fails to take health board

■ Sequoia Healthcare District: Shefren, Hickey elected; third spot is close.

Jerry Shefren and Jack Hickey were elected Nov. 2 to the board of the Sequoia Healthcare District. Art Faro leads in the count for the third seat.

Mr. Hickey did not succeed in getting his slate of three candidates elected. The other two — Michael Stogner and Frederick Graham — finished sixth and seventh. Mr. Hickey wanted the three to take over majority control of the board to reduce to zero the amount of property taxes collected by the district.

The latest count: Jerry Shefren, 21,212; Jack Hickey, 20,289; Art Faro, 18,834; Ruth West-Gorin, 18,309; Alpjo Barbara, 12,906; Michael Stogner, 8,040; and Frederick Graham, 7,480.

The district now funds regional healthcare 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*.

The county Board of Supervisors on Oct. 19 approved a grant of \$6.3 million from the district to the county public health system for the purpose of consolidating into one clinic the three existing facilities that offer free or low-cost medical treatment. Two of those three clinics are in North Fair Oaks and one is in Menlo Park.

The district granted \$3.6 million to the county for this new clinic in the 2008-09 and 2009-10 budget years, said public health spokeswoman Robyn Thaw. This new grant raises the total to \$9.9 million.

In an interview, Mr. Hickey described as “false philanthropy” the distribution of property tax revenues to local nonprofits. “This sort of giving money that isn’t (the district’s). This is taxpayers’ money,” he said. “Unfortunately, the government has gotten in the way of true 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.



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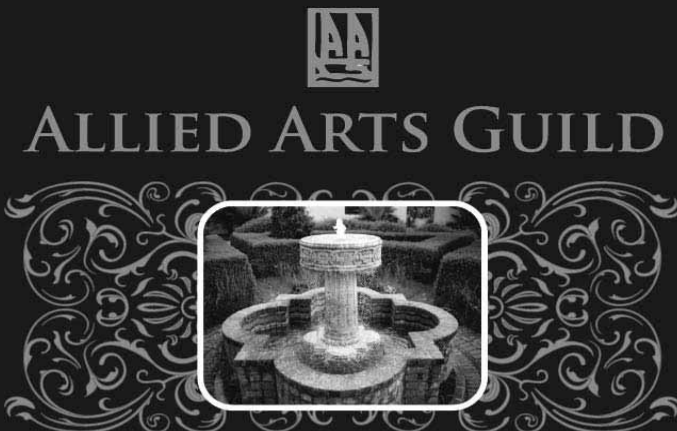
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**TOWN OF ATHERTON
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Atherton City Council will hold public hearings to consider the following:

- Zoning Ordinance Amendments to implement the Atherton Housing Element Update 2007-2014 pursuant to Atherton Municipal Code Chapters 17.18, 17.52, 17.32, 17.33, and 17.36.

Description: The project involves Zoning Ordinance Amendments and Additions as listed below:

- For Second Dwelling Units: to exempt them from floor area limitations, to allow certainties and rear yard encroachments, and to eliminate minimum lot size
- To allow multiple family residential uses that could accommodate housing for very low- and low-income households in the PFS Zoning District with specific location and environmental review by the Planning Commission
- To allow residential care facility serving six or fewer persons as permitted uses in the R-1A and R-1B Residential Districts
- To allow small emergency shelters as a permitted use on Town owned property adjacent to the Civic Center

An Initial Study and Negative Declaration were prepared and certified by the Atherton City Council for the above described project pursuant to the provisions of the California Environmental Quality Act. The Zoning Ordinance Amendments and Additions described above were included in the Initial Study and Negative Declaration.

- Zoning Ordinance Amendment to create a new overlay zone and to rezone the properties located on Parker Avenue to include the overlay zone provisions. Atherton Municipal Code chapters 17.18, 17.32 and 17.33.

Description: The new overlay zone would continue the existing R1-A zoning provisions with the exception of the following modified provisions; amend the main building and sidewall height requirements, amend the allowed floor area for the property and amend the allowed second floor area requirements. The new overlay zone would only apply to the properties located on Parker Avenue.

The proposal has been determine to be exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Sections 15304; the activity is minor alteration in land use limitations which does not result in any changes in land use or density and applies to an area with an average slope of less than 20%.

NOTICE IS FURTHER GIVEN that said item is set for hearing by the City Council at its regular meeting on Wednesday, November 17, 2010 at 7:00p.m. in the Town Hall of the Town of Atherton, at which time and place all persons interested may appear and show cause, if they have any, why the Zoning Ordinance Amendments should not be approved.

IF YOU CHALLENGE the Zoning Ordinance Amendments in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the Public Hearing.

For further particulars, reference is made to the application on file. Any attendee who wishes accommodation for a disability should contact the Building Division at (650) 752-0560 at least 48 hours prior to the meeting.

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Woodside weighs in on Cargill development plan

By Dave Boyce

Almanac Staff Writer

Life is unfolding as usual for the avocets, black legged stilts and brine shrimp that inhabit parts of the 1,486 acres of salt flats off Redwood City. Unfolding onshore are talks about the proposal by Minneapolis-based Cargill Salt and an Arizona-based developer to use this land for up to 12,000 homes, 1 million square feet of commercial space, and some 800 acres as wetlands and outdoor recreational space.

The Woodside Town Council received a summary update on the project at its Oct. 26 meeting. As planned, the project could dramatically affect traffic in and around Woodside, which sits between Redwood City and the coast. Effects on air quality and the water supply are also issues of local concern.

The Woodside council plans to submit formal comments ahead of the Feb. 28, 2011, deadline.

The council also heard from the public.

Every acre of restored marshland sequesters 1,900 pounds of greenhouse gases, the equivalent of 2,300 vehicle miles, said resident Elke Muller, adding that the proposal to import fresh water from Kern County for this development is “fanciful.”

Resident Becky Stirn, a self-described advocate for business and development, said she opposes this project and that Woodside should,

too. “I think leadership is very important and I think Woodside is right for the leadership,” she said.

Ms. Stirn said the project developers are trying to redefine the salt flats as “solar collectors” to avoid oversight by outside agencies.

David Lewis, executive director of Save the Bay, which opposes the project, said the developers have called the site industrial, a nice piece of dirt, and “a factory without a roof.”

No one from the project management was available to comment, but the “factory” wording appears in the minutes of a November 2006 meeting of the Redwood City Planning Commission, as do references to the project as the “Redwood City Industrial Saltworks.”

The matter is far from decided. “We don’t have a position, favorable or unfavorable, on the merits of this project,” commission spokesman Malcolm Smith told The Almanac. “We’re really trying to keep this as neutral as possible.”

MEETING

The public is invited to comment at a “scoping session” on the Cargill project, set for Tuesday, Nov. 30, from 6:30 p.m. to 9 p.m., at the Sandpiper Community Center, 797 Redwood Shores Parkway in Redwood City. At a scoping session, the public is asked to propose areas of environmental impact that should be included in an environmental impact study. The Nov. 30 session will focus on water supply, waste water, and flooding.

> Go to is.gd/gAefr (case sensitive) for details.

County veteran Sandie Arnott takes reins of treasurer’s office

By Dave Boyce

Almanac Staff Writer

Deputy Treasurer/Tax Collector Sandie Arnott will have a new office but the same address in January when she takes over as treasurer/tax collector from San Mateo County Treasurer Lee Buffington, who’s been in the job for 26 years.

The county’s voters promoted Ms. Arnott on Nov. 2 with 51 percent of the vote, a narrow victory with 63,293 votes to 60,793 for her opponent, former Silicon Valley entrepreneur and board member for the community college district Dave Mandelkern.

Ms. Arnott is an 18-year veteran of county government. This was a runoff election: Ms. Arnott and Mr. Mandelkern finished one-two in a June election, but neither received more than 50 percent of the vote.

The treasurer-tax collector directs a public agency investment portfolio of some \$2.4 billion.



Sandie Arnott

The county’s portfolio lost \$155 million in September 2008 in the bankruptcy of Lehman Brothers investment bank, with

a resulting loss of \$6.5 million for the local high school district and \$3.5 million for the Menlo Park City School District.

Ms. Arnott told The Almanac in May that she supports tighter investment policies and that the risk is too great for school districts to be making independent investment decisions for their operating funds.

As for how to invest the 20 percent of the portfolio not required to be in government securities, she supports the notion of seeking outside advice. ■



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Gordon: 'People don't understand where taxes go'

By Dave Boyce

Almanac Staff Writer

Rich Gordon, the outgoing San Mateo County supervisor who was elected Nov. 2 to the state Assembly, opposed state Proposition 22, which voters approved on Nov. 2 and which restricts the ability of state government to redirect local property tax revenues away from cities and towns.

It's a county government concern because the state requires counties to pay for public health services. In tough times, when Sacramento looks for creative ways to balance the budget, the Legislature takes on a responsibility to protect a county's tax-based funding mechanisms. Because Prop 22 limits the Legislature's flexibility, county supervisors may have the unpleasant task of trying to comply with unfunded mandates.

As a supervisor, Mr. Gordon would have had to deal with the mandate side of things. But with his election to the state Assembly, he is now on the other side of that interaction.

"The less freedom that the Legislature has to deal with financial issues, the greater impact it could have for the county to deliver health and welfare services," Mr. Gordon said matter-of-factly in an interview.

But has it been fair for the Legislature to descend on cities and towns and use heretofore unchecked power to extract property tax revenues? "I happen to believe that we need to find a way to change some of the tax structure of California," Mr. Gordon replied.

Property tax revenues have the patina of being local, but in many ways they are not, Mr. Gordon said. Proposition 13, which voters approved in 1978 to limit local government's control of these tax revenues, effectively redirected them to Sacramento.

The picture of taxpayer views is fairly black and white, he said. Voters approved Proposition 26, which checks a local government's ability to charge fees, and they rejected Proposition 21, an \$18 surcharge on vehicle license fees to benefit parks and wild-life conservation. With all tax increases requiring approval of a two-thirds majority of voters, "the likelihood of an increase in taxes is almost nonexistent," Mr. Gordon said.

Government obligations being what they are, it may be time to look at the tax structure.



"There's a really interesting opportunity available at the moment. Government could be more efficient, more effective and more accountable," he said. "I think that this is the kind of thing that has a great possibility for discussion in Sacramento."

Prop 25

"Enough is enough," voters said about annual budget stalemates in Sacramento. Proposition 25 now allows the budget to be approved with simple majorities in the Legislature instead of the two-thirds majorities that have stalled things seemingly every year.

So what are the consequences? The dynamic between Democrats and Republicans is likely to change, but exactly how remains to be seen, Mr. Gordon said. He does not expect higher taxes, though, because nothing has changed as to the two-thirds majority needed to raise them.

Future budgets could be harsher and "reflect efficiency by necessity" because there won't be enough money to go around, Mr. Gordon said.

Prop 26

Proposition 26 includes provisions that require a local government to treat some fee increases like tax increases: obtain the approval of a two-thirds majority of voters before raising them. The fees targeted by the measure generally concern public health.

A measure like this was in the cards, Mr. Gordon said, noting that "the line between taxes and fees has been obfuscated by local governments."

Push eventually comes to shove, he added. In Burlingame Hills, a majority of residents protested a new fee to clean up sewer discharge. The result: the community that refused to pay to clean up the discharge is now fined for the ongoing discharge.

"People don't understand where their taxes go," Mr. Gordon said. "They feel like they paid their fair share, (in essence saying), 'Use the money I already gave for sewers. Don't ask me for more.'"

What if the Legislature were to connect the dots for taxpayers as to where their taxes went? "It would be a very positive step," Mr. Gordon said.

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PUBLIC HEARING NOTICE **Amending City of Menlo Park** **Master Fee Schedule**

NOTICE IS HEREBY GIVEN that the City Council of the City of Menlo Park, California, will hold a Public Hearing to consider amending the City's Master Fee Schedule to increase certain parking citations by \$3.00 per ticket in response to passage of State of California Senate Bill 857 on October 8, 2010 which increases per ticket payments from the City of Menlo Park to the County of San Mateo and the State of California by \$3.00 effective December 7, 2010. The increase if approved would be effective December 7, 2010. The specific parking citations recommended to be increased and the increased amount of these citations will be available to the public at least 10 days in advance of this Public Hearing at the Finance Department.

NOTICE IS HEREBY FURTHER GIVEN that the City Council of the City of Menlo Park will hold this Public Hearing on Tuesday, November 16, 2010, at 7:00 p.m., or as near as possible thereafter, in the City Council Chambers of the City of Menlo Park, Civic Center - 701 Laurel Street, Menlo Park, California, at which time and place interested persons may appear and be heard thereon.

NOTICE IS HEREBY FURTHER GIVEN that "if you challenge this matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City of Menlo Park at, or prior to, the Public Hearing".

DATED: Dated: October 28, 2010
/s/
MARGARET S. ROBERTS, MMC, City Clerk

Published in THE COUNTRY ALMANAC on November 3, 2010 and November 10, 2010

Photo by Veronica Weber/Embarcadero Media
Rich Gordon stands in front of a screen (used earlier to project TV news reports) and addresses a crowd gathered at the Democratic headquarters in Palo Alto on election night.



Gordon gets solid sendoff to Sacramento

By **Gennady Sheyner**
Embarcadero Media

San Mateo Supervisor Rich Gordon is on his way to Sacramento after voters in San Mateo and Santa Clara counties elected him Tuesday to replace outgoing Assemblyman Ira Ruskin in the 21st District.

Mr. Gordon, who defeated former Palo Alto Mayor Yoriko Kishimoto and Menlo Park venture capitalist Josh Becker in the Democratic primary in June, convincingly defeated his Republican challenger Greg Conlon on Nov. 2 in the heavily Democratic district.

The latest count: Mr. Gordon, 70,214 (60.1 percent); Mr. Conlon, 41,455 (35.4 percent); and



Ray M. Bell Jr. (Libertarian), 5,262 (4.5 percent).

Mr. Gordon thanked his supporters in the party's Palo Alto headquarters on election night and said he looked forward to the major challenges in Sacramento, which he called a "strange and insidious place."

"I want you to know that I understand this will be the most difficult job I've ever taken on," he said.

Mr. Ruskin said Nov. 2 that he plans to run for the seat currently occupied by state Sen. Joe Simitian, a Palo Alto Democrat whose term expires in two years. Both Mr.

Ruskin and Mr. Simitian stopped by the party headquarters Tuesday evening to congratulate Mr. Gordon and console the party faithful over the national results.

In his victory speech, Mr. Gordon focused on the good news for Democrats in the election results, particularly the voters' rejection of Proposition 23, which would have suspended a California law aimed at restricting greenhouse gas emissions. The proposition was largely funded by two Texas oil companies, Tesoro and Valero.

"Just as our beloved Giants beat Texas, we gave the boot to Texas oil companies and defeated Proposition 23," Mr. Gordon told his supporters.

Don Horsley returns to county government

By **Dave Boyce**
Almanac Staff Writer

Don Horsley has a new job in his old workplace. With his election to the San Mateo County Board of Supervisor for District 3 — an area that includes Menlo Park, Atherton, Woodside and Portola Valley — he'll have an office on the first floor of the County Center building in Redwood City.

Between June 1993 and January 2007, he was county sheriff and had an office on the third floor. (On retiring, he ran for the board

of the Sequoia Healthcare District and is the current board president with an office nearby on Veterans Boulevard.)

Mr. Horsley won 56.5 percent of the vote, defeating April Vargas 73,234 to 56,391. While candidates must live in the district, they run county-wide.

As the winner, Mr. Horsley now has the opportunity to make



Don Horsley

good on his ideas for addressing the \$150 million structural deficit the county is facing in 2014 if something isn't done to align expenses with income.

His personal expenses will not be aligned with his income as supervisor, since he has agreed to take just \$1 a year, instead of the usual annual salary of \$114,000. But then he is a retired California sheriff living on a retired California sheriff's pension.

The county has been borrowing from its reserves for the past three years. The 2010-11 fiscal year county budget projects spending \$1.8 billion, including \$90 million from reserves.

In the run-up to the election, Mr. Horsley said in an interview that he would focus his cost-cutting attention in the areas of public safety and health care — reflective of his experience.

"I'm aware of what the community's problems are," he said when asked before the election why voters should choose him. "I'm aware of how to continue to make this county the best it can possibly be."

Among his cost-saving ideas:
■ Have jailed pregnant women sent home where they could be



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See **HORSLEY**, page 17

Restaurant robbed at gunpoint

By Sandy Brundage

Almanac Staff Writer

A man walking into the Quiznos restaurant on Santa Cruz Avenue on election night wasn't there to order a sandwich or to talk politics — he wanted money, and backed up the demand with a gun.

Police are still searching for the suspect, described as approximately 5 feet 9 inches, 165 to 175 pounds, and possibly Caucasian. He wore dark clothing and a white shirt accessorized with a full mask, according to a press release.

A witness told police it looked like the suspect jumped into a dark-colored Ford Mustang that pulled out of a parking lot, and took off southbound on El Camino Real.

The shop had no customers when the robbery occurred around 6:15 p.m.; the man grabbed money from the cash register and ordered the employees into a back room. No one was hurt.

Menlo Park police ask that anyone with information about the robbery call detectives at (650) 330-6300. ■



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to cash them in Sacramento by woman later arrested, 200 block of Wyndham Drive, Nov. 2.

WEST MENLO PARK

Residential burglary report: Entry through unlocked front window and loss estimated at \$15,685 in theft of various items, 3000 block of Alameda de las Pulgas, Nov. 1.

POLICE CALLS

ATHERTON

Grand theft report: Construction laser device stolen from truck cab, 100 block of Tuscaloosa Ave., Nov. 2.

MENLO PARK

Residential burglary reports:

■ Loss of \$930 in theft of laptop computer and cufflinks, 300 block of Hamilton Ave., Oct. 31.

■ Initial loss of \$200 in theft of bike, which was recovered, 400 block of Waverley St., Nov. 3.

■ No loss in attempted but unsuccessful break-in, 100 block of Hamilton Ave., Oct. 30.

Grand theft reports:

■ Bicycled valued at \$750 stolen from front porch, 1900 block of Santa Cruz Ave., Nov. 3.

■ Loss estimated at \$500 in theft of small suitcase containing 25 handmade dolls, 2400 block of Sand Hill Road, Nov. 3.

Auto burglary reports:

■ Loss of \$485 in theft of purse, 1000 block of Marsh Road, Oct. 31.

■ Loss of \$335 in theft of GPS device, satellite radio and sunglasses, 1300 block of Woodland Ave., Nov. 1.

■ Loss of \$50 in theft of radio, 300 block of Elm St., Nov. 1.

■ Door damaged in unsuccessful attempt to enter vehicle, 1100 block of Sevier Ave., Nov. 2.

Assault with deadly weapon report:

Jorge Beltran, 36, arrested and booked on charges of assault with bottle, 2800 block of Sand Hill Road, Nov. 4.

WOODSIDE

Indecent exposure report: Man arrested after identification by victim of having exposed himself, Eleanor Drive and Stockbridge Ave., Oct. 27.

PORTOLA VALLEY

Theft report: Two checks allegedly removed from mailbox and attempt made

HORSLEY

continued from page 16

electronically monitored.

■ Evaluate patients now in skilled nursing care for less expensive assisted living, and ask non-profit hospitals to raise their intake of charity cases. Nationally, he said, about 6 percent of patients at nonprofit hospitals are charity cases, compared to just 2 percent locally.

■ Consolidate county firefighting agencies to maintain the number of actual firefighters but lower the number of managers — a savings of about \$8 million, he said. ■

KEN GARDINER

Kenneth Wayne Gardiner passed away peacefully on October 22, 2010 at the age of 87. He was born in Topeka, Kansas in 1923 and attended Washburn College, Caltech, and MIT. In 1954 he started as a research electrical engineer at SRI International in Menlo Park where he worked until his retirement in 1987.

Planes and photography were his lifelong passions. Building model airplanes as a child and working at a local airport in Topeka sparked his interest in flying. He served as a flight instructor during WWII and later owned a small plane, taking his family on trips around California. He spent many hours photographing shorebirds in flight at the San Francisco Baylands, producing black and white images that were exhibited locally and published in national conservation periodicals.

Ken lived in Ladera from 1955 until moving to Vi (Hyatt) in 2005. His wife Lindy preceded him in death in 2007 and he is survived by his daughters Karen, Betsy, and Jana, their husbands, foster son Pat, and five grandchildren. A stained glass window will be dedicated in his honor at Ladera Community Church.

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CAROL W. GRAHAM

Carol W. Graham of Portola Valley, educator and naturalist, passed gently away, surrounded by family and loved ones, at Stanford Hospital on October 15, 2010. She was 82 and had cancer. She is survived by her husband, Arthur Graham; her three children, Lee Douglas Graham, Alison Graham, and Janet Graham; and her granddaughter, Marisa G. Messina.

Donations in memory of Carol Graham can be made to Stanford University's Jasper Ridge Biological Preserve <http://jrpb.stanford.edu/support.php>

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NOVEMBER 23, 1914 – NOVEMBER 1, 2010

Passed away peacefully surrounded by his family at the age of 95.

Beloved husband of 55 years to Salwa Jurdak Nawas; loving father of Sulelman Nawas (Dorothea), Samira Nawas (Hans Plesman) and Sami Nawas; caring grandfather of Christina and Joseph Nawas, Andrew Plesman, Stephanie, Melissa and Leila Nawas.

Yusef was born in Taybeh, Palestine. He graduated from Terra Sancta College, Jerusalem in 1933. He established the National Institute for Teaching of Languages, Shorthand and Typing. In 1949, Yusef established Nawas Tourist Agency and later became Chairman of Nawas International Travel.

Yusef was a pioneer in the travel business. He has a long and distinguished career. He was a member of the American Society of Travel Agents (ASTA) and served as Director of the International Chapter. He was also a member of the United Federation of Travel Agents (UFTA). In 1971, Yusef was awarded the Gold Medal of the Cedar for his large contribution to Lebanese tourism. King Hussein of Jordan also recognized him with a medal. President Pertini of Italy awarded him the title of Ufficiale on January 5, 1980. He was bestowed the Key to Britain Award on May 28, 1982. He was a member of the Rotary Foundation and was awarded the Paul Harris Fellow certificate. He was a member of the Lebanese American Association. He received an Honorary Doctorate Degree from Bir Zeit University on November 25, 2004.

Yusef moved permanently to the United States in 1976. He has been living in Atherton, California since 1992.

A man who worked hard, Yusef was a world traveler, a food and wine connoisseur and a true family patriarch. He loved the outdoors and was passionate about life and lived it to its fullest.

Yusef will be remembered for his sharp and bright mind; his keen business sense; his dignified and proud demeanor and his contributions to educating young minds.

Yusef will be dearly missed by his family; his sisters-in-law; his many nephews and nieces; his cousins and his friends and employees.

In lieu of flowers the family suggests memorial donations be made to Stanford Hospital and Vista Center for the Blind and Visually Impaired in Palo Alto

A Funeral Mass was held at the Church of the Nativity, 210 Oak Grove Ave. in Menlo Park, on Saturday, November 6, at 10 a.m. For more information contact John O'Connor at Menlo Park Funerals.

PAID OBITUARY

Editor & Publisher

Tom Gibboney

Editorial

Managing Editor Richard Hine

News Editor Renee Batti

Lifestyles Editor Jane Knoerle

Senior Correspondents

Marion Softky, Marjorie Mader

Staff Writers

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Carol Blitzer, Sue Dremann

Photographer Michelle Le

Design & Production

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Gary Vennarucci

Advertising

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Real Estate Manager Neal Fine

Real Estate and Advertising

Coordinator Diane Martin

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3525 Alameda De Las Pulgas,
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Newsroom: (650) 854-2690 (ext. 213)

Newsroom Fax: (650) 854-0677

Advertising: (650) 854-2626

Advertising Fax: (650) 854-3650

e-mail news and photos with
captions to:

Editor@AlmanacNews.com

e-mail letters to:

letters@AlmanacNews.com

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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 web site, www.TheAlmanacOnline.com, and occasionally on the Town Square forum.

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letters@almanacnews.com and note this it is a letter to the editor in the subject line.

MAIL or deliver to:

Editor at the Almanac,
3525 Alameda de las Pulgas,
Menlo Park, CA 94025.

CALL the Viewpoint desk at
854-2690, ext. 222.

Newcomers star in local races

Unlike last week's congressional races, where the sour economy played a major role in helping Republicans slam the door shut on many of the Democrats who had been elected only two years ago, there was no Tea Party boiling over in local council races this year.

In Menlo Park, for example, there was a slate of six candidates for three City Council seats, but only four brought significant, applicable city experience to the table. And while some Tea Party issues resonated here — deficit spending, for one — it is not easy to smear a candidate for a budget shortfall when the city's reserves equal nearly one year's total budget outlay.

EDITORIAL

The opinion of The Almanac

In the end, Menlo voters stepped out of character and preferred two council newcomers, local fire board president Peter Ohtaki and Planning Commissioner Kirsten Keith, and incumbent Mayor Rich Cline. Heyward Robinson, who did not convince voters that he deserved another term, finished fourth, out of the running. He cited the opposition of two council members and the lack of press attention for some of the outside work he performs for the city as possible causes for his defeat.

Both incumbents suffered for approving a major pension increase for city employees in 2007 — a key factor leading up to the citizen-inspired Measure L, which will reduce pensions for new employees and passed easily with 72 percent of the vote. Neither Mr. Cline nor Mr. Robinson endorsed the initiative.

Menlo Park's eager embrace of the pension rollback — which unions promise to fight in court — reflects voters' newfound distaste for what are viewed as overly generous pension benefits. Even in the mostly liberal precincts of the Midpeninsula, lifetime annual pensions of \$100,000 or more plus health benefits for workers who can retire at age 50 or 55 do not sit well with voters. And it did not help the incumbents in this race that they accepted union support in their first campaign for council, although both declined, as did all other candidates, to accept union support this year.

In today's economic environment, voters are going to expect city

councils to be much more adversarial with unions. Members who accept endorsements and campaign contributions from city employee unions are going to find it much more difficult to get elected in the days ahead.

Another dividing line in this year's council election was support for Measure T, the Bohannon Development Co.'s Menlo Gateway project. All three council winners back the huge project off the Baysshore freeway. Candidates Chuck Bernstein and Russell Peterson did not, and Mr. Bernstein soon found himself the subject of mailers accusing him of saying, during an appearance at a League of Women Voters forum, that he would sabotage the project. In fact, he said "no more sabotage," but that apparently was enough to generate three nasty mailers attacking Mr. Bernstein by the Bohannon campaign, which well before election day had reported spending almost \$500,000 to assure passage of Measure T. Reporting on total spending won't be available until January.

Atherton voters had a much easier decision to make. With only four choices for three seats, they elected newcomer Bill Widmer, and retained in office incumbents Jerry Carlson and Jim Dobbie, who are associated with the town's management challenges over the last few years (the city manager, assistant city manager and top building official have all resigned in the last few months).

The exodus comes on top of a looming budget deficit brought on by the rapidly escalating cost of employee compensation. The town managers and city attorney have not looked good during the recent lawsuit settlements with former finance director John Johns (\$225,000) and police officer Pilar Ortiz-Buckley (\$230,000). Several other cases against the town have been filed within the last year, including a \$10 million lawsuit by resident Jon Buckheit; and one by Kimberly Sweidy and Raymie Stata, a couple claiming that building department staff failed to identify shoddy work on their multi-million-dollar home. This lawsuit demands in excess of \$10 million in damages.

Carey Wiest, who recently moved to Atherton, finished far behind the winners in the race for three seats. No doubt Mr. Widmer, who has served on town committees and is an experienced business manager, won votes by promising to help stabilize the town's budget and bring more transparency to the workings of the council.

LETTERS

Our readers write

What happened in Menlo Park election?

Editor:

I am puzzled by last week's elections results. Why did the Menlo Park voters choose new candidates over the incumbents?

Rich Cline and Heyward Robinson have brought a level of quality to the council that is quite remarkable. How Rich made it, and how Heyward didn't quite make it is puzzling, considering how dedicated and involved they've been with issues that reflects the majority of voters: the downtown revisioning process, high-speed rail and the Bohannon project.

Heyward's council record promotes values that this community is proud of when it comes to alternate forms of traffic, development, green and environmental standards.

So, what happened, really? I wonder how visible Heyward's work was to the community. What I especially get from



Portola Valley Archives

Our Regional Heritage

For decades, the Jelich Ranch on Portola Road in Portola Valley was the place to go to get ready for Halloween. Here Walter Jelich awaits a customer who has looked over the selection of pumpkins available.

this, is that I should get more involved, discuss city issues with my neighbors, and make sure the council members' work is more visible.

I'm grateful for Rich to be

re-elected as his respectful leadership will continue setting a model.

Laure Laprais
Oak Court, Menlo Park

Majority at hearing against Cargill project

Editor:

I attended the recent overview

See **LETTERS**, next page

LETTERS

Continued from previous page

and citizen comment meeting about the Cargill Saltworks project in Redwood City a few weeks ago.

By my count, there were about 80 speakers with at least two-thirds being residents of Redwood City. Well over a majority of speakers were against the proposal.

The idea of establishing a community of 12,000 houses and 1 million square feet of commercial space on the Bay is not appropriate growth for Redwood City, and goes against our general plan. As a local resident for 20 years, I am opposed to the project.

The 99 pages of the Notice of Preparation (NOP) documents present huge issues. For example, the NOP mentions plans for new elementary schools, and a middle school, but no mention of who will build and fund these schools

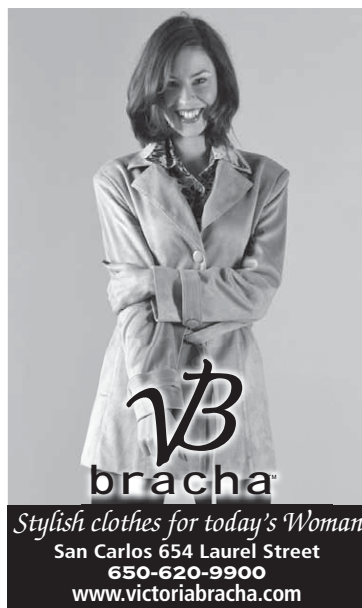
or how the developers envision meeting the need for a high school for these students.

The water proposal only considers a 35-year plan (with an option for 35 more). What happens after water rights expire? How will the rest of Redwood City be affected by these new water demands?

Another speaker noted that while the developer lists low-income housing as part of the plan, at other meetings they said they are only **allocating** land for this purpose. Cargill/DMB has no plans to actually build low-income housing units.

With traffic on Highway 101 already immense, how can we afford or tolerate further impacts? Do we really want another city with the density of San Francisco, including up to seven-story buildings on the Bay? What are the implications to our quality of life?

Judith Borcz
Redwood City



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For more information, or to attend our Open House, please contact the school's director
Mary Adham, M.Ed.
Lic. #414002685
650-391-5136
mapleleafmary@gmail.com

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68 Adam Way, Atherton

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To view these properties and others, please visit my website at www.tomlemieux.com

