

The Almanac

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

MARCH 13, 2013 | VOL. 48 NO. 28



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Menlo Park silent on extent of gymnastics program review

By Sandy Brundage

Almanac Staff Writer

Although Menlo Park City Manager Alex McIntyre released a letter to the community saying he had reviewed to his satisfaction the circumstances of a popular gymnastics instructor's termination, questions remain about the extent of his review.

"I regret that I am unable to share more specific information due to the confidential nature of personnel matters, but I am satisfied that I understand the situation and that proper procedures were followed and informed decisions were made regarding staffing decisions in the gymnastics program," the Feb. 28 letter said. "... I can say that if and when a long term employee is terminated, that is generally done for good cause and not based on one incident or complaint."

The Almanac received no response to multiple inquiries about whether his review had extended beyond talking to management. Several gymnastics instructors said they had not been contacted.

Michelle Sutton said she was told that a parent's letter of complaint led to her termination on Feb. 12. The complaint, sent to program management and to the City Council's public email log, described her as unprofessional in how she had asked a mother to step away during a child-only class.

Although the city manager's letter stated that, in general, employees aren't fired for a single complaint, the Almanac's review of Ms. Sutton's personnel file at the city found no documentation of any reprimands or other performance issues — only a note about a pay raise she received in 2009.

Menlo Park does not legally have to document disciplinary actions for "at-will" employees such as Ms. Sutton, however, although many employers do as a safeguard.

Another wrinkle: Six days

prior to being fired, Ms. Sutton asked the city's human resources department and union representatives about filing a complaint of harassment against her supervisor, Karen Mihalek.

Ms. Mihalek directed questions from the Almanac to the human resources director, who said she was unable to comment on personnel matters.

According to four current and former employees of the Menlo Park gymnastics program, tension suffused the work environment. One, instructor Chris Ortez, quit in protest of Ms. Sutton's termination. He also submitted a letter to the City Council that, after noting his

a transparent investigation.

"Until August of last year, under the direct management of Pearce Wagner, I loved my job and found working with children especially rewarding," she said. "Through our wonderful program, each day was filled with fun, joy, and discovery, for both the children and me. I felt fortunate to be included in a talented and dedicated team of teachers, and surrounded by those children who were clearly thriving through our program."

That started to change after Ms. Mihalek took charge of the preschool gymnastics program, according to Ms. Sutton, who said she first waited to see whether time would resolve her concerns before deciding to contact union liaisons.

She told the council that unanswered questions remained, including, "To the extent that an investigation was conducted after the fact, what

were the findings and how was it conducted without input from others within the program — particularly in light of the lack of documentation?"

After the council meeting, Ms. Sutton said she is weighing her options. Meanwhile, parents have continued to call for further disclosure of the circumstances surrounding the firing.

The Almanac asked council members if they were satisfied with the city manager's review.

"It is my expectation that the City's human resources department would be involved in the review of a personnel matter. I have no reason to believe that is not the case in this instance," Vice Mayor Ray Mueller said in an email. He encouraged anyone with relevant information to contact the city.

"That being said, I continue to be concerned, and am taking care to evaluate all the information I receive, thoughtful of limitations set forth by law on councilmembers' actions. I have requested a full and complete investigation of the matter." ■

Fired gymnastics instructor Michelle Sutton appeals to the City Council for an investigation.



"great love and respect for both of the parties," depicted strained interpersonal relationships:

"... There have been a number of interactions between Karen & myself regarding Michelle, as well as direct interactions between Karen & Michelle which I have witnessed firsthand, that have been filed away in my memory. I haven't mentioned them until now, due largely in part to the aforementioned love and respect for Karen, not to mention Karen's role as my supervisor, making it difficult for me to speak out. ... In general, and almost as a rule, I witnessed Karen speak to Michelle condescendingly, with impatience, and/or a clear undertone of disapproval."

Mr. Ortez noted that Ms. Sutton serves as godmother to his youngest child, whose middle name was given in memory of her 19-year-old daughter, Cate Fisher, who was shot and killed in 2011.

Backed by parents and children in the audience at the City Council's March 5 meeting, Ms. Sutton appealed for, if not reinstatement,

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Menlo Park council says no to driveway

By Sandy Brundage

Almanac Staff Writer

Louise Street resident Michael Schwarz said his neighbors were determined to stop developer Sam Sinnott from building a driveway on their street, and they did.

The Menlo Park City Council voted 3-1 on March 5 to revoke Mr. Sinnott's permit, which city staff had previously granted. He purchased a home at 1825 Santa Cruz Ave. last year with the intent of demolishing it to make way for a new single-family house he would then sell. The rear of the lot faces Louise Street — an appealing location to build a driveway, given Santa Cruz Avenue's traffic. The proposed exit would have partially paved over a bit of land and some greenery in the public right-of-way.

The neighbors, some of whom have lived on Louise Street for decades, support the new home — as long as it doesn't include a driveway on their street. Instead, they chipped in \$10,000 to file an "abandonment application" asking Menlo Park to grant the public right-of-way to the adjoining homeowners.

"It's very rare that we revoke an encroachment permit," City

Attorney Bill McClure noted during a discussion that stretched over about four hours.

Building the driveway would have bolstered Mr. Sinnott's desire to change the address of the home from Santa Cruz Avenue to Louise Street, which the neighbors oppose. Although city staff said no when he asked twice during the past 12 months if they'd support changing the address, the property was advertised as a Louise Street home on Craigslist and other online outlets.

Residents block developer from accessing their street; he may sue.

With members Cat Carlton dissenting — "I just don't see that much of an impact" to Louise Street — and Ray Mueller recused, the council sided with the Louise Street residents.

Saying he understood why Mr. Sinnott wanted the house to have an exit on Louise Street instead of Santa Cruz Avenue, Councilman Rich Cline commented, "I would be in agreement if it wasn't for the unified response

of a community at the end of the street who are worried about the conditions of the street."

Mr. Sinnott later told the Almanac that he is researching a legal challenge to the decision and requesting a rehearing.

"I believe the large numbers of people swayed the council. Simple numbers complaining about conditions that weren't accurate. Even though their complaints were addressed in my presentation," he said. "Most of the speakers complained about loss of green space. I proved no green space was lost with actual to-scale drawings and photo perspectives; the parking was being traded for the driveway, all other landscape saved."

He also said that the city attorney incorrectly told the council that building a guest house on the Santa Cruz Avenue side of the property would require Planning Commission approval, when it actually does not, according to city staff.

After revoking the driveway permit, the council voted 4-0 to pursue the abandonment while keeping two 5-foot easements designed for pedestrian access between Santa Cruz Avenue and Louise Street near Mr. Sinnott's property.

The neighbors told the Alma-



Photo by Michelle Le/The Almanac

Developer Sam Sinnott's effort to build a driveway from his Santa Cruz Avenue property to Louise Street was rejected by the council.

nac they are taking steps to ensure that abandonment will be done in a way that ensures the

green space will remain protected, no matter who owns the adjacent properties. ■

City eyes five sites for new housing units

By Sandy Brundage

Almanac Staff Writer

Members of the Menlo Park City Council meet on March 12 with one thing on their minds: updating the city's housing plan.

The city must finalize its housing element update by May as part of the settlement of a lawsuit brought by three nonprofits over Menlo Park's lack of compliance with state housing law.

During this update cycle, the city needs to identify sites where zoning changes would allow a maximum of 900 new housing units to be built. Menlo Park held numerous community workshops and study sessions to whittle the initial list of 25 sites down to

14. Now staff is recommending the council approve five:

■ A site at the Department of Veteran's Affairs campus in the 700 block of Willow Road (60 housing units).

■ Gateway Apartments at two locations: the 1200 block of Willow Road and in the 1300 block of Willow Road. Both sites are owned by the Mid-Peninsula Housing Coalition (78 units total).

■ Hamilton Avenue East located in the 700 and 800 blocks of Hamilton Avenue (216 units).

■ A site in the 3600 block of Haven Avenue (540 units).

Go to tinyurl.com/MP-heu to review the proposed changes and the update process. Tuesday's meeting starts at 6 p.m. in council chambers at the Civic Center at 701 Laurel St. ■

City to pay \$518,500 to buy back home

By Sandy Brundage

Almanac Staff Writer

Two members of the Menlo Park City Council urged the city to explore criminal charges against a couple who bought a home through the city's below-market-rate housing program, but then within two years of the purchase, took out more than \$1 million in loans against the property before defaulting on payments.

In 2009 Menlo Park filed a lawsuit against the couple, Jeremy and Theresa Salcedo, to buy back the house at 25 Riordan Place without also acquiring the couple's debts.

The total cost for the city? At least \$518,500. The settlement approved by the council on March 5 allows the city to buy back the home for \$400,000, as well as pay \$18,500 owed in property taxes. In addition, City Attorney Bill McClure estimated that pursuing the lawsuit had

cost taxpayers \$100,000, and said he did not yet know how much money would be required to get the house ready to sell again.

Under the BMR program, the city can only re-sell the property for \$285,000 to \$367,000.

Couple refinanced and defaulted on below-market-rate home.

"I think I speak for everyone when I say this makes me livid," said Councilwoman Cat Carlton, in reference to the couple taking out loans against the house even though BMR regulations prohibit refinancing. "In two years they forgot? They forgot they can't do this?"

As for the money the couple acquired by refinancing, it's long gone, leaving the city no assets

to go after apart from the house, according to Mr. McClure.

Ms. Carlton and Vice Mayor Ray Mueller said the couple should face criminal charges, although the city attorney said that to date, after he provided information to the police department and district attorney, his research indicated the case belonged in civil court.

Other suggestions included seeing whether the city could sell the property at market rate, then use the funds to acquire other, less valuable homes for the BMR program.

The case has resulted in changes to the BMR program. Apparently a mistake in the agreement signed by the Salcedos provided a loophole for lenders to allow the couple to borrow against the home; Mr. McClure said an audit of the program had found no other instances of refinancing, and the program now has added layers of review. ■

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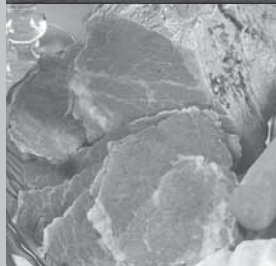
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Opponents of Stanford project push for review of downtown plan

By Sandy Brundage
Almanac Staff Writer

Save Menlo, a grassroots group opposed to Stanford University's proposal to build an eight-acre mixed use complex in Menlo Park, is calling for the council to review the new downtown/El Camino Real Specific Plan that makes the development possible.

"We are not suggesting that the Specific Plan be amended for the purpose of impacting a single known developer," said Save Menlo spokeswoman Perla Ni in an email to the Almanac. "We are suggesting that the development plans shown so far make it clear that the Specific Plan did not get quite right the equation among densities, housing, uses, and public benefit."

Stanford University and developer John Arrillaga are in the process of revising their plans for Menlo Park's empty car lots for a third time, according to project representatives. Iterations to date have proposed replacing eight acres of car lots along 300 to 500 El Camino Real with a mixed-use complex of 96,000 square feet of medical offices, 133,500 square feet of offices, 10,000 square feet of retail, and two five-story apartment build-

ings containing up to 152 units. As the project meets the specific plan's baseline requirements, it doesn't need city approval beyond the Planning Commission reviewing the architectural details.

The city has fielded dozens of comments from residents unhappy with the potential traffic impacts, small amount of housing, and the scale of the complex compared with surrounding neighborhoods.

Now Save Menlo has rallied behind getting the specific plan reviewed, flooding the council's email inbox with form letters suggesting the council refused to put the item on its agenda, and that Mayor Peter Ohtaki is "arbitrarily shutting down the opportunity for public discourse on the El

Residents flood the council with email demanding that the specific plan be placed on its agenda.

Camino Real-Downtown Specific Plan at the very moment when it would be most convenient and indeed most effective to discuss it."

Mayor Ohtaki said that contrary to shutting down public discourse, he's working with city staff to figure out the best forum for input. "We look forward to public input, and want to assure residents that the city is working on addressing their concerns. Stay tuned." ■

No sunset for Sunset magazine

The fate of Sunset magazine, headquartered in Menlo Park, looked uncertain earlier this month as news broke about its parent company's plans to spin off its magazine division.

Time Warner Inc. announced on March 6 that its board of directors had approved a plan to separate Time Inc. and have the magazine division become an independent entity. The split should be complete by the end of 2013.

Sunset magazine, a monthly lifestyles publication, will continue, according to Time Warner spokesman Keith Cocozza.

BRIEFS

Adoption day at the Pet Place

The Pet Place shop at 777 Santa Cruz Ave. in downtown Menlo Park is hosting an adoption day for cats, dogs and other small animals from noon to 3 p.m. Saturday, March 16. The Peninsula Humane Society mobile adoption and Community Cat Rescue will bring the animals. Call the Pet Place at 325-7387 for more information.

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Special education director likely to be ousted by Menlo Park school district

By Renee Batti
Almanac News Editor

■ SCHOOLS

A battle is brewing over the pending dismissal of the Menlo Park City School District's director of special education at the end of the school year.

The school board will meet in closed session on Tuesday, March 12, to vote on Superintendent Maurice Ghysels' recommendation to boot Olivia Mandilk from her position as head of special education, which she's held for eight and one-half years.

The program works with more than 1,000 of the district's students, Ms. Mandilk said, providing classes and other services for children with developmental and other disabilities and special health needs.

Ms. Mandilk said she had received no warning or indication that her job performance was a problem before Mr. Ghysels told her that he and the school board want to "change the direction" of the program she leads, called the Student Services Department.

Mr. Ghysels told the Almanac that he's forbidden by law from discussing personnel matters. Regarding his reported desire to change the direction of the program, he said, "I want to make sure the parents understand the we will continue to provide" quality education for their children. On the job for a year and a half, Mr. Ghysels has overseen changes in other divisions, such as language arts and math, in the interests of "continuous improvement," he said.

But according to some parents, the special education program doesn't need a change in direction. "I am completely floored and upset and I don't get it," Jennifer Kaufman, a mother of a son with special needs, told the Almanac. The department was "given a new direction eight and a half years ago" with the arrival of Ms. Mandilk, "and she's been brilliant. ... She took a program from nothing and built a terrific department."

Ms. Kaufman, who said she intends to speak to the board at its March 12 meeting about the matter, said that, in addition to her experience working with Ms. Mandilk as a parent, she has worked for years placing developmentally disabled children coming out of early intervention preschool in public elementary schools "from Burlingame to Santa Clara. And there's no district like Menlo Park for (pro-

viding services to) kids" with special educational needs.

"Olivia is an advocate of student achievement, and she has an incredible team that she supports, and ... allows them to do their job."

New direction?

In a letter to her staff of 56 and parents whose children are in the program, Ms. Mandilk noted that no staff member or, as far as she could tell, parents "were asked to provide input regarding changing the direction of the department. I have not been informed regarding what direction the superintendent intends to take and what the implications are for students."

The director said she had received no warning or indication that her job performance was a problem.

Regarding the school board's reported desire to change the program's direction, board President Terry Thygesen said she believes Ms. Mandilk misinterpreted what the superintendent said during their meeting. "I regret that it seems that Olivia has misinterpreted a private discussion about her professional future with the district as signaling a significant change in the direction of ... the department," Ms. Thygesen said — a statement echoed a short time later by Mr. Ghysels.

She also noted that the board isn't involved in personnel matters "except to approve, or not, the superintendent's recommendation."

Legal actions

At least one parent is applauding Ms. Mandilk's dismissal. Susan Walton, a parent who filed numerous legal actions against the district over its special education program and who founded Peninsula Parents of Special Needs Kids (PPSNK), wrote of Ms. Mandilk on the group's website, "This woman marginalized countless students and spent freely on attorneys to fight their frustrated parents." Ms. Walton couldn't be reached before press time to elaborate on the statement.

When asked to comment, Ms. Mandilk said, "We have never marginalized a child in this district." Ms. Walton and her husband came to the district from another school district, whose special education program they had filed legal actions against, and shortly after coming to the Menlo Park district, the couple began filing legal actions here, Ms. Mandilk said. The district won each case, she added, and since the couple moved from the district, "our attorney fees are very low."

Options

Ms. Mandilk was hired by former superintendent Ken Ranella after working for about 27 years as a teacher, consultant, special education administrator and director in other school districts. For a short time, she did double-duty in the same role for the Las Lomas School District, she said, and when the districts decided to each have full-time directors, both offered her the position.

She chose the Menlo Park district, she said, because it was larger and "there was a lot more work to be done." She told Mr. Ranella she wanted to retire in the district, she said.

When Mr. Ghysels asked to meet with her — they met regularly, nearly every week, she said — she "knew something was wrong" when she entered the room and the personnel director was also present, she said. She was offered three options: to retire, to resign, or to request a teaching position if something becomes available, she said.

"I can't afford options one or two, so I selected option three," she said, adding that in addition to work in the special education department she is also credentialed to teach social sciences at Hillview Middle School. She won't know whether there will be a job for her for months, she said, but retiring this spring would mean "financial disaster." That's because she will be only 59 by the end of the school year, and retiring before she's 61 or 62 would shrink her pension by about \$36,000 a year.

She said she didn't press Mr. Ghysels for details about his plans for her department once she left, not only because she was stunned by the news, but also because Mr. Ghysels told her before the meeting ended that the district would help her with future work prospects — or not — depending on her reaction to her dismissal, she said. ■

REAL ESTATE Q&A

by Monica Corman



What As-Is Means

Dear Monica: I received an offer for my property before any inspections had been done. It was an "As-Is" offer with a contingency for inspections. After inspections were completed the buyer asked for a price reduction based on information disclosed by the inspections. I assumed that an "As-Is" offer meant that there would be no further negotiations based on property condition. Am I wrong to assume this?

Rita G.

Dear Rita: Yes, you are incorrect. The buyer made an offer to purchase your property in its "As-Is" condition and they had a contingency to inspect the property. If the inspections showed material

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Presented by
Mark Schmidt
Licensed Optician



ACCOMMODATIVE INSUFFICIENCY

The term "accommodation" refers to the ability of an eye's lens to quickly change its focus. Normally, the lens assumes a round shape when viewing near objects and takes on a more oval shape when viewing distant objects. When the eye's lens has difficulty becoming round for properly focusing on near objects, it is called an "accommodative insufficiency." While this inability to focus on near objects is similar to "presbyopia," the age-related condition that inhibits reading ability beginning in middle age, accommodative insufficiency occurs

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P.S. Children suffering from accommodative insufficiency often look to like they are daydreaming since they find it difficult to focus on the printed page in front of them.

Mark Schmidt is an American Board of Opticianry and National Contact Lens Examiners Certified Optician licensed by the Medical Board of California. He can be easily reached at Menlo Optical, 1166 University Drive, Menlo Park. 650-322-3900.

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Photo by Michelle Le/The Almanac

Free library

Kathryn Lewark stocks her "Little Free Library" in front of her home on Yale Road in Menlo Park. She stocks the library, available free to neighbors, with local authors, some of her favorite writers, children's book, and some Hollywood-themed books.

Judge rules defamation suit will proceed

By Sandy Brundage

Almanac Staff Writer

The defamation lawsuit filed against a Menlo Park fire board director will proceed, according to a court ruling. San Mateo Superior Court Judge Raymond Swope ruled against dismissing the suit on March 8.

The judge also decided that plaintiff John Woodell, husband of Menlo Park Councilwoman Kirsten Keith, was not a public figure.

Mr. Woodell sued fire board director Virginia Chang Kiraly and city resident Chuck Bernstein in October, alleging the pair told the news media, police and others that he vandalized campaign signs during the 2011 fire board election.

All parties agree that Ms. Chang Kiraly's campaign sign was mysteriously uprooted from Mr. Bernstein's yard and later found in some bushes, lying near Mr. Woodell's cellphone.

Mr. Woodell denied vandalizing the sign. He speculated that he lost his phone while walking the dog, according to court documents.

Seth Rosenberg of the law firm

Minami Tamaki LLP, representing the plaintiff, said the recent hearing went well.

"The court confirmed that the Ms. Kiraly's statements made against Mr. Woodell were not protected speech, Mr. Woodell was not a public figure, and that Mr. Woodell already has enough evidence to prevail against Ms. Kiraly. Hopefully, we can now move this case along."

John Woodell claims two people falsely accused him of vandalizing campaign signs.

According to Mr. Rosenberg's filings, for the purpose of the hearing, the court did not evaluate the strength of the evidence, but instead accepted "as true all evidence favorable to the plaintiff."

His objection to the order to dismiss included a declaration from firefighter John Wurdinger saying that the fire board director told him that

"everyone knows that John Woodell is going around town vandalizing my signs."

Ms. Kiraly has denied making such comments.

In regard to the judge's ruling, attorney Harmeet Dhillon, representing the fire board director, said, "How can you not be a public figure in a political dispute?"

She cited Mr. Woodell's position as an officer of the Menlo Democrats club, participation in the San Mateo County Democratic Central Committee, and volunteer work for another candidate's campaign during the fire board election.

She said Judge Swope also urged all counsel to take a hard look at the lawsuit, as a way of indicating that, in the attorney's words, "this is not a case that should be going to court."

Ms. Chang Kiraly has approximately 10 days to appeal the ruling. According to her attorney, they are still considering whether to do so. "I think she wants to clear her name and move on," Ms. Dhillon said. "That means taking depositions and going to trial." ■

Planning commissioners question council's overruling of their duplex decision

By Sandy Brundage

Almanac Staff Writer

■ MENLO PARK

After the Menlo Park Planning Commission unanimously said yes to plans for a duplex at 1976 Menalto Ave., the City Council said no. City officials usually accept such differences of opinion with equanimity. But not this time.

"I'm not happy with how the council handled this decision and I'm very concerned with the ramifications for future Planning Commission decisions," commission chair Katie Ferrick told the Almanac, whose opinions matched those expressed by several fellow commissioners.

"It creates a great deal of uncertainty for anyone considering a major remodel or new home project," she said. "It also adds a great amount to the cost and time involved when contemplating a project. Further, it undermines and diminishes the value of the work planning commissioners and planning staff put into analyzing projects such as this."

Billy McNair, the owner of 1976 Menalto Ave. in the Willows neighborhood of Menlo Park, applied last year to build a duplex on the 112-foot by 54-foot lot. The area's zoning allows two residences on the property, but he needed variances because of the size and layout, as well as permission to remove three heritage trees.

The Planning Commission reviewed the details during a study session and visited the site before voting 6-0-1 to approve the project, with new commissioner John Onken abstaining.

The 22 neighbors opposed to the project appealed to the council, who overturned the approval with a 4-1 vote, Mayor Peter Ohtaki dissenting, in February.

Planning Commissioner Henry Riggs expressed disappointment at the plan's rejection after the applicant made all requested changes and incorporated neighbors' feedback. However, "the bigger problem is that a unanimous, informed Planning Commission vote means so little," he said.

Leaving the council to make decisions "in an emotional

setting, partially informed and (with) no fact-checking of appellant claims compared with the complete perspective of two commission hearings" is what a good process is designed to avoid, for the sake of neighbors and applicants, according to Mr. Riggs.

Councilman Ray Mueller had asked the council to consider taking a re-vote on the project, saying he had now visited the site and may have come to some wrong conclusions. But his motion, made late during a long evening on March 5, died for lack of support. His colleagues indicated they didn't see enough new information to justify a reconsideration, and expressed concern about the workload already facing the council in upcoming months.

"The refusal last week to re-consider their earlier, half-

informed, late-night vote was, well, bizarre," said Mr. Riggs. "Maybe council should be limited to four hour meetings — none of us are at our best when it gets that late — they met from 5:30 p.m. to 1 a.m."

or later twice in a row."

Late hours aside, Planning Commissioner John Kadvaný said the council's comments about the number of upcoming agenda items — "so therefore where would a reconsideration be fit in, is a complete violation of any sense of process," especially for an applicant who has already invested approximately \$65,000 and in light of the pressure on the city to add housing.

Deciding not to reconsider their vote won't save the city any time, he said, since staff will now have to evaluate another proposal for the site that will then go to the Planning Commission again, which will have to juggle projects to make room for the review, and potentially opens the door to another appeal to the council.

"This was a 6-0-1 vote from the Planning Commission," Mr. Kadvaný said. "McNair says, if it had been something like 4-3, then there would be a case that 'some on the PC got this wrong'. But just what did we get wrong? What was flawed?" ■

'It creates a great deal of uncertainty for anyone considering a major remodel or new home project.'

COMMISSION CHAIR KATIE FERRICK

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Winners and finalists for the Chris Zider Scholarship are, from left, William Hooper, Christopher Alvarado, Madeline Price, Kate Dumanian, winner Kelley Eason, Katherine Moore, Zach Plante, and winner Jack Heneghan.

Chris Zider Scholarship winners named

By Marjorie Mader

Two student-athletes — Kelley Eason of Menlo Park and Jack Heneghan of Atherton — are winners of the 2012 Chris Zider Scholarships.

Each has received a \$15,000 scholarship that can be used for college, private high school tuition, or education-related expenses, such as taking a summer course on a college campus during the next six years.

Since 1993, when the Zider scholarship program was established, 29 students have received these scholarships. The winners and six finalists this year represent four high schools: Menlo-Atherton, Menlo School, Woodside High, and St. Francis.

The annual scholarships are given in memory of Chris Zider, who grew up in Menlo Park and Portola Valley and was the oldest child of Bob and Cheryl Zider of Portola Valley. Chris died in a snowboarding accident at Lake Tahoe in 1992 when he was 15 and a sophomore at Woodside High School. He attended Menlo School after graduating from the Portola Valley School District.

Besides their accomplishments on the playing fields, in the classroom and in the community, the students' "love for their family comes across," said Chris' mother, Cheryl Zider.

The winners

Kelley Eason combines her interest in sports — cross country, soccer, and track at Menlo-Atherton High School — with community service. An active member of the National Charity League and Menlo Park Presbyterian Church, she has been on mission trips to Mexico, Guatemala, and Costa

Rica. She also enjoys volunteering at Ronald McDonald House, Haven Family House and City Impact, helping the homeless.

Jack Heneghan thrives on participating in sports — football, basketball, and lacrosse — at Menlo School. He was Menlo's starting quarterback as a sophomore, received the most valuable player award as a freshman and sophomore in basketball, and was named "County Sophomore of the Year." He is an instructor and volunteers at the Riekes Center in Menlo Park and volunteers with City Impact, helping the homeless. Jack also sings in the Menlo chorus and enjoys playing the guitar in his free time.

The finalists

Christopher Alvarado of Redwood City plays soccer at Woodside High School, where he was named "the Most Inspirational Player" on the JV Soccer team his freshman and sophomore years. He also plays club soccer. He received the Most Improved Player on varsity as a sophomore. He has volunteered at St. Anthony's dining room, helping the homeless.

Kate Dumanian of Los Altos attends Menlo School, where she played both lacrosse and soccer her freshman and sophomore years. She has been on the student council for the past two years and plays club soccer year-round. She also has written and published a wilderness cookbook. As a member of E3, a youth philanthropy board, she helps make grants to local nonprofit agencies.

William Hooper of Menlo Park goes to Menlo-Atherton High School, where he played basketball both his freshman and sophomore years. He is

a part of the Second Mile charity, and is a camp counselor for Menlo Park Presbyterian Church and participates in WeServe, which conducts day projects to help people in the community.

Zach Plante of Menlo Park attends Menlo-Atherton High School, where he ran track and field and cross country his freshman and sophomore years. An Eagle Scout, he said he loves music and enjoys backpacking in the summer with his scout troop. He participates in Melodies for Charities (a school club) and is in the M-A jazz band. He also enjoys photography and coin collecting.

Madeline Price lives in Hillsborough and attends Menlo School. She played basketball, and ran track and cross country her freshman and sophomore years. She is a member of the student council at Menlo. She received the most outstanding defensive player award in basketball. She enjoys singing and racing cars and go-karts.

How to apply

Tenth-graders now attending a public or private high school and living in Atherton, East Palo Alto, Los Altos Hills, Menlo Park, Palo Alto, Portola Valley, Stanford or Woodside may now apply for the two \$15,000 Chris Zider Scholarships. Any sophomore who attends Menlo School or Woodside High also is eligible. There are two grants — one \$15,000 to a female and one \$15,000 to a male. Preliminary applications are available now at the schools' counseling offices or by contacting the Beta Group at (650) 233-8700. Postmark deadline for 2013 preliminary applications is March 18.

Go to chrisziderscholarship.org for more information. ■



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Glenwood hotel plan wins OK

By Sandy Brundage

Almanac Staff Writer

“What is it that’s of value here?” asked Menlo Park Planning Commissioner John Kadwany during a review of a proposed hotel on Glenwood Avenue on March 4. The commission agreed that the anticipated revenue stream from guests justified granting 39 public parking spaces to the hotel — for five years.

By a vote of 6-1, the commission recommended that the City Council approve the project.

Sand Hill Property Co. is under contract to buy Casa de Peninsula, a 125-unit senior residential property at 555 Glenwood Ave., and convert it to a 138-room hotel, according to Sand Hill Property representative Reed Moulds.

Commission supports swapping revenue for public parking spaces for five years.

Branded as a Marriott Residence Inn, the hotel would provide extended-stay accommodations, with about one-quarter of the guests projected to stay more than a month. Analyses by the city and the applicant estimate the hotel would add an estimated \$669,000 to Menlo Park’s annual revenue, with approximately \$616,000 to \$656,000 contributed by the 12 percent transient occupancy tax approved by voters in November.

Should the tax revenue fall short — defined in the staff report as not providing the city with “a minimum amount of 50 percent of total room occupancy operating revenue for two consecutive years” — Menlo Park can require the hotel to pay the difference or provide another public benefit, decrease the size of the project, or revert the site to a senior living facility, under the terms of the proposed contract.

The city’s new downtown specific plan requires 173 off-street parking spaces for a hotel of this size. However, the applicant proposes 113 spaces — 74 on site and 39 spaces on Garwood Way currently used by the senior home, but within the public right-of-way.

Hotel representatives told the

Planning Commission that they will discuss whether a nearby new development proposed for 1300 El Camino Real might have space to lease for parking when that project gets closer to fruition.

While Mr. Kadwany and colleague Katie Ferrick viewed the Garwood Way spaces as an exchange for the tax revenue, Commissioner Vincent Bressler disagreed.

“Why would Menlo Park give away land to make this happen?” he said during the meeting, and noted that he’d like to see sufficient parking built into the project. Or, he said, charging for the hotel’s use of the Garwood Way spaces could generate revenue to be used for building the parking garages the specific plan envisioned.

“Where are we going to get that revenue? ... The logical place is to charge for parking on Garwood Way ... obviously it’s worth something.”

The commission voted 6-1 to recommend that the hotel should be charged market rate for using the parking spaces on Garwood Way after five years if it hasn’t found space elsewhere.

Commissioner John Onken told the Almanac his dissenting vote was based on believing that the parking should conform to the new downtown specific plan requirements. “As much as I’d like to see the hotel there and additional income for the city, I don’t think the parking works and am keen to work to our specific plan in that respect.”

The project will now go before the City Council for approval. ■

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Man pursues robbers, retrieves money

A man who was robbed of \$20 at a Menlo Park gas station March 7 pursued the suspects, retrieved the money, and then led police to their vehicle, where the two were arrested, police reported.

Shortly after 10 p.m. Thursday, March 7, the man was at the Chevron gas station at 1399 Willow Road paying for gas at the cashier’s window when two men walked up to him and grabbed a \$20 bill from his hand, Menlo Park police said.

There was a brief struggle and the suspects fled on foot, said Officer Allen Swanson in

a news release. The man got in his car and caught up with them a half block away. The suspects returned the money and fled in a vehicle, Mr. Swanson said.

Two arrested after robbery at Willow Road gas station

The man pursued the vehicle into East Palo Alto and called 911. Police found the vehicle and arrested the occupants.

Police identified the suspects as Warner Travis, 18, of Menlo Park and Jeffrey Thames, 21, of San Francisco. They were booked into the San Mateo County jail on charges of robbery and conspiracy to commit a crime.

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Further delay in opening Hillview field

By Renee Batti

Almanac News Editor

The games must go on, in spite of the continued delay in opening the Hillview Middle School playing field, which had been booked by the Menlo-Atherton Grizzlies Lacrosse Club for season-opening games on March 2 and 3, and subsequent games.

The youth lacrosse organization ended up opening its season at an alternative site, but officials had hoped that the field, originally scheduled for completion last December, would be ready for games the following weekend, March 9 and 10. That didn't happen, but the club was able to negotiate for field space with several other sports organizations to play both Saturday and Sunday games, according to the club's executive director, MJ Davey.

The Menlo Park City School District's point person on the playing field construction project, Ahmad Sheikholeslami, said in early March that the district was working "as hard as we can to get the field open on the 9th." But last week, he said that soft soil was detected under a portion of the artificial turf, "and we're trying to determine why that is."

At this point, though, "we don't have all the information ... and we don't have confirmation from the contractor as to how they plan to repair it," he said, adding that the contractor is still analyzing options.

Will the field be open by next weekend? Mr. Sheikholeslami said it's possible, but uncertain. "We've got to get it right, and we're going to get it right," he said.

Meanwhile, the lacrosse club "had a lot of support from M-A High School Athletics" and rented the high school's turf field for its games last Saturday, Ms. Davey said. The club also negotiated space with Alpine Strikers Soccer and AYSO to play its Sunday games at Kelly Field in Menlo Park, she said. ▀



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Uncertainty over adding school site

By Renee Batti

Almanac News Editor

SCHOOLS

The German-American International School will have to wait until April for the final word on whether it will lose its home at the former O'Connor public school site.

The Menlo Park City School District board has asked staff for more information before making the decision on whether to end its lease with the private school and take over the campus to deal with burgeoning enrollment.

If the district wants to exercise its contractual right to terminate the lease at the end of the school year, it must notify the GAIS by April 10. But in January, board members said they wanted to decide the question at the March 12 board meeting to give the private school more notice.

At a special meeting on March 6, the board asked staff for more information to review at its regular March 12 meeting, delaying the O'Connor site decision until the regular

board meeting on April 9.

The O'Connor campus, which the district operated as a public school until declining enrollment prompted its closure decades ago, is at 275 Elliot Drive in Menlo Park. The GAIS took over the campus in 1991, and its lease expires in 2016. If the district terminates the lease now, it could open a school there as early as fall 2014, district officials have said.

The district's enrollment has increased by about 40 percent since 2000, and is not projected to level out for several more years, according to district Superintendent Maurice Ghysels. The increase significantly exceeded enrollment projections done in prior years, and district officials have been struggling with the question of how to accommodate the additional students while maintaining class size and individual school enrollment at an acceptable level.

Ahmad Sheikholeslami, the district's director of facility plan-

ning and construction, said the staff, at the request of the school board, is preparing more information on options for accommodating enrollment growth by opening another elementary school campus at the O'Connor site, including the costs and benefits of a bond measure; the financial impact to the district of operating another campus; and possible attendance boundary configurations.

Another question staff will study is the possibility of leasing space on the O'Connor campus to the GAIS to operate a portion of its program, at least temporarily, Mr. Sheikholeslami said. That option might allow the private school more time to find a permanent home for its growing program — a major challenge on the densely developed Peninsula.

The March 12 meeting begins at 6 p.m. in the district office board room, 181 Encinal Ave. in Atherton. The board will meet in closed session at 4:30 p.m.; closed-session meetings begin with a public comment period. ■

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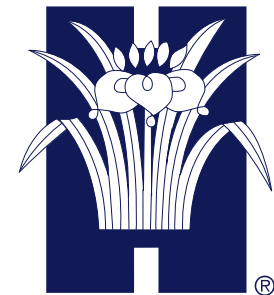
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William H. Mauel helped found Rotary Club foundation

William H. Mauel, the former vice president and manager of the Wells Fargo Bank office in Menlo Park and a founder of the Rotary Club of Menlo Park Foundation, died Feb. 28 in Menlo Park. He was 99.

The foundation provides financial assistance to students seeking to continue their education. In honor of his work to raise funds for the foundation, the Bill Mauel Fellowship was established to recognize those who have donated \$1,000 or more to the foundation. Today there are more than 200 Bill Mauel Fellows.

Born in Redding, California, he spent his early years in there and then moved with his family to Palo Alto early in the Great Depression. He graduated from Palo Alto High School in 1931 and attended the College of San Mateo.



William H. Mauel

In 1934, he began his 43 year banking career in the mail room of the American Trust Company, which merged with Wells Fargo Bank in the 1950s.

In World War II, he volunteered for the Merchant Marine Service and served as a purser and pharmacist's mate aboard three Liberty ships from 1942 to 1945. He was awarded the Pacific War Zone Medal and the Merchant Marine Combat Bar as a crew member aboard ships that went in harm's way in the South Pacific war zone.

Most of his banking assignments were spread along the Peninsula, from San Francisco to San Jose, with the exception of a two-year tour in Pago Pago, American Samoa, as the manager of Bank of America Samoa (administered by the American Trust Company) that served the naval base and the island community. He traveled throughout the South Pacific on banking business, often via a World War II PBV aircraft, taking many photographs of the islands he visited or flew over.

His final assignment began in 1968, when he accepted the position of vice president and manager of the Wells Fargo Bank office in downtown Menlo Park.

A long time Rotary International member, he transferred to the Menlo Park Rotary Club in that year.

Retiring in 1977, he soon opened a financial consulting office, assisting many of his former bank clients with their financial affairs,

OBITUARIES

planning and estates.

He enjoyed gardening, photography and was an avid golfer, walking the course and carrying his clubs at every opportunity, well into his 80s.

He is survived by his wife of 70 years, Lillian Mauel of Menlo Park, sons William H. Mauel Jr. of Auburn, California, and D. Clark Mauel of Los Altos, California; four grandchildren and five great-grandchildren.

In accord with his wishes, there will be no formal services. Anyone wishing to acknowledge his life and accomplishments is asked to make a donation in his name to the Menlo Park Rotary Club Scholarship Foundation, P.O. Box 876, Menlo Park, CA 94026.

Jack Schutz, 86, Village Pub restaurateur

Jack Schutz, a longtime resident of Woodside and former restaurateur of the Village Pub in Woodside, died peacefully at home March 2 after a heroic battle with cancer, his family said. Surrounded by family, he kept his incredible sense of humor until the end, they said. He was 86.

A iCelebration of Life memorial Mass will be held at 1:30 p.m. Thursday, March 14, at St. Pius Church, 1100 Woodside Road in Redwood City.

Born in Hebron, Nebraska, in 1927, he moved with his family to Canby, Oregon, when he was 5. He lived there until he enlisted in the Navy, reporting for duty on his 18th birthday.

Following military service, he graduated from the University of Portland. Soon after, he traveled to California, stopping in a little town called Woodside — the town he never left. At the Village Pub, you could find his welcoming smile behind the bar or hear him share jokes and stories with guests at their tables, the family said.

He was a charter member of Sharon Heights Golf and Country Club, where he loved to play golf and dominoes with his buddies. Spending time with family, friends, and traveling is what brought him the most joy, the family said.

He was preceded in death by his four sisters, and his wife of 40 years, Norma Oswald.

Survivors include his children Carolyn Schutz, Janet Schutz, and Julie Luttringer; two grandchildren; and partner Linda iSamî OiSullivan. The family prefers memorial donations to a charity of the donor's choice.

Service set for Burton Dupree

Burton Lynn Dupree died peacefully on Feb. 18 in Menlo Park. He was 80. A memorial service will be held at 2:30 p.m. Saturday, March 16, at Holy Trinity Episcopal Church, 330 Ravenswood Ave. in Menlo Park.

Born in Pioneer, Texas, he graduated from Denver City High School in Denver City, Texas. He loved motorcycles

and passed that love on to his children. He loved flying, too, soloing after three hours in a Piper Cub, the family said.

He received a bachelor's degree in design at Texas Tech, and served as colonel of cadets in the ROTC.

In 1956, he began 10 years of active duty as an officer in the U.S. Army Corps of Engineers. In Central America from 1959 to 1962, he supported the mapping mission of the 937th Engineers as part of the Inter-

American Geodetic Survey in both fixed-wing craft and helicopters. In 1964-65, he flew as a pilot in Vietnam, leaving active duty in 1966. He then served for 10 years in the 91st Division (Reserve) Aviation Section, retiring as a major.

In 1966, he began a career with Pacific Air Lines, which merged into Air West, and then Republic, which was bought by Northwest. He retired from Northwest Airlines in 1992.

Mr. Burton was known for drawing cartoons of almost

See **OBITUARIES**, page 14

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- Monday, April 8: 6:00 - 8:30 pm

DADS OF DAUGHTERS: THE JOYS AND CHALLENGES OF RAISING TEEN GIRLS

Julie Metzger, RN, creator of our "Heart to Heart" program, hosts an evening for fathers who seek understanding and open communication with their pre-teen and teenage daughters.

- Thursday, April 18: 7:00 - 8:30 pm

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- Monday, April 29: 7:00 - 8:30 pm

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Alfred Wilcox

May 14, 1921 – February 24, 2013

Alfred Leon Wilcox was born in 1921 to Pearl and Alma Wilcox on the dining room table in Independence, Missouri. He worked on his parents' farm selling milk and eggs, in their family hardware store and plumbing business until starting college at Iowa State University. He was a member of the Tau Beta Pi honorary engineering society, graduating B.S. Cum Laude in 1941, earned a M.S. in Physics at De Paul University, and did post grad studies at the Illinois Institute of Technology. He worked as a chemical engineer, specializing in wet corn milling. Al met the love of his life, French Canadian Marcelle Nadeau, while stationed in Quebec as a Lt. JG in the Navy. They had a magical 66 years together; raising four children and making time traveling the world, playing bridge, and acting in the local theatre. They moved from Arlington Heights, Illinois to Menlo Park in 1979 and felt "reborn" with new adventures waiting. Al's passion for education and science resulted in a heavy volunteer schedule: the vestry at St. Bede's Episcopal Church, the Stanford Engineering Library, the California Academy of



Sciences, The Tech Museum of Innovation, and NASA. He captured the attention of his school groups with amusing anecdotes and provocative questions. After Marcelle's passing in 2010, Al moved to The Sequoias in Portola Valley. He continued to make new friends with his generous spirit, ever present optimism and outgoing personality. He is survived by children Joan Barksdale (John), Michelle Wilcox (Rob Kuhling) and Greg Wilcox (Cara Perrone), three grandchildren Cullen Wilcox, Brie Jennings (Mike), and Brady Barksdale (Diana), and one great grandchild, Bayla Jennings. Because Al particularly relished backpacking for the last 25 years and honoring the wonderful friends he met along the trail, the family requests that donations in his memory be directed to the Peninsula Open Space Trust, 222 High St., Palo Alto 94301 www.openspacetrust.org/. The family wants to thank his loving caregivers Daisy, Helen, and Marlyn.

A celebration of his life will take place March 22, 4 - 5:30pm reception, at the Sequoias, 501 Portola Rd. in Portola Valley.

PAID OBITUARY

William H. Mauel

Dec. 21, 1914 – Feb. 28, 2013

William H. Mauel, born December 21, 1914 in Redding, California was called home by his Lord on February 28, 2013 in Menlo Park, California. He is survived by his wife of 70 years, Lillian Mauel of Menlo Park, sons William H. Mauel, Jr. of Auburn, California and D. Clark Mauel of Los Altos, California, four grandchildren and five great grandchildren.

Bill spent his early years in Redding, California and moved with his family to Palo Alto early in the Great Depression. He attended Palo Alto High School and graduated in 1931. He attended the College of San Mateo and began his 43 year banking career in 1934 in the mail room of the American Trust Company (later merged with Wells Fargo Bank in the 1950's).

As a member of "The Greatest Generation" he volunteered for the Merchant Marine Service and served as a Purser and Pharmacist's Mate aboard three separate Liberty ships from 1942 to 1945. He was awarded the Pacific War Zone Medal and the Merchant Marine Combat Bar as a crew member aboard ships that went in harm's way in the South Pacific war zone.

Always an advocate of education, he continued in a wide variety of banking courses throughout his career. The majority of his work assignments were spread along the Peninsula, from San Francisco to San Jose, with the notable exception of a two year tour in Pago Pago, American Samoa as the manager of the Bank of American Samoa (administered by the American Trust Company) that served the Naval Base along with the island community in general. That assignment offered him



the opportunity to travel throughout the South Pacific on banking business, quite often via a World War II PBV aircraft, taking numerous photographs of all the islands he visited or flew over.

Bill's final assignment began in 1968 when he accepted the position of Vice President and Manager of the Wells Fargo Bank office in downtown Menlo Park. A long time Rotary International member, he transferred to the Menlo Park Rotary Club in that year. Retiring in 1977, he soon opened a financial consulting office, assisting many of his former bank clients with their financial affairs, planning and estates.

Continuing his lifelong interest in education, Bill joined a small group of Rotary members and established the Rotary Club of Menlo Park Foundation with the goal of providing financial assistance to deserving

students continuing their formal education. In honor of Bill's devotion to raising funds for the foundation, the Bill Mauel Fellowship was established to honor those persons who have donated \$1,000 or more to the foundation. Today there are over 200 Bill Mauel Fellows.

He enjoyed gardening, photography and was an avid golfer, walking the course and carrying his clubs at every opportunity, well into his 80's.

In accordance with his wishes, there will be no formal services. Anyone wishing to acknowledge his life and accomplishments is asked to make a donation in his name to the Menlo Park Rotary Club Scholarship Foundation, P.O. Box 876, Menlo Park, CA 94026.

PAID OBITUARY

Budget, repair project on Atherton council agenda

The Atherton City Council will meet in a special session on Wednesday, March 13, to discuss mid-year budget adjustments and repairs to the Atherton Channel. The meeting begins at 1 p.m.

The budget news is good: The general fund is being adjusted upward to the tune of \$967,102, according to a staff report from Finance Director Robert Barron. About \$558,500 of that amount is a result of property tax revenue that the county expects to rise by about 8 percent.

The town for some time has been studying options to address concerns with the Marsh Road portion of the Atherton Chan-

nel, which "has deteriorated and is in need of repair," according to a staff report by Gordon Siebert, the town engineer.

The council will review a report by the structural engineering firm Biggs Cardosa Associates, which analyzes the channel and presents four preliminary designs for a retaining wall and repair project. The staff report identifies two alternatives as superior "based on their ability to implement repairs at least cost." The projected cost of those alternatives is about \$2.1 million.

The meeting will be in the Town Council Chambers, 94 Ashfield Road in the Town Center.

Menlo Park finance director departs

Carol Augustine, Menlo Park's finance director since 2005, will be leaving the position on March 15.

As announced at the March 5 council meeting, Ms. Augustine has accepted a position with the city of Burlingame.

"We are losing one of the best finance directors in the Bay Area," said Mayor Peter Ohtaki. He praised her work on the city's bond rating, the capital improvement program, community engagement during the "Your

City, Your Decision" outreach, and the dissolution of the redevelopment agency.

Ms. Augustine, who earned a bachelor's degree in accounting from the University of Texas, also served as finance director for the city of Cupertino for nearly four years prior to working for Menlo Park.



Carol Augustine

OBITUARIES

continued from page 13

everyone he met. He loved to fish and to be in nature, the family said. The children grew up going to parks and fishing.

He volunteered, washing dishes at St. Anthony's Dining Room and driving a forklift at the Second Harvest Food Bank. Every day, he was at Peet's coffee shops with friends. He attended a poetry group, a dinner group, and the Men's Group at Woodside Village Church, the family said.

Mr. Burton was preceded in death by his sister Karen Ann Westbrook and son John Marc Dupree. Survivors include his wife Sabra; his children James Dupree, Virginia Dupree Waik and David Jacob Dupree; and 12 grandchildren.

The family thanks the staff of the Veterans Affairs Community Living Center in Menlo Park, who provided "the best of professional loving care."

Memorials may be sent to the art department at Willow Oaks School, 620 Willow Road, Menlo Park, CA 94025.

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BIRTHS

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■ Sarah Gray and Darryl Ong, a son, Jan. 28, Sequoia Hospital.

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Abuse charges against teacher are dropped

Child cruelty and battery charges against a Redwood City special education teacher were dropped March 7 after the aides who had originally accused her changed their statements, according to San Mateo County prosecutors.

Alexia Alike Bogdis, 44, a teacher at Roosevelt Elementary School, was arrested in February 2012 after aides accused her of slapping a student, twisting a student's wrist and kicking the back of a chair, causing it to hit a student.

Ms. Bogdis, a Millbrae resident, was also accused of depriving a child of food. The two children in question were 4-year-old autistic boys, according to police and prosecutors.

District Attorney Steve Wagstaffe said the charges were dropped due to insufficient evi-

dence after the aides, who had been given immunity, backed off their original statements. The children, due to their age and condition, were considered unable to make statements in the case.

Ms. Bogdis had been out of custody on \$15,000 bail at the time the charges were dismissed.

She was placed on paid administrative leave along with six other employees at the Redwood City School District after the allegations came to light on Feb. 1, 2012.

Eight employees were initially put on leave, but in a letter to parents in the district, Superintendent Jan Christensen later wrote that a review of the case indicated "six people knew of possible abuse and did not meet their legal obligation to report it."

— Bay City News Service

Salon workers win lawsuit

By Carol Blitzler
Palo Alto Weekly

Four former employees of Natalie Salon, joined by more than 100 others, settled their class-action lawsuit for \$750,000 against the nail and beauty center on Feb. 26.

Owners Natalie Phan and her husband, Bill Dong, operated five salons at the time of the lawsuit, including one in Palo Alto. Now they operate four in Menlo Park, Redwood City, San Mateo and Los Gatos.

San Mateo County Superior Court Judge Marie Weiner gave preliminary approval of the \$750,000 settlement.

The original suit was filed in San Mateo County Superior Court in September 2011, accusing owners Ms. Phan and Mr. Dong of not providing overtime

pay or meal breaks, and confiscating a portion of tips.

The suit also accused the owners of "unlawfully deducting amounts from employee wages for minor infractions like dropping nail polish," according to news release from the Asian Law Caucus, one of three law groups representing the plaintiffs. The other two firms were Legal Aid Society-Employment Law Center and Davis Cowell & Bowe LLP.

Winifred Kao, an attorney with the Asian Law Caucus, said the next step is for the 125 employees to review the settlement and decide whether they want to continue to take part in the class-action suit, to opt out or to sue separately.

The next court date is set for June 27, when eligibility and distribution will be decided. ■

Flags missing from Woodside pole

The town of Woodside would like its national and state flags back. The stars and stripes and the bear flag were discovered missing from the white pole in front of Independence Hall on Feb. 26, deputies from the San Mateo County Sheriff's Office said.

"This rarely occurs. Sometimes it's done as a prank," Deputy Town Manager Paul Nagengast said. "If anybody has them and feels bad about it and wants to return them, we won't

ask any questions."

The flags are always flying, with the ropes tied off on a cleat high on the pole and out of reach to anyone without a ladder or a truck bed — or the ability to shinny up a pole, Mr. Nagengast said. The ropes were found untied and dangling.

The flags tatter over time and are replaced according to a protocol, Mr. Nagengast said. The two that were stolen had been replaced recently at a cost of about \$86.

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Atherton chiropractor tunes up 49ers

Dr. Nicholas Athens, a chiropractor who lives in Atherton and works in San Carlos, attended and treated more than half of the 49er players at the Super Bowl in New Orleans in February.

The players asked to have Dr. Athens go to the Super Bowl to work on their injuries that accumulated over a long season, he said.

"I typically see players in my office, but I also go to their hotel rooms the night before their games to get them tuned up," he said.

Football is a very "compressive sport," he said, and getting adjusted by a chiropractor helps to "decompress the body, gets pressure off the nerves, and improve



Dr. Nicholas Athens, right, with 49er quarter Colin Kaepernick before the Super Bowl game in New Orleans.

overall bodily function."

Dr. Athens has worked with the general public and the 49er players for 30 years. Among his first patients, he said, was 49er running back Roger Craig, who referred other players, including Jerry Rice and Joe Montana. His chiropractic practice grew from there.

Now more than half of the 49er football team sees Dr. Athens for "regular chiropractic checkups to help maintain their health and to prevent injuries," he said.

"Even though the outcome of the game did not go their way, they fought hard as a team and had an overall healthy year," he said.

Elarms gets four years for weapons possession

Accused killer Gregory Elarms has been sentenced to four years in jail for concealing weapons while in custody for allegedly shooting an East Palo Alto activist in 2010.

Mr. Elarms, 60, in red jail clothes and handcuffs, briefly spoke March 5 as the court considered a motion to withdraw his pleas of no contest to three felony counts of possessing sharpened objects in jail.

Mr. Elarms, who was previously found incompetent to stand trial for murder and spent several months at Atascadero State Hospital, said he "wasn't aware" that the pleas could be used against him.

"I'm not really sure what that means," San Mateo County Judge Craig Parsons said.

Mr. Elarms had consistently indicated that his defense attorney, Jonathan McDougall, had not done a fair job representing him, and attempted to use that opinion as further grounds to have his pleas withdrawn, District Attorney Steve Wagstaffe said.

Judge Parsons denied the motion to withdraw and proceeded with sentencing.

Deputy District Attorney Ivan Nightengale argued that when Mr. Elarms was found in possession of a sharpened toothbrush, a sharpened "spork" and two pencils tied together in February 2011, he had greased the floor of his cell with egg and lotion to "gain an advantage" against jail deputies in

a potential confrontation.

He posed "a great danger to jail staff" while in custody awaiting a trial for the June 2010 murder of activist David Lewis, Mr. Nightengale said.

A judge in January dismissed that murder charge after ruling that a confession obtained by San Mateo detectives prior to Mr. Elarms' arrest was in violation of his Miranda rights, Mr. Wagstaffe said.

That decision has been appealed by the district attorney's office, a process that could take 12 to 18 months.

Mr. Elarms has since remained in San Mateo County jail awaiting sentencing for the weapons charges, which carry a maximum sentence of four years.

He was released between Feb. 5 and Feb. 26, when the defense and the court mistakenly calculated that Mr. Elarms had already served a sentence beyond what his maximum term would be, when adding actual time served with statutory credits for good behavior or work time.

Judge Parsons admitted the mistake at the March 5 sentencing, but said that the court had since corrected the miscalculation.

The judge sentenced Mr. Elarms to four years in jail, leaving at least five months to serve. Mr. Elarms showed no reaction to the decision.

—Bay City News Service

Accused killer has at least five months to serve.



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CALENDAR

Visit AlmanacNews.com/calendar to see more calendar listings

Special Events

Adoption day at Pet Place The Pet Place shop at 777 Santa Cruz Ave. in downtown Menlo Park is hosting an adoption day for cats, dogs and other small animals from noon to 3 p.m. Saturday, March 16. The Peninsula Humane Society mobile adoption and Community Cat Rescue will bring the animals. Call the Pet Place at 325-7387 for more information.

On Stage

PVTC presents 'Oklahoma!' The Portola Valley Theatre Conservatory presents Rodgers and Hammerstein's "Oklahoma!" March 13-17 and 21-23. Musical about love and life in Oklahoma territory in 1901. 7-10:30 p.m. \$15-50. Portola Valley Theatre Conservatory, 945 Portola Road, Portola Valley. Call 851-8282 ext.105. www.pvtc-ca.org

TheatreWorks presents 'The Mountaintop' The play re-imagines events on the night before the assassination of Dr. Martin Luther King Jr. March 6-31, Tues.-Sun., \$23-\$73. Lucie Stern Theatre, 1305 Middlefield Road, Palo Alto. Call 650-463-1960.

Talks/Authors

'Empowering Women Leaders Through Personal Sponsorships' Panel discussion on building and cultivating successful sponsor relationships. March 20, 6:30-8 p.m. \$15-\$25. Quadrus Conference Center, 2400 Sand Hill Road, Menlo Park. Call 408-280-5530. commonwealthclub.org/events

'Sex & Dating After 60' Dr. Eric Shapiro explores significant psychological and biological changes specific to couples over 60. March 19, 6-7:30 p.m. \$9. Little House Activity Center, 800 Middle Ave., Menlo Park. www.penvol.org/littlehouse/

Batik: Spectacular Textiles of Java Batik is an artistic tradition of the Indonesian island of Java. This docent lecture and slideshow describes the art of batik that is on exhibit until May 2013 at the Asian Art Museum. March 14, 7-8 p.m. Portola Valley Library, 765 Portola Road, Portola Valley. Call 650-851-0560. smcl.org

Carly Fiorina Former HP CEO speaks on the financial outlook for the U.S. March 21, 7-8 p.m. \$12-\$20. Oshman Family Jewish Community Center, 3921 Fabian Way, Palo Alto. Call 408-280-5530. commonwealthclub.org/events

Elizabeth Kessler Art-history teacher Kessler discusses new book, "Picturing the Cosmos: Hubble Space Telescope Images and the Astronomical Sublime." March 13, 7:30 p.m. Free. Kepler's, 1010 El Camino Real, Menlo Park. Call 650-324-4321. keplers.com/event

Ellen Sussman discusses Bali-set novel, "The Paradise Guest House." March 26, 7:30 p.m. Free. Kepler's, 1010 El Camino Real, Menlo Park. Call 650-324-4321.

Ethics of Wealth John Taylor's latest book, "First Principles," develops an economic plan to restore America's prosperity. March 14, 7-8:30 p.m. CEMEX Auditorium, 641 Knight Way, Stanford. <http://ethicsinsociety.stanford.edu>

James B. Maas discusses his book, "Sleep to Win: Secrets to Unlocking your Athletic Excellence in Every Sport." March 19, 7:30 p.m. Free. Kepler's, 1010 El Camino Real, Menlo Park. Call 650-324-4321.

Jonathan and Margaret Kathrein discuss their book, "Surviving the Shark: How a Brutal Great White Attack Turned a Surfer into a Dedicated Defender of Sharks." With marine biologist Wallace "J" Nichols and photographer David McGuire, who will screen his short film "Swim for Sharks." March 21, 7:30 p.m. Free. Kepler's, 1010 El Camino Real, Menlo Park. Call 650-324-4321.

Natalie Goldberg discusses and her book, "The True Secret of Writing: Connect-

ing Life with Language." March 28, 7:30 p.m. Free. Kepler's, 1010 El Camino Real, Menlo Park. Call 650-324-4321. www.keplers.com

Navi Radjou discusses his business book, "Jugaad Innovation: Think Frugal, Be Flexible, Generate Breakthrough Growth." March 27, 7:30 p.m. Free. Kepler's, 1010 El Camino Real, Menlo Park. Call 650-324-4321.

Stanford Executive Briefings Ed Whittacre shares leadership lessons that catapulted him to CEO of AT&T and General Motors. March 13, 7:30-9 a.m. \$60. Stanford Faculty Club, 439 Lagunita Drive, Stanford. Call 650-725-3330. breakfastbriefings.stanford.edu/

Classes/Workshops

'Top Ten Problems in Submitting Your Work and How to Fix Them' Commercial-book editor Alan Rinzler teaches class on query letters, proposals and manuscripts. March 16, 1-4 p.m. \$99. Kepler's, 1010 El Camino Real, Menlo Park. Call 650-324-4321. www.brownpapertickets.com/event/313136

'Yoga Night' Kundalini yoga has simple movements aimed at strengthening nervous systems, connecting with the breath and promoting relaxation. Many teachers, all paid by students' donations. Tuesdays, March 12-May 21, 7-8:30 p.m. \$10-20 recommended donation. One Heart Yoga at Little House, 800 Middle Ave., Menlo Park. Call 650-649-3055. oneheartyyoga.com

Spool Knitting Workshop Re-using ordinary items from the recycling bin, Linda Janklow shows attendees how to make their own tubular knitting device. March 13, 4-5 p.m. Portola Valley Library, 765 Portola Road, Portola Valley. Call 650-851-0560. smcl.org

Kids & Families

Bi-lingual Story Time (English-Spanish) Parents can introduce their babies to Spanish with stories, songs and rhymes. March 18, 11-11:30 a.m. Portola Valley Library, 765 Portola Road, Portola Valley. Call 650-851-0560.

Gustafer Yellowgold's Rock Melon Tour Equal parts pop-rock concert and animated storybook, Gustafer Yellowgold concerts are a different multimedia experience. March 13, 4:30 p.m. Atherton Public Library, 2 Dinkelspiel Station Lane, Atherton.

Magic Dan Children ages 4 and up are invited to a magic show. March 18, 4-5 p.m. Free. Atherton Library, 2 Dinkelspiel Station Lane, Atherton. Call 650-328-2422.

The Lego Club Children ages 5-11 can come with their imaginations to Lego Club. March 16, 11 a.m.-12 p.m. Portola Valley Library, 765 Portola Road, Portola Valley. Call 650-851-0560. smcl.org

Et Alia

Fracking in California Hydraulic fracturing or "fracking" has moved to the forefront of environmental debates in California as the push to tap into the enormous Monterey Shale gathers steam. March 18, 6:15-8:30 p.m. \$15. Redwood City Main Library, 1044 Middlefield Road, Redwood City. Call 831-419-6668.

'Paint the Garden' workshop Kristen Olson gives workshop March 16 from 10 a.m.-5 p.m. Portola Art Gallery, 75 Arbor Road, Menlo Park. portolaartgallery.com

Exhibits

Nora Reza exhibits abstract paintings of squares and rectangles, with light inspired by California and Provence. March 13 through April 28, with a reception from 7 to 9 p.m. March 13. Free. Cafe Borrone, 1010 El Camino Real, Menlo Park. www.norareza.com

Peninsula Rose Society Meeting Rose-arranging demonstration by Barbara Gordon. All welcome. March 13, 7:30-9:30 p.m. Free. Veterans Memorial Senior Center, 1455 Madison Ave., Redwood City. Call 650-465-3967. peninsularosesociety.org

Peninsula Symphony welcomes spring with Brahms' First Symphony and works by Hindemith and Dvorak. March 15, 8-10 p.m. \$40 (\$35 seniors, \$20 students/youth). Fox Theater, 2215 Broadway, Redwood City. peninsulasympphony.org/



Photo by senior Kaylynn Crawford

'Legally Blonde' at Woodside

Playing leading roles in "Legally Blonde" at Woodside High School are, from left, senior Kyra Bowser, junior Wyatt Giampa, senior Will Palomares, freshman Jessie Marguet and senior Austin Small. Remaining performances at the school's Performing Arts Center, 199 Churchill Ave, are at 8 p.m. Friday and Saturday, March 15 and 16. The musical is about a young woman who enrolls in Harvard Law School in pursuit of her boyfriend, and while there has an epiphany about the uses of the law to help others. Fifty Woodside High students are in the cast. Tickets are \$10-\$20. Visit whsdramaboosters.com for more information.

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PLANNING COMMISSION
March 20, 2013
7:30 PM

PUBLIC HEARINGS

1. Laurene Jobs VARI2013-0001
460 Mountain Home Road Planner: Jackie Young, Planning Director

Review for approval/denial of a Variance to permit an addition to an existing historic water tower/accessory living quarters for a three story enclosed stairway that would have a building wall within 15 feet of a property line where a 50-foot setback is required, and to permit the roof eaves of the stairway within 13.5 feet of the property line where a 47-foot setback is required. The project also includes review for approval/denial of a Variance to permit the three story enclosed stairway 34.5 feet in height where 30-foot is the maximum height limit. The property is located at 460 Mountain Home Road. This item was continued from March 6, 2013, to correct the public notice for the Variances required.

2. Doug and Carrie Kehring ASRB2012-0030/GRAD2012-0001
3 Vintage Court Planner: Sage Schaan, Senior Planner

Review and approval, conditional approval, or denial of a proposal to construct two new barns and an equestrian riding arena. The project will require approval of a Grading Exception for grading in excess of 1,500 cubic yards. The property is located within an SCP-5 Zoning District.

All application materials are available for public review at the Woodside Planning and Building Counter, Woodside Town Hall, weekdays from 8:00 – 10:00 AM and 1:00 – 3:00 PM, or by appointment. For more information, contact the Woodside Planning and Building Department at (650) 851-6790.

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The Almanac, established in October 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 December 21, 1969. ©2013 by Embarcadero Media Company. All rights reserved.

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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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Call the Viewpoint desk at 223-6507.

Viewpoint

IDEAS, THOUGHTS AND OPINIONS ABOUT LOCAL ISSUES FROM PEOPLE IN OUR COMMUNITY. EDITED BY TOM GIBBONEY

Veil of silence over instructor's firing

The recent letter to “gymnastics families” from Menlo Park City Manager Alex McIntyre is another in a string of half-hearted efforts taken in the wake of the abrupt and unexplained dismissal of gymnastics instructor Michelle Sutton. The case led to an uproar among parents, who became even more upset when emails written to the council in support of Ms. Sutton were deleted from the city’s website.

The city did restore the emails last week, but management remains committed to silence instead of shedding any light on why one of the most popular instructors was summarily fired without explanation.

Mr. McIntyre’s letter failed to satisfy scores of residents clamoring for the instructor’s reinstatement. It simply falls back on a boilerplate response: “I regret that I am unable to share more specific information due to the confidential nature of personnel matters” and he was “...satisfied that I understand the situation and that proper procedures were followed. ...”

The city manager has refused to disclose who he talked to before deciding that he understood the situation. According to the Almanac’s sources, his review did not include the instructors who have said Ms. Sutton was bullied and harassed by a gymnastics program supervisor.

As an at-will employee, Ms. Sutton could be dismissed at any time without cause by the city. The cascade of events that apparently led to her firing began when she asked a mother to follow policy by stepping away during child-only classes. The mother called Ms. Sutton’s behavior unprofessional, and filed a complaint; the instructor was fired 12 days later. But another possible factor was that six days before Ms. Sutton was fired,

the instructor asked the human resources department how to file a complaint of harassment against her supervisor.

Ms. Sutton remains upbeat about the city’s gymnastics program. She appeared at last week’s City Council meeting to request reinstatement and an investigation into the case. She said after five years on the job she “will always love and support” the city’s gymnastics program.

Perhaps this positive attitude endeared Ms. Sutton to her students and their parents, who flooded the city’s website with supportive emails and have established a Facebook page to support her that has more than 185 members now. Several have discontinued their children’s enrollment in the gymnastics program.

Several troubling aspects of this case have not yet been addressed by the city:

- Soon after her dismissal, Ms. Sutton gave permission for the Almanac to view her personnel file at the city. It contained a note regarding a pay raise she received in 2009, but no documentation of reprimands or other disciplinary actions. If there were performance issues, why weren’t the problems documented in her file?
- What is the city’s policy for how gymnastics staff should respond to parents who aren’t following the rules?
- Who did Mr. McIntyre interview during his review of the case? Was it only senior management, despite statements from gymnastics program instructors that management was creating a hostile workplace?

The city should answer these questions. The public, along with Ms. Sutton and the parents who support her, deserve a transparent explanation about her dismissal.

EDITORIAL

The opinion of The Almanac

LETTERS

Our readers write

Do we pet horses or eat them?

Editor:

In the last few weeks, food safety officials in the United Kingdom, France, and Sweden found traces of horse meat in ground beef sold across Europe. Massive recalls and lawsuits are ensuing.

Can it happen here? Horse slaughter for human consumption was banned in the U.S. between 2007 and 2011. But now, a New Mexico slaughterhouse is getting approved by U.S. authorities to slaughter horses for human consumption, and a Philadelphia restaurant has already announced plans to serve horse meat.

I marvel at our hypocrisy of rejecting the notion of horse or dog meat on our dinner plates, while condemning cows, pigs,



Portola Valley Archives/Susan Thomas

Our Regional Heritage

An orchard in bloom, mustard about to flower, a decrepit old fence, a winsome cat, perhaps looking for a gopher. ... This contemporary scene could be from the last century when Portola Valley was a community of farmers and orchards were commonplace.

Continued on next page

LETTERS

Our readers write

Continued from previous page

and chickens to the same fate. Obviously, we have established special relationships with horses and dogs as our companions, protectors, and sports protagonists, rather than as food. But where is the ethical and logical distinction, given that all these animals are endowed by individuality, sentience, and an ability to experience the same feelings of joy, affection, sadness, and fear that we do?

Fortunately, our health food industry has spared us from having to choose which animals to pet and which ones to eat. Their delicious soy and grain-based meat alternatives are available in every supermarket.

Miles Barney

Sharon Park Drive, Menlo Park

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M - A Drama Presents
LEGALLY BLONDE

Music and Lyrics by Laurence O'Keefe and Nell Benjamin
Book by Heather Hach

Based on the novel by Amanda Brown and the Metro-Goldwyn Mayer motion picture

Directed by D.J. Zwicker-Sobrepaña
Music Direction by Kent Kurrus
Vocal Direction by Patrick Maier
Choreography by Daniel Harper

Three local businesses are donating Tiramisu & Pot de Creme for Intermission Treats to support the M-A Drama Department! Trellis Restaurant, Angel Heart Cakes, The Milk Pail

Dates and Times

- Friday, March 15 7:30pm
- Saturday, March 16 2:00pm, 7:30pm
- Wednesday, March 20 7:30 pm
- Thursday, March 21 7:30pm

- Adults \$12
- Students/Seniors \$8
- Group Discounts Available

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Performing Arts Center
555 Middlefield Road, Atherton

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THE PORTOLA VALLEY SCHOOL DISTRICT BOARD OF TRUSTEES

Invites interested citizens to apply for a School Board Vacancy

A seat on the Portola Valley School Board is currently available. The term of this seat is seven months beginning in April 2013 and ending in November 2013. Residents of the Portola Valley School District who are registered voters are eligible to apply to serve on the Board.

Any interested parent or community member must complete an application form and a "letter of interest" stating his/her experience in and commitment to educational, youth and community activities.

Application materials may be found in the "Headlines and News" section of the PVSD web site www.pvsd.net or by calling 851-1777, ext. 3001. Completed applications must be submitted by 5:00 p.m. on Thursday, March 28, 2013, and should be sent to:

Carol Piraino
Superintendent
Portola Valley School District
4575 Alpine Road
Portola Valley, CA 94028

Candidates will be interviewed by the Board on the evening of April 10, beginning at 6:00 P.M. The new Trustee will take office at the regularly scheduled Board meeting on April 17, 2013.

For additional information, please contact Carol Piraino at 851-1777, ext. 3001.

SRI International
Campus Modernization Project

SRI, a nonprofit research institute in Menlo Park for 65+ years, has applied for City approvals to modernize its campus without expansion over 25 years.

Learn more at www.sri.com/campus and attend a community meeting.

Tuesday, March 19 – 6:00 pm to 7:30 pm

Thursday, March 21 – 6:00 pm to 7:30 pm

Saturday, March 23 – 10:00 am to 11:30 am

Location: SRI's Building G on Laurel St. (between Ravenswood Ave. and Burgess Dr. at Mielke Dr.)

333 Ravenswood Ave., Menlo Park
community-relations@sri.com
650-859-2000

www.sri.com

New Woodside listing from Ed Kahl . . .



410 Manzanita Way, Woodside – \$5,500,000



- 3.7 acres (approx)
 - privacy, serenity, heritage oaks
 - sunny meadow ideal for new home site
 - 2BR cottage-style house
 - barn, tennis court
 - Woodside Elementary School
- Take a Virtual Tour:*
410manzanita.com

160 Greer Road, Woodside – \$11,450,000



- 10.4 acres – mostly level land
 - views of the Western Hills
 - privacy, serenity, heritage oaks
 - older 5,500 sf house
 - sun-drenched meadows
 - oak woodlands
 - Woodside Elementary School
- Take a Virtual Tour:*
160greer.com



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