



**More problems at Hillview  
playing field** | Page 5

# The Almanac

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

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**Section 2**



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## CALL US FOR A COMPLIMENTARY CONSULTATION

# Menlo native helps save a life

By Sam Borsos  
Special to the Almanac

Menlo Park native and Yale University football player John Oppenheimer traveled to Washington, D.C., recently to speak to members of Congress about how he saved a life in January.

Even though he never met the 41-year-old man in Europe who was diagnosed with leukemia and will get a second chance at life thanks to him, Mr. Oppenheimer says that donating his stem cells to a bone-marrow registry was an easy decision.

There are two processes for bone-marrow transplants: a peripheral blood stem cell process, which extracts stem cells from blood drawn from the arms of the donor, and the natural bone-marrow process, which takes bone marrow from the flat part of the donor's hip.

Mr. Oppenheimer did the stem-cell process, which is used about 75 percent of the time, and takes anywhere from three to eight hours, according to Trina Brajkovich of the Be The Match donor program. "It was pretty painless and very comfortable," he says. "I was little tired and a little sore, but it was very easy for me."

He was inspired to register for the Be The Match donor organization by a fellow Yale student who died from leukemia in 2011 because she was unable to find a match for a bone-marrow transplant.

On July 18, Mr. Oppenheimer, along with doctors, Be The Match representatives and donor recipients, spoke to members of Congress about the success of the program and urged them to support continued federal funding for transplants.

"All the meetings seemed to go really well," he says. "One cool thing about (a transplant) is that it's not like cancer research. It's not just trying to save lives; it is saving lives."

## Yale responds

In 2008, Mandi Schwartz, a junior at Yale and an ice hockey player, was diagnosed with leu-



John Oppenheimer donates stem cells in early 2013 for a patient fighting leukemia.

kemia. In response, the football team, women's ice hockey team and women's field hockey team came together and organized a school drive to register as many students as possible in an effort to find a bone-marrow match for Ms. Schwartz.

## Yale football player raises awareness about stem-cell and bone-marrow donor registries.

Although hundreds of students were registered, the community was unable to find a perfect match, and she died in 2011 at age 23. However, the drive — called the Mandi Schwartz Be The Match drive — has produced 17 matches since its start and added about 4,000 names to the donor registry.

Registering for Be The Match is as simple as filling out a consent form and a getting a quick cheek swab for DNA. Ms. Brajkovich of the Be The Match program says there is a 1 in 540 chance of actually being called to donate because of the rarity of a correct match.

"There are people who will be on the registry for their entire life and never be called," she says.

Mr. Oppenheimer joined the Be The Match bone-marrow

donor registry during the spring of his freshman year at Yale in 2011. (The entire football team is registered, he says.) After only a year and a half in the registry system, he was called as a possible donor. Further blood tests showed that he was a perfect match for the 41-year-old man who was diagnosed with leukemia.

"I've never done anything like this," Mr. Oppenheimer says. "It's very rare to get the opportunity to impact someone's life and have an opportunity to save it."

He doesn't know yet who received his transplant because Be The Match upholds donor confidentiality guidelines. No recipient learns about their donor — and vice versa — until a year after the transplant.

"After one year post-transplant, either side can ask for the contact information for their donor or recipient," says Ms. Brajkovich of Be The Match. "If both of them want to, we exchange their information. Occasionally you come across people who don't want to know, but most of the time they get in contact."

Mr. Oppenheimer is unsure whether he'll meet his European recipient, but says the two might exchange letters or emails. Either way, he hopes to continue to help Be The Match, such as by his recent participation in the annual Legislative Day in Washington, D.C.

The Be The Match program, which started in 1987, has helped with more than 55,000 marrow transplants, the organization says. About 10.5 million people are registered through the Be The Match program in the U.S., says Ms. Brajkovich. About 930,000 of them are California residents. Although they have helped thousands of lives, Ms. Brajkovich says, it can be difficult to fund the program because it costs \$100 to register someone on the list.

"We write a lot of grants, we try to get corporate sponsorship," she says. "We have drives,

See **DONOR**, page 6

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# Local News

MENLO PARK | ATHERTON | WOODSIDE | PORTOLA VALLEY

## Woodside plans to address traffic congestion

By Dave Boyce  
Almanac Staff Writer

Congestion in Woodside's downtown parking lots and roadways will be the focus of an analysis this fall, with plans for two facilitated community discussions on the issue.

As a 30-member task force of community volunteers begins to examine the larger question of the current layout and evolution of the downtown area — essentially Woodside Road between Whiskey Hill and Canada roads — the Town Council on July 23 gave a green light to staff to hire a contractor to do parking and traffic studies.

The council agenda had included an item to solicit proposals from facilitators to organize three highly structured fall workshops intended to solicit community input and buy-in

on right-of-way and parking designs. The council opted instead to slow down and invite a broad spectrum of residents to two facilitated community discussions.

The discussions will be limited in scope, unlike the task force brainstorming sessions earlier in the year that led to controversial trial balloons such as a two-story parking garage. While it was just an idea, some residents wondered why it had come up at all and saw it as a threat to the town's "rural" character.

Brainstorming sessions encourage such ideas in the hope that workable ideas will emerge, Mayor Anne Kasten said. The challenge for these community meetings, she added, will be coming up with something useful from them.

Maybe the meetings should

**Town will hold community meetings on options for the downtown area.**

not start with a clean whiteboard, Councilman Tom Shanahan said. "I can see a lot of concerned citizens trying to protect the town from something we would never do." Most of Woodside's 2,000 households want to be left alone, he added, and big meetings can impinge on their peace of mind.

There are Woodside residents who want to interact with their neighbors and are in need of venues, Councilwoman Deborah Gordon said in response. "If you want to move to Atherton, terrific, but don't expect to know your neighbors."

ton, terrific, but don't expect to know your neighbors."

Merchants would like adequate parking and there are residents who want more downtown services, realities that complicate the path toward a solution, Councilman Dave Burow said. "I think it's a good discussion to have," he said. "We should go to great lengths to allow (broad) participation and synthesize that into something that allows us to go forward."

A key question: With physical changes to the downtown parking infrastructure not even under discussion much less proposed in actual drawings, what can be done now to better manage parking? Merchants have reported seeing potential customers drive away after failing to find a parking spot.

Already, Roberts Market downtown has staff monitoring its parking lots for recreational cyclists who drive in, park, get on their bikes and ride off, town staff said.

### Traffic jammed

For such a tiny downtown, Woodside appears to be unusually afflicted. Ms. Gordon lives in the area of lower Kings Mountain Road, works at Stanford University and commutes via Woodside Road. "It should not take me 45 minutes to get from my house to Stanford," she said. Weekday morning traffic is sometimes solid from the main intersection at Canada and Woodside roads east to Interstate 280, she said, and it's as bad on weekends trying to turn on to Woodside Road

See **WOODSIDE EXAMINES**, page 8

## DeGolia, Rugeiro may face off in council race

By Renee Batti  
Almanac News Editor

■ ATHERTON

Two residents who each came within one vote of taking a seat by appointment on the Atherton City Council earlier this month may be rivals on the November ballot: Rick DeGolia filed his candidate papers and John Rugeiro took out papers from the city clerk's office on Friday, July 26.

The council held a special meeting on July 11 in the hope of agreeing on a single candidate among those who applied to fill out the term of Jerry Carlson, who resigned on July 1. Instead, the council split down the middle in supporting two of the seven applicants: Mayor Elizabeth Lewis and Cary Wiest voted for Mr. DeGolia, and Jim Dobbie and Bill Widmer cast votes for Mr. Rugeiro.

The council then called for an election. Residents have until Friday, Aug. 9, to file candidate papers to run for the seat, which expires in December 2014.

Mr. DeGolia is vice chair of the Community Center Advisory Committee, established in January. He subsequently was

appointed chair of that group's library subcommittee. Those memberships represent his first forays into Atherton civic affairs. He told the Almanac earlier this month that he has focused on family, work, and service on nonprofit boards before becoming involved in town matters.

A business consultant and owner of DeGolia Associates, he was a business attorney and part-

ner in the law firm Wilson, Sonsini, Goodrich & Rosati in the 1980s and 1990s, according to his resume.

Mr. Rugeiro, a retired lieutenant with the San Francisco Police Department, has been a regular attendee of council meetings since 1982. He has served on the Transportation Committee for 10 years, and is its current vice-chair.

An Atherton resident since 1979, Mr. Rugeiro is a director of the Atherton Civic Interest League, a 25-year member of the Holbrook-Palmer Park Foundation, and a 20-year member of the Friends of the Atherton Library, according to his application. ■

**Residents have until Aug. 9 to file candidate papers to run for the seat.**



Photo by Michelle Le/The Almanac

Workers tear up the playing field at Hillview Middle School in Menlo Park in this July 11 photo.

## More problems at Hillview playing field

By Renee Batti  
Almanac News Editor

Despite hopes that the project would be completed before the Aug. 22 start of school, work to repair the new Hillview Middle School playing field will continue at least through August, with crews upping their efforts from six to seven days a week, according to a school district

official.

Ahmad Sheikholeslami, facilities director for the Menlo Park City School District, said last week that in addition to the problems originally found that necessitated a complete reconstruction of the month-old field, another construction flaw was discovered after repair work began in early July.

In addition, the project was further delayed because the general contractor replaced the subcontractor who installed the original field, he said.

Soon after the field was opened in March, the district discovered "irregularities" affecting its levelness. An analysis pinpointed improper

See **MORE PROBLEMS**, page 8

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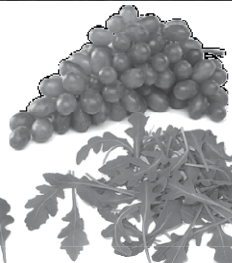
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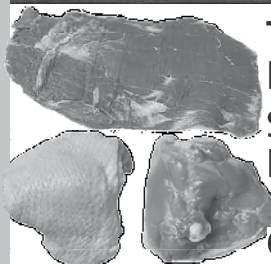


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**Eshoo votes to defund NSA phone program**

Congresswoman Anna Eshoo, D-Menlo Park, voted July 24 in favor of an amendment to the 2014 defense spending bill that would require the National Security Agency (NSA) to limit its information-gathering to subjects of national security investigations, rather than all Americans.

The amendment, which would have defunded the NSA's domestic phone meta-data program, failed by a vote of 205 to 217. The final tally was 94 Republicans and 111 Democrats in favor, and 134 Republicans and 83 Democrats opposed.

"It was never the intent of Congress in passing the Patriot Act to allow for a dragnet surveillance program that captures the communications of all Americans," said Rep. Eshoo, a former eight-year member of the House Intelligence Committee.

"I recognize that our counter-terrorism agencies need

investigative tools to keep us safe, but the (Obama) Administration's indiscriminate seizure of phone records unnecessarily tramples personal privacy and civil liberties," she said. "The critical balance between national security and the constitutional rights of the American people must always be honored."

The NSA's surveillance programs to collect massive amounts of Internet data and phone records are authorized under a section of the 2001 Patriot Act that allows the government to collect such information if it certifies to the Foreign Intelligence Surveillance Court that the records are "relevant" to a foreign intelligence or international terrorism investigation.

"My vote barring the NSA from engaging in blanket surveillance programs was aimed at reforming how the NSA carries out its responsibilities to protect our country, minus a massive dragnet," Rep. Eshoo said.

**DONOR**

*continued from page 3*

and everything from bake sales to people at work holding silent auctions or having lunches that you can pay money to attend. We have a Be The Match Walk and Run in San Jose every April. You name it, we've tried it."

Next year, as a senior at Yale, Mr. Oppenheimer will continue to lead the committee that holds the annual Mandi Schwartz bone-marrow registry drive in the spring. This year, the group

got about 850 people to register, and he says he only hopes that the Yale community will keep registering.

"It's very important for as many as people as possible to join the registry, mainly because the odds of being a match is so slim," he says. "Especially because it's so easy — it's just a cheek swab. You never know if you could be that person to save the life of a cancer patient."

Go to [bethematch.org](http://bethematch.org) for more information about the program. ■

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Photo by Michelle Le/The Almanac

## A new course

The project to modernize the 25-year-old golf course at Woodside's Menlo Country Club, shown in this July 19 photo, will include about 180,000 cubic yards of grading and about 63,000 cubic yards of added sand, a Planning Commission report says. The course at 2300 Woodside Road will keep its current footprint, but its holes will be rerouted and its drainage and irrigation systems, greens, tees and sand bunkers upgraded, according to club documents filed with the town. Fifty-three mature native trees will be felled, but 219 native trees are to be planted — 169 coast live oaks, 20 valley oaks and 30 redwoods.

## City employee arrested on theft charges

By Renee Batti  
Almanac News Editor

### ■ MENLO PARK

A longtime Menlo Park public works employee was arrested July 23 on suspicion of stealing about \$1,800 worth of fuel from city gas pumps during the last year and a half.

Juan Alvarez, 51, of Redwood City was booked into San Mateo County Jail on three felony charges, according to a news release from the Menlo Park Police

Department. He is charged with embezzlement by an employee, second-degree burglary, and grand theft, police say.

Mr. Alvarez has been a city employee for about 25 years and works in the department's tree maintenance division, according to Ruben Nino, assistant public works director.

The police began an investigation in April after being notified

by the public works department of suspicions that someone was stealing fuel from the city gas pumps at the corporation yard.

Mr. Alvarez has been released on bail; the case has been turned over to the District Attorney's Office for review.

Mr. Nino said the city can track an employee's use of fuel pumps through the key associated with the vehicle he or she uses. The key registers data, such as date and time of use, that then is stored in a computer database, he said. ■

## Portola Valley council election shaping up as a race

With three of the five seats on the Portola Valley Town Council up for election this year, four people, including two incumbents, have taken out candidate papers as of July 29.

One of them, incumbent John Richards, who is currently serving as mayor, has filed papers, Town Clerk Sharon Hanlon said.

With the third incumbent, Ted Driscoll, saying he's think-

ing seriously of not running, it's beginning to look like a race.

In addition to Mr. Richards, the three who have taken out papers are incumbent Councilwoman Maryann Moise Derwin, who would be running for a third four-year term; Craig Hughes, a member of the Architecture and Site Control Commission (ASCC) since 2009; and Judith Hasko, who chairs the

Trails and Paths Committee and was recently a member of the ad hoc committee that looked into the issue of state mandates requiring communities to plan for affordable housing.

Mr. Driscoll, who has served on the council for five terms (20 years), told the Almanac that he has a lot on his plate in his private life and is "strongly leaning toward not running again."

## One files, two pull papers in Menlo Park fire board race

Carolyn Clarke, who last year ran for a seat on the Menlo Park City Council, has pulled papers to run for the Menlo Park Fire Protection District board; current board president Stephen Nachtsheim said he is uncertain whether he will seek re-election.

With three seats open, incumbent Jack Nelson was the only

person who had filed candidate papers as of the Almanac's press time on Monday; incumbent Rex Ianson has taken out papers.

Although she has yet to file her papers, Ms. Clarke has publicly announced her intention to run and has established a website as she launches her campaign. She is a member

of the Menlo Park Housing Commission and serves on the city's Housing Element Steering Committee.

Mr. Nelson is serving out his first four-year term. He is the board's vice president. Mr. Ianson, a retired 36-year firefighter in the district, was elected to the board in 2005.

## REAL ESTATE Q&A

by Monica Corman



### Should I Hold My Property in a Trust?

**Dear Monica: I am buying a property and want to know if I should put this property in a revocable trust. What are the advantages of doing this? Richard J.**

Dear Richard: It is fairly common in California to hold title to a property in a revocable trust and there are advantages to doing so. First, while the owners who created the trust are alive, the trust can be changed at any time (it is revocable). But perhaps most importantly, if an owner (trustor) dies, the trustee or executor can sell the property

without going through probate, or through the Independent Administration of Estates Act. This gives the trustee the most flexibility. There is also the element of privacy; the terms of the trust are not public, which is advantageous to many.

Consult an attorney who specializes in Trust and Wills, and get legal advice about whether holding your property and other assets in trust is advantageous to you. Many property owners do this but you need to know if it suits your needs.

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## Grand jury: County misled public about its finances

The San Mateo County Civil Grand Jury issued a report July 22 that says the county did not publicly report the true condition of its finances when tax measures were voted on in the June 5 and Nov. 6, 2012, elections.

The report, "An Inconvenient Truth About The County's Structural Deficit," says that contrary to public perception, the county does not have a "structural deficit" when it counts all revenues it receives annually.

The grand jury says the county Board of Supervisors excluded Education Revenue Augmentations Funds when it calculated the so-called "structural deficit."

Visit [tinyurl.com/Grand-722](http://tinyurl.com/Grand-722) to see the grand jury report.

In a 785-word response, County Manager John Maltbie said the grand jury's conclusion — that the county is not fully accounting for its revenue — is "bizarre."

"Either the grand jury was uninformed or misinformed regarding the County's use of this funding source," Mr. Maltbie said. "Of course we'll never know because we'll never learn

about their deliberations."

Much of his response is a criticism of the secrecy of the grand jury, and the fact that its members are not required to submit financial disclosure statements, as public officials must, so the public can be aware of conflicts of interest.

At issue is the use of excess ERAF (Educational Revenue Augmentation Funds). Mr. Maltbie defines them this way: "In a

nutshell, the County and local cities get back some of their property tax revenue that is used by the state to meet its obligations to fund local schools when these revenues are in excess of the amount needed by the schools."

He said the county takes a conservative approach to budgeting uncertain funding sources, such as excess ERAF. The county budgets about half of what it expects to receive in excess ERAF, he said. The other half is used for reserves or other one-time purposes.

Visit [tinyurl.com/Grand-723](http://tinyurl.com/Grand-723) to see the text of Mr. Maltbie's response.

See guest opinions on Page 15.

## More problems with Hillview playing field

*continued from page 5*

drainage detail installation, and the use of incorrect base soil underneath the synthetic field, Mr. Sheikholeslami said.

The most recently discovered problem, he said last week, is the result of improper grading and leveling of the field's sub-base.

Superintendent Maurice Ghysels said earlier this month that the contractor, Richmond-based Overaa Construction, will be responsible for the repair costs.

But that doesn't mean the district might not be out of pocket to some degree because of the work deficiencies. Although the district is currently focusing on getting the job done, Mr. Sheikholeslami said, after the work is completed he will look at possible reimbursement for the cost of the district's extensive analysis of the field's problems and other ancillary costs associated with the project.

"We're tracking all costs," he said.

The school board in June approved an additional \$50,000 payment to the firm overseeing

the project, Concord-based RGM & Associates, which will continue its oversight. When asked why the firm should be paid additional money when the original work it oversaw was found to be seriously flawed, Mr. Sheikholeslami said that, with projects of this nature, "you can't always catch every little thing" as the work progresses.

Meanwhile, the district has notified the city of Menlo Park, which shares the field during non-school hours, about the field's delayed completion. The city will

have to adjust its after-school programs to compensate for Hillview field's unavailability for the first few weeks of school, Mr. Sheikholeslami said.

Last Friday, Mr. Sheikholeslami sent an announcement to neighbors of the Menlo Park school, saying that crews will be adding Sundays to their work schedule, with the goal of completing the project by Sept. 6.

Saturday and Sunday work hours are limited to 9 a.m. to 5 p.m., he said. Weekday work hours are 8 a.m. to 6 p.m. ■

The field won't be rebuilt before school reopens.



Stanford YIP

Rhett Ellison speaking to kids at a football clinic at Stanford that's part of the Youth Impact Program, which was founded by his father, former 49er Riki Ellison.

## Ellison teaches life skills to teens

By Sam Borsos

Special to the Almanac

Portola Valley native Rhett Ellison, who plays tight end and fullback for the Minnesota Vikings, mentored students this summer at the Stanford Youth Impact Program, designed to help low-income, urban-based minority male students with academics and life skills.

The program was founded in 2005 by his father, Riki Ellison, a former linebacker for the San Francisco 49ers and a former resident of Por-

tola Valley.

Rhett Ellison spoke to middle school male students (ages 10-14) about the importance of education, and using skills learned in football both on and off the field.

The program, which ran from July 8 to July 26 at Stanford University, provides classroom training and tutoring in English, math and life skills, as well as football clinics and fitness training. More than 100 kids participated.

"YIP is a tremendous program that goes far beyond

football and teaches life skills and values such as a strong work ethic, discipline and teamwork," Rhett says.

Both Rhett and his father Riki played football at the University of Southern California. Riki Ellison, who now lives in Washington, D.C., has been chairman of the Youth Impact Program since its start.

"Despite playing college football in Southern California and now professionally in Minnesota, the Bay Area is still my home," says Rhett. ■

## Woodside examines traffic, parking problems

*continued from page 5*

from Kings Mountain.

Ms. Kasten lives east of I-280 and the public library is just west of the Canada/Woodside intersection. "I am astounded as to how long it takes me to get to the library," she said.

With the improving economy, employment is up, as is construction traffic and activity in the Planning Department, Planning Director Jackie Young said. Referring to building permit activity, Ms. Young noted that the valuation of projects under construction or reconstruction is more than twice what it was a year ago. Total valuation over the 12 months previous to June 2012 was \$23.5 million compared with \$50.2 million as of June 2013.

### Public comment

At the sparsely attended council meeting, requests to go slowly came from resident Richard Draeger, co-owner of the Draeger's Supermarket chain. Mr. Draeger said he represents a group called the Alliance to Preserve Woodside, a grassroots organization that includes "dozens" of residents, many of whom live downtown.

The town should seek suggestions from the community, Mr. Draeger said. For example, restaurant customers could be allowed two hours of parking and other retail customers one hour, he said. "Sometimes, the folks that are living with the problem are the ones that propose the most creative solu-

tions," he said.

Instead of spending \$20,000 to \$30,000 on traffic and parking studies, town staff should do them, Mr. Draeger said. When reminded of the increased staff workload, Mr. Draeger replied that town management should press ahead anyway. "That's how we do it," he said.

Richard Ersted, an owner of commercial property in downtown Woodside, urged the council to hire consultants. "It's quite a bit of work. It's more than the staff can do," he said.

There are more people parking downtown and heading off to recreational activities such as biking, Mr. Ersted said. "I think that's worthy of measurement." ■



Photo by Michelle Le/The Almanac

**Portola Valley** locals Cyndi, left, and her daughter Stella Rose purchase agapanthus flowers from Julia Harper at the Farmageddon booth during the first Portola Valley farmers' market on June 13.

## Town extends life of farmers' market

By Dave Boyce  
Almanac Staff Writer

### ■ PORTOLA VALLEY

The Portola Valley Town Council has agreed that the new farmers' market at Town Center could continue to operate for another year, but did not agree that food trucks could be part of the weekly event.

After a six-week trial, the Town Council reviewed the market at its July 24 meeting. A staff report by Brandi de Garmeaux, the town's sustainability coordinator, documented the community's warm welcome to the market since its debut on June 13, and the council agreed unanimously to extend the market's permission to operate for another year.

The market is serving several purposes, Ms. de Garmeaux said in a staff report:

- The opportunity for socializing is helping to build a sense of community.

- With the town staffing its own table at the market, it is creating an interactive channel between residents and public institutions, including the library and volunteer organizations.

- The personal presence of farmers selling their produce helps explain the role of agriculture.

- The availability of locally grown organic produce advances the town's goals of becoming a community that is environmentally sustainable, meaning that today's residents meet their needs without harming opportunities for future residents to meet their own needs.

A step in that direction involves

how you get to the market, resident Danna Breen noted in recommending that people walk, bike or come by horse. "Anything, really, to cut down on car traffic, but really for the vibe of the whole thing that's going on there," Ms. Breen said.

Councilwoman Maryann Derwin compared the market favorably to the ways of French villages and called it "an antidote to things in Silicon Valley that are not friendly to community." She added that after her trips to the farmers' market, she will stop at Roberts Market and/or Bianchini's Market in Ladera to pick up other items. "It's keeping me in town," she said.

**Resident Danna Breen recommended that people come to the market by foot, bike or horse.**

As for prepared food, Ms. Derwin backed Ms. de Garmeaux's bid to invite food trucks or food carts so as to make Thursday night dinners easier and more sociable for families coming to the market. San Mateo County allows food carts to sell one of three items: hotdogs, tamales or empanadas, Ms. de Garmeaux said. But after some deliberation, the council deferred to the concerns of local merchants.

Management at Roberts Market and the Portola Cafe Deli, both about a mile and a half away, expressed opposition to

food trucks and carts, Ms. de Garmeaux said. While no one from either business attended the meeting, Ms. de Garmeaux's report elicited comments on their behalf.

An audience member reminded the room of the years Portola Valley was without a grocery store, a point not lost on the council.

"We went so long without a good market in town," said Mayor John Richards.

Roberts and the deli provide a community service in terms of their operating hours and the variety and quantity of what they sell, and they're paying taxes, Councilwoman Ann Wengert said. "They're very much a part of our community," she added. "We don't want to disadvantage them."

At the suggestion of council members Ted Driscoll and Jeff Aalfs, the council asked Town Manager Nick Pegueros to consider other events — star-gazing parties and model aircraft "flight nights," for example — as possible venues for food trucks. Mr. Pegueros will report back on Aug. 28 with his findings.

Another option he will be investigating: whether to extend the market's operations through the winter. The continuity of year-long operations is important to vendors, Ms. de Garmeaux said.

It was coincidental that food trucks were in the vicinity of Town Center for two recent farmers' markets. They were there in connection with free Thursday evening summer concerts. And they're likely to be around for another concert in late August. ■

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## Ex-probation chief guilty of possessing child-porn

A former San Mateo County probation chief was found guilty July 26 of possessing child pornography.

Stuart James Forrest, 61, was found guilty by a San Mateo County Superior Court jury of two counts of possession of child pornography.

He will be sentenced Sept. 20 and remains out of custody on \$100,000 bail, said Lynda Gledhill of the California Attorney General's office.

The case was turned over to the state attorney general's office due to the close working relationships Mr. Forrest had with county judges and the district attorney's office over his 30-plus year career in San Mateo County. Visiting Judge Robert Atack presided over the trial.

Mr. Forrest will be required to register as a sex offender as part of his sentencing.

The former probation chief was arrested in December 2012 after being named in a com-

plaint by the U.S. Postal Inspection Service that alleged he possessed hundreds of images of child pornography on his personal computer.

He was placed on formal administrative leave Dec. 21 and retired Dec. 31.

During the Redwood City trial, Mr. Forrest testified that he had collected the images and videos for the purpose of policy decisions and research into the rising onset of human trafficking.

When interviewed by police, Mr. Forrest had denied using his credit card to order videos of exploited young boys through Azov Films, for delivery to his Tracy home.

In court, he said he had denied the allegations because he was "shocked" that he was the target of an investigation, and acknowledged that he had ordered the film, but said it was for research into probation policy.

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NOTICE IS HEREBY GIVEN that a General Municipal Election will be held in the Town of Portola Valley on Tuesday, November 5, 2013, for the following officers:

**Council Seats:**

A member of the Town Council to fill the office now held by Maryann Moise Derwin for a full term of four years;

A member of the Town Council to fill the office now held by Edward C. "Ted" Driscoll for a full term of four years;

A member of the Town Council to fill the office now held by John Richards for a full term of four years;

If no one or only one person is nominated for an elective office, appointment to the elective office may be made as prescribed by Section 10229, Elections Code of the State of California.

**Ballot Measure:**

Do the People of the Town of Portola Valley adopt an ordinance that continues the reduction of the general purpose Utility Users Tax levied on telephone, gas, water and electricity, set forth in Chapter 3.32 of the Portola Valley Municipal Code, from 5.5% to 4.5% on the charges made for such utility services for a period of four years from July 1, 2014 through June 30, 2018?

Sharon Hanlon  
Portola Valley Town Clerk

July 25, 2013

## Boris Wolper, commercial real estate broker, dies

Boris Wolper of Woodside, a member of the Woodside Planning Commission for 13 years, died July 22 at the age of 89.

Born in San Francisco, Mr. Wolper graduated from Sequoia High School. He began college at the University of California at Berkeley, attended Ohio State University while serving in the U.S. Army during World War II, and earned bachelor's and MBA degrees from Stanford University.

For nearly 60 years, he was a commercial and industrial real estate broker.

He and his wife, Marilyn, attended a wide variety of sporting and cultural events, said family members. He attended every Stanford-Cal Big Game from

1942 to 2011, skied and played tennis for many years, and enjoyed annual trips to the Sierras with hiking buddies, they said. A lover of good food and wine, he was always eager to try new restaurants and recipes.

He is survived by his wife of 64 years, Marilyn; daughters Julie Brenner and Andrea Wolper; sister Malkah Carothers; and two grandchildren.

Donations in Mr. Wolper's name may be made to Music@Menlo, the Hebrew Free Loan Society, or Pathways Hospice Foundation.



Boris Wolper

## Fugitive arrested in drug case

Menlo Park police and FBI agents arrested on July 22 a 48-year-old Newark man who has been on the run from police in connection with a drug trafficking and weapons violation investigation.

John Sellers was booked into the San Mateo County jail that night, and the next day was taken to San Francisco and booked into the custody of the U.S. Marshals Service.

The Menlo Park police investigated Mr. Sellers in September 2012 when he was living in East Palo Alto, said Acting Commander Eric Cowans of the Menlo Park Police Department. At the time, Mr. Sellers was suspected of selling and distributing methamphetamine in Menlo Park and East Palo Alto.

The police got a search warrant for Mr. Sellers' home on

Glen Way in East Palo Alto in September 2012, but did not find Mr. Sellers there. Police said they discovered a shotgun and methamphetamine at the site.

Mr. Sellers had been on the run from law enforcement since November 2012, when he was indicted in federal court in San Francisco, and a no-bail warrant was issued.

On July 22, Menlo Park detectives and FBI agents spotted a man in Newark believed to be Mr. Sellers, riding as a passenger in a vehicle. They trailed the vehicle to a gas station in San Jose, where the vehicle stopped and his identify was confirmed by detectives, Mr. Cowans said.

Mr. Sellers, who was taken into custody without incident, was found to be in possession of methamphetamine, police said.

## Open space district opens new trail

The Midpeninsula Regional Open Space District has opened a one-half mile trail connecting the Skyline Trail/Bay Area Ridge Trail on California Water Service land to El Corte de Madera Creek Open Space Preserve.

The new trail connection provides a crossing over Highway 35 for hikers and equestrians who travel from San Mateo County's Wunderlich Park through Cal Water's land to El Corte de Madera preserve.

Named the Molder Trail, it

starts near the south end of the Sierra Morena Trail in El Corte de Madera preserve and connects to the Skyline Trail on Cal Water land at a point on Highway 35 between Skeggs Point and Wunderlich Park.

A Coastal Conservancy/Bay Area Ridge Trail grant helped fund construction of the trail. The section of trail on the Cal Water side of Highway 35 is for hikers and equestrians only due to limited-use restrictions on Cal Water land.

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■ POLICE CALLS

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

**LADERA**

**Residential burglary report:** Using a ladder, someone climbed into an upper-story unlocked bathroom window of a house on La Mesa Drive but apparently fled after hearing a burglar alarm, leaving the house having taken nothing from it, July 17.

**WOODSIDE**

**Residential burglary report:** The padlock on the gate was cut and several electronic and hand tools valued at over \$6,000 are missing from a locked storage box on a corner of a property on Mountain Home Road, July 18.

**PORTOLA VALLEY**

**Residential burglary report:** The owner of a vehicle parked in the 3000 block of Alpine Road claimed a total loss of \$720 after someone broke a window in the vehicle and stole several things from inside, July 20.

**WEST MENLO PARK**

**Residential burglary report:** Returning from a lunch break, two employees of a business in the 2000 block of Sand Hill Road discovered loss estimated at \$461, including a wallet missing from one office and cash that had been sitting on a desk missing from another, July 18.

**ATHERTON**

**Theft reports:**

■ Two bicycles are missing from an unlocked garage on Adam Way: a blue Kestrel carbon-fiber road bike with a value of \$7,500 and a silver full-suspension Pivot mountain bike valued at \$8,000, July 21.

■ Someone stole a toolbox, a Makita grinding tool, a DeWalt drill, sandpaper, trowels, levels and extension cords from a construction site on Walsh Road for a total loss estimated at \$2,160, July 22.

**MENLO PARK**

**Residential burglary reports:**

■ A safe containing \$30,000 in gold and jewelry is missing from a house on Henderson Avenue after someone kicked in a door to the resident's garage and entered the house, July 23.

■ A Rolex watch, a diamond ring, two gold rings and costume jewelry with a total value of about \$11,000 is missing from a house with an unlocked front door on Oak Avenue, July 25.

**Commercial burglary report:** Two people forced their way into Beltramo's Wines and Spirits at 1540 El Camino Real at about 4:30 a.m., stole 27 packs of cigarettes and fled on foot, managing to escape from police who had seen them leaving the store. The suspects discarded the cigarettes, which police recovered, and are believed to be involved with four burglaries in the area, July 23.

**Theft reports:**

■ Someone stole a watercolor painting with an estimated value of \$1,155 in an overnight theft from a vendor's booth in the 600 block of Santa Cruz Avenue at the Connoisseurs' Marketplace, July 21.

■ A woman bought three \$500 pre-paid money cards and provided the means of cashing them to a man claiming to be a police officer who said that she had to send him \$1,500 immediately or her husband would be arrested on tax evasion charges. Afterward, she called her husband and learned that she'd been scammed, July 22.

■ Police arrested a Redwood City woman on forgery charges after she made two purchases using counterfeit coupons at Safeway Supermarket at 525 El Camino Real, July 22.

**Stolen vehicle report:** A woman returned to a parking lot on Laurel Street to find her silver 2004 Volvo missing, along with the laptop computer, audio books, two pairs of sunglasses, reading glasses, climbing gear, a fleece jacket and \$40 in cash that were in the car. She told police that she was unsure whether she'd left the keys in the car, and that the value of the stolen items totaled \$2,490, July 25.

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July 29

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# Viewpoint

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

## Atherton parcel tax a political football

Every four years Atherton ties itself in knots when first discussing, and then voting on, whether to renew the \$750 parcel tax, which is one way the city makes up for having almost no income from sales tax.

The town has no commercial zoning, so Atherton residents should have learned by now that some expenses, like an extremely expensive police force, could not be funded without the parcel tax. And truth be told, given the assessments of most Atherton homes in today's overheated real estate market, many residents consider the \$750 a year a bargain.

So when the City Council met to discuss renewing the tax and putting it before voters this November, it was not considered a controversial item. The council had to like the \$1.86 million that the tax would raise for police services and public works, and during a July 17 meeting, agreed to put the issue before voters in November, when a replacement for departing council member Jerry Carlson will be selected. But there was a catch: The parcel tax rates agreed to that night would hit the Menlo Circus Club with a 150 percent increase, while rates for all other properties would remain the same. There was no advance notice to the Circus Club that its annual tax bill could shoot up from \$10,000 to \$25,000.

After failing to muster support from fellow council members to impose a flat tax on every parcel, including smaller lots, member Jim Dobbie suggested an increase for the Circus Club. When the council was ready to vote, Bill Widmer moved to increase the club's tax, convincing Mayor Elizabeth Lewis and member Cary Wiest to sup-

port the increase. After Circus Club supporters and other residents cried foul after the meeting, Ms. Lewis called for reconsideration, so there will be another vote on the tax at an Aug. 7 study session.

Given that the council must act before Aug. 9 to get something on the November ballot, which takes away the opportunity to hold a public hearing on the proposed increase, we strongly urge the council to back off and approve ballot language that will renew the current tax assessments. It simply is not fair or good policy to impose a 150 percent tax increase for the Circus Club without discussion and without notice to the club, when no other properties are facing an increase.

Passage or defeat of the parcel tax also will have a bearing on whether the town can continue to support the police department, whose officers are negotiating a new contract this year. If the tax is defeated, it would severely crimp the town's budget and its ability to fund police officer compensation at the current level, let alone a pay increase.

Mayor Lewis and Mr. Wiest, who were actively endorsed by the police officers association in the last election, almost certainly will move to drop the tax increase on the Circus Club to avoid having club members work against its passage. The big question is whether three of the four council members can agree to drop the Circus Club assessment. If neither Mr. Widmer nor Mr. Dobbie changes his mind, the parcel tax will go on the ballot with a \$15,000 increase for the Circus Club in place. If the club's members rebel and work to defeat the tax, Atherton could find itself missing \$1.86 million over the next four years.

**EDITORIAL**

The opinion of The Almanac



Daniel and John Beltramo/Menlo Park Historical Association

### Our Regional Heritage

During the 1930s, Beltramo's liquor store on El Camino Real in Menlo Park was a town landmark. In photo are Mrs. Alexander Beltramo with sons John and Dan.

# Sparks fly as county manager, jurors disagree on report

## *No secrecy involved in grand juries, former forepersons say*

By Virginia Chang Kiraly

If San Mateo County Manager John Maltbie fully understood the role of the civil grand jury and why and how it functions, then he would not be so quick to criticize and conclude that there is a “cloak of secrecy surrounding the civil grand jury.” Instead, he should welcome aid in ensuring good government, which is precisely why the California Civil Grand Jury system exists.

As former forepersons of the county civil grand jury, it was disheartening to read the county manager’s wrong and misinformed statements. They were particularly perplexing considering he has been the county manager for many years and, thus, should be familiar with why the California civil grand jury exists, the critical role it plays to ensure good government, and the processes used to help the grand jury function as a citizens’ watchdog group.

Grand juries have existed in California for more than 150 years since the adoption of the original state constitution in 1849-50. Section 23 of Article 1 of the constitution requires that a grand jury “be drawn and summoned at least once a year in each county.” Each grand jury is under the supervision of a local California Superior Court judge in all 58 counties. Throughout its one-year term of office, the civil grand jury receives advice and counsel from attorneys within the county counsel’s office about matters concerning investigations and drafting of final reports. The county counsel’s office and the presiding grand jury judge review

every final report to ensure it meets statutory standards prior to release.

The county manager is correct that the 58 civil grand juries can be “one of the most potentially powerful civil institutions in California.” However, he is wrong by saying that the civil grand jury is “cloaked in a veil of secrecy.” Grand jurors are subject to the rules of the court and are sworn to confidentiality. If confidentiality is breached, they can be held in contempt of court. Just because the county manager does not control or like the rules of the court does not mean the grand jury is a discredited and ineffective body. In fact, the opposite is true. The court rules by which the grand jury abides enable and empower it to do its best work, without the bullying voice, political agenda, heavy hand, or arm-twisting of government officials — elected or employed.

Many people wonder how one is selected to be on the civil grand jury. To be clear, grand jurors are not “chosen in secret,” as incorrectly stated by the county manager. In fact, nothing could be further from the truth. Notices to county residents are publicized in newspapers, inviting people to apply. Residents are also recommended by elected officeholders or contact the court on

their own for an application. Once applications are completed and turned into the grand jury clerk, the presiding judge of grand jury interviews each prospective juror, helping him/her to understand what the expectations and time commitments are. The final step in the selection process is a summons issued by the court to those who have applied for a random drawing of names in the judge’s courtroom.

This final step is similar to jury selection in a civil or criminal trial and is open to anyone who cares to attend. During this random drawing, up to 19 applicants are chosen to serve for a one-year term on the civil grand jury. A transcript of the entire proceeding, which includes the names of the grand jurors, is filed with the Superior Court of San Mateo County. The civil grand jury foreperson is chosen by the presiding grand jury judge at the time the jury is formed. To claim that the civil grand jury is “chosen in secret” is wrong and misleading.

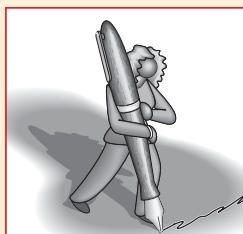
Once the grand jury completes its investigation, it documents the relevant data and facts it has collected and publishes them along with its recommendations. Written responses are then required from the government agencies

that were the subject of grand jury recommendations. If the county manager is unhappy with a report or disagrees with its findings, he may simply respond with his version of the facts. That response is filed and publicized on the Internet along with the grand jury report.

So, why do we serve? We serve because we believe in furthering good government. There is no more a “culture of secrecy” as the county manager alleges than exists with respect to any function of local government itself. The grand jury protects the confidentiality of those whom we interview as statutorily mandated to avoid a chilling effect. Our reports are available to all on the Superior Court website: [http://www.sanmateocourt.org/court\\_divisions/grand\\_jury/](http://www.sanmateocourt.org/court_divisions/grand_jury/).

Public agencies and elected officeholders may not like what they hear or read, especially when there is a hard, honest look at how improvements must be made to ensure good government. However, that does not justify an uneducated and incorrect depiction of civil grand juries as “cloaked in secrecy,” especially by a county manager who should know better. Civil grand juries are beholden to the people — not to elected bodies, government employees, or public agencies.

*Here are the six former forepersons of county grand juries who took part in this response. It was submitted by Ms. Kiraly. Julia Yaffee (2003-04); Gerald Yaffee (2007-08); Virginia Chang Kiraly (2008-09); William Blodgett (2009-10); Raymond W. Basso (2010-11); Bruce E. MacMillan (2011-12).*



### PRO/CON

*After release of a Civil Grand Jury report critical of the county’s budgeting process, County Manager John L. Maltbie issued a blistering response. Six former grand jury forepersons disagree with Mr. Maltbie, and set out their case.*

## *County manager takes strong exception to jurors’ conclusions*

By John L. Maltbie

The 21st century allows everyone with an Internet connection or a smart phone to access thousands of public records and voice an opinion. Have a strong feeling about a local issue? Tweet it, Facebook it or Pin it. We’ll get it.

Online access builds upon long-established laws and codes governing open meetings and open data. The Brown Act requires that the public’s business be done in public. The California Public Records Act and the federal Freedom of Information Act give you the right to access information about your local, state and federal governments.

State law requires that every candidate for elected office and holders of key positions complete and file publicly available disclosure statements with investments, sources of income, property holdings and other information. Openness and transparency are the foundations of democracy.

So you might be surprised to learn that one of the most potentially powerful civil institutions in California is cloaked in a veil of secrecy: the civil grand jury. The civil grand jury consists of 19 men and women who look into the functions of local government and, ideally, root out inefficiency or corruption. Yet they

perform this watchdog function behind solidly closed doors. They are chosen in secret, meet in secret, question witnesses in secret, deliberate in secret. This culture of secrecy undermines the grand jury’s credibility and effectiveness.

In its most recent report on the county’s use of excess educational revenue augmentation funds (ERAF), the grand jury demonstrates an abysmal lack of understanding of the principles and practices of budgeting and financial management. Either the grand jury was uninformed or misinformed regarding the county’s use of this funding source. Of course we’ll never know because we’ll never learn about their deliberations.

What’s the issue? The grand jury criticized the county’s budgeting practices, coming to the bizarre conclusion that the county is somehow not fully accounting for all revenue.

Had the grand jury taken the time to read its own 2012 fiscal year audit report it would have discovered 10 separate references to the use of excess ERAF as well as a separate paragraph in the controller’s accompanying message. The issue has been thoroughly discussed at meetings of the Board of Supervisors (archived online by video and text) and is a matter of public

record which the grand jury was free to peruse had they chosen to do so.

(What is excess ERAF? In a nutshell, the county and local cities get back some of their property tax revenue that is used by the state to meet its obligation to fund local schools when these revenues are in excess of the amount needed by the schools.)

These additional funds are called excess ERAF. As property tax revenue and schools’ needs change from year to year, the county budgets about half of what it expects to receive in excess ERAF. The other half is used for reserves or other one-time purposes.

The grand jury can provide a valuable service in the investigation of government operations. To be effective the grand jury must conduct itself and produce reports that are professional, accurate and fair. To gauge these things the public should know something about the grand jury and its business. At a minimum the applications for grand juror should be made public — the public has a right to know who’s conducting business on behalf of the public.

Like office holders and key officials, grand jurors should be required to fill out financial disclosure forms and a

conflict-of-interest statement. How else is the public going to know if conclusions reached by the grand jury are a result of biases or even the financial interests of certain jurors?

The grand jury does not need a cloak of secrecy to conduct its work. Both the Congress of the United States and the California State Legislature have investigative functions yet they manage to conduct their business in public. Criminal grand juries issue a transcript — and it deals with the very freedom of individuals, not accounting functions.

San Mateo County is one of only two of California’s 58 counties with AAA credit ratings from the nation’s two largest ratings firms. Our controller and Office of Budget and Performance have received numerous awards for excellence in financial reporting. We take a conservative approach to budgeting uncertain funding sources, and few sources are more uncertain than excess ERAF. In fact the governor’s budget could strip San Mateo County of tens of millions of dollars in excess ERAF in its latest budget.

Good thing we didn’t budget all of it.

*John L. Maltbie is county manager of San Mateo County. He issued this response July 22.*

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