Who’s to blame for delays, strife over tangled library project?

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Gay-marriage backers hail court ruling

Santa Clara County awaits guidance before issuing licenses to gay couples
by Chris Kenrick

Backing of same-sex marriage celebrated Wednesday’s U.S. Supreme Court rulings clearing the way for issuance of marriage licenses to gay couples in California.

But it could be days or weeks — probably at least 25 days — before the legal dust settles and gay marriages resume here.

In separate decisions, the high court ruled unconstitutional the Defense of Marriage Act’s denial of federal benefits to married same-sex couples and said defenders of a proposition that prohibited same-sex couples and said defenders of a proposition that prohibited same-sex couples from receiving federal benefits to married same-sex couples.

Gov. Jerry Brown said the effect of the ruling is that the 2010 federal district court’s decision that Proposition 8 is unconstitutional is left intact and that the proposition cannot be enforced.

California Attorney General Kamala Harris said all 58 counties in the state must now recognize the right of same-sex couples to legally marry. Harris asked the Ninth Circuit Court of Appeals to lift its stay on the 2010 district-court ruling and allow same-sex marriages to take place.

It was speculated that the Ninth Circuit would wait 25 days to lift its stay on the 2010 ruling by U.S. District Judge Vaughn Walker — the period in which petitioners technically can seek a rehearing before the Supreme Court.

In Palo Alto, the Rev. Amy Zuckerman Morgenstern of the Unitarian Universalist Church had promised to offer free weddings for one day should the court rule against Proposition 8. Morgenstern is out of the country.

(continued on page 15)

LAND USE

Ohio ‘shared campus’ could be model for Palo Alto
Advisory group says joint use could be solution for Cubberley
by Chris Kenrick

A new public high school that shares the 35-acre Cubberley Community Center with child care centers, dance studios and other local organizations was the vision painted recently by a community advisory committee on the future of the south Palo Alto facility.

While not common, such joint school-city arrangements can be found in communities around the nation, with some planners touting the collaborations as the answer to land scarcity, tight budgets and desire for multi-generational public spaces.

In Wadsworth, Ohio, 40 miles south of Cleveland, a 1,629-student high school and 750-student middle school share a 95-acre parcel with a senior center and café, a community television studio, a recreation center managed by the YMCA and doctors’ offices.

Across the bay in Emeryville, plans are underway for a 7.6-acre “center for community life” that will house 750 students in grades K-12 and an array of community services including a library, health and family-support services, job training and recreation opportunities.

Such a scenario at Cubberley is far from reality, but planning for shared city-school use in the future was a central recommendation of the Cubberley Community Advisory Committee, which issued its findings in March.

The report — the city’s payment of $7 million a year to the school district to lease the aging campus as a community center — is no longer feasible.

(continued on page 10)

CITY BUDGET

Retiring firefighters, officers lead county in disability claims
Grand Jury report finds that more than half of the city’s public-safety officers filed for “industrial disability retirement”
by Gennady Sheyner

More than half of Palo Alto’s police officers and firefighters retired with disability benefits over the past five years, a rate that is far higher than in any other surveyed jurisdiction in Santa Clara County and that is almost double the county average, according to a report released Thursday by the county’s Civil Grand Jury.

The Grand Jury report was prompted by a 2011 finding by the City of San Jose Auditor that a higher-than-average number of public-safety workers in San Jose had retired with job-related disabilities. Since then, the Grand Jury surveyed 12 agencies, including the county itself, and determined that overall about 27 percent of all public-safety retirements in the county “have been granted as retirements with a job-related disability.”

Palo Alto had by far the highest rate, with 51 percent of public-safety workers claiming disability when retiring.

The cost impact of “industrial disability retirements,” a term used to describe retirements due to job-related disabilities, varies widely from one jurisdiction to another, according to the Grand Jury, which used questionnaires and follow-up interviews to arrive at its findings.

(continued on page 15)
The City Council’s action establishes a bad land use precedent and abandons the City’s promise to preserve single family neighborhoods. We support affordable senior housing for people with disabilities. To request accommodations to access City facilities, please contact the Planning Department at (650) 329-2441. The files relating to the Planning and Transportation Commission meeting will be provided and the California Environmental Quality Act (CEQA) process for EIRs will be described for the public’s understanding. *Quasi Judicial*

Questions. For any questions regarding the above items, please contact the Planning Department at (650) 329-2441. The files relating to these items are available for inspection weekdays between the hours of 8:00 AM to 5:00 PM. This public meeting is televised on Government Access Channel 26.

ADA. The City of Palo Alto does not discriminate against individuals with disabilities. To request accommodations to access City facilities, services or programs, please participate at public meetings, or to learn more about the City’s compliance with the Americans with Disabilities Act of 1990 (ADA), please contact the City’s ADA Coordinator at 650.326.2550 (voice) or ec-friendly, unique, eye-catching, and above all, affordable. One thing they don’t want to be is just another bridge. Another thing they don’t want, in the words of City Councilman Pat Baggett, is a “Bridge Mini-me.” But these restrictions notwithstanding, council members signaled Monday, June 24, that they would like to see a wider-than-usual range of design options for the bridge that will span U.S. Highway 101 at Adobe Creek and agreed to launch a design competition. “We are appreciating the wealth of creativity that the competition will hopefully spur,” council members stressed the need for reasonable criteria that would both be consistent with the city’s values and keep the project within the budget. “I don’t want someone to design a great bridge that will cost $100 million,” Councilman Larry Klein said. But others also indicated that they would like the new bridge to be a visible landmark and an attractive destination. Councilwoman Liz Kniss, who as former Santa Clara County supervisor had a leading role in getting the city a $44 million county grant, pointed to Cupertino’s cable-stayed Mary Avenue bike bridge, which spans Interstate 280 and lights up at night. “It’s a very pretty look,” Kniss said while a photo of the lit-up bridge was projected on the screen in the Chambers. “It’s rather elegant. I think of us as a rather elegant city. We should have that kind of bridge.”

**DOGGED BY DITHERING ...**

When Palo Alto officials and voters approved the construction of an underground reservoir at El Camino Park in 2007, their focus was on emergency preparations, not dog parks or walking trails. But now, six years later, as plans for the park are continuing to evolve, and evolve, and evolve. Over the past two years, ever since construction of the reservoir kicked off, the City Council has been making fresh revisions of the project, directing staff to look for ways to add a dog park and to consider a location for a historic building that needs to be relocated. Finally, the city council is getting impatient and is urging the city staff to make a final decision on the park design soon. If the council wants to proceed with placing the building and the dog park at El Camino Park, it will need a direction by August 12, a new report from the Community Services Department states. The park is currently scheduled to reopen to the public in July 2015.
New golf course to uproot 500 trees in the Baylands

Renovation of Palo Alto Municipal Golf Course gets support from planning commission, despite concerns over trees

by Gennady Sheyner

A dramatic overhaul of Palo Alto’s golf course in the Baylands scored a victory from the city Wednesday night when the city’s planning commissioners gave the project a nod of endorsement despite concerns about a proposed gym at the golf-course site and the planned removal of 500 trees.

The latter concern was also a subject of many comments at Tuesday night’s “open house” meeting on the golf-course renovation, according to Shilpa Trisal, the city’s environmental consultant for the project. Both meetings were held to give residents and city officials an opportunity to comment on the Draft Environmental Impact Report for the renovation of the Palo Alto Municipal Golf Course — a project that is spearheaded by the San Francisquito Creek Joint Powers Authority.

The Planning and Transportation Commission voted 6-0 on Wednesday to approve the site and design for the project, which in addition to rearranging the entire course (giving it what city officials describe as the “Wow!” factor) would also add three athletic fields to the current golf-course site. Most crucially, the project would allow the creek authority to relocate an old levee, thereby bolstering flood control at the vulnerable downstream area between U.S. Highway 101 and the San Francisco Bay. The area, which includes portions of Palo Alto and East Palo Alto, was severely flooded during a February 1998 storm.

Commissioners found much to like about the project, most notably all the redesign suggestions that will be made to the course to emphasize its Baylands location. But they were less pleased with the tree removal, which course designer Forrest Richardson said is necessary to make the redesign work.

Richardson said the project team had identified “iconic trees” — those that would fit the design and were in good health — and integrated about 80 percent of them into the finished design. These included a stone pine, which does well in salt soil, and a large eucalyptus tree. But most trees are in poor condition, he said. The designers used the city’s tree survey as a guide.

“A great percentage of trees are in very poor health and very marginal; some have died since the survey was completed,” Richardson said.

“You’re not going to be able to fill the site and preserve all the trees there,” Richardson said.

Tree health isn’t the only reason. Availability of space is another one. The golf course will be reduced from 170 to 156 acres and three playing fields created. In addition, the city is reserving some space for a potential gymnasium — a design element that is unfunded and that was particularly unpopular among planning commissioners.

Walter Passmore, the city’s urban forester, said staff had considered transplanting the trees to another site, but an analysis determined that they would have a very small chance of surviving the operation, which would require between 75 percent and 90 percent of the trees’ roots to be severed.

“We think the potential to transplant the trees and have them thrive in the new location is not very good,” Passmore said.

“This doesn’t mean we couldn’t continue to evaluate that, but at this point we don’t think it’s a very efficient option for us.”

The city is, however, committed to planting new trees in other, more suitable locations around town, said Rob de Geus, assistant director of the Community Services Department. Moreover, while staff is concerned about the tree removals, it is also excited about the ecological restoration that is part of the project, de Geus said.

The flood-control project will add over 50 acres of natural Bayland. The managed-turf area would be reduced by about four percent, from 135 acres to 81 acres. In addition, the lost canopy would be replaced fully within 10 years because of a partnership between the city and nonprofit groups Canopy, Acterra and Magic. Some of these trees would be planted at the golf course, de Geus said. “Others in areas where trees do much better and are more appropriate, like the Foothills.”

The explanation largely satisfied the commission, which approved the site and design after many questions but little debate. The commission’s resident golf aficionado, Vice Chair Mark Michael, urged staff and the designers to think creatively about using trees as design elements on the course. Michael recited a catalog of notable golf-course trees, including the cypress on the 18th hole at Pebble Beach and the “majestic oak trees” near the 13th hole at Stanford’s golf course. These trees make the courses more challenging and more interesting, Michael said.

“It isn’t so much the quantity of trees but the quality of trees and where they’re placed,” Michael said.

“It obviously won’t be a forested area — it’s seaside, bayside links — but you can do some really interesting things when you put trees in places that create both scenic interest and maybe some challenge.”

Trees were just one area of concern. Commissioners were far from enthusiastic about the proposed new gym in the Baylands. Alex Panelli was particularly vehement in his opposition to the facility.

“I think it has no place there in the Baylands,” Panelli said, noting that the area is zoned for open space. “I just can’t get my head around that.”

Commission Chair Eduardo Martinez and Commissioner Arthur Keller shared his concerns, with Martinez arguing that the gym would not be in compliance with the city’s land-use bible, the Comprehensive Plan, and urging staff to look at locations closer to neighborhoods and transit points.

The city said, “should be looking for a location closer to where the children and families go for basketball or any other type of indoor sports.” Overall, though, he said he supports the project.

“And I want it to go forward so we can all be out there watching the vice chair play golf on Saturday,” Martinez said.

Staff Writer Gennady Sheyner can be emailed at gsheyner@paweekly.com.

COMMUNITY

Twenty-one teams to compete in 32nd Annual Chili Cook-off

This year’s festival in Palo Alto features four vegetarian chilies, live music and activities

by Elena Kadvany

On Independence Day next week, 21 teams will gather for the Palo Alto’s 32nd Annual Summer Festival and Chili Cook-off, competing for the title of Best Chili in the City.

This year’s cook-off features competitors old and new, and features the participant Lounge Lizard to newbie Morocco’s Restaurant in Mountain View.

Craig Barney, a Lounge Lizard team member who said he’s been participating for about 20 years, is a chili purist.

“We have kept pretty much the same recipe for the last 10-plus years,” he said. “We do not use any beans. We feel that’s not appropriate for a good chili.”

However, Barney recalled the days when Palo Alto’s Chili Cook-off was a nationally sanctioned competition and observed International Chili Society rules that prohibit the use of beans. The city allowed beans after the required number of gallons of chili cooked increased exponentially — and with it, the costs. Beans help reduce expenses and can stretch chili across more gallons, Barney explained.

“What’s wrong with using beans in chili?” he asked. “It just not proper,” he said.

“Chili is meat, seasonings and tomatoes.”

Lounge Lizard’s chili is made from Mexican chilies; this year, the team found ones they were searching for in Watsonville. Team members tasted the chilies every year before the competition and make a seasoning mixture accordingly, to find “the right balance of flavor and heat,” Barney said.

The rest of the ingredients are beef, pork, onions and tomatoes, Barney said they will be making 15 gallons of the competition.

Jay Essadki, co-owner of Morocco’s Restaurant, said his team will be competing with two chilies, one beef and one vegetarian.

For meat-lovers, the restaurant’s Moroccan spice kefta chili is made with spiced ground beef and roasted pepper paste.

Essadki is confident about both of Morocco’s chili creations.

“We’re very excited to do this and get involved with the Chili Cook-off,” he said. “We look forward to winning.”

Another first-year team, Chill Out, plans a major departure from the competition.

“I wouldn’t divulge too many details, but with the name Chill Out, you can guess the temperature it’s served at,” team member Mark VanZanten said.

Chill Out’s chili is also vegetarian. VanZanten, whose family has lived in Barron Park for many years, said that the Barron Park Neighborhood Association has agreed to off-set some of the team’s chili costs.

The Palo Alto fire and police departments will sponsor Chill Out on July 4, as well as a team of Palo Alto Police Explorers (young men and women interested in law enforcement) under the name The Constabulary.

Awards will be presented for best booth, best spirit and best chili in two divisions: corporate and open.

Barney said Lounge Lizard has always decorated its booth in ‘70s-nightclub style with a disco ball and lights, but this year is going for a 1980s feel. He also has a costume in the works, he said.

There will also be live music by a Caribbean jazz and reggae band called Pan Eddy, art activities from the Palo Alto Art Center and the business C Is For Craft, a jumpy house, balloon artist and more.

Tasting kits will be available for purchase. Admission is free. ■

Editorial Assistant Elena Kadvany can be emailed at ekadvany@paweekly.com.

www.PaloAltoOnline.com • Palo Alto Weekly • June 28, 2013 • Page 5
Palo Alto on Monday night overhauled the salaries of more than 200 city workers, though for more than 40 of them the pay increase arrives as a bittersweet treat.

The City Council voted 7-0 on Monday to change the compensation schedule of its “managers and professional” group — the only major labor group not represented by a union. The goal of the exercise is to bring local compensation levels closer to those in comparable cities, thereby keeping the city competitive in recruiting and retaining top talent. City Manager James Keene and Chief People Officer Kathryn Shen said. Mayor Greg Simpson, who followed, said. “I think it’s really imperative for the retention of our talented workforce — our managers and professionals — to adopt the new plans,” Shen said.

Minutes later, in an unusual move, the council voted to approve a new contract with a 3 percent salary increase on the Utilities Managers and Professionals Association of Palo Alto, which includes 43 managers and administrative staff of the Utilities Department. The Monday vote came after a two-year negotiation process reached a dead end on April 30 with the union rejecting the city’s “best, last and final offer” and declared an impasse.

While the new contract wasn’t what the relatively new utilities union, formed in 2011, had hoped for during negotiations, the conditions imposed by the council included a 3 percent salary increase. The resolution also includes benefit concessions, namely a greater share of pension covered by the employees (it will go from 2 percent currently paid to either 7 or 8 percent, depending on which formula the employee is enrolled in) and a 10 percent cut in health care costs, which the city had traditionally picked up in its entirety. Other labor groups had agreed to similar concessions in recent years, in some cases after protracted negotiations.

This wasn’t Palo Alto’s first recent foray into contract imposition; in 2009, as the economy tanked and local revenues dropped, the city declared an impasse with its largest union, the Service Employees International Union, Local 521. The union, which represents about half the city’s workforce, rejected the city’s terms, which included benefit concessions.

What was different about Monday’s imposition is that the city’s vote to impose the new contract also included a 3 percent raise. And far from saving the city’s money, it will actually cost an extra $448,432, according to an agreement reached between Palo Alto and its managers and professionals association.

According to a report from the Human Resources Department, talks between the city and the union fell apart over “management rights” provisions, which give the city unilateral rights to contract out services, determine work schedules and allow the city to wholly change the philosophy or culture of any contract. The new contract also includes an “at-will provision” for all new managers, which gives the city the ability to ask workers to resign at any time with no cause.

Keene pointed out the unusual nature of imposing a contract with a salary increase but recommended making the change because “it’s the right thing to do, even though we couldn’t get an agreement with both sides.”

“We think it is important to move ahead and try to ensure that our utility managers are more competitive in the market place,” Keene said.

Immediately after imposing the contract on the utilities union, the council voted 7-0 to sign a new agreement with the seven-member police union, the Police Officers’ Association, another recently formed union that broke off from the broader managers and professionals group in the aftermath of the economic downturn. Like the utilities contract, the city’s agreement with the police includes a 3 percent raise and employee concessions on pension and medical care.

But the most significant vote of the night involved the compensation schedule for the entire man- agers-and-professionals group. The change followed years of analysis — an effort that preceded Keene’s hiring in 2008. Calling it a “long and winding road,” Keene said the changes are necessary to both keep the city competitive and to “promote more internal equity between jobs in the city.” The new salaries are based on a study by the firm Koff and Associates, which surveyed 14 comparable cities, including Mountain View, Sunnyvale and Redwood City, and compared the compensation levels in those cities with Palo Alto’s, position by position.

The overhaul ensures that the salary of every Palo Alto manager falls within 20 percent of the median salaries. While it was emphasized on Monday that this does not mean every position gets a higher salary, managers have far more to gain from saving the city’s money, it will not see them go up. But those whose salaries are more than 20 percent above the median will not see them drop. According to a staff report, they will “not imme- diately grant the increases and will not be eligible for merit increases and general increases” until they are within the market salary range.

The council had discussed the salary adjustments in May and decided then to refer the subject to its Finance Committee for further analysis. The council recommitted approving the overhaul, a suggestion that the full council swiftly adopted Monday.

In some ways, the new salary schedule doesn’t tell the full story. Based on 2011 data, it does not include in its calculation the total compensation levels city employees receive today, a key point given that every labor group has been recently asked to make concessions on pensions and medical costs. Councilman Pat Burt, who chairs the Finance Committee, and Councilman Greg Schmid both emphasized the importance of considering the full compensation package rather than just salaries. The Finance Commit- tee had recommended an update to the salary study with consideration of benefits within 18 months.

Given the prior discussions, the council approved the increases Monday with little debate. Council members generally concurred with Keene’s argument about the need to be competitive.

The city’s was equitably assured, though far less cheerful, when it voted to approve the contract with the utilities union. Vice Mayor Nancy Shepherd, who was elected in 2009, noted that the city has been discussing compensation changes with the utilities union for several years. She said that would be “the right thing to do, even though we couldn’t get an agreement with both sides.”

Shepherd said. “I think we’re doing this for the right reasons. It’s just sad we’re having to do this with this particular group of employees.”

Burt concurred with Keene’s assessment that it’s odd to have an impasse “where we’re actually granting some fairly significant salary increases.”

“But they are clearly needed to be able to compete in a market where we’ve been losing critical employees,” Burt said. “That’s the reality of the market these days.”

Cancer-free Palo Altans sought for decades-long study

American Cancer Society research to look for genetic, lifestyle causes

by Sue Dremann

The American Cancer Society is seeking Palo Alto residents and others from San Mateo and Santa Clara counties for a national study on environmental, genetic and lifestyle links to cancer.

The Cancer Prevention Study-3 will track 300,000 people in the U.S. and Puerto Rico for the next 20 to 30 years. It is the Cancer Society’s third large national study. The first examined the link between lung cancer and tobacco use, and the second studied the role of diet and lack of exercise in causing cancer.

The Cancer Society needs 1,225 volunteers from Santa Clara County and 500 from San Mateo County who are ages 30 to 69. From various racial and ethnic backgrounds and who have never had cancer, excluding basal- or squamous-cell skin cancers. The goal is to have minorities account for at least 25 percent of the participants, said Angie Carrillo, corporate communications director of the American Cancer Society’s California division.

Participants will be asked for a blood sample, to provide a waist circumference measurement and must be willing to complete periodic follow-up surveys at home for the next two to three decades.

Study participants will be able to enroll at the Palo Alto Medical Foundation, where a certified phlebotomist will take the blood samples. “It’s highly worthwhile commitment,” said Cynthia Greaves, the medical foundation’s manager of public affairs. “The value is extraordinary.” This study could delve into the progression of cancer through genetics, nutrition, hormones and other factors that can be measured through a blood sample.

American Cancer Society research has made significant contributions toward identifying cancer causes, Greaves said.

Its first study, known as the Hammond-Horn studies, took place between 1959 to 1972 and involved approximately 1 million men and women, looking at what they were exposed to, including tobacco. The second study, funded by the National Cancer Institute since 1982 and is following 1.2 million people to determine causes of death and examine environmental factors and lifestyle. About 185,000 participants from the same research group are also participating in a related study, which began in 1992, of how diet affects cancer risk.

According to the Cancer Society, the previous studies have demonstrated: a link between cigarette smoking and lung cancer; the significant effects of being overweight or obese on breast and death; the effects of hormones, physical activity, diet and some medications and vitamins on cancer risk; the link between air pollution and cardiopulmonary conditions, which motivated the Environmental Protection Agency to propose more stringent limits on particulate air pollution; the use of aspirin and reduced risk of colon cancer; the use of calcium and vitamin D supplements and reduced fracture risk; the use of hormone-replacement therapy and various gynecological cancers, such as breast and ovarian cancer; the link between diabetes and the risk of cancer; and the link between physical activity and lower risk of cancers such as breast, colon and aggressive prostate cancer.

Palo Alto resident Susie Brain, a breast cancer survivor and Cancer Society volunteer, said her husband plans to participate. A volunteer research advocate at Stanford Hospital’s Cancer Center, Brain helps review clinical trials.

“One issue we always have is that we don’t have enough people for studies. You can learn a lot from a big prospective study like this,” she said.

“Unfortunately, so many people are impacted by cancer or they know someone with cancer,” she said. If people feel they can do a little bit, they often do something about it, she added.

Volunteers for the new study can make an appointment for enrollment between 9 a.m. and 4 p.m. weekdays, including enrollment locations, at www.CPS-3BayArea.org.

The Staff Writer Sue Dremann can be e-mailed at sdremann@paweek- ly.com.
Palo Alto breaks ground on Main Library expansion

Renovation to bring new teen center, air conditioning and road between parking lots

by Rye Druzin

Launching a renovation project that’s expected to add space and bring cooler temperatures to the 55-year-old Main Library, Palo Alto Vice Mayor Nancy Shepherd on Tuesday officially broke ground on a $17.7 million project.

The project is set to be completed in December 2014.

“Today is a great day because it’s sort of the beginning of the end,” Shepherd said, referring to the fact that Main is the last of the city’s five library branches to be renovated.

The expanded library will feature a host of modern amenities, including a 4,000-square-foot addition that will house four group-study rooms and bring cooler temperatures that’s expected to add space.

The library’s south entrance, facing the Palo Alto Arts Center, will also be changed to facilitate a more natural-looking link between the two.

As the renovation of the Main Library begins, construction of the Mitchell Park Library and Community Center on the other side of town has been fraught with delays. It was scheduled to be completed in 2012, but continuous setbacks have forced the city to push the opening date back to the end of this year.

Shepherd said the Main Library area for a much longer time.”

A new road will allow for cars to drive from the library’s east parking lot to the south parking lot. Currently, cars must exit onto Newell Road in order to get from one parking lot to the other.

The library’s south entrance, facing the Palo Alto Arts Center, will also be changed to facilitate a more natural-looking link between the two.

As the renovation of the Main Library begins, construction of the Mitchell Park Library and Community Center on the other side of town has been fraught with delays. It was scheduled to be completed in 2012, but continuous setbacks have forced the city to push the opening date back to the end of this year.

Shepherd said the Main Library project will mirror the College Terrace Library renovation more than the Mitchell Park library, where the entire structure was completely demolished and is being built from scratch.

She told the Weekly she was confident that the Main Library project would be completed on time and on budget.

According to Matt Raschke, the city’s project manager for the Main Library, the renovation will face some difficulties because of the historic structure, which must remain intact. This creates the challenge of retrofitting a structure built in 1958 to meet today’s technological needs and seismic requirements.

Matt Raschke, left, senior engineer with the Public Works Department, Councilmember Liz Knut, Vice Mayor Nancy Shepherd, Councilmember Larry Klein and Library Director Monique le Conge break ground for construction of the Main Library on June 25.
Foothills Park at 48

by Audra Sorman

On a warm Sunday morning early last fall, 24-year-old Katie Williams rode her bike from her East Palo Alto home up Page Mill Road to the entrance of Palo Alto’s Foothills Park. After reaching the park’s entrance, Williams was stopped by a park ranger at the gate.

“She asked if I lived in Palo Alto, and I said ‘Yes’ because I didn’t know that there was such a difference between East Palo Alto and Palo Alto. Then she asked for my address,” Williams said.

Locals who are familiar with the history and policies of Foothills Park probably know what happened next. Upon giving her address to the ranger, Williams was told that she, a non-Palo Alto resident, could not enter the park.

This month, the pristine nature preserve observed its 48th anniversary since its founding on June 19, 1965. In that time, little has changed. Some Palo Altans to stomach, even necessary since its founding on June 19, 1965. In that time, little has changed. Some Palo Altans to stomach, even necessary since its founding on June 19, 1965. In that time, little has changed.

The park’s unique residency requirement has turbulent history but ensures park’s pristine nature also allows former and present city employees to enter, makes it one of the only parks in the nation to have such a restriction.

In addition, its rules stipulate that there can only be 1,000 visitors in the park at any one time. Palo Altans and city officials assert that the visitor limit helps protect the environment and perpetuates a calm atmosphere.

According to figures provided by the Palo Alto Open Space, Parks and Golf Administration, the park’s initial yearly attendance, estimated at 370,000 visitors, steadily declined for 30 years, dipping to 78,723 in 1990. However, attendance is once again on the rise. From 2001 to 2010, the average yearly visits numbered 142,645 with attendance in 2011 and 2012 at around 200,000.

An average of 1,344 residents were turned away from the front gate each year from 2001-12.

Greg Betts, director of Palo Alto’s Community Services Department, said that the controversy surrounding Foothills Park preceded its opening.

“There are still people in the community that still remember very clearly the issue in 1959 and the decision of whether or not to purchase the park,” Betts said.

One year earlier, in 1958, Russell V. Lee, a medical doctor and one of the founders of the Palo Alto Medical Clinic, had proposed that Palo Alto purchase 1,294 acres of his ranch at $1,000 an acre for the purpose of preserving the land for open space. (Palo Alto acquired more acreage at a later date, bringing the total to 1,400.)

The cost, $1.3 million (today equivalent to approximately $10.3 million), seemed a bit much for some Palo Altans to stomach, even though Lee’s offer was generous, as the land’s estimated valuation per acre at the time was much more, Betts said.

Still, “Some members of the public felt that the City Council members didn’t have the authority to encumber that kind of expense,” he said.

In May 1959, the council put the decision of whether or not to purchase the park to a citywide vote, and of the 10,539 Palo Altans who voted on the issue, 62 percent supported purchasing the land.

The initiative did not include whether or not access to the park should be limited to residents, a rule added by the council after it asked Portola Valley and Los Altos Hills to share the purchase. When the two cities refused, Palo Alto decided to limit park use to its residents, Betts said.

The issue of the park’s residency requirement was not decided once and for all — at least, not for some people. It has been put to council vote in 1973, 1990 and 2005, each time inviting impassioned responses from citizens and council members alike, and each time being voted down by the council.

“Basically (the requirement) is to help ensure that residents are given priority since there is this 1,000 visitor limit,” Betts said.

Lester Hendrie, supervising ranger for Palo Alto Open Space, explained that on a typical weekday the park is quiet, due in part to its restriction against bikes (on trails), dogs (on weekends and city holidays) and horses, though that calm is not always the case.

The picnic areas here can be just about full on busy weekends or holidays just by residents alone, so if you were to open up and triple the amount of visitation for example, we would not have enough facilities. Citizens who are used to having this preserve and being able to come up here and get a picnic table would all of a sudden not be able to get a picnic table,” he said.

Over the years, many Palo Altans have supported Foothills Park’s restrictions. In a 1997 letter to the Palo Alto Weekly, one resident wrote: “Foothills Park does not have the capacity to accommodate large crowds. Its pristine and peaceful nature is due to the small number of people who use it. ... If there is truly a regard for nature, Foothills Park should remain limited for its own protection.”

However, Palo Altans and others have called Foothills Park’s residency requirement “elitist,” including former councilman Ron Andersen. In 1990, he tried to convince the city to open up the park.

“Is it elitist not to allow everyone in your living room?” Palo Alto Councilwoman Liz Kniss asked rhetorically in a recent interview. At the time, she had argued that more visitors would bring added environmental and financial costs.

Over the years, Kniss has revisited the residency requirement and expressed an interest in opening up the park to Stanford University students and faculty, but only in exchange for something valuable, she said.

“Way back in the 1960s when (purchase of the park) was negotiated, it was like the Little Red Hen, and the Little Red Hen ended up having to do it all by herself. No one ever wanted to buy in, but years later everyone has been very unhappy because they can’t use it,” she said.

Hesitant to speculate on how today’s council would vote on the residency requirement, Kniss said she would be willing to entertain the idea of an exchange with interested parties.

Other local agencies have asked for access to the park in the past — including a 2007 bid of $135,000 from Los Altos Hills. But Palo Alto declined because the money would not have been enough to justify added park-maintenance costs, Hendrie said.

Los Altos Hills Mayor Gary Waldeck said, “Many of our residents would love to participate, and the truth is we’d love to find a way to make that happen somehow. I don’t know that we’d be able to pay anything. It’s certainly not in the budget at this time.”

Waldeck said he has passed by the entrance to Foothills Park many times, but he has never visited.

“My address,” Williams said.

They can do what they want — it’s their property,” he said.

Of the $2 million budgeted to care for Palo Alto’s 4,000 acres of open space, Hendrie estimated that $800,000 goes towards Foothills Park, with $150,000 of that for water alone.

He said that the budget has to cover all park expenses, including the rangers’ salaries, and that if Foothills Park were opened up to non-residents tomorrow, the increased use would take a toll on the park’s facilities.

He also said that even though the park allows a maximum of 1,000 visitors, it’s undesirable on a regular basis.

“Having that many people at any one time all the time would be a huge change to the atmosphere of the park, the peace and solitude. I know that’s what a lot of people like when they come to the park; they don’t want it to be really crowded.”

In his 26 years at Foothills Park, Hendrie has noticed little change environmentally, which he attributes to controlled attendance, and he can only remember having to close the park a couple of times because attendance had reached maximum capacity.

Hendrie spoke about the difference between Foothills Park and other local preserves and the reason why Palo Alto wishes to keep the use of its park limited. Parks like Rancho San Antonio Open Space Preserve and the Pearson-Arstradero Preserve are experiencing overcrowding and heavy use, he said.

He pointed to Yosemite National Park as an extreme example of how crowding can affect a park’s atmosphere.

“I see the challenges they face, where it’s a city on the weekends and during the summer. There’s so
City matches Stanford donation for Caltrain tunnel art

Another art project aims to liven up downtown storefronts

by Elena Kadvany

The walls of the University Avenue underpass in Palo Alto could soon be covered with art, following the Public Art Commission’s unanimous vote on Thursday, June 20, to match a donation by Stanford University to the art project.

Commissioner Vikki Tobak urged her colleagues to match Stanford’s “firm commitment” of $15,000, which would go toward the installation of temporary, rotating artworks in the University Avenue tunnel, located under Alma Street and the Palo Alto Caltrain station.

With more than 30 submissions, commissioners said the next step is for a selection committee to narrow it down to seven artists from whom they will request specific proposals. The committee is set to meet in August.

The commission will continue to raise funds in the meantime, hoping to reach a goal of $65,000.

The commission also discussed another temporary public art project in the works for downtown Palo Alto.

Anthony Discenza, an Oakland-based artist whose art has previously been on display at the Palo Alto Art Center, is proposing to transform what he calls “visual blank spots” in storefronts into temporary art installations. Discenza recently met with Tobak and Commissioner Trish Collins and walked around Palo Alto.

“One thing that he really honed in on was something that the City Council and community members have been talking about, which is all the startups in the storefronts,” Tobak said. “He thought it it was interesting that a lot of these seemingly empty storefronts or closed storefronts actually had very lively, vibrant businesses going on in there.”

Discenza proposed putting in what look like traditional street signs, decorated with various adages that point with “tongue and cheek” to the vibrancy and competition that Palo Alto is known for, Tobak said. Previous signs he has created dashed the notion of startups or businesses to the vibrancy and competition that Palo Alto is known for.

Discenza’s proposal is pending the commission’s approval, depending on a few clarifications on the medium and specific wording he will use.

The commission also welcomed a few younger visitors at its meeting, with a group of children presenting an update on the Aurora project, an interactive light sculpture of a tree to be installed in front of City Hall this fall.

Most recently, they were at the Maker Faire in May, creating more than 200 copper leaves that will hang from the sculpture. The leaves are meant to serve as wind chimes and will be illuminated by 40,000 LED lights at night.

The project has raised $25,000 so far, with $75,000 to go. Artist Charles Gadeken and Palo Alto resident Harry Hirschman said they hope to install the sculpture in late October or early November.

Discenza’s proposal is pending the commission’s approval, depending on a few clarifications on the medium and specific wording he will use.
Ban on car camping heads to council

An ordinance that would prevent people from living in vehicles in Palo Alto is moving forward, despite fierce resistance from many of the more than 60 residents who filled the Council Chambers at City Hall Tuesday night, June 26.

After public comment from 25 residents, 23 of whom opposed the ordinance, the City Council’s Policy and Services Committee voted 3-0, with Councilwoman Karen Holman absent, to approve a staff recommendation that would give the police an enforcement tool to control vehicle dwelling in Palo Alto.

In a manner that staff referred to as “empathetic and thorough,” police would enforce the ordinance using a “a robust notification program through media and fliers to known vehicle dwellers” and personal outreach with the city’s social services partners.

The department would allow for 60 days of “education, outreach and transition” and for 30 days after that period would give warnings.

Violation of the ordinance would result in a misdemeanor citation, but City Attorney Molly Stump said she doubted enforcement of the ban would ever get to that level.

Staff stressed that generally officers would not initiate contact with people who are living in cars and would instead primarily respond to resident complaints for violations of the ordinance.

The proposal met outcries from the public, who criticized it for being an overly broad ban that’s ripe for abuse and would send the city down the road of criminalizing homelessness, unfairly penalizing those vehicle dwellers who don’t cause problems.

The ban defines “human habitation” as “the use of a vehicle for a dwelling place, including but not limited to, sleeping, eating and resting, either single or in groups.”

Stump noted that the operative word in the ordinance is “dwelling,” meaning that it’s used as a home. Anyone using a car while eating a meal or for a nap “would not be considered by a judge, jury or police officer to be (using it) as a dwelling.”

Police Chief Dennis Burns said that in 2010, police had been summoned to Cubberley Community Center, where vehicle dwellers often camp, for complaints involving the homeless 10 times. The number went up to 16 in 2011 and to 39 last year. So far this year, police have made 12 contacts with homeless at Cubberley.

If approved by the council, the ordinance’s 60-day outreach period would begin in October, with the 30-day warning period beginning in December.

— Eric Van Susteren

Two arrested for ID theft at shopping center

Palo Alto police arrested two people on suspicion of identity theft on Monday evening, a police officer said.

Officers were dispatched to the Nordstrom store at Stanford Shopping Center located at 180 El Camino Real at 7:54 p.m. on an unrelated police call when the store’s loss prevention called their attention to a man or a woman in the store for suspicious activity, Officer Sean Downey said.

The female suspect first approached a cash register to return an unspecified item, but her transaction was denied because loss prevention flagged him for previous frauds at the store, Downey said.

Nordstrom’s policy does not require a customer to have a receipt to make a return, he said.

The male suspect then approached another cash register to return an unspecified item, but his transaction was denied because loss prevention flagged him for previous frauds at the store, Downey said.

As the suspects were exiting the store, police officers stopped them, and upon searching them and their silver Mercury Sedan discovered stolen property including a credit card that was linked to a 58-year-old woman in the store for suspicious activity, Officer Sean Downey said.

The female suspect, identified as San Francisco resident Jessica Reed, going under the fake name Tiffany Marie Danson, 31, and Dwayne Marcel Ross, 38, both were booked into the Santa Clara County Main Jail in San Jose.

— Bay City News Service

Gay marriage (continued from page 3)

try until July 23 but will likely offer the weddings when she returns, a church staff member said Wednesday morning.

Assemblyman Rich Gordon, D-Menlo Park, who married his partner of 26 years, Dennis McShane, in 2008, said he welcomed the Supreme Court rulings.

“Marriage equality has been a priority and a dream of the LGBT community for decades,” said Gordon, who chairs California’s Legislative Lesbian, Gay, Bisexual and Transgender Caucus.

“Today, with the Supreme Court’s announcements, we are realizing that dream and we now celebrate equal marriage rights for all Californians.

— Rich Gordon, assemblyman, Menlo Park

We must also remember that our work is not yet done. Only 13 states and the District of Columbia have achieved the dream.”

“We must also remember that our work is not yet done. Only 13 states and the District of Columbia have achieved the dream.”

— Rich Gordon, assemblyman, Menlo Park

“We must also remember that our work is not yet done. Only 13 states and the District of Columbia have achieved the dream.”

Gordon said. “However, public opinion is rapidly changing,” he continued, citing the legalization of gay marriage in Rhode Island, Delaware and Minnesota in May and a poll that showed support of a majority of Americans.

“With momentum on our side, we will not rest until every American can exercise their right to marry who they love,” he said.

U.S. Rep. Anna Eshoo, D-Palo Alto, also praised the decisions.

“Today, the decisions of the Supreme Court make real the words and promise of our constitution by striking down unfair barriers for same-sex couples and returning marriage equality to California,” Eshoo said.

“Now the fullness of our constitution reaches into the lives of millions of Americans, making our nation a more perfect union.”

Supporters of California’s Proposition 8 said that the ruling, which was made on the basis of standing rather than the court’s stance on the broader issue, “does not directly resolve questions about the scope of the Ninth Circuit trial court’s order against Prop. 8.”

“We will continue to defend Prop. 8 and seek its enforcement until such time as there is a binding statewide order that renders Prop. 8 unenforceable,” said Andy Pugno, general counsel for the Proposition 8 Legal Defense Fund.

Staff Writer Chris Kenrick can be emailed at ckenrick@paweekly.com.

Supporters of LGBT rights march down Castro Street in Mountain View in celebration of Wednesday’s U.S. Supreme Court rulings clearing the way for issuance of marriage licenses to gay couples in California.

Gay marriage
East Palo Alto to celebrate 30th anniversary Saturday

City has come long way since incorporation in 1983

by Rye Druzin

East Palo Alto residents will mark the 30th anniversary of their city’s incorporation with a parade and festival at a daylong event hosted by the city Saturday, June 29.

The event will begin at 11 a.m., with a parade from the Costanoa/4kers Academy at 2695 Fordham St., which will proceed down University Avenue until it reaches Bell Park. The festival in Bell Park, from noon to 4 p.m., will feature music, food, a health and safety fair, and other activities.

A fireworks show at the Cesar Chavez Academy at 2450 Ralmar Ave. will cap the celebration. The gates will open at 7:30 p.m., and the show will begin at dusk.

The festival is a reminder of how far East Palo Alto has come since 1983. That year saw about 3,500 residents of the unincorporated area vote to become the city, winning by a margin of only 15 votes, according to Mayor Ruben Abrica.

Abrica noted that absentee landlords also mounted major resistance, as they feared that an incorporated city would impose rent controls, which were indeed approved soon after incorporation. Despite this opposition, pro-incorporation voices prevailed.

The city, which currently has 28,000 residents, experienced trouble in the 1990s when it became known as the “murder capital of the U.S.” Crime has since decreased, and the police department has more recently tried new methods for discouraging criminal activity, including reaching out to gang leaders with offers of social services.

Abrica said that the last decade has seen marked improvements in the city’s economic and social situation. The Four Seasons hotel in the former Whiskey Gulch area and the development of the Ravenswood 101 Shopping Center, which includes IKEA, have brought in much-needed revenue to the city, he said.

“Over time, the city’s demographics have also changed. Hispanics account for 65 percent of the population, according to the 2010 Census, with blacks totaling about 16 percent, Pacific Islanders 7 percent and whites about 6 percent. Over time, the census population has also jumped from 5,555 in 1984 to 29,000 in 2015, according to the U.S. Census Bureau,” he said.

Abrica said that the last decade has also seen a more diverse city workforce, with the city hiring more women and minorities.

Editorial Intern Rye Druzin can be emailed at rdruzin@paweekly.com.

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- Best Fusion Restaurant
- Best Indian Restaurant
- Best Italian Restaurant
- Best Latin American Cuisine
- Best Meal Under $20
- Best Mediterranean Restaurant
- Best Mexican Restaurant
- Best New Restaurant
- Best Outdoor Dining

Best Restaurant to Splurge
Best Romantic Restaurant
Best Solo Dining
Best Sports Bar
Best Sunday Brunch
Best Sushi/Japanese Restaurant
Best Thai Restaurant
Best Vegetarian/Vegan Cuisine
Best Wine Bar

Food & Drink
- Best Bagels
- Best BBQ
- Best Bakery/Desserts
- Best Burgers
- Best Burrito
- Best Deli/Sandwiches
- Best Dim Sum
- Best Grocery Store

Best Happy Hour
Best Ice Cream/Gelato
Best Milkshake
Best New Food/Drink Establishment
Best Pizza
Best Produce
Best Salads
Best Seafood
Best Steak
Best Takeout
Best Yogurt

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- Best Bike Shop
- Best Bookstore
- Best Boutique
- Best Dim Sum
- Best Furniture Store
- Best Hair Salon
- Best Home Furnishings and Decor
- Best Pet Store
- Best Plumbing
- Best Stationery Store
- Best Women's Apparel

Service
- Best Acupuncture
- Best Auto Care
- Best Chiropractor
- Best Day Spa
- Best Dentist
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- Best Fitness Classes
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- Best Hair Salon
- Best Home Furniture
- Best Lingerie
- Best Men's Apparel
- Best New Service Business
- Best Orthodontist
- Best Personal Trainer
- Best Shoe Repair
- Best Skin Care
- Best Travel Agency
- Best Value Hotel/Motel
- Best Veterinarian
- Best Yoga

Fun Stuff
- Best Art Gallery
- Best Aquarium/Center
- Best Bookstore
- Best Boutique
- Best Day Spa
- Best Dentist
- Best Dry Cleaner
- Best Fitness Classes
- Best Frame Shop
- Best Gym
- Best Hair Salon
- Best Home Furniture
- Best Lingerie
- Best Men's Apparel
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Foothill
(continued from page 8)

much impact. I’m hoping that never happens here — that however usage of the park changes, that it will stay preserved and protected, so that it doesn’t suffer from the impacts of too much use.”

It’s a problem that sometimes weighs on native-born Hendrie, who obviously sees the value in people being outside and enjoying nature. He views Foothills Park as a place of education but also knows that over-use of any preserve or park means more maintenance and a threat to the environment, he said. “I’ve got mixed feelings about it, but it does help protect the resources and the facilities, so knowing that we could not maintain what we have if we were to suddenly increase the amount of use helps me sleep at night,” he said.

As for finding new sources of funding, Palo Alto has experimented with charging an admission fee, most recently $2 a car from 1988 to about the mid-’90s, Hendrie said. Even though people did not seem to have a problem paying the fee, the revenue did little to offset the park’s maintenance and restoration projects. “We’ve proposed charging entrance fees, even entrance fees for all of open space — Arastradero and Baylands — and they’ve been shot down by the council or (council’s) Finance Committee each time” because of the expenses involved with enforcing fee payment, he said.

Costs aside, there is now one way around the park’s residency restriction — the most significant change to the park since its opening. In 2005, the California Coastal Conservancy and Santa Clara County offered Palo Alto $1 million each to help Palo Alto acquire 13 acres of private land from the Midpeninsula Open Space Trust to complete the Arastradero Preserve.

In exchange, Palo Alto agreed to open up a trail through Foothills Park to all visitors, regardless of residency, which connects part of the San Francisco Bay to the Skyline Ridge Open Space Preserve. Hendrie said that the park ranges have no way to know how many people walk the 2.5 miles through the Arastradero preserve to enter Foothills Park, but there have not been any noticeable effects of the increased foot traffic.

Kniss cited this back entrance as a way the park is accessible to all. “I think I’d argue that it’s really not a closed park. It’s got limited use because you have to hike in. ... So it’s kind of like a little pristine piece of property that has been kept sort of like some monument, that’s been kept in great shape because it’s only open once in a while,” she said.

Even access through the front gate is a little easier than it used to be. According to Hendrie, the city used to keep rangers at the front gate year-round, but due to budget cuts, the front gate is only staffed on weekends. Although the park ranger on duty that warm autumn day did not tell Williams that she could access Foothills Park through the Arastradero Preserve, she did take pity on Williams, who had biked all the way up hilly Page Mill. The ranger kindly told Williams that she would make an exception for her once, letting her into the park, but added that Williams couldn’t come back. After Williams entered, she found Boronda Lake. She recalled feeling amazed that the park was empty on a Sunday. She said she sat there for at least two hours before families started showing up around 1 p.m.

“It seemed to me that it was being almost underutilized. And if there’s more people that want to take advantage and use it, it’s kind of a shame that people can’t.”

When Williams left that day, she was forlorn. “I biked away feeling sad that I wouldn’t be able to come back and enjoy that really lovely place.”

Audra Sorman is a former editorial intern with the Weekly.
Disability (continued from page 3)

This type of retirement, the report states, is “available for public safety members whose job-related injuries or presumptive illnesses result in an employee being unable to perform the usual duties of their current position.”

The new report raises (but doesn’t answer) big questions about the safety of Palo Alto’s work conditions, the city’s process for approving disability claims and the high rising costs of retiree benefits. The lattermost issue has emerged in the last few years as a major council priority, with council members having frequent discussions about ways to curb employee pension and health care costs. Since 2009, the city has reached agreements with all of its labor unions that increase employee contributions to pension and health care — expenses traditionally footed entirely by the city. Earlier this week, Utilities Department managers and a seven-member union of police managers became the latest labor groups to join this trend.

The city’s new budget notes that the ratio of benefits to salary has risen from 50 percent in 2010 to 63 percent in 2012. The budget notes that the city’s costs have “skyrocketed” (and will continue to grow) for a number of reasons, including the economic downturn, the demographics of the city’s workforce and the “large retroactive benefits” granted in 2001 to public-safety workers and in 2007 to the remaining workforce.

The Grand Jury report emphasizes that the high number of “industrial disability retirements” helps to drive up benefit costs, though the impact varies greatly from one employee to another. In some cases, financial impact can be zero because the retiree may also be eligible for “service retirement” pay (based on the number of years of service) that is higher than the disability retirement. But the impact can also be significant, particularly when an employee retires with disability early in his or her career. Because these employees haven’t contributed as much toward retirement during their careers, their disability claims force cities to raise their annual contributions to CalPERS, which administers the retirement plans for Palo Alto and other public agencies.

“The cumulative effect of the unfunded IDR’s (industrial disability retirement) and other pension fund obligations present a growing burden to entities and therefore taxpayers,” the report states.

According to the report, Palo Alto’s rate towers above the other 11 surveyed jurisdictions, a puzzle that the report fails to solve. For example, Milpitas, Mountain View, San Jose, Santa Clara, Sunnyvale and Santa Clara County all have rates between 26 percent and 30 percent. Gilroy is a distant second with an “industrial disability retirement” rate of 43 percent.

“One might reasonably ask if Palo Alto and Gilroy public safety personnel encounter a more dangerous workplace than other public safety personnel in the county.”

—Civil Grand Jury

“Noting the significantly higher IDR rates of Palo Alto and Gilroy compared to those of the other county entities employing law enforcement and fire personnel, one might reasonably ask if Palo Alto and Gilroy public safety personnel encounter a more dangerous workplace than other public safety personnel in the county,” the report states. “The Grand Jury could not explicitly answer this question with the information available. Even so, the significantly higher IDR rates of Palo Alto and Gilroy should invite further review by their respective city governing body.”

The determination on whether an employee qualifies for this designation is made by each employer agency rather than by CalPERS. The determination is based on “complete reviews of the duties and responsibilities of the applicant’s current job, including the physical requirements of the position, competent medical opinion, and all medical and vocational information provided by the applicant, employer and the agency’s workers’ compensation carrier,” the Grand Jury report states.

City officials refused to comment on the report Thursday, saying they have not had a chance to fully review it. Chief Communications Officer Claudia Keith said the city had just received the report and is doing its “due diligence to respond to it.”

“I’m not going to answer to the specifics of the report because we just got it.” Keith told the Weekly.

According to the city’s budget data, the city has been spending an average of $1.27 million annually on worker compensation and disability payments in the Fire Department over the past five years. The amount climbed from $735,804 in fiscal year 2009 (which began in July 2008), to $1.3 million in 2010 and to $2.2 million in fiscal year 2011 (which began in July 2010), before dropping back to $1.1 million in 2012.

The period between 2008 and 2012 was marked by a influx of retirements from City Hall, prompted in large part by benefit cuts that the City Council was pursuing in response to the economic downturn. One factor that may contribute to the high number of disability retirements is the high number of firefighters who have stayed by the city, compared to police officers. The fact that the city’s Fire Department also serves Stanford University may contribute to the high percentage. Though the causal link is not explained, there is at least a correlation between Palo Alto’s high percentage of industrial disability retirements and the high percentage of public-safety personnel who are firefighters.

The Grand Jury pointed out that Palo Alto has both the county’s highest industrial-disability-retirement rate (51 percent) and the highest percentage of firefighters in its public-safety force (55 percent). The Grand Jury report includes as one of its three recommendations that Palo Alto “identify what factors other than its high percentage of firefighters influence its (industrial disability retirement) rate and implement a plan to lower its (industrial disability retirement) rate.”

Staff Writer Gwendolyn Sheyney can be emailed at gsheyner@pawebweekly.com.
## Vehicle Calls

### Palo Alto

**June 20-26**

**Violence related**
- Assault w/ a deadly weapon: 7
- Child abuse/physical: 1
- Child abuse/neglect: 2
- Domestic violence: 3
- Elder abuse/physical: 1

**Theft related**
- Commercial burglaries: 1
- Grand theft: 1
- Identity theft: 8
- Petty theft: 5
- Residential burglaries: 2
- Shoplifting: 9

**Vehicle related**
- Abandoned auto: 4
- Auto recovery: 1
- Bicycle theft: 1
- Driving with suspended license: 2
- Hit and run: 4
- Lost/stolen plates: 1
- Misc. traffic: 1
- Theft from auto: 1
- Vehicle accident/prop. damage: 3
- Vehicle impound: 5
- Vehicle tow: 4

**Theft related**
- Possession of paraphernalia: 1

**Miscellaneous**
- Animal call: 1
- Lost property: 5
- Medical aid: 1
- Misc. code violation: 1
- Noise ordinance violation: 1
- Outside assistance: 1
- Psychiatric hold: 1
- Suspicious circumstances: 2
- Suspicious person: 1
- Suspicious vehicle: 2
- Trespassing: 2
- Vandalism: 4
- Warrant arrest: 8

### Menlo Park

**June 20-26**

**Violence related**
- Assault with a deadly weapon: 9
- Child abuse/neglect: 1
- Domestic violence: 1
- Elder abuse/physical: 1

**Theft related**
- Commercial burglaries: 2
- Grand theft: 1
- Identity theft: 2
- Petty theft: 5
- Residential burglaries: 4

**Vehicle related**
- Abandoned auto: 1
- Auto recovery: 3
- Bicycle theft: 1
- Driving with suspended license: 1
- Hit and run: 1

**Theft related**
- Commercial burglaries: 2
- Possession of paraphernalia: 1

**Miscellaneous**
- Animal call: 1
- Lost property: 1
- Medical aid: 1
- Misc. code violation: 1
- Noise ordinance violation: 1
- Outside assistance: 1
- Psychiatric hold: 1
- Suspicious circumstances: 2
- Suspicious person: 2
- Suspicious vehicle: 2
- Trespassing: 1
- Vandalism: 1
- Warrant arrest: 1

### Traffic Impact Notice

**On June 29, 2013, at 7:30 PM, the San Jose Earthquakes will play the LA Galaxy at Stanford Stadium.**

With an estimated attendance of 50,000, the soccer game will generate traffic that may be heavy from 5:00 PM to 7:30 PM and 9:30 PM to 10:30 PM along Embarcadero Road, University Avenue, and Oregon Expressway between Highway 101 and the campus; and along El Camino Real from University Avenue to Oregon Expressway. Increased traffic may also be experienced along Sand Hill Road and Page Mill Road between Interstate 280 and the campus; and along Junipero Serra between Page Mill Road and Sand Hill Road. For more Special Events traffic impact information, go to [www.sjearthquakes.com/stanford](http://www.sjearthquakes.com/stanford).

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**Thomas Michael Gill**

Thomas Michael Gill passed away on June 18, 2013 at Moore Regional Hospital in Pinehurst, North Carolina. Mr. Gill was 87. Mr. Gill was born in New York City on February 15, 1926 to Howard and Margaret Gill. A graduate of the United States Naval Academy, '49, Mr. Gill loved his family and his country and served in the Korean War. After retiring from the Navy as a Lieutenant, he had a 33-year career with IBM, holding management and executive positions in sales worldwide. A lifelong member of The New York Athletic Club, he loved playing chess and was an accomplished squash player.

Mr. Gill possessed a keen intellect and yet had a warm, hearty laugh and wicked sense of humor. He is survived by his wife Joan Ann Gill; his sister Corita Ann Gill; daughters Susan Gill Casey; Catherine Holton Gill; Nancy Gill Tattersall; son Thomas Michael Gill Jr. and grandchildren Thomas Micah Gill and Aly Chu Gill.

Although he lived the last years of his life in North Carolina, he always felt his home was in Northern California. A funeral mass will be held June 29th at 10 a.m. at The Church of The Nativity in Menlo Park, Calif., followed by a burial at Holy Cross Cemetery in Menlo Park. In lieu of flowers, the family requests that donations be made to the Richard J. Casey Foundation, 3077 Britt, Chapel Hill, N.C. 27517, for the benefit of the Thomas M. Gill Fund.

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**VIOLENT CRIMES**

**Palo Alto**

- Lincoln Ave., 6/19, 7:24 p.m.; Domestic violence
- 4000 Middlefield Rd., 6/19, 8:33 p.m.; Assault with a deadly weapon
- Clark Way, 6/20, 5:49 p.m.; Child abuse/physical
- Ramona St., 6/21, 7:24 p.m.; Domestic violence/battery

**Menlo Park**

- 400 block Hamilton Ave., 6/21, 10:15 p.m.; Assault w/delayed weapon 2 victims sustained non-life threatening gunshot wounds
- 1100 block Senter Ave., 6/22, 7:38 a.m.; Battery
Matt Kahn, Stanford ‘professor extraordinaire,’ artist and mentor, dies

Longtime Stanford University professor Matt Kahn was a mentor to many students over the decades as he taught painting, sculpture, drawing and color theory and created new courses in design. The artist, who died June 24 in his Stanford home at 85, will also be remembered for his work with children.

When the university honored Kahn in 2010 for 60-plus years of teaching and inspiring, some of the biggest cheers came from the crowd when Kahn’s most recognizable quotes were projected on a screen: “Design is the act of bringing the mind, heart and hands closer together.” “Let the constraints be the inspiration.” “Everything matters.”

Kahn’s former students who were in the audience that day included architects, executives and educators such as Stanford lecturer John Edmark, who called Kahn a “professor extraordinaire.”

Born May 29, 1928, in New York City, Kahn attended Cranbrook Academy of Art in Michigan before beginning his Stanford teaching career in 1949 in the Department of Art (now the Department of Art and Art History). While moving up through the ranks — he became a full professor in 1965 — Kahn also headed the U.S. State Department Craft Program in Cambod- dia in 1957-58 and was a regular teacher in Stanford’s overseas program in Florence, Italy.

Widely traveled, Kahn was influenced by tribal cultures and art, and displayed many global objects in the Eichler home on the Stanford campus that he shared with his wife, Lydia. They ran their home during their long collaboration with Joseph Eichler as artistic consultants.

The Kahns’ Eichler was also locally famous for decades during Hal-loween, when the professor hosted a pumpkin-carving contest and exhibition for his students. As they were design students, their glowing lanterns were notably creative.

After retiring from teaching in 2009, Kahn remained a guest lecturer at Stanford until 2011.

Besides teaching, Kahn was a respected painter, mixing his design sensibilities with his sense of humor and taking inspiration from classical music, humanity and nature. His paintings have been exhibited at the Museum of Modern Art in New York, the San Francisco Museum of Modern Art, the de Young Museum in San Francisco and the Thomas Welton Sanford Art Gallery. He also sculpted and designed furniture.

Kahn is survived by his son, Ira, and daughter, Claire, both graduates of Stanford’s art program. A celebration of his life is being planned, and the family requests that memorial donations be made to Americans for the Arts.

Barbara Decker Viand
Oct. 19, 1917-June 14, 2013

Barbara Decker Viand, cherished mother, grandmother and great-grandmother went to her final rest on Friday, June 14, in Santa Barbara, Calif. She was with her daughters at the time of her passing after falling and fracturing her hip three days before.

Born in Washington D.C., she lived many places including Saint Louis, Pasadena -- where she was high school tennis champion -- the Universities of Maryland and Wisconsin, graduating with a degree in journalism. She met her first husband, Bill Decker, while working for the Chicago Sun. They lived in Virginia, Md.; Old Greenwich, Conn.; Amherst, N.Y.; Northfield, Ill., and settled with their three daughters in 1969 in Atherton, Cal. They divorced in 1968 and Barbara began work first as a bridal consultant at the former Bullock’s and then in real estate in Menlo Park, where she met her second husband, Maurice Viand. After living in Palo Alto and Menlo Park, they lived in Ljola, Rancho Bernardo and Vista, Calif., before settling at Maravilla Adult Living in Santa Barbara.

Barbara was preceded in death by Bill in 2005 and Maurice in 2006. She is survived by her daughter Jan Fisher (George) of Menlo Park and her daughters Stephanie (Ted) Decker and Christine (Tina) Long (Jeff) of Santa Barbara, her grandchildren in Menlo Park, Mountain View, Italian Los Angeles and San Francisco as well as five great grandchildren.

Services have been held.

Janet Leigh Roselle
June 4, 2013

Janet (Stoney), age 73, passed into eternal rest in Chico, Ca. with her husband by her side.

Born in Palo Alto, California to Daniel & Alice Stone, she attended Palo Alto schools where her father was vice principal.

Her parents were instrumental in establishing the 1st Congregational Church campus on Lewis Rd.

She graduated from University of the Pacific (UOP) of Stockton, Ca.) with a Bachelor of Arts degree.

After working at several companies, she found her niche with the A.C. Nielsen Co., then of Menlo Park. When the company relocated to Fremont, Ca. she dutifully followed by commuting daily.

She worked as a graphic artist & later as manager of their copy center.

In 1974 she married Stephen Roselle.

They established a home in Mountain View, (she lived there for 37 years until moving to Chico, Ca. in January 2012 for health reasons. They have no children, but plenty of nephews!

In retirement, she volunteered as a docent & later was on the board of directors of Deer Hollow Farm & Educational Center of Mountain View for many years.

Her hobbies included gardening, & making miniature home dioramas. She passionately engaged in the hobby of Stamping: making many artful greeting cards & laboriously coloring them by hand for her many friends.

She enjoyed traveling with her husband to far flung Society of Antique Modelers (SAM) Champs, & developed many new long distance friendships.

‘A cat person’ all her life, she enjoyed a succession of them during her time in Mountain View.

She passed from this life due to complications of FTLD.

She is survived by her husband Stephen, nephew Quinn & niece of San Leandro, Samantha the cat, & a brother Robert Stone of Maui, Hi.

Memorial services will be held at 1:30 p.m. on Saturday, July 13, 2013 at the First Congregational Church of Palo Alto, 1958 Louis Road, Palo Alto, CA 94303. A reception will follow the service.

Donations in her name may be made to 1st Congregational Church of Palo Alto, University of the Pacific, Deer Hollow Farm, Best Friends Animal Society of Kanab, Ut. or Butte Hospice of Chico in care of the funeral home. You may share your thoughts and memories of Janet online in care of Newton Braswell.com.
Editorial

Accountability not in lesson plan

With the resignation three weeks ago of assistant superintendent Michael Milliken, Palo Alto school superintendent Kevin Skelly was handed an unexpected gift. Milliken’s departure offered Skelly his first opportunity to make a key staffing decision since the maelstrom of controversy stemming from a finding by the federal Office for Civil Rights that Termann Middle School administrators failed to effectively investigate or stop the bullying of a disabled student. That finding was so embarrassing that it caused Skelly to keep it secret from the board and public last December.

Instead of using the Milliken opening to find a person who might signal to the community an acknowledgment of mistakes made and improvements needed, his quick appointment of Termann principal Katherine Baker sadly sends just the opposite message. It is a defiant move that either says there is no accountability for serious mistakes or that Skelly believes the district was the victim of an unfair civil-rights investigation that has improperlyimpugned the management practices of him and his lieutenants. Either way, and perhaps by design, it also sends the message to outside authorities like the Department of Education that in Palo Alto, we do as we please and the opinions of such agencies about the way we run our district don’t matter to us.

And most regrettably, it sends the message to the parents of all students who have suffered through traumatic bullying or harassment in school that their concerns are valued so little that the promotion of the person most responsible for mishandling the Termann case is more important than the victims.

Katherine Baker may indeed be the most outstanding and qualified person for the job of director of secondary education of our school district. While she has only been at the district for three years, she has been a conscientious and responsive principal. We have no reason to think she isn’t capable of performing Milliken’s job.

But promoting her at this time, with wounds from the civil-rights investigation not yet even beginning to heal, shows immense insensitiveness and poor judgment.

Accountability has long been a problem for Palo Alto. Mistakes are so quickly praised as being part of the Silicon Valley innovation culture that the concept of consequences has been lost (“I learned from failure”) is indeed an important lesson, especially for young people.

But part of the lesson needs to be that actions have consequences. Accountability needs to find its way back into the play book of our public institutions, and especially at the school district.

A shift on vehicle-dwelling

Tuesday’s vote of a City Council committee recommending adoption of an ordinance to ban vehicle habitation was only surprising because it was unanimous.

Contrary to her earlier votes and statements on the issue, Council member Gail Price joined colleagues Liz Kniss and Larry Klein in supporting a new law after going through what she described as a “difficult shift” in her thinking.

She is not alone in struggling to balance her compassion and concern for the homeless with an increasingly problematic situation at the Cubberley Community Center and at other locations throughout the city.

Larry Klein, who previously minimized the problem, has now also concluded that Palo Alto cannot remain the sole community to permit dwelling in vehicles because it is becoming a magnet for such people.

There now appears little doubt that when the ordinance comes before the full City Council in September it will be adopted.

Price’s heartfelt comments resonate. She explained that in examining how current city policy was working, she came to the conclusion that we don’t help the homeless by allowing them a place to live in their car when what they really need is “intensive help and referral to support services.”

All three council members argued that the problem of homelessness is much bigger than Palo Alto and that the city is already providing extensive services to the homeless.

As written, the proposed ordinance would have a very long implementation period. It provides for a 60-day outreach period to educate vehicle dwellers about the new law and on services available to help them, and then a 30-day “warning” period during which no enforcement would take place. Actual enforcement would be on a complaint basis.

The ordinance will finally provide a needed tool to address problem cases, where vehicle dwellers are impacting neighborhoods or, in the case of Cubberley, have established what city staff has described as a de facto homeless camp.

Some of the ordinance’s wording is difficult to swallow. For example, it allows “the person most responsible for mishandling the Terman case is more important than the victims.”

That the council reversed in her position. She could easily have opted to remain opposed and simply be outvoted by her colleagues. Instead, she stepped up and provided leadership.

Just say no

Editor.

One has to wonder how it was concluded — from somewhere on high — that the Bay Area must accommodate thousands of newcomers in all of our already saturated cities. Cram them in — it doesn’t matter how — just do it.

In fact, it’s already started. California’s voters in November were be voted to two-lane street, regardless of the many protestsations raised in the past few years.

What’s next? Will neighborhood streets become single-lane, one-way streets? After all, such a move will allow narrower driving and parking lanes to be added to our cities. We can get used to one-way streets — simply use the appropriate streets to get to our destination. No more fender benders and fatalities, we’ll learn to get around.

As for our building height limits, no problem — local height restrictions can be “modified” to meet the cramming-in-requirements — after all, it’s already being done, so that solution should be no surprise.

But here’s a solution to the arbitrarly imposed cramming-in mandate borrowed from Nancy Reagan (never dreamed I’d ever respect her “wisdom”): “Just Say No.”

But not simply “No.” Bay Area cities should respond with a resounding “No, no, NO WAY will we accede to the obscene orders to turn our Bay Area into a series of Chicago Projects.”

Consider another borrowed idea: Instead of “Build it and they will come,” our position should be, “Don’t build it and they WON’T come.”

Raben Contreras

Waverley Street, Palo Alto

Independence Day eats

Editor.

What ever happened to the good old days when the worst things we had to worry about were traffic jams and wayward fireworks? According to the Department of Agriculture’s Meat & Poultry Hotline, this year’s top threat is food poisoning by nasty E. coli and salmonella bugs lurking in hamburgers and hot dogs at millions of Memorial Day cookouts.

The hotline’s advice is to grill them longer and hotter. Of course, they don’t bother to mention that the high-temperature grilling that kills E. coli forms lots of cancer-causing compounds.

Luckily, a bunch of enterprising U.S. food manufacturers and processors have met the challenge by developing a great variety of healthful, delicious and convenient veggie burgers and soy dogs.

These delicious plant-based foods don’t harbor nasty pathogens or cancer-causing compounds. They don’t even carry cholesterol, saturated fats, drugs or pesticides. And, they are waiting for us in the frozen food section of our supermarket.

This Fourth of July offers a great opportunity to declare our independence from the meat industry and to share wholesome veggie burgers and soy dogs with our family and friends.

Peter Anatoli

Clark Avenue, Palo Alto

Criminalizing homeless

Editor,

Palo Alto prides itself on being a home of creative, innovative people who solve problems. Why can’t we come up with a solution for a real-life important problem such as people sleeping in cars? The city of Palo Alto is willing to spend thousands of dollars on consultants to deliberate the merits of development projects and public fountains; surely they could spare a few of those thousands to establish a parking area with a shower and a few toilets where people living in cars could sleep safely.

These people sleeping in cars are at least not sleeping in the rough outdoors or under bridges. They still own something, have a shell. Why can’t they be given a safe haven to park, bathe and maybe even have some community? The warmth and sunlight of California are needed more by the homeless than by people living in huge, ostentatious houses.

Dana M. St. George

Campesino Avenue, Palo Alto

Look to Truckee parking

Editor.

With all due respect to Elaine Haight, who mentioned Truckee’s paid parking as an example Palo Alto could follow: As a part-time in Truckee, I can tell you the locals would not shop downtown at all for several years until the parking program was changed to make it more acceptable.

The last time the rules were changed was in November 2011 and, for the first time ever, their parking district actually made money during the last six months.

I would suggest Palo Alto review all the various forms of parking Truckee tried in order to not make the same mistakes. For example, in Truckee you do not pay to park after 6 p.m. so the restaurant business is not affected. Here is a link to their current parking program: www.moon-shineink.com/sections/spot/truckee-alters-paid-parking

Vivian Euzent

Sunnyvale

WHAT DO YOU THINK?

The Palo Alto Weekly encourages comments on our coverage or on issues of local interest.

Submit letters to the editor of up to 250 words to letters@paweekly.com. Submit guest opinions of 1,000 words to editor@paweekly.com. Include your name, address and daytime phone number so we can reach you.

We reserve the right to edit contributions for length, objectionable content, libel and factual errors known to us. Anonymous letters will generally not be accepted. Submitting a letter to the editor or guest opinion constitutes a granting of permission to the Palo Alto Weekly and Embarcadero Media to also publish it online, including in our online archives and as a post on Town Square.

For more information contact Editor Jocelyn Dong or Editorial Assistant Elena Kadavan at editor@paweekly.com or 650-326-9210.

Should Palo Alto ban sleeping in vehicles?

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For more information contact Editor Jocelyn Dong or Editorial Assistant Elena Kadavan at editor@paweekly.com or 650-326-9210.
I’m writing to respond to the recent cover story (“Out of the Shadows,” June 14) regarding Terman Middle School, and “What went wrong.” While I appreciate the effort of the Weekly and know that the content is critical, I feel the need to respond to what I feel wasn’t said in the article. I’m writing to tell you what I see at my school and to tell you what has changed through the years from my own personal perspective. I want to tell you what is “right” at Terman.

First, I am a product of Palo Alto schools. I attended Palo Verde and Ortega Elementary Schools, Wilbur Junior High and Cubberley High School. I have worked at an elementary school and two middle schools in Palo Alto. I look around and see some things that never change. The kids still play flag football. We say the Pledge of Allegiance and pizza is still the most popular item at lunch. But in reality the times are different now. The world is a different place now, but most of all school is different.

I don’t remember my parents ever going to my school. When I didn’t get in a class with my friends or didn’t get the teacher I wanted, they told me that was how life worked sometimes, that it was an opportunity to make new friends. In middle school there was no pressure to be perfect. I was expected to participate in class and get good grades. Not straight A’s but just to do the best I could. There were good days, not so good days and days when I didn’t want to go to school at all. There was no education on bullying, no assemblies, just a school counselor that helped you out the best way he or she knew how. I knew how to avoid the bullies and sometimes looking back, I think I was the bully. Our parents generally set us straight on what to do, and what not to do. And none of us even knew the superintendent’s name.

Today, I look around at our middle school students and wonder what they will be like in 10 years. They have packed schedules, so many extracurricular activities and classes, sports, clubs, homework, plays, music. They deal with divorce and custody and some are even questioning their own sexuality ... and they’re not even in high school yet. And I worry. I know kids who are stressed about the results of the STAR test and they’re 12 years old. My heart has been crushed by the loss of students who were with me both at Nixon and Terman. And I’ve listened while people placed blame.

There is no perfect school. There never will be. And to me there is a fine line as to what defines bullying. Sometimes I wish parents would not be afraid to teach their children about resilience. Every story has two sides and as difficult as that might be for us to see, it is the truth.

What I do see on a daily basis at Terman are people of all different jobs and positions who are helping our kids to become compassionate, caring, individuals.

Joy Helsaple
Data secretary
Terman Middle School

Guest Opinion

Terman: A caring place for kids in a complicated world

by Joy Helsaple

What do you think of the Supreme Court’s decisions on gay marriage?

Linda Jensen
College Terrace, Palo Alto
“I think it’s fabulous. Absolutely fabulous.”

Derrick Arrowsmith
Downtown North, Palo Alto
“It’s great. If a man and a man or a woman and a woman want to feel the pain of marriage, God bless them.”

Ross Bedillon
Office assistant
College Terrace, Palo Alto
“I think it’s great that they finally decided, but it took way too long.”

Sandy Adams
Retired schoolteacher
Crescent Park, Palo Alto
“Wonderful, I feel great about that.”

Jordan Zenger
Student
Leland Manor, Palo Alto
“It’s just another generational step.”
The mess at Mitchell Park

How the construction of Palo Alto’s largest library went seriously wrong

by Gennady Sheyner

Palo Alto’s elected leaders first realized that something strange was happening at Mitchell Park on Sept. 12, 2011, when Public Works officials made an unusual request to raise the budget for the construction of the city’s flagship library.

The request for money wasn’t, in itself, out of the ordinary; major construction projects often involve change-order requests and design revisions, and the Mitchell Park Library and Community Center is the biggest public development the city has undertaken in four decades. It was the sum requested that raised the collective eyebrows of the City Council and prompted members to wonder aloud whether the city was getting fleeced by the contractor, Flintco Pacific. Just two years prior, the company’s low bid of $24.4 million was a cause for celebration, beating out five others and coming in well below the city’s projected estimate of $32.4 million.

But after Public Works Director Mike Sartor asked the council on Sept. 12 to raise the “contingency budget” — used to pay for unexpected cost increases — from 10 percent to 25 percent of the contract, council members began to wonder whether this was indeed a good deal. Nancy Shephard, an accountant for 25 years, said she had never seen a contingency percentage that high (the American Institute of Architects recommends a contingency of 10 to 12 percent for projects the size of Mitchell Park Library, according to a city report). Pat Burt wondered if the city was being “gamed” by a construction company that “low-balled” its bid with the understanding that it would then tack on millions in costs during construction. Larry Klein was particularly blunt.

“I think we have an entrenched relationship with ourselves,” Klein said. “We’re not doing as well as we expected on this deal.”

Council members had plenty of reasons to worry. For Palo Alto, the new Mitchell Park Library and Community Center is the most complex and expensive project in the $76 million bond that voters approved in 2008. Once built, the glassy, two-story, 41,000-square-foot library on Middlefield Road will feature a dedicated teen room, private study areas, the city’s largest book collection and a host of eco-friendly features, such as a roof garden and solar panels. The 15,000-square-foot, two-building Community Center will feature a teen center, a cafe, a computer room, a game room and a large community room, all “wired with a state-of-the-art data feedback and control system,” staff wrote in a recent report.

The complex’s significance rests not only in the vast public needs that it is expected to fulfill. As Sartor pointed out in his Sept. 12 presentation, the success of the south Palo Alto project could determine the city’s success with voters on bond projects down the road — a prescient point given that the council is now considering asking voters in November 2014 to approve a measure that would fund major infrastructure projects.

“There’s a lot riding on this project, particularly considering future potential bond elections,” Sartor said, explaining why he was “freaking out” about the runaway costs. Sartor told the council the purpose of his request to raise the budget was “to keep the project moving on schedule and to avoid claims down the road.” Today, two years and nine months after construction began, it’s clear neither goal will be met.

The buildings are up, but their interiors remain cavernous and unfurnished, with barren walls, wires dangling from ceilings and uneven floors. The plumbing and mechanical systems remain a work in progress. The city is still sorting out with its contractors an issue of sliding doors, most of which will likely need to be replaced. Many months after the project was supposed to be completed, landscaping remains strewn with crates, pallets and construction equipment.

Even if the library opens by the end of this year, as the city hopes and plans, it will be a year and a half late and cost millions more than the city hoped to spend when it signed the construction contracts in August 2010.

Long after the grand opening, the city will remain entangled in a legal mess involving its construction company, Flintco Pacific; its construction manager, Turner Construction; and the project architects, Group 4 Architecture. More public funds will be spent on legal assistance and construction consultants, whose jobs will be to help resolve the complicated and rancorous blame game that has come to characterize the project.

The breadth and depth of problems associated with construction of the Mitchell Park Library are illustrated in the dozens of letters exchanged over the past two years between top city officials and executives from Flintco, Turner and Group 4. The letters, which the Weekly obtained through a Public Records Act request, indicate that all parties involved deserve some blame.

Group 4’s designs appear to have omitted critical details, such as the size of steel tubes needed in the construction. The thinly stretched Public Works staff outsourced oversight of Palo Alto’s largest public project to a management company, Turner, with no inherent authority over Flintco, which resulted in clashes on the construction site between the city, Turner, Flintco and the various subcontractors, who objected to the high level of management and scrutiny.

But the most glaring problems can be attributed to Flintco, whose mismanagement of subcontractors, frequent clashes with city staff and construction managers, shoddy work, procedural delays and reluctance to devote the necessary manpower to complete the project have helped drag it well past deadline. Even if faulty designs contributed to Flintco’s inability to complete the project on time, as the company has maintained with some justification throughout the process, the designs do not explain why so much of the work failed repeated inspections and had to be redone at one point, the city considered it a victory when half of the windows passed a water test). Nor do they explain Flintco’s inability to deal with significant but seemingly fixable flaws — including windows that failed water-proof tests and incorrect sliding doors that had been installed.

It was these factors that pushed the city last month to initiate default proceedings against Flintco, a process that could lead to the company being replaced, delaying construction by at least a few more months. With six months left until the city’s latest deadline for completing the project and with work commencing on the expansion of Main Library, Palo Alto now finds two of its largest library branches closed at the same time — the very situation that council members were hoping to avoid when they were planning out the bond projects. This only adds to the pressure to clean up the mess at Mitchell Park as soon as possible.

The sense of urgency was apparent at a council meeting last month. Right before the council approved the latest addition to the project budget, Councilwoman Liz Kniss echoed her colleagues and city staff when she said she was “blown away” by what’s happening...
at Mitchell Park.

"If I was looking at this from the outside’s angle, if I was looking at this as a member of the community, I’d wonder what has gone south with the Mitchell Park Library and Community Center and how have we reached this point of no return?" Kniss asked on May 20.

Dozens of documents reviewed by the Weekly help answer this question.

**Things fall apart**

Construction of the Mitchell Park Library and Community Center began in September 2010, but it wasn’t until the following spring that staff began to notice something alarming—a flood of change orders (additional charges for unexpected work) that were rapidly pushing up the project’s price tag.

By February 2011, Flintco had submitted and received approval for change orders totaling $500,000. The sum doubled to $1 million by June 2011, after Flintco’s steel subcontractor pulled out of the project, forcing the city to pay the replacement subcontractor overtime hours to keep the project on schedule.

Some of these change orders appeared reasonable and were caused by incomplete designs.

Others, however, fell into what John deRuiter, vice president of Turner, called a “gray area.” DeRuiter, whose firm has a bungalow on the construction site, told the council during a September 2011 meeting that it’s quite common for contractors who submit low bids to then do anything they can to raise the cost after winning the bid. He and Sartor suggested that Flintco was doing just this at Mitchell Park.

"Generally, when (the bid is) low, there are reasons for that," deRuiter told the council. "They do start to look for opportunities to make up that ground. They always know how low they are so they know what they left on the table. Very often it turns adversarial."

The favorable construction climate in the aftermath of the 2008 recession helped fuel this phenomenon, Sartor said, both at Mitchell Park and elsewhere. The competitive climate led to low bids but created a situation “where this contractor and other contractors we’ve been working with in the last couple of years really seized the opportunity they can to identify potential changes.”

Nevertheless, Sartor urged the council to go along with the request to raise the budget, arguing that not doing so could raise costs even further. Delays in payment could result in lost productivity, and a contractor could “file a claim at the end of the project that says additional costs, attorney fees and other additional costs,” Sartor said.

Even given the low-bid construction climate, Flintco’s actions stood out. By that September, it had requested $4 million in change orders and had received settlements from the city for about $1.25 million, according to site supervisor Greg Smith of Turner. By January 2012, the city had to pay at least an additional $500,000. The sum doubled to $1 million in April 2012, as the city continued to pay additional money for information “which often times was duplicative and/or inconsistent with prior submittals, improper overcharges (such as double billing for overhead and tacking on inapplicable sales taxes), and failure to provide appropriate credit for deleted work.”

By that point, the city had approved 14 change orders from Flintco, totaling $1.7 million, according to a city report (as of last week, the city has approved 42 Flintco change orders totaling $3.5 million, according to a status report released by Public Works. This brings the total cost to $27.9 million, 14 percent above the base contract).

In addition to peppering the city with dozens of change orders, Flintco also filed hundreds of “requests for information” to clarify design details. While such requests are a common practice in construction, the sheer breadth of documents issued by Flintco frustrated and overwhelmed city staff. By March 2012, there were more than 1,200 requests for information from Flintco, according to a letter from Stump.

But change orders and information requests weren’t the only sticking points between the city and Flintco. There was ongoing tension between Flintco’s project manager, Brian Stevenson, and staff from Public Works and Turner. Sartor wrote to Stump on Feb. 16, 2012, asking that Stevenson be replaced and claiming that Flintco “has not complied with key contract requirements in the areas of change order requests, submittals and schedules.”

Sartor noted new management resources were “urgently needed to get this project moving at a much faster pace.”

“The City of Palo Alto is extremely concerned with the slow pace of the (Mitchell Park) construction project and the extraordinary number of RFIs (requests for information) and CORs (change orders) generated by Flintco,” Sartor wrote.

“We believe that it is essential for Flintco to bring new project management resources on to the job to get this project progressing toward timely completion.”

Flintco responded by agreeing to add a project manager, though Flintco’s then-President David Parkes noted that Stevenson would remain on the team to resolve what he called “the labyrinth of design issues that continue to plague the project.” Parkes also denied, as now, that Flintco was at fault for any of the delays.

“Please understand that the lack of progress on the project is not due to inadequacies on the part of Flintco or its project manager, Brian Stevenson,” Parkes wrote to Sartor on Feb. 20.

Stevenson remained on the site until fall 2012, when the city requested that he be removed from the project entirely, claiming that he had “a negative tone and interrupts meetings.” (Stevenson did not respond to a request for comment for this article.)

In addition to management disputes, things at the construction site were likewise messy. Flintco installed a vapor barrier, material designed to keep dampness out, but it was “bubbling” and its seams were “lifting of,” according to Sartor’s March 29 letter to Parkes. The city also learned that Flintco’s superintendent in charge of interiors, Gary Gibson, did not have interior experience (he was subsequently replaced). On a particularly troubling note, the subcontractor in charge of glazing, Fast Glass, was repeatedly failing water tests on its windows. In the same March letter, Sartor wrote that Fast Glass’ work “is substantially unsatisfactory” and requested that Flintco “determine a new course of action with respect to this subcontractor.”

But Flintco again deflected the criticism, asserting that it wasn’t Fast Glass that was at fault but the city and the designs. Parkes wrote to Sartor on April 5 noting that other portions of window assemblies had passed the tests.

Fast Glass, meanwhile, pointed the finger of blame at Turner, which was overseeing the glass testing. Fast Glass claimed tests were conducted at a higher pressure than industry standard. The glass company accused Turner of “intentionally delaying this project” by generating failed tests and by imposing “harassing scrutiny of Fast Glass’ professional caulkers, which caused these caulkers to quit after only one week of work.”

“Fast Glass did not agree to comply with unfounded, unrealistic, extra-contractual demands issued by a third party for this project,” Fast Glass stated, alluding to the demand that its glass pass water tests.

By May 9, 2012, progress was starting to be made. On May 3 and May 9, three of the six installed windows passed the test, a result that Assistant Public Works Director Phil Bobel called “an encouraging improvement” (before this, (continued on next page)
every one of them had failed). This “encouraging” sign, which doesn’t exactly set a high bar for encouragement, was a rare glimmer of hope for the city at a time when its relationship with Flintco was further eroding.

Meanwhile, the battle over change orders and requests for information continued. In March, the city had instituted new rules for change orders to require more details, including information pertaining to the time it took to complete the job. Flintco responded by calling the new requirements “onerous” and “impossible” to comply with. The company retracted all of its change-order requests in response to the new policy. The city viewed this as just the latest delay tactic.

In one exchange of correspondence around this time, Flintco’s Parkes alleged that the city and Turner “have continually failed of its failure to comply with the contract on May 24, 2012 (a letter which had known about the problem since at least April), and was given seven fixed or replaced will be made in their motive. Are they trying to misrepresent the facts and discredit observation reports, which he said wrote. “I’m compelled to question Flintco’s new project manager, Paul Zanek, complained in an Oct. letter from Bobel suggested the company had known about the problem since at least April), and was given seven days to correct its errors. The time had passed “with no evidence corrective work is underway,” Hojas wrote.

“Consequently, they are not acceptable to the architect or the owner under any circumstances,” Hojas wrote of the doors in her “notice of warranty under any circumstances,” Hojas wrote.

“The doors are to be removed from all exterior locations and re-placed with the product specified as the basis of design. The time for substitutions is past, and none will be considered.”

When this notice brought no response from Flintco, Bobel followed up with an email to top Flintco executives. The city, he said in a July 23 letter, is “in a difficult situation with the large, multiple sliding doors.” If Flintco didn’t order the new doors, the city would do so itself. This would cost more, Bobel said, and the additional funds would be deducted from Flintco’s pay.

“Hopefully they can be ordered right away. Many thanks,” Bobel wrote.

Flintco’s Vice President Stump shot back a one-line response: “Flintco has complied with the contract. We have no current plans for replacement of these doors.”

The two sides tussled over this issue for more than a year, and resolution is only now starting to surface. Sartor said last week that Flintco has finally agreed in writing to replace two big sliding doors with the correct models. The two sides are still trying to figure out what to do about the three smaller sliding doors, which Flintco had modified to fit the design and which passed a water test last week only to fail an air-blasting test. Bobel said the decision on whether these doors will be replaced will be made in the next few days.

“Bad blood

Public Works staff weren’t the only ones getting frustrated with Flintco as the first year of construction neared its end. And neither was Flintco the only party on the receiving end of finger-pointing when it came to the project’s escalating delays and cost overruns.

By fall 2012, there was bad blood among all four parties. Turner staff was putting in more hours and demanding more money. The city was resisting and arguing that Turner should abide by the terms of the “will not exceed” contract that had been authorized.

Flintco’s new project manager, Paul Zanek, complained in an Oct. 4 letter to the city about Turner’s observation reports, which he said “misrepresent the facts and discredit Flintco.”

“It makes appearances that Flintco is not addressing legitimate items in the OR’s (change orders),” Zanek wrote. “I’m compelled to question their motive. Are they trying to make it look worse than it is?”

He also noted that Turner had been adding “layer upon layer of inspections, which are disruptive and take away Flintco’s resources required for the execution of our contract work.”

Senior Public Works staff had its own problem with Turner. In July 2012, Thomas Tripp, a manager at Turner, said in a letter that his company expects full payment for the “additional services” it has provided. The letter came with an ultimatum — raise the budget now or we walk off the job.

“If the city does not authorize compensation for these additional services at the Sept. 4 council meeting, Turner will immediately demon-
Tripp wrote in July, “We will not provide the services in those tasks and categories from which the funding has been transferred, unless the funds are replenished.”

Sartor responded by noting that the city relied on Turner to “fully manage” the project and reminded the company of the “generous contractual amount of approximately $3.2 million.”

“As these were the largest building projects the city had undertaken in years, the city had neither the in-house expertise nor the resources to manage projects of this magnitude, and therefore turned to Turner, as one of the largest construction firms in the nation, to faithfully perform a comprehensive suite of services on the city’s behalf,” Sartor wrote on Oct. 3.

“Now, after the city has expended almost the entire amount of funds authorized under the contract, and when the project is at a deeply troubled state with millions of dollars of claims at stake and almost a year behind schedule, Turner is attempting to force the city to convert the contract that the parties both signed from a ‘not to exceed’ contract into a ‘time and materials’ contract, or be faced with a threat of Turner’s ‘immediate demobilization,’” he wrote.

The city, he added, “has concerns about Turner’s performance on this job.”

Flintco also had concerns about Turner. Flintco’s Parkes argued in a November letter that since Hojas’ arrival that spring, “Turner has been combative, confrontational, disruptive and argumentative.”

“Despite the overwhelming design deficiencies that affected all aspects of the project, Turner spends inordinate amounts of time and resources in an effort to transition design responsibility from the city’s architect to Flintco and its subcontractors,” Parkes wrote.

Parker claimed that Turner “failed miserably” in its duties as construction manager and requested that Turner’s project manager, Hojas, be removed from the project (she wasn’t). And then there was Group 4, the architects also contracted to handle the city’s other two library projects included in the $76 million bond — the successfully completed renovation of the Downtown Library and the recently launched expansion of the Main Library.

In September 2011 report, after the steel subcontractor had pulled out of the job, Sartor noted that the designs were incomplete in that they didn’t include information pertaining to steel tubing, including the size that would be needed to reinforce exterior walls.

In January 2012, Sartor notified Group 4 officials that “portions of the plans and specifications provided by Group 4 were inadequate, unclear and incomplete, resulting in an unusually high number of RFIs (requests for information), ASIs (architect’s supplemental information), change order requests, and contractor demands for additional costs, including costs for related delay and lost productivity.”

“In addition, Group 4’s failure to provide timely responses to RFIs has further exacerbated the delay and lost productivity claims asserted by the contractor,” Sartor wrote in his January 2012 letter.

In March 2012, Group 4’s principal David Sturges responded to Sartor, saying the firm is “aware of the barrage of contractor generated RFIs and change order requests that have resulted in delays and extra costs on this project.” But he reject Flintco’s suggestion that Group 4 is to blame for these requests.

“We disagree that a substantial portion of the costs and delays being incurred by the city are the result of deficiencies in Group 4’s services or untimely responses to RFIs. ... In the past 15 years, we have participated in the building of half a dozen libraries of comparable size and complexity as this project.”

(continued on next page)
All have been completed on time and none have experienced what we have had here with the contractor and the construction management team,” Sturges wrote.

Flintco, meanwhile, has continuously blamed Group 4’s design plans for the myriad complications. Parkes noted in an April 2012 letter that although changes are “anticipated and are a normal part of any construction project, it is unreasonable for the parties involved in the Mitchell Park Library project, after nearly 20 months of construction, to be moored down in a quagmire of extensive design changes that critically affect so many aspects of the very work being performed in the field.”

Tom Maxwell, who had replaced Parkes as Flintco’s president, made a similar case in January 2013 when he wrote that “as a result of the architect’s incomplete design documents and the multiple design iterations required to resolve the issues, Flintco was forced to repeatedly prepare submittals for the same scope of work.”

In response to the Weekly’s request for an interview, Sturges of Group 4 said that the city has asked that “all questions regarding ongoing city projects be directed to the Department of Public Works.” Sartor did not absolve Group 4 of blame but focused most of his criticism on Flintco.

“We acknowledge there have been some issues with plans and specs, but that’s not the whole story,” Sartor told the Weekly. “Our contention is that Flintco has done a poor job managing the subcontractors and doing the work.”

More money, more problems

The problems spilled over into the new year. In January 2013, the city learned that because of the delays, the new buildings were already getting moldy.

“The project has now been exposed to two winters, and as a result the city’s inspectors have recently noted mold accumulation,” Phil Bobel wrote on Jan. 18 to Flintco’s Maxwell.

That was just one of many problems Bobel flagged in the letter. Two more subcontractors had recently been replaced “due to non-performance.” One of them, Bay Mountain Air, did not follow the plans when installing the pipes in the HVAC system, Bobel wrote, and nearly 60 percent of the pipes in the mechanical room had to be removed and reinstalled.

“In addition, work performed by other subcontractors has been deficient,” Bobel wrote. “Flintco’s work repeatedly fails inspection and must be re-performed.”

Flintco’s efforts to remedy the situation didn’t strike the city as encouraging. Bobel noted in his letter that on Jan. 9, 2013, there were only 10 workers on site.

“There should be 50 or more workers on site at this critical juncture,” Bobel wrote.

Flintco’s Stump wrote back in February, arguing once again that the delays were caused by deficient contract documents, incomplete drawings and specifications and the city’s “mismanagement of the entire process associated with the ongoing completion of design.”

“The Palo Alto Public Works Department often claims that it is merely ‘acting as good stewards of public funds,’ characterizing its actions as ‘in the best interests of the city and its constituents.’ In reality the Palo Alto Department of Public Works has caused millions of dollars in unnecessary added costs and many months of delay,” Stump wrote.

Stump also defended Flintco’s high number of requests for information, many of which the city claimed were frivolous. By this point, Flintco had written more than 1,525 RFIs requesting clarification, Stump wrote, “and another 2,000 if the follow-up RFIs are included.” Some of these requests, he acknowledged, sought information already contained in the contract documents. He attributed this to “human error.”

“Just as the contractor should expect to write a reasonable quantity of RFIs to account for ‘human error’ in the contract documents, the design team should expect a modest percentage of RFIs to be extraneous,” Stump wrote.

By last month, the project had reached its nadir. Progress remained at a snail’s pace. In April, the city’s bi-monthly report on Mitchell Park estimated that the project was 82 percent complete. (The June report pegged the completion at 84 percent.) The sliding doors that Flintco had installed and declined to replace failed a water test in late April, according to a letter Sartor wrote in May. And work crews on the site remained paltry. On May 2, City Manager James Keene described the situation in a letter to Flintco’s Maxwell.

“Work crews are quitting or failing to show up to the job on a regular basis,” Keene wrote. “The number of workers on site on a typical day falls considerably short of what would be expected and does not support significant progress on either available work or essential corrective work. On days when crews are present, Flintco is not adequately coordinating or supervising trades. Much of the work fails building department inspections or is identified on site as not complying with the contract requirements. Most troubling is that Flintco has submitted no plan for completing the project any time soon.”

The target date for finishing the complex was continuing to slip. In April, the new schedule extended completion from Oct. 8 to Nov. 22. Later, it was extended again to the intentionally vague “late 2013.” Keene notified Flintco that the company needed to submit within 14 days a detailed plan of correction for resolving outstanding issues. Failure to do so would result in default proceedings, which could involve Flintco being replaced by another construction company. Flintco’s surety, Zurich American Insurance Company, was put on notice that the city was preparing to begin the default process.

Flintco’s John Stump responded to Keene on May 10 with a timeline for making various fixes on the construction site. He also once again maintained that the fault lay with the city and argued that the project would go faster if the city processed change orders “fairly and accurately.”
timely," did a better job responding to requests for information and made “fair and timely progress payments.”

Stump noted that the project subcontractors “have experienced tremendous inefficiency while the payments from the city are delayed or denied entirely.”

“If not for Flintco’s willingness to essentially finance the project by paying its subcontractors, even though the city has not paid Flintco, there would be far fewer tradespeople on this site. In order to add manpower we MUST remove the constraints preventing progress and make payment to subcontractors for the work and changes that they have performed,” Stump wrote.

Sartor responded to the issue of timeliness by alleging in a May 22 letter that Flintco had failed to comply with requirements for submitting change orders. These include giving the city notification of claims within seven days. The contractor also “continues to include improper percentage markups” in its requests, which requires recalculation on the city’s part, Sartor wrote. “This is running … not only millions over, but it is inconveniencing a number of people and not just those who would use the library,” Kniss said.

In responding to Kniss, City Attorney Molly Stump said the city remains disappointed and concerned about the delays and price increases. It continues to face “numerous problems on the site with the contractor asking for additional changes and increased costs to be provided to them.” Sartor said at the May 20 meeting that the city will be implementing the “liquidated damages” provision in its contract, which would require Flintco to compensate the city for delays that are deemed to be Flintco’s failure after the project is completed.

There is also “continuing a protracted legal battle. The city has retained seven different consultants to help it sort out the Mitchell Park mess, including three law firms, a firm specializing in design disputes, a consultant focused on “project control and forensics,” a structural-engineering firm and a consultant who will focus on project scheduling. The seven contracts total a little more than $1 million.

The city has also reached an agreement with Big D Builder, the contractor that last year completed the renovation of the Palo Alto Arts Center, to “correct errors and finish the work when Flintco Pacific fails to do so,” according to a staff report. Flintco might not be the only company that will be entangled in a legal mess with the city long after the new Mitchell Park Library and Community Center open their properly installed sliding doors to the public.

The city has also put Group 4 and Turner on notice that “we have some concerns with respect to some of their work as well,” Molly Stump said.

Those are being deferred to final adjudication toward the end of the project,” she said.

A glance at the construction site is a sufficient indicator of how much work remains to be done. The three buildings are up, but wires extend from ceilings and walls are barren. This week, half of the floor panels in the new library were removed from the ground floor for corrections and inspections of the mechanical work, giving the ground floor the look of an empty chess board.

Last week, the expansive yard around the buildings was strewn with construction equipment and debris. Stacks of 2-by-4s, dormant tractors and bushels of pipes lay in the afternoon sun.

Workers in yellow and orange helmets dotted the sprawling site, installing mechanical, electrical and plumbing systems.

But the scene also offers signs of hope. Near the Middlefield Road side of the campus, workers from Flintco and the city were preparing the large crates of planters that had just arrived and that will be installed into the library’s “green wall.” Paving had just been completed for a small basketball court outside the teen room, and a crew of workers was about halfway through installing decorative pavers at the courtyard between the three buildings in the complex. One worker carried a giant bundle of blue wires to the small electric room, which already includes more than 1,000 wires.

For the city, perhaps the most promising sign is the number of workers on the scene. While in January, only nine contractors were on site, the property was a hive of activity this week.

Decorative stones forming the library’s facade had just been installed, and the library’s environmental features are mostly in place. When asked if the city still expects the project to be complete this year, Bobel said meeting the deadline should be “doable.” Things have been turning in a more positive direction since the city warned Flintco about the default notice in early May, Sartor said. Top staff have met with Maxwell in recent weeks to make it “very clear that we intend to default them unless they pick up the pace.” After a May 20 meeting with Maxwell and John Stump, the city also agreed to have its chief operating officer on the construction site two days a week, Sartor said. Flintco has beefed up its workforce and is now averaging 50 people a day on the site, according to Sartor.

“The city has been working on Saturdays and doing work that is not disruptive to the community,” Sartor said. “They are redoubling their efforts.”

Despite the brutal experience of the last two-and-a-half years, Public Works staff remains hopeful that the Mitchell Park Library and Community Center will be completed by the end of the year and intends to push the toward meeting this deadline. Sartor said. But given the nature of this project, any optimism the city still has for meeting this deadline must necessarily be shrouded in caution.

“The question is, ‘Can they turn the aircraft carrier around and get it going again?’” Sartor said. ■

Staff Writer Gennady Sheyner can be emailed at gsheyner@palweekly.com

About the cover: Illustration by Shannon Corey

Hot and Spicy!

32nd Annual Chili Cook Off & Summer Festival

City of Palo Alto

Thursday, July 4th, 2013
Noon to 5 pm

Mitchell Park
600 E. Meadow Drive, Palo Alto

Noon
Festival Begins: Live Music, Tasting
Tickets on Sale, Kids Area & Food Booths
Open, Beer & Margaritas on Sale

1:30
Public Chili Tasting Begins

2:00
Judging Begins

3:30
People’s Choice & Youth Choice
Voting Ends

3:45
Awards Ceremony

4:00
Pan Extasy Final Set

PAN EXTASY
Caribbean Music

Also featuring DJ Joe Sheldon, Moby McCadams, DanceAdventures.com

For more information visit
www.cityofpaloalto.org/chilicookoff
or contact Ali Williams at
ali.williams@cityofpaloalto.org; 650-648-3829

Offsite parking will be available at Cubberley
Community Center, 4000 Middlefield Road.
Shuttle van available between 12 – 5pm.
Biking and carpooling encouraged.

Sponsored by
Artists & Entertainment
A weekly guide to music, theater, art, movies and more, edited by Rebecca Wallace

While studying to be an architect, immersed in the precision of perspective, Earl Junghans chanced to enroll in a watercolor class. He labored to replicate "that old magnificent Beaux Arts style," he recalled, painting layer upon layer, letting each layer dry in turn. It seemed like the way an architect should approach fine art. He spent a whole semester on a single painting.

Then the teacher announced that students had to turn in their best five works. Junghans rushed back to the studio and dashed off four more paintings, using what he'd learned at breakneck speed.

To his surprise, these paintings outshone the first by a mile.

"I learned a lesson," he said, laughing. Freeing your brush to swift inspiration sometimes yields the best art.

Today, Junghans is still liberated by watercolors. Now a retired architect, he retains the science of perspective and all he learned in his career about material and texture, light and shade. But instead of using those lessons in tight, detailed blueprint drawings, he lets them out to play on soft watercolor paper. Visitors to the Palo Alto and Mountain View Baylands may see Junghans outside painting, with a folding chair and a portable table.

"What attracts me are scenes that have a lot of darks and lights, a lot of contrast. People think watercolors are transparent and pastelly, but that’s not true. It has such potential. You can get the brightness," he said. Inspired by the confident, vivid watercolors of Winslow Homer and John Singer Sargent, he's never even tried acrylic or oil paints.

This summer, 28 of Junghans' paintings are so close to the Bay that they’re practically damp. He has a small solo exhibit at the Environmental Volunteers' EcoCenter out in the Palo Alto Baylands, where panoramic views from the building showcase wind and water. Across one wall are Junghans' own views of Byxbee Park, waves, hills, boats and sky.

A resident of Menlo Park, the artist chooses the Midpeninsula to set most of his works. (Those California-gold East Bay hills do take center stage in at least one painting.) Overall, the views are a mix of broad landscapes and up-close detail. A pair of paintings called "Fading Marsh Grasses" looks carefully at a complex maze of blades.

"Sometimes I see something and am attracted to it because it’s so difficult to paint," Junghans said. It helps that he does pencil work before painting, outlining his images and figuring out where the shadows are.

The same meticulous brushstrokes show up in "Interpretive Center Detail," where the wood slats on a pier mirror the ripples in the water. In "Sea Scout Boat," the artist has painted a small boat and a coiling rope in rich blue-greys, with sharp panels.
While out by the Bay, Junghans has found his attention captured many times over the years by Palo Alto’s airport. “Landing Gear #2” offers a low view of a plane and its wheels, and the underside of a wing. “I sat right here on the ground and painted,” Junghans said. This was before 9/11. When he tried to do another airplane painting more recently, a security man chased him away.

Junghans originally hails from Virginia and moved to the Bay Area a few years after finishing college. He had visited the city by the Bay on a class trip and fallen hard. “There’s nothing like San Francisco,” he said.

When he first moved here, he didn’t know anyone, so he spent many of his weekends outside painting. Decades later, he keeps painting and exhibiting; past solo shows have been at the Pacific Art League in Palo Alto and at the SLAC National Accelerator Laboratory in Menlo Park. He describes himself as an active person, busy and athletic. Watercolor paintings fit right in.

“The quicker you do them, the better they come off,” he said. “I love art, but I don’t like to sit around.”

What: An exhibition of Baylands watercolors by Earl Junghans
Where: The Environmental Volunteers’ Eco-Center, 2560 Embarcadero Road, Palo Alto
When: Through Aug. 28, with a reception on June 29 from 1 to 3 p.m. The EcoCenter is open Monday, Thursday and Friday from 11 a.m. to 1:30 p.m. and Saturdays from 10 to 3.
Cost: Admission to the center is free.
Info: Go to evols.org or call 650-493-8000.

(continued from previous page)
Even long after they’re gone, certain spaces leave lasting impressions of happiness or longing. For artisan printmaker Kathryn Kain, these memories can create inspiration. A neighborhood that was once residential at the Hunters Point naval base in San Francisco provides the vision for her upcoming exhibition, “Gone to the Wild,” now at the Mohr Gallery at the Community School of Music and Arts in Mountain View.

Kain moved to the Bay Area from Toledo, Ohio, in 1979, and received her post-baccalaureate degree in printmaking from the California State University at Hayward under the tutelage of legendary Bay Area artist Kenjilo Nanao. During this time, Kain joined a movement of artists to colonize Hunters Point after the Navy abandoned it in the 1970s. While the old shipyards were leased and renovated into studios, the former homes fell into disuse and disarray.

“Especially in our urban area, we can never find a space that’s just uninhabited and empty,” Kain says. “(The houses) were covered with plants that had just gone wild.”

As it became apparent that the neighborhood would be developed, Kain said, she returned to the location as often as possible, taking hundreds of photos and collecting flowers and plants to take back to her studio.

“In my mind, it was like I had to do it, because of the feeling that place gave me. ... You just don’t see something like that every day,” she said.

The surreal collection now on exhibit at CSMA features a number of large-scale prints that juxtapose images of women with a more natural element. “As a female I identify with that,” Kain says. “I did a ton of figurative work early on but ... I started doing still-life because I wanted to not rely on photography, to bring things into my studio and draw from life.”

Kain now balances her time in the studio with work as an instructor of etching, lithography and monotype for Stanford University and other institutions, and with her career as a master printmaker for Smith Andersen Editions, a Palo Alto gallery and press. Kain works with fine artists, providing technical expertise and skill to facilitate their work. Kain also volunteers for nonprofit organizations such as the San Francisco-based ArtSeed, which offers free art classes to underprivileged children; and hosts workshops at Smith Andersen.

Although the collaborative nature of much of her work makes it a challenge to dedicate time to her own art, Kain says that seeking out those experiences comes with its own value. “If I’m in my studio every day alone, it can be nice, but I’m not really a part of the world.”

What: “Gone to the Wild,” an exhibit of prints by Kathryn Kain
Where: Mohr Gallery, Community School of Music and Arts, 230 San Antonio Circle, Mountain View
When: Through July 28. Gallery hours are weekdays from 9 a.m. to 7 p.m. and Saturdays from 9 to 3.
Cost: Free.
Info: Go to arts4all.org or call 650-917-6800, extension 306.

“Rosas Multicolores,” a 2009 work of monotype and transfers by Kathryn Kain.

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Past on paper

Artist remembers lost urban flowers and plants in her prints

by Elize Manoukian

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“Rosas Multicolores,” a 2009 work of monotype and transfers by Kathryn Kain.
Music

East Palo Alto Blues Festival benefit

East Palo Alto is gearing up for its summertime blues festival in August, and to help prepare, organizers are throwing a benefit concert to raise funds for the festival. That means two upcoming events for local blues buffs.

Next week, Redwood City’s Club Fox at 2209 Broadway is hosting the benefit concert on July 7 with a host of performers. The C.L.U.B. Fox at 2209 Broadway is also on the bill are Fillmore Slim, who mixes seasoned Bay Area sound, joined by the Bay Area Blues Society Caravan of AllStars. Also on the bill are Fillmore Slim, who mixes his blues with R&B, funk, jazz, rap and soul; The New Razzhem Blues Band featuring Ray Star; and Alvin Draper.

Doors open at 6 p.m. and the show starts at 7 p.m. Tickets are $20 for the 21-and-over event. Go to clubfoxrwc.com.

The blues festival is set for Aug. 3 in East Palo Alto’s Bell Street Park at 550 Bell St., featuring Fillmore Slim, the J.C. Smith Band, the Bay Area Blues Society Caravan of AllStars and Alvin Draper. Organizer Patrick Brock, who is putting together the pair of events with the East Palo Alto-Belle Haven Chamber of Commerce, says the festival will be a family-friendly day, running from 10 a.m. to 7 p.m. Admission is free.

For more information about the blues festival, go to patrickbrockandcompany.com or call 650-799-8563.

Painting

‘Storied Past’

The Cantor Arts Center’s summer exhibition, “Storied Past,” is one of several French-themed shows at the Stanford University museum these days. It will open July 5, the same day as a smaller show of French figure drawings and “Inspired by Temptation: Odilon Redon and Saint Anthony.” Redon, a French symbolist, created 42 lithographic works inspired by Gustave Flaubert’s book “The Temptation of Saint Anthony.”

Admission to the Cantor is free. The museum is open Wednesday through Sunday from 11 a.m. to 5 p.m. and Thursdays until 8. Go to museum.stanford.edu or call 650-723-4177.

‘Superior Donuts’

If Tracy Letts sounds familiar, it may be because you just saw him on your TV earlier this month, winning a “Best Actor in a Play” Tony Award for playing George in a revival of “Who’s Afraid of Virginia Woolf?” But he’s no slouch at writing, either: He won the 2008 Pulitzer Prize for Drama for his play “August: Osage County.”

Locals can experience a little more Letts this summer in Mountain View, where the Pear Avenue Theatre is putting on the multi-talented writer’s play “Superior Donuts.” The Broadway play may sound familiar, too. It was previously presented here at TheatreWorks in 2010.

“Superior Donuts” takes place at a weathered Chicago baked-goods shop, where owner Arthur, an old-time radical from the 1960s, meets young Franco, who wants to bring fast-talking change to the place. The comedy looks at friendship, nostalgia and Chicago as it used to be. Local Equity actor Ray Renati plays Arthur, with Brandon Jackson as Franco.

The show runs June 28 through July 14, Thursday through Saturday at 8 p.m. and Sundays at 2. (There’s no show on July 4, but there’s an extra performance on July 3.) Tickets are $10 to $30, with discounts available for seniors, students and groups. The theater is located at 1220 Pear Ave., Unit K, off Shoreline Boulevard. Go to thepear.org or call 650-284-1148.
Eating Out

FOOD FEATURE

Sweet spot

Newly opened Tin Pot Creamery combines baked goods and ice cream
by Elena Kadvany

Becky Sunseri signs off on emails with such phrases as “Three Cheers for Ice Cream,” or “Still Cheering for Ice Cream.” A mini cupcake charm hangs on her key ring. She arrives at an interview on a recent afternoon with freshly baked TCHO chocolate and sea-salt cookies in her purse. Needless to say, ice cream and baked goods are her thing.

Sunseri, a former Facebook pastry chef with a degree in nutritional science from Cornell University, merged these two sweet worlds in a newly opened artisan ice cream shop, Tin Pot Creamery, at Town & Country Village in Palo Alto.

At Tin Pot, everything — the ice cream, the toppings, the cones, the baked-good add-ins — are made in-house with locally grown, organic ingredients.

The 18-flavor menu is three-tiered, split into smooth ice creams (anything that doesn’t have any add-ins, such as Earl Grey or vanilla-bean ice cream), light mix-ins (such as mint chip with Tin Pot’s house-made chocolate chips mixed in) and what Sunseri calls “premium inclusion flavors.” Those include cheesecake with dark cherries and almond toffee, bourbon with oatmeal pecan cookies and, one of Sunseri’s favorites, Earl Grey tea with shortbread.

“I’m really particular about flavor,” said Sunseri, a bubbly 27-year-old whose excitement level visibly rises as she talks about ice cream. “I really think that if something is called strawberry, it should taste so much like real strawberries. Or if it’s called coffee, you should get hit with coffee.”

She elaborated on Tin Pot’s coffee ice cream, which has a deceptively light color. “But then you taste it and it’s like POW! It’s coffee.”

Sunseri said the shop’s menu will feature a core of nine staple ice cream flavors and that the other nine will be rotated out depending on the season, what ingredients are available and what customers want. She added that there will always be one vegan flavor, one sorbet and gluten-free options.

Beyond frozen treats, customers can find cones made in-house, all-natural toppings, decadent sauces, a selection of baked goods made by Sunseri, coffee from San Francisco’s Four Barrel Coffee, and affogatos — a scoop of vanilla ice cream (made from Mexican vanilla beans) doused in a shot of espresso.

Tin Pot represents a long-awaited goal for Sunseri: to open her own brick-and-mortar ice cream shop in Town & Country, specifically.

In 2008, Sunseri moved from her home state of Illinois to San Francisco with her boyfriend at the time, now her husband. She took a job in sales and client operations at a startup. “Very quickly I realized it wasn’t the right fit,” she said of the job. “I just missed being creative. And I didn’t even know that was something that I needed so much in my life until I didn’t have it.”

So she started volunteering for the Center for Urban Education about Sustainable Agriculture (CUESA) at the Ferry Plaza Farmers Market and eventually started taking night and weekend pastry classes at Tante

(continued on page 32)
(continued from the previous page)

Marie’s Cooking School. “I just felt like something lit inside of me there,” she said. “I didn’t go into it intending like, ‘Oh, this is what I’m going to do for a career.’ I just went into it needing something in my life that was exciting. About halfway through I realized I wanted to try to make it work.”

After finishing pastry school, Sunseri worked as an intern at Nao Valley Bakery in San Francisco and launched her first business venture, selling baked goods to local coffee shops. She remembers taking Caltrain down to one such shop in Redwood City, terrified that someone would trample or sit on her carefully constructed tartlets. But a solo baking and delivery business was unsustainable, so Sunseri eventually headed to Facebook to work with her mentor and the company’s executive pastry chef, Shannon Griffin. She moved to Los Altos with her husband and worked at Facebook for two years, planning menus a month in advance and baking hundreds of desserts every day.

In a chance meeting at Facebook with her now-business partner (who wishes to remain anonymous), Sunseri said they talked for two-and-a-half hours about ice cream. Tin Pot, named for the first recorded receptacle used to make ice cream, was born.

“We decided that we wanted to take some of the concepts from the city and bring them here, but then also make it really for this area — so make it family-friendly and have really great ice cream and baked goods that people can just feel good about eating,” she said.

However, getting a space at Town & Country Village, which Sunseri had long lusted after for its accessibility, location and vibe, proved difficult. So she and her business partner launched a monthly delivery service.

From San Francisco to San Jose, ice cream lovers would receive a desired number of quarts each month ($18 per quart or $32 for two), leaving the flavor choices in Sunseri’s hands. She delivered all the ice cream herself, spending 13 hours in San Francisco one day, she said.

Amy Wang and her fiancé, Scot York, both Menlo Park residents with a serious sweet tooth, were early Tin Pot delivery recipients. They met Becky through a mutual friend who worked at Facebook at the time.

“We asked Becky early on to keep us in the loop so that we would know when her ice cream would be available,” Wang said. “When she tested the delivery concept, there was no question that we would sign up for it.”

Deliveries, along with a small catering service, were halted earlier this year so Sunseri could focus on opening the brick-and-mortar store, but she said she hopes to restart both once they’re settled in Palo Alto.

Wang said that Tin Pot’s brick-and-mortar arrival holds extra significance in an area that she said lacks quality, fun ice cream shops. “(Becky’s) flavor combinations have hit the mark every time and I find that I don’t actually have to eat a lot of the ice cream to feel satisfied because of how creamy the ice cream is and how intricate the flavors are,” Wang said. “It’s just really, really good ice cream and you can tell how much care goes into it.”

Though Sunseri is a flavor perfectionist, she said some of her best creations have been created as a result of breaking the rules. She says that each flavor has its own story, and posts many of them on her blog. A favorite is “The Unlikely Tale of Salted Butterscotch Ice Cream.”

Sunseri — at this point still conducting science-like dessert experiments in her home kitchen in Los Altos — had planned to make salted caramel ice cream, but she ran out of white sugar. The next best thing she had on hand? Brown sugar.

“I had been told, and I knew, that if you add cream and brown sugar it can curdle. It can be a mess. I did it anyway. And that’s the way that I got this amazing flavor — by breaking the rules in order to create something that’s really powerful.”

Eating Out

Info: Tin Pot Creamery is in the Town & Country Village at 865 El Camino Real #120, Palo Alto. Hours are Mon.-Thur. from 11 a.m. to 9 p.m., Fri.-Sat. from 11 to 10, and Sun. from 11 to 8. Go to tinpotcreamery.com.

New Tung Kee Noodle House
947-8888
520 Showers Drive, Mountain View
www.shopmountainview.com/luuoodiemv

Janta Indian Restaurant
462-5903
369 Lytton Ave.
www.jantaindianrestaurant.com

Thaiphoon
323-7700
543 Emerson Ave, Palo Alto
www.thaiphoonrestaurant.com

Read and post reviews, explore restaurant menus, get hours and directions and more at ShopPaloAlto.com.

Bigger Kitchen ...

Dino Tekdemir plans to create a bar, lounge and private dining room in the additional 1,000 square feet of space. “We’re hoping to be ready and finish all construction by late October,” said Tekdemir, who sent his building plans to the city this week for approval. “When they approve, we’ll start,” he said. Anatolian Kitchen opened about three years ago, and Tekdemir said he did not expect the success. He recently opened a second restaurant and wine bar in San Francisco’s Union Square, called First Crush. “I now split my time between the two restaurants, but I’m mostly here in Palo Alto,” he said. As for Ramona’s owner Carmen Tejada, she said Tekdemir’s offer to buy her space was a relief. Her son, Mario, had worked long hours with little vacation time to manage the restaurant, and she said the family couldn’t afford to hire someone to help manage it. “I was very emotional — selling the business when we had such wonderful, loyal customers who we’d served for such a long time.”

Send tips to shoptalk@pawekly.com. Online editor Eric Van Susteren contributed to this report.
White House Down

** *1/2**

(Century 16, Century 20) It’s been 25 years since a barefoot Bruce Willis scurried his way around Nakatomi Plaza and dismantled a crew of European bad-dies in “Die Hard.” Yet studios continue to piller from that action classic, ever eager to exploit a formula that has earned box-office bucks many times over.

Case in point: The new Channing Tatum/Jamie Foxx actioner “White House Down.” While fun in a harmless, artificial sort of way — like Pop Rocks or costume jewelry — “White House Down” is little more than “Die Hard” at 1600 Pennsylvania Ave. Plot points and characters are strikingly similar. Fortunately, leads Tatum and Foxx — backed by a solid cast that includes Maggie Gyllenhaal, Richard Jenkins and James Woods — lend the film a certain charm that helps balance out the “Die Hard” deja vu.

Military standout John Cale (Tatum) aspires to be a Secret Service agent and protect President James Sawyer (Foxx), especially since John’s daughter Emily (Joey King) is a big fan of the pro-peace Commander in Chief. Shortly after a seemingly failed interview, John takes Emily on a tour of the White House, where she gets to meet President Sawyer in person. But Emily’s jubilation is short-lived as someone on the inside (no spoilers here).

While nearly everyone in the White House is taken hostage, John manages to evade capture (sound familiar ... ?) and sets his sights on protecting Sawyer and rescuing his captive daughter.

Tatum again demonstrates his likability as an actor and has a certain self-effacing quality that other “hunky” actors clearly lack. He brings a consistent humor and humility to his performance and is able to sell the action scenes effortlessly (his martial-arts background doesn’t hurt). Foxx is a bit miscast as the leader of the free world, especially for those of us who still remember his riotous turn as V万达 in the sketch-comedy show “In Living Color.” But his charisma and experience are a boon here. Gyllenhaal and Woods (as Secret Service know-its-alls), frankly, look a bit haggard but perform admirably, and youngster King (“The Dark Knight Rises”) adds a spark.

German director Roland Emmerich, whose resume includes a handful of doomsday pics (“Independence Day,” “Godzilla”), goes light on believability and heavy on gunfire. The action is furious but implausible, with helicopters exploding over Washington, D.C., and an SUV doing donuts on the White House lawn.

Still, there’s something to be said about watching an entertaining action flick in an air-conditioned theater while the summer heat sweaters. Just maintain expectations and aim for a matinee. And get popcorn.

Rated PG-13 for language, a brief sexual image, and intense action violence, gunfire and explosions. 2 hours, 17 minutes.

— Tyler Hanley

The Heat

** *1/2**

(Century 16, Century 20) The “feminist” buddy-cop comedy “The Heat” proves its bona fides by being about as funny and as lazy as guy-fronted buddy-cop comedies. I’m not sure that’s a victory for women, but it will probably translate into healthy box office.

Of course, you have your “Cagney & Lacey” and your “Rizzoli & Isles,” but those are TV shows. A big-studio female buddy-cop movie may not be a first (remember “Feds” I didn’t think so ... ), but it’s a rarity. I suppose this is “evolved” studio thinking: There’s money in tapping the female audience, but there’s presumably even more to be had by doing it with shootouts, car chases, an explosion or two and gross-out humor that might also bring in knuckle-draggers known as men (and boys, if they can get around that rating).

Sandra Bullock plays FBI Special Agent Sarah Ashburn. She’s brilliant but also arrogant and competitive, which annoys the men who surround her. With a promotion at stake, by-the-book Ashburn finds herself forced to play nice with burn-the-book Boston cop Shannon Mullins (Melissa McCarthy), whose technique is less Sherlock Holmes and more built in a china shop. They’re set loose on a flimsy, “lethal Weapon”-y drug case, an excuse for the odd-couple tropes to play out: the uncool Ashburn needs to learn not to be so upright, while the hard Mullins needs to learn to let down her emotional guard.

As written by Katie Dippold, “The Heat” suggests not only that McCarthy pushes her character’s unpalatability much farther than she did in her similarly structured odd-couple hit “Identity Thief.” Living and dying by the sword of the Judd Apatow style, comedy insider Feig loads up the movie with talented performers — from Demián Bichir to Jane Curtin — and gives them a bit of riffing room. (Apatow didn’t produce, but you wouldn’t know it from the two-hour run time.)

(continued on the next page)
The meeting of McCarthy’s stinging zingers and Bullock’s practiced exasperation almost justifies “The Heat,” but it’s more of a lob than a fastball.

Rated R for pervasive language, crude content and violence. One hour, 57 minutes.

— Peter Canavese

Unfinished Song

(Aquarius) Perhaps it doesn’t matter if a weepie comes by its tears honestly. Catharsis is catharsis. At the comedy-drama “Unfinished Song,” there’s a 90 percent chance of rain from your eyes, but something’s definitely off: The picture might as well be going at you with pepper spray.

Suggesting “Amour” with musical numbers, the first movement of the film explores the last days in the marriage of Arthur Harris (Terrence Stamp) and his wife, Marion (Vanessa Redgrave), whose cancer has returned. Despite the death sentence, Marion keeps smiling, doubling down on her commitment to her friends at the Smith Hall Community Centre. There, Gemma Arterton’s Elizabeth coaches a competitive choir she’s dubbed the “O.A.P.z” (old-age pensioners ... with an attitude!). That’s right: they’re not afraid to sing Salt-N-Pepa’s “Let’s Talk About Sex!” in askew baseball caps!

If you’re starting to feel a bit grumpy, you’ll relate to Arthur, who resents the O.A.P. z for ostensibly making his wife happier than he does. Arthur has long struggled with anhedonia, and now the only source of joy in his life (except his weekly lads’ night out) will soon be ripped away from him. Before she goes, Marion essentially serenades Arthur in public, sweetly warbling “True Colors.” A palsied Redgrave and her emotionally sensitive performance evokes Marion’s fear, her strength and, most importantly, the defining twinkle in her eye.

What the movie’s really about, though, is putting that twinkle in Arthur’s eye. And when it first shows up — Stamp unmistakably mirroring Redgrave’s ocular expression of joy — it’s a truly magical confluence of great acting, two actors working in concert even though one has left the building. But to get there, audiences will have to suffer through a lot of “Up with (Old) People” shamelessness: condescension to retirees, silly mugging and truly stupid plot turns meant to drum up emotional conflict and underdog suspense.

Writer-director Paul Andrew Williams manipulates like mad to have his weepie, enabled by the patronizing Elizabeth, Arthur’s estranged son James (Christopher Eccleston), and James’ chipper young daughter Jennifer (Orla Hill). Add up the gloppy, needless frame of narration from Elizabeth and the fleet 93-minute running time, and one can plainly see the mercenary influence of the Weinstein Company, notorious for storming editing rooms. The only opportunity Williams misses is pairing up single-dad James with the inexplicably unloved Elizabeth; that subplot is probably decorating the cutting-room floor.

Should you see “Unfinished Song”? If you’re an inveterate softie looking to hydrate your eyes, yes. If you can’t bear the thought of missing good work by Redgrave and Stamp, maybe. But if you have a low tolerance for having your intelligence insulted (or for dreadful renditions of “Love Shack”), it’s a definite “no.”

Rated PG-13 for some sexual references and rude gestures. One hour, 33 minutes.

— Peter Canavese
**MOVIE MINIS**

**New Playing**

**The Bling Ring** (+1.0)

Roped from the headlines — rather Nancy Jo Sales’ “Vanity Fair” article “The Suspects” (May 2013) — Sofia Coppola’s “The Bling Ring” delivers true crime with a dash of social satire. Yes, the names have been changed (more to protect the filmmakers from lawsuits than “to protect the innocent,” as the script says); and the core actions all correspond to real-life figures; the script just gives them different names. But while the press has focused on the real-life “Bling Ring” (a.k.a. the “Burglar Bunch”), the film is in Cabbalas, Cairo, circa 2009, as a group of teenagers commit a robbery. In a classic Sofia Coppola touch, the “sleaming” rock of Sleighty Bells “Creem on the Ground” kicks as in the teens. I keep thinking about Coppola’s screenplay captures the casual escalation, the seeming inevitability of the situation, of teenagers finding their own sexuality and brief drug use. One hour, 30 minutes.

**The East** (**+)

We are headed in the wrong direction? A collective called The East thinks so, and its members believe corporations are taking us there.

And so, The East commits eco-terrorism against Western corporations. That’s the setup for suavely co-directed by Zall Batmanglij and co-written by Batmanglij and David Winkler’s “The East,” playing Jane Owen, a former counter-terrorist agent for the FBI who now lends her expertise to the private intelligence group to fight for the environment.

Jane infiltrates eco-terrorism groups and gathers intelligence to share with law enforcement agents. That’s all well and good for the ambitious and morally righteous Christian Jane until she gets too close to the film’s raison d’etre is to give voice to her personal story.
Sports Shorts

AN ALL-STAR . . . Palo Alto High grad Joc Pederson, who plays pro baseball for the Double-A Chattanooga Lookouts in the Los Angeles Dodgers' organization, was named to play in the All-Star Futures Game as a member of the U.S. roster. The game will be held on Sunday, July 14 at Citi Field in New York as part of the All-Star festivities. Game time is 11 a.m. (PT) and will be televised on ESPN2 and MLB.com. XM Radio Channel 89 will broadcast the game. Pederson, who owns a career .309 minor league batting average, was drafted in the 11th round of the 2010 First-Year Player Draft. He’s appeared in 272 minor league games as of Wednesday and has 40 home runs, 169 RBI and 73 stolen bases. Pederson was 2-for-4 with a walk and stole a base in the Lookouts’ 4-3 loss to the Montgomery Biscuits on Wednesday. Current Dodgers sensation Yasiel Puig opened the season as Pederson’s teammate in Chattanooga.

I like his swing, it’s smooth and it stays in the strike zone,” Dodgers manager Don Mattingly told MLB.com “He’s got great baseball instincts. I like his makeup, the whole thing. He gets good jumps in the outfield. Our guys think he probably tracks the ball better than anybody we’ve got.” Pederson has played in the Arizona Fall League and the World Baseball Classic qualifier and is considered the Dodgers’ No. 3 prospect.

GOLF FINALIST . . . Jumping out to a quick lead evidently has made all the difference for Palo Alto High junior golfer Michelle Xie, who won three matches in two days using that method and landed herself in the finals of the 64th Junior Girls’ State Championships. Xie’s latest effort came Thursday morning in a 2-and-1 semifinal victory over No. 30 seed Yoonhee Kim of San Ramon on the Dunes Course at Monterey Peninsula Country Club in Pebble Beach. Xie won the opening hole, a 375-yard par-4 with a birdie and took the third and fourth holes to go 3-up. Xie erased a triple-bogey 7 on the fifth hole with a birdie-4 on the 426-yard par-5 seventh. She took a 1-up lead into the back nine. Kim squared the match through the 12th before back-to-back pars by Xie on the 13th and 14th holes gave her a 2-up lead. After losing the 16th with a bogey, Xie got a birdie-3 on the 15th par-4 17th to win the match. That earned Xie a berth in the finals on Thursday afternoon against defending champ and No. 1 seed Kathleen Scavo of Benicia.

ON THE AIR

Saturday Swimming: Phillips 66 National Championships, 10 a.m.; NBC (also, 8 p.m.; NBC Sports Network)

Sunday Swimming: Phillips 66 National Championships, 1 p.m. (encore of Saturday’s show at 10 a.m., on Universal Sports Network)

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Sports

Local sports and schedules, edited by Keith Peters

USA SWIMMING

It’ll be a world of teammates

Stanford grads Johnson, Godsoe join senior DiRado on U.S. squad

by Keith Peters

B J Johnson and Eugene Godsoe are teammates in every sense of the word. They both were members of the Stanford men’s swim team only a few years ago. They are currently teammates on Stanford Pro Elite, a small group of Cardinal post-grads. And now, Johnson and Godsoe are teammates on the U.S. team that will participate in the FINA World Championships, set for July 28-Aug. 4 in Barcelona, Spain.

Both earned summer trips with impressive efforts Wednesday at USA Swimming’s Phillips 66 National Championships in Indianapolis, Ind.

Johnson is definitely the late-bloomer of the group. During his days at Stanford, Johnson failed to break into the all-time 15 in either of the breaststroke events before his graduation in 2009.

His bio on the USA Swimming web site is all of four lines, the highlight of which was a fifth-place finish at the national championships at Stanford in 2011.

He was sixth in the 200-meter breast at the 2012 U.S. Olympic Trials and 13th in the 100 breast. At age 26, one might wonder why Johnson is still swimming.

Well, Johnson showed why he’s still very active in the pool as he earned a berth on the U.S. team headed for Barcelona.

Johnson, coached by Palo Alto Stanford Aquatics’ coach Tony Batista and Stanford coach Ted Knapp, clocked a personal best of 2:10.09 — the No. 5 time in the world this year — while taking second in the men’s 200 breast.

“If you had told me not breaking 2:10 and coming home in a 34 would get it done, I would have been surprised,” Johnson said in a post-event interview. “The time might not be what I wanted to do, but I have a few more weeks to get better.”

Johnson’s previous lifetime best was 2:10.87 from the 2012 U.S. Open Championships. This latest effort gives him his first trip to the Major League Soccer and, if last year’s game at Stanford that drew in excess of 50,000 fans is any indication, things could heat up quickly this weekend.

Johnson has been a pleasant surprise for the struggling Earthquakes (7-6-8), eighth in the nine-team Western Conference. Expected to spend the season as a backup, Jahn has been thrust into the starting lineup as a result of injuries to a few of San Jose’s forwards, including reigning league MVP and top scorer Chris Wondolowski.

Wondolowski missed the Earthquakes’ 1-0 loss to host DC United

Despite graduating from Stanford, Adam Jahn will play in Stanford Stadium for only the first time on Saturday night. (continued on page 39)
Kori Carter had goals of making the U.S. national team and contending for a medal at the World Track and Field Championships in the 400-meter hurdles. Those goals were strengthened on June 7, when she woke up feeling sick and was unable to eat. She spent the next few days in the hospital, where she was diagnosed with an intestinal virus.

Carter was asked if she would be able to run in the World Championships.

Q: What exactly happened on Saturday?
A: I woke up that morning of the semi and not feeling well. I couldn't keep anything down. I was really dehydrated.

We thought about getting an IV, but because of USADA (the interpretation by the U.S. Anti-Doping Agency of IV treatment), we didn't do it. We tried our best to put fuel back in me and to rehydrate myself, and made it to the track. Warning up, I kept trying to go, trying up to the last minute to get it together. But it just wasn't happening. I think it was because I hadn't eaten anything all day because I couldn't keep anything down. I just was super light-headed and dizzy. I couldn't get my balance together.

It was the worst possible time. A day later, I felt a little better and I definitely could have run. But, right then, we knew it was the right decision not to run. But it sucks that we had to make that call.

Q: For being in the best shape of your life (she had dropped her personal record in the event by nearly four seconds this year), this must be hard to fathom.
A: I feel like I've been on a roll for a while now. To have my chance at going to the World Championships stop right there was extremely frustrating. But my coaches were telling me, "Don't let it take away from the season that we've had."

I still have a lot to prove. I have proven that I am the hurdler that I think I can be, but I still have the potential to be the hurdler that I want to be. It's frustrating.

Q: Does not running nationals affect your share of the Nike deal?
A: Nike's been great about it. I'm sort of frustrated that the only time I put on a Nike uniform, I ran a 55 (she ran 55.69 in the first round on Friday). But I'll get a chance later this summer and in the coming years to prove that Nike made a good choice in me. They were great about the whole situation. They were great about getting me medical attention.

Q: Now, you have to rearrange your goals.
A: I can't run for a world championship, so, I guess, my focus is on running for time. That's something that I usually don't like to do, because I like to chase W's and not seconds. I just have to go out there and run as fast as I can. I don't think 53.2 was my peak. I still think I have something left in me. Finding out what that is going to be fun.

Q: Will you be resuming your training?
A: I'll go back into training. I'll juggle two classes and an internship (a human biology major, Carter will juggle two classes and an internship for a different organization, my goals are still the same. My love for hurdling is still the same. My focus is still the same — I want to be the best hurdler out there.

Dave Kiefer is a member of the Stanford Sports Information Department.

Stanford’s Carter looks to the future after illness sidelines her World bid

by Dave Kiefer

Stanford junior Kori Carter missed out on a chance to qualify for the World Championships when an intestinal virus prevented her from running in the semi-finals of the 400 hurdles at the national championships.

The week already had been eventful. Carter signed with an agent, Wes Felix, and came to terms on a sponsorship contract with Nike, foregoing her final season at Stanford. However, the hurdler who set a sponsorship contract with Nike, remaining three qualifying spots for the World championships in the 400-meter hurdles.

But her world title hopes ended last Saturday when an intestinal virus sidelined her World bid for the girls who made it. They're great girls. It's just hard not being for the girls who made it. They're great girls.
USA swimming

(continued from page 36)

record is 2.07.42 by Eric Shanteau in 2009.

Cordes is the American record holder in both the 100- and 200-yard breaststrokes, as well as the reigning NCA A champ in both events.

“I knew he’d be out on me,” Johnson
said of Cordes. “I thought I might have a chance to reel him in. I was feeling pretty good in the third 50 and thought I could get there before I started running out of gas. At that point, I wasn’t worried about catching him, just holding on.”

“I knew it was going to go fast if I stayed with him. I stayed close enough, I guess,” Johnson has continued to improve, thanks to a fairly busy schedule during the Grand Prix season.

“I’ve been getting a little better in the 200 breast every time I swim,” he said. “Having a year-round cycle in long course meets helps a lot.”

Still, Johnson has come a long way in just a short time.

“When I graduated in 2009, if you had told me I would be here now, I wouldn’t have believed you. Better than later, than never, I guess.”

“Making the improvement all the more impressive is the fact Johnson has managed to find time to train while currently pursuing his Ph.D. in engineering at Stanford.

“My academic peers support me a lot, do my swimming peers.”

Godslove, meanwhile, won the men’s 50-meter butterfly in 23.29 to make his first international trip. The time ranks him No. 8 in the world.

“BJ and Eugene are two of the most talented free swimmers I’ve ever known,” Knapp said. “They truly value the process and take nothing for granted. Every moment serves a purpose.”

In other finals Wednesday:

On Tuesday’s opening day:

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We brought him in with a view to  
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Jahn said he was able to acquire  
20 tickets for family and close  
friends and expects a lot more of his  
friends to be in the stands on Satur-  
day. Last year’s match at Stanford  
was sold out.  

“I’ve heard it going to be packed,”  
Jahn said. “It gets pretty loud out  
there, so I can only imagine how  
loud it gets on the field. It will add  
a variation to the game because we  
won’t be able to communicate with  
each other as well. We’ll have to  
trust each other to know what we’re  
doing.”  

Jahn has practiced on the field in  
Stanford Stadium, which gave him  
some idea of playing in a bigger  
stadium. He got a second chance to  
work out, with the rest of the Earth-  
quakes, at Stanford on Thursday,  
when San Jose held a scheduled  
practice there.  

Wondolowski remains doubt-  
ful for Saturday night’s game, so it  
may be up to Jahn to create some  
offense. It’s a familiar situation for  
the two-time California Gatorade  
Player of the Year at Jesuit High in  
Sacramento. He was asked to carry  
a big load for the Cardinal.  

“He gives me advice directly on  
his behalf,” Jahn said. “He’s a fantas-  
tic person and professional. His passing  
has been good, he holds the ball well and he’s  
been scoring goals.”  

Wondolowski also has made an  
impact on Jahn, who considers the  
30-year-old veteran a mentor.  

“He’s very helpful,” Jahn said.  
“He gives me advice directly on  
what runs to make and how to be  
calm in the box. Just watching him  
I can learn a lot. He has great move-  
ment and does well in the box. He’s  
a great player and does so much for  
this team. If he can’t play, it’s up to  
us to get our faith in our teammates and  
get the job done.”  

The Galaxy-Earthquakes rivalry  
dates to the first year of the MLS, in  
1996. The two teams have matched  
up more than any other teams in the  
league.  

The bronze medal is Logan’s sec-  
time up to 7 years.  

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