

Mountain View VOICE



Just like
'the good
old days'
WEEKEND | P.23

NOVEMBER 4, 2011 VOLUME 19, NO. 42

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MICHELLE LE

Lucy, a six-month-old stray cat found in Mountain View, peeks out of her cage at the Palo Alto shelter.

Council dumps Palo Alto animal control service

CITY TO CONTRACT WITH SILICON VALLEY ANIMAL CONTROL AUTHORITY

By Daniel DeBolt

Mountain View decided to break off its 18-year relationship with Palo Alto Animal Services on Tuesday night, with City Council members instead favoring a

contract with a cheaper and more attractive Santa Clara-based agency.

The council's unanimous vote on Tuesday left Palo Alto on the hook for an estimated \$7 million cost to renovate its Bayshore Road animal shelter.

Palo Alto officials say they consider the shelter to be at the end of its lifespan and in need of seismic retrofitting. While Palo Alto had promised the city would not have to pay

► See **ANIMAL SERVICES**, page 9

Price tag swells for high-speed rail

By Gennady Sheyner

The cost of California's proposed high-speed-rail system, originally pegged at about \$36 billion, has nearly tripled since the project was presented to voters in 2008, according to a business plan that the agency charged with building the new system released Tuesday.

The estimated price tag for the

rail line, which would stretch from San Francisco to Los Angeles, now stands at \$98.5 billion and could end up as high as \$118 billion under the most expensive scenario, the California High Speed Rail Authority (CHSRA) has concluded in a highly anticipated report.

The numbers in the new business plan exceed not only the rail authority's earlier estimates, but also projections from rail watch-

dogs and the state Legislative Analyst's Office, which expected the price tag to exceed \$60 billion. The detailed 230-page document supplants the rail authority's 2009 business plan, which was panned by state legislators and nonpartisan analysts as incomplete and optimistic.

While the rail authority's new plan continues to make a case for

► See **HSR PLAN**, page 12

City council splits on housing fee

By Daniel DeBolt

On Tuesday the City Council had its most intense disagreement in recent memory when members split over whether to pursue a new affordable housing fee for developers.

Council members Ronit Bryant, Mike Kasperzak and Laura Macias found themselves the minority in a study session Tuesday on whether to come up with a new affordable housing fee after the city's old one was struck down in the Palmer vs. the City of Los Angeles court case.

City staff reported that without a new fee, nearly 1,000 apartment units to be considered by the city council next year may not provide any subsidized

affordable housing. A so-called "nexus study," required by the court case, found that the city could justify a fee of up to 11.4 percent of the project's assessed value to subsidize affordable housing. City staff recommended no more than 3 percent, however, citing concerns over developers' profits and having parity with the city's 3 percent affordable housing fee for ownership housing. Previously the city's fee had been 10 percent, while Palo Alto's was as high as 25 percent and Sunnyvale's was 12.5 percent.

Opposing the new fee were council members Tom Means, John Inks, Jac Siegel and Margaret Abe-Koga, who instead favored exploring a voter-approved parcel tax for affordable housing. That threw into question whether the city would be

able to receive any affordable housing at all from five apartment projects, totaling 960 units already in the city's planning pipeline.

The opposition to the fee from libertarians Inks and Means was no surprise, but opposition from Siegel and Abe-Koga apparently was.

"I'm just in shock," said council member Laura Macias after the meeting. "We are walking away from fees when we need revenue."

Council member Mike Kasperzak was fuming, and said after the meeting that "the poor" were the ones who lost out.

They had failed to sway Abe-Koga. "Housing is more and more unafford-

able for the middle class. Aren't we taxing the wrong group?" she said, alluding to the sentiment that the fee would be passed on in the form of high rents for new apartments. The average rent in a Mountain View apartment complex has reached \$1,793 a month, said Joshua Howard of the California Apartment Association.

But Macias pointed out that a parcel tax would be "regressive" in that the same tax would be paid by someone in a \$300,000 condo as someone in a \$1.5 million home in Waverly Park. Mayor Siegel suggested a tax of \$5 a month. "I think we could sell that," he said.

Proponents of the development fee said it was justified because the growth in popula-

► See **AFFORDABLE**, page 9

INSIDE

GOINGS ON 28 | MARKETPLACE 30 | REAL ESTATE 32 | VIEWPOINT 19

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Voices

A R O U N D T O W N

Asked in downtown Mountain View. Pictures and interviews by Anna Li.

What earthquake preparations have you made?



"We just started stocking up canned goods but as far as all the other stuff, we're not exactly familiar with what to do."

Robelle Mancilla, Mountain View



"It's always good to have a surplus of water, canned foods and also first aid, whether you're in your vehicle or also just in your bag. So having those and a properly working cell phone and also probably a camera."

Evelyn Mazza, San Francisco



"I was just thinking that I need to secure a lot of things in the house because we have so many breakables. As far as water, batteries, supplies, we have tons of candles and batteries. Apart from canned goods, we need a stock of water."

Charles A., Mountain View



"If there's an earthquake, I will be prepared, hopefully. I have some canned goods and things and tons of water. Emergency kits. I'd call my mom just to make sure she's okay."

Dominique L., Sunnyvale



"My family is really big on emergency preparedness. My mom has a year's supply of food storage. All throughout college, I tried to have a 72-hour kit and water in my car and keep my gas tank half full."

Rachel Baird, Southern California

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Photo of the Topolés visiting the Blue Mosque, Istanbul, Turkey.
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CRIME BRIEFS

WALLET-SNATCHERS NABBED AT WALMART

Police arrested two women last week in connection with a string of thefts of wallets from inside the Mountain View Walmart at 600 Showers Dr.

Jennifer Chavarin and Jeanette Montiel-Galvan were taken into custody in the Walmart parking lot and charged with burglary, credit card fraud, possession of stolen property, possession of a controlled substance and conspiracy, according to Liz Wylie, spokeswoman for the Mountain View Police Department.

In September police saw an increase in reports of stolen wallets from women who said their pocketbooks were taken from them while they shopped at Walmart, Wylie said. The cases were all very similar: a woman would leave her purse unattended in a cart while she shopped; her wallet (and in some cases other personal belongings) would be taken from her purse; then, in many instances, her credit card would be used immediately afterward in the Walmart or at the Target across the street.

After reviewing surveillance footage, police identified Chavarin, 28, of San Jose as one of two suspects, Wylie said. Officers requested a warrant for the arrest of Chavarin, but before it could be issued, the two women struck again.

"While the warrant request was being reviewed by the District Attorney's office, officers continually checked the Wal-

mart parking lot and store for signs of Chavarin or her accomplice," Wylie wrote in a MYPD press release. As it turned out, Chavarin was spotted by police in the Walmart parking lot on Oct. 28. She was with Montiel-Galvan, 41, of San Jose.

While talking with police, the women tried to hide a wallet underneath a nearby car, Wylie said. The wallet did not belong to either woman, and police determined it had been stolen within the hour and that the women had already tried to use a credit card they found in the wallet. They also had multiple stolen ID cards, fraudulently purchased gift cards and "personal items likely belonging to other victims."

Chavarin and Montiel-Galvan were arrested and booked into the county jail, Wylie said. Detectives and police are still investigating the matter, as it is unclear exactly how many people were victimized by the suspects.

Wylie advised that no one leave a purse unattended while shopping in any store.

HOUSE PARTY THEFTS

A laptop and gold bracelet were stolen during a very large Halloween party thrown at a single-family home in the 1500 block of Plymouth Street between Oct. 29 and Oct. 30, police said.

The party, which drew an estimated 300 guests (the majority

► See **CRIME BRIEFS**, page 8

POLICE LOG

ASSAULT WITH DEADLY WEAPON
1400 block W. El Camino Real, 10/29

AUTO BURGLARY
400 block Ortega Av., 10/27
Carla Ct. and Drucilla Dr., 10/30

BATTERY
1500 block Begen Av., 10/29

COMMERCIAL BURGLARY
300 block Showers Dr., 10/28

GRAND THEFT
300 block Escuela Av., 10/26

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Ivan Calleja, a Bullis Charter School seventh-grade student, takes a break next to a portable, which stands beside an empty space that should already have been developed, Bullis officials say. The missing portable is a recent example of the chilly relations that exist between the charter school and the Los Altos School District.

Duck hunting season begins at Shoreline

SHOTGUN BLASTS MAY SURPRISE VISITORS AT WILDLIFE REFUGE

By Daniel DeBolt

As duck hunting season begins for a second year since the opening of the nearby Bay Trail, trail users will again hear shotgun blasts from surprisingly close range.

At Shoreline exists “one of the few places in the west where you have hunting next to a very large urban area,” said Bob Power, president of the Santa Clara Valley Audubon Society, which advocates for the preservation of birds and their habitat.

“Ninety-nine-point-nine percent of the duck hunting in the world happens where we don’t see it, where we don’t hear it,” Power said.

Mountain View resident Luis Villablanca, an avid photographer of birds in the Shoreline area, expressed mixed feelings about it. He recalled coming across “a super rare bird, a yellow-billed loon” and “on other side of the marsh I could see hunters and they were shooting right there. It’s just unsettling, hearing shots coming not far from you.” But he acknowledged that hunting fees pay significantly toward habitat preservation.

Officials with the Don Edwards National Wildlife refuge say the trail is safe, as it is 300 feet from the blinds that hunters must shoot from, and shotgun pellets can only travel about 100 feet.

The season runs every winter beginning in November in the salt ponds east of Stevens Creek through Alviso. It usually occurs in early morning and is only allowed on Wednesday, Saturdays and Sundays from duck blind structures in the middle of salt ponds accessible by boat. Hunters go through locked gates, driving on a portion of the Steven’s Creek trail from the end of Crittenden Lane. They are allowed to shoot only certain types of ducks, and a limited number of them. Nearly 2,000 ducks were reportedly taken by almost 1,500 hunters last year in the Don Edwards San Francisco Bay National Wildlife Refuge.

While the hunt may ruffle a few feathers among walkers and bikers, council members Mike

Kasperzak and Ronit Bryant say they have not had any complaints about the duck hunting that has gone on for years in the salt ponds in the wetlands of Moffett Field. And that’s despite the opening of the Bay Trail through the area last year, connecting Mountain View’s Shoreline Park and Sunnyvale.

In 2005 the City Council had voted to restrict hunters’ access to those salt ponds via the Steven’s Creek trail. Late council member Rosemary Stasek said park users were “fundamentally uncomfortable” with people carrying guns on the trail, while hunting advocates said they were “essentially” wildlife preserva-

► See **DUCK HUNTING**, page 8

LASD loses Bullis suit on appeal

By Nick Veronin

A California appellate court has ruled that the Los Altos School District has not provided “reasonably equivalent” public school facilities to Bullis Charter School, overturning a decision made by the county court.

While officials with the charter school hailed the decision, the superintendent of the school district expressed disappointment.

On Oct. 28, the California Court of Appeal for the Sixth

District unanimously overturned a November 2009 ruling issued by the Santa Clara County Superior Court. The initial ruling rejected Bullis’ complaints that the district had violated Proposition 39 by not equitably sharing its facilities with the charter school.

In reversing the lower court’s decision, the appellate court ruled that the district had failed to tally more than 1 million square feet of space that should have been counted when calculating the “reasonably equivalent” share of public school facilities it is

required to provide Bullis under the provisions outlined in Proposition 39. The court also found that the district overstated the facilities it offered to the charter school.

“We’re pleased with the appellate court’s decision,” said Ken Moore, chair of Bullis’ board of directors, adding that he views the decision as a win not only for Bullis, but for charter schools throughout California. “This has much broader reach than Bullis and the Los Altos School District.

► See **BULLIS**, page 15

How to woo college coaches

FORMER NFL PLAYER TO ADVISE HIGH SCHOOL ATHLETES ON RECRUITMENT PROCESS

By Nick Veronin

Student athletes hoping to play college ball can get tips from a former professional football player. A former defensive end for two NFL teams — the Tampa Bay Buccaneers and Denver Broncos — Julian Jenkins will share his experiences of going through the college recruitment process and advise student athletes and their parents on the steps they need to take if they hope to be recruited.



Julian Jenkins

director, football coach and the National Collegiate Scouting Association.

“It’s important to me because of the impact that my mom and

He will be speaking at Mountain View High School on Nov. 15 during a free college athletics recruiting workshop organized by the school’s athletic

my coaches had on me in getting this opportunity,” said Jenkins, who lives in Menlo Park. He now works for NCSA, helping kids navigate the often-confusing road to a college sports scholarship. He says that he and his mother sent out more than 95 VHS tapes from the summer of his sophomore year in high school until graduation.

“We got turned down a lot,” Jenkins continued. “Coaches said they weren’t interested, but

► See **JENKINS**, page 6

Shooting birds, with a camera

By Daniel DeBolt

The photo exhibit “Birds at Shoreline: Aflight!” is wrapping up on Nov. 20, leaving two more weeks to see photos of nearly 40 bird species that inhabit Shoreline Park, including those taken by Mountain View resident Luis Villablanca.

The 44-year-old software engineer at Synopsis caught a striking picture of a Barrow’s Goldeneye in the Shoreline Park sailing lake.

“It is locally rare,” Villablanca said of the black and white duck. “You can find a few sometimes in the East Bay. They never come down in this area. This duck has wintered the last couple of years in the lake.”

Villablanca said he first started photographing birds in 2006 at Shoreline Park. It’s conveniently located near his office so he could visit in the morning before work. He has since traveled to Texas and

► See **BIRD PHOTOS**, page 8

Superintendent suspicious of NCLB waiver

By Nick Veronin

Although he has repeatedly criticized the No Child Left Behind act for being too restrictive, Craig Goldman, superintendent of the Mountain View Whisman School District said he suspects the state would simply be swapping one set “onerous and anachronistic sanctions” for another bundle of suffocating government mandates.

After publicly acknowledging serious flaws built into the No Child Left Behind Act, Secretary of Education Arne Duncan has offered states a way to opt out of some of the legislations requirements.

However, while California’s Schools Chief Tom Torlakson initially said he would consider applying for a waiver, his office’s investigation into what such a waiver would mean for the state has found that it would cost “billions of dollars to fully imple-

ment, at a time when California and many other states remain in a fiscal crisis.”

According to Goldman, the waiver would be costly to implement because of the “strings attached” to it, including a requirement that teachers be evaluated based upon their students’ performance on the California Standards Test, or CST.

“The tests aren’t designed for that purpose,” Goldman said, noting that CST scores often vary widely from year to year statewide. “It’s a good indicator of whether students are learning standards, but it does not necessarily indicate the effect of the teacher on individual students.”

In order to satisfy the waiver requirement the state would have to develop an entirely new standardized test. “The feds are offering a deal that would be incredibly expensive for California without any clear indication that it is going to make a bit of difference,” he said. ▣

JENKINS

► Continued from page 5

we kept moving forward. We kind of just trudged on through the process. It was hard.”

Jenkins and his mother went to five different states to meet personally with coaches in an attempt to prove that he was “their guy” and convince them he was worthy of a scholarship.

According to Jenkins, it is still just as important for high school athletes with an eye toward a scholarship to be their own most vigilant advocate. College coaches and their scouts have very little time for boots-on-the-ground recruiting. He estimates that only about 1 percent of high school sports events are ever visited by a college athletic recruiter. Fortunately, he said, technology has brought down the cost for high school athletes to aggressively promote themselves.

No more mailing out heavy VHS tapes, he said. In fact, there is no need to send anything through the post office. Highlight reels can be uploaded to online video streaming sites, such as YouTube, academic records can be emailed and coaches can be referred to an athlete’s high school sports record

sheet online.

Furthermore, Jenkins said, while all of this can be done independently, he will be plugging the NCSA’s website at the Nov. 15 workshop.

It’s a bit like LinkedIn, except for aspiring college athletes, Jenkins said of the NCSA site. “It is their resume for college recruiting,” Jenkins said of how student athletes ought to use the site.

“It’s not a four-year decision. It’s a 40-year decision.”

JULIAN JENKINS

“Coaches can come to our site for free, look at kids and evaluate them.”

At the workshop, Jenkins said he will advise parents on how to get a neutral third party to evaluate their child’s ability, so that they may in turn help the student choose a group of realistic schools to apply to; he will also explain how to put together a video that will highlight an athlete’s skills in an efficient manner (it is important, for example, to use video

that focuses directly on the athlete the video has been produced for, so that coaches don’t become distracted with the performances of others on the field); and he will encourage the athletes to think of college as more than just an opportunity to play sports or a possible ticket to the pros — “It’s not a four-year decision,” he said. “It’s a 40-year decision.”

Jenkins wanted to play professionally, but he worked hard to get his college experience at Stanford, so that he would also receive a world-class education.

Although Jenkins is the workshop’s speaker and the event was organized in part by the Spartan’s football coach, Toure Carter, it is open to all athletes. Jenkins said that all high school students who hope to earn a sports scholarship stand to learn something from his experiences and ought to consider using the NCSA website to promote themselves.

It is not free to use, he said, but the site does have a sliding scale depending on what services a family decides it wishes to use, and parents can find out more about what is right for their child at the event.

The workshop will be held in the Mountain View High School cafeteria on Tuesday, Nov. 15, at 6:30 p.m. ▣

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November 2011



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Lectures and Workshops

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Dr. Marvin Small Memorial Parent Workshop Series

Presented by Heidi Emberling, ParentsPlace

Tuesday, November 8, 7 to 8:30 p.m.

701 E. El Camino Real, Mountain View 650-934-7373

This program covers ways we can help children teach themselves to use the toilet, help you set up an environment and an attitude that will guide and promote child's progress and understand how consistency with a routine helps your child feel more in control and independent.



Common Headache Disorders: An Overview on How to Manage Migraine and Tension Headaches

Presented by Diana Blum, M.D.,
PAMF Neurology

Tuesday, November 8, 7 to 8:30 p.m.

795 El Camino Real, Palo Alto, 650-853-4873

Join us to learn how to manage these two most common headache disorders. This lecture will explore contributing factors for headaches such as certain foods and life style choices. Tips will be given on preventative strategies as well as information on the acute treatment of both headache types.

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For Your Health Lecture Series

Presented by Shahna Rogosin, M.D.,
PAMF Psychiatry and Behavioral Health

Wednesday, November 16, 7 to 8 p.m.

701 E. El Camino Real, Mountain View, 650-934-7373

What is depression? Who gets it? How common is it? When should I seek treatment?



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Presented by Don Rush, volunteer counselor for the Health Insurance Counseling and Advocacy Program (HICAP)

Thursday, November 17, 3 to 5 p.m. and Tuesday, November 29, 6 to 8 p.m.

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- Exercise for Energy – men and women's group
- Expressions
- Healing Imagery
- Healthy Eating After Cancer Treatment
- Look Good, Feel Better
- Qigong
- When Eating is a Problem, During Cancer Treatment

Childbirth and Parent Education Classes

- Baby Safety Basics
- Breastfeeding
- Childbirth Preparation
- Feeding Your Young Child
- Infant and Child CPR
- Infant Care
- Infant Emergencies and CPR
- Introduction to Solids
- Mother-Baby Circle
- New Parent ABC's – All About Baby Care
- OB Orientation
- PAMF Partners in Pregnancy
- Prenatal Yoga
- Sibling Preparation
- What to Expect with Your Newborn

Living Well Classes

- Back School
- Mind/Body Stress Management
- Mindfulness-Based Stress Reduction

Nutrition and Diabetes Classes

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- Living Well with Prediabetes
- Sweet Success Program (gestational diabetes)

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- Healthy eating. Active lifestyles. (for parents of children ages 2-12)
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- Lifesteps® (adult weight management)
- New Weight of Life (adult weight management)

Support Groups

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- Bariatric Surgery
- Breastfeeding
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- Chronic Fatigue
- Diabetes
- Drug and Alcohol
- Kidney
- Multiple Sclerosis



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a guide to the spiritual community

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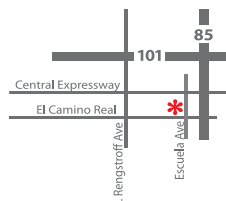


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LocalNews



Ducks found at Shoreline include, clockwise from top left: pied-billed grebe; green-winged teal; American wigeons; and northern shovelers.

LUIS VILLABLANCA

BIRD PHOTOS

► Continued from page 5

Alaska to photograph birds.

He fondly recalled shooting a Red Throated Loon during a trip to Alaska in June. His photos drew praise on his Flickr photostream. Nevertheless, he says his favorite bird is "usually the last one I shot."

"Getting a good image of species you haven't seen before is good. I enjoy trying to find a good angle and

good background, while respecting their environment," he said.

If Villablanca could shoot other wildlife he said he would, but "birds are more approachable, more accessible," he said. "Running into a mammal," like the moose and arctic ground squirrel he shot in Alaska, "it's hard and very rare" in comparison.

Villablanca said the Shoreline sailing lake is his favorite place to shoot photos, as well as Adobe Creek. The salt ponds, where duck hunters go

in the winter, don't provide the best camera angles because the levees are too high, he said.

Over 240 bird photographs submitted by local photographers will be on display at Shoreline Park's Rengstorff House, the city's oldest home, alongside docent-led tours of the house from 11 a.m. to 5 p.m. on Tuesdays, Wednesdays and Sundays until Nov. 20. For more information, call (650) 903-6392 or go to the Rengstorff House website at r-house.org. ▣

DUCK HUNTING

► Continued from page 5

tionists. The council's request was eventually rejected by the U.S. Fish and Wildlife Service. Kasperzak, who was on the council at the time, said he hadn't heard from anyone about the issue since.

Power confirmed that hunting license fees do fund preservation

efforts.

"The fees that are generated (by duck stamps on hunting licenses) have done more for habitat and habitat restoration and duck waterfowl populations as a whole than anything else in the history of North America," Power said.

He added that he has not heard of the hunter's causing any problems for local bird populations, including rare birds like the clapper rail.

"There are plenty of members of Audubon who are hunters," Power said. "There are plenty of members who are not who cringe when they see the daily take coming out of the salt ponds."

More information, including maps and instructions for hunters, can be found at fws.gov/desfbay. ▣

Email Daniel DeBolt at ddebolt@mv-voice.com

CRIME BRIEFS

► Continued from page 4

of them friends of friends and not known personally by the homeowners), and lasted from about 9 p.m. to 4 a.m. the next morning, was held inside a temporary structure in the back yard, according to Mountain View police spokeswoman Liz Wylie. No one was supposed to have access to the house.

However, it appears that someone gained entrance during the party and stole a Sony laptop as well as a gold bracelet from the homeowner's bedroom, Wylie said. A purse and some draw-

ers in the garage were rifled through, but nothing else was taken. There were no signs of forced entry into the home.

The victims, a husband and wife, are 49 and 40 respectively, Wylie said.

APARTMENT FIRE

No one was injured during a two-alarm fire, which broke out Thursday night, Oct. 27, shortly after 8 p.m., at 2101 California St., according to the Mountain View Fire Department.

Firefighters responded to the blaze, which was reported at 8:14,

to find smoke coming from one of the units in the three-story apartment complex, MVFD spokeswoman Jaime Garrett said. The firefighters managed to contain the fire to the apartment in which it originated.

Garrett said firefighters have determined that the fire began in the microwave and was accidental.

"Everyone needs to have working smoke detectors in their homes," she said. "Each year, nearly 3,000 people die in U.S. home fires, and having working smoke alarms cut the risk of dying in a reported fire in half." ▣



Jeannette Washington, an animal control officer, takes a labrador retriever found in Mountain View back to his cell at the Palo Alto Animal Services building on Monday, Oct. 31.

MICHELLE LE

ANIMAL CONTROL

► Continued from page 1

that cost, council members were skeptical and city staff estimated that it could cost Mountain View as much as \$2 million. The city also pays Palo Alto over \$400,000 a year for the services the animal shelter provides, but the move to Santa Clara would save \$50,000 a year on average after a \$300,000 investment in new equipment and facilities is paid off in five years.

“We want to do everything we possibly can to keep you as a partner,” said Palo Alto police Capt. Bob Beacom. “It seems like breaking this relationship would fly in the face of regionalism and working together.”

Mountain View is a “big part of animal services. We don’t want to lose you,” he said.

After visiting the Santa Clara facility at 3370 Thomas Road, council members sounded pretty sure they were making a good move in trusting the Santa Clara police and the Silicon Valley Animal Control Authority (SVACA) to pick up stray animals, shelter them, neuter them and adopt them out at a fairly high rate.

“I was very impressed with the services,” said council member Ronit Bryant. “Clearly the emphasis is on doing the right thing.”

Members noted details about SVACA that had won them over, such as a website feature that allows people to go online if they’ve lost an animal and see pictures of what animals are picked up and where they were found, mentioned by Mayor Jac Siegel. “They have artificial grass for the dogs that is so

much more attractive than what we have in our dog park,” Bryant said.

Several members noted a “positive” atmosphere at the facility and said that it seemed like the staff cared about the animals. Mountain View resident Don Ball said he happened to stop by and was impressed by their courteousness of the staff, and noted that people can drop off stray animals at the facility at any hour of the day. No one spoke against the move to Santa Clara.

The only drawbacks noted about SVACA were the costs for some services, such as a \$150 adoption fee, which is higher than Palo Alto’s \$100 fee. Being three miles further away from Castro Street was not an issue, said Bryant, who was surprised at how quickly she could reach the facility via Central Expressway.

Staying with Palo Alto would have had the benefit of some increased shelter and field ser-

vice hours. But city staff said Palo Alto’s benefits were clearly outweighed by the Silicon Valley shelter’s offerings. Having a seat on SVACA’s governing board was appealing to council members, because it appear Mountain View would have more control over animal services than it’s previously had. SVACA would also take on criminal cases related to animals, freeing up Mountain View police officers for more important work.

SVACA was looking to be much cheaper in the long run as costs for the cities that use it, including Campbell and Monte Sereno, have been going down since 2006, while Palo Alto’s costs were steadily going up.

“It doesn’t look like it’s actually in Palo Alto,” Bryant said of the Palo Alto shelter. “And if it is going to cost \$7 million to rebuild, I can’t believe we aren’t going to be asked to pay for that.”

AFFORDABLE

► Continued from page 1

tion requires public and private services, and those services are usually provided by people who cannot afford market rents.

“People want to live here in Mountain View and services are not free,” Macias said.

Council member Bryant said that members were being “not modest” in giving up a relatively proven and widespread practice.

“Let’s look at this fee which is basically what we had before, and move forward with that,” Bryant said. “I think we’re trying to reinvent the wheel in a way that will take more time than we

Kasperzak and Bryant said a parcel tax was unlikely to pass, and judging by what it takes to pass a school parcel tax, it would take “an amazing amount of work and an amazing amount of volunteers,” Bryant said.

Kasperzak went as far as to claim that “anyone suggesting a parcel tax already knows the outcome and that’s why they are suggesting it.”

It was mentioned that a parcel tax to fund a new library failed twice.

“At least voters would decide if it is worth it” with a parcel tax, said council member Means, an economic professor at San Jose State University. He co-authored a study on such “inclusionary zoning” practices and concludes that housing is 8 percent cheaper in California cities that don’t charge affordable housing fees to developers. He called the city’s nexus study, and others like it which show why new development should bear the

cost of affordable housing, “disingenuous and dishonest.”

Abe-Koga defended her position several times. “I’m not saying let’s kill this thing, let’s get rid of it now,” she said of the new housing fee. “I’m saying let’s look at these other options too.”

If the council approved the new fee, voters would see the parcel tax as unnecessary. “I don’t think that’s fair in giving the parcel tax a fair shot,” she said. Abe-Koga didn’t seem to share her colleagues’ concern about the time it could take to pass such a tax.

“I don’t want to kill this either but I’m not ready to approve it tonight,” said Mayor Siegel, who reminded everyone that the city would be seeing substantial

‘It was a tough night for many of us. I hope we can move on. I hope we don’t hold grudges.’

MAYOR JAC SIEGEL

housing fees from new office development next year. He said the nexus study looked like a way to “skirt around the Palmer decision” or at least, “it smacks of that. I don’t think it’s fair.”

After the council opinion became clear and the study session had run over an hour past schedule, City Manager Daniel Rich said city staff would look at polling residents on their interest in a parcel tax, among other options.

“If you’re asking questions, you may as well ask on a whole set of revenue options,” he said.

While adjourning the meeting, Mayor Siegel addressed tensions between council members, some of whom appeared to be at a turning point in their relations.

“It was a tough night for many of us,” Siegel said. “I hope we can move on. I hope we don’t hold grudges.”

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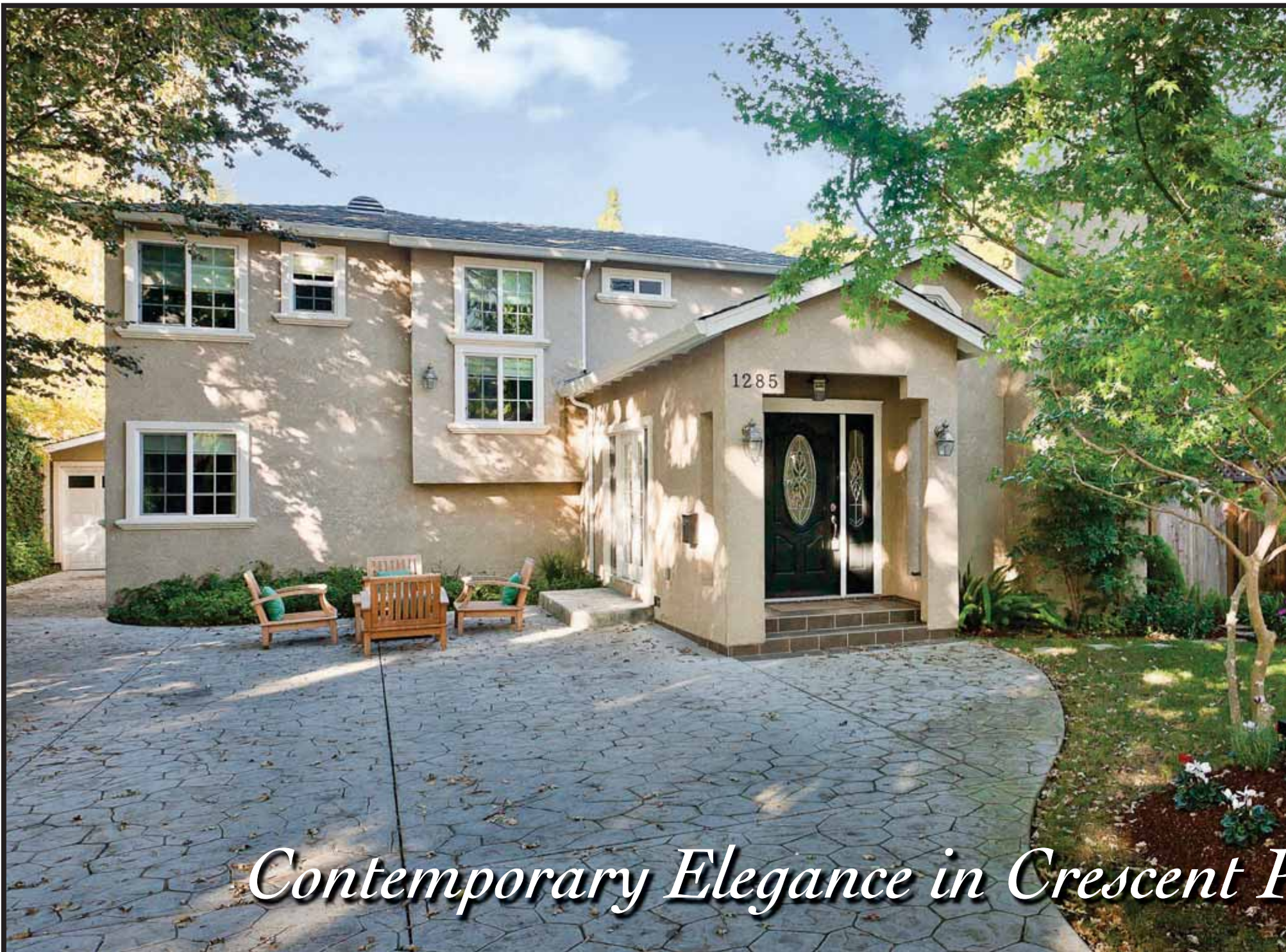
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HRS PLAN

► Continued from page 1

high-speed rail as an economically viable alternative to building new highways and airports, its ridership and revenue projections are more conservative than those in previous analyses. The report also provides more details about the rail authority's plans to expand the line from its initial Central Valley segment, which would stretch between north of Fresno and north of Bakersfield, to the more populated cities in the state's northern and southern regions.

But the biggest difference between the current plan and its predecessor is the cost projection. The rail authority argues that the significant cost jump was caused by major changes in California's landscape since officials first began the project more than a decade ago. The state added almost 5 million people between 2000 and 2010, the plan states, and large expanses of previously vacant land have become "bustling communities, suburbs and roadways."

The 2009 plan, for example, estimates the cost for building tunnels for the rail line at less than \$6 billion. In the new plan, the estimate for tunnels is greater than \$15 billion. For aerial viaducts, the cost estimate has climbed from less than \$5 billion to more than \$13 billion.

"The new development landscape has necessitated adding many miles of elevated structures, tunnels and other infrastructure," the report states. "The new designs permit access to major downtown population centers with less community impact and disruptions."

In addition, the timeline for completion of the project was extended by 13 years — to 2033 — which added \$27.5 billion in inflation costs and \$16 billion in contingencies, the report states.

To justify the rail project's price tag, however, the authority states that other transportation infrastructure — including 2,300 miles of new highway lanes and various airport improvements that would be needed over the next 20 years — would cost more than \$170 billion.

"Providing equivalent new capacity through investment in highways and aviation would cost California almost twice as much as the Phase 1 (San Francisco to Los Angeles) high-speed rail system," the report states.

How to pay?

The new plan does little, however, to resolve the lingering uncertainties over how to pay for the new rail line — a colossal project for which state voters approved a \$9.95 billion bond in 2008 but which has attracted skepticism and heated opposition in the three years since Proposition 1A passed.

The rail authority's business plan relies heavily on public financing, particularly for the "initial operating segment," which would build off of the Central Valley segment either north to San Jose or south to the San Fernando Valley. The rail authority is banking on federal and state funding to pay for this segment in its entirety. Once the trains are running — a point at which the system would be profitable, the authority asserts — it hopes to draw about \$11 billion in private investment for the system's expansion.

After the "initial operating segment" is constructed, effectively establishing the nation's first high-speed-rail system, the rail authority would focus on the "Bay to Basin" phase, which aims to connect the state's two mega-regions by linking San Jose and San Fernando Valley. Once that's done, high-speed rail would be stretched further to connect San Francisco to Los Angeles — a link that provided the main justification for Proposition 1A. The authority also hopes to later extend the line to Sacramento and San Diego.

The business plan calls the phased approach, with public investment upfront and private investment later in the process.

"As additional funding becomes available, operating sections will be added, to create the full state-wide system," the report states, emphasizing that each segment of rail line, from the "initial operating segment" onward, would be financially self-sustaining. "This incremental approach is how most large transportation projects are built, both in the U.S. and around the world. It will accelerate benefits for California and will attract private investment far earlier than if the system were built as a whole."

For the "initial operating segment," which is projected to cost about \$25 billion, the rail authority expects to draw about 80 percent of the funding from the federal government and the balance from the state. The federal subsidies under the plan's projections include both grants and tax credits. So far, the authority has received about \$3.4 billion in federal grants.

The document acknowledges that federal funding will remain uncertain for years to come, but stresses that the incremental nature of construction would allow the project to proceed even if the plan's federal-funding projections fall short. Republicans in the U.S. House of Representatives have been particularly vehement in opposing the rail project, which many have characterized as a "boondoggle."

"There is substantial discussion in Congress related to reducing deficits and the federal govern-

► Continued on next page

► Continued from previous page

ment's role and scope," the business plan states. "It is clear that continued uncertainties will exist and that prudent planning assumes that funding will be limited in the short term.

"Any congressional initiatives on infrastructure funding and short-term job creation may improve this situation, but the Plan does not rely on such measure."

The plan also notes the authority would also need about \$4 billion in local or "other" contributions to complete the "Bay to Basin" phase.

Sharing with Caltrain

The new plan also incorporates some of the components of a proposal that U.S. Rep Anna Eshoo, D-Palo Alto, state Sen. Joe Simitian, D-Palo Alto, and state Assemblyman Rich Gordon, D-Menlo Park, made earlier this year. The three Peninsula lawmakers proposed a "blended system" in which high-speed rail shares tracks with Caltrain on the Peninsula — rather than building a separate track system for the ultra-fast trains. They also voiced opposition to an earlier proposal by the rail authority to send the new trains over the Peninsula on aerial viaducts.

The business plan calls for integration between high-speed rail and Caltrain. Initially, after the "Bay to Basin" system is completed, ending in San Jose, passengers would hop onto Caltrain to take them to their destinations. After the later "Phase 1" to San Francisco is completed with improvements to the Caltrain tracks, passengers would have a "one-seat ride" and not have to change trains in San Jose. The plan stresses that it "proposes to develop the high-speed rail system in a way that more clearly and effectively integrates it with regional and local rail systems to create a statewide rail network."

"The commitment to a blended system has been initiated through extensive cooperative planning among state, regional, and local partners," the plan states.

Dan Richard, one of two people who were recently appointed to the rail authority's board of directors by Gov. Jerry Brown, said at a Tuesday hearing on the business plan that the new plan "embraces" the blended approach championed by the Peninsula lawmakers.

"The fact of the matter is that we have the opportunity to use existing right of way and existing corridor and existing infrastructure on the San Francisco Peninsula and, as we move to Southland, by Caltrain and Metrolink," Richard told a state Assembly committee. "We know that we need to now

work in partnership with those systems to develop long-term plans for blended service."

Simitian, who has been one of the Senate's leading skeptics when it comes to the rail authority's projections, praised the plan's adoption of the "blended" approach on the Peninsula. He called it "very different from their earlier proposal."

"They've put aside the notion of a viaduct and the notion of going beyond the existing right-of-way," Simitian told the Weekly. "They're talking about a 'one-seat ride' where you stay on the same track in the same train in the same seat as you move up and down the Peninsula."

Eshoo said in a statement the blended-system proposal that she, Simitian and Gordon offered earlier this year "will save taxpayers billions of dollars while being responsive to the many concerns of my constituents" and said she was "pleased to see that the CHSRA draft business plan included many of the blended system provisions."

How many riders?

But while local legislators praised the rail authority's new emphasis on a "blended" system, they continued to voice concerns about the system's ridership projections and cost estimates.

Ridership numbers remain a thorny issue. While the 2009 plan anticipated 41 million annual riders by 2035 and \$3 billion in annual revenues, the 2012 plan gives a range of 28.9 million to 42.9 million riders. The plan assumes that the average fare price to ride the new train between San Francisco and Los Angeles would be about \$81.

Simitian praised the new plan for being more frank in its cost estimate than previous projections.

"The good news is that we finally have a realistic number on the table," Simitian said. "The bad news is it's a very scary number."

Others shared his concerns. Elizabeth Alexis, co-founder of the Palo Alto-based rail-watchdog group, Californians Advocating Responsible Rail Design (CARRD), said that while the report is better than earlier versions, it still fails to address her group's criticisms about the rail authority's ridership numbers. Her group has persistently characterized the authority's numbers as unrealistic. Other rail experts, including professors from the Institute for Transportation Studies at UC Berkeley, had also found flaws in the methodology the rail authority had used to get its ridership numbers.

"It's a lot more information;

► See *HSR PLAN*, page 17

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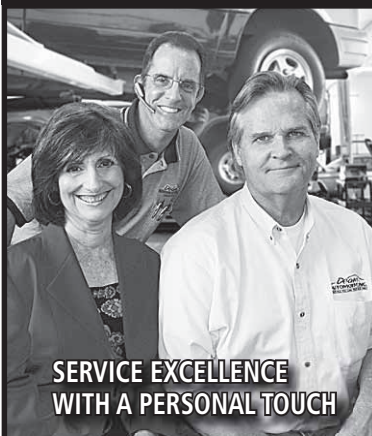
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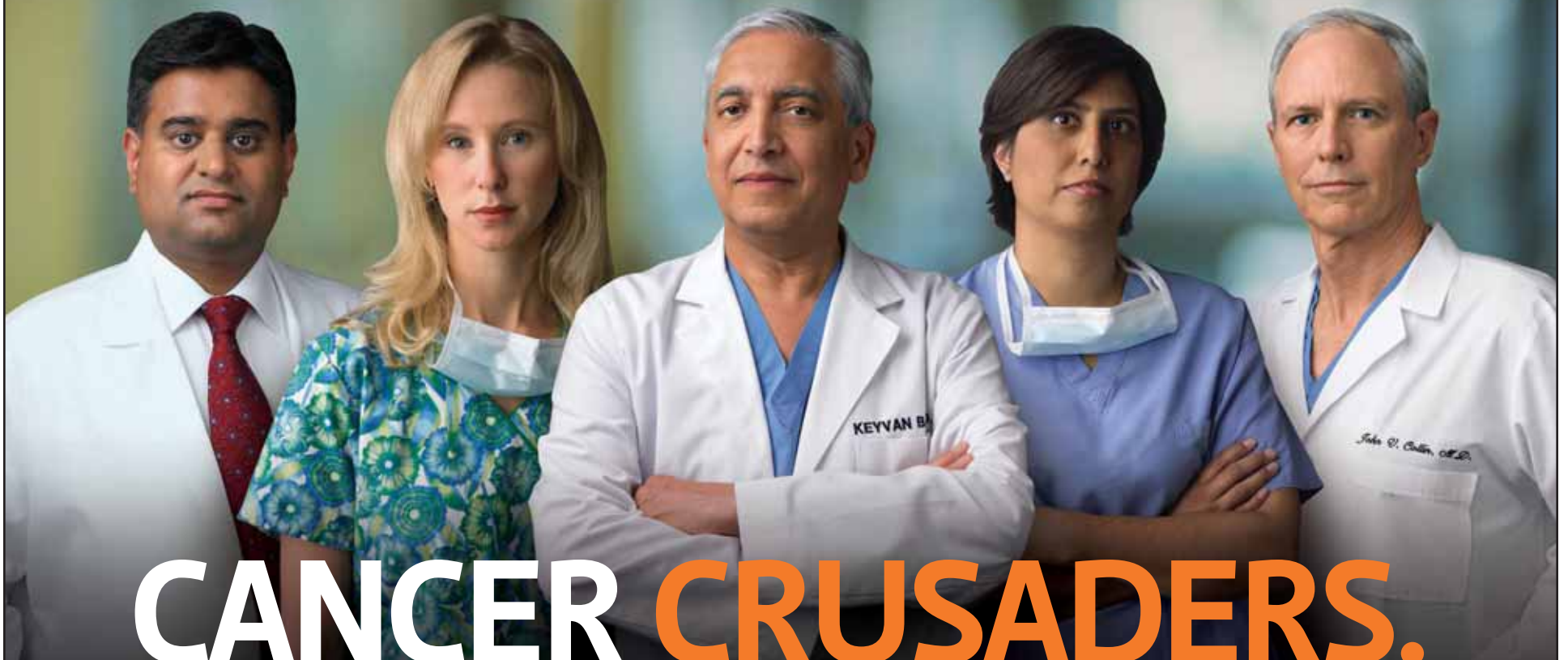


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BULLIS

► Continued from page 5

This is going to help push other charter schools across the state to get the facilities they deserve.”

Jeffrey Baier, LASD’s superintendent, said the district has “always been committed to providing reasonably equivalent facilities to the children in our district, as well as the children who attend the charter school. It’s disappointing that the court didn’t recognize that has been our commitment.”

Baier maintains that his district has always worked earnestly to meet the requirements outlined by Proposition 39 — a piece of legislation passed in 2000, which, among other things, laid out guidelines for how school districts should share their resources with charter schools.

According to Proposition 39, a school district’s facilities — its land, buildings and other such assets — must be “shared fairly” with any charter school within a district’s boundaries.

What is “fair” is determined by accounting for all the space and facilities available at “comparison schools” — those schools within a district that are most similar to a given charter school — and then calculating what the charter school ought to have access to based upon those campuses.

This latest battle between Bullis and the LASD began in September 2008, when the charter school made its annual “Proposition 39 facilities request.” The charter school filed suit on June 10, 2009, after repeatedly disputing the district’s offer.

An LASD press release makes a point of mentioning that this

decision was indeed a reversal — in “November 2009, the Honorable James P. Kleinberg of the Santa Clara County Superior Court rejected almost all of BCS’s legal contentions in a ruling that favored the district.”

However, according to Moore, this latest judgment is much more valid than the previous one made by Judge Kleinberg.

“As far as I’m concerned this is the first time we had a thorough review of the facts,” Moore said, noting that the appellate court has many more resources and a larger staff capable of sifting through all the evidence submitted — more than 2,000 pages of it by Moore’s estimate.

“Judge Kleinberg started his discussion in the court by saying, ‘I haven’t read all the papers,’” Moore said, recalling the day the initial decision was handed down.

The district’s press release also called the ruling “the latest chapter of the ongoing legal proceedings between the charter school and the district.”

When asked if he felt that Bullis has been overly litigious or if relations between his district and the charter school were strained, Baier would only note that Bullis has filed four lawsuits against the district since it was founded eight years ago.

The court did not ultimately rule that the district acted in bad faith. However, in its published decision, it found that the LASD “acted arbitrarily by failing to apply the proper legal standards in its facilities offer to Bullis.”

In a footnote toward the end of the 48-page decision, the court observed there was evidence that

the district may have intentionally overlooked the space and overstated the facilities offered:

“It was suggested by Bullis’s counsel at oral argument that the

District’s Facilities Offer was made in bad faith and without regard to its obligations under Proposition 39,” the court wrote in the footnote. “There is certainly evidence in the

record ... from which such a finding could be made.”

Baier flatly denied that his district acted in bad faith when making its Proposition 39 calculations. ▣

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HRS PLAN

► Continued from page 13

it's much better written. But they haven't changed anything really other than making the cost of the system more realistic," Alexis said of the new business plan. "They're still using the same ridership model since 2007."

Alexis, whose group had long maintained that the price tag for the new system would rise significantly, said the new business plan confirms that the rail system would cost "a lot more money than we have in the bank."

"It's enough money that if we want the high-speed-rail system, the California taxpayers will be asked to contribute more than they already have," Alexis told the Weekly.

The rail authority on Tuesday characterized the plan as the foundation for a project that will create 1 million jobs and reduce carbon emissions by 3 million tons annually. Thomas Umberg, chairman of the rail authority's board of directors, said in a statement Tuesday that the board has "carefully constructed a business plan that is mindful of the economic and budgetary constraints facing both the state and the nation."

But the business plan, particularly its revised cost estimate, is also expected to add fuel to the criticism from Sacramento lawmakers who have long argued that the project is too expensive and should be scrapped. At Tuesday's briefing on the business plan, state Assemblywoman Diane Harkey, a leading critic of the project, said the state is already "drowning in debt" and predicted that the system would require government subsidies.

"I think there's going to be a sticker shock for the people of California," Harkey, R-Dana Point, said. "The more they know, the less they'll like it. It shouldn't be that way with something this important."

Gordon offered a more measured response, but also said he is concerned about the latest cost estimate for the project. In a statement, Gordon called high-speed rail "a powerful vision and dream" and said he hopes the state will find the means to implement this vision. But he said he was "concerned about the present price tag and the expectation that much of this will be paid for utilizing public funds."

"California remains in a fiscal crisis," Gordon said. "We do not have enough revenue to meet our expenses as is."

"Until we address our structural fiscal problems, I do not see how California can afford additional debt from high-speed rail." ▣

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■ EDITORIAL
THE OPINION OF THE VOICE

A lesson in saving Bubb's historic tree

It is remarkable that Bubb elementary school officials even considered chopping down a beautiful tree near the lunch tables, ostensibly to make room for a "shade" structure that would protect the area from sun and bird droppings.

The school must have missed the irony in cutting down a beautiful tree that produces a lot of shade in order to make room for an artificial shade structure that could easily be designed to work around the tree, rather than destroy it.

There are other reasons to save this tree. For starters, it is a valuable piece of Bubb's history, planted in 1994 as part of a "peace garden" at the school. Bubb Principal Mary Dietrich said the tree is the only reminder of that project remaining at Bubb.

Luckily, Dietrich said last week that even though she is set on building the shade structure for her students, who have no shelter from the sun during lunch, she thinks there might be a way to save the notable tree.

The discussion about the tree has provided some valuable lessons to the students at the school, who are actively pressing the school administration to save the tree. The students have been asked to come up with options to give the tree a new life.

Dietrich herself understands that the students' interest makes saving the tree a teaching issue.

"The best thing ... is that the kids are getting involved and figuring out how to solve a problem. It's just a great lesson for them," she said.



MICHELLE LE

Bubb students cavort under the "peace tree."

A decision on the tree is still up in the air. A recent message from Principal Dietrich said: "We have a committee in place that will be looking at possible solutions. They will be reporting back to the PTA in a month."

A new life for Mountain View Market

We would like to join downtown residents who are excited about the new owners of Mountain View Market, a fixture on Castro Street devoted mostly to Asian food specialties until it was purchased by Juan and Ann Origel early in October.

The Origels say they saw an opportunity to purchase the roughly 10,000-square-foot store when the prior owners apparently lost business to the new Ranch 99 store on Grant Road. The Origels say they hope to transform the business into a true neighborhood grocery store that will keep its Asian food section and build in a deli with tables and chairs to bring in lunch customers. The new owners said their message to downtown residents is that they hope the store will resemble more of a Whole Foods or Trader Joe's market.

The Old Mountain View Neighborhood that encompasses downtown is excited, said Max Hauser, an OMV resident and the author of a story that he posted on the *Voice* website about the new owners last week. The announcement was greeted with upbeat comments from many directions. The neighborhood association has been actively seeking a "neighborhood-serving" grocery store downtown for years.

The city has tried for several years to bring a full-service grocer downtown. A request for proposals was issued in 2009 for a new store on a parking lot across from the Bryant Street garage, but the council rejected the plans, saying they required too large a subsidy. The city first tried to attract a market in the ground floor space at the Bryant Street garage, but in the end leased it to Long's Drugs, which has since been taken over by CVS.

The Origels do not intend to close to make major renovations. Instead, the store will slowly be given its new personality. In addition, the new owners say they welcome suggestions from all their customers. So now is the time to provide ideas on what you would like to see in the city's only downtown market. At least at this point, it appears that the customers really will have a chance to reshape this valuable institution.

■ LETTERS
VOICES FROM THE COMMUNITY

CEO'S SALARY HARD TO SWALLOW

The generous executive salary of the new El Camino Hospital CEO combined with simultaneous reductions in employee benefits is an example of the overall trend in the United States over the past decade.

The top 1 percent of Americans possess more wealth than the entire bottom 90 percent. This progressive and egregious inequality is comparable to the inequality in the late 1920s and is a direct threat to our system.

Workers experiencing loss of jobs, fewer hours or reduced benefits are understandably upset when they see generous executive compensation packages. The ongoing "we are the 99 percent" rallies are a product of this anger.

The CEO salary may be fair market value as noted by the new CEO herself. But that is precisely the point. Workers making less than a tenth of that are unmoved. This is seen and is part of the marked progressive maldistribution of wealth in the entire United States.

I suspect that the vast majority in the El Camino Hospital tax district are not in the top 1 percent and are sympathetic to the workers trying to support their families.

As I understand it the hospital is profitable. I would hope they will understand this issue as part of a generalized problem and be understanding and sympathetic to their workers and all workers. Too often companies place profits before people.

Michael Fischetti, MD
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