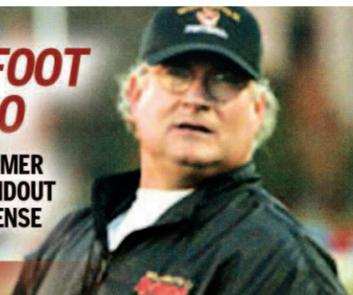


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MediaNews Group NEWSPAPER

ATHERTON EAST PALO ALTO LOS ALTOS LOS ALTOS HILLS MENLO PARK MOUNTAIN VIEW PALO ALTO PORTOLA VALLEY REDWOOD CITY SAN CARLOS STANFORD WOODSIDE

PALO ALTO



The Palo Alto house of the late Steve Jobs, Apple's former CEO, is pictured on Tuesday. Police say a burglar stole more than \$60,000 worth of computers and personal items from the house on July 17.

Kirstina Sangsahachart / Daily News

SAN FRANCISQUITO CREEK

Meeting tonight on flood project

Public asked to weigh in on effort to guard against 100-year creek flows, tides

BY JASON GREEN
 Daily News Staff Writer

Mid-Peninsula residents who live in fear of fickle San Francisquito Creek will get their first chance tonight to publicly comment on an environmental impact report for a project that will usher in a comprehensive effort to keep the waterway from spilling its banks again.

The San Francisquito Creek Joint Powers Authority will hold a hearing on the document at 6 p.m. on the first floor of East Palo Alto City Hall, 2415 University Ave. A second meeting has been set for Aug. 29 in the same location. The authority will also accept written comments through Sept. 13.

The \$26 million project aims to simultaneously guard against 100-year creek flows and tides between Highway 101 and San Francisco Bay, said Len Materman, the authority's executive director. Both flood events have a 1 percent chance of happening in any given year.

A projected 26-inch rise in sea level over the next 50 years has also been factored into the project, Materman said.

"We want to make sure any amount of water that can naturally be in the creek stays in the creek," Materman told The Daily News.

Once completed, the project will remove thousands of Palo Alto and East Palo Alto properties from Federal Emergency Management Agency flood maps. The 14-mile-long creek — which winds through Palo Alto, Menlo Park and East Palo Alto — caused an estimated \$28 million in damages when it last leapt its banks in 1998.

Key elements of the project include lowering a levee between the creek and the Baylands to improve flood protection and connectivity of habitats, widening the creek channel and constructing new levees, and building floodwalls where the channel is constrained closest to the freeway.

Flood protection isn't the only aim, Materman said. The project will also create 14 acres of brand-new marshland habitat, as well as improve and expand local recreational opportunities.

But two significant and unavoidable impacts are anticipated. Dust from construction will lower air quality in the area and the nearby Palo Alto Municipal Golf Course will have to be reconfigured,

FLOOD, page A8

Then he discovered he was alone in Steve Jobs' house

Report reveal details of burglary and how ex-SJSU football player was caught

BY MIKE ROSENBERG AND JASON GREEN
 Bay Area News Group

Detectives say Kariem McFarlin told them he was desperate for easy cash when he saw the Palo Alto home being renovated, hopped over the fence, found a spare key and went inside. No lights, no alarm, no one home. Then he discovered what on hallowed ground he stood: the home of the iconic late Apple CEO, Steve Jobs.

Alone and with free rein of a house belonging to one of the richest and most secretive families on the planet, McFarlin made off with some of the legendary gadgets Jobs helped create, police said in a report released Tuesday, one month after a break-in just now being publicized. He grabbed iPhones, iPads, Macs and iPods, then

found Jobs' wallet — with a single dollar inside — and, perhaps most shockingly of all, took his driver's license.

Police said he also snatched \$60,000 worth of Tiffany & Co. jewelry and Cristal Champagne, and even took a soda-maker and kitchen blender.

Ultimately, it was Jobs' company's technology that allowed Apple and a special Silicon Valley high-tech crime task force to track down the burglary suspect, a former San Jose State football player who friends described as a high school nerd and "good guy."

Police said when McFarlin, 35, used the stolen devices to connect to the Internet with his iTunes account after the July 17 heist, Apple investigators were able to identify him using

an IP address. After gathering more evidence, police swarmed his Alameda apartment and said they found many of the items from the Palo Alto home.

He then confessed and wrote an apology letter to Jobs' widow, police said.

"What an idiot," McFarlin's former boss Ross Rankin told this newspaper Tuesday, the morning after news broke of the burglary at one of Silicon Valley's most famous residences. "There's certain things you don't do, and burglarizing an icon like that, that just puts yourself pretty much in the deep hole."

A 36-page police report shows in intricate detail how the Waverley Street Jobs home was burglarized between

JOBS BURGLARY, page A8



McFARLIN

SANTA CLARA COUNTY

Group pledges to sue to keep sales tax measure off ballot

Taxpayers' association says it would be illegal to decide issue in Nov. 6 election

BY TRACY SEIPEL
 Bay Area News Group

A local taxpayer group says Santa Clara County's sales tax measure is illegal and is pledging to go to court to stop it from appearing on the Nov. 6 ballot in what some legal experts believe could become a precedent-setting case in California.

The Silicon Valley Taxpayers' Association said state law requires a general tax measure to coincide with the election of local candidates — in this case county supervisors — on the same ballot.

But the county supervisor races were decided in the June primary.

In a seven-page letter to the five su-

pervisors and other county officials, an attorney for the group said the county must remove the sales tax measure from the ballot — or face a lawsuit.

Acting County Counsel Lori Pegg responded Tuesday in a one-page letter saying the county "fully considered the points raised in your correspondence prior to placing Measure A on the ballot and we are confident that, if challenged, a court would conclude the county is in full compliance with Proposition 218."

Brad Hertz, the attorney representing the taxpayers association, said he plans to file a lawsuit by Friday because of the imminent deadline facing local elections officials to finish assembling the fall ballot.

The Howard Jarvis Taxpayers Association said the battle is new territory.

"It's a gray area. No court has ever been asked to rule on this type of question," said Tim Bittle, director of legal affairs for the Jarvis association.

Best known as the force behind Proposition 13 that in 1978 slashed property taxes, the group also sponsored Proposition 218, which is at the heart of the dispute. It was passed into law by California voters in 1996 to ensure that all taxes and most charges on property owners be subject to voter approval.

In its letter, the Silicon Valley Taxpayers' Association pointed to a

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INSIDE TODAY



Chef Chu's in Los Altos a power restaurant

From a secretary of state to Steve Jobs to Serena Williams, this longtime eatery is where to go for great Chinese cuisine

LOCAL, PAGE A4

State funds issue still a big tangle

Former parks employee says she told state attorneys about \$20M in stashed Monday months before surplus officially revealed

STATE, PAGE A9

Bay Area homes: good news, bad news

Despite bump in foreclosures, fewer homeowners are going into default, and foreclosure sales have dropped steeply

BUSINESS, PAGE A10

State Senate panel pushes for safety review of new Bay Bridge

BY LISA VORDERBRUEGGEN
Bay Area News Group

State Senate transportation leaders on Tuesday called for an independent review of the seismic safety of the massive underwater foundation beneath the tower of the new eastern span of the Bay Bridge. During a three-hour hearing to address questions raised in news stories about a rogue state inspector's falsified concrete testing data on Bay Area bridges, Senate Transportation Committee Chairman Mark DeSaulnier, D-Concord, and member Sen. Joe Simitian, D-Palo Alto, agreed a third-party analysis is necessary.

It's too late to appease the worried public with assurances from the same people who are building the \$6.4 billion span, the lawmakers said.

"You have to take the time and hand this off to a third party," Simitian told Caltrans Director Malcolm Dougherty.

"Hustling to finish the bridge with a cloud of suspicion over the project doesn't serve you well."

The committee will work with the Legislative Analysts Office to devise an independent review process along with other possible oversight requirements. The package would come back before the committee in the fall. With few details, it's unclear how much a review will cost.

As he has for months, Dougherty continued to reject any assertions of safety concerns and reminded lawmakers of the extensive peer review already conducted on the bridge. He had plenty of company. The top two engineers in the state's toll bridge program, a Federal Highway Administration executive and a renowned international bridge engineer who leads California's seismic safety panel all reiterated what the agency has been officially saying for months: The Bay Bridge is safe.

FLOOD

From the front page

Materman said.

But Materman noted that air quality will return to normal once the project is finished and Palo Alto has embraced the golf course encroachment as an opportunity to overhaul the decades-old facility. Last month, the city council voted in favor of an 18-hole redesign that sets aside space for three playing fields.

Construction crews will also have to take care not to disturb endangered species that call the area home, such as the clapper rail and salt harvest mouse. The environmental impact report notes that work will stop and continue in another section if the creatures are encountered.

Similarly, construction will take place in the creek channel during the summer, when steelhead trout aren't present, Materman said.

Materman said the authority is aiming to break ground on the project by the end of the year.

The project will pave the way for a suite of additional efforts to guard against a 50-year creek flow between El

Camino Real and Highway 101, Materman said. Four bridges need to be replaced and the channel widened in areas where it has become constrained over the years.

"We can't open the channel upstream without first addressing the vulnerability of people downstream," Materman said.

The upstream work is largely dependent on \$35 million in funding from an extension of a Santa Clara Valley Water District parcel tax. The "Safe, Clean Water and Natural Flood Protection Program" will go before voters on Nov. 6.

While the projects would prevent the sort of flood that occurred in 1998, the authority would like to guard against a 100-year creek flow north of Highway 101, Materman said. A separate financing district could provide the necessary funding, but the authority is bracing for the possibility of using that option to fund the 50-year effort if the measure fails.

"We're waiting to see what happens to understand our options," Materman said about the parcel tax extension.

Email Jason Green at jgreen@dailynews.com; follow him at twitter.com/jgreendailynews.

JOBS BURGLARY

From the front page

5 p.m. July 17 and 8 a.m. the next day. McFarlin was arrested Aug. 2 and is in jail in lieu of \$500,000 bail.

His attorney at the Public Defender's Office did not return calls requesting a comment. Police, though, said McFarlin told investigators he was down on his luck and had been sleeping in his car before breaking into a few San Francisco homes and the Jobs residence.

The report said on that July night McFarlin pulled up to the curb on Waverley Street and hopped a 6-foot fence by climbing the scaffolding around the house, after construction crews renovating the home had gone home for the day. He walked into an open garage workshop, found a key and walked through the house door, the report said.

"Kariem McFarlin explained he crept around the house because he was scared someone might be home," the report said.

Eventually, he figured out he

was alone. Then, investigators wrote, he saw a letter addressed to Jobs and realized whose home he was standing in.

"The best we can tell is it was totally random," prosecutor Tom Flattery said.

The home, which was unoccupied because it was under renovation, has been a mecca for tourists to Silicon Valley, especially since Jobs' death Oct. 5, after a long battle with cancer.

Laurene Powell Jobs, his widow, was staying nearby. Her spokeswoman declined to comment.

Although the burglary was discovered on the morning of July 18, it wasn't reported to police until two days later.

A manifest of items stolen at the Jobs residence gives a rare peek into the world of the notoriously reclusive entrepreneur who helped create one of the most successful and secretive companies in history.

Also listed as stolen: an iMac and a Mac Mini specially installed for Jobs by an Apple engineer; a small "demo-sized" MacBook, three iPads, three iP-

ods, two iPhones, and an Apple TV device. McFarlin is accused of giving one of the iPads to his daughter and another to a friend.

In Jobs' swiped black leather wallet were his California driver's license, an Apple corporate American Express card, a titanium American Express Black card and a Bank of America Visa credit card. A key to a Mercedes-Benz at the home was taken, but not the car.

Also missing from the house were goods bought from the Tiffany & Co. store at the Stanford Shopping Center during the 2001 and 2002 holiday seasons: a \$33,000 platinum and aquamarine-bead necklace; a platinum necklace with 247 round brilliant diamonds weighing 5 carats, with nine carved aquamarine drops valued at \$28,500; and a \$2,950 pair of earrings.

More stolen goods: Monster Beats by Dr. Dre headphones, a Ninja Blender, a Sodastream soda-maker, a SanDisk media storage device, and Louis Roderer Cristal Champagne.

Police said McFarlin told

them he used luggage found in the house to cart away the items, tossing them over a fence onto cushions he took from patio furniture.

Later, he Googled how to sell jewelry and shipped some of the stolen goods to a jeweler in Pennsylvania who has since agreed to send back the items, police said.

Virtually all of the stolen goods were recovered at McFarlin's home and an Alameda storage unit, police said, and the two gifted iPads were returned.

Palo Alto police investigated with the Santa Clara County high technology REACT task force. McFarlin was arraigned Aug. 7 and is due in court Aug. 20.

The Jobs heist was part of a 63 percent rise in burglaries in Palo Alto this year, as Bay Area cities from San Jose to Oakland to Daly City see double-digit increases in home burglaries. Authorities have tied the trend to budget cuts that left police forces withered and rumors in criminal circles of unlocked doors.

McFarlin was a defensive back for the San Jose State football team in 1998 and earned a bachelor's degree in kinesiology in 2004, the university said.

Lifelong friend Joe Tenorio said McFarlin grew up in the projects — records show his birth certificate was issued in New York — but was helped by a loving mother and stepfather.

"I'd call him a nerd in high school," Tenorio said. "He didn't hang out with the cliques that were robbing people."

Rankin, president of Santa Ynez-based medical supply firm Representatives, said McFarlin was with the company for only a few months, more than a year ago.

"It did not work out well at all," Rankin said. "It just wasn't a positive relationship. He was not particularly motivated."

Rankin said he gives iPhones to all his sales representatives, but after leaving the company McFarlin had to give his back.

Bay Area News Group staff writers Robert Salonga, Malaika Fraley and Erin Ivie contributed to this report.

SALES TAX

From the front page

particular section of the proposition that states: "No local government may impose, extend, or increase any general tax unless and until that tax is submitted to the electorate and approved by a majority vote. The election required by this subdivision shall be consolidated with a regularly scheduled general election for members of the governing body of the local government, except in cases of emergency declared by a unanimous vote of the governing body."

Bittle said the purpose of that wording by his organization would benefit voters in two ways: First, local candidates on the same ballot would be forced to say whether they endorsed the sales tax. And second, a regularly scheduled general election would ensure the greatest number of voters would decide a sales tax.

However, all three county supervisor candidates in the June 5 primary received more than 50 percent of the vote; incumbents Dave Cortese and George Shirakawa were uncontested, and state Sen. Joe Simitian easily overcame his two challengers for the board seat being vacated by Liz Kniss. That means there is no supervisor race on the November ballot. And on Aug. 7, when the supervisors voted 4-0 to place the eighth-cent sales tax measure on the ballot, they did not declare an emergency.

Supervisor Mike Wasserman, who has consistently opposed the proposed sales tax measure, was absent from that meeting.

John Roeder, president of the Silicon Valley association's board, applauded Wasserman "for being on the right side of this issue," adding that the county didn't meet the requirements of Proposition 218, which means the ballot measure is illegal.

Indeed, in the group's letter to the county, Hertz cited a four-page memo Feb. 24 from San Jose City Attorney

Rick Doyle to the mayor and city council that outlines the requirements to place a tax measure on the city's ballot, including the need for council elections to be scheduled for the same ballot. The fate of candidates in two council runoffs will be decided on the Nov. 6 ballot, but the council last week voted against putting the proposed half-cent sales tax measure on that ballot.

Still, Pegg said the county believes it has correctly interpreted Proposition 218, including the part Roeder's group is citing.

"The county is confident that we are entitled to place a tax measure on the ballot in the November election during a presidential or gubernatorial election year, pursuant to the county charter," said Pegg, even if there is no supervisor race on the ballot. "How could we predict that there would not be a runoff?"

If passed, the county's eighth-cent sales tax measure would raise an additional \$458 million over its 10-year span. County supervisors say it would pay for such things as law enforcement, job creation, hospital emergency room services, health care for low-income children, housing for the homeless, and programs to help students stay in school.

However, it would also send the county's sales tax rate to 8.5 percent, tying it for third-highest in the state. And that doesn't include Gov. Jerry Brown's proposed quarter-cent sales tax measure that would be on the same ballot.

Tax opponents such as Roeder's group say the general tax, which needs only a simple majority vote to pass, allows the county to spend the money on anything it pleases, including pension benefits and salaries.

"They don't list those things," Roeder said. Yet county officials say at least a decade of consecutive budget shortfalls means the county's financial future depends on the sales tax increase. Moreover, they say, the county already has imposed budget-cutting measures by streamlining county services and convincing almost all employee unions to agree to wage and benefit cuts.

DEATH NOTICES



Ronald Greco Fullmer

Lifetime resident of Redwood City

In memory of Ronald Greco Fullmer, who passed away peacefully August 17th, 2011 in Lincoln, CA. after years of experiencing heart problems. Many of the friends and family that Ron touched throughout his life surrounded him over his last days. Ron had lots of love by his side.

Ron is survived by Judy, the love of his life and wife of nearly 50 years, as well as, his children Daniel, Diana and Marc. Ron was the beloved grandfather of eight grandchildren including Beau, Lauren, Emily, Kaitlin, Morgan, Sarah, Ashley and Jonathan.

Ron was born and raised in Redwood City and remained there his entire life. Ron was very close to his family who included his parents, Jack and Palma Fullmer and grandparents Katherine and Joseph Ferraro. The family owned and operated the Sequoia Market in Redwood City for about 50 years. He attended Mt. Carmel School class of 1953 where he made many lifelong friends. After Mt. Carmel Ron attended Junipero Serra High School class of 1957. Following high school Ron attended the College of San Mateo.

Ron was outgoing and friendly and everyone seem to know him. You could always find Ron at a local garage sale, the store or in the neighborhood with a Coca Cola in his hand. Ron was always ready to give a helping hand and many sought his advice on the issues of life. Ron is missed by many.

Ron was very resourceful. Following in his father's footsteps Ron became a butcher and joined the Butcher's Union Local #516. Ron was also a successful real estate salesman, investor and landlord. Ron also enjoyed many hobbies and had a great eye for buying, selling and collecting antiques, enjoyed gardening, fishing, cooking, travelling, raising Koi fish, working on his rental properties, and most importantly, spending time with his family.

Ron will be remembered for his great smile, sense of humor and his unforgettable voice.

His funeral services were held at St. Joseph Catholic Church in Lincoln, CA and his burial services were at Gate of Heaven, St. Peter's section in Los Altos, CA.



Donna Charlene (Moon) Bjork-Auger

Resident of Rio Vista, CA

Born July 19, 1946 to Donald and Joan (Moon) McDonald, Donna passed away in her sleep on August 3, 2012. She will be remembered for her positive and full of life spirit, her beautiful singing voice and love she gave to family and friends. She is survived by four siblings, Jim, Tom, Cheryl and Zak, her first husband Norman Bjork, their two sons and wives, James and Carrie and Michael and Jennifer, her second husband Ron Auger and his three children, Sandi, Doug and Cheri. Donna devoted her life to being a Mom and a Grammie to her grandchildren. She became a Registered Nurse after high school, then worked at Moon and Mandella (1974-99) in Palo Alto.

Family and a few friends gathered on Aug. 3. Donations in her memory to Catalystdsvservices.org/donor. Fmi_jmoon@csuchico.edu.

The deadline for paid death notices is noon, Monday through Friday. Please call 408.920.5276.

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