



## Solving Global Warming One City at a Time

Communities all over America are responding to the threat of global warming with smart energy solutions. These “Cool Cities” are taking decisive action to reduce heat-trapping emissions, lower energy bills, save taxpayer dollars, and protect our environment.

At a time when the federal government is failing to act, mayors and other local leaders are taking the lead to curb global warming. As of February 27, 2006, 208 mayors from 38 states representing more than 42 million Americans have pledged to reduce global warming carbon pollution in their cities to 7 percent below 1990 levels by 2012.

The good news is that we have the tools today to reduce global warming pollution, and cities of all sizes are pursuing innovative energy solutions. While every city’s energy solutions plan will be unique, there are three key common Cool City strategies: **Green Vehicle Fleets, Energy Efficiency, and Renewable Energy.**

### Four Steps to Become a Cool City

Getting your city to become part of the fight against global warming is as simple as four steps. These steps are modeled on the Cities for Climate Protection program, a successful initiative run by the International Council for Local Environmental Initiatives (ICLEI) to help cities reduce global warming pollution. Encouraging your city to join ICLEI’s Cities for Climate Protection program is an excellent way to fulfill the Cool Cities pledge. But any city can start making a difference by putting existing smart energy solutions to work today.

#### Step 1: Take the “Cool Cities” Pledge

The first step towards curbing global warming pollution in your community is to ask your mayor to sign the U.S. Mayors Climate Protection Agreement. This agreement sets the goal of reducing citywide global warming carbon dioxide (CO2) pollution to 7 percent below 1990 levels by 2012. See [seattle.gov/mayor/climate](http://seattle.gov/mayor/climate)

#### Step 2: Conduct a Global Warming Emissions Inventory

The next step is to conduct an inventory of your city’s current global warming emissions. This information will identify the city’s major

CO2 sources (and the greatest opportunities for reductions), and will provide a baseline to judge the city’s progress towards its goal. Cities can receive technical assistance to conduct a global warming emissions inventory from a variety of sources including state and federal agencies as well as ICLEI through its Cities for Climate Protection program.

#### Step 3: Create a Solutions Plan

After completing its global warming inventory, your city will be ready to develop a solutions plan that can reduce emissions while lowering energy costs for the city. While every city’s energy solutions plan will be unique, there are three important strategies: Green Vehicle Fleets, Energy Efficiency, and Renewable Energy.

#### Step 4: Implement and Monitor Progress

Of course, a plan alone cannot cut global warming pollution. It is essential that your city put the plan into action and monitor its progress periodically. With a strong commitment, a sound plan, and real action, your city will be on its way.

More than 75 cities across California, including San Francisco and cities all over the Bay Area, have signed the U.S. Mayors Climate Protection Agreement and are beginning to take steps to lower emissions and increase energy efficiency. Cities are engaging entire communities to help meet the goals of the U.S. Mayors Climate Protection Agreement. Local businesses, builders, faith groups, environmentalists, and labor unions are working together to make their cities more livable and vibrant while lowering energy bills, creating good jobs, and tackling a global problem.

As the news of these successful city solutions spreads, more cities are joining in the Cool Cities movement. Together, they are helping to lead our country and our world into a new energy future. And that’s cool. Now it’s your city’s turn.

#### LEARN MORE:

For a list of cities that are becoming “cool,” and for resources and specific examples of smart energy city solutions and model action plans, go to [sierraclub.org/coolcities](http://sierraclub.org/coolcities).

Source: Sierra Club, [www.sierraclub.org](http://www.sierraclub.org)

# Shop Menlo



## Buy Local - Support the Local Economy

Make Menlo Park your preferred shopping destination. Whether you're looking for everyday items or something special, local shops can fulfill your gift giving needs.

Shopping in Menlo Park not only helps businesses flourish, but it also generates sales tax revenue to help support our parks, recreation, maintenance, police and library services.

So remember, shop Menlo Park.  
It's the right thing to do for your community!

## Relay For Life of Menlo Park - Seeking Volunteers!

Relay For Life is the single largest fundraising event in the world. Relay is a community developed, volunteer driven, team event to fight cancer. It offers everyone in the community an opportunity to fight cancer by volunteering and by raising much needed funds. This summer - at Burgess Park, teams of people will camp out and take turns walking or running around a path. Relay For Life is only as good as the community organizing the event. We are now seeking volunteers to help with the planning of the 2007 Relay For Life of Menlo Park. Typical volunteer opportunities include: Team Recruitment, Registration, Accounting, Food & Beverage, Entertainment, Marketing, and Corporate Sponsorship. Everyone is needed! Join us today! Our first meeting is open to the public and will be held on Thursday January 4 from 6:30 - 7:30pm at the Burgess Park Recreation Center.

Questions? Call Emily LeDeau at 650-578-9902 ext. 314

### The Menlo Park Chamber of Commerce

1100 Merrill Street, Menlo Park, CA 94025

Ph: (650) 325-2818, Fx: (650) 325-0920

[www.menloparkchamber.com](http://www.menloparkchamber.com)

USPS #09594 The Acorn is published bi-monthly for \$12, included in the member dues, by the Menlo Park Chamber of Commerce, 1100 Merrill Street, Menlo Park, CA 94025-4304. Periodicals Postage paid at Menlo Park, CA. POSTMASTER: Send address changes to The ACORN, Menlo Park Chamber of Commerce, 1100 Merrill Street, Menlo Park, CA 94025-4304. DEADLINE: 15th of each month prior to publication. Listings are subject to space limitations. Opinions expressed by guest writers do not necessarily reflect the policies of the Menlo Park Chamber of Commerce.

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# Rescue Expert & Firefighting Veteran Named Chief of Menlo Park Fire Protection District

By Renee Batti, *Almanac* News Editor

Harold Schapelhouman said he's not planning on "turning the place upside down" when he takes over as chief of the Menlo Park Fire Protection District on January 1.

He will, however, work to increase community outreach and education programs focused on fire prevention and disaster preparedness, he said last week after his appointment was announced.

Mr. Schapelhouman, a 25-year fire district veteran who was promoted to deputy chief in April, was appointed to the district's top position by a unanimous vote of the district board on August 15.

The district encompasses Menlo Park, Atherton, East Palo Alto and nearby unincorporated areas. He will be the first chief to be appointed from within the district ranks in 21 years, according to John Osmer, president of the district board.

Except for a nine-month stint as a student firefighter in Los Altos, he has spent his entire career at the Menlo Park district, holding positions ranging from dispatcher, firefighter and fire investigator to training captain, division chief of special operations and deputy chief.

He will succeed Doug Sporleder, a retired chief of the Santa Clara County Fire Department who last August took up the reins at the district to help the board choose a permanent chief.

Mr. Schapelhouman, 45, was instrumental in shaping the district's emergency preparedness and rescue programs. Until he was appointed deputy chief this year, he headed California Task Force 3, one of the state's eight regional urban search and rescue teams, and one of 28 federal teams.

The task force is administered by the Menlo Park fire district, and made up of Bay Area firefighters, search and rescue specialists, medical professionals and others needed to deal with disasters. It was deployed to the World Trade Center after the September 11 attacks, to New Orleans last year to help rescue flood victims, to Oklahoma City in the aftermath of the terrorist bombing of the Murrah federal building, and to many other natural disaster and high-security sites since it was formed in 1991.

Mr. Schapelhouman made his mark in the emergency preparedness and rescue arena even before the task force was created in 1991. Early in his career with the district, he and another junior firefighter were sent to participate in a county-sponsored emergency response and critical care exercise. That's when they discovered that many of the written guidelines for county emergency workers responding to a disaster were dismayingly outdated.

So he and his colleague took on the task of updating information in the county's response protocols, "and that morphed into developing emergency guidelines," he said.

He then began attending classes and focusing on disaster response, networking with emergency workers from other areas who had dealt with their own disasters to learn from their experiences.

When the government launched its project creating search and rescue task forces throughout the country to deal with disasters, Mr. Schapelhouman was a key player in the district's winning the contract to administer and house California Task Force 3.



Harold Schapelhouman

Source: *The Almanac*

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# NON-OWNED AUTOMOBILE LIABILITY

A Blind Spot for Business Owners... By: Ron Shepherd, *Shepherd & Associates*

Are you a small business owner with a handful of employees? Do you or your employees use their personal vehicles on company business or errands? Perhaps your administrative assistant picks up Friday morning bagels for the office. Or your office manager takes checks to the bank for deposit. Non-owned auto liability is an exposure that can easily be overlooked by many business owners until it's too late.

Non-owned auto liability coverage protects the organization (not the vehicle or vehicle owner), when the employee is acting on behalf of the organization and has an auto accident. The coverage is usually excess over the employee's personal auto policy. If the employee does have an accident in his or her personal vehicle while on company business, their personal auto coverage would respond first. If the employee's personal auto insurance is inadequate, or the damages exceed the employee's personal auto limits, the non-owned auto policy would protect the company for any insurable losses excess of the employee's auto policy, up to the limits of the non-owned auto policy. Without this coverage, if such claims occur, the organization would not have any insurance protection for the accident. **Your business may be**

**seen as the source of "deep pockets".**

For smaller businesses that don't own any corporate vehicles and therefore do not have a corporate automobile policy in place, non-owned auto coverage can be endorsed onto the company's business office package or general liability policy. Non-owned auto coverage is generally very affordable when compared to the cost of other liability policies.

Now that we've examined what the non-owned auto policy covers, what steps should small business owners take to mitigate this exposure?

- Allow only designated employees to conduct business with personal vehicles.
- Once you've designated the employees who may use their personal vehicles on company business, establish guidelines. Be sure to routinely check their motor vehicle record with initial and ongoing screenings.
- If the company does own corporate vehicles, and an employee routinely drives on company business, mandate that he or she use a company owned vehicle.
- Periodically check your drivers' personal auto policies to make sure they have adequate limits. Limits of at least \$500,000 (liability) and \$100,000 (property damage) are recommended.

• For employees who regularly drive on company business, require that the company be named as an additional insured on their personal auto policy. As with any exposure, the key to reducing non-owned liability exposure is to identify it, understand it and make conscious efforts to control it.

Should you have any questions about health benefits or commercial property/casualty insurance please contact us (Shepherd & Associates) at 650-329-8111.

## DISCLAIMER

The above information is provided to give you an elementary understanding of insurance coverages so that the reader can approach the purchase of insurance with a basic knowledge. The actual scope of your insurance coverage can only be determined by reading and understanding the terms and conditions stated in the policy. Your broker should explain to you the exact coverages you are purchasing.

## FUTURE

Should you have general insurance questions you would like discussed in future articles, please contact us at 650-329-8111.



## Edward Jones Investments Relocates to Menlo Park

Edward Jones has been named one of the top companies in financial services in both customer service and as one of the top companies to work for. Representatives specialize in creating one-on-one relationships with clients, offering personalized financial advice along with unwavering principles, and investment philosophy. Formerly located in Los Altos, Rhonda Wentzel, AAMS, relocated this Edward Jones branch to 1100 Alma Street, Suite 201 to serve Menlo Park and its surrounding communities with its financial needs. Have any questions? Give them a call at (650) 325-2141.

# INFORMATIVE

## *And Possibly Entertaining*

# RECENT BUSINESS LAW DECISIONS

By: Peter Suhr, Esq., *Community Affairs Committee*



### **Maybe The Future Will Be Brighter for Non-Competition Agreements.**

On November 29<sup>th</sup>, the California Supreme Court agreed to review Edwards v. Arthur Anderson LLP (Case No. S147190). The Court will consider whether a non-competition agreement between an employer and an employee that prohibits the employee from performing services for former clients is invalid under Business and Professions Code section 16600, unless it falls within the statutory or judicially-created trade secrets exceptions to the statute. In August, a lower court concluded a non-competition agreement between an employee and employer prohibiting an employee from performing services for certain former clients was invalid, even if the restraints imposed are narrow and leave a substantial portion of the market open to the employee. In so holding, the lower court concluded the “narrow restraint” exception to section 16600, articulated by the Ninth Circuit, is not a proper application of California law. *The Court’s anticipated ruling should provide guidance to businesspersons interested in protecting trade secrets (e.g., client lists) and not being sued for attempting to impose illegal agreements upon employees.*

### **A Successful, But Messy, Private Stock Redemption Story.**

When Melvin Maudlin retired from

Pacific Decision Sciences Corporation (PDSC), he negotiated a deal with his business partner, Hark Vasa, by which PDSC would pay him \$2.9 million over a period of nearly 23 years. Their agreement allocated \$150,000 for the redemption of Maudlin’s 300,000 shares of stock (about 30 percent of the outstanding shares), with the balance of \$2.75 million designated as “deferred compensation.” The monies were paid as agreed for over five years, when PDSC’s new management expressed concerns about the legitimacy of the “deferred compensation” arrangement. Maudlin sued to recover the balance of the payments. The trial court denied Maudlin any relief, concluding the contract was a disguised stock redemption that violated the California Corporations Code and evaded taxes. The appellate court reversed the judgment. By comparing the total payments under the contract with the amount of PDSC’s retained earnings when the contract was executed, the trial court relied upon California corporate law that was superseded by statute effective in 1977. The trial court should have compared each individual payment with PDSC’s retained earnings as of the date each payment was due. As for the tax issue, Maudlin had more than fully performed his side of the transaction and the public

required no further protection; in fact, Maudlin had been treating his stock proceeds as ordinary income. PDSC was guilty of the greater moral fault, and it should not be rewarded for such.

(Maudlin v. Pacific Decision Sciences Corporation (March 2006).

### **Contractors Must Meet Professional Standards, Regardless of Contract Omissions.**

In The Stonegate Homeowners Association v. Staben (November 2006), a general contractor and subcontractor entered an oral agreement for the waterproofing of retaining walls and the installing of back drains in a development. After discovering seepage and drainage problems, the homeowners association sued the general contractor and the subcontractor for negligence. The trial court ruled in favor of the subcontractor, focusing upon a lack of testimony about the specific duties of the subcontractor under the oral contract. The appellate court reversed, holding that the subcontractor had a duty to perform work in a good and workmanlike manner, or be liable to the general contractor, the owner, and to third persons for any damages proximately caused.

[The comments above are those of the author, not the Chamber.]

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WSJ Properties  
Fitness 101

### 20-29 Years cont.

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### 6-10 Years

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### 6-10 Years cont.

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# Handmade & Handsome New Allied Arts shop opens

By Laura Thomas, *The San Francisco Chronicle*

The newest shop at the storied Allied Arts Guild in Menlo Park brings the complex back to its original reason for being.

According to one of the founders, Pamela Mallett, the Artisan Shop will cater to customers' desire for hand-made things and recalls the Allied Arts Guild's founding in 1929 by art lovers Delight and Garfield Merner as a place for folk and fine artists.

Fine craft work, including jewelry, pottery, bronze, painting, photography, clothing and donations of fine vintage items in all those categories will be sold in the shop.

"We have something for everyone," Mallett said, noting the cheapest item is some donated cordial glasses with silver banding at \$3 each, and the most expensive is a \$2,700 necklace.

Some notable pieces include a hand-painted chinoiserie table by decorative painter Cheryl Benedict (\$425) and the alabaster work of Steve Finch (Venezia vase, \$800) and raku pottery by Jeff Carlick (\$165).

Los Altos designer Sandy Powell's line of custom pillows are made from taffeta, silks and even African kuba cloth (\$240).

The work featured is chosen by a jury of the Woodside-Atherton Auxiliary that runs the shop and owns Allied Arts Guild.

"Everything has to be finely done," Mallett said. "It has to have that undefinable something about it. We are being very selective."

All proceeds from sales at the Artisan Shop support the Lucile Packard Children's Hospital at Stanford.

The Artisan Shop at Allied Arts Guild, 75 Arbor Road (at Cambridge Avenue), Menlo Park. (650) 325-2450. Hours are 10 a.m. to 5 p.m. Monday through Saturday; noon to 5 p.m. Sundays in December.

[www.alliedartsguild.org](http://www.alliedartsguild.org).

Source: *The San Francisco Chronicle*  
Pamela Mallett, The Artisan Shop at Allied Arts, Woodside-Atherton Auxiliary

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## GET EXPOSED & GET BUSINESS!

Don't you want your business  
to be a household name?

One great way to show off your business is by hosting a mixer! Simply select a date, and with just a little bit of organizing, you will be showcasing your business to the Menlo Park community! The chamber invites its members and other members of adjacent business communities to attend your event. Our businesses grow on referral. The more who know about your business, the more business you will get. It's that simple! Call the Menlo Park Chamber today to schedule a mixer at your business this upcoming year. A few dates are still available, so hurry! 650 325-2818



## Occasions Celebrates 14 Years of Business in Menlo Park

The Chamber of Commerce helps Occasions, Etc. (formerly Menlo Atherton Trophy) mark 14 years of business in the community. With a short move across the street, the newly remodeled Menlo Park store at 826 Santa Cruz Avenue is 3 times larger and offers a unique selection of trophies plaques and gifts. Personalize your gift choices with in-house embroidery or engraving. Most orders can be personalized in less than 3 days. Occasions has everything you need for all Occasions! For more information, give them a call at (650) 322-9273.

# Meeting & Events Calendars

## January:

- 1 Chamber Office Closed, New Year's Day
- 8 Ambassadors Committee Meeting, 1:00 pm
- 9 Executive Board Meeting, 7:30 am
- 15 Chamber Office Closed, Martin Luther King Jr. Day
- 18 Board of Directors Meeting, 7:30 am
- 25 Transportation Committee Meeting, 12:00 pm
- 30 Downtown Merchants Group, 8:30 am

## February:

- 6 Executive Board Meeting, 7:30 am
- 6 Connoisseur's Marketplace Committee Meeting, 1:00 pm
- 7 Mixer hosted by Koonce Financial Services, 6:00-8:00 pm
- 12 Ambassadors Committee Meeting, 1:00 pm
- 15 Board of Directors Meeting, 7:30 am
- 19 Chamber Office Closed, President's Day
- 22 Transportation Committee Meeting, 12:00 pm
- 27 Downtown Merchants Group, 8:30 am

## March:

- 6 Connoisseur's Marketplace Committee Meeting, 1:00 pm
- 12 Ambassadors Committee Meeting, 1:00 pm
- 13 Executive Board Meeting, 7:30 am
- 15 Board of Directors Meeting, 7:30 am
- 22 Transportation Committee Meeting, 12:00 pm
- 27 Downtown Merchants Group, 8:30 am

## Council & Commission Meetings

Menlo Park City Council  
Every Tues., 7:00 pm

Bicycle Commission  
2nd Mon., 7:30 pm

Environmental Quality Commission  
1st Wed., 6:30 pm

Housing Commission  
1st Wed., 5:30 pm

Las Pulgas Committee  
3rd Wed., 5:30 pm

Library Commission  
2nd Mon., 6:30 pm

Parks and Recreation Commission  
3rd Wed., 6:00 pm

Planning Commission

Twice a month on alternate Mon., 7:00 pm  
Transportation Commission

2nd Wed., 7:30 pm



## Carolers-A-Wassailing

### Spreading Holiday Cheer

On December 2nd, Menlo Park Chamber of Commerce carolers accompanied Santa Claus in ushering in the new Holiday Season. Carolers, (left) Chris Lundin, Rick Ciardella, Mari Olson, Ron Shepherd, and Terry Kent, sang in and outside stores on Santa Cruz Avenue on Shop Menlo Day in an effort to support local businesses.



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