smdp
Santa Monica Daily Press

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County continues to report declining numbers.
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School Board approves MHS building plan after delay

The special meeting format may become more common as SMMUSD leadership works through backlog of agenda items

EMILY SAWICKI
SMDP Staff Writer

In a brief, 45-minute special meeting on Wednesday, Jan. 26, the Santa Monica-Malibu Unified School District (SMMUSD) ticked through a short agenda of items including discussions of green school operations and environmental safety.

The biggest-ticket item, certification of the Malibu Middle and High School campus specific plan final environmental impact report, was breezed through in just under five minutes.

The meeting's efficiency stood in stark contrast to the School Board's normal meetings, which regularly go on for six or seven hours — due in no small part to enthusiastic public commentary, which was absent from the brief special meeting last week.

But for efficiency's sake during COVID-19, Wednesday's meeting may become a more common practice, SMMUSD Board President Maria Leon-Vazquez said.

"In the future, we're going to probably end up doing these little mini special meetings, just to catch up on some of the work that we need to do because of — hopefully COVID will not be as overwhelming in this next coming months and we can come to our plateau on this as we move forward," Leon-Vazquez said.

SEE **SMMUSD** PAGE 11

Snow for the show



Matthew Hall

SNOW: NBC brought snow to Santa Monica Place on Monday to promote the Winter Olympics and Super Bowl. Al Roker broadcast his Today Show weather report from the location.

Demolition of Parking Structure 3 'can and will proceed'

A ruling threw out a lawsuit attempting to block the demolition, which will allow the City to replace the 60-year-old structure with affordable housing units.

EMILY SAWICKI
SMDP Staff Writer

Efforts to demolish Parking Structure 3 (PS3) will soon be moving forward due to a technicality blocking opponents from having their day in court.

"On Friday, January 28, the Superior Court of California issued a final order in the City of Santa Monica's favor, dismissing a lawsuit put forward by the Santa Monica Bayside Owners Association related to the demolition of Public Parking Structure 3," according to a statement provided by the City of Santa Monica on Monday, Jan. 31. "With the order, the City can and will proceed with the demolition of the structure at 1318-20 Fourth Street in order to move forward with an affordable housing project that aligns with the City Council directive to prioritize City-owned land for affordable housing to address the affordable

SEE **PS3** PAGE 11

Santa Monica Girl Scouts kick off cookie season with big dreams of big sales

CLARA HARTER
SMDP Staff Writer

It's Girl Scout Cookie Season and from now until March 13, scouts will be honing their entrepreneurship skills and raising money for their troop's activities in front of local grocery stores and businesses across the City.

The well loved annual tradition bestows scouts with a variety of skills including goal setting, decision making, money management, people skills and business ethics. It also provides community members with a range of delicious cookies including favorites like the dark chocolate Thin Mints, coconut caramel Samoas and peanut butter oatmeal Do-si-dos.



Courtesy photo

COOKIE: Look for cookie sales at booths throughout town.

This year's cookie line-up also features a new player — Adventurefuls, a chewy brownie cookie topped with caramel and a

SEE **GIRL SCOUTS** PAGE 7

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Judge Orders Deposition of Woman Who Sued Inglewood, Mayor

City News Service

Inglewood Mayor James Butts Jr.'s former girlfriend and executive assistant, who filed a lawsuit against the city and Butts alleging she was wrongfully fired in 2019, will have to attend a deposition and answer questions from defense attorneys, a judge ordered Monday.

Los Angeles Superior Court Judge Richard J. Burdge Jr. said plaintiff Melanie McDade-Dickens must attend the deposition by March 15 and bring a specified set of documents sought by defense attorneys. Her lawsuit, brought in January 2021, currently alleges harassment and discrimination, failure to investigate and prevent sexual harassment, retaliation and a violation of the state Labor Code.

"Defendants contend that plaintiff's testimony is critical to testing the truth of her claims because there are inconsistencies between plaintiff's complaint in this action and (her state Department of Fair Employment and Housing) complaint," the judge wrote.

In their court papers, lawyers for McDade-Dickens maintained it is "inherently unfair: for the defense to depose the plaintiff with documents she has never seen and that the defense motion thus amounted to `gamesmanship and wasting judicial resources.'"

McDade-Dickens' attorneys also maintained there was no rush to take the plaintiff's deposition because no date for trial of the suit is scheduled.

Defense attorney Mira Hashmall thanked the judge for approving the deposition request.

"We've been trying to get the deposition for nearly a year, we appreciate your ordering that to happen," Hashmall told Burdge.

Plaintiffs' attorney Cameron A. Stewart told the judge her side plans to depose Butts. In the wake of the deposition plans, Burdge rescheduled a post- mediation status conference scheduled for March 1 to June 13.

According to the lawsuit, the plaintiff's allegations concern the "disturbing actions of a scorned lover, who also happens to be the mayor of a burgeoning metropolis ... who uses his superior power and influence ... to seduce a trusted city employee, Melanie McDade-Dickens, to become romantically involved with him."

But after McDade-Dickens ended what was described as a consensual relationship, Butts, "acting every bit like a Black Donald Trump, targeting those who dare to rebuke him," conspired with city Human Resources Director Jose Cortes and City Manager Artie Fields to ruin her career by retaliating against and ultimately firing the plaintiff from the job that she loved, the suit alleges.

McDade-Dickens met Butts in 2010 and volunteered to work on his mayoral campaign, the suit states. He initially asked her to serve as his office manager, but was so impressed by her knowledge and organizational skill that he promoted her to his inner circle of advisers as part of his strategy committee, the suit states.

After Butts was elected mayor in 2010, he invited McDade-Dickens to be his executive assistant.

"In the beginning Butts is nurturing, loving and supportive, both personally and professionally," according to the suit.

However, the relationship eventually descended "into one of abuse, abuse of power and sexual harassment," the suit alleges.

The city fired McDade-Dickens after allegations of fraud and criminal behavior came to its attention, according to Hashmall.

Butts is a former Santa Monica Police Chief.

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COMMUNITY BRIEFS

LOS ANGELES

UCLA, UC Irvine Resume In-Person Courses Monday

In-person classes resumed Monday at UCLA and UC Irvine, following three weeks of remote instruction prompted by a winter surge in COVID-19 cases.

All returning students, however, were required to show proof of a booster dose of COVID-19 vaccine if they are eligible.

"We are able to make this transition due to improving conditions, including decreasing case and test positivity rates at UCLA and in L.A. County, as well as increased compliance with the new campus COVID-19 testing protocols and vaccine booster requirements announced last month," UCLA administrators wrote in a recent message to the campus community.

They noted that some select courses may continue with online instruction, but the majority of classes will return to in-person.

"As we return to campus, it is also imperative that we follow established campus protocols that help keep the Bruin community healthier and reduce the spread of COVID-19," according to the memo. "Failure to comply with COVID-19 protocols may result in disciplinary procedures."

At UC Irvine, university Provost Hal Stern wrote in a campus message that the decision to resume in-person courses was made in "consultation with the community, including discussions with Academic Senate leadership, student government leadership, campus health leadership, and university administrators."

"As we return to in-person instruction and we continue to manage COVID infections among students, staff and faculty, we must recognize that grace and flexibility will be important in the days ahead," Stern wrote. "Members of our community may need to be away from campus to recuperate, quarantine or care for others. I ask for compassion and understanding in managing this reality. This has been a difficult time. I am grateful for the continued resilience of the members of our community."

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DAILY POLICE LOG

SMDP STAFF CHOSE THE FOLLOWING FROM 296 CALLS ON JANUARY 30

Encampment 25th St / Ocean Park Blvd 12:20 a.m.
Party Complaint 800Blk 4th St 12:28 a.m.
Hit And Run Misdemeanor Investigation 3100Blk Lincoln Blvd 1:01 a.m.
Party Complaint 800Blk 4th St 1:04 a.m.
Hit And Run Misdemeanor Investigation Main St / Ocean Park Blvd 1:21 a.m.
Public Intoxication 1500Blk Olympic Blvd 1:31 a.m.
Party Complaint 21st Pl / La Mesa Dr 1:35 a.m.
Loud Music 1500Blk 12th St 2:17 a.m.
Shots Fired 1700Blk Ocean Front Walk 2:35 a.m.
72 Hour Psychiatric Hold 800Blk 6th St 3:57 a.m.
Loud Music 1500Blk Harvard St 4:19 a.m.
Audible Burglar Alarm 2600Blk Wilshire Blvd 4:26 a.m.
Audible Burglar Alarm 1000Blk Wilshire Blvd 5:32 a.m.
Audible Burglar Alarm 1100Blk Lincoln Blvd 6:41 a.m.
Red Zone Violation 2600Blk Highland Ave 6:58 a.m.
Auto Burglary 400Blk 25th St 7:13 a.m.
Theft Of Recyclables 3000Blk Delaware Ave 8:15 a.m.
Grand Theft Auto 2600Blk Barnard Way 8:47 a.m.
Hit And Run Misdemeanor Investigation 2000Blk Pearl St 8:59 a.m.
Battery 1700Blk Cloverfield Blvd 9:11 a.m.
Grand Theft Auto 1900Blk Pico Blvd 9:11 a.m.
Mark & Tag Abandoned Vehicle 700Blk Hill St 9:37 a.m.
Grand Theft Auto 1900Blk 11th St 9:37 a.m.
Auto Burglary 3100Blk 4th St 9:38 a.m.
Battery 21st St / Pico Blvd 9:42 a.m.
Trash Dumping 2500Blk 5th St 10:21 a.m.
Grand Theft 700Blk Euclid St 10:24 a.m.
Out Of Order Traffic Signals 26th St / Olympic Blvd 10:25 a.m.
Stolen Vehicle Recovered 2000Blk Ocean Ave 10:39 a.m.
Hit And Run Misdemeanor Investigation 1300Blk 2nd St 11:04 a.m.
Failure To Pay Parking Fee 2600Blk Barnard Way 11:09 a.m.
Loud Music 3000Blk Santa Monica Blvd 11:20 a.m.
Indecent Exposure Now 1500Blk Palisades Park 11:30 a.m.
Loud Music 2700Blk Barnard Way 11:33 a.m.
Burglary 1200Blk 25th St 11:42 a.m.
Auto Burglary 100Blk Hill St 11:45 a.m.
Health & Safety Code Violation 1500Blk Euclid St 12:10 p.m.
Animal Related Incident 1600Blk Oak St 12:13 p.m.
Animal Related Incident 2000Blk The Beach 12:27 p.m.
Battery 100Blk Colorado Ave 12:31 p.m.
Grand Theft Auto 1900Blk 20th St 12:34 p.m.
Loud Music 900Blk Ozone Ave 12:39 p.m.
Silent Robbery Alarm 1200Blk 15th St 12:42 p.m.
Burglary 600Blk San Vicente Blvd 12:44 p.m.
Found Property 1600Blk Ocean Front Walk 12:53 p.m.
Failure To Pay Parking Fee 2600Blk Barnard Way 1:25 p.m.
Stolen Vehicle Recovered 1900Blk 11th St 1:40 p.m.
Traffic Collision - Unknown Injuries 10th St / Montana Ave 1:42 p.m.
Petty Theft Now 1200Blk Wilshire Blvd 1:55 p.m.
Traffic Collision - No Injuries 4th St / Pico Blvd 2:04 p.m.
Audible Burglar Alarm 2700Blk Ocean Park Blvd 2:14 p.m.
Traffic Collision - No Injuries 1200Blk Pacific Coast Hwy 2:15 p.m.
Drinking In Public 2500Blk Main St 2:17 p.m.
Red Zone Violation 2600Blk Highland Ave 2:17 p.m.
Fight Main St / Ocean Park Blvd 2:42 p.m.
Grand Theft 300Blk 23rd St 2:50 p.m.
Petty Theft 2000Blk Ocean Ave 2:59 p.m.
Failure To Pay Parking Fee 1500Blk Pacific Coast Hwy 3:12 p.m.
Traffic Collision - Unknown Injuries Nebraska Ave / Centinela 3:14 p.m.
Fraud 1500Blk 16th St 3:17 p.m.
Exhibition Of Speed 1400Blk California Ave 3:19 p.m.
Auto Burglary 2600Blk Main St 3:51 p.m.
Animal Related Incident 1400Blk Ocean Ave 3:52 p.m.
Traffic Collision - No Injuries 1500Blk Lincoln Blvd 3:57 p.m.
Animal Related Incident 2300Blk 20th St 4:05 p.m.
Auto Burglary 2200Blk 29th St 4:31 p.m.
Failure To Pay Parking Fee 2000Blk Ocean Ave 4:32 p.m.
Grand Theft 2200Blk Colorado Ave 4:40 p.m.
Drunk Driving Investigation Ocean Ave / Olympic Dr 5:06 p.m.
Hit And Run Misdemeanor Investigation Ocean Ave / Olympic Dr 5:13 p.m.
Lewd Activity 800Blk Palisades Park 5:28 p.m.
Found Property 300Blk Olympic Dr 5:37 p.m.
Urinating/Defecating In Public 1300Blk 10th St 5:52 p.m.
Exhibition Of Speed 300Blk Wilshire Blvd 5:54 p.m.
Red Zone Violation 1700Blk Ocean Front Walk 6:04 p.m.
Threats Report/Investigations 1900Blk Ocean Ave 6:08 p.m.
Traffic Collision With Injuries 1400Blk Palisades Beach rd 6:17 p.m.
Petty Theft 2400Blk Pico Blvd 6:41 p.m.
Sexual Assault 300Blk Santa Monica Pier 7:05 p.m.
Drunk Driving Investigation 14th St / Santa Monica Blvd 7:10 p.m.
Found Property 1200Blk 4th St 7:21 p.m.
General Parking Problem 7th St / Marine St 7:44 p.m.
Shots Fired 1100Blk 15th St 8:10 p.m.
Health & Safety Code Violation 800Blk Colorado Ave 8:16 p.m.
Fight 4th St / Colorado Ave 8:21 p.m.
72 Hour Psychiatric Hold 2800Blk Ocean Park Blvd 8:23 p.m.
Battery 2300Blk 14th St 8:31 p.m.
Grand Theft 200Blk Broadway 8:36 p.m.
Prostitution 500Blk Wilshire Blvd 8:49 p.m.
Battery 100Blk Broadway 9:35 p.m.
Found Property 300Blk Santa Monica Pier 9:36 p.m.
Found Property 300Blk Santa Monica Pier 9:36 p.m.
Found Property 300Blk Santa Monica Pier 9:36 p.m.
Found Property 1000Blk 5th St 9:39 p.m.
Sexual Assault 2000Blk Olympic Blvd 9:46 p.m.
Battery 1900Blk 11th St 11:33 p.m.

DAILY FIRE LOG

SMDP STAFF CHOSE THE FOLLOWING FROM 34 CALLS ON JANUARY 30

EMS 2200Blk Colorado Ave 12:28 a.m.
EMS 2000Blk Cloverfield Blvd 12:34 a.m.
EMS 300Blk 12th St 12:49 a.m.
EMS 1500Blk Olympic Blvd 1:30 a.m.
EMS Lincoln Blvd / Ocean Park Blvd 1:46 a.m.
EMS 1900Blk 12th St 4:34 a.m.
Automatic Alarm 2400Blk 31st St 5:14 a.m.
EMS 800Blk Ocean Ave 5:28 a.m.
Automatic Alarm 2800Blk Neilson Way 6:46 a.m.
EMS 1900Blk Euclid St 8:04 a.m.
EMS 1700Blk Cloverfield Blvd 9:09 a.m.
EMS 1700Blk Cloverfield Blvd 9:40 a.m.
EMS 2900Blk Arizona Ave 10:07 a.m.
EMS 1100Blk 23rd St 10:31 a.m.
EMS 1400Blk Ocean Ave 11:30 a.m.
EMS 600Blk Grant St 11:55 a.m.
Trash/Dumpster Fire 1900Blk Pico Blvd 12:01 p.m.
Automatic Alarm 1300Blk 15th St 12:14 p.m.
EMS 1300Blk 4th St 12:15 p.m.
EMS 200Blk San Vicente Blvd 12:29 p.m.
EMS 200Blk 16th St 12:41 p.m.
EMS 100Blk Ocean Park Blvd 12:48 p.m.
EMS 1400Blk 3rd Street Prom 1:32 p.m.
Traffic Collision With Injury 10th St / Montana Ave 1:42 p.m.
EMS 1500Blk Yale St 2:55 p.m.
EMS Nebraska Ave / Centinela 3:14 p.m.
EMS 400Blk Raymond Ave 3:19 p.m.
EMS 600Blk Broadway 5:21 p.m.
EMS 1100Blk Santa Monica Blvd 6:52 p.m.
EMS 1100Blk Ocean Park Blvd 6:55 p.m.
EMS 1300Blk 11th St 8:18 p.m.
EMS 1900Blk Main St 8:25 p.m.
EMS 2900Blk Main St 9:22 p.m.
Automatic Alarm 1200Blk 4th St 11:50 p.m.

Newsom, Garcetti Mask-Less at SoFi: Barger Calls for Mask Mandate Reevaluation

City News Service

One day after Mayor Eric Garcetti and Gov. Gavin Newsom were caught posing for mask-less photos inside SoFi Stadium, a Los Angeles County Supervisor called Monday for state and local health officials to reevaluate COVID-19 mask mandates, saying it should be up to the individual to decide when to wear one.

"Let's do away with blanket COVID-19 masking policies — they don't make a difference when they're not consistently followed or enforced. We need to trust the public to make the best personal decisions for themselves based on their unique risks and circumstances," Supervisor Kathryn Barger said in a statement.

Barger pointed to Sunday's NFC Championship game at SoFi Stadium, noting there was inconsistent adherence to the mask-wearing requirement.

Most notably, Laker legend Earvin "Magic" Johnson on Sunday night posted a series of photos on Twitter taken that day at SoFi Stadium with mask- less officials and celebrities, including Garcetti, Newsom, San Francisco Mayor London Breed and actor Rob Lowe. Some people in the photos with Johnson — including Garcetti and Lowe — can be seen holding a mask in the photos.

The photos sparked outrage from some critics who accused the officials of hypocrisy when the public is being told to follow state and county mask mandates. Los Angeles County requires all attendees to wear masks at outdoor mega-events, like football games at SoFi Stadium. The state's mask mandate requires people to wear masks at indoor areas of outdoor mega-events.

Garcetti's office told City News Service, "The mayor was wearing his mask during the game and removed it for a brief moment to take a few photos."

Newsom similarly said at an unrelated news conference in Los Angeles Monday that he was "very judicious" about wearing his mask at the game, and insisted he had his mask in his other hand when the photo with Johnson was taken.

He said he only took the mask off momentarily to take the photo.

"The rest of the time I wore it, as we all should," said Newsom.

Jessica Millan Patterson, chair of the state Republican Party, was unimpressed by the explanations, saying in a statement, "While they force California children to wear masks in school, Gavin Newsom and friends get to enjoy a mask-free night of football in a packed stadium. His blatant and insulting disregard for his own COVID rules is a crystal-clear sign that it's time for his Draconian policies and state of emergency to go."

The county's mask mandate and other COVID guidelines are set by the Los Angeles County Department of Public Health, with guidance from the Board of Supervisors. Along with outdoor mega-events with more than 5,000 attendees, people are required to wear masks in all indoor public settings, venues, gatherings and businesses. The rules allow people to take off their masks when they are actively eating or drinking, are alone in a separate space, showering or swimming or receiving personal care services that require a mask to be removed.

Barger — the only Republican on the non-partisan Board of Supervisors — said it's time for masking mandates to be re-evaluated.

"Masking rules set by the state and county weren't followed consistently by everyone at yesterday's NFC Championship," she said. "Instead, we saw individuals choosing to mask up based on calculated personal risk. Modern stadiums like SoFi Stadium have strong air circulation and all attendees of the game were required to show proof of vaccination or a

SEE **MASKS** PAGE 6

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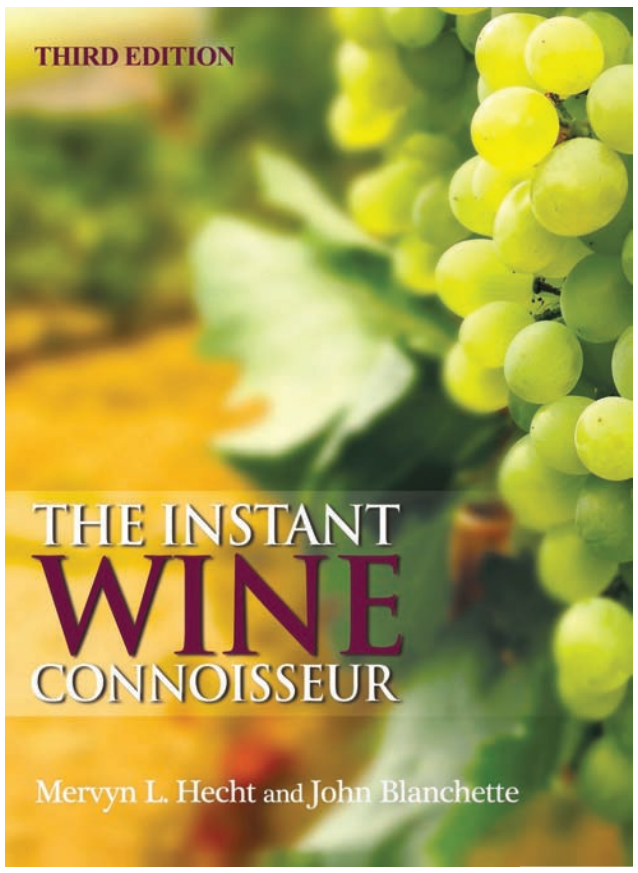
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★★★★★ A light-hearted fun read.
★★★★★ Well written, particularly useful, instantly accessible.
★★★★★ ...Hecht has a joyful eye and fabulous taste



Daily Press Food &Wine Columnist Merv Hecht takes you on an delightful tour of the world of wine. A fun way to increase your appreciation and knowledge of wine.

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COMMUNITY BRIEFS

LOS ANGELES

UCLA Study Shows COVID-19 Does Not Spread Through Breastfeeding

There is no evidence COVID-19 can be transmitted from mothers to infants through breast feeding, according findings released Monday by UCLA researchers.

The study led by UCLA Health and published in the journal Pediatric Research found no evidence of SARS-CoV-2 transmission through breastmilk from recently infected mothers.

Milk samples from 110 lactating women, who donated to the Mommy's Milk Human Milk Biorepository at the UC San Diego between March and September 2020, were used in the study. Of those who donated milk, 65 mothers tested positive for COVID-19, while nine had symptoms but tested negative, and 36 were symptomatic but were not tested.

"In our study, we found no evidence that breastmilk from mothers infected with COVID-19 contained infectious genetic material, and no clinical evidence was found to suggest the infants got infected, which suggests breastfeeding is not likely to be a hazard," said lead author Dr. Paul Krogstad, a pediatric infectious disease researcher at the David Geffen School of Medicine at UCLA.

Krogstad and his colleagues did find SARS-CoV-2 genetic material in the breastmilk of seven women with either confirmed infections or who reported being symptomatic. A second breastmilk sample taken from those seven women between one and 97 days later did not contain any SARS-CoV-2 RNA.

The authors did not find any SARS-CoV-2 genetic material known as SgRNA, which is an indicator of virus replication, in the seven breastmilk samples or when culturing other samples. There was no clinical evidence of infection in the infants who were breastfed by the seven mothers with SARS-CoV- 2 RNA in their milk.

The researchers noted the study may have some limitations, noting that its low sample size may not capture all the potential factors that predict the presence of SARS-CoV-2 RNA in breastmilk.

However, it is the largest study thus far to analyze breastmilk and provides evidence that breastfeeding from women proven or suspected to have had SARS-CoV-2 infection does not carry risk or lead to COVID-19 infection in their infants, researchers said.

The study's other authors include Dr. Grace M. Aldrovandi, Deisy Contreras, Hwee Ng and Nicole Tobin, all of UCLA.

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LOS ANGELES

USC Reopens Athletic Events to Full Capacity

USC reopened indoor athletic events to full capacity and regular seating and ticketing procedures Monday, following limitations prompted by surging COVID-19 numbers.

The school's announcement came one week after in-person classes resumed. The semester began with an extended run of remote instruction.

All COVID protocols – including updated mask guidelines and vaccination requirements – remain in place, USC said.

"We appreciate the patience and understanding our fans demonstrated as we phased the return of fans back to our indoor events in alignment with the university's resumption of in-person instruction," Athletic Director Mike Bohn said in a statement.

"We look forward to packing the house at Galen Center for our remaining home games this season. We have a lot to play for over the next few months, and we are counting on the passionate support of the Trojan Family."

The next event at the Galen Center will be Wednesday's 7 p.m. men's volleyball match against UC San Diego. The Trojans' men's basketball team next plays a home game on Feb. 12, hosting UCLA.

Remote classes began Jan. 10, and were originally set to return to in- person instruction on Jan. 18 – the Tuesday after the Martin Luther King Jr. holiday.

But USC Provost Charles F. Zukoski and Chief Health Officer Dr. Sarah Van Orman opted to extend the remote learning period, with in-person instruction resuming Jan. 24.

All faculty, students and staff who are eligible are required to receive COVID booster shots. Everyone on campus will also be required to wear medical-grade face coverings instead of cloth masks.

UCLA, which also began classes remotely this month, returned to in- person instruction Monday.

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CRIME WATCH BY DAILY PRESS STAFF

Crime Watch is culled from reports provided by the Santa Monica Police Department. These are arrests only. All parties are innocent until proven guilty in a court of law.

ON FRIDAY, JAN. 21 AT 1:16 P.M.

Downtown Services Unit (DSU) Officers responded to the area of 2nd St and Santa Monica regarding a female engaging in lewd conduct. Upon arrival, Officers recognized the subject as a chronic offender. A search of her person found she was in illegal possession of pepper spray. Summer Elizabeth Johnson was booked her outstanding warrants and for being a felon in possession of pepper spray.

OPINIONS EXPRESSED are those of the writer and do not necessarily reflect those of the Santa Monica Daily Press staff. Guest editorials from residents are encouraged, as are letters to the editor. Letters to the Editor can be submitted to letters@smdp.com. Receipt of a letter does not guarantee publication and all content is published at the discretion of the paper. All letters and guest editorials are subject to editing for space and content. All submissions must include the author's name, address and phone number for the purposes of verification.

COMMUNITY BRIEFS

LOS ANGELES

Man Charged with Killing of Man Near Hollywood Restaurant

A fourth man was charged Monday with murder and other counts stemming from the shooting of a man who came to the aid of his girlfriend during an attempted robbery near a Hollywood restaurant last year.

Marquis Ford, 24, of Los Angeles, was arrested last Thursday in connection with the Nov. 23 killing of Jose Ruiz Gutierrez.

The 23-year-old man was waiting in a car outside a restaurant in the 7100 block of Sunset Boulevard at around 2 a.m. that day when his girlfriend was accosted by several armed men while returning to the vehicle, according to Los Angeles police.

Gutierrez was shot and killed after he got out of the car to go to his girlfriend's aid, police said.

Ford and co-defendants Jayon Sanders, 21, Abraham Castillo and Tyree Singleton, both 20, are charged with one count each of murder, second-degree robbery and attempted second-degree robbery.

The criminal complaint alleges that Ford personally used a semiautomatic firearm in the commission of the crimes.

Sanders is additionally charged with four counts each of grand theft from the person of another and second-degree robbery, along with one count each of carjacking and attempted home invasion robbery involving alleged crimes between June 4 and Nov. 13. The criminal complaint alleges he has a 2020 conviction for robbery.

Co-defendant Joshua Timothy Saulsberry, 21, is charged with one count each of second-degree robbery, carjacking and attempted home invasion robbery involving alleged crimes last Nov. 2, with the complaint alleging that he has a 2019 conviction for burglary.

A Los Angeles Police Department task force on follow-home robberies arrested Sanders, Castillo, Singleton and Saulsberry, with assistance from an LAPD SWAT unit and Beverly Hills, Glendale and Fontana police, last Dec. 21 at various locations in Los Angeles and Fontana.

Detectives recovered a handgun, a replica handgun, more than $30,000 in cash, handbags, a Rolex watch, gang paraphernalia and two vehicles allegedly used in the crimes, police said.

Hours after Gutierrez was killed, LAPD Chief Michel Moore announced that the department would create a task force to investigate "follow-home robberies," which had increased in frequency in recent weeks.

Ford, Sanders, Castillo and Singleton remain behind bars, while Saulsberry is free on bond posted a week after his arrest, jail records show.

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LOS ANGELES

LA County's COVID Hospitalization Number Falls Again; 40 More Deaths Reported

The number of COVID-positive patients in Los Angeles County hospitals fell again Monday, continuing a weeklong series of daily declines, but another 40 virus-related deaths were reported.

The 40 new deaths increased the county's overall death toll from the virus to 28,963. Another 10,715 COVID cases were reported Monday, giving the county a cumulative pandemic total of 2,659,414.

According to state figures, there were 3,720 COVID-positive patients in county hospitals as of Monday, down from 3,852 on Sunday. A week ago, there were nearly 4,600 COVID-positive patients, but the number has been steadily declining.

Of the current patients, 749 were being treated in intensive care, a drop from 759 a day earlier.

County officials have said that some of these patients – at one point around 50% – entered a hospital for other reasons and only discovered they had the coronavirus after a mandated test.

The number of new COVID cases and deaths confirmed Monday are likely an undercount, representing delays in reporting from the weekend.

The average daily rate of people testing positive for the virus also continue to fall, reaching 8.8% as of Monday, down from 9.1% a day earlier and below the 13.2% rate a week earlier.

The county Department of Public Health reported generally good compliance with masking and vaccination requirements among businesses such as restaurants, bars, nightclubs and breweries. According to the county, compliance was above 90% for such establishments during the week of Jan. 21-27. The rate was around 80% for mask-wearing compliance in gyms that week, and around 74% at garment manufacturers.

"We are encouraged with the high rates of compliance at local businesses where for months customers and employees have taken responsibility for wearing masks," County Public Health Director Barbara Ferrer said in a statement. "With thousands of new people infected each day and a variant circulating that evades some of our vaccine protection, masking, when in close contact with others, remains an important layer of protection, especially for essential workers."

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LOS ANGELES

Children's Hospital Receives Donation to Help Young Adults with Diabetes

Children's Hospital Los Angeles announced Monday it has received a $1.9 million award from the Leona M. and Harry B. Helmsley Charitable Trust to help improve outcomes for young people living with Type 1 diabetes.

The money will support the study and implementation of a specific model of patient-centered care for young adults, allowing them to improve their health by leading their own conversations about their condition, according to Dr. Jennifer Raymond, chief of the Division of Endocrinology,

SEE **BRIEFS** PAGE 6

FINDING A NEW DENTIST IS TOUGH!!!
(BUT WE MAKE IT EASY!!!)
YOUR CHOICE
If you don't like what we have to say we will give you a copy of your x-rays at no charge
DENTAL CARE WITHOUT JUDGEMENT!
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*Nitrous Oxide available
*No interest payment plans
*Emergencies can be seen today
*Our dentists and staff members are easy to talk to
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INCLUDES FULL XRAYS
*Offer to non insured patients
OR
TRY OUR NO OBLIGATION
$99 EXAM AND CLEANING
For New Patients
INCLUDES FULL XRAYS
*Offer to non insured patients
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Newsom Visits LA County Facility to Highlight Behavioral Health Investment

City News Service

Gov. Gavin Newsom Monday visited the site of a future behavioral health and transitional housing facility in Los Angeles County to highlight the state's $3 billion investment in behavioral health infrastructure, housing and supportive services.

Newsom said facilities like the one being developed in L.A. County — which received about $12.8 million from the county and $15 million from the state — is "exactly what the state of California needs to be doing a lot more of."

The facility will offer housing to people who have barriers securing shelter at other facilities, under a system that Newsom said needed to be reimagined.

"You've got to meet people where they are, and this program does all of that and more," Newsom said.

The facility will have 176 beds and will allow residents who have ongoing substance abuse issues, mental illnesses and pets, according to Luana Murphy of Exodus Recovery, which is operating the facility.

"If they are drunk, you let them in. If they have mental illness, you let them in. If they have a Rottweiler, you let them in. If they have a cat, you let them in. I drew the line at snakes," she said.

Newsom spoke from the facility Monday to highlight the state's historic $3 billion investment in behavioral health housing and services. He said the funds would allow the state "to rebuild our behavioral health system, to invest in infrastructure, invest in the human capital and programming like Exodus and others to get serious about the issue of mental health, to get serious about those that are self-medicating with drugs or alcohol addictions."

Newsom announced Monday that about $1.1 billion is available for cities, counties, tribal governments and nonprofits to apply for with projects that are ready to launch by 2024.

"We want projects that have been in the works, we want these dollars to be catalytic to get these projects moving forward," the governor said.

Los Angeles County Supervisor Holly Mitchell praised the facility for eliminating housing barriers for some Angelenos, saying it would bring "housing and care" to people who need it.

"This investment allows us to better serve our fellow Angelenos and Californians experiencing homelessness and health crises that urgently need housing and care. And it's the combination of those two things that this model is really going to bring to bear," said Los Angeles County Supervisor Holly Mitchell.

"If you're in crisis, the last thing you want is a bureaucratic- oriented response," she said.

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MASKS

FROM PAGE 3

negative test. Some fans evidently felt this was enough to protect them against COVID- 19."

Newsom on Monday reiterated his call for the public to wear masks, but he said in the coming weeks the state will announce its "endemic plan" on practices for the state to live with the virus longterm.

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BRIEFS

FROM PAGE 5

Diabetes and Metabolism at Children's Hospital.

She explained that young adults have the most difficulty making the American Diabetes Association's recommended number of provider visits each year because they're in a busy and tumultuous stage of life, navigating school, jobs and social and extracurricular activities.

"Managing a chronic disease like diabetes can feel all-encompassing to young adults," according to Children's Hospital. "It can leave a patient feeling defeated and powerless to be constantly told that they are not doing enough when it comes to their numbers, behaviors and health in general."

Raymond said she believes the best way to reach young patients is to empower them, letting them decide how they want their appointments to go.

"We give them a list of discussion topics," Raymond said. "They can decide which issues are important to them. And if they don't want to discuss their A1C or glucose levels, we don't force them to. ... A patient might want to talk about how school is going for them, or how to discuss their diabetes with their employers or professors. ... These are big parts of their everyday experiences. The rest of their lives impacts their diabetes much more than insulin dosing."

The approach is a two-way conversation instead of one-way conversation, which acknowledges that a patient's life is composed of more than their diabetes, Raymond said.

"I want my language and demeanor to say: `I'm just here to help you with your goals for your health in a nonjudgmental way,'" the doctor said.

"As clinicians who see patients for so little of their actual lives, we need to acknowledge we can't be totally responsible for their health and well-being. If we instead engage them in their own care and act as facilitators, collaborators and supporters, we actually have more power to help them."

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GIRL SCOUTS

FROM PAGE 1

hint of sea salt. Girl Scout troops are currently accepting online orders and preparing their booths for a Feb. 11 launch at which point a map of all booth locations will be available at www.girlscoutsla.org/en/cookies/about-girl-scout-cookies.html.

Standard cookies are $5 per box and specialty items are $6. Troops keep $1 of each sale and use the money to fund activities like overnight camps, international trips or their ongoing service projects.

While last year troops had to pivot to digital marketing and socially distant sales, scouts are excited to be able to perform more in-person sales as experienced scouts say this is where a lot of their cookie season learnings come from.

"I enjoy boothing because I get to interact with more strangers, I get more comfortable around them and I get to spend more time with the people who are in my troop," said Emme Fields, 13, member of Troop 5535. "A lot of times when people tell you 'no' you have to learn to accept rejection and know that is ok and that there will be a lot of other people who will want to buy from you."

Este Candela, a veteran Girl Scout who is entering her 8th cookie season, echoed Field's comment and said that the human interaction aspect of sales has been important to her personal development.

"Interacting with people is a big part of selling cookies because I think people may or may not be interested, but interacting with them and talking with them can push them over the edge and allow you to sell more cookies," said Candela, Troop 15505.





Courtesy photo

SALES: A list of cookie sale locations can be found online at https://www.girlscoutsla.org/en/cookies/about-girl-scout-cookies.html.

Candela is particularly motivated to sell cookies this year so that she can help raise money to send off the seniors in her troop with a big celebration. This is especially important to her since there were limits on the activities her troop could perform together last year.

"Like everyone, our girls have persevered through some very tough challenges this year and we are all so excited for another season of cookies," said Girl Scouts of Greater Los Angeles Chief Executive Officer, Theresa Edy Kiene. "In true Girl Scout fashion, they have adapted, stayed hopeful, and supported each other and now they launch their beloved annual cookie traditions."

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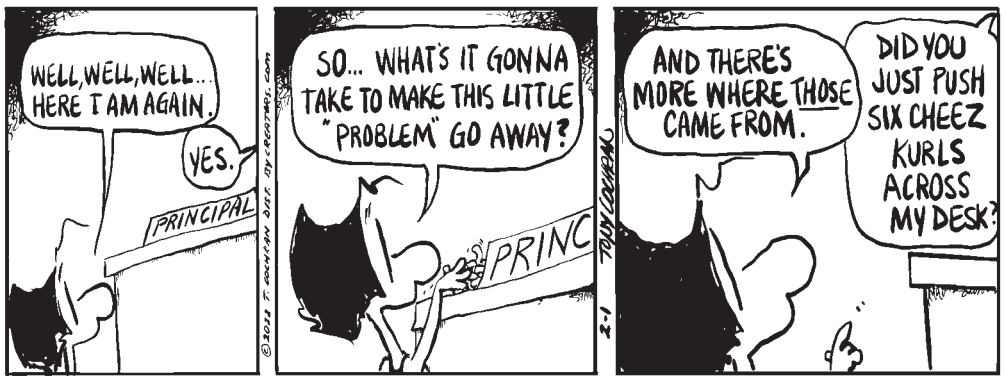


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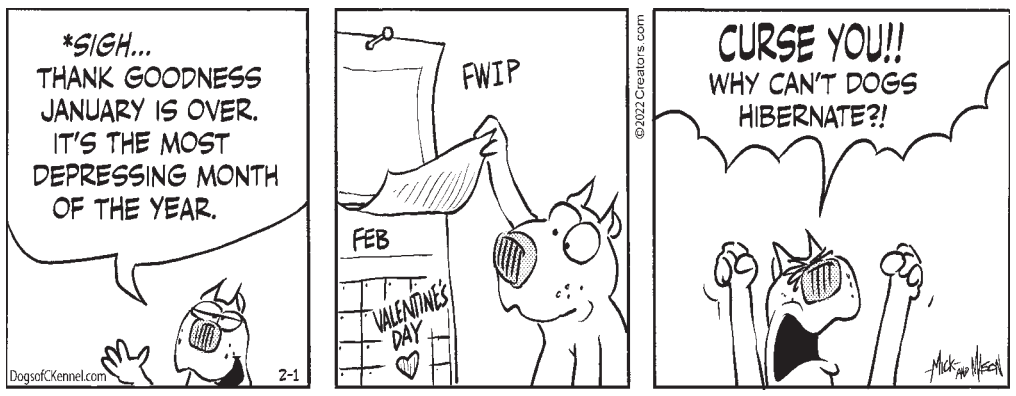
Agnes

By TONY COCHRAN



Dogs of C-Kennel

By MICK & MASON MASTROIANNI & JOHNNY HART



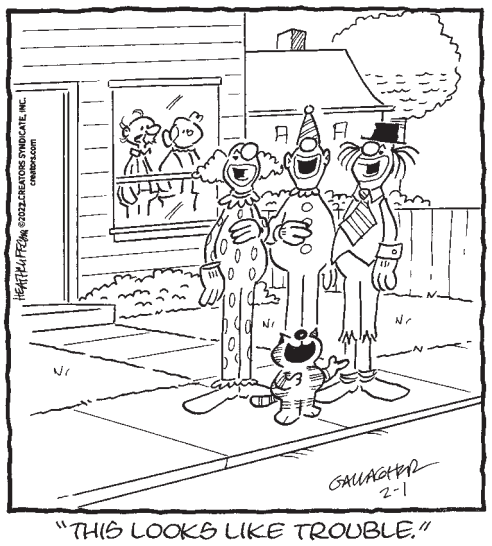
Zack Hill

By JOHN DEERING & JOHN NEWCOMBE



Heathcliff

By PETER GALLAGHER



"THIS LOOKS LIKE TROUBLE."

Strange Brew

By JOHN DEERING





SURF FORECASTS

WATER TEMP: 57.7°

TUESDAY - **FAIR** - SURF: 2-3ft Thigh to waist high
Little more SW swell moves in. Deep high tide in mid morning swamps most breaks, especially the points. Wind trending more favorable.

WEDNESDAY - **FAIR** - SURF: 2-3ft Thigh to waist high
Easing blend of SW and NW swells but the conditions look more favorable – potential for offshore flow for the morning. Deep high tide around mid morning - best windows may be early AM and PM.

WEATHER

Tuesday: Cloudy through mid morning, then gradual clearing, with a high near 61.
Tuesday Night: Mostly clear, with a low around 49. North northeast wind 5 to 10 mph.
Wednesday: Sunny, with a high near 63. North northeast wind around 15 mph.

Date	Day	Time (LST/LDT)	Predicted (ft)	High/Low
2022/02/01	Tue	02:35 AM	1.57	L
2022/02/01	Tue	08:48 AM	6.79	H
2022/02/01	Tue	3:55 PM	-1.72	L
2022/02/01	Tue	10:18 PM	4.29	H
2022/02/02	Wed	03:23 AM	1.41	L
2022/02/02	Wed	09:32 AM	6.45	H
2022/02/02	Wed	4:33 PM	-1.35	L
2022/02/02	Wed	10:55 PM	4.40	H
2022/02/03	Thu	04:12 AM	1.36	L
2022/02/03	Thu	10:16 AM	5.87	H
2022/02/03	Thu	5:09 PM	-0.83	L
2022/02/03	Thu	11:34 PM	4.47	H
2022/02/04	Fri	05:03 AM	1.40	L
2022/02/04	Fri	11:01 AM	5.11	H
2022/02/04	Fri	5:42 PM	-0.19	L
2022/02/05	Sat	12:12 AM	4.50	H
2022/02/05	Sat	05:58 AM	1.50	L
2022/02/05	Sat	11:48 AM	4.26	H
2022/02/05	Sat	6:13 PM	0.52	L
2022/02/06	Sun	12:53 AM	4.48	H
2022/02/06	Sun	07:04 AM	1.60	L

DAILY LOTTERY

POWERBALL
Draw Date: 1/29
2 15 38 54 65
Power#: 11
Jackpot: 113 M

MEGA MILLIONS
Draw Date: 1/28
3 16 25 44 55
Mega#: 13
Jackpot: 20 M

SuperLotto Plus
Draw Date: 1/29
9 10 22 25 34
Mega#: 27
Jackpot: 13 M

Fantasy 5
Draw Date: 1/30
9 14 15 36 38

Daily 3
Draw Date: 1/30
EVENING: 3 9 6
Draw Date: 1/30
MIDDAY: 5 0 7

Daily Derby
Draw Date: 1/30
1st: 08 - Gorgeous George
2nd: 09 - Winning Spirit
3rd: 04 - Big Ben
Race Time: 1:44.23

Although every effort is made to ensure the accuracy of the winning number information, mistakes can occur. In the event of any discrepancies, California State laws and California Lottery regulations will prevail. Complete game information and prize claiming instructions are available at California Lottery retailers. Visit the California State Lottery web site at http://www.calottery.com

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TODAY'S BIRTHDAY (FEBRUARY 1)

Your heart will find new reasons to sprout wings. All you have to do is let go of what no longer brings you joy. Something you wanted long ago will fall to you now without effort. It's simply better timing for this kind of bounty! You'll excel at what you do and be asked to teach – to successful and lucrative effect. Cancer and Gemini adore you. Your lucky numbers are: 6, 13, 22, 49 and 1.

ARIES (March 21-April 19). Each person is a world, all bundled up with a network of associations. You'll look at all your attached "items" and think of ways to make this bundle more enticing to everyone, especially you.

TAURUS (April 20-May 20). In some respect, you'll be a repeat offender, doing something you told yourself you didn't want to do again. Maybe this persistent behavior serves a purpose you haven't considered yet. What do you think that might be?

GEMINI (May 21-June 21). You'll move through different moods without getting hung up on any for too long. A full range of feelings is in store for you in this emotionally fluid state. You're like a painter with every color available.

CANCER (June 22-July 22). When social interactions get slightly off track, it's best not to apologize, complain or explain. Keep it pushing along. All will be accomplished and reconciled in one way or another.

LEO (July 23-Aug. 22). You will contribute much more than you had planned to and walk away from the exchange feeling richer. That's how you know you gave to the right place.

VIRGO (Aug. 23-Sept. 22). You'll get a chance to ask questions but don't be too direct or probe too deep. Lightness and goodwill create a bubble of safety in which people feel safe to reveal themselves and give good information.

LIBRA (Sept. 23-Oct. 23). Ask someone you respect to weigh in on your situation. You've grown so used to seeing it that your perspective has gone stale. Fresh eyes will help you see where your efforts are best placed.

SCORPIO (Oct. 24-Nov. 21). You will be guided by your connection to nature, especially animals. You'll be reminded how each being on the earth has a unique experience. Learning about and imagining those experiences will enhance your own.

SAGITTARIUS (Nov. 22-Dec. 21). Feedback is a gift, though unfortunately, it can't be exchanged for something you like better. Maybe you didn't ask for a critique, but you'll get one and find the value in it.

CAPRICORN (Dec. 22-Jan. 19). You feel the pressure as much as anyone around you but instead of feeling squeezed, you interpret the sensation as a push in the right direction. As you drop your resistance, momentum will be on your side.

AQUARIUS (Jan. 20-Feb. 18). There's a danger of being too serious today. And if you can't seem to shake this feeling of grave reality, don't worry. When the sun goes down, it takes your worries with it. Evening will be light and lively.

PISCES (Feb. 19-March 20). Advertisers would have you believe otherwise, but attention and effort improve your self-image more than any beauty product. Others experience you the way you do. When you feel amazing, you look amazing, too.

SOLUTIONS TO YESTERDAY'S CROSSWORD

M	A	S	S	■	M	O	M	S	■	R	A	T	O	N
A	R	E	A	■	O	H	I	O	■	E	L	O	P	E
S	I	L	L	■	W	A	N	D	■	D	O	N	T	S
C	A	F	E	T	E	R	I	A	■	S	H	E	E	T
■	■	■	■	B	R	A	■	■	B	O	A	R	D	■
■	A	L	T	O	S	■	T	R	E	X	■	■	■	■
P	L	A	I	N	■	E	R	I	E	■	I	D	E	A
C	O	N	C	E	S	S	I	O	N	S	T	A	N	D
S	E	E	K	■	A	P	P	T	■	H	E	R	D	S
■	■	■	■	I	N	N	S	■	L	I	M	E	S	■
■	S	T	I	N	G	■	■	P	A	R	■	■	■	■
B	U	R	S	T	■	F	O	O	D	T	R	U	C	K
E	R	A	S	E	■	A	B	E	L	■	A	N	O	N
R	E	C	U	R	■	R	O	M	E	■	I	D	L	E
G	R	E	E	N	■	M	E	S	S	■	N	O	T	E

Sudoku

Fill in the blank cells using numbers 1 to 9. Each number can appear only once in each row, column, and 3x3 block. Use logic and process of elimination to solve the puzzle.

SOLUTIONS TO YESTERDAY'S SUDOKU

1	9	8	6	4	5	7	2	3
5	7	4	3	2	1	6	9	8
6	2	3	7	9	8	5	4	1
9	8	6	4	1	2	3	7	5
3	5	2	9	7	6	8	1	4
7	4	1	8	5	3	9	6	2
8	6	7	2	3	4	1	5	9
2	1	9	5	8	7	4	3	6
4	3	5	1	6	9	2	8	7

6	5	4			9			
	1				3		5	
		7	8				1	4
				3		4		
5			6	7	8			1
		9		4				
4	6				1	7		
	2		3				6	
			5			2	4	3

Newsday Crossword

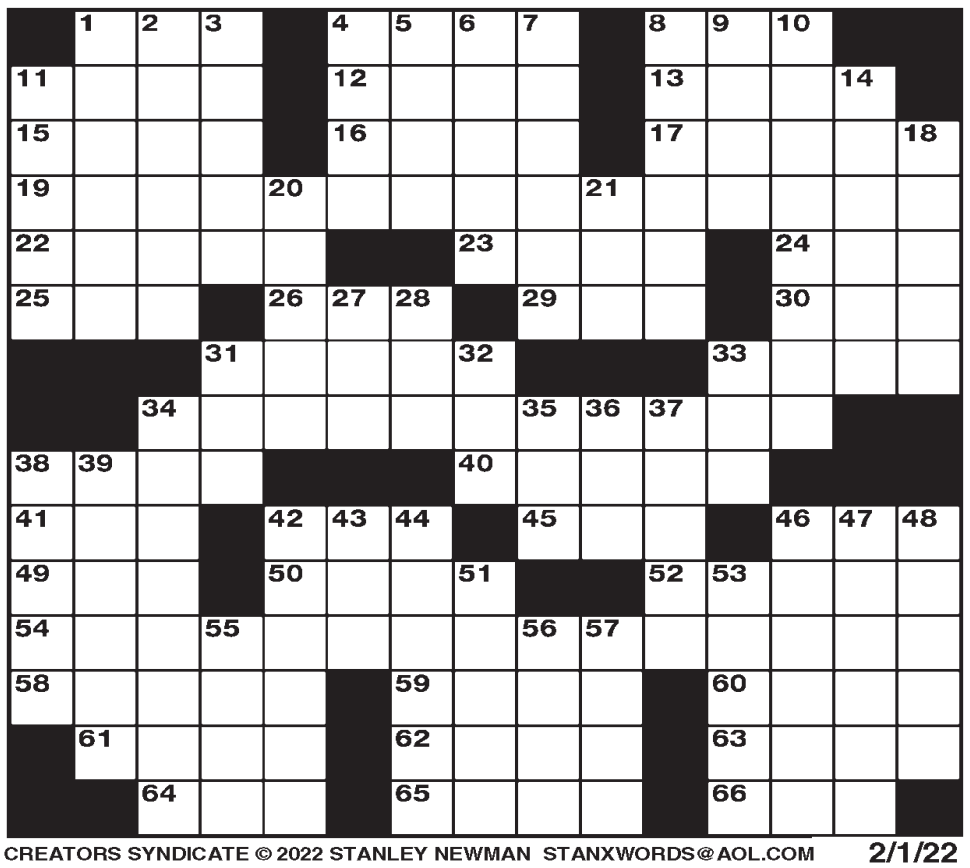
VERY INFREQUENTLY by Sally R. Stein
Edited by Stanley Newman
www.stanxwords.com

ACROSS

1 Gasoline consumption stat.
4 Goad into action
8 Perform in a cast
11 Crystal ball gazer
12 Otherwise
13 Therefore
15 Past the deadline
16 Shed tears
17 Military horn
19 Very infrequently
22 Get out of a chair
23 Gabs too much
24 Opponent
25 Very spicy
26 Cubes in a cold drink
29 So far
30 Typing speed stat.
31 Explosion sounds
33 No problem at all
34 Very infrequently
38 Toward the sunset
40 Swiss Alps song
41 Cap or beret
42 Fruity bread spread
45 "With all __ respect . . ."
46 Excessive fuss
49 Metallic rock
50 A sight for sore __
52 Japanese noodle soup
54 Very infrequently
58 Very devout
59 Humpty Dumpty's seat
60 Parcel (out)
61 Run out of energy
62 Historical periods
63 Assist in a crime
64 24-hour period
65 Test-driven vehicle
66 Tiny bit

DOWN

1 Treating unkindly
2 Household purrer
3 Color associated with envy
4 Used needle and thread
5 "Not guilty," for one
6 Freshness phrase on groceries
7 Sportscast's "instant" second look
8 Optimally
9 Close friend
10 Teams' rope-pulling contest
11 Walk through puddles
14 Small sailboats
18 Adversary
20 "Talk turkey" or "chicken feed"
21 Luau instrument
27 Pigeon's sound
28 Three letters in "mommy"
31 Crunchy sandwich, for short
32 Pigpen
33 "Electric" fish
34 Mini-planet beyond Mars
35 Silent assent
36 End of a college URL
37 Makes a sudden turn
38 Shout of excitement
39 Deserve what one gets
42 Football shirt
43 Parliamentary assent
44 Complained, as a 2 Down
46 One-celled creature
47 Banged in, as a fender
48 First phase
51 Frighten
53 Point toward
55 Eerie glow
56 Chowder morsel
57 In addition



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What's Up Westside

out and about in Santa Monica

TUESDAY | FEB 1

BUILD UP LOVE INTERACTIVE DISPLAY
February 1-28 in the Main Library, Lobby
Write down or draw something you love on a sticky note to become part of a month-long interactive display.

BLACK HISTORY MONTH: ONLINE CHALLENGE
Celebrate Black History Month. Learn about the history of Black health and wellness in the U.S. through resources created by and for the Black community. For further reading, check out book recommendations honoring the Black experience. Log your reading and activities to earn badges all month long. Register here: smpl.beanstack.org.

WEDNESDAY | FEB 2

STORYTIME: WORLD READ ALOUD DAY
10:30 to 11 a.m. Celebrate World Read Aloud Day with a virtual Zoom storytime, including early literacy tips for caregivers and stories that you can sing. For ages 2 & up. Space is limited. Register at https://bit.ly/YouthProgramSignUps

LUNAR NEW YEAR AT SM PLACE
From Feb. 1 - 8 Santa Monica Place will commemorate the Year of the Tiger to honor the Lunar New Year. Guests will enjoy red and gold lanterns draped over Center Plaza that illuminate the night sky, as well as red envelopes with special deals from participating shops and restaurants (including The Gourmandise School and UNTUCKit). The celebration will also include Lunar New Year-themed craft kits and fortune cookies. Well-wishers will have the opportunity to participate in a Lunar New Year tradition by hanging their wish on the cherry blossom wishing trees for prosperity and renewal for the new year. 10 a.m. - 8 p.m. 395 Santa Monica Place

DOWNTOWN FARMERS MARKET
Arizona Ave. (between 4th & Ocean)
8 a.m. - 1 p.m.

LIVE BAND KARAOKE AT HARVELLE'S
Come Sing With The Band. The famous "Live Band Karaoke" show comes to Harvelle's every Wednesday night $2 Tacos $4 PBR Beers $6 Well Drinks. 9 p.m. 1432 4th St.

THURSDAY | FEB 3

BLACK HISTORY MONTH OPENING CEREMONY
The Black History Month opening ceremony will feature local health professionals, including Phillip Brown, MD, Assistant Clinical Professor at UCLA Family Medicine, and Nakeya T. Fields, mental health entrepreneur, author, and speaker, who will discuss the importance of mental and physical health. The event will also feature tap performances by the Syncopated Ladies, the singing of the Black National Anthem by Castella, a hula hoop competition, and a healthy cooking demonstration. 10:30 a.m. - 11:30 a.m. tinyurl.com/BHMOpeningCeremony

FRIDAY | FEB 4

BLACK HISTORY MONTH EXHIBITS
The City is partnering with the Quinn Research Center to display exhibits at Santa Monica City Hall featuring Black historical figures in Santa Monica who worked in health and wellness. Additionally, the City is working with the Library, City staff, local schools and the Building Bridges Art Exchange to collect student art to display. The public is welcome to browse the exhibits during the City's regular business hours 8 a.m. to 5 p.m. 1685 Main St.

SATURDAY | FEB 5

DOWNTOWN WALKING TOUR
Discover downtown Santa Monica's architecture, history and culture with one of our highly engaging docents. The walking tour covers about six blocks in two hours and begins at the city's first landmark, the 1875 Rapp Saloon. Reservations recommended. Open to all ages. 10 a.m. - 12 p.m. 1436 2nd St.

FITNESS FEST AND CONSCIOUS MARKET
The market features a collection of elevated brands and sustainable products from 25 local and minority-owned businesses with a zero waste and self-care focus. A diverse mix of free fitness classes will be offered throughout the day, including yoga, Basecamp Fitness, Chakra Dance and more. Participants are encouraged to bring their own yoga mat, towel and water for maximum enjoyment. Complimentary healthy drinks and snacks will be available for sampling from brands such as RISE Brewing Co., MUSH, Après and Barcode. 10 a.m. to 6 p.m. 1400 Blk of Third Street Promenade. Register at tinyurl.com/FitFridaySantaMonica

For help submitting an event, contact us at
310-458-7737 or submit to events@smdp.com

FIND THE WORDS

This is a theme puzzle with the subject stated below. Find the listed words in the grid. (They may run in any direction but always in a straight line. Some letters are used more than once.) Ring each word as you find it and when you have completed the puzzle, there will be 23 letters left over. They spell out the alternative theme of the puzzle. © australianwordgames.com.au 5377

Home renovations

R O O D O O W S T T E E L T O
O D U K S S E M R E L P U E E
S E O N K P V E E P I S E L L
T M T T I A O L E R F S O L G
S O A P N T C B D A S C E A N
I L L I E I L O E C K R O M A
O I F S K C A R C L I A N N I
J S T O R E Y P C O L U M N K
D H N I C H E A R T H R W N S
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K L A I G M S P N I I U W O S
R E P L A C E E I G O G N H F

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Problems
Replace
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Rug
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Shed
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SMMUSD

FROM PAGE 1

Notably, the Malibu High School item had been discussed for more than 90 minutes at a prior board meeting, making the certification more of a formality.

At that meeting, held on Jan. 13, the City of Malibu Planning Department requested a delay in certifying the EIR, claiming it had not been given enough time to review changes and clarifications it had requested on a draft version of the document. Although SMMUSD staff said the City had been given 17 days to read over the document — much more than the 10 days mandated by law — the Board decided to grant the delay, while reaching out to Malibu leadership to expedite the process moving forward.

That outreach appears to have worked, with Malibu staff quickly granting approval of the final EIR. Malibu Planning Director Richard Mollica attended the Board's special meeting to say his staff was satisfied with the document, following a virtual meeting that was convened the previous week.

"I appreciate what you guys did at your last meeting," Mollica said, later adding, "We were able to get your consultants and specialists in a virtual room with our consultants and specialists and just kind of go through our comment letter, line by line, and with the changes that I know your team made this past weekend — [I] appreciate that, after the meeting — we believe it to adequately address what we're going to be looking for to utilize it as the environmental document for when we process a specific plan and the other development application. So, I just want to say thank you very much and I appreciate the consideration."

The EIR studies the impacts of phase one of a four-phase campus project at Malibu High School, which calls for a brand new classroom building on the campus. Other phases will include a new theater and swimming pool. Funding for the project comes from the $195 million Measure M bond passed by Malibu voters in 2018.

At the time of the Jan. 13 delay, District staff expressed concern a slowdown in the project's schedule could result in a yearlong delay in the opening of the new high school, anticipated for fall 2024; however, the short slowdown was not expected to harm the project overall, according to SMMUSD Chief Operations Officer Carey Upton.

"When I warned about a delay certifying the EIR, it was unclear if it would be a week delay or months to resolve the City's concerns," Upton wrote in an email to the Daily Press. "Happily, we were able to resolve their concerns quickly. The delay also had the benefit of strengthening our working relationship and resolve to move the project forward." Upton went on to explain that, with the City of Malibu and California Coastal Commission still needing to approve plans in the next few months, the timeline was "tight" but still doable.

"We're committed to remaining on schedule for an Aug. 2024 opening," Upton added.

What had been the largest discussion item on Wednesday's agenda — an update on Santa Monica elementary and middle school projects funded through the Measure SMS bond — was postponed to a future meeting.

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PS3

FROM PAGE 1

housing crisis. A timeline for demolition will be shared broadly with the Santa Monica community later this week."

Members of the local business community in the area around PS3 — located on 4th Street between Arizona Avenue and Santa Monica Boulevard — began organizing in 2020 to fight the demolition of the 337-space parking structure, which the City of Santa Monica plans to replace with up to 150 affordable housing units. The stakeholders formed the Santa Monica Bayside Owners Association (SMBOA), which filed a lawsuit against the City and California Coastal Commission, arguing the demolition was not properly studied and did not adhere to CEQA (California Environmental Quality Act) requirements.

SMBOA won a victory in January 2022 when LA County Superior Court Judge Mitchell Beckloff ruled that the structure could not be torn down until the lawsuit was laid to rest. But that is set to happen much sooner than was expected, due to a filing error on the part of SMBOA's legal team.

Beckloff issued three tentative rulings during a trial setting conference on Friday, Jan. 28, including a motion to dismiss the case because the complaint had not been filed within the legally required timeline. He later issued a final ruling reinforcing his decision.

According to CEQA (as cited in the City of Santa Monica's motion to dismiss): "In any action or proceeding alleging noncompliance with this division, the petitioner shall request a hearing within 90 days from the date of filing the petition or shall be subject to dismissal on the court's own motion or on the motion of any party interested in the action or proceeding."

The City's attorneys argued that SMBOA's legal team did not meet that requirement. Although attorneys representing SMBOA from the law firm Ervin Cohen & Jessup filed an action on June 15, 2021, the request for hearing was not filed until Oct. 5 — 22 days after the 90-day deadline was finished.

"There is no question more than 90 days had elapsed since Petitioner initiated the action when the City brought its motion to dismiss," Beckloff's analysis of the argument stated.

Calling the missed deadline an "inadvertent mistake," SMBOA's legal team requested relief from having the case thrown out. But, Beckloff wrote, "the evidence (or lack thereof) is entirely inadequate to show excusable inadvertence."

Representatives from SMBOA's legal team did not respond to a request for comment by the Daily Press deadline on Monday.

If all goes according to plan, the parking structure will make way for a new housing development that includes supportive housing for formerly homeless individuals.

In January, Santa Monica City Council approved plans to move the project forward using a proposal from EAH, Inc., which submitted plans for either 120 or 150 units at the location, which also includes ground floor retail (developers suggest a grocery store) and underground parking.

SMBOA argued the removal of the parking structure would adversely affect local businesses. John Alle, a local business owner and founding member of SMBOA, did not respond to a request for comment on Monday.

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