

Santa Monica Daily Press

A newspaper with issues

LOTTO

FANTASY 5

35, 14, 28, 32, 8

DAILY 3

Afternoon picks: 9, 8, 0

Evening picks: 2, 9, 9

DAILY DERBY

1st Place: 10, Solid Gold

2nd Place: 1, Gold Rush

3rd Place: 4, Big Ben

Race Time: 1:40.80



NEWS OF THE WEIRD

by Chuck Shepard

Wanda Hudson, 44, said she was inadvertently padlocked into her 30-by-10-foot locker by a careless employee of the Dauphin Island Parkway storage facility near Mobile, Ala., on Nov. 7, 2001, and did not get out until a neighboring unit renter heard her cries 63 days later. Hudson, who said she survived on canned foods and juice, was found weighing 85 pounds and in a clinical state of "advanced starvation." She sued Parkway for \$10 million but in September 2003 was awarded \$100,000 by a jury.



QUOTE OF THE DAY

"I should've been a country-western singer. After all, I am older than most western countries."

— George Burns



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Death penalty activists land on Gov.'s home turf

Rev. Jesse Jackson joins hundreds at St. Monica's in an attempt to stop pending execution of Kevin Cooper

BY MICHAEL TITTINGER

Daily Press Staff Writer

NORTH OF WILSHIRE — Close to 150 people gathered Tuesday on the steps of St. Monica's Church to plead with Gov. Arnold Schwarzenegger to call a "time out" and stay next week's execution of a death-row inmate they claim might be innocent.

Activists and supporters were joined by speakers Rev. Jesse Jackson, actor Mike Farrell, as well as civic and religious leaders from across the region. While the throngs were seemingly united against capital punishment as a means of justice, most also took time to poke holes in the case against Kevin Cooper, a San Quentin State Prison inmate convicted of killing four people in 1993.

"Killing Kevin Cooper will not bring back those families' loved ones," said Jackson, peering over the cheering supporters. "It will just continue the cycle of violence. We can't stop killing by killing."

"It's not our job to use homicide as a policy of social justice."

Next Tuesday's scheduled execution of Cooper has raised the ire of anti-death penalty activists, not only for what they deem to be questionable evidence, but also for Gov. Schwarzenegger's perceived blasé response.

St. Monica's was no random choice for Tuesday's rally, as the California Catholic church is the governor's home parish.

"Gov. Schwarzenegger, we call on your conscience and faith," said Bishop Gabino Zavala of the Archdiocese of Los Angeles. "This execution will not make anyone safer."

"We join the voice of Jesus — 'Let he who is without sin cast the

See EXECUTION, page 5

'Mini-hotels' back on the block

BY MICHAEL TITTINGER

Daily Press Staff Writer

CITY HALL — City officials are once again checking into "mini-hotels."

With a self-imposed ban preventing the creation of any new short-term rental units in Santa Monica about to expire, the city's planning commission tonight will discuss a law that would allow them again.

The proposal would allow for the formulation of new short-term housing rentals, defined as a mandated minimum stay of 30 days, in certain commercial districts of the city's downtown area. The zoning ordinance does not currently contain any provisions to allow the so-called "mini-hotels."

However, according to Planning Director Suzanne Frick, the amendment is intended primarily

"We want to protect the existing housing stock for long-term tenants."

— SUZANNE FRICK

Santa Monica planning director

to prohibit the conversion of existing structures into short-term rental housing units.

"We want to protect the existing housing stock for long-term tenants," Frick said Tuesday, adding that she was unsure whether or not the commission would actually vote on the proposal tonight. "The people who use

See HOTELS, page 6



Michael Tittinger/Daily Press

Rev. Jesse Jackson speaks from the steps of St. Monica's Church — the home parish of Gov. Arnold Schwarzenegger — on Tuesday in an attempt to save convicted felon Kevin Cooper from being executed next week. Dozens of activists marched, held banners and spoke out against capital punishment. They urged Gov. Schwarzenegger to stay Cooper's execution.

Mistrial declared in murder case against local man

BY MICHAEL TITTINGER

Daily Press Staff Writer

DOWNTOWN LA — A deadlocked jury has further clouded the murder trial of a Santa Monica man who is charged with the vicious killing of a cab driver in Venice nearly three years ago, as a judge declared a mistrial earlier this week.

Following nearly two days of deliberations, jurors on Monday

reported to Los Angeles Superior Court Judge Robert J. Perry that they had reached an impasse, with 10 members finding Antonio Barba guilty and two siding for the defense. A pre-trial hearing has been scheduled for March 4 to discuss the possibility of another trial and the admittance of any further evidence.

Barba, who used to live in the

See TRIAL, page 6

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Establish your boundaries, Cancer



JACQUELINE BIGAR'S STARS

The stars show the kind of day you'll have:

★★★★-Dynamic ★★★★★-Positive ★★★-Average
★★-So-so ★-Difficult

ARIES (March 21-April 19)

★★★★ What begins as easygoing could become more and more complicated throughout the day. You might need to sort through a misunderstanding. Confirm a meeting before you head out the door. Avoid complications that involve your funds. Tonight: Take a midweek break.

TAURUS (April 20-May 20)

★★★★★ Speak your mind, not that you really have a choice. Express your feelings in a meaningful way in the morning. You might find out that others have different opinions from yours. Don't let it get to you. Be diplomatic with family. Tonight: Anchor in at home.

GEMINI (May 21-June 20)

★★★★★ Someone shares some special words and feelings with you. Confusion marks midday activities. Give others the benefit of the doubt. Be careful how you express your frustration with a loved one, neighbor or sibling. Tonight: Swap the day's war stories with a pal.

CANCER (June 21-July 22)

★★★★★ A sensitive gesture could melt the cockles of your heart. Confirm meetings and don't stand on ceremony over a message that hasn't been returned. A friend might have a great way to spend your money. Tonight: Establish your boundaries.

LEO (July 23-Aug. 22)

★★★★ What is shared intimately needs to be kept between the two of you. You could feel confused by a discussion at work. Clarify and make sure everyone is in sync here. Later in the afternoon, you are prepared to take a stronger stand. Tonight: Don't butt heads with an older relative, friend or boss.

VIRGO (Aug. 23-Sept. 22)

★★★★★ Use the daytime hours to push a special project through. In the morning, success easily greets you. By midday, you might be confused by the ideas involved with this project. Slow down and investigate more. Tonight: Get some extra sleep.

LIBRA (Sept. 23-Oct. 22)

★★★★ You must continue being highly responsive to a boss, even if you want to vanish with a loved one. Schedule time late in the day for this fantasy or a fun get-together. Use care with messages. Misinformation floats around. Tonight: Take your sweetie to a party, or have a party together.

SCORPIO (Oct. 23-Nov. 21)

★★★★★ You need to check out some information before going along with a plan. A loved one or an admirer could be most distracting. Stay focused, as how you handle communication remains key. Tonight: It could be a late night.

SAGITTARIUS (Nov. 22-Dec. 21)

★★★★★ Others come to you, and each person wants your undivided attention. Confusion surrounds messages. Sort through all the communication, and anchor in the truth. Detach, and you will gain a greater perspective. Tonight: Try a new restaurant.

CAPRICORN (Dec. 22-Jan. 19)

★★★★★ Others continue to seek you out. You might wonder what you can do to help them. Express concern. Don't get uptight about some momentary chaos. Through your creativity and a partner's help you will find the answer. Tonight: Stoke the fires of a relationship.

AQUARIUS (Jan. 20-Feb. 18)

★★★★★ Feelings might need to be kept under wraps for now. You will discover a lot more information as the day passes. Avoid losing your temper with someone you care about. Let others take control, for now. Tonight: Accept an invitation out.

PISCES (Feb. 19-March 20)

★★★★★ A friend has only the best of intentions, though he or she might care a little too much for your comfort zone. Straighten out a misunderstanding before it develops into an even bigger one. Concentrate on work and getting the job done. Tonight: Do something relaxing, just for yourself.

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LOCAL



COMMUNITY BRIEFS

Santa Monica schools get national attention

By Daily Press staff

The local school district will be put in the national spotlight this week during a PBS documentary, chronicling the rise and fall of California's public schools.

Superintendent John Deasy and the Santa Monica-Malibu Unified School District are featured prominently in the documentary, "First to Worst," hosted by journalist John Merrow. The program focuses on the state's educational system — the largest in the nation and home to one of every eight American students.

"First to Worst" explores the roots of California's current education crisis, tracing it to the anti-tax movement of the 1970s and '80s, and to civil rights lawsuits that aimed to equalize school spending but resulted instead in disastrous funding limits on schools.

The program will be aired on KOCE-TV on Feb. 4 at 9 p.m. and KCET-TV on Feb. 5 at 10 p.m.

For further information log on to www.pbs.org/merrow.

Santa Monica-UCLA has same chief

By Daily Press staff



Dr. Peter Galier, an internal medicine specialist with the UCLA Medical Group in Santa Monica, has been re-elected chief of staff at Santa Monica-UCLA Medical Center for 2004.

A Pacific Palisades resident, Dr. Galier has been with the UCLA Medical Group since 1994. He completed both his medical school training and residency at UCLA Medical Center in Westwood, where he also served as chief resident. He earned his undergraduate degree from Loyola Marymount University.

Dr. Galier's goals for his second term include working with hospital management to implement national patient-safety goals, refining the performance-improvement process, and preparing for the next licensing and accreditation survey.

Joining him as officers on the hospital's 2004 Executive Medical Board are Dr. David Baron, who was elected vice-chief of staff, and Dr. Chester Griffiths, who was elected secretary-treasurer. Dr. Baron is a family physician with the UCLA Medical Group in Malibu. Dr. Griffiths is an ear, nose and throat specialist based in West Los Angeles.

Other members of the physician board, which oversees medical affairs at Santa Monica-UCLA, are Drs. William Growdon, Jay Gross, Stephen Ross, Denise Sur, Bernard Weintraub and Dennis Woo.

They can see clearly now

By Daily Press staff

People who have little or no resources have to be able to see just like the next person, so a group of doctors recently donated their time to help out those less fortunate.

Top ophthalmologists, volunteers, and staff were at St. Joseph Center last Saturday to do free visual screenings for the center's clients and to refer those who need eye care to the Venice Family Clinic for follow-up.

"We started doing this for the children five years ago, so they could see better in school," said Dr. Michael Colvard, co-designer with his son, Matthew, of the Colvard Pupilometer, which aids in the preoperative evaluation of laser vision patients, "but then we realized that the parents needed vision care, too."

Dr. Colvard is an internationally recognized leader in the field of laser technology in eye surgery and is an assistant clinical professor at the USC School of Medicine.

"He has been working with St. Joseph Center since his two daughters did community service here through Marymount High School," said Maria Alderete,

See BRIEFS, page 5

surf report

Tuesday was an absolute bust for catching any decent waves. Bad onshore winds, rain, a fat morning high-tide and a tweaked storm track made staying in bed worth your while.

The NW we knew about but probably didn't experience on Tuesday will slowly be dropping throughout the day today with a gradual decrease of waves into Thursday.

The NW swell will mix with plenty of local WNW windswell. This mix will be slowly fading by this afternoon. Most spots will not be well exposed to the longer-period NW swell so they will hang in the waist-chest, occasionally shoulder-high range off the mix of local windswell.

Today expect poor to fair conditions.

Outlook: A new NW swell is expected for late Friday with waves building into the weekend.

Write us at wood@smdp.com and tell us what the surf is doing today at your local break. Epic.

Today the water is:

58°

	LOW TIDES		HIGH TIDES	
	LOW ONE	LOW TWO	HIGH ONE	HIGH TWO
MONDAY	12:02 AM	1:48 PM	6:20 AM	8:37 PM
TUESDAY	12:49 AM	2:17 PM	7:00 AM	8:59 PM
WEDNESDAY	1:25 AM	2:46 PM	7:32 AM	9:18 PM
THURSDAY	1:59 AM	3:17 PM	8:08 AM	9:42 PM
FRIDAY	2:34 AM	3:45 PM	8:41 AM	10:07 PM
SATURDAY	3:05 AM	4:08 PM	9:15 AM	10:37 PM
SUNDAY	3:45 AM	4:36 PM	9:48 AM	11:02 PM

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The Q Line

Former U.S. weapons inspector David Kay testified before the Senate Armed Services Committee that there were a series of failures in pre-war intelligence on Iraq. He said we were almost all wrong about weapons of mass destruction.

His statements solidify what many people have thought for months — that there was no imminent threat of Iraq building a nuclear arsenal. Now, there's been talk about launching an independent investigation into the United States intelligence community.

So this week, Q-Line wants to know: "Should an investigation be launched and who should be held responsible if, in fact, the intelligence doesn't support the war effort?"

Call (310) 285-8106 with your response before Thursday at 5 p.m. We'll print them in Saturday's paper (Responses used to be printed on Friday but have been moved to Saturday). Please limit your comments to a minute or less. It might help to think first about the wording of your response.



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—Anthony Dias Blue
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LETTERS

Going 'round and 'round

Editor:

Have you ever observed a traffic "jam" at the corner of Washington Avenue and 26th Street in Santa Monica, with lots of cars and nobody moving? The relatively new traffic circle (roundabout) at that intersection has become not only a cause of disputes between fellow drivers but a safety issue as well. There have been numerous times when I have witnessed drivers going too fast around those narrow curves and almost colliding with other vehicles. Drivers appear to be unaware of any "rules of yielding," have forgotten them entirely, or are unwilling to abide by them. Regardless, this roundabout has become a danger for the community and is becoming known as an accident waiting to happen. The city needs to do something to prevent the worst of possible outcomes.

I am a 15-year-old with my driver's permit and I plan to take the licensing examination in March of this year. As part of my driver's education, I have had to learn how a traffic circle is designed, why the city might have decided to use one at this intersection, and how drivers are supposed to maneuver safely through it. The purpose of a traffic circle is to facilitate the flow of traffic. This roundabout, however, has failed to facilitate anything but confusion and concern. Drivers are supposed to approach a roundabout with the intention of yielding to traffic. At this intersection, drivers appear to be confused, ignorant, or careless, causing an unsafe environment for drivers and pedestrians.

As a new driver, I have waited many minutes on Washington Avenue, knowing fully the "rules of the road" for this situation, and have not been able to cross the circle, or make a turn in any reasonable fashion. The drivers on 26th Street, the main thoroughfare, seem to think they have the right-of-way and are unwilling to yield to other drivers such as myself. My understanding is that this driving circle was put into place to assist the side street drivers in crossing 26th Street, or making turns without interfering or disrupting the flow of traffic. This does not easily happen because most drivers seem unwilling to abide by the laws of yielding. In fact, this corner has become so unsafe and chaotic that many drivers try to avoid the intersection all together.

I even know teenagers who find the failure of this roundabout so amusing that they use it as a way to entertain themselves. Instead of yielding (which no one else seems to do), teenagers have been known to run right through the center of the circle, jeopardizing even well-intentioned drivers approaching the circle. What is needed here is supervision and penalties for all the violations that are occurring at this intersection. Drivers need to learn the laws of yielding and to implement them appropriately at this roundabout. Until people consistently demonstrate correct driving practices at this intersection, I think there should be additional police patrol of the area. It has been my observation that with police nearby, drivers are more attentive, conscientious, and willing to abide by the laws. In addition, police could provide instruction to those who really do not know how to drive through a roundabout.



I have further noticed that many people are just plain confused about what to do at the roundabout. Senior citizens often seem perplexed and distracted when driving through this intersection. Most of them got their driver's licenses many years ago and could have easily (and understandably) forgotten how drive through a roundabout such as this one. It is necessary and imperative for every Santa Monica driver of any age to know how to properly and legally use a traffic circle. Perhaps a class could be offered or an instructional flyer could be mailed out to the residents about how to safely drive through a traffic circle. I believe that this roundabout at 26th Street and Washington Avenue is the first of its kind in Santa Monica and if the city is planning to create more of them, we need to work as a community to make this intersection with its new traffic circle a safe and exemplary experience for all.

Thank you for your consideration.

Sarah Capers
Santa Monica

Suing almighty God is in no way a frivolous lawsuit



INCITES

By Ed Silverstein

I'm suing God. Yes, I'm serious. God was guilty of gross negligence. His or Her design was faulty, likely a result of rushing to create the world and leaving only a single day for man's conception. Further, this was accomplished without proper oversight from OSHA, the FDA or whichever regulatory agency has jurisdiction over the creation of man.

Now some of you may think this is a frivolous lawsuit and to that I take exception. Having scoured the law libraries, I have discovered case law that I feel offers compelling proof that my own actions are justified.

There was the 240-pound woman who filed a discrimination complaint because she was denied a job as a Jazzercise instructor.

However, when Jazzercise offered to settle, the woman declined the job. Then there's that poor convicted sex offender

who escaped, then threatened to sue the sheriff for being too slow and not finding him in the woods until he lost two toes to frostbite. And a Texas prisoner who sued Penthouse for the emotional anguish he suffered because the Paula Jones pictorial wasn't revealing enough. And finally that woman who was "horribly disabled" when a hot pickle fell out of her hamburger and burned her chin. But it was her husband who was truly wronged. His suit alleges he suffered dire emotional distress because he was deprived of services and consortium with his wife. What was that restaurant thinking serving hot food?

So as you can see, it is perfectly legitimate to seek redress from God for creation malpractice, but there is more.

God is guilty of serious paperwork violations. To begin with he's kept several sets of books, among them the Old and New Testament, the Bhagavad Gita, the Koran, and Zen and the Art of Motorcycle Maintenance.

Take the Bible for instance. There are so many inconsistencies that God could not possibly have followed standard accounting practices. What's worse, God tries to blame all of man's misery on man. Actually he blamed women, but that will

be addressed in my wife's gender bias suit and possibly a sexual harassment suit for that fig leaf thing.

And while we're at it, I really think PETA missed the boat suing those California Happy Cows. They could easily see big bucks going after God in an animal endangerment suit. I mean he practically confessed to killing every single animal on the planet, except for a couple of each, in what can only be considered a case of cosmic road rage. But I'm getting off the point.

I want to talk about the specifics of my claim. I'm getting older. This was fine until I hit about 35. Now it sucks. My knees are going, I have a bone spur in my toe (without any of Shaq's ability) and I may require shoulder surgery. I also have a chronic hyper-extended thumb and my back hurts every morning. I know what God's going to use as a defense: He gave me free will and I chose to participate in numerous sports. He will allege that injuries from those sports, such as breaking my back rock climbing, might have contributed to my current physical condition and that I should accept partial responsibility in this claim.

I object! I never asked to be born so I

take no responsibility for anything I've ever done, plus I ate a Twinkie once. Further, there was no disclaimer in my mother's womb, not even to warn me about possible known carcinogens to which I might have been exposed as a result of her eating, drinking or breathing. (Note to self — consider suing Mom.)

I am also suing God for creating sexually transmitted diseases. They have prevented both my wife and myself from seeking consortium with others. As a result we have had to remain happily married causing us to incur the marriage tax penalty for the past 22 years.

Look, I know I've asked for a compensatory award of all the money in the universe and punitive damages in the way of omnipotence and immortality. But I'm not greedy. I'm willing to settle. Just give my wife and me a new 30-year-old body that is guaranteed against wear and tear for a millennium and maybe a billion dollars for that marriage tax thing and we'll call it even. Oh, and my lawyer's tired of being a snake.

(Ed Silverstein is a freelance writer living in Santa Monica. Comments and eternal damnation can be e-mailed to: edsincites@aol.com).

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 will be published on a space-available basis. It is our intention to publish all letters we receive, except those that are libelous or are unsigned. Preference will be given to those that are e-mailed to sack@smdp.com. All letters must include the author's name and telephone number for purposes of verification. Letters also may be mailed to our offices located at 1427 Third Street Promenade, Suite 202, Santa Monica, 90401, or faxed to (310) 576-9913. All letters and guest editorials are subject to editing for space and content.

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LOCAL



Actors, clergy, victims speak out against death penalty

EXECUTION, from page 1

first stone."

The bishop's remark proved to be quite poignant on Tuesday, as volunteers took time to pass out stones amid the ceremony, before asking those in attendance to lay them down peacefully before dispersing.

"Execution diminishes the dignity of life," added Rabbi Neil Comess-Daniels, of the Santa Monica Bay Interfaith Council. "The process of repentance is not to be shortened."

In a joint statement released prior to the rally, community leaders issued a "call to conscience" for Schwarzenegger to reconsider his denial of clemency for Cooper, and to impose a moratorium until a study of California's death penalty system can be performed.

According to the group, the case against Cooper is a "showcase of errors," pointing to eyewitness discrepancies and possible evidence tampering to bolster their case against executing Cooper.

"Gov. Schwarzenegger has made this decision without allowing Kevin Cooper to be heard in this case, refusing a clemency hearing, which is unprecedented in this state," Farrell said. "I suggest that he made this decision on the basis of political considerations, not justice, and now a human life may be snuffed out because of it."

Farrell took time to stop and note the banner which adorns the wall over the church's front entrance, suggesting the governor take his cues from the motto, "Boundless Love, Endless Mercy."

Also on hand to speak was Phil Courtney of Riverside, who along with his girlfriend was attacked by a serial killer in January of 1993. He said he stood alone five years later, the lone courtroom attendee wanting the convicted murderer

sentenced to life in prison rather than the death penalty.

"Unfortunately, as a culture we continue to believe that we can end evil in the world by killing 'evil people,'" he said. "This effort has not worked in the last 5,000 years of human civilization, and it probably won't work in the next 5,000."

"Our governor must feel so confident that he would pull the switch himself, for he must be willing to suffer the same fate (as Cooper) if he is wrong."

— REV. JESSE JACKSON

"What we must do is continue to study the human conditions that produce evil acts and continue our work to eliminate them."

The sentiments were shared by Jackson, on hand representing his Rainbow Coalition, as he was compelled to take to the microphone again, this time at the end of the rally in order to drive his point home.

"Our nation makes the most guns, and shoots them," he said. "Our nation makes the most bombs, and drops them. Our nation was sure there were weapons of mass destruction, and now we're not so sure. Five hundred American deaths later, several thousand Iraqi deaths later, we shrug our shoulders and our responsibilities."

"Our governor must feel so confident that he would pull the switch himself, for he must be willing to suffer the same fate (as Cooper) if he is wrong."

COMMUNITY BRIEFS

BRIEFS, from page 3

coordinator of volunteers. "His youngest daughter, Megan, has created a charitable foundation that provides funds for our ESL classes at our family center."

Depending on the outcome of the visual screening, and if needed, clients are sent to the Venice Family Clinic for eyeglasses or further medical eye care.

"Here at St. Joseph Center we believe that everyone, regardless of income, has the right to the latest advanced research and treatment for eye care," said Leticia Garcia-Greenman, director of family services.

St. Joseph Center provides emergency services, child care, case management, and senior services for homeless and low-income individuals and families on eight sites in Venice, Santa Monica and West Los Angeles.



(Left to right): Kristina Eppler, Gloria Santamaria, Dr. Anh Le, Sue Colvard, Maria Parra, Rosemary Esparza, Robin Jackson, Leticia Garcia-Greenman, Dr. Barry Leonard, Sandra Pedraza and Dr. Michael Colvard.

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LOCAL

Barba will be re-tried in March

TRIAL, from page 1

1800 block of 16th Street in the Pico neighborhood of Santa Monica, remains in custody without bail pending another trial.

"I thought we had enough to convict," said Los Angeles Deputy District Attorney Kendra Carmen, who prosecuted the week-long case. Carmen said on Tuesday that, all in all, she was impressed with the jury and their deliberations, as well as encouraged by the majority finding for the prosecution.

"Now we all have to get our ducks back in a row," she said, "and do it all over again."

While the jury deliberated for just two days, Carmen said it was not unusual given the pace of the trial, which encompassed three days of arguments and testimony at the Clara Shortridge Foltz Criminal Justice Center. Jurors also had the past weekend to consider the case on an individual basis.

The decision to wrest control of the trial was made by Judge Perry following jurors' declaration Monday that they were hopelessly deadlocked. A judge will intermittently ask a jury for progress reports, then decide whether or not to declare a mistrial, as Judge Perry did Monday, or send the jury back in to deliberate more, according to LA Superior Court spokesperson Pat Kelly.

"It depends on the judge, but their questioning (of a jury) is usually pretty probing," Kelly explained.

"It's not unusual for a murder case involving scientific evidence to take two or three years to go to trial. Both sides need to get a handle on things leading up to it."

— KENDRA CARMEN
Los Angeles Deputy District Attorney

"They'll often ask any of the other jurors whether they disagree with the foreman, that they can or cannot be moved in their decision.

"If no one offers a comment, the judge has to make a decision to send it back or not."

Judge Perry was unconvinced jurors would waver in their opinions, opting to move the case forward via a second trial rather than proceed with seemingly exhausted deliberations.

Barba has a right to a speedy trial, which must commence within 60 days of Monday's mistrial ruling, Carmen said. The scheduling contrasts the development and staging of the first trial, which did not get underway until almost two and a half years after the July 8, 2001 murder of former cab driver Keum Kim.

"It's not unusual for a murder case involving scientific evidence to take two or three years to go to trial," Carmen said. "Both sides need to get a handle on things leading up to it."

The scientific evidence in the trial included a series of DNA tests per-

formed on Kim's cab, a sweatshirt found to have Kim's blood on it and clothing taken from Barba's house during an Aug. 2, 2001 search.

Barba, 24, stands accused of allegedly robbing and stabbing Kim more than 30 times with a butcher knife after the driver drove him to the 800 block of Brooks Avenue, just off Lincoln Boulevard.

Barba has pleaded not guilty to one count of murder and one count of armed robbery.

The prosecution's case is centered on the belief that Barba, then 21 years old, called a cab for the specific purpose of killing and robbing the driver, then ambushing the unwitting victim from the back of the cab. The public defender counters that all the evidence in the case is circumstantial.

The prosecution, however, remains undaunted in the wake of the hung jury.

"Certainly, with these numbers, we'll retry it," said a confident Carmen on Tuesday.

Commissioner: 'Get a room,' a real one

HOTELS, from page 1

these ("mini-hotels") are transient by nature. They're not establishing roots within the community.

"We strive to have a more stable residency."

A short-term rental housing unit combines a commercial venture, similar to commercial lodging, with a residential use, according to the text amendment up for discussion.

The three-year debate over short-term rentals became such an issue that in May of 2001 the City Council imposed an interim law preventing the formulation of any new ones. A series of extensions followed. The latest is set to expire on June 19.

Not everybody is on board the "mini-hotel" bandwagon, however.

"It's a solution in search of a problem," said planning commission board member Jay Johnson. "This is an end run around hotels. There's no benefit to the city.

"The city gets nothing."

Johnson is upset that City Hall will collect no bed tax from the short-term renters, as it would if they had stayed in a local hotel. In addition, most will enjoy amenities comparable to those offered by luxury hotels.

Utilized primarily by entertainment-industry executives, consultants and other freelance workers, many of the short-term properties have on-site gyms, office space, valet parking and maid service. The apartments are fully furnished and also typically have small kitchens.

"My concern is that by building these 'mini-hotels,' we're going to drive out existing businesses," Johnson said. "I do not see the sense of this at all."

According to Frick, under the amendment, short-term housing rentals will only be approved in downtown districts where hotels are already permitted. In addition, they will be subject to review in acquiring the necessary land-use permits.

"There are some concerns by board members," she acknowledged. "Whether it will be a sweeping approval or case-by-case is undetermined.

"I don't know how it's going to go."

Johnson would just like "mini-hotels" to go for good.

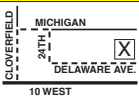
"It's a stealth issue, coming out of left field. I'm very disturbed over it," he said. "It's senseless. We shouldn't permit short-term rentals. Let them get a hotel room. That's what the hotels are for."

DID YOU KNOW?: Cinderella's glass slippers were originally made out of fur. The story was changed in the 1600s by a translator.

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STATE

California could see boost in Homeland Security funding from Bush's budget

BY ERICA WERNER
Associated Press Writer

WASHINGTON — California could get more homeland security grant money under a proposed change in President Bush's budget that would send more funds to heavily populated areas with critical infrastructure that are considered at risk of attack.

The \$2.4 trillion budget Bush sent to Congress on Monday would also increase homeland security grants for urban areas. That could help California, too.

The state has gotten less funding per-capita than less populous states because of the way the money has been distributed. California pulled in \$175 million in 2004, or 7.95 percent of the nation's grants.

While California officials welcomed the homeland security provisions, Bush's plan would also delete federal aid for states that jail illegal aliens who commit crimes — a program that overwhelmingly benefits California.

The removal of the State Criminal Alien Assistance Program, which got \$300 million in federal funding in 2004, prompted outcries from Gov. Arnold Schwarzenegger and members of Congress. California accounts for about 40 percent of the program.

"Zeroing out this program is unacceptable to California and the governor," said Schwarzenegger spokesman H.D. Palmer. He said Schwarzenegger would use a trip to Washington later this month to meet with administration officials and members of Congress on the issue.

Some Democrats pointed to the removal of the SCAAP funding as evidence Schwarzenegger wasn't living up to his campaign promise to be "the Collectinator" and grab more federal money for the state.

"Where is our Collectinator?" said Rep. Zoe Lofgren, D-San Jose, leader of the state's congressional Democrats.

Paying for jailing criminal aliens is projected to cost California more than \$700 million in the state fiscal year beginning in July, of which \$66 million would be reimbursed by the federal government under current spending levels, Palmer said. State officials already considered that reimbursement amount too low.

Bush has tried to get rid of the program in past budgets too, but Congress has not gone along.

Other items in Bush's budget proposal that impact California:

■ The plan would give \$15 million to fund CalFed, the water program designed to solve water problems from the San Francisco Bay area to Southern California and restore the Sacramento-San Joaquin Delta. That's \$6 million more than the California Federal Bay-Delta Program got in 2004, but it still has not been fully authorized by Congress or funded at anywhere near the levels

proponents want.

"It is imperative that Congress move forward with an authorization bill to help ensure that adequate funds are provided in the future," said Sen. Dianne Feinstein, D-Calif.

■ It would increase spending on highways and public transit over the next six years from \$247 billion to \$256 billion. But that's far less than levels proposed in the Senate and the House, where California's representatives have a long list of state projects they want to fund. California is the largest recipient of highway money.

■ The proposal would increase the military's budget by 7 percent, and add nearly \$900 million to NASA's budget. Both provisions could benefit California's aerospace and defense industry. Those provisions among others prompted praise from Republicans in the delegation.

■ The budget would spend \$760 million to fully fund the so-called healthy forests law that was passed in the wake of Southern California's devastating wildfires. But Democrats said the amount was misleading, accusing the administration of combining unrelated accounts to come up with the figure.

"This is based on a broader definition of hazardous fuel reduction than has been used in the past," Feinstein said. "This figure is not comparable to the \$760 million authorization for hazardous fuel reduction that (Sen. Ron Wyden, D-Ore.) and I inserted into the healthy forests bill."



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DAYS ON THE MARKET

By Jodi Summers

Think about the energy you're using those evenings when everybody's at home — stereos blasting, TVs blaring, computers running, play stations zapping, phone lines buzzing. That sure can tax the knob and post the electrical system of an old home.

"Probably 25 million households have more than one PC in the house and people want to leverage their broadband connection," notes Bill Kenney, vice president of emerging home solutions for Sears and chairman of the Internet Home Alliance.

Today's home requires a sophisticated wiring system. How else can you support your 21st century lifestyle — multiple televisions, multiple computers, security systems, whole house audio and a home theater system.

The nucleus of this wiring system is called a hub. It lives in a cabinet about the

size of your electric circuit breaker box and can live in a number of places in your home — usually near your circuit breaker, or in a closet.

Be sure there are large enough circuits for extra (i.e. professional) gear in case the homeowner is considering doing the home office thing," notes hi-tech Santa Monica homeowner David Javelosa. "Breakers may not be set high enough, especially if there is any electric heating. If breakers keep blowing, the main box might need to be upgraded. In the case of a home recording studio or computer lab, this consideration is important.

The hub is where your cable, Internet and phone service enter your home and get distributed to individual rooms. Called "structured wiring," this is where the signals for cable TV, phone, and Internet data transmission get sent to every networked outlet.

About 16 percent of new homes built in 2001 had structured wiring installed, according to Parks Associates. That number is projected to increase to 22 percent this year and to 50 percent by 2005.

"Structured wiring will be like plumbing in the future," predicts Mark Flagg, vice president of Estridge Cos., a home-

building company. "You'll just have to have it."

Of course, with an existing home, upgrading to premium wiring means smashing through a lot of drywall. Other options can include wireless networking, which we'll look into next week.

The outlets for the structured wiring network typically have four jacks known as "universal" or "quad" outlets — two for cable, and one each for phone and data transmission. This structured wiring network can allow everyone in the household to check e-mail and surf the web at the same time. You can have as many as eight separate phone lines, and you can use the phones as an internal intercom system.

Some of the magical time saving elements this box will let you perform are telephoning someone in a different part of the house (as opposed to yelling). Televisions can be networked so that you can watch a video upstairs, while another family member is watching a television program downstairs on the set with the VCR or DVD. Add a wireless router to your hub and you can check your e-mail or surf the web in the backyard.

Now that you're sold on the gray box,

you need to find someone qualified to install your system. Your installer should be skilled in low-voltage electronics, including telephones, cable television, security systems and home theaters. The integrator must have additional training to network all these systems together properly.

CompUSA started its "Digital Living" program two years ago and installs the networks in existing houses. Currently, Sears is testing its "Connected Home" program in California. Costs vary, depending upon the size of the network and the number of universal outlets but expect your base price to be in excess of \$1,000.

Wired and wireless systems are not interchangeable. The frequency of cordless phones and microwave ovens can interfere with the transmission of your wireless signal, and, at this juncture, most consumers would not be happy with the quality of the video signal transmitted over a wireless system. Next week we will delve into wireless networking systems for you home.

(E-mail Jodi Summers at jodis@boardwalkrealty.com, or call (310) 309-4219).

SANTA MONICA RESIDENTIAL REAL ESTATE TRANSACTIONS

SOLD	2826 2ND ST	SANTA MONICA	90405	SOLD	1419 15TH ST #1	SANTA MONICA	90404	SOLD	2811 ARIZONA AVE #5	SANTA MONICA	90404
Sold Date	SqFt: 1,862	List Price: \$1,100,000	Bed: 3	Sold Date	SqFt: 588	List Price: \$299,000	Bed: 1	Sold Date	SqFt: 1,607	List Price: \$775,000	Bed: 2
01/29/2004	Lot Size: 0	Sold Price: \$1,175,000	Bath: 2.5	01/29/2004	HOD: \$180	Sold Price: \$310,000	Bath: 1	01/29/2004	HOD: \$250	Sold Price: \$801,500	Bath: 2.5
SOLD	1717 SAN VICENTE BL	SANTA MONICA	90402	SOLD	2431 3RD ST #10	SANTA MONICA	90405	SOLD	912 16TH ST #3	SANTA MONICA	90403
Sold Date	SqFt: 4,884	List Price: \$7,295,000	Bed: 5	Sold Date	SqFt: 641	List Price: \$395,000	Bed: 1	Sold Date	SqFt: 1,659	List Price: \$729,000	Bed: 3
01/29/2004	Lot Size: 45,454	Sold Price: \$7,240,000	Pool Bath: 4.5	01/27/2004	HOD: \$200	Sold Price: \$352,000	Bath: 1	01/30/2004	HOD: \$335	Sold Price: \$720,000	Bath: 2.5
SOLD	2307 WASHINGTON AVE	SANTA MONICA	90403	SOLD	505 WASHINGTON AVE	SANTA MONICA	90403	SOLD	1021 HILL ST #7	SANTA MONICA	90405
Sold Date	SqFt: 2,700	List Price: \$1,595,000	Bed: 4	Sold Date	SqFt: 1,858	List Price: \$849,000	Bed: 3	Sold Date	SqFt: 1,220	List Price: \$499,000	Bed: 3
01/29/2004	Lot Size: 4,748	Sold Price: \$1,550,000	Bath: 2.5	01/29/2004	HOD: \$400	Sold Price: \$849,000	Bath: 2	01/29/2004	HOD: \$167	Sold Price: \$495,000	Bath: 2
SOLD	422 21ST PL	SANTA MONICA	90402	SOLD	1135 17TH ST #D	SANTA MONICA	90403	SOLD	1143 LINCOLN BL	SANTA MONICA	90403
Sold Date	SqFt: 1,788	List Price: \$1,595,000	Bed: 3	Sold Date	SqFt: 1,496	List Price: \$699,000	Bed: 2	Sold Date	SqFt: 10,434	List Price: \$2,695,000	#Units: 8
01/30/2004	Lot Size: 9,000	Sold Price: \$1,755,000	Bath: 2	01/30/2004	HOD: \$250	Sold Price: \$700,000	2.5	01/27/2004	Lot Size: 7,496	Sold Price: \$2,725,000	GRM: 12.77

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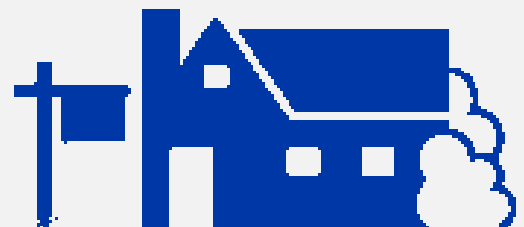


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REAL ESTATE



How jobs, growth relief act affects commercial real estate



IN YOUR SPACE

By Christina S. Porter

The House and Senate passed the "Jobs and Growth Tax Relief Reconciliation Act of 2003" in May of that year. The intent of the act is to provide incentives to stimulate investment and consumption. The act represents an acceleration of tax reductions enacted in 2001.

There are several provision made, but one of them directly relating to commercial real estate is "Title II: Growth incentives for business: Section 201: Increase and extension of bonus depreciation."

It is my understanding that the section

provides for an increase and extension of the 30 percent accelerated depreciation of all equipment and leasehold improvements as enacted in March of 2002. The 30 percent bonus depreciation has been increased to an amount equal to 50 percent of the cost of improvements that can be taken in the first year that the improvements were made, in addition to the regular straight-line depreciation (1/39th). The so-called "close out" provisions of current law remain in effect, so remaining balances may be deducted at the termination of the lease. The 50 percent bonus depreciation provision applies only to leasehold improvements that were made after May 5, 2003 and before January 2005. The 30 percent bonus depreciation applies to leasehold improvements made prior to May 6, 2003 and after Sept. 11, 2001.

When using the bonus depreciation for

leasehold improvements, the building must have been "in service" (have been leased, but not necessarily to the lessee that the property is currently leased to) for at least three years prior to taking the bonus depreciation and only the person paying for the improvements may take that depreciation. For example, an owner may not take the bonus depreciation for leasehold improvements paid for by the tenant and vice versa. There are limited circumstances where a property will remain eligible for bonus depreciation

until January 2006. The bonus depreciation does not apply to residential income or owner/user properties.

As always, the above information should be discussed carefully with your tax professional to weigh the advantages or possible disadvantages of taking such accelerated depreciation.

(Christina S. Porter is a senior associate at NAI Capital Commercial Real Estate, where she specializes in leasing and selling office and industrial buildings.)

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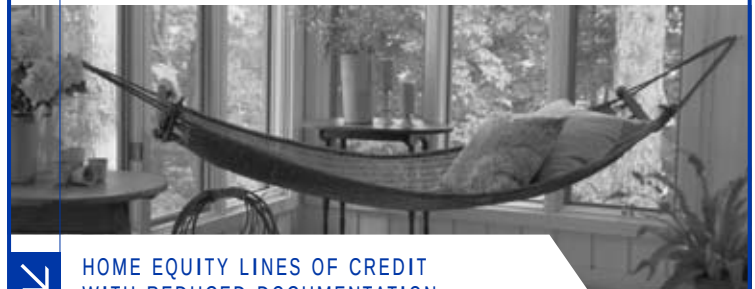
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NATIONAL

Bush budget increases wildfire prevention spending

BY MATTHEW DALY
Associated Press Writer

WASHINGTON — President Bush is calling for increased spending for wildfire prevention and salmon restoration, but would cut other spending for natural resources and environmental programs.

The president's budget would fully fund a new law aimed at preventing wildfires in national forests and increase spending for Northwest salmon restoration to \$100 million — a \$10 million increase over current levels.

But the Forest Service overall would see a 7.6 percent decrease to \$4.2 billion under the plan Bush proposed Monday for the budget year that begins Oct. 1.

Administration officials said the overall budget would boost conservation. They touted a proposed 20 percent increase — to \$507 million — for conservation partnerships with local organizations and communities, and a 3.5 percent increase — to \$725 million — for maintenance and construction in national parks.

"I think it's fair to say, since it's Groundhog Day, that this budget casts a long shadow in favor of working lands conservation and environmental protection," said Agriculture Undersecretary Mark Rey, who oversees forestry and natural resources.

Environmentalists and some Democrats disagreed. They called the budget plan inadequate and said it would underfund parks, forests and wildlife refuges, and weaken important environmental protections while making it easier to sell public lands for private profit.

"Then it adds insult to injury by using smoke and mirrors budget tricks to try to mask these cuts," said Bonnie Galvin, director of budget and appropriations programs for The Wilderness Society.

Rep. Peter DeFazio, D-Ore., said the administration's claim to spend \$760 million to fully fund the so-called healthy forests law was misleading.

"It's funny money. They are not deliv-

ering on their promise here," DeFazio said. He and other critics accused the administration of combining several unrelated Forest Service and Bureau of Land Management accounts to come up with the \$760 million figure.

"They are adding things up that are already underfunded until they get to the number 760 and say, 'We told you,'" DeFazio said.

But Sen. Gordon Smith, R-Ore., called the proposal a good start.

"I have some concerns regarding other aspects of the Forest Service budget, but the president's budget is only a starting point. I will be working with my colleagues to ensure that we have sufficient funds to carry out our priorities," Smith said.

In other areas, Bush proposed cutting \$9.8 million from endangered species recovery efforts, a 14 percent reduction that would leave the wildlife preservation fund at \$58.2 million. That is \$1.8 million less than was budgeted when Bush took office in 2001.

Interior Secretary Gale Norton said the proposed cuts are offset by major increases in grant programs meant to encourage

private property owners and state and local governments to preserve land in the name of species protection.

Bush also sought a \$303 million increase in spending for the Yucca Mountain nuclear waste dump in Nevada. The budget calls for \$880 million for the Yucca project.

"This request enables us to finalize the license application for construction of the permanent repository, as well as other activities associated with construction and with developing a transportation system to Yucca," Energy Secretary Spencer Abraham said.

The budget also proposes tapping the \$13 billion Nuclear Waste Fund, collected from customers of nuclear utilities since 1982. That would spare the Yucca project from having to compete with other projects each year.

The proposed \$2.4 trillion budget does not include any money to deepen the Columbia River channel, but supporters of the project are confident that money will be restored, noting that Congress approved \$3.5 million for the project this year although the administration requested nothing.

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Task force to study limiting southern Nevada growth

By The Associated Press

LAS VEGAS — Citing concern that development may outstrip water, air and land resources, Clark County officials called Monday for the creation of a task force that could propose limiting growth in one of the nation's fastest-growing areas.

County Commissioners Bruce Woodbury, Mark James, and Rory Reid said they were not calling for slow growth, and they did not propose a moratorium on development.

They called instead for an independent citizens' committee to hold open meetings and present recommendations to the elected commission by the end of the year.

"Whether you're pro-growth, slow-growth or if you want no growth at all, we need to decide today what we want our community to look like in 10 years or in 20 years or in 50 years," said Reid.

Woodbury dubbed the effort the Community Growth Management Initiative. He noted the successes of other citizens' task forces on regional transportation in 2000, flood control in 1996

and water infrastructure in 1998. Each resulted in voter-approved initiatives that raised taxes to deal with regional issues.

James noted that Clark County, which surrounds Las Vegas, has been among the fastest growing metropolitan areas in the United States since 1986. The county population reached 1.6 million last July, according to the Nevada state demographer's office, and is expected to top 2 million within a decade. The region had about 770,000 residents in 1990.

James called recent efforts to limit regional water use during the ongoing Western drought "a wake-up call for the community that we have limited resources."

Reid pointed to the rising price of housing from 2000 and 2002, when median household incomes in the region rose 2 percent, from \$45,000 to \$46,000. Rents increased 8 percent over the same period, he said, while new home prices went up 13 percent and the cost of resale homes rose 21 percent.

"Until relatively recently we've had affordable housing," Reid said. "We want to keep it that way."



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N. Korea expected to back off on nukes

By The Associated Press

SEOUL, South Korea — North Korea said Tuesday that it has agreed to six-nation talks on its atomic weapons programs starting Feb. 25, prompting expectations that the countries will discuss Pyongyang's offer for a nuclear freeze.

The announcement was a breakthrough after months of trying to resume negotiations among the United States, China, Russia, Japan and the two Koreas. An earlier round, aimed at persuading North Korea to abandon its nuclear programs, ended in August without much progress.

China later confirmed it would host the talks, with Foreign Ministry spokeswoman Zhang Qiyue saying all sides decided that conditions are right and that all should "exert sincerity and flexibility."

Washington and Pyongyang had disagreed on ground rules for resuming six-nation talks.

North Korea had insisted it needs a nuclear "deterrent" against a possible U.S. attack. But it has said it would suspend its nuclear programs as a first step in talks if Washington lifts sanctions against the North, resumes oil shipments, and removes North Korea from its list of countries that sponsor terrorism.

The United States has said North Korea must first verifiably begin dismantling its nuclear programs before receiving any concessions.

A handshake sealed Kurds' fate

By The Associated Press

IRBIL, Iraq — A video camera captured images of a man shaking hands with a Kurdish official seconds before blowing himself up in one of the two suicide bombings during Muslim holiday celebrations that

killed 67 people. Kurds blamed Ansar al-Islam, a militant group allegedly linked to al-Qaida, for the attacks.

The video shows the suicide bomber mingling with hundreds of well-wishers greeting officials of the Patriotic Union of Kurdistan, or PUK, on Sunday, the first day of the Muslim holiday Eid al-Adha. A second attacker slipped into a gathering of the Kurdish Democratic Party across town.

On Monday, the two main Kurdish parties — both U.S. allies but often at odds with each other — held a joint memorial attended by thousands of mourners at the largest mosque in Irbil, the heartland of the Kurdish self-rule region.

No group claimed responsibility for the attacks, the bloodiest in Iraq in six months. But Kurdish and U.S. officials blamed Muslim extremists — particularly Ansar al-Islam, an armed group that operates in the Kurdish enclave and is believed allied with Osama bin Laden's al-Qaida.

O'Donnell turns courtroom into soapbox

By The Associated Press

NEW YORK — Rosie O'Donnell briefly turned a federal courtroom into a pro-Martha Stewart press conference — and even jokingly tried to bribe a prosecutor with M&M's to drop the case against the lifestyle maven.

O'Donnell sat in the front row Monday for the third day of testimony at Stewart's obstruction-of-justice trial, holding forth during breaks on her opinion of the charges.

"I think it's a tragedy and a travesty what the federal government has done," she said, praising Stewart for being a successful businesswoman and accusing the government of going after her for celebrity value.

After the jury was excused for the day, O'Donnell approached the prosecutor and coyly offered him a bag

of peanut M&M's as a bribe to drop the case.

"The rest of your life, you're going to be known as the guy who tried to take down Martha Stewart," O'Donnell said she told prosecutor Michael Schachter. "You should have passed on this gig."

Schachter grinned and politely declined the candy. "Thanks for coming," he said.

O'Donnell, a former popular daytime TV host, knows something about courtrooms herself: She is fighting a lengthy breach-of-contract battle against Gruner + Jahr, the publisher of her defunct magazine, called Rosie.

Dems wary of Bush inquiry

By The Associated Press

WASHINGTON — Democrats say they're worried an inquiry into intelligence failures planned by President Bush won't be truly independent. Some Republicans worry the inquiry — at least the fifth now underway — will distract the CIA from key tasks.

With discontent growing on both sides, the White House was leaning toward announcing the commission and its members Wednesday when Bush is expected to give a speech on terrorism at Library of Congress, a senior administration official said, speaking on the condition of anonymity.

Bush said Monday he wants an independent panel to uncover "all the facts" on prewar intelligence in Iraq and also "look at our war against proliferation and weapons of mass destruction" in a broader context.

In one week, Bush has gone from dismissing the need for a review to discussing what form such a panel should take.

A GOP Senate aide said the White House is moving toward taking an "unapologetic" look at U.S. intelligence, focusing on the best structure for the intelligence community, rather than on just the flawed Iraq intelligence. Although no timetable is set, the review would most likely be completed well after the November election — in 2005.

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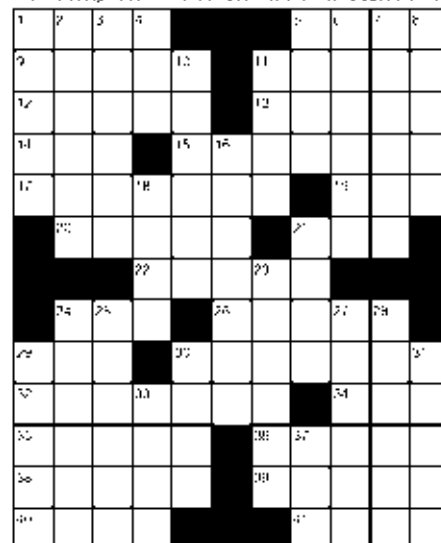


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PEOPLE IN THE NEWS

Bill Cosby gets serious, schools kids on being black

By The Associated Press

■ **NEW YORK** — Bill Cosby got serious with 500 ninth-graders at a talk Monday commemorating the Supreme Court's landmark *Brown v. Board of Education* ruling.

"Take that education," Cosby told the teens. "Don't tell me it's boring. You're going to be boring in about 10 years, and you may be boring while you're sitting in a cell, because you decided to do something that breaks the law. Why? Because you couldn't get a job. Why? Because you didn't want to give yourself a chance. Why? Because you don't like yourself."

The 66-year-old comedian spoke at Riverside Church at an event hosted by Columbia University's Teachers College, where his son, Ennis, had been a doctoral student. Ennis Cosby was fatally shot in 1997.

The talk was one of hundreds of events around the country celebrating the 50th anniversary of the 1954 desegregation ruling, which is the official theme for February's Black History Month.

■ **RIVERHEAD, N.Y.** — Songwriter Hugh Prestwood was indicted on a felony weapon charge following his arrest last month at Long Island MacArthur Airport for allegedly carrying a loaded handgun in his carry-on luggage.

Prestwood, 61, a staff songwriter for BMG Music who lives in Greenport, pleaded innocent Monday to a charge of criminal possession of a weapon in a brief appearance before Suffolk County Court Judge Gary Weber.

He was on his way to Nashville, Tenn., on Jan. 10 when an X-ray screener spotted a Smith & Wesson .38-caliber revolver and two medicines for which he didn't have prescriptions, police alleged.

A grand jury indicted Prestwood on the weapon

charge, but dropped the drug charge after valid prescriptions were presented, said Robert Clifford, a spokesman for District Attorney Thomas Spota.

Prestwood is free on \$50,000 bail. His next court appearance was scheduled for March 24.

He has written hits for country singers including Randy Travis and Crystal Gayle.

■ **LAS VEGAS** — Celine Dion ended her Friday show early and canceled weekend performances after suffering an upper respiratory infection, her publicist said Monday.

Kim Jakwerth said Dion will return to the stage Wednesday to perform her show, "A New Day," at Caesars Palace hotel-casino.

The show, slated to run until 2006, is dark on Mondays and Tuesdays.

■ **MIDDLETOWN, Conn.** — Goodspeed Opera House officials said they will negotiate with the city about the possibility of building a new \$45 million theater.

The famed Victorian building has long been a fixture in the town of East Haddam, where it produced Tony Award-winning shows and launched some shows to national fame.

The board voted Saturday night to listen to Middletown's offer, which includes \$5 million in grants, a free site and ample parking.

"Yes, we will negotiate with them seriously, but we have not decided the theater will be built in Middletown," said Dan McMahon, Goodspeed spokesman.

Theater officials have said they need a larger stage so they wouldn't have to rework shows for the road, and to accommodate the stunts used in modern spectacle-driven shows.

If the theater did build its new facility in Middletown, the East Haddam theater would remain open, but on a limited schedule.

Middletown Mayor Dominique Thornton said the city remains "fully committed" to its proposal.

"I think the board members will find that if the board members are to accomplish their dream, they will build it in Middletown," she said.

East Haddam First Selectman Brad Parker said he was happy that Goodspeed hadn't closed the door on expanding at home.

■ **HOUSTON** — Entertainers converged on Houston a day before the Super Bowl to talk with young people about the importance of political involvement and self-improvement.

Voting is "the most powerful thing a person can do," said singer Beyonce Knowles, who hosted the Hip-Hop Summit in her hometown.

Erykah Badu, another artist back in her home state, said politics isn't just about political parties and elections.

"The way we wear our hair is a political statement," she said. "The way we dress, that is a political statement. Everything you do that does not conform to the system that is trying to program you, is a political statement."

"You can become whatever you want to become. It is all up to you."

It just takes work, said rapper-actor Ice Cube.

"We are just like you," he said. "We come from the same environment you come from. Every thing we got, we worked hard for and that's all it takes."

Badu, Ice Cube, Master P, actor Boris Kodjoe and hip-hop mogul Russell Simmons answered questions and encouraged thousands of people who got into the summit for the price of registering to vote. Also participating was Rev. Run, formerly Run of Run DMC.

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