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TUESDAY, MARCH 11, 2014
Volume 13 Issue 98

Santa Monica Daily Press

We have you covered

LEAVING CARS BEHIND?
SEE PAGE 3

THE MAN DOWN ISSUE



Photos by Daniel Archuleta *daniela@smdp.com*

EXHALE: Brittany O'Boyle, an employee at FIX Vapor on Main Street, enjoys a mid-day vapor session on Monday.

Regulating e-cigs



NEW WAY TO PUFF: FIX Vapor on Main Street offers a place for vapor enthusiasts to stock up on supplies. There's also a lounge.

Is Santa Monica next to rein in the new technology?

BY KEVIN HERRERA
Editor-in-Chief

MAIN STREET Jeffrey Freeman was addicted to tobacco — until he found electronic cigarettes.

The battery-powered vaporizers, which deliver a form of nicotine and can mimic the feel of traditional cigarettes, are being marketed as a healthier, less difficult way to kick the tobacco habit. It's one of the reasons why sales of e-cigs have soared from about $500

SEE VAPOR PAGE 8

Residents sue City Hall over development

BY KEVIN HERRERA
Editor-in-Chief

DOWNTOWN Residents concerned about development and its impact on traffic have filed a lawsuit against City Hall to block the building of over 760,000 square feet of new office space, housing and retail on the east end of Santa Monica.

The lawsuit, filed Monday by the Santa Monica Coalition for a Livable City, claims city officials, including members of the City Council, shirked their responsibility to protect the public and the environment by approving the Bergamot Transit Village by Texas-based developer Hines because the project does not provide enough housing.

Residents also say studies of the project's environmental impact were insufficient and did not provide the council with valid alternatives, such as a development that included a better balance of housing and commercial as well as more open space between build-

SEE SUIT PAGE 9

More choices, more rides bring transit renaissance

JUSTIN PRITCHARD
Associated Press

LOS ANGELES With more trains and buses to take, and the appeal of using travel time for pursuits other than dodging traffic, Americans are taking greater advantage of a renaissance in public transit, according to a report released Monday.

The number of rides taken on public buses, trains and subways has fully recovered from a dip during the Great Recession. And with services restored following economy-driven cutbacks, ridership appears set to

SEE TRANSIT PAGE 7

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What's Up Westside

OUT AND ABOUT IN SANTA MONICA

Tuesday, March 11, 2014

Get smart about apps
Main Library
601 Santa Monica Blvd., 6 p.m.
Learn how to get and use apps for the library catalog, eMedia, databases and more. Visitors are welcome to bring their smartphone or tablet. Intermediate level. Seating is first come, first serve. For more information, visit the reference desk or call (310) 434-2608.

Laughs for a cause
M.i. Westside Comedy Theater
1323-A Third Street Promenade, 8 p.m.
Some of L.A.'s top comics from Conan, Jimmy Fallon and Comedy Central come out to raise money for New Roads School. New Roads is a fully-accredited independent K-12 school founded as a model for education in a culturally and economically diverse community. Tickets are $20 and net proceeds benefit the school. For more information, call (310) 451-0850.

Help your business
Santa Monica College Business Center
3171 Bundy Dr., Los Angeles, 6:30 p.m.
The U.S. Postal Service is helping small businesses grow. Local retail stores and neighborhood businesses can find out how by attending this free event. For more information, call (323) 586-1473.

Different kind of circus
Santa Monica Pier
Times vary
Cirque du Soleil returns to Santa Monica. This time around, the world famous troupe presents "Totem," an artistic look at mankind's evolution. For more information, visit cirquedusoleil.com.

Wednesday, March 12, 2014

Mid-week music
First United Methodist Church of Santa Monica
1008 11th St., 12:10 p.m.
Take a break from your day and enjoy free concerts on the second Wednesday of each month from January through May. A reception with light refreshments will follow. Free parking available across the street in an underground garage. For more information, call (310) 393-8258.

Spreadsheets 101
Main Library
601 Santa Monica Blvd., 4 p.m.
This introductory class will cover how to format cells and manipulate data to create simple spreadsheets. Seating is first come, first serve. Intermediate level. For more information, visit the reference desk or call (310) 434-2608.

The facts about gluten
Santa Monica Bay Woman's Club
1210 Second St., 7 p.m.
Nancee Jaffe, RD, UCLA clinical dietitian, will sort through the myriad of information on the Internet, in magazines and on the TV to understand what gluten really is, who should consider going gluten free and how to get gluten free the healthy way. For more information, call (800) 516-5323.

Thursday, March 13, 2014

Stamp of approval
Santa Monica Museum of Art
2525 Michigan Ave., 6 p.m.
Make your own set of notecards using inventive stamps made from vegetables and recycled paper provided by Good Eggs LA. Cost: $5. For more information, call (310) 586-6488.

An evening with a dancer
William Turner Gallery
2525 Michigan Ave. E1, 7:30 p.m.
Misty Copeland, lead ballerina at the American Ballet Theatre, tells her story of her late entry at the age of 13 into the world of dance and her days growing up in San Pedro, Calif. For more information, call (310) 453-0909.

For help submitting an event, contact Daniel Archuleta at **310-458-7737** or submit to editor@smdp.com

COMMUNITY BRIEFS

CITYWIDE

Survey: More people walking, biking and riding public transit

A recent survey reveals that more Californians are moving to alternative modes of transportation, doubling figures from 2000.

The California Household Travel Survey, which was conducted by a number of state and regional agencies including Caltrans, found that nearly 23 percent of trips were taken by walking, biking and public transportation. In 2000, that number was just 11 percent

"Based on this research, we can make good decisions about transportation that will improve mobility, air quality, and travel choices for all Californians and make our state a better place to live and work," said Caltrans Director Malcolm Dougherty.

The 2012 study provides a snapshot of the travel behavior of approximately 109,000 persons from more than 42,000 households in 58 California counties. This included parents driving to work or kids biking to school.

Participants received diaries and recorded where and when they traveled and how they got to and from their destinations on one random day. The average number of trips for a household was 9.2, while the average number of trips per person was 3.6.

Last year, legislation was approved creating California's $129 million Active Transportation Program, which distributes funding for human-powered transportation projects and programs to increase the proportion of trips accomplished by biking and walking.

Caltrans and transportation planning agencies will use the CHTS data to forecast future travel demands and greenhouse gas emissions and look for ways to improve transportation to meet the needs of the state's residents.

The survey has been conducted roughly every 10 years since 1991. The most recent review began in January 2012 and ended in February 2013.

– DANIEL ARCHULETA

CITY HALL

Referendum backers collect 10K signatures, plan rally

Local activists opposed to a City Council-approved development planned for Olympic Boulevard announced Monday that they have collected 10,000-plus signatures to potentially force a special election that could nix the project.

Residocracy, the resident-led group spearheading the petition drive, is planning a rally at City Hall today to present the tally.

The rally is scheduled for 11 a.m.

The project, proposed by Texas-based developer Hines, includes 760,000-plus square feet of retail, housing and office space.

Critics say that it would add too much traffic to an already congested part of Santa Monica.

– DA

CITYWIDE

Big into reading

The Big Read, a community reading program organized by the Santa Monica Public Library, will feature "Into the Beautiful North" by Luis Alberto Urrea.

This contemporary novel features 19-year-old Nayeli who lives in a small Mexican town nearly devoid of men, including Nayeli's father, after most have gone to the U.S. to seek work. After being inspired by the classic film, "The Magnificent Seven," Nayeli and her three closest friends travel north into the U.S. to bring back men to protect their town from encroaching drug dealers.

This is the 12th year the library has selected a community-wide book.

There will be a series of workshops and discussions in the following months, which begins with a kick-off celebration on March 29 at the Main Library.

For more information and a full schedule of events, visit smpl.org.

– DA



Daniel Archuleta *daniela@smdp.com*

REAL PEOPLE POWER: A bike rider pedals up the California Incline.

New Los Angeles Register newspaper to launch April 16

THE ASSOCIATED PRESS

LOS ANGELES Freedom Communications Inc. said Monday that it has set April 16 as the launch date for its latest newspaper venture, the Los Angeles Register.

The new publication is part of an ambitious expansion driven by Aaron Kushner and Eric Spitz, who bought Freedom in 2012. The pair bulked up on newsroom staff at the Orange County Register, launched a new daily newspaper in Long Beach in August and bought the Press-Enterprise in Riverside in October.

It'll be the first incursion for the newspaper company into the heart of the metropolis long dominated by the 132-year-old Los Angeles Times. So far, Freedom has been focused on the suburbs.

Freedom said Monday that the "community building" newspaper will cost $1.50 on weekdays and $2 on Saturday and Sunday and be distributed at 7,500 locations around Los Angeles County. That's roughly the same price as the Times, which costs $1.50 Monday through Saturday and $2 on Sunday.

People who sign up for a daily subscription, which Freedom said will cost less than $1 per day, will be enrolled in Register Connect, a benefits program that includes free tickets to baseball and soccer games on a first-come, first-served basis.

Long Beach Register subscribers will also get free copies of the Los Angeles Register, the company said.

Freedom also said it will launch more than a dozen monthly newspapers serving specific towns along the coast and as far east as Pomona, about 30 miles from Los Angeles. It said details on the monthlies will be available in the coming weeks.

The Los Angeles Register will aim to cover daily local news, business, politics, education and other topics, along with sports at the high school, college and professional level.

It plans to serve as a government watchdog and provider of inspiring features, as well as a forum for opinions on local issues. Columnists "will clearly support the protection of individual liberties and freedoms," it said.

The company is making a big bet on print even as print ad sales and circulation drop industry-wide. Kushner has said the printed product still accounts for 90 percent of a typical newspaper company's revenue but has been neglected as publishers chase after the elusive dollars that accompany online distribution.



Jane Whitcomb Whiting

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In honor of Women's History Month and in collaboration with the City of Santa Monica's Commission on the Status of Women, the Santa Monica History Museum is celebrating Santa Monica Women of World War II with our Discover the History program. Immeasurable Contributions will include a slide show of historical photographs, a corresponding short talk and focus exhibit.

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LETTERS TO THE EDITOR

Send comments to editor@smdp.com

Translations, part 2

Editor:

In response to Paul Bergman's letter of March 7, detailing translations ("In case you missed it," Letters to the Editor).

We need more hotels designed by world-class architects, more visitors, vibrancy, and tax dollars. (Translation: Who cares about the residents who pay taxes; people under 30, people that live in L.A., and tourist are more important than quality of life for residents.)

People that don't want the airport, want a park, because their property values will go up. (Translation: They shouldn't complain because they have to breathe kerosene from jets.)

We support reasonable, attractively designed residential buildings. (Translation: We work for developers.)

People should not drive cars. (Translation: Bikes only. Take three kids to school on a bike, do weekly grocery shopping for four on a bike, take a bus everywhere.)

The people that live here are selfish because they already live here and don't want others to live here. (Translation: Invite another 50,000 people to live here because we want to be nice guys.)

People that drive cars are jealous because they get somewhere faster. (Translation: If you drive a bike but don't stop at stop signs or give hand signals you can really be fast.)

Larry Arreola
Santa Monica

Stacked deck against SMO

Editor:

Kudos to Bill Bauer who exposes the malicious way the City Council's puppet, the (anti-) Airport Commission, is actively working against the airport businesses and against the people of Santa Monica ("Anti-airport commission fumbles," My Write, March 10). There are over 90,000 people in Santa Monica and only a few hundred against the airport.

Perhaps the council and the Airport Commission have forgotten that two consultants (The RAND Corporation and HR&A Advisors), who were both hired by the city, have shown that the airport contributes $275 million a year to the local economy. The airport supports almost 1,500 jobs at 177 companies that cover 42 industry sectors. The airport is one of the top 10 employers in the city of Santa Monica. Both consultants agreed that there was further scope for expanding the airport's annual contribution above $275 million per year if only the city would get behind the airport. In response to those recommendations what does the City Council do? They appoint airport-haters to the Airport Commission who actively work against the airport! Only in Santa Monica!

Vote out the council and disband the Airport Commission.

Reynold Dacon
Santa Monica





What's the Point?

David Pisarra — Send comments to editor@smdp.com

Diamonds in our backyard

THIS WEEKEND, I TOOK A ROAD TRIP to Henderson, Nev. where I was interviewed by Joe Theismann, the Super Bowl champ, about my role as an advocate for father's rights. I love road trips, they give me a chance to spend several hours listening to motivational speakers and spiritual guides who make their way into my professional speaking presentations.

On this trip I listened to about three hours of Zig Ziglar, who was a major driving force in the mass publication of the personal development field. He was a very good Christian and a much sought after sales trainer. His down home humor, combined with an encyclopedic knowledge of human motivators made him a leader in the world of public speakers.

He was one of those guys who labored for years, decades really, to become an overnight sensation. He trudged a rough road for a long time, but he believed in himself and when he couldn't keep going, his wife believed for him.

It's not easy to change careers, and to get known for something. It's not easy to continue plugging away at what sometimes seems like a fruitless task, but time and time again, the parables I hear, the stories I read, and the lessons I've learned are that when we persevere longer than we think we can, we will have breakthroughs, and doors and paths will open up for us in unforeseen ways.

I've seen it happen for others so I know that there is a great truth in this.

Every good business book will tell you there's loads of room at the top, that there is no traffic jam on the extra mile, and I've had two experiences in the last month that truly validate that for me.

The first is, with the launching of my Men's Family Law Podcast, I knew I wanted to have guests. I've known for years that one of the best ways to get positive exposure for yourself is to share the benefits of what others do and you will gain from the reflected light. With that in mind, I crafted an e-mail to a select group of lawyers that I know and have a relationship with and offered to showcase them on my podcast and that we'd find a way to relate their various specialties to the needs of the men who are listening to me. I figured I could easily do a show for a tax attorney, a real estate guy, a probate person I know, a personal injury specialist, maybe do an immigration episode, you get the idea.

Out of 35 lawyers that I offered to showcase and make them look good, how many do you think took me up on a free offer?

Zero. Zip. Nada. Bupkis.

I was shocked frankly. I figured I'd get a few of them. Honestly, free publicity that is guaranteed to make me look good is a sure way to get me to show up. Maybe even better than good linguine alfredo or BBQ.

But since that didn't work, I thought well I'll try a wider audience. I sent out an e-mail that said "FREE PUBLICITY. All I need is a 20 minute timeslot for a conference call and we'll chat about how your Santa Monica business would benefit men who are going through, or went through a divorce."

My e-mail went out to 275 business owners in Santa Monica. I cleaned the list so I knew that it was good. I thought for sure I'd get a decent response, so I limited it to only five slots to make people grab a slot.

The e-mail went out on Tuesday morning, and by that afternoon I had one response.

I've still not received any more responses.

Only John Cassese the Dance Doctor was proactive enough to reply to my e-mail and say "Yes, I want to do this." So we scheduled a conference call and were able to knock out a fantastic conversation about why a man who is post divorce should start taking dance lessons with John. We discussed the social opportunities of meeting lots of new people who are trim and active. We chatted about the exercise benefits of dancing and how it keeps your heart rate up and works major muscle groups. He pointed out to me that for men looking to meet women, if they've been out of the dating pool for a long time, the group dance classes make getting back in the swing of things easy.

There's many a parable about a man who sells his land and home to go in search of riches in a foreign land. Temple University uses the Russell Conwell speech "Acres of Diamonds" on its website. The basic premise of all these myths, legends and parables is that we have the resources in our own backyard, but we fail to see them.

I have to believe it is true since I offered to help 300 people with free publicity, and only one could see the benefit.

It makes me wonder what diamonds I am missing in my own backyard. What are the riches in your backyard that you are overlooking?

DAVID PISARRA is a Los Angeles divorce and child custody lawyer specializing in father's and men's rights with the Santa Monica firm of Pisarra & Grist. He welcomes your questions and comments. He can be reached at dpisarra@pisarra.com or (310) 664-9969. You can follow him on Twitter @davidpisarra.





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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 editor@smdp.com. All letters must include the author's name and telephone number for purposes of verification. All letters and guest editorials are subject to editing for space and content.

California senator pushes utility security legislation

PAUL ELIAS
Associated Press

SAN FRANCISCO Sniper sabotage of a Pacific Gas & Electric Co. substation last year prompted a California lawmaker to introduce legislation on Monday that would require state utilities to beef up security.

State Sen. Jerry Hill, D-San Mateo, announced the proposed legislation at a press conference in San Francisco.

Hill said the April shooting attack at a substation near San Jose, Calif., exposed serious security holes. The sniper bullets knocked out 17 transformers powering parts of Silicon Valley and caused $15 million in damage.

Officials rerouted power to avoid a blackout, but it took PG&E workers nearly a month to repair the damage. No arrests have been made.

Former Federal Energy Regulatory Commission Chairman Jon Wellinghoff said the attack on the grid was an act of terrorism. The incident is under investigation by the FBI, which says it has found no indication of terrorism.

Rules for protecting physical sites such as transformers and substations are voluntary, though FERC is working on instituting mandatory compliance policies.

Hill's bill would require utilities to assess security risks and make needed improvements. The bill would also require utilities to better coordinate responses to security breaches with law enforcement.

Hill said the security measures are needed to prevent terrorist attacks on the state's and nation's electrical grid system.

A padlocked gate prevented law enforcement officials from getting into the PG&E facility attacked by snipers, and authorities left when they were unable to see the damage or anything amiss. PG&E officials responding to alarms discovered the damaged transformers about 90 minutes later. By then, nearly 55,000 gallons of oil had leaked from the transformers.

"We can't count on PG&E to do the right thing," Hill said. "We need to put in place things that prevent that from happening again."

Attorney general promotes bills to reduce truancy

DON THOMPSON
Associated Press

SACRAMENTO, Calif. School districts and the state would be required to do a better job of tracking students who miss class under proposed legislation announced Monday that is designed to lower California's dropout rate.

The package of bills would write into law recommendations from a report released by Attorney General Kamala Harris in September.

The report, entitled "In School and On Track," says 30 percent of the state's elementary school students miss enough school each year to harm their academic performance. The report says about one million students were considered truant in the 2012-13 school year, costing their school districts a combined $1.4 billion in funding the state distributes based on students' attendance.

The law defines truancy as being absent or arriving more than 30 minutes late without a valid excuse three times in a school year. Students who miss 10 percent of the school year without good reason are considered to be chronically truant, which experts say increases their risk of failing.

"It's very predictable that the elementary school truant will end up being a high school dropout," Harris said.

The legislation Harris is seeking would require schools to increase their reporting of truant students, which she said would help officials find ways to get them back in school.

"If we don't know what the problem is or where the problem is, we can't solve it," said Assemblywoman Joan Buchanan, D-Alamo, who is carrying one of the bills.

Of the million students considered truant during the last school year, Harris' report projected that 250,000 elementary school students missed 18 or more school days, or 10 percent of the school year. It found that 20,000 elementary school students missed at least 36 days of school.

Harris previously backed a bill passed in 2010 that lets prosecutors charge parents with misdemeanors, bringing up to a year in jail and $2,000 fine, if their children miss too much school.

The Q Line

To sign or not to sign

A movement to force a special election to overturn the City Council approval of the Bergamot Transit Village is winding down following a drive to gather signatures from 10 percent of registered Santa Monica voters. The results are not in yet, but this week marks the deadline.

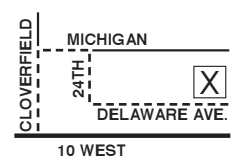
So, this week's Q-Line question asks:
Where do you stand on the referendum? Are activists right in objecting to the project or are they barking up the wrong tree?

Contact **qline@smdp.com** before **Friday at 5 p.m.** and we'll print your answers in the weekend edition of the Daily Press. You can also call **310-573-8354**.



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Black Twitter flexing its muscles on and offline

JESSE J. HOLLAND
Associated Press

WASHINGTON Michael Dunn's conviction of attempted murder — but not actual murder — in the shooting death of black teenager Jordan Davis prompted the creation of hashtag #dangerousblackkids on Twitter. Users posted photos of black babies and toddlers, spoofing the fear that Dunn testified he felt before opening fire on a car full of teens at a convenience store.

That was the calling card of Black Twitter, a small corner of the social media giant where an unabashedly black spin on life gets served up 140 characters at a time.

Black Twitter holds court on pretty much everything from President Barack Obama to the latest TV reality show antics. But Black Twitter can also turn activist quickly. When it does, things happen — like the cancellation of a book deal for a juror in the George Zimmerman trial, or the demise of Zimmerman's subsequent attempt to star at celebrity boxing.

Catchy hashtags give clues that the tweeting in question is a Black Twitter thing.

"It's kind of like the black table in the lunchroom, sort of, where people with like interests and experiences, and ways of talking and communication, lump together and talk among themselves," said Tracy Clayton, a blogger and editor at Buzzfeed known on Twitter as @brokeymcpoverty.

"Black Twitter brings the fullness of black humanity into the social network and that is why it has become so fascinating," said Kimberly C. Ellis, who has a doctorate in American and Africana Studies, tweets as @drgoddess and is studying Black Twitter for her upcoming book, "The Bombastic Brilliance of Black Twitter."

According to a Pew Research Center report, despite fewer blacks being on the Internet than whites — 80 percent and 87 percent, respectively — more blacks uses Twitter: 22 percent of those blacks who were online used Twitter in 2013, compared with 16 percent of online whites.

Meredith Clark, a doctoral candidate at the University of North Carolina at Chapel Hill who is writing her dissertation on Black Twitter, likened it to "Freedom's Journal," the first African-American newspaper in the United States. On that publication's first front page in 1827, it declared: "We wish to plead our own cause. Too long have others spoken for us."

"If you are from a particularly marginalized community or one where others have spoken for you, but you have not had the agency to really speak for yourself or make your truth known, then it is absolutely necessary that in any instance you can take on that agency that you do so," said Clark, who tweets from @meredithclark. "And so that is what you see happening in Black Twitter."

Mainstream U.S. media first took serious notice of Black Twitter last year, when it abruptly rose up to scuttle a book deal for a juror in the trial of Zimmerman, who was acquitted of murder in the death of Trayvon Martin. That was the first time that blacks used Twitter "in a very powerful and political way," said Houston black social media consultant Crystal Washington.

Most recently, Black Twitter reared its head through hashtags like #stopthefight, to protest a proposed celebrity boxing match supposedly between Zimmerman and rapper DMX. The promoter quickly canceled after a flood of Twitter complaints.

Such death-by-Twitter activism could very well be the harbinger of a new civil rights strategy, Ellis said. She noted that a short amount of time elapsed between the moment Black Twitter noticed the juror's book deal and the moment it was called off. The same was true of the Zimmerman boxing match.

"Ask the NAACP how long it would have taken had that been one of their initiatives," Ellis said.

The NAACP employed the hashtag #TooMuchDoubt for its unsuccessful attempt to halt the execution of Georgia death row inmate Troy Davis, and the hashtag #OscarGrant on tweets about its activism over the police killing of Oscar Grant, whose life was later documented in the movie "Fruitvale Station."

"We realized more than anyone that we had to go in that direction and we've done it," NAACP interim President Lorraine Miller said of the NAACP's social media use during a recent appearance on C-SPAN's "Newsmakers" program.

Black Twitter arguably had its biggest field day last year with embattled celebrity cook Paula Deen, whose admission that she used racial slurs in the past inspired the #paulasbestdishes hashtag, featuring recipe titles such as "Massa-Roni and Cheese" and "We Shall Over-Crumb Cake."

Washington said Black Twitter's playful take on the Deen controversy may have been a dry run to the Zimmerman juror takedown.

"I'm not sure that Twitter users, especially African-Americans, would have zeroed in on the juror's book deal had it not been for the aftermath of #paulasbestdishes just weeks before," Washington said.

Black Twitter is not only political commentary.

"Can't really explain #BlackTwitter other than 2 say, it's one big barbershop/beautysalon with a mix of church & the black table at HS lunch," tweeted blogger and actress Reagan Gomez.

What's next for Black Twitter? No one is sure, although Clayton argues that it's not likely to vanish as soon as mainstream America finds something else to obsess over.

"I don't think we can know what's next for Black Twitter any more than we can know what's next for black people," Clayton said. "We'll just go with it, roll with it and see what the trends of the day are. It's a crazy ride and we're all on it together."



TRANSIT
FROM PAGE 1

resume what had been a steady increase.

In 2013, the number of trips stood at nearly 10.7 billion nationally, the highest since 1956, according to data compiled by the American Public Transportation Association.

Of course, the nation's population has been expanding, so there are more people to ride the rails and buses. The association's numbers don't mean that the average U.S. resident is taking public transit more often than in the 1950s, when investments in highways and a growth in car ownership began enticing Americans to move away from cities and heralded a decline in mass transit.

But even accounting for population growth, the transportation association argues, a wider segment of Americans are using mass transit, which now offers them more choices.

Since 1995, transit ridership is up 37 percent. During that time, the U.S. population has increased about 20 percent, and vehicle miles traveled are up about 23 percent.

"People are making a fundamental shift to having options" aside from a car in how they get around, said Michael Melaniphy, president and CEO of the public transportation association. "This is a long-term trend. This isn't just a blip."

Transit advocates argue that the public increasingly values the ability to get around without a car. As evidence, they cite a widespread return to urban centers and the movement to concentrate new development around transit hubs.

"People want to work and live along transit lines," Melaniphy said. "Businesses, universities and housing are all moving along those corridors."

The increased ridership is not universal. Transit agencies in Tennessee, Kentucky, Portland, Ore., Milwaukee and Boston, for example, reported falling ridership rates. And voters in cities such as Atlanta have rejected taxes for transit improvements.

Even with the ridership rebound, public transit accounts for a small fraction of all trips taken nationally — about 2 or 3 percent, according to Michael Manville, a professor of city and regional planning at Cornell University.

He questions whether the nation is ditching its cars in favor of public transit.

"For most public-policy purposes, our concern is not with more transit use but less driving," Manville said. "If we are concerned about pollution and carbon emissions and traffic accidents and congestion, then transit is only beneficial to the extent people drive less because of it."

Federal data suggest that Americans (and Europeans) are driving less. That doesn't necessarily mean they are taking the bus or train more, said professor Marlon Boarnet of the University of Southern California.

"Is it a change in attitudes? Possibly so," said Boarnet, who recently published a study suggesting that residents near one of the city's new light rail lines drove less. "People may in fact be more open to taking other modes."

Or they could be walking or biking — or deciding not to travel.

The transportation association partly credited an expansion of bus and train networks for the growth in ridership.

Ridership on Los Angeles County Metropolitan Transportation Authority light-rail trains increased 6 percent over 2012, as the public took advantage of an expanded network of lines. Overall, LA Metro gained 9 million trips to reach 478 million in 2013, the transportation association said.

Standing on a platform at Union Station near downtown, Kaylen Gordon said she has seen trains get more crowded since she started her commute to school across Los Angeles four years ago.

"Now they're really packed," Gordon, 18, said of the two light rail and one subway lines that take her from South Los Angeles to the city's northeast, a ride that typically takes an hour and a half.

If the high school senior had a car, she said, she wouldn't use it every day to get to class. The time she has on the train to catch up on homework, text, read or relax is a nice way to unwind.

Among the other transit systems in California with record ridership was the Caltrain commuter rail service that connects San Francisco with Silicon Valley.

Houston, which has been more notable for its sprawl than its public transportation offerings, had a large ridership gain. So did Seattle, Miami, Denver and San Diego.

The New York area's behemoth transit network saw the greatest gain, accounting for one in three trips nationally.

In Seattle, Jim Jarosz said his family got rid of their second car five years ago. As a teacher, he uses downtime on the bus or light rail to plan class lessons and check his phone.

"I found it a lot more convenient," he said. "A lot less hassle than driving and trying to find parking. Plus I like the feeling of being a little greener."





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VAPOR
FROM PAGE 1

million in 2012 to an estimated $1.5 billion in 2013. That's a fraction of the tobacco cigarette market — roughly $100 billion per year — but it reflects rapid growth, in contrast to the steady decline in traditional cigarette sales.

"Tobacco will be a thing of the past in 10 years," Freeman said confidently Monday while "vaping" in the back office of FIX Vapor, the Main Street business he opened with his friend, Patrick Salmon, in October that sells high-end vaporizers and the "juice" cartridges that contain nicotine and various flavors like vanilla, cotton candy and straight tobacco.

Freeman and Salmon were once smokers, but found it easier to quit by using e-cigs. They have carved out a nice business for themselves in this affluent community, catering to 20-somethings who love the various flavors and customization that comes with vaping, as well as longtime smokers in their 40s who have tried everything to help them quit but believe e-cigs are the answer.

But that business could go up in smoke if Santa Monica follows the lead of other cities like New York and Los Angeles that have stepped up to regulate the use of e-cigs instead of waiting for the federal government to determine if they are a health hazard or harmless. By not allowing vaping inside bars or nightclubs, e-cig users will suffer the same fate of traditional smokers. They'll have to leave their friends and the excitement. For some, that was the reason to get a vaporizer in the first place — to not be pushed out.

A tenants' rights group in Santa Monica is advocating for bans on their use. Santa Monicans for Non-Smoking Renters Rights, which helped pressure the City Council into enacting some of the most comprehensive smoking bans in the country, going so far as to outlaw cigarette use in apartments, called on the Planning Commission late last month to recommend the council consider e-cigs to be as dangerous and damaging as tobacco cigarettes.

Willow Evans, a member of that group, went so far as to ask the commission to recommend creating a special category for e-cig shops like FIX Vapor, granting them permission to open only if they were located a certain distance from schools.

"It is very clear that electronic cigarettes are not safe," Evans said.

But the truth is the health impacts are not known. Studies are being released regularly but there's no consensus. Since the technology is new, long-term effects cannot be known.

The Food and Drug Administration intends to propose a regulation that would extend the agency's "tobacco product" authorities — which currently only apply to cigarettes, cigarette tobacco, roll-your-own tobacco, and smokeless tobacco — to other categories of tobacco products that meet the statutory definition of "tobacco product."

The agency admits further research is needed to assess the potential public health benefits and risks of electronic cigarettes.

Opponents point to some studies showing that those near people vaping can be exposed to nicotine and nanoparticles released in the vapor. One study showed the vapor contained metals like tin, copper and some nickel.

Supporters tout other studies, including one released recently which said they pose no danger to users or bystanders.

"It has always been clear that e-cigarettes were much lower risk than smoking, but there was uncertainty about whether continuing to inhale a mix of chemicals posed a measurable risk," said Carl V. Phillips, scientific director for The Consumer Advocates for Smoke-free Alternatives, which promotes the availability and use of low-risk alternatives to smoking. "Even those of us who have long encouraged smokers to switch are a bit surprised that even the worst-case-scenario risks are so low. This study assures us that e-cigarettes are as low risk as other smoke-free tobacco and nicotine products, like smokeless tobacco … ."

Opponents like Evans are also concerned about the impact e-cigs have on kids and believe they will encourage them to pick up tobacco cigarettes at some point. She pointed to the various flavors available, such as Captain Crunch, named after a popular kids' cereal.

"As an adult, am I no longer allowed to like cotton candy?" Salmon said. In liquor stores adults can purchase alcohol with cherry flavoring. Why should e-cigs be regulated more harshly, Salmon asked.

FIX Vapor does not market to children and will not allow anyone into the store who is under the age of 18, a policy created by Freeman and Salmon even though there isn't a law requiring them to do so. They also have a strict no-tobacco rule.

They feel that part of the push to ban e-cigs is based on a lack of understanding of how the devices work and irritation. People may not appreciate someone vaping as they eat dinner at a restaurant. Vapor looks a lot like smoke and people still have that aversion like they do with traditional cigarettes.

"Don't be obnoxious with it," Salmon said, repeating advice he gives to customers.

"We don't vape indoors out of respect … ," Freeman added.

The pair believes the push to ban e-cigs is being funded by pharmaceutical companies who are fearful more smokers will make the switch and therefore not need treatment and medication for smoking-related illnesses, which can be expensive.

Freeman and Salmon said if City Hall were to regulate e-cigs, they would accept it, but only if officials can provide proof they are harmful to public health.

"You can't just pull the mom card; 'Because I said so,'" Freeman said.

They would also hope that their business would be allowed to remain on Main Street.

So far there are no plans to lump e-cigs in with tobacco cigarettes, city officials said, but the issue is on their radar.

In the meantime, FIX Vapor will continue recommending e-cigs to those who want to give up traditional cigarettes.

"I had a guy come in here the other day who told me that he was a two-pack-a-day smoker for 30 years," Freeman said.

After a few days of using a vaporizer, the man returned to the store and gave Freeman a hug. He had finally quit tobacco.



SUIT
FROM PAGE 1

ings.

When some council members tried to push for that option, they were advised that studying it would further delay the development process. The coalition is arguing that if more alternatives were studied, particularly those that would impact traffic less since that was the major concern of residents, the council could have taken up that option without delay and therefore would not have had to rush approval.

In the end, the project, which includes roughly 370,000 square feet of creative office space, 427 apartments, 15,500 square feet of restaurants and 13,800 square feet of retail spread across 7 acres at the corner of 26th Street and Olympic Boulevard, does not comply with established plans for the future of the east side and would create far too much traffic — 7,000 daily car trips, according to the lawsuit.

"Residents were forced to sue because the city didn't do its job," said Diana Gordon, co-chair of the coalition. "The city got steamrolled by Hines from the beginning, and ignored the public outcry from a united coalition of residents and community groups that the project … was too massive and would generate unbearable traffic in an already gridlocked area."

Gordon said City Hall should have studied more alternatives that would have fewer environmental impacts. It wasn't just residents who asked for that. The city of Los Angeles and California Department of Transportation also expressed concerns about the traffic impacts and asked city officials and Hines to study a smaller project, as well as mitigation measures.

By failing to study reasonable alternatives and not offer mitigation measures, City Hall violated the California Environmental Quality Control Act, the lawsuit states. City officials also violated portions of the Bergamot Area Plan and the Land Use and Circulation Element, a planning document that is intended to dictate how land is used throughout the city for decades.

Officials with Hines could not be reached for comment.

City Attorney Marsha Moutrie said late Monday that she had not seen the complaint, but that the lawsuit was expected.

The Bergamot Transit Village has been contentious from the start, with some residents saying it is an example of how special interests can influence local politics by funneling large amounts of campaign cash to council candidates in exchange for project approvals.

Santa Monicans are currently struggling with increased development, citing concerns about traffic congestion and the loss of ocean breezes and views of the Pacific. They are trying to find a balance that preserves the low-rise character but also makes room for future need, whether that be housing or commercial space for the next generation of families and workers. There are more than 30 projects in the pipeline that could add nearly 3 million square feet of new residential, office and retail space.



Paul Alvarez Jr. *editor@smdp.com*

SPEAKING UP: Community members rally in front of City Hall last month in opposition to the massive Bergamot Transit Village. A lawsuit announced Monday seeks to stop the project.

The area around the proposed Hines development is one of the most traffic-heavy in the city, with drivers spending up to an hour stuck in traffic as they make their way to Interstate 405 after work.

The Hines project is being challenged by residents who are prepared to file for a referendum on the Hines development agreement with the council. Signatures from registered voters are expected to be submitted to the city clerk today in support of a referendum. If enough are deemed valid, the development will be brought before the voters, who will have the option of supporting it or sending it back to the drawing board.

The coalition's lawsuit calls on the court to block Hines from developing the land and to throw out the development agreement approved by council.

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Stocks end slightly lower on China growth worries

ALEX VEIGA
AP Business Writer

Stocks drifted to a slightly lower finish Monday as investors sifted through a blend of discouraging economic data from China and Japan as well as ongoing uncertainty over Russia's incursion into Ukraine.

Major market indexes pared their losses as the day drew to a close, aided by some high-flying stocks, including Alexion Pharmaceuticals, Chiquita Brands International and Southwest Airlines.

In the absence of U.S. economic data, investors focused on news that China's exports slumped 18 percent in February. The report reinforced fears about the outlook for the world's second-largest economy.

In addition, Japan reported a record current account deficit for January and lowered its economic growth estimate for the October-December quarter to 0.7 percent from 1 percent.

The reports made for a downbeat start for the market as investors seized the moment to recalibrate their stock holdings.

"It was a little bit of an excuse to take some money off the table," said Ron Florance, deputy chief investment officer at Wells Fargo Private Bank. "We have geopolitical uncertainty, so (it's) a good excuse to re-evaluate your risk exposure. It's going to be par for the course for this year."

The Standard & Poor's 500 index edged down 0.87 of a point to close at 1,877.17. It had been down 11 points earlier.

The Dow Jones industrial average lost 34.04 points, or 0.2 percent, to 16,418.68. The Nasdaq composite fell 1.77 points, or less than 0.1 percent, to 4,334.45.

The three major U.S. indexes are still up for the month, and only the Dow is down for the year. The S&P 500 ended Monday up 1.6 percent for the year, while the Nasdaq finished up 3.8 percent.

The downbeat economic report from China hurt several industry sectors heavily reliant on Chinese economic growth, in particular, materials, energy and industrials. Six of the 10 sectors of the S&P 500 index ended lower, led by industrials. Mining company Cliffs Natural Resources was among the biggest decliners in the S&P 500, shedding 70 cents, or 3.8 percent to $17.95.

"The market is growing more pessimistic around growth in China," said David Chalupnik, head of equities for Nuveen Asset Management. "Expectations have been coming down, but the numbers have been disappointing even those reduced expectations."

Despite the disappointing data from China, some market watchers anticipate that last week's gains will continue.

The S&P 500 index notched record highs three times last week as investors grew more confident that weak U.S. economic reports in recent weeks were a reflection of unusually severe winter weather, not a broad economic slowdown. Better-than-expected payroll numbers last week also helped encourage investors.

"In general, I think the market will move past the poor China export numbers fairly quickly," said James Liu, global market strategist at J.P. Morgan Funds. "There's still a lot of fundamental support for the S&P at this particular range."

Chalupnik also anticipates Monday's decline isn't telling of the market's trajectory for the week ahead, barring more fallout from Russia's deployment of troops in Ukraine.

"My guess is the market moves ever so slightly higher this week," he said. "The trend is still up. We really haven't seen anything to break that trend."

Monday marked the fifth anniversary of the current bull market in stocks. The S&P 500 index bottomed out on March 9, 2009, and is up about 177 percent since then. The run-up over the past five years has been helped by stimulus from the Federal Reserve, record corporate profits, the economic recovery and companies repurchasing their own stock.

This is a light week for market-moving economic data and corporate earnings. But investors will be watching the latest data on retail sales, due out Thursday, and a gauge of consumer confidence due out Friday.

"Those two sets of numbers will really tell us where the consumer is and whether or not the consumer will head out and spend when the weather warms up," Liu said.

Among the stocks bucking the slight downward turn Monday was Alexion Pharmaceuticals.

The company climbed the most of any stock in the S&P 500 index, vaulting $11.95, or 7.1 percent, to $180. The company raised its 2014 earnings forecast, saying the national health agency of France will reimburse it for past sales of its drug Soliris.

Chiquita was another gainer. It agreed to combine with Dublin-based Fyffes to become the world's top banana company. The stock-for-stock transaction announced Monday creates a global banana and fresh produce company with $4.6 billion in annual revenue. Chiquita rose $1.16, or 10.7 percent, to $12.

Southwest Airlines' stock touched a 52-week high of $23.67 early in the day before ending up 50 cents, or 2.2 percent, to $23.60. The carrier got a boost after it reported that passengers are flying more miles, a trend that helped send a key revenue figure higher last month.

Senate OKs bill to combat military sexual assault

DONNA CASSATA
Associated Press

WASHINGTON The Senate overwhelmingly approved a bill late Monday making big changes in the military justice system to deal with sexual assault, including scrapping the nearly century-old practice of using a "good soldier defense" to raise doubts that a crime has been committed.

On a vote of 97-0, the Senate rallied behind a bipartisan plan crafted by three female senators — Democrat Claire McCaskill of Missouri and Republicans Kelly Ayotte of New Hampshire and Deb Fischer of Nebraska — that would impose a half-dozen changes to combat the pervasive problem of rape and sexual offenses that Pentagon leaders have likened to a cancer within the ranks.

"Unanimous agreement in the U.S. Senate is pretty rare — but rarer still is the kind of sweeping, historic change we've achieved over the past year in the military justice system," McCaskill said after the vote.

Still, that unanimous support was in sharp contrast to last week, when military leaders vigorously opposed a measure by Sen. Kirsten Gillibrand, D-N.Y., that would have stripped commanders of their authority to prosecute cases and given that power to seasoned military lawyers outside the chain of command. The Senate voted 55-45 for that farther-reaching bill, but that was five votes short of the necessary 60.

Though expressing certain reservations, the Pentagon had been generally accepting of the new bill.

The House could act on the legislation as a stand-alone measure or incorporate it into the massive defense policy bill that it pulls together in the spring.

This "is not the end of this," Ayotte said in brief remarks on the Senate floor after the vote. "We will make sure reforms that have been passed are implemented, that commanders are held accountable for a climate within their unit of zero tolerance and that victims of sexual assault are treated with dignity and respect."

The new legislation would change the military rules of evidence to prohibit the accused from using good military character as an element of his defense in court-martial proceedings unless it was directly relevant to the alleged crime. The "good soldier defense" could encompass a defendant's military record of reliability, dependability, professionalism and reputation as an individual who could be counted on in war and peacetime.

McCaskill described it as "the ridiculous notion that how well one flies a plane should have anything to do with whether they committed a crime."

The chairman of the Armed Services Committee, Sen. Carl Levin, D-Mich., said Monday that the "military culture has been slow to grasp the painful truth that even a successful professional can also be a sexual predator."

Under the bill, the defense could still be used in the sentencing phase. The Pentagon has indicated that it is crucial as commanders adjust sentences to allow for plea agreements.

The measure also would give accusers a greater say in whether their cases are litigated in the military system or civilian and would establish a confidential process to allow alleged victims to challenge their separation or discharge from the military. In addition, it would increase the accountability of commanders and extend all changes related to sexual assault cases to the service academies.

In cases where a prosecutor wanted to move ahead with a case but a commander disagreed, the civilian service secretary would be the final arbiter.

The Pentagon has reservations about that last provision, suggesting it could have a chilling effect on majors and captains if they think every decision gets kicked up to the service secretary.

Meanwhile on Monday, at Fort Bragg, N.C., Army Brig. Gen. Jeffrey A. Sinclair was on trial on sexual assault charges. In his court-martial, which began last week, the 51-year-old former deputy commander of the 82nd Airborne Division is accused of twice forcing a female captain to perform oral sex in Afghanistan in 2011 during a three-year extramarital affair. He has admitted to the affair but denied assaulting the woman.

The Senate bill now goes to the House, where Michael Steel, a spokesman for Speaker John Boehner, R-Ohio, said Monday, "The entire House is proud of the bipartisan reforms on this important issue included in last year's defense authorization bill, and we will review this legislation to determine the best way to consider additional reforms in the House."

The Pentagon has estimated that as many as 26,000 military members may have been sexually assaulted in 2012, based on an anonymous survey. Many victims are still unwilling to come forward despite new oversight and assistance programs aimed at curbing abuse, the military says.

Some changes already have been made in the Uniform Code of Military Justice. Outraged lawmakers — Democrats and Republicans — rewrote parts last year, stripping commanders of their ability to overturn military jury convictions. That law also requires a civilian review if a commander declines to prosecute a case and requires that any individual convicted of sexual assault face a dishonorable discharge or dismissal.

The law also provides alleged victims with legal counsel, eliminates the statute of limitations for courts-martial in rape and sexual assault cases and criminalizes retaliation against victims who report a sexual assault.

Missing Monday's vote were Sens. Mark Kirk, R-Ill.; Tom Harkin, D-Iowa, and John McCain, R-Ariz.

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Santa Monica Daily Press

Construction crunch slows Japan tsunami rebuilding

ELAINE KURTENBACH
AP Business Writer

TANOHATA, Japan Tens of thousands of people on Japan's northeastern coast who were left homeless in the March 2011 tsunami are shivering their way through yet another winter in cramped temporary housing, with perhaps several more to go.

Reconstruction plans are taking shape after three years of debate and red tape, but shortages of skilled workers and materials are delaying the work. In areas such as Tanohata, a fishing town of 3,800 along a scenic stretch of craggy cliffs and forests, less than a tenth of the new housing has been built. Overall, the figure is less than 8 percent completed, and less than a quarter of projects started.

As Japan's over-stretched construction industry begins gearing up to build venues and revamp aging infrastructure for the 2020 Tokyo Olympics, shortages of skilled carpenters and heavy equipment operators as well as cement and other materials, are frustrating residents and local officials.

"It's just cold, so very cold," Shio Hironai, 53, said of the hut that has served as home since the 20-meter (65-foot) wave slammed into one of the town's tiny coves. "And the roof is caving in. It has been all along."

Japan on Tuesday marks the third anniversary of the earthquake, tsunami and nuclear disasters known as 3.11 that killed 15,884 people and left 2,636 unaccounted for on its northern coast. The country has struggled to rebuild tsunami-hit towns and to clean up radiation from the nuclear crisis. It has earmarked 25 trillion yen ($250 billion) for reconstruction through to March 2016. About 50,000 people from Fukushima are still unable to return home due to concerns over radiation.

Hironai, a former fish factory worker who now helps assemble fishing lures in a workshop set up to provide jobs after the disaster, said she hopes to finally move into a new home by May. "The carpenters are just too busy. We had to find a new company to do the work."

In Tanohata and many other places in Iwate prefecture and elsewhere, groundwork is still not finished for most of the homes due to be rebuilt. Further to the south in Otsuchi, crews work until dark, rain or shine, leveling land for public housing units, a few here, a few there — wherever land can be cleared away from the most hazardous areas along the seaside.

As the 370 districts planning to resettle residents on higher ground gradually start building, competition for manpower and materials is intensifying.

The priority placed on big infrastructure such as sea walls is slowing the rebuilding of homes and communities while failing to address the region's longer term decline as younger residents leave and the population shrinks and ages, said Shun Kanda, director of the Japan 3.11 Initiative at Massachusetts Institute of Technology.

Construction has only begun at two of 10 planned sites in Otsuchi; one of eight in the nearby steel town of Kamaishi, and two of 11 in Onagawa, further down the coast.

In Rikuzentakata, which lost half of its homes in the disaster, the first 120-unit housing complex is due to open in September. Some 2,000 families still need new homes, said Takashi Kubota, the city's vice mayor.

"Many here are worried that the Olympics construction will slow work still further," Kubota said.

A flood of public works projects meant to boost the national economy is worsening delays, local officials complain.

Tokyo's successful Olympic bid is cause for rejoicing, Otsuchi mayor Yutaka Ikarigawa recently told reporters. "But I feel deeply concerned that as construction in the Kanto area (near Tokyo) shifts to preparations for the Olympics, reconstruction will suffer shortages of workers, equipment and materials."

Less than 8 percent of 6,038 public housing units that Iwate prefecture is planning are finished. Two-thirds aren't due to be ready until 2015 at the earliest.

In Fukushima, where the nuclear plant disaster forced more than 200,000 people from their homes, resettlement planning remains in limbo as authorities consider what radiation-affected areas will be safe to return to, and when.

Takumi Nemoto, minister of reconstruction, acknowledged that shortages of workers and materials are slowing reconstruction.

"Different issues and challenges are emerging one after another," Nemoto said.

Tokyo will begin Games-related construction this May, with the demolition of its National Stadium to make way for an 80,000-seat, 130 billion yen ($1.3 billion) arena that must be ready for the World Cup Rugby in 2019, a year before the games.

Apart from 10 other Olympic venues, the city needs to repair or replace 1,500 kilometers of sewage pipes and dozens of roads, bridges and tunnels, many of which were built for the Tokyo Olympics in 1964.

Meanwhile some tsunami housing projects are getting no interest from construction companies at all. That's partly because the amount budgeted for wages is below what companies need to pay to attract people into the industry. The government has subsequently mandated higher construction wages.

At the peak of Japan's construction boom 25 years ago, 7.5 million worked in the industry. In 2012, there were about 5 million, a third of them over age 55. Less than 12 percent are under age 30. There are three times as many engineering jobs available as there are workers qualified to fill them.

Japan is expanding use of foreign labor, but training workers for skilled construction work and engineering can take up to 10 years.

In Tanohata, the wait has grown too much for Takako Sato, a 62-year-old worker at Huck's House, a vocational center for the disabled that has expanded to create jobs to replace fish processing work wiped out in the disaster. She is promised a place in Huck's group home but must wait a few more weeks.

Hearing impaired, she waves her hands repeatedly to convey how her house was swept away, and holds them joined as if in prayer to express her frustrations.

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NOTICE OF A PUBLIC HEARING
BEFORE THE SANTA MONICA PLANNING COMMISSION

SUBJECT: A public hearing will be held by the Planning Commission for the following:

Conditional Use Permit 13-006, 1001 Third Street. The applicant, Palihouse Hotel, request approval of a Conditional Use Permit (13CUP-006) to allow on-site sales, dispensing, and consumption of a full line of alcoholic beverages to hotel patrons and their guests only on the premises (including room-service), with consumption within the main lobby, front outdoor garden area, and rear outdoor patio, between 6AM-2PM (Tyupe70, On Sale General, Restrictive). In addition, the applicant proposed alcohol license Type 66 to allow in-room access to alcoholic beverages for consumption within guest rooms (Type 66, Controlled Access Cabinet). Requests for alcohol are in conjunction with the existing 38 guest room hotel located at the project site. [Planner: Steve Mizokami] **APPLICANT/PROPERTY OWNER: 1001 3rd Street LLC.**

Development Agreement 13DEV010, 315 Colorado Avenue. The property owner is seeking a Development Agreement with the City to convert approximately 50,000 square feet of entitled, but vacant retail space on the third level of the Bloomingdale's Building within Santa Monica Place into a multi-screen movie theater complex with up to 13 movie theaters with a seating capacity of up to 1,500 seats. ArcLight has been identified as the operator for the cinema. Renovations would be limited to the 3rd level of the Bloomingdale's Building; the height of the existing building would be increased by approximately 28 feet from 56 feet to a maximum of 84 feet. No additional floor area is proposed. An Initial Study/Mitigated Negative Declaration has been prepared for the project pursuant to CEQA. Pursuant to Santa Monica Municipal Code (SMMC) Section 9.48.130, the Planning Commission shall hold a public hearing on the proposed development agreement and shall make its recommendation to the City Council for review. (Planner: Laura Beck) **APPLICANT/PROPERTY OWNER: Macerich Santa Monica, LLC.**

WHEN: **Wednesday, March 19, 2014 at 7:00 p.m.**

WHERE: Council Chambers, City Hall
1685 Main Street
Santa Monica, California

HOW TO COMMENT
The City of Santa Monica encourages public comment. You may comment at the Planning Commission public hearing, or by writing a letter or e-mail. Information received prior to the hearing will be given to the Planning Commission at the meeting.

MORE INFORMATION
If you want additional information about this project or wish to review the project, please contact the Project Planner (310) 458-8341. The Zoning Ordinance is available at the Planning Counter during business hours or available on the City's web site at www.smgov.net. The meeting facility is wheelchair accessible. If you have any disability-related accommodation request, please contact (310) 458-8341, or TYY Number: (310) 458-8696 at least five (5) business days prior to the meeting. Santa Monica "Big Blue" Bus Lines #1, #2, #3, Rapid 3, #7, and #9 service the City Hall and the Civic Center. Pursuant to California Government Code Section 65009(b), if this matter is subsequently challenged in Court, the challenge may be limited to only those issues raised at the Public Hearing described in this notice, or in written correspondence delivered to the City of Santa Monica at, or prior to, the Public Hearing.

ESPAÑOL: Esto es una noticia de una audiencia pública para revisar applicaciónes proponiendo desarrollo en Santa Monica. Si deseas más información, favor de llamar a Carmen Gutierrez en la División de Planificación al número (310) 458-8341.

SURF REPORT



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FACEBOOK.COM/ONEILLSANTAMONICA

Surf Forecasts

Water Temp: **61.9°**

TUESDAY – **FAIR TO GOOD** – SURF: **3-4 ft** waist to shoulder high
BIGGEST EARLY; Easing WNW swell; Minimal SSW swell;
potential Santa Anas developing through the morning

WEDNESDAY – **FAIR** – SURF: **2-3 ft** Knee to chest high
BIGGEST EARLY; Easing WNW swell; Minimal SW-SSW swells; Possible Santa Anas; Stay tuned

THURSDAY – **POOR** – SURF: **1-2 ft** knee to thigh high
Watching for a possible new long-period WNW/NW swell to build in but mostly bypass region, while the old WNW energy continues to ease; Minimal SW/SSW swells

FRIDAY – **POOR** – SURF: **1-3 ft** ankle to waist high
Possible long-period WNW/NW swell continues but mostly bypasses region

BEACH REPORT CARD

NORTH LOS ANGELES COUNTY

Grades for this report are based on monitoring data from the previous 30 days up to the ending date of **March 5, 2014**

HEAL THE BAY · 1444 9th Street, Santa Monica, CA 90401 · beachreportcard.org · brc@healthebay.org · 800 HEAL BAY

QUICK STATS (for the last 30 days)
- Number of sewage spills -- 0
- Number of beach closures due to a sewage spill -- 0
- Number of wet days -- 10
- Number of A grades for dry/wet weather -- 37 / 23
- Number of (C,D,F) grades for dry/wet weather -- 8 / 18

The Beach Report Card is made possible by: SMA Swain Barber Foundation

Heal the Bay reminds you not to swim or surf within 100 yards of any flowing storm drain or for at least 3 days after a rainstorm. After a rain, indicator bacteria counts at beaches throughout California usually far exceed health criteria in the state's Beach Closure and Health Warning Protocol.

LOCATION	DRY	WET
Leo Carrillo Beach, at Arroyo Sequit Creek mouth.	A+	A+
Nicholas Beach at San Nicholas Canyon Creek mouth.	A+	A+
El Pescador State Beach, between Lechusa and Las Alisa creeks.		
Encinal Canyon at El Matador State Beach.	A+	A+
Broad Beach at Trancas Creek mouth.	A+	A+
Zuma Beach at Zuma Creek mouth.	A+	A+
Walnut Creek, projection of Wildlife Rd. (private).	A+	A+
Paradise Cove Pier at Ramirez Canyon Creek mouth.	A+	A+
Escondido Creek, just east of Escondido State Beach.	A+	A+
Latigo Canyon Creek mouth.	A+	A+
Solstice Canyon at Dan Blocker County Beach.	A+	F
Puerco State Beach at creek mouth.	A+	A+
Marie Canyon storm drain at Puerco Beach, at 24572 Malibu Rd..	A	C
Surfrider Beach at Malibu Colony fence.	A+	D
Surfrider Beach (broach location)- daily.	F	F
Malibu Pier - 50 yards east.	F	A+
Carbon Beach at Sweetwater Canyon.	A+	A+
Las Flores State Beach at Las Flores Creek (point zero).	A+	F
Big Rock Beach at 19948 PCH stairs.	A	F
Pena Creek at Las Tunas County Beach.	A+	A+
Tuna Canyon.	A+	A+
Topanga State Beach at creek mouth.	D	F
Castlerock Storm Drain at Castle Rock Beach.	ns	ns
Santa Ynez Storm Drain at Castle Rock Beach.	ns	F
Will Rogers State Beach at 17200 PCH (1/4 mile east of Sunset drain).	A+	B

LOCATION	DRY	WET
Will Rogers State Beach at Bel Air Bay Club drain near fence.	A+	B
Will Rogers State Beach at Pulga Canyon storm drain.	A+	A+
Will Rogers State Beach at Temescal Canyon drain.	A+	B
Will Rogers State Beach at Santa Monica Canyon drain (Chautauqua).	A	F
Santa Monica Beach at Montana Ave. drain.	A+	F
Santa Monica Beach at Wilshire Blvd. drain.	A+	F
Santa Monica Municipal Pier.	C	F
Santa Monica Beach at Pico/Kenter storm drain.	A	F
Santa Monica Beach at Strand St. (in front of the restrooms).	F	A+
Ocean Park Beach at Ashland Ave. drain.	A	F
Venice City Beach, at the Rose Ave. storm drain.	A+	B
Venice Beach at Brooks Ave. drain.	A+	D
Venice Beach at Windward Ave. drain.	A+	A+
Venice Fishing Pier - 50 yards south.	F	A+
Venice Beach- projection of Topsail St..	F	B
Marina del Rey, Mothers' Beach- lifeguard tower.	F	F
Dockweiler State Beach at Ballona Creek mouth.	A	F
Dockweiler State Beach at Culver Blvd. drain.	A	A+
North Westchester Storm Drain at Dockweiler State Beach.	A	A+
Dockweiler State Beach at World Way (south of DWW jetty).	A+	D
Dockweiler State Beach at Imperial Hwy drain.	A+	A+
Dockweiler Beach- opposite Hyperion Treatment Plant.	A+	A+
Dockweiler State Beach at Grand Ave. drain.	A+	A+

LEGEND
DRY -- each location is graded on an A – F scale based on bacterial pollution levels present in the surf zone
WET -- grades for days of recorded rainfall and the following 3 days
ns -- no sample taken

Heal the Bay is a nonprofit environmental organization making Southern California coastal waters and watersheds, including Santa Monica Bay, safe, healthy and clean. We use science, education, community action and advocacy to pursue our mission.

Heal the Bay's Beach Report Card™ is based on weekly water quality monitoring data provided by the City of Los Angeles' Environmental Monitoring Division and the Los Angeles County Department of Health Services. Data is analyzed as soon as it is made available to us by the public agencies. Beaches are graded on an A-F scale based on the risk of ocean users becoming ill. Samples are analyzed for bacteria—enterococcus, total and fecal coliforms—that indicate biological pollution. A fact sheet detailing the exact methodology used in determining grades for each location is available from the office or on our web site. The report is not designed to measure the amount of trash or toxins found at local beaches.

The Beach Report Card is an indication of past water quality and is not a warranty of the current safety of those areas surveyed. Our lawyers are happy.

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Bonds back in Giants uniform as camp coach in Arizona

DON KETCHUM
Associated Press

SCOTTSDALE, Ariz. Barry Bonds certainly thinks he's worthy of election to the Hall of Fame.

"Without a doubt," baseball's home run king said Monday at the San Francisco Giants' spring training camp, where he will serve as a hitting instructor for a week.

The 49-year-old Bonds spent his last 15 big league seasons with San Francisco, finishing in 2007 with 762 homers.

But his final years were clouded by suspicions of performance-enhancing drug use, and the seven-time NL MVP was convicted of one obstruction count in April 2011 by a jury that found an answer he gave was criminally evasive during 2003 testimony before a grand jury investigating the distribution of PEDs. And he didn't even come close to election to the Hall in his first two turns on the ballot.

Advice for the writers who have not voted for him: "You guys are all adults. I have no advice for you."

One topic he wouldn't discuss: Alex Rodriguez, who is serving a season-long drug suspension.

Bonds said he respects Rodriguez and will talk to him individually, "not in a press conference."

Meeting with about three dozen media for about 30 minutes on a patio overlooking the left field area at Scottsdale Stadium, Bonds wanted to put the controversial past behind him.

"It feels really good to be back," Bonds said. "It feels good to give back to the game that I love. Hopefully, I'll be a part of this longer. ... I'm enjoying it.

"I am more nervous at this than I was playing, because it was only my mind and me. Hopefully I can bring good value to the ballclub. We'll see how it works out," he added. "I don't even know if I'm good at it."

Looking about 30 pounds lighter than his playing weight of 230 and considerably more affable, Bonds wore an orange-and-black Giants cap, a black windbreaker and baseball pants, ready for the first day of work in a seven-day stay in camp.

He appeared relaxed, laughing and joking more in a few minutes than he did during the years when he ruled the team's clubhouse from his corner reclining chair.

"I'm just a different character. I was a different character playing," he said. "Now I've had time to slow down, do other things. I needed that guy to play, it's who I was at the time. I'm the same person, just a different character. ... Teammates used to say, you don't play when you're nice. It worked. Whatever it was, it worked."

More than 3,500 police planned for this year's Boston Marathon

DENISE LAVOIE
AP Legal Affairs Writer

FRAMINGHAM, Mass. The number of police officers patrolling this year's Boston Marathon will be doubled to over 3,500, one year after two bombs exploded near the finish line, killing three people and injuring more than 260.

The enhanced police presence is part of a beefed-up security plan detailed Monday by public safety officials as they prepare for the April 21 marathon.

Spectators who plan to attend the marathon are being strongly discouraged from bringing backpacks, rolling bags, coolers and other large items, and are instead being asked to carry personal items in clear plastic bags. Anyone who does bring a bulky bag will be subject to search, officials said during a news conference at the Massachusetts Emergency Management Agency's bunker in Framingham.

The new guidelines for spectators are similar to rules for runners made public several weeks ago by the Boston Athletic Association.

Authorities said they sought to strike a balance between keeping the traditional feel and character of the marathon and tightening security in response to last year's deadly terror attack.

"We are confident that the overall experience of runners and spectators will not be impacted, and that all will enjoy a fun, festive and family-oriented day," said Kurt Schwartz, director of the Massachusetts Emergency Management Agency.

Schwartz said police are looking to spectators to be especially vigilant and report any suspicious items or activity.

Like runners, spectators are also being told they cannot bring containers with more than 1 liter of liquid and cannot wear bulky costumes or anything that covers their faces.

Unregistered runners known as "bandits" will be prohibited this year. Officials said the move was necessary because or security concerns and because organizers are expecting 9,000 additional runners this year — bringing the total field to 36,000 — and double the typical number of spectators for a crowd of up to one million.

"This course is at capacity this year and it's just common sense" for bandits to stay off the course, Schwartz said.

Police and other public safety officials from the eight cities and towns along the marathon course have been meeting for months to come up with a plan to beef up security following last year's deadly attack. Two brothers are suspected of building homemade pressure-cooker bombs and placing them in backpacks near the finish line.

Dzhokhar Tsarnaev has pleaded not guilty to 30 federal charges and faces the possibility of the death penalty. His brother, Tamerlan Tsarnaev, died following a shootout with police several days after the bombing.

Kieran Ramsey, an assistant special agent in charge of the FBI's Boston office, said the agency has "no specific intelligence indicating there is a threat to this year's marathon."

"At this point, we don't have one, nor do we anticipate it," Ramsey said.

Ramsey said the FBI and its law enforcement partners have met with officials in other cities that host large scale public events, including London and New York City.

Col. Timothy Alben, commander of the state police, said police will have more than 100 additional security cameras along the route and have also met with business owners to coordinate use of their surveillance cameras, as well. He urged spectators to report anything at all suspicious to police.

"In this world, you never eliminate risk, you never bring it down to zero ... but we are working very hard at reducing that risk level and managing it to the best of our collective abilities," he said.

MOVIE TIMES

Aero Theatre
1328 Montana Ave.
(310) 260-1528

Call theater for information.

AMC Loews Broadway 4
1441 Third Street Promenade
(310) 458-3924

RoboCop (PG-13)
1:00pm, 4:00pm, 4:05pm, 7:30pm, 10:25pm

Monuments Men (PG-13)
1:20pm, 4:15pm, 7:15pm, 10:20pm

American Hustle (R) 2hrs 09min
10:30pm

Wind Rises (Kazetachinu) (PG-13) 2hrs 06min
1:30pm, 4:30pm, 7:30pm

Son of God (PG-13)
12:45pm, 7:00pm, 10:10pm

AMC 7 Santa Monica
1310 Third St.
(310) 451-9440

Gravity 3D (PG-13) 1hr 31min
8:00pm, 10:30pm

300: Rise of an Empire (R)
11:00am, 4:25pm, 9:45pm

Lego Movie in 3D (PG)
1:30pm, 7:00pm

300: Rise of an Empire 3D (R)
4:50pm, 7:45pm, 10:30pm

300: Rise of an Empire 3D (R)
11:15am, 1:30pm, 2:00pm, 7:00pm

Mr. Peabody & Sherman (PG)
11:10am, 1:50pm, 7:15pm

Mr. Peabody & Sherman 3D (PG)
11:55am, 2:45pm, 4:05pm, 5:30pm, 10:00pm

Wolf of Wall Street (R) 2hrs 45min
11:05am, 5:30pm, 9:30pm

Three Days to Kill (PG-13)
2:50pm

Non-Stop (PG-13) 1hr 50min
11:30am, 2:20pm, 5:00pm, 7:50pm, 10:30pm

Lego Movie (PG)
11:00am, 4:15pm, 9:50pm

Laemmle's Monica Fourplex
1332 Second St.
(310) 478-3836

Great Beauty (La Grande Bellezza) (NR) 2hrs 30min
1:00pm, 9:35pm

Omar (NR) 1hr 36min
1:50pm, 4:30pm, 7:20pm, 9:50pm

Philomena (R) 1hr 34min
4:10pm

Her (R)
6:40pm, 10:00pm

12 Years a Slave (R) 2hrs 13min
1:00pm, 4:00pm, 7:00pm

Tim's Vermeer (PG-13) 1hr 20min
1:10pm, 3:20pm, 5:30pm, 7:40pm, 9:45pm

For more information, e-mail **editor@smdp.com**

OUT AND ABOUT TONIGHT, TAURUS

ARIES (March 21-April 19)
★★★ Misunderstandings seem to lurk, yet there seems to be a sense of emotional connection. You keep ignoring verbal disconnects as if they are nothing. Be aware that, sooner or later, someone will get angry. Tonight: Try to keep the peace!

TAURUS (April 20-May 20)
★★★★ You have a way about you that draws in many people except that one person who seems so distant. Conversations will seem awkward at best, yet the emotional connection endures. Tonight: Out and about.

GEMINI (May 21-June 20)
★★★ You might be overly concerned about your finances, especially when you look at the situation intellectually. Your emotions could be telling you something very different. It boils down to this: How much do you trust your feelings? Tonight: Use moderation.

CANCER (June 21-July 22)
★★★★ You will have a very emotional bond with someone. You could feel so connected to this person, yet you might think and speak very differently from how he or she does. Try to sort out any verbal misunderstandings. Tonight: Beam in what you want.

LEO (July 23-Aug. 22)
★★★★ The Lion usually roars, but you might opt to be invisible today. You'll see a situation evolving, and you could be very worried about the outcome. Share your feelings only if asked. For now, the less said the better. Tonight: Nap, and you will feel much better.

VIRGO (Aug. 23-Sept. 22)
★★★★ Keep your focus on the whole rather than on the individual. You will be more effective, and others will be more responsive. Confusion surrounds communication, but your intentions will be made known. Use care with spending. Tonight: Where the crowds are.

LIBRA (Sept. 23-Oct. 22)
★★ Pressure continues to intensify, no matter what you do. You easily could find yourself feeling angry about the situation. You also could feel financially limited. Tonight: Work late if need be.

SCORPIO (Oct. 23-Nov. 21)
★★★★ Take an overview, and refuse to be reactive. Your knee-jerk reactions seem to be right-on, so follow your gut feelings. You instinctively will want control, but that might not be possible at this point in time. Tonight: Tap into your imagination for inspiration.

SAGITTARIUS (Nov. 22-Dec. 21)
★★★★ Deal with others on a one-on-one basis right now. You will find that communication might not be as difficult as you previously thought. Still, there could be some awkward moments. You seem to be holding a lot in. Tonight: Munchies with a friend.

CAPRICORN (Dec. 22-Jan. 19)
★★★★ You'll feed off the energy of those around you. They seem enthusiastic and more than willing to do what it takes to reach a mutual goal. Generally you are the leader, and they are the followers. Tonight: Go with a suggestion.

AQUARIUS (Jan. 20-Feb. 18)
★★★ You are able to accomplish a lot and remain focused by pulling away from others. Your persona at work might be more serious than you intend to project. News seems to carry a controversial aspect that could cause a disagreement. Tonight: Don't push too hard.

PISCES (Feb. 19-March 20)
★★★★★ Your imagination touches many different realms and subjects. Others notice that faraway look. Some people could feel rejected by your attitude, while others will feel intrigued. A close friend might want to be the most important topic on your mind. Tonight: Avoid a fight.

Tuesday, March 11, 2014

This year you experience a natural schism between your mind and your emotions. Many of you might choose to listen to one voice instead of the other. Decide what the right one for you is. If you are single, you will meet several potential suitors. Enjoy the dating process. Mr. or Ms. Right might be right around the corner. If you are attached, your awareness of your feelings and thoughts will evolve into many discussions with your significant other. Add more romance by re-enacting your first date, or other memorable occasions. Some of you might decide to act out your first encounter. Have fun with your sweetie! LEO is a romantic, like you.

JACQUELINE BIGAR'S STARS
The stars show the kind of day you'll have:
★★★★★Dynamic ★★ So-So
★★★★ Positive ★ Difficult
★★★ Average

INTERESTED IN YOUR DAILY FORECAST?
Check out the HOROSCOPES above!
smdp.com Santa Monica Daily Press office **(310) 458-7737**

Speed Bump
By Dave Coverly



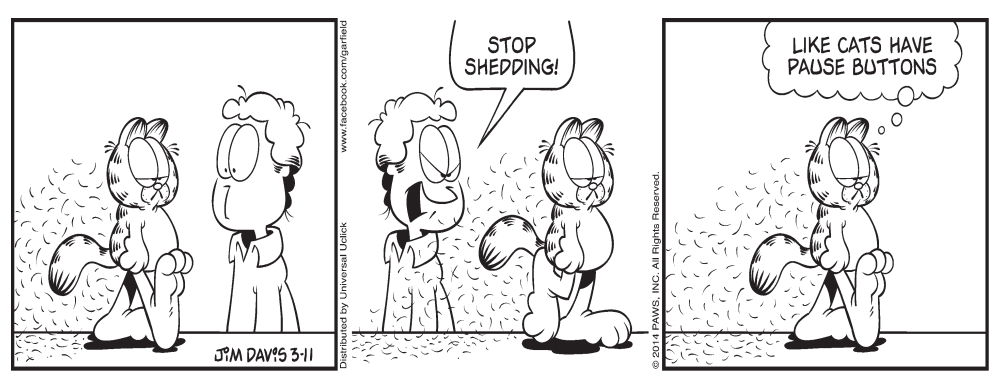
Strange Brew
By John Deering



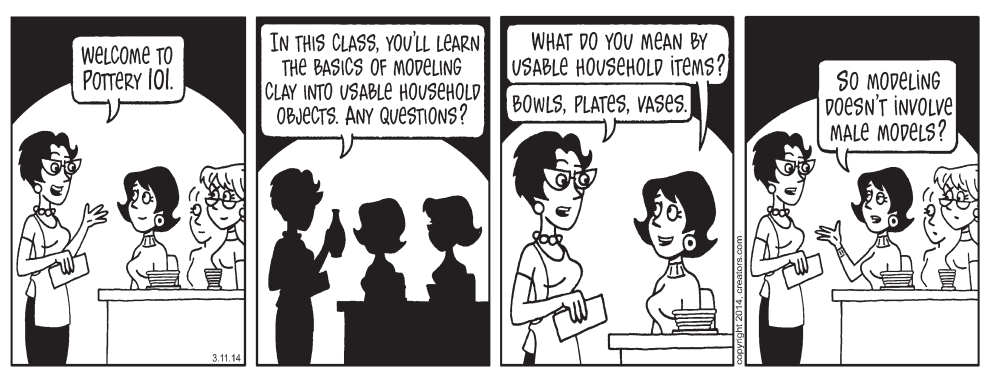
Dogs of C-Kennel
By Mick and Mason Mastroianni



Garfield
By Jim Davis



The Meaning of Lila
By John Forgetta & L.A. Rose



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. The difficulty level ranges from ★ (easiest) to ★★★★★ (hardest).

Difficulty Level ★★

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

King Features Syndicate

GETTING STARTED

There are many strategies to solving Sudoku. One way to begin is to examine each 3x3 grid and figure out which numbers are missing. Then, based on the other numbers in the row and column of each blank cell, find which of the missing numbers will work. Eliminating numbers will eventually lead you to the answer.

SOLUTIONS TO YESTERDAY'S PUZZLE

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

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MYSTERY PHOTO

Daniel Archuleta *daniela@smdp.com*

The first person who can correctly identify where this image was captured wins a prize from the Santa Monica Daily Press. Send answers to *editor@smdp.com*. Send your mystery photos to *editor@smdp.com* to be used in future issues.

CROSSWORD

By THOMAS JOSEPH

ACROSS

1 Deep voice
5 Some sharks
10 Quartet doubled
12 Supreme Court justice Kagan
13 "Whew!"
15 Basketball's Jeremy
16 Volleyball need
17 Even score
18 Minute part
20 Turn to liquid
21 Marry anew
22 Friend
23 Made mistakes
25 Checkout act
28 Profit
31 Scratching post users
32 West African nation
34 Valuable rock
35 Cacao holder
36 UFO pilots
37 "Do my eyes deceive me?"
40 Chump
41 Fence crossing
42 Command to Fido
43 West and others

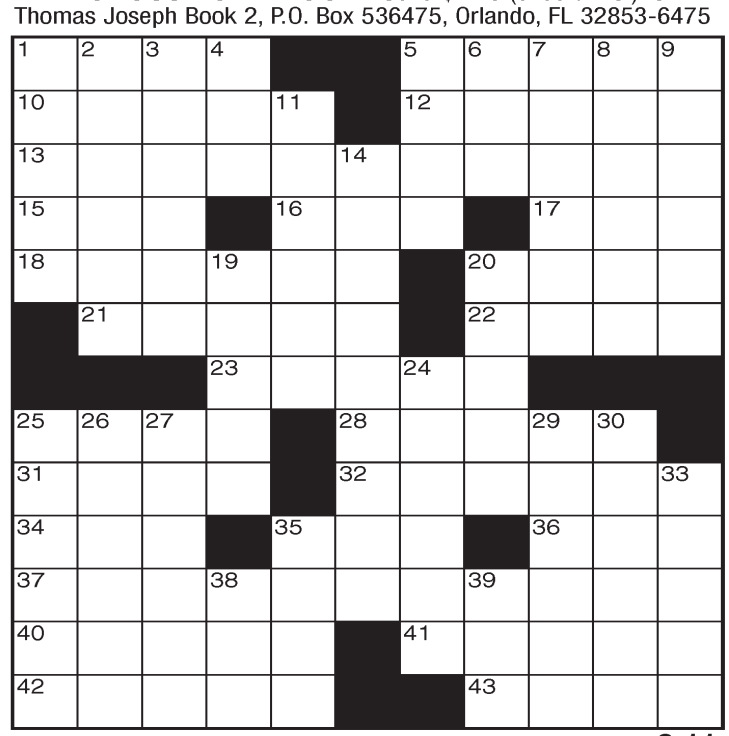
DOWN

1 Soup servings
2 More sore
3 Posture
4 Ready to go
5 Track competition
6 Completely
7 Harvey of "Pulp Fiction"
8 "Ah, Wilderness" playwright
9 Security
11 Leather worker
14 2002 Anthony Hopkins film
19 Track great Jesse
20 Sir's counterpart
24 Dodges
25 Dark looks
26 Drive-in server
27 Relaxed
29 Spain setting
30 Petite
33 Grill waste
35 Chorizo meat
38 Pot brew
39 Cash dispenser

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

Yesterday's answer

NEW CROSSWORD BOOK! Send $4.75 (check/m.o.) to Thomas Joseph Book 2, P.O. Box 536475, Orlando, FL 32853-6475



3-11

DAILY LOTTERY

POWERBALL
Draw Date: 3/8
10 14 24 32 41
Power#: 30
Jackpot: $60M

MEGA MILLIONS
Draw Date: 3/7
11 13 51 57 69
Mega#: 1
Jackpot: $309M

SUPER LOTTO PLUS
Draw Date: 3/8
1 16 26 45 46
Mega#: 5
Jackpot: $31M

Fantasy 5
Draw Date: 3/10
16 17 24 32 35

DAILY 3
Draw Date: 3/10
MIDDAY: 2 0 2
EVENING: 3 8 6

DAILY DERBY
Draw Date: 3/10
1st: 04 Big Ben
2nd: 01 Gold Rush
3rd: 03 Hot Shot
RACE TIME: 1:42.80

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**

NEWS OF THE WEIRD
BY CHUCK SHEPARD

■ Congressional wisdom has prevented the federal government's Centers for Medicare and Medicaid Services (CMS) from using competitive bids to decide how much to pay for medical devices -- and among the most steeply overpriced products are "vacuum erection systems" ("penis pumps") that invigorate seniors' lives. CMS pays an average of $360, while the Department of Veterans Affairs, which also buys the pumps but by competitive bid, pays about $185. In a January report, the Health and Human Services inspector general estimated the government could save $18 million a year (and beneficiaries another $4.5 million) if CMS could use competitive bidding.

■ In December, the New York City parks department, responding to alarmed visitors at Socrates Sculpture Park in Queens, built a wooden fence to shield the sculpture "Bear Eats Man" so that parents might examine the structure before children start asking them awkward questions. The sculpture by Ms. Thordis Adalsteinsdottir is of a bear clutching, and about to bite, a man -- who appears in shock and sports an erection that art aficionados have justified as possibly representing the man's involuntary reflexive shock, according to a New York Times report.

TODAY IN HISTORY

2011 - An earthquake measuring 9.0 in magnitude strikes 130 km (81 mi) east of Sendai, Japan, triggering a tsunami killing thousands of people. This event also triggered the second largest nuclear accident in history, and one of only two events to be classified as a Level 7 on the International Nuclear Event Scale.

WORD UP!

geomancy
\ JEE-uh-man-see \ , noun;
1. divination by geographic features or by figures or lines.

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RUSH LEGAL NOTICE

NOTICE INVITING BIDS Sealed bids will be received by the County of Los Angeles Department of Public Works, Construction Division, for the resurfacing and widening of road-way pavement using tire rubber modi-fied asphalt concrete; portland cement concrete pavement; reconstruction of curb and gutter, sidewalk, and curb ramps; catch basins and connector pipes; modification of traffic signals; street lighting; installation of striping and pavement markings; landscaping, irrigation and the performance of other incidental and appurtenant work under Project ID No. RDC0015018, Wilshire Boulevard Bus Rapid Transit, in the community of West Los Angeles. The bids must be submitted at the Cashier's Office, located on the Mezzanine level, 900 South Fremont Avenue, Alhambra, California 91803-1331, before 11 a.m. on Tuesday, April 1, 2014. The bids will then be publicly opened and read in the location posted in the main lobby. The work shall be done in accordance with the Plans and Specifications on file and open for inspection at the Depart-ment of Public Works. The work is estimated to cost between $2,500,000 and $3,500,000. The work requires a California Class A contractor's license. Prebid questions should be directed to Mr. Keegan Fahey of the Construction Division, (626) 458-3190. Prebid questions regarding the Plans and Specifications shall be submitted via e-mail only to: Mr. Fahey at kfahey@dpw.lacounty.gov. Include ``Pre-bid Questions for RDC0015018`` in the subject line of the e-mail. Prebid questions will not be accepted after 5 p.m. on Monday, March 24, 2014. The basis of bidding for this contract will be cost plus time, commonly re-ferred to as ``A + B`` bidding. The contract will be awarded to a responsi-ble contractor with the lowest grand total of the cost of the contract bid items (``A``) plus the amount bid for the time of completion (``B``). The contract price will be for the cost of the contract bid items (``A``) portion only. The bids must be submitted on the proposal forms included in the bidder's package of the contract documents, which may be purchased for $14 if picked up at the aforementioned Cashier's Office, (626) 458-6959, Monday through Thursday between 7 a.m. and 5:30 p.m., or for $17 if mailed, which includes postage and handling. The plans available for purchase from the Cashier's Office will be on a compact disc in electronic format only. The contract documents for this project may also be downloaded free of charge by visiting the following website: http://dpw.lacounty.gov/ general/ contracts/ opportunities_ Each bid must be accompanied by a certified check, cashier's check, or surety bond payable to Los Angeles County in an amount equal to at least 10 percent of the bid to guarantee that the bidder will enter into the contract if it is awarded to him. All persons performing the work shall be paid not less than the General Prevail-ing Wage Determination prepared by the Director of Industrial Relations pursuant to the State Labor Code. Copies of these wage rates are avail-able at the Department of Public Works. Furthermore, minimum Davis-Bacon Act Wage Decisions for this Project as predetermined by the Secretary of Labor (Federal) can be found at the following website: http://www.wdol.gov/ wdol/ scafiles/ davisbacon/ ca33.dvb If there is a difference between the minimum wage rates predetermined by the Secretary of Labor and the applicable prevailing wage rates per the Director of Industrial Relations for similar classifications of labor, the Contractor and its subcon-tractors shall pay not less than the higher wage rate. The rate of compen-sation for any classification not listed in the schedule, but which may be re-quired to execute the contract, shall be commensurate and in accordance with the rates specified for similar or compa-rable classifications or for those per-forming similar or comparable duties. This project has a goal of 8 percent Disadvantaged Business Enterprise participation. The County hereby noti-fies all bidders that it will affirmatively ensure that disadvantaged business enterprises will be afforded full opportu-nity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, religion, sex, or national origin in con-sideration for an award of any contract entered into pursuant to this advertise-ment. NOTICE OF REQUIREMENT FOR BUY AMERICA This contract is subject to the ``Buy America`` provi-sions of the Surface Transportation Assistance Act of 1982 as amended by the Intermodal Surface Transportation Efficiency Act of 1991. The ``Buy America`` provisions do not apply to lower tier subcontractors. A bid that is not accompanied by a completed Buy America certification may result in a determination that the bidder is nonre-sponsive and/ or not responsible. The contract agreement that ultimately results from this solicitation is a ``cov-ered transaction`` as defined by Title 49 CFR Part 29. Bidder must certify at the time they submit their proposal that neither it nor its principals are presently debarred or suspended by any Federal department or agency from participation in this transaction. The bidder with the successful bid further agrees to comply with Title 49 CFR Part 29, Subpart C by administering each lower tier subcon-tract that exceeds $25,000 as a ``cov-ered transaction``. The bid must provide full disclosure of False Claims Act violations, labor law/ payroll violations, debarments, and civil/ criminal legal actions as provided for on the forms included as part of the proposal. Fail-ure to complete these forms may result in a determination that the bidder is nonresponsive and/ or not responsible. The contract, if awarded, will be awarded to a responsible contractor with the lowest responsive bid; how-ever, the Board of Supervisors reserves the right to reject any and all bids. Due to the requirements of the use of Fed-eral and State funds on this project, no Local Small Business Enterprise pref-erence will be applied to this project as defined in County Code 2.204. A re-sponsible contractor is one who has demonstrated the attribute of trustwor-thiness, as well as quality, fitness, capacity, and experience to satisfacto-rily perform the contract. It is the County's policy to conduct business only with responsible contractors. The successful bidder will be required to fully comply with all applicable State and Federal reporting requirements relating to employment reporting for its employees and comply with all lawfully served Wage and Earnings Assignment Orders and Notice of Assignment and continue to maintain compliance throughout the duration of the contract. Failure to comply may be cause for termination of the contract or initiation of debarment proceedings. The contract is subject to the requirements of the County of Los Angeles' Defaulted Property Tax Reduction Program (Defaulted Tax Program), Los Angeles County Code, Chapter 2.206. Bidders should carefully read the Defaulted Tax Program Ordinance. The Defaulted Tax Program applies to both contrac-tors and their subcontractors. Bidders will be required to certify that they are in full compliance with the provisions of the Defaulted Tax Program and shall maintain compliance during the term of the contract, or shall certify that they are exempt from the Defaulted Tax Program by completing a certification of compliance with the County's Defaulted Property Tax Reduction Program. In accordance with Los Angeles County Code, Chapter 2.202, failure to maintain compliance with the Defaulted Tax Program or to cure defects within the time specified may be cause for termination of the contract and/ or initiation of debarment proceedings against the noncompliant contractor. Bids that fail to comply with the certification requirements of the Defaulted Tax Program will be considered nonresponsive and excluded from further consideration. The successful bidder will be required to submit a faithful performance bond, payment bond, and liability and worker's compensation insurance with the contract. As provided for in Section 22300 of the State Public Contract Code, the contractor may substitute securities for any monies withheld by the Department of Public Works to ensure performance under the contract or enter into an escrow agreement for payment of such monies to an escrow agent. Each person by submitting a response to this Notice Inviting Bids certifies that such bidder and each County lobbyist and County lobbying firm, as defined by Los Angeles County Code, Section 2.160.010, retained by the bidder, is in full compliance with Chapter 2.160 of the Los Angeles County Code. Para mas informacion con relacion a esta noticia, por favor llame a este numero (626) 458-3118. Nuestras horas de oficina son de 7 a.m. a 5:30 p.m. de Lunes a Jueves. The County supports and encourages equal opportunity contracting. This transportation improvement project was partially funded by Metro. More information about Metro can be found at the follow-ing website: www.metro.net By order of the Board of Supervisors of the County of Los Angeles, State of California. Dated February 26, 2014. Sachi A. Hamai Executive Officer of the Board of Supervisors

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CASHIER PART-TIME Local hardware and lumber store in Santa Monica looking for a cashier to work 4 days per week. Please call Erik @ 310-395-0956 (310) 395-0956

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It took just 28 days

To collect over 13,000 signatures!!

(Over double what is needed to veto the project)

Come join us as we deliver the petitions to

Santa Monica City Hall

today, Tuesday March 11th

@ 11 am

"Never doubt that a small group of thoughtful, committed citizens can change the world; indeed, it's the only thing that ever has."

Margaret Mead

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A Community Network of Residents

North of Montana Mediterranean Home!

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$3,999,000

- Built in 2000
- Approx. 4,000 Sq Ft
- Xtra-Large Kitchen
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- Detached Guest House
- Xtra-Large Family Rm
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