

Santa Monica Daily Press

A newspaper with issues

DAILY LOTTERY

SUPER LOTTO

15 16 40 24 43
Meganumber: 16
Jackpot: \$12 Million

FANTASY 5

5 16 35 36 38

DAILY 3

Daytime: 6 7 4
Evening: 2 8 9

DAILY DERBY

1st: 01 Gold Rush
2nd: 06 Whirl Win
3rd: 10 Solid Gold

RACE TIME: 1:41.19

NEWS OF THE WEIRD
BY CHUCK SHEPARD

■ Sergio Segundo Ruiz, 60, was hospitalized with multiple injuries in Ciudad Juarez, Mexico, in January after being hit by a car while crossing a busy street, but he was nevertheless charged with interfering with traffic, and a police officer was stationed outside his room poised to arrest him as soon as he is well enough to leave.

■ In January, a judge in Breda, Netherlands, officially ruled that a 46-year-old bank robber, who stole money worth the equivalent of US\$8,400, could only be charged with a crime worth about US\$6,100 because the court had to let the man offset the equivalent of US\$2,300 that he paid for his gun, as a legitimate business expense.

■ Some of the well-intentioned donations for victims of the December tsunami are bewilderingly inappropriate (such as ski jackets and Viagra), according to a February Wall Street Journal dispatch from Sri Lanka. Relief workers are being distracted by shipments of, for example, moisturizing gel, sweaters, women's dress shoes, Arctic-weather tents and thong underwear. Crucial medicines were in short supply, but not Valium, anti-depressants, or drugs with labels in languages that local doctors could not read. As the Journal wrote, some doctors "appear (just) to have unloaded their sample bins."

QUOTE OF THE DAY

One reason I don't drink is that I want to know when I am having a good time.

NANCY ASTOR

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Crill Hansen/Special to the Daily Press

A Lares Restaurant worker is consoled after an afternoon fire broke out at the Pico Boulevard eatery on Tuesday.

Six injured in fire at popular eatery

BY RYAN HYATT

Daily Press Staff Writer

PICO BLVD. — An afternoon fire at a popular Santa Monica restaurant on Tuesday injured six people and placed a 38-year-old family owned business in limbo.

The blaze — reported at approximately 2:46 p.m. — spread from the kitchen area of the second floor of Lares Restaurant, 2909 Pico Boulevard, and caused extensive damage to one of the city's most famous dining establishments. It took firefighters 20

minutes to locate and extinguish the flames.

According to Santa Monica Fire Department Battalion Chief Kent Coble, the fire left six injured and caused approximately \$200,000 in damages to the building.

Coble said six companies, roughly 30 firefighters, responded to the scene at 2:47 p.m., entering the restaurant from both the front and rear, facing knee-high smoke. They used two hand lines and roof ventilation to put out the fire, which sparked from a second-

story kitchen greaser and quickly channeled through a chimney to the rooftop. The fire was extinguished by 3:07 p.m.

Coble said there were five civilian injuries related to smoke inhalation and one firefighter injury. Of the injured civilians, four were released on the scene, with one being transported by ambulance to the Santa Monica-UCLA Medical Center.

Coble believed one of the injured civilians was a restaurant

See LARES, page 6

Ain't it grande? Vandals turning Starbucks into an underdog

BY ELECTA DRAPER

Associated Press Writer

DURANGO, Colo. — An ugly spree of anti-corporate vandalism at a new Starbucks coffee shop here has created a backlash in town — an outpouring of support for the bean behemoth from mug-wielding locals and the owners of mom-and-pop coffee shops.

In mid-April, soon after Starbucks opened on Main Avenue, a vandal attacked the storefront window, first by urinating on it and later by spray-painting: "Go back to Seattle, you corporate scum."

The next week, someone shattered the window.

The episodes actually have locals treating Starbucks like something of an underdog.

Joe Lloyd, owner of Durango Joe's coffeehouse, sent a big bouquet of sunflowers and daisies with a "Hang in there" message to manager Traci Moriarty.

Business actually picked up after the vandalism, with many new customers specifying that they were there to show support during this difficult time, employees said.

Moriarty, like many local managers for big corporations, could not comment. Denver-based Starbucks spokesman Phil Smith said vandalism is rare at the stores, but it's hard on local employees when it does occur. However, he said, "We are extremely happy about the community response."

See STARBUCKS, page 8

Jacquie Banks

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Santa Monica Daily Press

JACQUELINE BIGAR'S STARS The stars show the kind of day you'll have:

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

ARIES (March 21-April 19)

★★★★ Plow through what you can do. Unexpected insights can toss your plans into chaos. You might understand a lot more if you step back from your reaction. Don't get tied into a money venture, OK? You need more facts. Tonight: Take a walk to relax.

TAURUS (April 20-May 20)

★★★★★ Events force you to face an issue that you might prefer not to. An associate has a way of doing the unexpected, if not the explosive. You cannot change this person. Emphasize what works and use your innate creativity to find answers. Tonight: A midweek romp.

GEMINI (May 21-June 20)

★★★ Your family comes first right now. You also might be weighing a real estate investment or a security-related matter. You won't get answers right now. Carefully investigate your options. You have time. Don't feel pressured. New facts pop up. Tonight: Happy at home.

CANCER (June 21-July 22)

★★★★ Say little, but more importantly, curb making any judgments. You don't have all the facts yet. Unexpected information or gossip could toss your plans into chaos. Reorganize your plans if need be. Look toward effectiveness. Tonight: A favorite spot.

LEO (July 23-Aug. 22)

★★★ How you spend your money is your business. You might want to listen to suggestions, but it is your call. A partner could cause some upheaval when you least expect it. Be playful with a child. Help this person see the big picture. Tonight: Organize bills.

VIRGO (Aug. 23-Sept. 22)

★★★★★ You have what it takes, though others might challenge you. You cannot expect others to see situations the way you do. Use a different perspective to see where you might have a hole in your thinking. Tighten up plans. Tonight: Go for what you want.

LIBRA (Sept. 23-Oct. 22)

★★★ Know when you need to cut back. Not everything is as you see it. Listen well to a child or an adviser. You might need to let go of a project that isn't working. Know when to say no. Allow yourself more freedom. Tonight: Get some extra R and R.

SCORPIO (Oct. 23-Nov. 21)

★★★★★ Your friends gather around you and have solutions. You might not be aware of what is going on with others you care about. When you hear or see their reactions, you could be taken aback. Flex. Tonight: Look for a win-win.

SAGITTARIUS (Nov. 22-Dec. 21)

★★★ Others need you but have a bizarre way of expressing it. You don't have to be psychic — simply aware. Family could be strange, at best. You gain new insights. Be willing to adjust, and everyone will gain. Tonight: A must appearance.

CAPRICORN (Dec. 22-Jan. 19)

★★★★★ You need to read between the lines. What you hear might have very little to do with reality. It could surprise you. Don't think anything is written in stone, or you could be sadly shocked. Tonight: Understand others by imagining how it feels to be them.

AQUARIUS (Jan. 20-Feb. 18)

★★★ A money matter might have you throwing your hands in the air. A partner adds another perspective that might be helpful. Get facts, but don't listen to friends. You need to handle this situation on your own. Tonight: A warm chat over dinner.

PISCES (Feb. 19-March 20)

★★★ Your unexpected behavior often causes you stress and upsets others. If you can, don't react. Try considering your options carefully. You might need a change in your work situation. Tonight: Discuss different options.



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LOCAL



COMMUNITY BRIEFS

City government recognized for being wired

By Daily Press staff

Santa Monica is dialed in and wired up.

The Public Technology Institute (PTI) recently recognized the city of Santa Monica for its "Institutional Fiber Optic Network" entry at its 2005 Congress for Technology Leadership, an annual event bringing together local government technology leaders and practitioners.

Santa Monica won the award in the small government, telecommunications and information technology category for its Institutional Fiber Optic Network (I-Net). The I-Net connects a total of 43 buildings in Santa Monica including 24 city, 13 school district, and six college facilities. The city of Santa Monica, the Santa Monica-Malibu Unified School District, and Santa Monica College share equipment costs and ongoing costs for maintenance and operation of the I-Net fiber optic cable and equipment.

All three entities had maintained independent networks to support voice, data and video communications. The high cost of leasing individual circuits from telecommunications carriers, limited bandwidth, and concern over the reliability and security of leased data lines made many new technology projects difficult or impossible to implement, officials said.

The city, school and college districts now have a secure and redundant emergency communications loop connecting the three agencies, officials said. Having eliminated the need to lease voice and data circuits from local carriers, the three agencies are now self-reliant. Costs for voice, data, and video communications have been significantly reduced and data rates have significantly increased, officials said. The I-Net eliminates the need for wide area network servers, enables centralized storage area networks, allows for server backups over the network, and supports large data transfers. It also provides the infrastructure to support future technology projects, officials said.

Santa Monica was one of several city and county governments cited in PTI's 2004 Solutions Awards program. Solutions is the annual, national competition that recognizes city and county governments that have demonstrated how — through the use of technology — they have improved the delivery of services to constituents, reduced costs or generated new revenues. PTI is a national non-profit technology research and development organization charged with bringing the benefits of technology to local governments.

Entries were judged with other jurisdictions of similar size in the following technology categories: Energy, environment, public safety, telecommunications and information technology, and transportation. A panel of judges from local government associations and industry selected the winning entries.

Public Technology Institute is a national non-profit technology research and development membership organization created in 1971, based in Washington, D.C. PTI's mission is to help bring the benefits of technology to local and state governments. Through research, task forces, focus groups, pilot projects and other initiatives, PTI works with industry partners to keep pace with advances in technology and forge innovative solutions to the challenges faced by local governments. More information on PTI can be found at www.pti.org <<http://www.pti.org>>.

Pursue a career this summer

By Daily Press staff

Teenagers interested in pursuing a career in design, media or the culinary arts might want to spend five days of their summer in a hands-on environment.

The Art Institute of California-Los Angeles is offering "Summer Teen Workshop 2005," a five-day workshop, offering high school students the opportunity to explore their interests in the culinary, design or media-arts fields.

High school juniors and seniors graduating in 2005 or 2006 will enjoy hands-on projects and interaction with top industry professionals. Participants will delve into their creative side and learn how to apply their interests to their future careers,

See BRIEFS, page 6

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SURF REPORT

A ridge of high pressure will be building along the coast this week. A NNE flow is expected to develop, which should increase air temps nicely from an offshore effect. On Wednesday, the SW swell is expected to continue, but begin its descent as the last, lagging periods fill in. Size is expected to be chest high around most south-facing breaks.

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	Morning	Height	Evening	Height	Morning	Height	Evening	Height
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SUNDAY	10:20	0.6	10:41	3.1	1:56	4.1	6:17	3.6
MONDAY	11:11	0.6	11:57	2.6	3:31	3.8	6:33	3.9
TUESDAY	11:51	0.7	12:46	2.0	4:57	3.7	6:50	4.3
WEDNESDAY	12:46	2.0	12:25	0.8	6:06	3.7	7:07	4.6
THURSDAY	1:25	1.4	12:55	1.0	7:04	3.7	7:27	5.1
FRIDAY	1:45	0.9	12:26	1.2	8:02	3.4	7:47	4.9

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The Q Line

City Hall is eyeing more than a dozen properties in downtown Santa Monica that could potentially be used for more parking. Tens, if not hundreds of millions of dollars could be spent over the next decade expanding parking opportunities throughout Santa Monica. How to pay for it is the big question.

So this week, Q-Line wants to know, "Are

you willing to pay more for hourly parking to fund more spaces?"

Call (310) 285-8106 before Friday at 5 p.m. and we'll print your responses in the weekend edition. Please try to limit your comments to a minute or less. It might help to think first about the wording of your response.

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LETTERS TO THE EDITOR

Palestine-Israel comparison not fair

Editor:

I thought that critical writing was a required skill to write for the legacy-founded Ayn Rand Institute. Elan Journo is comparing apples and oranges (SMDP, May 12, page 7). In the 37 years of occupation in the West Bank and Gaza Strip, albeit 750,000 Palestinians work in Israel in the same way that Spanish Americans work in Southern California, I have never seen consumer goods labeled "Made in Palestine."

As is obvious from the items ranging from apparel to toys, from tools to machinery, from consumer appliances to chemical compounds we see "Made in Taiwan."

The most valued asset for any society is industrial knowledge. Is there any wonder that mainland China is rather possessive of Taiwan?

I think that Taiwan should be compared with South Korea, and Palestine compared with the Sudan.

Frank Muller
Santa Monica

Parents demand answers from school officials

Editor:

For several years we have expressed our concerns and asked for solutions to improve communications between the school, parents, students and the district but we were not listened to. Our families and parents deserve respect and do not deserve to be used in an irresponsible manner for other's goal.

There are many taking advantage of this situation. There is no excuse for the administration to say they did not know what was going on at Samohi. They were well informed. They did not listen to our voices.

This is our demand and call to schools superintendent John Deasy and members of the Board of Education:

1. A review, one by one, of all suspensions and expulsions as a result of the "melee" on Friday, April 15. There is much abuse of power. Too many students were unjustly told to stay home. We want to be part of this investigation.

2. A review of all suspensions for the academic year 2004-05. There have been too many cases where there's been a violation of the discipline policy. We want to be part of this investigation.

3. If it is found that the same administrative person has consistently violated the discipline policy, we demand that he or she be relieved of his or her duties.

4. An evaluation of the redesign, since this has been a failure for our students of color. We request that the statistics be reviewed carefully because of an enormous increase in F grades.

5. An evaluation of administrative personnel. We want change.

6. Designation of space for a parent center, conducive to connecting effectively with students and families.

7. Transfer to Olympic High School: Review of students transferred to Olympic High School. What criteria are used in making such decisions? What are the parameters, or better said, why? Who has the last say? What is the process for transferring students to Olympic High School? Specifically, mention needs to be made of the Godinez case, whose rights as a special education student were violated in a most cruel and irresponsible manner — a case very well known by the district. And to further complicate the situation for the student and his family, the student was transferred in an irresponsible manner to Olympic High School. Administration did not want to help the Godinez family. We demand that this student be assigned one-on-one assistance immediately to ensure graduation by June.

8. That existing programs be evaluated (AVID, ALLIANCE, ROP, etc.) that the appropriate personnel are working in these programs, providing and fulfilling the goals of the program's student academic success.

9. A director and coordinator at the high school who will ensure equity and access for students of color at Samohi.

10. Since there are thoughts of placing liaisons in every house at Samohi, we insist that Ms. Tere Viramontes-Gutierrez and Ms. Pam Allen-Jones, current liaison, coordinate such a program of liaisons, recognizing their experience and capacity for coordinating such work.

11. That expulsions and suspensions recommended by Mr. Craig Lewis be reviewed. Too many parents have had their rights violated due to Mr. Lewis' mismanagement of the discipline policy, contributing to predominant attitudes at the high school and abuse of authority. We demand that he be relieved of his duties if abnormalities surface.

12. We insist that at the annual evaluation of our community liaison and that parents participate in this evaluation. We are more closely involved in the work that the liaison carries out. Too often the administration does not value the great efforts and work that the liaison accomplishes at Samohi.

13. We want to be informed about the manner in which Samohi and the district are preparing to ensure security and safety at the upcoming graduation ceremony and Grand Nite.

Marlene Herrera

Vice president, Spirit Of Love/Bilingual Advisory Committee at Santa Monica High School

GUEST COMMENTARY BY BENNET G. KELLEY

Government must cut corporate greed

President Bush in 2002 responded to the wave of corporate accounting scandals by calling for "a renewed sense of corporate responsibility." That was then.

Last year, the annual "100 Best Corporate Citizens" and the "Misfortune 100: Top Corporate Air Polluters in the United States" lists were released with neither of them receiving significant attention, nor having a major impact on any of the companies listed. This illustrates how promoting corporation responsibility requires more than platitudes, since the market neither rewards good conduct nor punishes bad conduct. Unfortunately, over the past three years Republicans have moved from platitudes on corporate responsibility to actively seeking to undermine corporate reform efforts.

There is one market force, however, that can encourage good conduct — the government which is both a significant buyer and investor. Federal and state governments spend more than \$230 billion on goods and services annually, and state and local pension funds control more than \$3 trillion in private assets — making them the sole market actor with the potential to create the market discipline necessary to ensure compliance with both the letter and spirit of the law.

Public pension funds have actively sought to promote corporate responsibility, in part because they were some of the biggest victims of corporate fraud. California Public Employees Retirement Systems (CalPERS) — the nation's largest pension fund and leader in the corporate reform movement — lost more than \$1 billion in the Enron and WorldCom scandals alone. CalPERS has had many successes in fighting excessive executive compensation, most notably leading the fight against New York Stock Exchange Chairman Richard Grasso's \$140 million salary.

Public funds are increasingly succeeding in getting corporations to evaluate the "negative externalities" — like costs imposed on others through pollution or failing to observe health or safety standards — created by their operations. Last year, Connecticut's pension fund succeeded in its three-year effort to get the nation's largest producer of carbon dioxide emissions to conduct a study on the climatic impact of its power plants.

Instead of being heralded for their leadership in promoting corporate responsibility, CalPERS and other public pension funds have been targeted by Governor Arnold Schwarzenegger, Grover Norquist and other leading conservatives as part of a "national battle"

to "starve the beast" and dismantle public funds.

Corporate governance expert Nell Minow, however, warned that since public pension funds play "an essential monitoring role that sustains and gives credibility to our capital markets. The loss of that critical oversight would be devastating." That is why the nation watched closely when Gov. Schwarzenegger was forced into full retreat and abandoned his "pension reform" plan before a single vote was cast.

At the federal level, President Bush has thwarted efforts to use the federal government's market authority as a tool. In his first month in office, Bush eliminated a requirement that government contractors demonstrate satisfactory compliance with tax, labor, environmental, antitrust and consumer protection laws. He has since resisted efforts to bar contracts to "tax haven contractors." As a result, General Electric received approximately \$2.8 billion in contract awards for 2003, despite having accumulated nearly \$1 billion in fines, penalties and settlements for 63 separate acts of wrongdoing between 1990 and 2002 while Tyco receives more than \$200 million per year in government contracts, despite sheltering \$400 million annually by reincorporating in Bermuda.

President Bush and Gov. Schwarzenegger are caught in a contradiction, since they cannot praise the power and efficiency of the market's "invisible hand" in calling for less regulation but then oppose the introduction of market forces only when this hand is caught in the cookie jar. By seeking to eliminate the government's market authority without offering an alternative market force, the Republicans are essentially advocating unilateral disarmament in the battle against corporate misconduct.

The two principal lessons from the California pension fight are that if Washington and the states remain serious about addressing corporate responsibility, they need to recognize that the government can give the market's "invisible hand" some needed muscle and direction. The other lesson, however, is that a mere three years after passage of Sarbanes-Oxley and with Enron criminal trials still to come, the Republicans have abandoned platitudes on corporate responsibility for the politics of greed.

(Bennet G. Kelley is a Santa Monica attorney and a contributing author of "Big Bush Lies," White Cloud Press 2004)

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LOCAL



City says Playa Vista will flood city streets

PLAYA VISTA, from page 1

(CEQA) and the government code will be violated.

Therefore, the city of Santa Monica seeks to have the second phase of the project stopped before it even begins. Local officials also would like to see phase one, which is 30 percent complete, stopped as well.

“The city of Los Angeles didn’t properly review the project and consider the impacts,” said Santa Monica Assistant City Attorney Joe Lawrence, adding the documents relating to the approved project are estimated to be more than 38,000 pages.

Lawrence said opening briefs in the case are due to the court by the end of this month, with an initial hearing scheduled for Aug. 1 in Los Angeles Superior Court in downtown LA.

Although LA City Hall officials declined to specifically comment on the lawsuit, at least until the opening briefs are filed, they did say the approval process was well within city, state and environmental laws.

“We strongly believe the (Environmental Impact Report) was proper and up to CEQA requirements,” said LA City Hall spokesman Frank Mateljan. “It’s our position that the EIR was proper.”

Bob Crockett, the attorney representing the developer — Playa Capital Company LLC., which also is named in the suit — was unavailable for comment.

The Playa Vista development was proposed in two phases: Phase one was approved by the LA City Council in 1993 and is currently being developed. Phase two will include, among other things, the construction and operation of 2,600 housing units, 175,000 square feet of office space, 150,000 square feet of retail space and 40,000 square feet of community serving uses.

The entire project will result in an increase of 24,220 daily vehicle trips, with 2,203 of them in the morning peak hours and 2,302 in the evening peak hours, according to a petition for writ of mandate, which was filed in November of 2004. The petition asks that the approval of the project be set aside.

SANTA MONICA CHIMES IN

Local officials in January of 2003 expressed concern regarding the project’s environmental impacts on Santa Monica. In a letter dated Jan. 14, 2003, city staff requested that the EIR include a realistic distribution of traffic along transportation corridors, which should include the diversion of traffic from Lincoln Boulevard to Neilson Way; Main Street; Fourth Street and Walgrove and 23rd Street. It also asked that the EIR analyze specific intersections, including the Interstate 10 on-ramp and off ramp at Fourth Street, as well as Main Street and Olympic Drive.

In addition, the EIR should have analyzed the impacts on Santa Monica’s side streets in the event that the other transportation corridors get so congested that motorists use neighborhood streets.

In December of 2003, the Santa Monica City Council voted to oppose the project based on the unmitigated environmental impacts the project would have locally. City officials claim that the final

EIR failed to adequately address their concerns, which by law it must.

As a mecca for jobs — particularly in entertainment, technology and other burgeoning industries — many people who live in phase one of Playa Vista commute to Santa Monica. City officials argue the second phase of the project will attract a significant portion of residents who commute to Santa Monica. In fact, the development is specifically marketed to those types of commuters, according to the petition.

“The decision to certify the EIR was improper and illegal ...,” the petition reads. “The EIR failed to study impacts on neighborhood street segments in Santa Monica. The EIR recognized that the 405 Freeway, Lincoln Boulevard and Centinela Boulevard were the primary access routes between Playa Vista and Santa Monica and further recognized that those access ways would be heavily congested after the project was constructed. Given this congestion, the EIR also recognized that there would be significant cut through traffic in certain Los Angeles neighborhoods.

“However, the EIR inexplicably ignored those same traffic conditions in failing to consider the impacts of cut through traffic on Santa Monica’s neighborhood streets.”

Despite concerns raised about traffic impacts from a host of agencies including Los Angeles County and CalTrans that said the EIR undercounted existing traffic numbers and its assumptions were faulty, the document didn’t respond adequately, the city of Santa Monica argues in its petition.

A JOINT EFFORT

The Surfrider Foundation, the Ballona Wetlands Land Trust and Anthony Morales also have joined the lawsuit, arguing that the EIR has failed to address numerous environmental impacts. They argue that the EIR failed to respond to public comments about archaeological issues, the risks of methane gas, health risks from toxic gas and wastewater disposal, as well as the elimination of some of the only wetlands left in the area.

Attorneys representing those three entities feel emboldened now that they have the backing of the city of Santa Monica.

“It shows that an entire municipality has the same concerns we do,” said Doug Carsten, an attorney with the Santa Monica law firm of Chatten-Brown & Associates, who is representing Morales, Surfrider Foundation and the Ballona Wetlands Trust. “There is widespread objection.”

Other lawyers representing the three entities are Santa Monica attorney Sabrina Venskus and Robert Myers, a former Santa Monica city attorney who now works for the Sherman Oaks law firm Newman.Aaronson.Vanaman.

WETLANDS IN JEOPARDY?

The Ballona Wetlands Land Trust, a California nonprofit corporation with more than 5,000 members that was founded in 1994, signed onto the petition because it fears the ecosystem where the development is being built will be

See PLAYA VISTA, page 6

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Relative is optimistic restaurant will return

LARES, from page 1

owner who suffered from smoke-related symptoms after trying to help put out the fire, and was released at the scene.

The firefighter’s injury was eye-related, according to the battalion chief, but it remained unclear how exactly the injury occurred.

Rosie Lares — related to the restaurant’s owners, Jesse and Aurora Lares — said she was driving on Pico Boulevard when she noticed smoke and people exiting the building.

“Everyone was trying to get out,” Rosie Lares said. “I was concerned with trying to put the fire out.”

She said she went inside her home, adjacent to the restaurant, and grabbed a hose and sprayed water on the fire until

firefighters arrived at the scene.

Lino Lares — who owns Pico Barber, just east of Lares Restaurant at 2905 Pico Boulevard, and is also related to Jesse and Aurora — said it was the success of his relatives’ restaurant which first inspired him to go into business for himself.

“I saw how hard (Jesse and Aurora) worked, and it made me want go into business for myself,” Lino Lares said. “Now, that whole dream has gone up in smoke. I hope we can recover.”

Manuel Lares, a relative also at the scene, said although the damage was extensive, he was optimistic his family’s business would recover quickly.

“We are experienced restaurateurs,” he said. “We will re-open quickly, and the restaurant is going to look like new.”

Native Americans contend development on sacred ground

PLAYA VISTA, from page 5

destroyed.

“(The trust) is a person aggrieved because it is a public interest, tax-exempt organization whose purpose is to ensure the preservation and restoration of the Ballona Wetlands ecosystem,” the petition reads.

BUILDING ON SACRED GROUND

Morales, the chief of the Gabrieleno/Tongva Tribal Council of San Gabriel, testified that the development is being built on sacred ground.

During phase one of the project, and after the draft EIR for phase two had been released for public comments, a large Native American burial ground was discovered in which more than 300 graves were found, according to the petition.

“The discovery of the Native American sacred burial site is a significant archaeological, cultural and historical discovery that was not anticipated in the phase one or phase two EIR,” the petition reads. “The discovery of such a major site is strong evidence that a similar discovery will be made on the adjoining property during phase two construction activity.”

WAITING FOR A BLOW-OUT?

The state of California’s Toxic Substance Control has expressed a concern as to whether “the development would be safe for occupancy in view of the evidence of significant methane concentrations in the subsurface and the location of a subsurface natural gas storage area in the vicinity of the site,” according

to the petition.

Apparently, there are concentrations of methane greater than 150,000 parts per million measured by volume, which exceed upper explosive limits, according to the petition. However, the EIR fails to respond to the state’s concerns, the plaintiffs argue. The EIR only states that small portions of the proposed project contain methane concentrations above explosive limits, according to the petition.

WASTED COMMENTS ON WASTEWATER IMPACTS?

Despite comments made by nonprofit environmental groups — the Surfrider Foundation and the Santa Monica Baykeeper — that wastewater flows created by the development would exceed capacity of the Hyperion Treatment Plant, and were not included in the final EIR, according to the petition.

“It is clear from the record that the development cannot go forward without expansion of wastewater treatment capacity,” the petition reads. “Expansion of wastewater treatment capacity potentially affects numerous environmental conditions, including air quality, odor, nearshore water quality and land use.”

The plaintiffs argue that even though the EIR acknowledges more capacity will be built if the existing treatment plant is not sufficient for wastewater disposal, it’s self-contradictory because the project will aggravate the lack of future capacity but it doesn’t acknowledge the growth-inducing effect contributing to the expansion of a treatment plant or exacerbating potential capacity shortages, according to the petition.

COMMUNITY BRIEFS

BRIEFS, from page 3

school official say. Students will have the opportunity to hear from instructors who make up the institute’s faculty.

The program is geared to students who are interested in exploring one of the following creative programs: video production, graphic design, interior design, game art and design, culinary arts, media arts and animation or interactive media design.

In addition, students, family and friends are invited to attend the awards presentation on Saturday, June 25. The workshop will be held at The Art Institute of California-Los Angeles from Tuesday, June 21 through Saturday, June 25 from 9 a.m. to 5 p.m. daily; with evening activities from 5 p.m. to 9 p.m.

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STATE



Analyst supports plan to pay down the debt

BY TOM CHORNEAU

Associated Press Writer

SACRAMENTO — Gov. Arnold Schwarzenegger's plan to use some \$4 billion in unanticipated tax money to pay off debt and reduce borrowing won approval Monday from the state's nonpartisan legislative analyst.

Schwarzenegger released a \$115.7 billion budget proposal last week that put more money into highways and some education programs but avoided spending increases on most other services.

Educators criticized the governor's plan for not doing more for schools, but Legislative Analyst Elizabeth Hill warned lawmakers that any additional spending would add to a shortfall in the 2006-2007 budget. That shortfall is now expected to be at least \$5 billion.

"It's a positive step to use additional revenues to reduce debt, but we still have a ways to go," she said.

The unanticipated income comes largely from tax receipts that reflect an improving economy and a successful tax amnesty program, Hill said. The extra income

allowed Schwarzenegger to abandon a plan to sell \$1.7 billion in bonds to pay operating expenses and restore \$1.3 billion in road and highway money that he wanted for other uses.

The governor proposed giving schools an increase of nearly \$3 billion next year, but educators claim they are due at least \$2 billion more.

The dispute centers on a compromise union leaders and school administrators struck with Schwarzenegger last year. In exchange for school budget cuts, Schwarzenegger promised to protect schools from cuts this year.

Education groups say he has reneged on that promise and argue they are due at least \$2 billion more this year despite Schwarzenegger's proposal for a general increase in education spending during the next fiscal year, which begins July 1.

"We cannot continue to expect world-class achievement with a cut-rate investment," said Paula Caplinger of the California Teachers Associations, joining Superintendent of Public Instruction Jack O'Connell, school board members and teachers at a Capitol news conference.

"The governor must keep his promises to our schools. California's future is at stake."

Leaders of the Legislature's Democratic majority have said they will fight to add money for schools.

While Schwarzenegger's budget did not include any new borrowing, Hill said the state remains saddled with more than \$24 billion in loans lawmakers have taken out in recent years. That includes \$11 billion in bonds sold last year under the voter approved Proposition 57.

Despite giving an overall positive assessment, Hill said Schwarzenegger's

plan carries some risks.

That includes \$408 million in savings that still need to be negotiated with labor unions and another \$469 million in retirement costs that the governor wants to shift to schools, a move whose legality is in question.

In addition, Hill said the administration overstated personal income tax payments by \$600 million. The administration is investigating her questions about personal income tax receipts, said H.D. Palmer, spokesman for the governor's Department of Finance.

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NATIONAL

Town telling vandals they're full of beans

STARBUCKS, from page 1

The Steaming Bean Coffee Co., a fixture of Durango, Gunnison and Telluride, removed its countertop supply of bumper stickers upon learning that people were sticking them to Starbucks' window.

Bob Wolff, a part-owner of a local coffee shop called Regular Joe's, was one of many locals who spoke out publicly on Starbucks' behalf. He said he studied the competition and learned that Starbucks is one of the most socially and environmentally progressive corporations in the land. He bought stock.

"It is very clear that whoever was responsible for the mischief at Starbucks made some wrong assumptions about big corporations and Starbucks," said Bob Kunkel, who heads up business development for the city of Durango.

Across the street from Starbucks, Thomas Barnes, a maker of custom saddles and cowboy hats, has to take his hat off to Starbucks.

"We love it," he said, as he sucked down a Starbucks Breakfast Blend. "It brings the tourist traffic down to our end of the street."

At first he was peeved that cup-carrying visitors to his stores were slopping mocha frappuccinos all over his \$16,000 silver-studded saddles. He put up a sign banning food and drinks in the store, but soon had to relent.

"It was dead in here," Barnes said. "A lot of our high-end clients are Starbucks drinkers."

The crimes against Starbucks left Kunkel and Chamber of Commerce officials scratching their heads because it wasn't the first big chain to move into historic downtown Durango. Main Avenue features many homegrown eateries, shops and several coffee purveyors, but also includes Domino's Pizza, Subway and Cold Stone Creamery. More than 20 brand-name businesses, from banks to real estate brokers, are in the central business district, Kunkel said.

And Durango has exported chains of its own. Rocky Mountain Chocolate Factory has spread from its birthplace here to 283 stores in cities across the United States and Canada.

But Starbucks, whose new Durango store is one of 1,500 it expects to open in 2005, is a symbol of inescapable corporate culture in a downtown holding its own in terms of local character, mused several coffee drinkers at another establishment. But they said they don't condone the vandalism.

Lloyd said that Durango Joe's business hasn't been hurt by Starbucks. In fact, it forced him to raise his game.

"When Starbucks comes in, you get all your ducks in a row," he said. "You make sure your service is above par and your quality is superb."

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‘Revenge’ is sweet for Lucas

BY DAN DUNN
Special to the Daily Press

By now, most of you have already heard the good news: Unlike its two most recent predecessors, the latest “Star Wars” doesn’t suck. In fact, when you consider just how staggeringly disappointing “The Phantom Menace” and “Attack of the Clones” were for most fans and critics, it stands to reason that “Episode III: The Revenge of the Sith” is the most remarkably unsucky film produced in the past three decades ... maybe ever. To wit: In the wake of the last two films, there wasn’t a single sane human being over the age of 30 who wasn’t convinced George Lucas had completely lost his way. From dubious casting decisions, to ill-conceived storylines to — and I shudder to utter the name — Jar Jar Binks, it was clear to all but the blind faithful that Lucas had turned to the Dark Side (or, worse yet, the Sickeningly Cutesy Side), selling out the integrity of his epic sci-fi saga just to make a few measly billions in merchandising.

But here cometh “The Sith,” and all is forgiven. Is it, as many critics have suggested, the best of the six? Not

Review

A long time ago, in theaters far, far away

BY DAN DUNN
Special to the Daily Press

Much has transpired in the five films leading up to “Star Wars Episode III: Revenge of the Sith,” and as a service to those who might be a bit fuzzy on the details, here is a recap:

Episode IV: A New Hope (released in 1977)

Back in the ’70s most people were probably too hopped-up on the Bee Gees and Billy Beer to realize it, but the first “Star Wars” movie was set in the middle of the saga. The story of the rise and fall of the Galactic Empire technically didn’t begin until George Lucas got around to releasing “The Phantom Menace” in 1999, thus rendering 22 years of human history totally meaningless for legions of sci-fi geeks. As perplexing as it ultimately wound up being, “Episode IV: A New Hope” — the film formerly known simply as “Star Wars” — seemed a pretty straightforward good versus evil affair at the time, featuring a handsome young actor named Mark Hamill who was clearly destined for cinematic greatness.

Memorable line: “I felt a great disturbance in the Force, as if millions of voices suddenly cried out in terror and were suddenly silenced.” — Obi Wan Kenobi, foretelling events surrounding the release of the 1978 Mark Hamill film, “Corvette Summer.”

Episode V: The Empire Strikes Back (1980)

As the title suggests, the bad guys were really pissed off about losing their precious Death Star at the conclusion of the first ... er, fourth, uh, previous film and retaliate with a vengeance against Rebel forces who despite having retreated to the coldest planet in the universe, are inexplicably attired in light, summery tones. Yoda, Lando Calrissian and Boba Fett are introduced, raising the bar in the “funny names drinking game” being played on college campuses everywhere. Han Solo spends much of the picture trying to lay-a the Princess, and Darth Vader stuns Luke Skywalker by revealing he’s gay. (Not really — though he does ask, “Who’s your daddy?” while whacking the young stud with his saber.) And for you trivia buffs: John

quite. That distinction still belongs to “The Empire Strikes Back” (part two of trilogy one). But the menacingly caliginous “Sith” comes in a close second fueled by some of the series’ best battle sequences and an arresting final act that packs a wallop of “Luke, I AM your father” proportions. As “Sith” charges towards its conclusion, it is truly thrilling to watch the pieces fall into place as prelude to “Episode IV: A New Hope,” the film that started it all 28 years ago. We learn how Anakin (Hayden Christensen, loosening up a bit) is finally transformed into the masked villain Darth Vader. We witness the birth and separation of his and Padme’s (Natalie Portman) twins, Luke and Leia. The Republic falls and the Empire rises. Yoda (voiced by Frank Oz) and Obi-Wan (Ewan McGregor) survive the destruction of the Jedi Order and go into hiding. Chewbacca (Peter Mayhew) and his hirsute wookiee brethren whup some droid tail, planting the seeds of the rebellion. But the biggest revelation of all is Lucas, who rediscovers the soul of his franchise and in the process restores order to the galaxy.

(Rated PG-13 for sci-fi violence and some intense images. Running time: 140 minutes)

Ratzenberger, who went on to play trivia buff Cliff Clavin on “Cheers,” has a minor role in this one as “Person who has never been in my kitchen.”

Memorable line: “Size matters not. Look at me. Judge me by my size, do you? Hmm? Hmm. And well you should not. For my ally is the Force, and a powerful ally it is.” — Yoda, revealing the secret of his legendary sexual prowess.

Episode VI: The Return of the Jedi (1983)

Luke tells Leia that they are siblings, clearing up any lingering questions about why the two had never done more than swap spit. The Empire builds a state-of-the-art new Death Star only to have it destroyed by a bunch of furry, do-rag-wearing little creatures called Ewoks, who will be disparaged for years to come by fans for being too cutesy. Little do those fans know, the worst is yet to come.

Memorable line: “And now, young Skywalker ... you will die.” — The Emperor, who was still very upset at having forked over dough to see “Corvette Summer.”

Episode I: What the @&%\$ is a Jar Jar Binks? (1999)

OK, the actual title was “The Phantom Menace,” but you get the idea. Binks, the floppy-eared, funny-talking CGI character is universally reviled, and a cute little moppet named Jake Lloyd is trashed for being a cute little moppet instead of the fire-breathing devil child we’d always hoped Vader would be. (Apparently, Lucas couldn’t convince David Spade to sign on for the role) The words “Natalie Portman” and “finally legal” appear together on zillions of Web sites.

Memorable line: “Monsters out there, leaking in here. Weesa all sinking and no power. Whena yousa thinking we are in trouble?” — Jar Jar Binks, just prior to being savagely maimed in my imagination.

Episode II: Attack of the Clones (2002)

It’s best to pretend this one never happened, but if you must know what went down (and I do mean DOWN), suffice it to say that there were plenty of web-sites featuring the words “Hayden Christensen” and “made of wood.”

Memorable line: “I’ve got a bad feeling about this.” — Anakin Skywalker, echoing the very thought that crossed the minds of most fans and critics within the first 10 minutes of the movie.

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How to make a wise home buying decision



BUYING AND SELLING
BY THOMAS KHAMMAR & BRENT PARSONS

This could be a particularly good time to make a move if you are a homeowner whose current home no longer suits your needs. Although interest rates are rising, they still remain at multi-decade lows. And the appreciation rate in recent years has been particularly high. But even though conditions are good, you need to have realistic expectations in order to make it all work.

Many trade-up sellers have a difficult time understanding that their current home isn't necessarily worth what they need in order to make the move. A seller's financial needs don't dictate the sale price of his home. Market value is constrained by what buyers are willing to pay.

A complicating factor is that if you're buying in a fast-paced market, you may be forced to compete in order to buy the new home. This could mean paying a higher price than you had anticipated. You can end up in trouble if you buy first, pay a high price and your home turns out to be worth less than you thought.

To guard against coming up

short on the sale of your home, it's best to be conservative in the estimation of the approximate selling price. There's no way to know for sure how much your home will sell for until it sells and the buyers complete their inspections. Sometimes the sale price is renegotiated during the course of the transaction if the buyers discover defects during their inspections. By estimating low on the sale price of the home you're selling, you're less likely to end up in a financial bind if your home doesn't sell as high as you'd like.

Repeat home buyers who are trying to trade up in a high-demand, low-inventory market are faced with an intriguing dilemma. If they sell first, they know exactly how much equity they have to work with. They are in a great bargaining position since they don't have to sell a property. They have converted their equity to cash.

However, when inventories are low, there's a risk that it might take a while to find and buy the new home. It's not uncommon to make several offers in competition before meeting with success. Moving to an interim rental is almost a certainty for some buyers, depending on the local market conditions.

Low-inventory market conditions often lead to unusually high selling prices as buyers compete with one another to be the winning bidder. In a market like this, your

home could sell for significantly more than you anticipated, which could improve your purchasing power in a positive way. This could give you the edge you need in a multiple offer competition.

Selling first and renting your home back from the buyers for a time is one way to try to avoid an interim move — but this is usually only a short-term option. It can be costly if you have to pay rent equal to the buyer's per diem cost of owning your home (principal, interest, taxes and insurance). If you've owned your home for a long time, your mortgage amount could be quite low compare to the buyer's mortgage, and your property taxes and insurance premium also could be lower.

Rather than pay a high cost to rent back your home from the buyers, you may be better off moving to an interim rental. The cost to rent will probably be less, particularly if you're living in an area where the rental market is soft.

The additional benefit of moving to an interim rental is that you won't feel pressured to buy a home that doesn't suit your long-term needs.

(For more information, contact Thomas or Brent at ThePOWERHOUSETeam at (310) 943-7656 or thomas1@georgechungrealtors.com, or log onto www.thepowerhouseteam.net.)

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Sold Santa Monica 05/06/2005	2025 4TH ST #206A SqFt: N/A HOD: \$262	SANTA MONICA 90405 List Price: \$435,000 Sold Price: \$451,000	Bed: 1 Bath: 1.00
Sold Santa Monica 05/06/2005	723 PALISADES BEACH RD #216 SqFt: 1,414 HOD: \$450	SANTA MONICA 90402 List Price: \$849,900 Sold Price: \$860,000	Bed: 2 Bath: 2.00
Sold Santa Monica 05/12/2005	1921 17TH ST #6 SqFt: 1,481 HOD: \$400	SANTA MONICA 90404 List Price: \$599,000 Sold Price: \$600,000	Bed: 2 Bath: 2.50
Sold West L.A. 05/10/2005	11873 NEBRASKA AVE SqFt: 1,776 HOD: \$0	LOS ANGELES 90025 List Price: \$719,000 Sold Price: \$741,000	Bed: 3 Bath: 2.50
Sold Santa Monica 05/11/2005	2002 4TH ST #307 SqFt: 864 HOD: \$198	SANTA MONICA 90405 List Price: \$499,000 Sold Price: \$583,500	Bed: 1 Bath: 1.00
Sold Santa Monica 05/06/2005	630 IDAHO AVE #302 SqFt: 1,292 HOD: \$299	SANTA MONICA 90403 List Price: \$725,000 Sold Price: \$710,000	Bed: 2 Bath: 2.00
Sold Santa Monica 05/06/2005	1534 17TH ST #104 SqFt: 1,286 HOD: \$282	SANTA MONICA 90404 List Price: \$799,000 Sold Price: \$775,000	Bed: 1 Bath: 2.00
Sold Santa Monica 05/12/2005	2045 4TH ST #306B SqFt: 699 HOD: \$288	SANTA MONICA 90405 List Price: \$429,000 Sold Price: \$499,000	Bed: 1 Bath: 1.00
Sold Santa Monica 05/10/2005	1435 26TH ST #7 SqFt: 1,572 HOD: \$347	SANTA MONICA 90404 List Price: \$595,000 Sold Price: \$650,000	Bed: 2 Bath: 2.50
Sold Santa Monica 05/09/2005	609 WASHINGTON AVE #G SqFt: 822 HOD: \$172	SANTA MONICA 90403 List Price: \$619,000 Sold Price: \$619,000	Bed: 1 Bath: 1.00
Sold Santa Monica 05/09/2005	807 5TH ST #2 SqFt: N/A Lease Option: No	SANTA MONICA 90403 List Price: \$1,500 Sold Price: \$1,500	Bed: 1 Bath: 1.00
Sold Santa Monica 05/11/2005	201 OCEAN AVE #P1109 SqFt: 0 Lease Option: No	SANTA MONICA 90402 List Price: \$7,000 Sold Price: \$6,500	Bed: 3 Bath: 2.50
Sold Santa Monica 05/13/2005	201 OCEAN AVE #B01104 SqFt: N/A Lease Option: No	SANTA MONICA 90402 List Price: \$5,000 Sold Price: \$5,000	Bed: 3 Bath: 2.50
Sold West L.A. 05/12/2005	1271 GRANVILLE AVE #401 SqFt: 1,684 Lease Option: No	LOS ANGELES 90025 List Price: \$2,800 Sold Price: \$2,800	Bed: 2 Bath: 2.50
Sold Santa Monica 05/11/2005	1 SEA COLONY DR SqFt: 2,332 Lease Option: No	SANTA MONICA 90405 List Price: \$9,500 Sold Price: \$9,500	Bed: 3 Bath: 3.00
Sold Santa Monica 05/13/2005	201 OCEAN AVE #P01510 SqFt: N/A Lease Option: No	SANTA MONICA 90402 List Price: \$3,800 Sold Price: \$3,700	Bed: 2 Bath: 2.00
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DAYS ON THE MARKET

BY JODI SUMMERS

Housing statistics just keep on growing. According to the National Association of Realtors, there were 6.68 million existing home sales in 2004 — up 9.4 percent from 6.1 million in 2003.

While the demand stays high, the supply is down. Housing inventory levels dropped 11.7 percent at the end of December with 2.18 million existing homes available for sale — nearly a four-month supply at the current sales pace.

"Tight housing supply is continuing to put pressure on home prices because we still have more buyers than sellers in the market," said David Lereah spokesperson for the National Association of Realtors. "In fact, the end-of-year supply of homes available for sale is the lowest on record."

Sales are up, inventory is down. Instead of getting into the battle of trying to buy a new house by the beach, people are remodeling, according to a recent study the Joint Center for Housing Studies of Harvard University. Homeowners and rental property owners spent a record \$233 billion on remodeling in 2003, the center reported.

Harvard has recently released a new study titled "The Changing Structure of the Home Remodeling Industry: Improving America's Housing 2005." Here are home remodeling tidbits:

■ The average home in the U.S. is 32 years old.

■ Home remodeling accounts for 40 percent of all residential construction and improvement spending. It also accounts for more than 2 percent (\$233 billion) of the U.S. economy.

■ Households with incomes of \$120,000 and up accounted for 60 percent of the growth in spending since 1995.

■ Households with incomes of \$152,000 and up were responsible for more than half of remodeling spending in 2003.

■ Baby Boomers are driving the remodeling industry: Remodeling expenditures tripled between 1970 and 1980, the time that Boomers were entering the housing market, and jumped 250 percent between 1980 and 1990.

■ Between 1995 and 2003, home ownership by Generation Xers tripled to 12.4 million units. Home improvement spending increased fivefold to \$28 billion.

■ Generation X homebuyers are more likely to undertake do-it-yourself remodeling projects and in 2003 spent 50 percent more than Boomers on do-it-yourself projects.

■ Gen X-ers already rival baby boomers in per-household spending.

■ Homeowner expenditures rose by an estimated 6.6 percent over the four quarters of 2004.

"Manufacturers and distributors of home improvement products are reporting strong gains in recent months," said Kermit Baker, director of the Remodeling Futures Program of the center at Harvard. "Remodeling contractors are increasing overtime for their employees, so home improvement activity should accelerate in the months ahead."

■ San Francisco experienced an 18.1 percent increase in remodeling permits in 2003 from the previous year, while Los Angeles experienced a 34.5 percent increase and San Diego a 21.4 percent.

■ When the remodeling outlays of Hispanics and Asian-Americans in 2003 were compared, Hispanic homeowners were 18 percent more likely to undertake a remodeling project, but spend 28 percent less on each project and spend 38 percent more on do-it-yourself projects.

"The most popular types of projects are high-end improvements, such as major kitchen or bath remodels or room additions," noted Harvard's Nicolas P. Retsinas, Joint Center director. "Households spending at least \$25,000 on improvements accounted for almost one-third of all remodeling expenditures in 2003."

■ Forty-five percent of homeowner spending was for interior spaces, e.g., bathroom additions, kitchen remodels and room additions.

Retsinas attributed the increase in home improvement spending to job growth and low interest rates. "Continued growth in home ownership, along with record levels of income and wealth, make it much more likely the remodeling sector will be able to sustain 3 percent average annual real growth over the next decade," Retsinas concluded.

Harvard's Joint Center for Housing Studies, established in 1959, is a collaborative unit affiliated with the Harvard Design School and the Kennedy School of Government. The Joint Center has been monitoring remodeling activity since 1998.

(Jodi Summers is director of the investment division at Boardwalk Realty Santa Monica. Contact her at jodis@boardwalkrealty.com, or call (310) 309-4219.)

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Landlords can cut losses with ‘chronic’ clause



IN YOUR SPACE

BY CHRISTINA S. PORTER

Chronic lease violators can be a commercial landlord’s biggest headache. But there are ways to deal with them.

According to Marc L. Ripp, Esq. as written in an article for the “Commercial Lease Law Insider,” there is a cure for chronic lease violators. Chronic lease violators are the lessees who commit the same lease violation over and over again. But they always cure the violation before it becomes a default.

Ripp suggests adding a “chronic violations” clause to a lease that would allow landlords to act swiftly to rid themselves of a troublesome tenant. The clause effectively makes a lease violation a lease default with no cure period if the tenant commits the same violation more than a certain number of times over a 12-month period, allowing the landlord to immediately exercise his remedies.

A significant loophole in that scenario is that most leases require that the landlord send the tenant written notice before it permits him to exercise the remedies as they are spelled out in the lease. As most owners know, this will force the landlord to waste valuable time and money sending out the notice — defeating

one purpose of the clause. If the landlord does not send the notice, he might lose the right to utilize the remedies.

Ripp cited the following example: The rent nonpayment clause in a certain owner’s lease said that the tenant would violate the lease if he didn’t pay rent within 10 days after notice. The lease also had a chronic violations clause that made it a lease default if the tenant committed two violations of the rent nonpayment clause within a two-month period. One month the tenant paid his utility bill late — in many leases utility payments to the landlord are considered to be part of the rent — more than 10 days after he received a late notice from the owner. The next month the tenant paid his rent late. The owner immediately started an eviction action. The tenant argued that the owner couldn’t evict him because the owner hadn’t sent notice of the second lease violation. The owner argued that notice wasn’t required before he could exercise his rights under the chronic violations clause. The court ruled that since the owner hadn’t notified the tenant of the second violation, he couldn’t evict the tenant. The court noted that the chronic violations clause incorporated the notice requirement that was in the rent nonpayment clause.

Ripp suggests that in order to avoid the same fate as that owner, it might be wise to add to your chronic violations clause so that you are not required to give the tenant notice before exercising your rights under the clause. Ripp also suggests the following “model lease language” be added to your chronic violations clause: “Notwithstanding anything herein to the contrary, if

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2230 Broadway	Office	5/10/2005	17,400	\$2.50 NNN	
2403 Main St	Office	5/9/2005	3,300	\$3.10/MG	
3420 Ocean Park Blvd	Office	5/10/2005	783	\$3.00FSG	
3420 Ocean Park Blvd	Office	5/10/2005	704	\$3.00FSG	
3420 Ocean Park Blvd	Office	5/10/2005	4,939	\$3.00FSG	
3435 Ocean Park Blvd	Office	5/12/2005	1,050	\$1.85-\$2.10 MG	
2716-2720 Wilshire Blvd	Office	5/10/2005	1,650	\$2.85MG	

the tenant is in default under any covenant, condition, or agreement of the lease more than (insert number of times) within any 12-month period, irrespective of whether or not such default is cured, landlord, at its sole election, in its sole and absolute discretion, and without notice to tenant may (insert your own list of remedies).”

It is very important that you consult your legal counsel prior to adding or subtracting any language to an existing lease.

(The above is for informational purposes only and not meant to be taken as advice. Christina S. Porter is in the business of leasing and selling office and industrial buildings. She can be reached at (310) 806-6104 or cporter@naicapital.com)

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Congressional committee disses oil-for-food debacle

BY NICK WADHAMS
Associated Press Writer

UNITED NATIONS — A U.S. Senate subcommittee sought to tie together the complex threads of Saddam Hussein's manipulations under the U.N. oil-for-food program in a hearing Tuesday, detailing how illicit Iraqi oil was sold to peddle influence and made its way to market.

The daylong hearing in Washington was reviewing three major reports from the subcommittee of the U.S. Committee on Homeland Security and Government Affairs, which studied in great detail how Saddam made billions of dollars in illegal oil sales despite U.N. sanctions imposed in 1991 after Iraq's invasion of Kuwait.

Committee investigators argue that politicians from France, Britain and Russia were involved, as was a Texas-based oil company, Bayoil. And often, the United States and other members of the U.N. Security Council looked the other way.

"On the one hand, the United States was at the U.N. trying to stop Iraq from imposing illegal surcharges on oil-for-food contacts," Sen. Carl Levin, D-Mich., said. "On the other hand, the U.S. ignored red flags that some U.S. companies might be paying those same illegal surcharges."

Those scheduled to testify Tuesday included George Galloway, the outspoken British lawmaker accused by the subcommittee of taking vouchers under oil-for-food.

In his opening statement at the meeting, subcommittee chairman Sen. Norm Coleman, R-Minn., said more than \$300,000 in surcharges were paid to Saddam's regime in

allocations involving Galloway.

"Senior Hussein regime officials informed the subcommittee that the allocation holders — in this case, Galloway — were ultimately responsible for the surcharge payment and, therefore, would have known of the illegal, under-the-table payment," he said.

Speaking to reporters before the hearing began, Galloway said the subcommittee's investigation was intended to take attention away from failed U.S. efforts in Iraq.

"It's the mother of all smokescreens," he said.

The oil-for-food program, which ran in 1996-2003, was designed to let Saddam's government sell oil in exchange for humanitarian goods to help the Iraqi people cope with crippling U.N. sanctions.

Saddam peddled influence by awarding favored politicians, journalists and others vouchers for oil that could then be resold at a profit. He also smuggled oil to Turkey, Jordan and Syria outside the program, often with the explicit approval of the United States and the rest of the Security Council.

Many of the allegations made by Coleman's subcommittee are not new. In April, Bayoil USA owner David Chalmers was indicted in U.S. District Court for allegedly funneling kickbacks to Saddam. Chalmers has denied any wrongdoing.

Rarely had the allegations been spelled out with so much detail or scope. Coleman's investigators have interviewed former top Iraqi officials and businessmen, who provided a behind-the-scenes look at how Saddam's grand scheme worked.

Lawmakers prove to have a beef with a lack of labeling on meat

BY LIBBY QUAID
Associated Press Writer

WASHINGTON — Labels telling consumers where their meat comes from must be in place beginning next year, but lawmakers took action Monday that could delay the labels for months.

House members writing a farm spending bill voted to postpone country-of-origin labeling for meat, which is supposed to go into effect in September 2006. Congress initially ordered the labeling into effect in 2004, but the lawmakers, bowing to pressure from meatpackers and food processors, voted to delay it until 2006.

"This just buys a little more time," said Rep. Henry Bonilla, R-Texas, chairman of the agriculture subcommittee of the House Appropriations Committee.

"It would be a nightmare to implement for producers across the country," Bonilla said. "It would also expose retailers to a tremendous amount of liability."

The White House wants to repeal labeling for meat, and the House Agriculture Committee chairman, Rep. Bob Goodlatte, R-Va., introduced a bill earlier this month that would repeal the mandatory labeling system and replace it with a voluntary one.

The subcommittee voted Monday to prevent the Agriculture Department from spending money this year to put labeling rules in place, a tactic that would postpone the labeling for months. The full committee must

approve the bill before sending it to the House floor.

Rep. Rosa DeLauro, D-Conn., said 35 other countries, including Canada, Mexico and European countries, already require labels for meat.

"Country-of-origin labeling would give people the information they need to make an informed choice to protect the safety of their families," said DeLauro, the subcommittee's senior Democrat.

The action doesn't apply to fresh and frozen fish, which began carrying labels in April.

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COMICS



The Dinette Set by Julie Larson

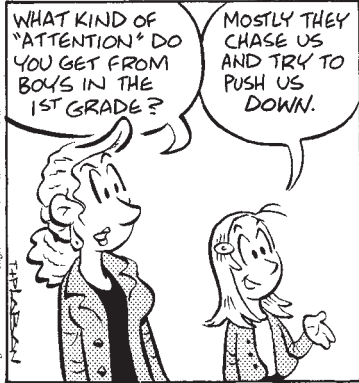
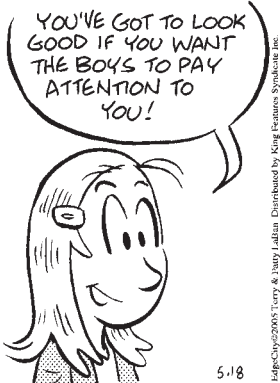
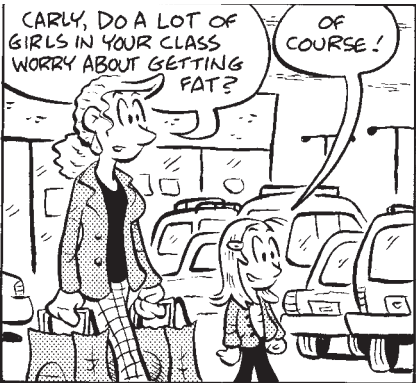


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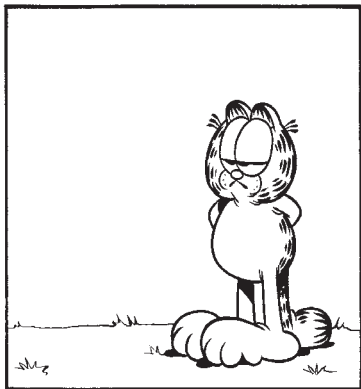
By Russ Wallace



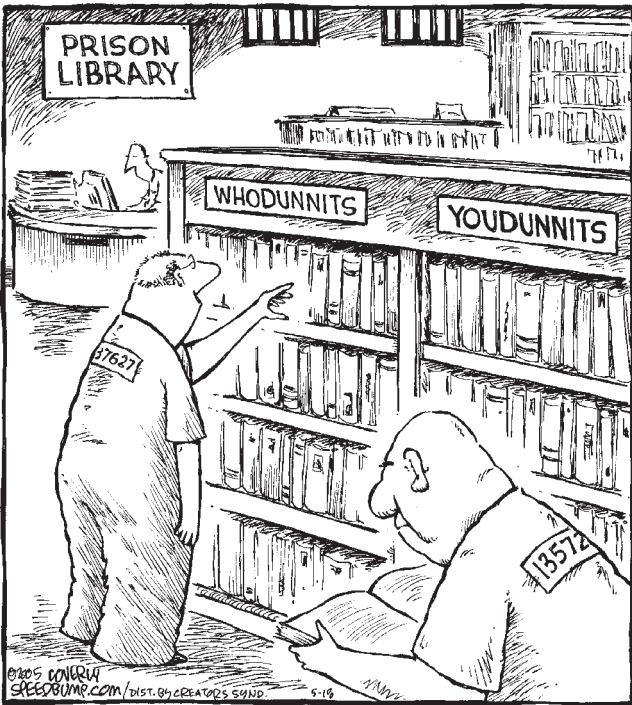
edge city by TERRY & PATTY LABAN



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Speed Bump® By Dave Coverly



CROSSWORD

By THOMAS JOSEPH

ACROSS

- 1 War god
- 5 Pinch pennies
- 11 Dojo doings
- 12 Illinois city
- 13 Some-what
- 14 Of Peruvian peaks
- 15 Bread choice
- 16 Tantrums
- 17 Without company
- 19 Pitching stat
- 22 Senior
- 24 "The Kiss" creator
- 26 Bank offering
- 27 Examine carefully
- 28 Cashew family tree
- 30 Staff symbols
- 31 Spots on TV
- 32 Distant
- 34 Donkey call
- 35 Ensign's answer
- 38 Bizarre
- 41 Linen source
- 42 Comfortable
- 43 Plot unit
- 44 One in the red
- 45 Shipping units

DOWN

- 1 Cracked
- 2 July stone
- 3 Wife of Ernie Kovacs
- 4 Lush
- 5 Iberian nation
- 6 Heart
- 7 Gangsters' guns
- 8 Anger
- 9 Hamm of soccer
- 10 Cook's need
- 16 Gift-tag word
- 18 Singer Horne
- 19 "The Sopranos" co-star

W	A	B	E		S	E	A	M	Y
A	D	O	B	E		O	L	L	I
D	O	U	B	L	E	B	I	L	L
E	R			L	A	S		T	A
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				C	Y	C	L	E	
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D	O	L	L	A	R	B	I	L	L
E	L	M	E	R		E	R	I	E
R	E	E	D	S			A	N	N

Yesterday's answer

- 20 Jazz phrase
- 21 Picnic invaders
- 22 "Lohengrin" lady
- 23 Clamorous
- 25 Frogner Park locale
- 29 "CSI: Miami" star
- 30 Kittenish
- 33 Subsequently
- 34 Flotilla unit
- 36 Mitten material
- 37 Alimony payers
- 38 Rage
- 39 Had a bite
- 40 Yank's foe
- 41 Diet no-no

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1	2	3	4		5	6	7	8	9	10
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42							43			
44							45			

5-18

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2ND \$130,000 @ 7.75% \$839 PMO

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