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WEDNESDAY, MAY 24, 2006

Volume 5, Issue 165

Santa Monica Daily Press

BRAD'S BABY ON THE WAY
PEOPLE IN THE NEWS P15

A newspaper with issues

DOW ⊖26.98 11,098.35 NASDAQ ⊖14.10 2,158.76 S&P ⊖5.49 1,256.58

DAILY LOTTERY

MEGA MILLIONS
17 21 28 48 54
Meganumber: 1
Jackpot: $18M

SUPER LOTTO
15 23 28 38 40
Meganumber: 18
Jackpot: $40M

FANTASY 5
2 5 29 36 37

DAILY 3
MIDDAY: 8 7 3
EVENING: 9 3 4

DAILY DERBY
1st: 02 Lucky Star
2nd: 08 Gorgeous George
3rd: 10 Solid Gold
RACE TIME: 1:43.46

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NEWS OF THE WEIRD
BY CHUCK SHEPARD

Prosecutors in Dresden, Germany, charged Petra Kujau, 47, with fraud recently for selling at least 500 fake paintings of such artists as Monet, Picasso and Van Gogh. However, the paintings were always clearly labeled as fakes, according to an April Times of London dispatch, and their sale was a crime only because Petra had claimed they had been painted by Konrad Kujau (her great uncle), who had a worldwide reputation as a master faker. Thus, Petra is charged with duping collectors into thinking that they were buying original Konrad Kujau classic fakes.

TODAY IN HISTORY

Today is the 144th day of 2006. There are 221 days left in the year.

On May 24, 1844, Samuel F.B. Morse transmitted the message, "What hath God wrought!" from Washington to Baltimore as he formally opened America's first telegraph line.
In 1819, Queen Victoria was born in London.

QUOTE OF THE DAY

"Success is getting what you want; happiness is wanting what you get."

ANONYMOUS

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Boosting city programs

Budget would fund new initiatives

BY KEVIN HERRERA
Daily Press Staff Writer

CITY HALL — With an increase of nearly $35 million expected next year in the city budget, officials plan to focus on strengthening core services for residents.

Also included in the upcoming 2006-07 budget, estimated at $444 million, officials will focus on maintenance that was deferred over the years, such as increased sidewalk repair, lighting for Pico neighborhood alleys and a more aggressive graffiti removal program. Core services and maintenance items had been cut or deferred in recent years because of the state's lackluster economy.

The budget also includes funding for additional staff to help run programs that have come on line in the last year, such as the city's Cove Skate Park, which will be fully funded for the fist time; the new Main Library; Virginia Avenue Park; and the Civic Center parking structure, according to a report prepared by

See **BUDGET**, page 5

Sweep and the city

Fabian Lewkowicz/Daily Press

A city waste crew sweeps the boardwalk as workers refill the Pico storm drain with sand in preparation for the coming summer months. The work, done last week, was lost after Monday's rain, which breached the drain's new seal.

Prospects learn tricks of the campaign trail

BY KEVIN HERRERA
Daily Press Staff Writer

SIXTH STREET — In running for public office in Santa Monica, there's more to consider than just where a candidate stands on local issues. There's the all-important question of what color the lawn signs should be.

While color schemes may seem trivial in light of more pressing concerns, picking bright yellow and black over beige and baby blue can mean the difference between winning votes and wasting hard-earned campaign contributions on advertisements that don't work.

Advice on lawn signs and other aspects of campaigning was in abundance Monday during the second annual candidates academy sponsored by the Santa Monica Chamber of Commerce.

During the nearly two-hour study session, a small group of prospective candidates and concerned citizens got a taste of what it really means to run for public office from the experts: Mayor Bob Holbrook, who is running for re-election in November; City Councilman Herb Katz; City Clerk Maria Stewart, the lead elections official; communications and political consultant Seth Jacobson; and local attorney Tom Larmore.

"We think it is important for people to know how they can get involved in their community," Kathy Dodson,

See **ELECTIONS**, page 6

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NOTICE OF PROPOSED ADOPTION OF A DEVELOPER FEE STUDY AND THE INCREASE OF THE STATUTORY SCHOOL FEE

NOTICE IS HEREBY GIVEN that the Governing Board of the Santa Monica-Malibu Unified School District will consider input from the public on the proposed adoption of a Developer Fee Justification Study for the District and an increase in the statutory school facility fee ("Level I Fee") on new residential (from $1.93 to $2.63 per square foot) and commercial/industrial (from $.31 to $.42 per square foot) developments as approved by the State Allocation Board in January, 2006. The adoption of the Study and the increase of the Level I Fee are necessary to fund the construction of needed school facilities to accommodate growth due to development.

Members of the Public are invited to comment in writing, on or before June 1, 2006 or appear in person at the hearing at 8:00 pm on June 1, 2006, at the following location:

Santa Monica-Malibu Unified School District Board Room - 1651 16th St., Santa Monica, CA.

Materials regarding the Study and the Level I Fee are on file and are available for public review at the District Office located at 1651 16th St., Santa Monica, CA.

Dated: May 18 & 25, 2006

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DINNER 5:30PM-10:00PM
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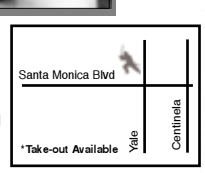

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Goldwell Touch-up	35
Perm or Body Weave	50 & UP
Petite Facial	45
Waxing	5& UP

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Easy does it, Aquarius

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)
★★★ You might feel pressured to perform on a higher or better level than in the past. Your spirit and ingenuity will soar to a new level if you flow with a fast-changing situation. Curb a tendency to spend more than you ultimately want to. Tonight: Say no to possessiveness.

TAURUS (April 20-May 20)
★★★ Move slowly this morning. You don't need or want a flub-up. Instinctiveness plays a role with a partner. This afternoon, emphasize what you want. Expect to have excellent results — if not now, ultimately. Tonight: As you like.

GEMINI (May 21-June 20)
★★★ This morning you seem to pull white rabbits out of black hats. Use your energy during this time, when you do make a difference. Pull back and take your time. Investigate opportunities that head your way. Tonight: Happy as a cat, staying close to home and screening calls.

CANCER (June 21-July 22)
★★★★★ You can investigate a situation and come up with different answers, if you so choose. Your ability to stay light and easy when the pressure builds speaks once more. Aim for much more of what you want, turning a hassle into a positive. Tonight: Find a pal.

LEO (July 23-Aug. 22)
★★★★ With the perspective you gain in the morning, you can act upon it at the same time. If you wait too long, you could hit a hassle or two. You also could cop an attitude if you aren't careful. Investigate alternatives instead of closing down. Tonight: Others observe what you choose.

VIRGO (Aug. 23-Sept. 22)
★★★★ You might want to revise your thinking and attitude, partially because of a dealing this morning. Be willing to look at the long-term rather than the little issues. Don't let fatigue or negativity mark your decisions this afternoon. Tonight: As you like.

LIBRA (Sept. 23-Oct. 22)
★★★★ Others run with the ball. You are in a position of watching and not acting. You find that options appear if you are willing to let go of rigidity. In the afternoon, you might need to revise your thinking. Individuals demand your attention. Tonight: What you want.

SCORPIO (Oct. 23-Nov. 21)
★★★ Whether you like it or not, you have to work with others and their needs. You could feel uncomfortable with another's demands. Loosen up and lighten up. You will like what occurs as a result. Tonight: Defer to another's wishes.

SAGITTARIUS (Nov. 22-Dec. 21)
★★★★ Tap into your creativity. Come up with answers. Your ability to brainstorm and get past your issues emerges. You have reason to be delighted with the outcome. Don't allow news to change your mind. Tonight: Know when to take a break.

CAPRICORN (Dec. 22-Jan. 19)
★★★ Anchor in on what is important rather than what you need. Think positively about alternatives that surround an emotional bond, even if someone you are dealing with is negative, negative, negative. This too will pass. Tonight: Use your imagination.

AQUARIUS (Jan. 20-Feb. 18)
★★★★ Keep talking, even if you want to slam the door. Play it cool, and you will be much happier in the end. You need some time to yourself. A problem might not be your doing. Tonight: Easy does it.

PISCES (Feb. 19-March 20)
★★★ Take a step forward with your finances, and you will like the end results. They will be much better. In the afternoon, others seek you out en masse. They want your attention. You cannot get around the immediate pressure of a situation. Tonight: Hang out with friends.

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COMMUNITY BRIEFS

Pier celebrates its wheel of fortune

By Daily Press staff

There's cause for celebration at Pacific Park on the Pier this weekend as it celebrates 10 years of amusing millions of people.

Nestled in the middle of the three-mile Santa Monica coastline, illuminating the city's skyline with more than 7,000 light bulbs and helping to draw more than 3 million guests annually to the Santa Monica Pier is Pacific Park, officially celebrating its 10th year as part of the Santa Monica landscape on May 26.

Since opening in 1996, Pacific Park has entertained more than 10 million guests, provided more than 24 million rides on its 12 amusement rides and has awarded more than 1.9 million pieces of plush at its Pier Pressure Zone's 21 midway games, officials said.

Pacific Park has received numerous accolades and achievements in its 10-year run including its Pacific Ferris wheel's selection by Reader's Digest as Best in America 2006 and its solar-power conversion in 1998.

Pacific Park's successful business model centers on philanthropic spirit including in-kind donations of more than $100,000 to various organizations in the community since 1996. The park also established a partnership with the Santa Monica Police Activities League (PAL) and created PALpalooza, its flagship charity event held annually at Pacific Park to raise funds for PAL's youth programs comprised of cultural, educational and recreational curriculums.

With a seaside appeal to meeting and event planners, the Park has hosted numerous private and special events for organizations including Microsoft, Columbia Pictures, Pepsi, the Democratic National Convention, UCLA Children's Hospital and McDonald's.

The two-acre amusement park on the Santa Monica Pier boasts several eye-popping stats from daily operations over the last 10 years including:

- The spinning of more than 462,000 pieces of cotton candy.
- The scooping of more than 42,000 gallons of ice cream.
- The brewing of 651,000 cups of coffee.

In addition, Pacific Park has served as location to more than 200 television commercials and shows, music videos, feature films and photo shoots, with more than 500 cameo appearances. The park has also enjoyed top billing in the opening shots for NBC's Tonight Show with Jay Leno and served as location for television's No. 1 program American Idol on Fox.

A variety of celebrities have been spotted enjoying themselves at Pacific Park including Angelina Jolie and son Maddox, Halle Berry, Dustin Hoffman, Cher, Mark Wahlberg, Lily Tomlin, Vince Vaughn, Keanu Reeves, Adam Brody and Paris Hilton among others.

The Santa Monica Pier is no stranger to fame and attention. Looking back, the pier has achieved several milestones since opening on Sept. 9, 1909, including the debut of the Hippodrome building in 1916, the dedication of the Santa Monica Arch and Route 66 designation in 1939, the first appearance of the Carousel in 1942, the citizen-driven Save Our Piers Forever campaign in 1973, the creation of the Pier Restoration Corporation in 1981, the Hippodrome building and carousel receiving National Historic Landmark status in 1983 and the opening of Pacific Park in 1996.

Citizens sought for SMC commission

By Daily Press staff

If you care how much teachers at the community college are paid, there's a chance for you to get involved.

The Santa Monica Community College District is seeking applications for appointment to a seat on the Personnel Commission. The appointment will be effective July 19 for a term of 18 months through Dec. 1, 2007. The application deadline is Friday, June 2.

The SMC Board of Trustees recently voted to expand the Personnel Commission from three to five members. One of the two new commissioners will be appointed by the board, the other by SMC's classified, or non-teaching, employees, as provided by state law.

The SMC Personnel Commission is the public body responsible for the administration of the college's Merit System, a civil service system for classified employees.

To qualify for appointment to the commission, the applicant:

- Must be a registered voter and resident of the Santa Monica Community College District, which encompasses Santa Monica and Malibu.
- Must support the concept of employment, continuance in employment, in-service promotional opportunities and other related matters on the basis of merit and fitness.

Applications may be obtained from the college's office of the board of trustees or by calling (310) 434-4402. Applications also can be downloaded at www.smc.edu/admin/trustees/personnel_commission/personnel_commission_vacancy.htm.

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SNOW AND SURF REPORTS

SNOW CONDITIONS DATA PROVIDED BY ONTHESNOW.COM

BEAR MOUNTAIN
CLOSED

JUNE MOUNTAIN
CLOSED

MAMMOTH MOUNTAIN

NEW SNOW (24 Hrs)	BASE DEPTH	LIFT HOURS	RUNS OPEN	LIFTS OPEN
3"	120"-144"	7:30 AM - 3:00 PM	50	7/28

CONDITIONS: MACHINE GROOMED, SPRING, CORN

MOUNTAIN HIGH
CLOSED

MT. BALDY

NEW SNOW (24 Hrs)	BASE DEPTH	LIFT HOURS	RUNS OPEN	LIFTS OPEN
0"	12" - 18"	8:00 AM - 4:30 PM	20	3/4

CONDITIONS: MACHINE GROOMED, SPRING

SNOW SUMMIT
CLOSED

SNOW VALLEY
CLOSED

SURF CONDITIONS WATER TEMP: 62°

SWELL FORECAST (3-5 FT)
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TIDE FORECAST FOR SANTA MONICA

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LOW TIDE	N/A	N/A	N/A	N/A
HIGH TIDE	N/A	N/A	N/A	N/A
SUNDAY				
LOW TIDE	N/A	N/A	N/A	N/A
HIGH TIDE	N/A	N/A	N/A	N/A
MONDAY				
LOW TIDE	12:25AM	1.43FT	12:12PM	0.48FT
HIGH TIDE	6:05AM	4.06FT	6:48PM	5.40FT
TUESDAY				
LOW TIDE	1:23AM	0.56FT	12:54PM	0.83FT
HIGH TIDE	7:16AM	3.97FT	7:20PM	5.91FT
WEDNESDAY				
LOW TIDE	2:13AM	-0.22FT	1:32PM	1.19FT
HIGH TIDE	8:19AM	3.90FT	7:57PM	6.32FT
THURSDAY				
LOW TIDE	3:00AM	-0.82FT	2:11PM	1.54FT
HIGH TIDE	9:17AM	3.83FT	8:32PM	6.55FT
FRIDAY				
LOW TIDE	N/A	N/A	N/A	N/A
HIGH TIDE	N/A	N/A	N/A	N/A

The Q Line

PROUDLY BROUGHT TO YOU BY

All the world's a stage ...

Or at least much of Santa Monica soon will be, as the Santa Monica Police Department finishes installing 123 surveillance cameras in tourist-heavy areas such as the Pier, Third Street Promenade and downtown alleys. The security system, at a price tag of $1.3 million, comes in response to a perceived terrorist threat on the pier last July.

Still, a contingent of residents views the cameras as a step toward less privacy.

So this week, Q-Line wants to know:

Do you have a more or less favorable image of the city in light of the surveillance cameras? Why?

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LETTERS TO THE EDITOR

High school principal getting bad rap

Editor :

(This letter also was addressed to the Santa Monica-Malibu Unified School District Board of Education.)

No one is perfect. No educational leader is perfect. But the present effort to lay so much blame at the feet of Dr. Ilene Straus for the problems at Santa Monica High School is simplistic and just plain wrong. It is painful to see and ultimately not productive.

For the entire 15 years I worked at the district, much of it at or directing a program at Samohi, staff, students and parents have grumbled. It seems to be the nature of schools that elementary learning communities bubble with optimism, middle school communities have developed some skepticism, and high school learning communities are downright cynical and often negative. This is nothing new.

Several things should be taken into consideration when assessing the effectiveness of the current leadership. Much of what Dr. Straus has implemented at the high school, including the house system, she did, in part, because she believed in it but, as with many other changes in the district over the last five years, also because it was what she was directed to do by the superintendent. Now that it is in place, her own staff have not supported her. What is a general to do when so many of her troops mutiny? It seems absurd to blame this woman for the racial tension and divide when this same divide persists and is, perhaps, even widening throughout the nation.

The intense criticism seems to ignore her considerable accomplishments including:

■ Hiring some really outstanding staff, including staff of color, and encouraging them.

■ Raising achievement levels across the board and narrowing the famous achievement gap. No one in their right mind can believe that this gap can be closed overnight or that that the years before high school aren't critical to doing so.

■ Developing a very effective college/career counseling model and program that has seen significantly increased movement of the vast majority of students to high caliber four-year colleges and other post-secondary education.

■ Implementation of academic and other programs to support struggling students to meet the ever more rigorous graduation requirements coming down from the state and federal governments.

And other accomplishments too many to mention. Dr. Straus has her skills, and they have served Santa Monica High School far better than many seem to realize. And, like you and me, she lacks certain other skills, one of which seems to have been the ability to unify the diverse groups voicing their concerns so passionately.

But the issues facing urban high schools in America are huge, beyond the abilities of any one person to solve — or fail at solving. Somehow, the discussion needs to refocus on the issues and away from the individual. Pushing Dr. Straus out isn't the fix-all that some believe it would be. I would hope for a kinder, more mutually respectful, deeper and far broader discussion of the problems and what contribution all of us can make toward solving them.

Kathy McTaggart
Santa Monica

Choking on the fumes

Editor:

As a member, representing community interests, of the Advisory Planning Committee for the SCAQMD General Aviation Airport Study now under way around Santa Monica Airport, I want to clarify what the study will do and what it won't do. First and foremost, the data that will be collected from the monitors set up at a number of locations on and around the Santa Monica Airport will be used to compare the air in the vicinity of the airport to the air in the entire region.

Sample times will vary to try and capture some of what the surrounding communities in Los Angeles and Santa Monica are concerned about, that is, the emissions that smell of jet kerosene. But the study protocol will not separate jet kerosene from automobile gasoline and therefore cannot come to conclusions.

The study is not meant to address health risks. My efforts on this committee led to an add-on study of ultra fine particles. However, there are no standards for ultra fine particles and there won't be for at least several more years. This AQMD study will not address the odors the community is concerned about. For the city of Santa Monica to insist that this study will give us definitive answers to all our questions makes one wonder where they are getting their information. Though the study will not yield definite answers, it may or may not show some red flag warnings. However, to all who live and breathe these disgusting fumes and who suffer from throat and bronchial irritations and infections and much more; to those who are concerned about their children's health and bring them inside often to protect them; to all who can't do outdoor things like use their patios for garden parties, barbecues, or just to sit and relax, it is draconian to ask them to wait so many more years to possibly get an idea of pollution impacts from the idling jets.

Martin Rubin
Director of Concerned Residents Against Airport Pollution
West Los Angeles

The Da Vinci Code leaves many answered questions

THE WITNESS STAND
BY CLIFF NICHOLS

I just saw the Da Vinci Code. The reviews I had read were so bad, I just couldn't hardly believe them. I had to go see for myself. Suffice it to say, they were right and I was wrong.

As everybody knows by now, the premise is that once-upon-a-time Christ had been intimate with Mary Magdalene and that conjoining, in turn, produced a bloodline that not only can be traced to the present day, but that also required the assistance of a super-secret society of conspirators to enable it to survive the onslaughts of the church it threatened. The only problem with all this is that it necessarily leads one into an intellectual cul-de-sac that leaves you kind of wanting to go "huh?"

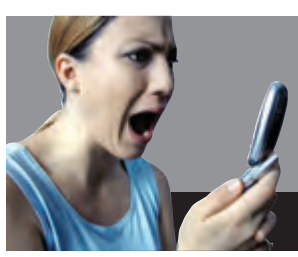
For arguments sake, let's assume for just a minute that the Da Vinci Code premise is true. The problem is this: If Jesus was, as the movie tries to point out, just another dude like the rest of us (i.e. not God), then necessarily he also was a fraud. Isn't that what you would have to call someone who claimed to be God, when he in fact knew that he wasn't? And, if he was a fraud, he also would have to have been a moron. For what kind of person other than an idiot goes around saying things like he did directly to the religious rulers of his day when anyone else with half a brain would have known that saying such things were likely to get him imprisoned, if not put to death, for blasphemy? And, on top of all of that, he also would have had to have been a nut case. For who, other than a person with a deep-seated psychosis of some sort, would choose to die hanging on a cross in order to perpetuate a fraud when he could have avoided that fate simply by defending himself — either by denying or repenting of his claims to be God — when the Roman Governor Pilate gave him the opportunity to do so?

Well, the tale told in the Da Vinci Code seems to suggest that, notwithstanding the fact that the real Jesus may have been all those things, it was his followers who perpetuated the cover-up in order to keep a good thing going. We are asked to believe that, starting with the apostles of Jesus, the church through the ages has had a vested interest in keeping the fraud that Jesus started going in order to gain wealth and power for themselves. The trouble with this theory, of course, is that few and far between are individuals who can be found who would be willing to sacrifice their own lives to perpetuate someone else's fraud. Yet, we are being asked to believe that is what the apostles did. All but one of the 12 died a martyr's death, with Peter being crucified upside down, Paul being beheaded and John being boiled in oil. I don't care how good this Christian gig was supposed to have been for them up to that point, it's hard to explain why anyone, much less all but one of them, would be willing to suffer such fates to preserve the secret that the man they pretended to worship was all the while really just a joke. Yet, that is an assumption we are asked to make, if we are to accept the Da Vinci Code's version of events.

But let's not stop there. Let's trip the light fantastic and drive the thesis of the Da Vinci Code home to its logical conclusion. So far, the story has presented us with a Jesus Christ who cannot possibly be anything other than a fraudulent stupid psycho if what they are asking us to believe is true. Now, can you tell me why we are supposed to care that such a person had any offspring, other than perhaps to be able to avoid them at social events and traffic intersections? Yet, the Da Vinci Code suggests that we should care. And, to buttress this suggestion, it asks us to believe that there has even existed a legion of devoted secret-society types over the ages, including among their membership not only Leonardo but Sir Isaac Newton as well, who not only cared about this man's lineage, but who devoted their lives to protecting it. Again, however, we are left to ask, "why?" And, while we're at it , we might also ask why would a museum curator who had already been shot trying to preserve this secret then go on to desecrate his own body with cryptic mumbo-jumbo in his last moments on earth in order to attempt a long shot effort to inform the heiress he helped raise to know who she really is, when it appears at the end of the movie there were a bunch of people evidently available at a moment's notice, including even her grandmother, who already knew who she was and who, being within walking distance of the church where she ultimately learned the truth about her heritage, could have let her know without almost getting her killed several times in the process?

Moving beyond that most improbable imponderable, however, doesn't logic suggest that the only reason why someone would value a royal line descended from a charlatan dunce psycho at all is because, if it were true, it would be proof that Christianity is a fraud? The problems with that, however, are why then keep it a secret while perpetuating their own fraud that the descendants of Jesus are some kind of royalty? For his lineage to be considered royal wouldn't it have to be a prerequisite that Jesus, in fact, had to be a king of some sort? And, based on what we know of his life, wouldn't that only be possible if he were, in fact, exactly who he claimed to be — namely the Son of God? And, if he was that, wouldn't that make the entire premise of the Da Vinci Code just a tad blasphemous? At the very least, it's questions like these that caused me to leave the theatre going, "huh?"

*(**Cliff Nichols** is an attorney practicing criminal defense/entertainment law in Santa Monica. He may be contacted at either 310-917-1083, cliff@cliffnicholslaw.com or www.cliffnicholslaw.com. You may join his blog at www.thedailystand.com.)*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Public is welcome at tonight's budget meeting

BUDGET, from page 1

City Manager Lamont Ewell.

Schools will continue to be funded under the proposed budget, which sets aside $6.5 million for the Santa Monica-Malibu Unified School District, an increase of $300,000.

"We think the budget is right on target," Ewell said Tuesday. "In addition to community input we've received on budget priorities, I have gone out to meet with practically all of the community groups — in fact I think I've hit all but one now — and so they've talked about their budget desires. For the most part they've wanted to keep the commitment to education alive, many were committed to eradicating the homeless situation here … and then the other thing that was loud and clear was more graffiti removal, more street re-paving, sidewalk replacement and other services, and this is how the budget has been designed, to get back to those core services."

The budget, which is expected to be approved in June, reflects an economy that continues to improve, particularly in Santa Monica, where revenues are generated by a variety of sources, including taxes on hotel stays and business licenses, as well as sales tax and property tax.

Revenues to support the budget total $451.8 million, a 5.1 percent increase compared to last year. Revenues for the general fund, which helps pay for basic services such as fire and police, are projected at $233.2 million. That is a 6.4 percent increase over last year. Property tax is expected to increase by $4.2 million, or 15 percent; sales tax by $1.6 million, or 5 percent; and the transient occupancy tax, or hotel tax, by $1.7 million, or 6 percent.

In addition, City Hall will receive $6.3 million in one-time revenues, which are carried over from last year, giving the City Hall the ability to fund a higher level of one-time projects.

Revenue also will come from increased fees for services. Estimates put that figure at $1.5 million above the normal increase for inflation. Most of the increases will occur in the area of building and safety, and planning services, according to the budget report.

There is some concern that the economy may take a hit because of record high fuel costs and an increase in interest rates, potentially harming the housing market. Because of advancing technologies, the possible elimination of the telecommunications portion of the local utility users tax could also result in the loss of up to $8 million in revenues annually, Ewell said.

However, those factors don't pose serious problems for Santa Monica because of the city's diverse sources of revenue.

"We are lucky because we have almost a true balance in every area of revenue, from our sales tax to our user utility tax," Ewell said. "The city is truly blessed because we are able to protect ourselves from fluctuations in the economy because we do not rely on one source of revenue."

The budget proposed by Ewell and his staff is seen as a road map for the council to follow as it debates the budget over the next few months. However, Ewell is hoping the budget will be approved as is, or at least with less than 1 percent in total budget fluctuations.

If the budget is approved in June, a major challenge in the short term will be hiring the staff necessary to fill positions created.

"Sometimes it has taken as long as eight months to hire a person for a position, and if that position is in charge of delivering services to the public and it takes eight months, then we're not delivering an acceptable level of services," Ewell said.

To meet the demand, Ewell said the human resources department is going through an overhaul to accelerate the hiring process.

The City Council Tuesday night held the first of two public hearings on the budget. The second is scheduled for tonight at 5:30 p.m. in the City Council Chambers. The public will be afforded a chance to speak, and representatives from each department will present their requests. The council will have until the end of June to approve the budget.

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Candidates learn proper door-to-door etiquette

ELECTIONS, from page 1

president of the chamber, said of the session. "I think everyone was open and honest about what it really takes to get elected."

In November, 14 seats will be up for grabs on the City Council, Santa Monica-Malibu Unified School Board and the Santa Monica Community College Board of Trustees.

The meeting was sparsely attended, perhaps because the filing date for the Nov. 7 election isn't until July 17, Dodson said.

However, those who did venture out were treated to candid discussions that included tips only veterans know, such as how to approach strangers to ask them for their votes, or how to avoid scandal by hiring a well-qualified campaign treasurer.

"I thought it was great, very informative," said Joe DiSanto, who owns a post-production company and is considering running for elected office. "I mainly just wanted to see what the academy had to offer, and I found the information was very practical and the mayor and Herb were very open. I enjoyed hearing about their war stories … Seeing them as businessmen like myself, it made me think that running for office and winning is something that I could do as well."

Katz advised those in attendance to always put their feet against the bottom of a screen door when they go from house to house asking for votes. It's important, because if there's a dog at home, they can easily push the screen door open "and have a feast on your leg," Katz said.

Holbrook said he felt it was necessary to help those interested in running get a taste of what they can expect.

"You've got to decide if you want to run or you want to win, because those are two different levels of work," Holbrook said. "If you do win, it's very humbling. People are deciding to put their trust in you. They trust you with the city, with their kids. It's a wonderful feeling, like a high that never ends."

But with that comes immense responsibility — and time — sometimes 20 to 40 hours a week depending on the issues coming before the City Council, Katz and Holbrook said.

Larmore gave a presentation on campaign finance and, in particular, limits on campaign contributions. Larmore dissected local and state elections law, spending a lot of time defining what a contribution is, how much is allowed and what impact an independent campaign committee, such as Santa Monicans for Renters' Rights or public employee unions, can have on an election.

In local races, Larmore said an individual is only allowed to give $250 per candidate per term in office, but an independent committee can spend an unlimited amount of money backing a candidate — as long as the candidate and the committee are not working together. School board and college board elections follow state law, which allows for higher contribution limits.

"Get a good treasurer," Katz said. "You need someone totally dedicated to knowing the laws and who can monitor everything that comes in, because you won't have the time."

Holbrook said if one supporter mistakenly donates more than allowed, it can cause a problem for a candidate if opponents exploit it.

"You might not even have known about it and may have returned (the contribution) as soon as you found out about it, but it does throw a pall over your campaign," Holbrook said.

July 17 is the first day prospective candidates can file for nomination papers, and Aug. 11 is the last day to file nomination papers with at least 100 valid signatures from registered voters. Oct. 23 is the last day to register to vote for the November election.

Stewart also touched on the importance of picking the right ballot designation, which is how many voters identify a candidate.

Holbrook, a pharmacist, said never pick the designation of attorney, student or incumbent because they don't connect with voters.

"When people see student, they think, 'I'm not voting for them, they don't even have a job,'" Holbrook said. "If you are an attorney, be specific. Perhaps you're a prosecutor. That seems to fare well with voters."

Holbrook also said candidates need to give a lot of thought to their ballot statements and the answers they provide on the scores of questionnaires from the media and community groups.

> "I mainly just wanted to see what the academy had to offer, and I found the information was very practical."
>
> JOE DISANTO
> **PROSPECTIVE CANDIDATE**

"I remember one guy writing scotch and soda was his favorite drink, and this was for a survey given by students," Holbrook said with a chuckle.

Jacobson followed Stewart with a look at voter turnout and the costs of running a campaign. Jacobson said if a candidate is considering sending out campaign literature to all registered voters in Santa Monica, they can expect to spend anywhere from $18,000 to $20,000.

Katz said he spent more than $100,000 on his last campaign.

"You've got to have backing. You've got to walk precincts, but you also have to have the backing to get anywhere," Katz said.

If a candidate does decide to do mailers, they have to be sure to pick the right time to send them, Jacobson said. Since the November ballot will feature nine initiatives and include a race for governor, many voters may be sick of receiving campaign literature in the mail and may throw them out.

It is important that if one sends out a mailer, that it be approved by the candidate. If not, that can cause big trouble, Katz said.

"You're the one who is going to be held accountable," he said. "You need to be up on everything because if you're not, you'll be the one that's nailed."

Above all else, be honest and run a clean campaign, Holbrook advised.

"You'll have people who will say nasty things about you and your family," said Holbrook, who listed several examples of negative campaigning against him, such as a time when he was depicted as Saddam Hussein tucked into the pocket of a wealthy businessman. "Don't do it back. At the end of the day, you are still yourself. You have family and friends you have to answer to, so just run positive campaign."

And men, whatever you do, don't show up on door steps alone.

"I find that more women now are afraid to open their doors when they see a man out front," Holbrook said. "Usually you'll get people who will tell you to leave your literature at the door and they'll pick it up when you leave … It seems they're more willing to listen to what you have to say if you have a woman by your side."

Fruit flies prompt produce quarantine in Fresno County

BY OLIVIA MUNOZ
Associated Press Writer

FRESNO, Calif. — County officials have asked the state to impose a produce quarantine in a swath of America's most productive farmland after the discovery of six tiny fruit flies that can destroy fruits and vegetables.

This would be the first quarantine in Fresno County in two decades. It is blamed on the discovery of the peach fruit fly, which can ruin about 50 types of tree fruit as well as some vegetables. Farms in an 85-square mile zone will be sprayed with pesticides and shipments will face inspections.

The county is waiting for state approval before setting the boundaries of the quarantine, Fresno County Agriculture Commissioner Jerry Prieto Jr. That is expected to happen by the end of the week. The quarantine must last through two life cycles of the fly or about two months.

The county agriculture department began finding the fruit flies last week, leading to restrictions that would prohibit people from carrying fruit out of boundaries.

The flies, which can ruin peaches, apricots, citrus and figs, as well as some vegetables, may not hurt the industry the way the Mediterranean fly did in the past, though any pest is a threat to the county's leading industry, Prieto said.

Medflies caused quarantines during the 1980s and '90s, mostly in Southern California. Several countries banned products that were grown in quarantined areas. More recently, the glassy-winged sharpshooter has spread disease to California vineyards, killing more than 300 acres of Riverside County grapevines in 1999.

The area where the peach fruit flies were found does not have much commercial agriculture. Fruits and vegetables there are safe to eat or can, Prieto said.

"We're absolutely scared of this," said Mike Jura Jr., 44, who grows figs in the area.

Growers would have to apply pesticides four times over several weeks, rendering the current harvest unfit to leave the quarantine, Jura said.

"We had an average crop this year as it is. If we're unable to get it to market, it will be disheartening. It'll definitely affect our bottom line," he said.

The quarantine will rely on the honor system, though farmers' market sellers will not be able to take leftover goods out of the area and truckers will have to cover their shipments, Prieto said.

Those who violate the quarantine will face undisclosed fines.

After a certain number of the flies are found, the county automatically must impose a quarantine. This is the first quarantine in the county in about 20 years, Prieto said.

Last week, workers set about 300 traps in trees and telephone poles to bring out any other flies. The lures contained a combination of pheromones to attract males and kill them with a pesticide.

The state Department of Food and Agriculture has also been spraying the area with pesticide treatments for the past few days.

The county agriculture department will begin a door-to-door campaign to warn residents in the affected region not to move backyard fruits and vegetables, Prieto said.

The peach fruit flies are a southeast Asian variety and likely got to Fresno when someone smuggled fruit in from another country, said Blair Richardson, president of the California Tree Fruit Agreement.

"There are reasons why these rules are in place and one of those is to protect the agriculture industry," Richardson said.

"Enjoy fruit where you're at and then leave it there."

Murder suspect goes on trial

By The Associated Press

RIVERSIDE, Calif. — A man is being tried for murder more than eight years after a teenager was stabbed to death outside a rock concert.

The trial of Peter Gallardo Espinoza, 26, began Monday after he was arrested last year in Tijuana on alleged immigration violations and returned to the United States.

He is charged with killing Alan Doyle, 17, of Yorba Linda on Nov. 30, 1997 after a confrontation in a parking lot across the street from a Corona music venue.

In opening statements, Deputy Public Defender Judith Gweon told the jury Espinoza had stabbed Doyle but should be convicted of manslaughter, not murder, because he was too drunk to think straight.

"It's not a justification, it's an explanation of why," Gweon said.

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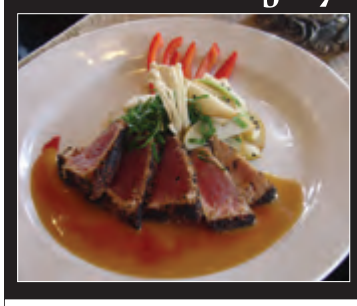

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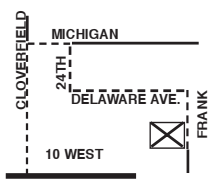

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STATE BRIEFS

Hit-and-run victims move into rehab

By The Associated Press

FULLERTON, Calif. — Two joggers who spent weeks in Mission Hospital after being seriously injured in a hit-and-run accident were released to a rehabilitation facility, doctors said.

Stacy Neria, 34, was moved Monday to St. Jude Medical Center. Carol Daniel, 41, was expected be transferred to the facility on Tuesday.

"It's one step in a very long, long process," said Daniel's husband, Craig. "To me, it's not something to celebrate, it's just one little part of the puzzle that we're going through."

A car sped away after striking the two San Clemente women on April 8 while they were out for a morning jog, authorities said. Police arrested suspect William Todd Bradshaw on April 14.

Neria suffered from damage to her brain stem and is showing slow neurological improvement, doctors said.

Daniel suffered several injuries, including a broken neck. Her husband said she no longer needs the help of a respirator to breathe and has been talking.

The women each have three children.

Man suspected of killing wife found dead

By The Associated Press

HIGHLAND, Calif. — A man suspected of kidnapping and killing his estranged wife was found dead in an apparent suicide, authorities said.

The body of Travon Howard, 32, of Highland was found behind a supermarket on Saturday, San Bernardino County authorities said Monday.

Officials believe he was responsible for the slaying Friday of Natasha Howard, 25. Authorities had been searching for the woman because they feared for her safety.

"It's just a tragedy," Deputy District Attorney Michael O'Connell said. "People were moving as fast as they could and it was not fast enough."

Prosecutors had charged Travon Howard with armed assault, accusing him of shooting his wife on April 10.

Natasha Howard initially told sheriff's investigators she had accidentally shot herself. But she later said the attack occurred during an argument that began after she found a picture of Travon Howard with another woman, according to sheriff's reports.

Prosecutors obtained an arrest warrant for Travon Howard and wanted to relocate Natasha Howard to safe place while deputies searched for her husband.

Deputies "took some steps to find him, and they were unsuccessful," Chief Deputy District Attorney John Kochis said.

Convicts contribute to historic restoration

By The Associated Press

LAGUNA BEACH, Calif. — Convicts from a minimum security prison camp have been serving parts of their sentences aiding a historic restoration project along the Orange County coast.

Inmates from the Prado Conservation Camp are building retaining walls, clearing paths and doing other work in the cabin area of Crystal Cove State Park, park officials said.

Inmates have worked at Crystal Cove for decades, but the men are playing a more noticeable role as the park prepares for the first overnight visitors to its renovated cottages.

"The amount of work they do would cost the public a lot of money and take a lot of time, and they come in and whip it out in a day or two," said Superintendent Ken Kramer of the State Parks Orange Coast District.

Prado Conservation Camp in Chino is one of the state's 42 camps that farm out inmates for conservation projects and wildfire-fighting efforts.

Participating prisoners must be nonviolent offenders. Most are in for drug and property crimes.

"We never had a problem with them in all the years they've been here," Kramer said.

Rare bird spotted nesting at nature center

By The Associated Press

SOUTH EL MONTE, Calif. — A bird known as the "least Bell's vireo" has been making a home at a wetlands nature center — one of the few remaining habitats for the endangered migratory species.

The rare bird has been spotted nesting since March at the 428-acre Whittier Narrows Nature Center, which includes four lakes and a pond, officials said.

"This is one of the few preserved wetlands left, so they come here," recreation services leader Ray Jillson said.

The least Bell's vireo has been on the federal endangered species list since 1986.

Jillson said he has spotted about 10 of the birds at the nature center and hopes soon to find babies in the nests.

Contractor to pay $300K fine, unpaid wages

By The Associated Press

LOS ANGELES — Federal officials ordered labor contractor Global Horizons to pay nearly $300,000 in fines and unpaid wages to 88 agricultural workers from Thailand who were sent to work in Hawaii, authorities said.

The firm deducted housing and food costs from the workers' wages, although it brought them into the country under a visa program that makes the company responsible for those costs, U.S. Labor Department officials said.

The workers harvested onions and pineapples.

Global Horizons president Mordechai Orian said Monday he had done nothing wrong but "decided to settle and move on."

A former client in Hawaii was to blame for the underpaying the workers, he said.

California spotted owl not deemed endangered

BY JULIANA BARBASSA
Associated Press Writer

FRESNO, Calif. — The U.S. Fish and Wildlife Service on Tuesday rejected a petition to list the California spotted owl under the Endangered Species Act, saying the population is stable and programs that prevent forest wildfires will allow it to thrive.

The decision rankled the environmental groups that had requested protection of the speckled, football-sized owl. This was their second effort to list the bird in three years.

The petition's denial was based in part on the recommendation of scientists commissioned to study the owl, said Steve Thompson, manager of the agency's California-Nevada operations office.

They found that fires that creep through excessive brush and eventually consume the old-growth forests the owls prefer are their main threat, Thompson said, adding that U.S. Forest Service tree thinning programs will prevent the spread of flames and ensure the owls remain off the endangered list.

But environmentalists protested, saying the Sierra Nevada Forest Plan, amended in 2004 to allow cutting trees of up to 30 inches in diameter, is logging in disguise and destroys owl habitat.

"They're completely off base," said Noah Greenwald, with the Center for Biological Diversity's Portland office. "Logging is by far the most serious threat to the California spotted owl and the kind of fuel reduction they're talking about is just that — logging."

Greenwald said that it's long been understood that the owls need mature trees. He said that thin, easily consumed vegetation such as grass, brush and small trees under 12 inches in diameter are what feed the raging fires that can race through California's hills in summer and fall.

Environmentalists said the petition's denial has more to do with the current political climate than with threats facing the owl.

Another threat to the California spotted owl is encroachment into its territory by a larger, more aggressive owl — the barred owl, originally from the East Coast.

But although the eastern owl moved quickly into the Pacific Northwest, its spread into the Sierra has been slower than anticipated, and it hasn't reached Southern California yet, federal officials said.

Placing the owl under federal protection would have required officials to designate habitat that is essential for its recovery. That could have significant impact on activities allowed within the 11.5 million acres of national forests in the Sierra.

It could severely limit commercial logging in the area, as seen when a closely related subspecies — the northern spotted owl — was listed as threatened in 1990. Large tracts of federal forests were closed to logging in Northern California, Oregon and Washington, cutting back logging by 80 percent in federal forests and reducing it in private lands, and leaving timber-depended towns to face an economic slump.

Study finds Oregon power plant spreads haze to parks, wilderness

By The Associated Press

BOARDMAN, Ore. — A new federal study shows that a coal-burning power plant in Eastern Oregon causes pollution in 10 protected parks and wilderness areas in three states.

Haze from the Portland General Electric plant near Boardman clouds views from Hells Canyon on the Idaho border, at Mount Rainier in Washington and Mount Jefferson in Central Oregon, according to the study.

Air in wilderness areas is supposed to be protected as the cleanest in the nation.

The U.S. Forest Service commissioned the analysis and provided a copy to PGE, the state's largest electric utility, but so far the federal agency has taken no action on it. The Oregonian newspaper obtained it through the Freedom of Information Act.

The findings raise the possibility that PGE will have to install millions of dollars worth of pollution controls at the Boardman plant, which was authorized in 1975 — just in time to avoid overhauled provisions of the federal Clean Air Act. Federal authorities later acknowledged in a court case that the early authorization was a mistake.

Boardman is now one of only two major coal plants in the West without modern pollution controls and no immediate commitment to add them, said Patrick Cummins, air quality program manager for the Western Governors Association.

PGE officials have acknowledged that the plant is probably contributing to haze and said that they will address the problem if it's verified by another analysis with newer data, which is planned by the Oregon Department of Environmental Quality.

"If this shows the controls are necessary and required, we will put them on," Mark Fryburg, environmental policy specialist with the company, told The Oregonian.

But an updated state study could take more than five years. The company has committed to accelerating the DEQ study, but not to adding controls on any speeded-up schedule.

Fitting the plant with scrubbers and other devices to capture compounds that create haze and acid rain could cost $150 million, Fryburg said. The plant, a major source of power and income for the Portland-based utility, has been off line since October because of breakdowns.

It's expected to be back in service later this month.

The Boardman plant, along with a nearby giant dairy complex, have come under increasing scrutiny as a source of worsening air pollution in the Columbia River Gorge plus acid rain and fog that eats away ancient Native American rock art.

Officials at the Forest Service, which manages the gorge, said they were surprised at the wide effects of the plant's emissions.

"The number of wilderness areas affected is almost unprecedented," said James Russell, manager of air resources and smoke management in the agency's regional office in Portland.

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What real estate billionaires have in common

DAYS ON THE MARKET
BY JODI SUMMERS

Out of the world's 691 billionaires, 46 of them made their fortunes in the real estate industry.

According to Forbes magazine's annual list of "The World's Richest People," this elite group have quite a bit in common through their habits, lifestyles and business styles. Here are some unifying qualities shared by America's richest real estate moguls.

1. Go commercial. Billionaires who make their fortunes in real estate don't do it in residential. They are moguls with an empire of owned and operated office buildings, shopping centers, apartment complexes and luxury hotels. That strategy works particularly well for "America's richest landlord," 73-year-old Newport Beach resident Donald Bren, the wealthiest man in American real estate. The self-made millionaire, with a net worth of $4.3 billion, made much of his money as chairman of The Irvine Company, a privately held real estate investment company known for creating balanced, sustainable, quality communities like the 93,000-acre Irvine Ranch in Orange County. Finished plots sell for more than $1 million an acre. The ranch also has 400 office buildings, 35 shopping centers, 80 apartment complexes and two luxury hotels. Bren is the sixth wealthiest real estate billionaire and the 122nd richest man in the world. He also is one of real estate's great philanthropists.

2. Do more than invest. Making big money in real estate goes beyond buying property and waiting for it to appreciate in value. It's all about improvements. John Sobrato of Sobrato Development Companies (SDC) calls Atherton home but he made his fortune in Silicon Valley. For more than 40 years, Sobrato's SDC has developed real estate in Silicon Valley, specializing in facilities for high-tech and research and development companies. Another self-made man, he began in 1953 with one of the first "tilt-up" buildings in Santa Clara County. Sobrato, who owns and manages the buildings he constructs, maintains single tenant occupancy. He boasts a portfolio of $1.5 billion. His assets include land throughout Silicon Valley, San Jose, Fremont, Newark and Santa Clara. He has developed in excess of 7,000 rental units.

3. Be able to see the property for what it could be. Just because you buy a shopping complex doesn't mean that's the highest and best use of the property.

4. Know the local zoning codes and be open to the possibilities. Los Angelino Ed Roski did just that. Roski is the founder of Majestic Realty, the largest commercial builder in Los Angeles, boasting an office, retail and industrial portfolio totaling more than 55 million square feet. The USC graduate with a net worth of $1.1 billion, saw the highest and best use of the formerly blighted area near the convention center and built the Staples Center with Philip Anschutz. Roski also is a minority owner of the Lakers and the Kings. Headquartered in City of Industry, Majestic Realty also has offices in Atlanta, Dallas, Denver and Las Vegas — where they have a 400-acre business park and 3 million square feet of casinos.

5. George Argyros is the grandson of Greek immigrants. Argyros began by running a Palm Springs grocery. He graduated to buying and selling corner lots at busy intersections for gas stations. He turned to apartments in 1968. Today, as part of Arnel & Affiliates, Argyros manages apartments and commercial properties in southern California. He has a net worth of $1.2 billion.

6. Have a thick skin. People can be resentful and jealous of successful people. Don't let criticism of your work deter you from your goals. Consider Red Emmerson, the second wealthiest real estate titan in California. Emmerson is the largest private forestland holder in North America — assets include 1.52 million acres in Northern California, timberland stretching more than 350 miles from Mount Shasta to Yosemite National Park. For the last 20 years, while other logging companies retrenched or relocated, Emmerson and his company — Sierra Pacific Industries — quietly grew into the second-largest private landowner in the United States. Needless to say, Sierra Pacific is a darling of environmental groups.

7. Have superior information. If you do more research than your competitors, you'll have an advantage in any transaction. Self-made billionaire Carl Berg was a loan processor before investing in Silicon Valley commercial real estate with John Sobrato in the 1960s. He struck out on his own, forming Mission West Properties, a real estate investment trust (REIT) in Silicon Valley. Berg owns a controlling stake in the REIT, which focuses on single-tenant research and development and office properties in Silicon Valley. Mission West now owns and manages more than 100 properties. Major tenants include Microsoft and Apple Computer. Currently, the Atherton-based businessman boasts a portfolio of $1.2 billion.

8. Don't accept the cards you're dealt. Forbes notes that while one-third of the world's 46 billionaires who make their money in real estate inherited and then grew their fortunes, two-thirds are self-made. Stockton-based A.G. Spanos Companies are known for building, managing and selling multi-family housing units; constructing master-planned communities, and developing land. Although California based, it has expanded to build more than 100,000 apartments in 18 states since 1960. A.G. Spanos Companies also has developed top-class office space in San Joaquin County. Alex Spanos, owner of the NFL's San Diego Chargers, operates the company with his sons Dean (president and CEO) and Michael Spanos (EVP). Spanos, whose net worth is $1.1 billion has pledged $200 million to San Diego for a new stadium for its football team.

9. Live in California. Of the 21 U.S. billionaires who made their fortune in real estate, more than one-third live in Atherton, Los Angeles, Newport Beach, Palo Alto or Stockton.

10. Get, and stay, married. Of the 43 real estate billionaires whose marital status is known, according to Forbes, 37 are married, while only three are divorced and three are widowed.

11. Go back to school. Of the 26 real estate billionaires whose educational attainments are known, 20 have a college degree or higher. Five made it on high school diplomas, and one is a high-school dropout. John Arrillaga is a big donor to alma mater Stanford University. Arrillaga and Richard Peery are two of Silicon Valley's biggest commercial landlords. In the 1960s, they converted farmland into pricey office space. Peery and Arrillaga are lifelong business partners who avoid debt and the media. Each has net worth of $1 billion.

For more on Southern California commercial properties, there is a great information blog at www.socalindustrialrealestateblog.com.

*(**Jodi Summers** is director of the investment division at Boardwalk Realty Santa Monica. For your real estate needs, e-mail Jodi Summers at jodis@boardwalkrealty.com, call 310-309-4219 or visit her Web site at www.santamonicalandmarks.com.)*

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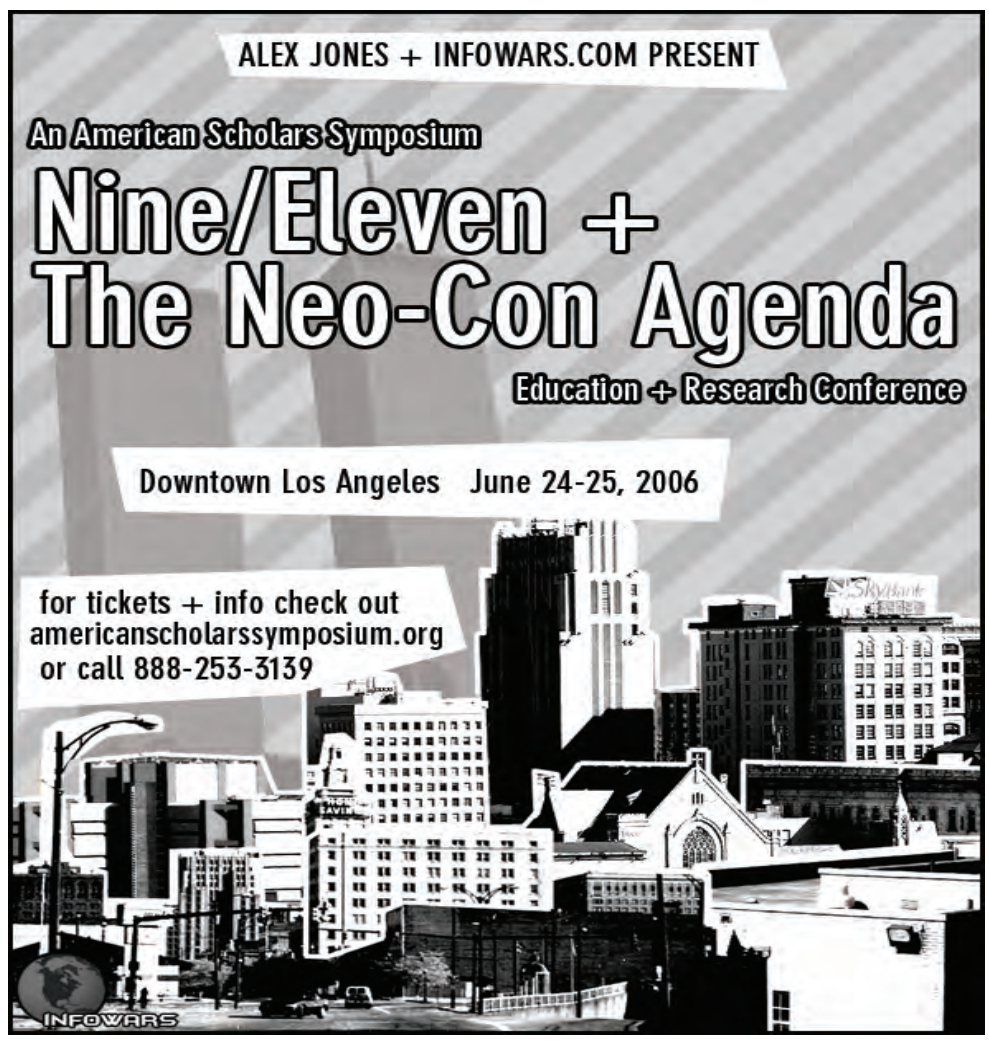

THE HOA ADVISOR
BY MICHAEL CHULAK

Know your rights and what you're up against with condo ownership

QUESTION: I am a new real estate agent and would like to specialize in selling condominiums. What types of disclosures are required to be made before a condominium can be sold?

ANSWER: Before a separate interest — a unit in a condominium, lot in a planned development, or right to occupy in a stock cooperative — can be sold, the owner is required to provide the following to the prospective buyer:

■ Covenants, Conditions and Restrictions (CC&Rs), bylaws and association rules.

■ A statement from the association's representative as to the amount of the regular and special assessments, fees and, if applicable, the amount of any unpaid assessments and/or other charges.

■ Any change in the association's regular and special assessments and fees that have been approved but have not yet become due and payable.

■ If applicable, a list of preliminary construction defects.

■ If applicable, any settlement agreement between the association and builder regarding construction defects.

■ The association's operating budget, which must include a summary of the association's reserve study.

■ A review of the association's last financial statement prepared by a licensee of the California State Board of Accountancy, if the annual gross income of the association exceeded $75,000.

■ A statement describing the association's policies and practices in enforcing lien rights or other legal remedies for default in payment of its assessments.

■ A summary of the association's insurance coverages.

In addition, sellers are required to disclose to any prospective purchaser any fact materially affecting the value and desirability of the property, including but not limited to the physical conditions of the property and previously received reports of physical inspections.

Lastly, real estate agents are required to conduct a reasonably competent and diligent visual inspection of the property offered for sale and to disclose to the prospective purchaser all facts materially affecting the value or desirability of the property that an investigation would reveal.

As you can see, the duty to disclose is extensive. It is recommended that you utilize the applicable standard California Association of Realtors forms and that you take your duty to disclose seriously.

QUESTION: I am considering running for election to the board of directors of my homeowners' association. What types of protections are available to protect me against legal liability for negligent acts?

ANSWER: Under the California Civil Code, a director cannot be held personally liable if the director is acting:

■ As a volunteer (not paid).

■ Within the scope of the director's authority.

■ In good faith.

■ In the absence of willful, wanton or gross negligence.

■ The association has both general liability and directors/officers liability insurance coverage — $500,000 minimum for 100 units or less, or $1 million minimum if over 100 units.

Notwithstanding the above, the association may be held liable for negligent acts of the board of directors.

In addition, the California Corporations Code also provides immunity if the director is acting:

■ In good faith.

■ In the best interest of the corporation.

■ In accordance with the business judgment rule.

■ As a volunteer (not paid).

Immunities are not absolute. You should contact legal counsel for additional information and obtain comprehensive insurance coverage from a knowledgeable insurance broker.

(Michael T. Chulak is the founder of Michael T. Chulak & Associates. Questions can be sent by e-mail to info@MTCLaw.com. Answers are general in nature. An attorney should always be consulted when legal advice is needed. For more information, visit these Web sites: www.MTCLaw.com and www.HoaQandANSWER.com.)

How to please the IRS with property exchanges

IN YOUR SPACE
BY CHRISTINA S. PORTER

A common way to own investment real estate is as a member of a partnership. Being in a partnership has many advantages but does present a challenge if one of the partners wants to cash out using a 1031 exchange.

In the eyes of the IRS, a partnership "interest" is considered personal property and does not qualify for a 1031 exchange. The general rule that is that the "entity" that sells the relinquished property must be the same "entity" that purchases the replacement property. A simpler way to look at it is the tax return that sells the relinquished property must be the same tax return that purchases the replacement property; there is an exception under the "disregarded entity" rule. If the partnership sells the relinquished property and the partnership purchases the replacement property, then the transaction is "like kind" and qualifies for a 1031 exchange.

With careful planning and forethought, the members of a partnership can structure a transaction, or series of transactions that allow one or all of the partners to cash out and go their separate ways while deferring capital gains taxes. A few options are:

■ The partnership can exchange the single property for several like kind properties with an aggregate "equal" value, allowing easy dissolution of the partnership or further exchanges. That strategy is commonly known as "swap and drop." The partnership creates separate limited liability companies (LLCs). The LLCs holds each new property for a sufficient amount of time to prove that they held it for investment to ensure the exchange will be valid. The partnership then distributes the LLCs to the individual partners. Some adjustments relative to fair market value may be needed to keep the distributions equal to the respective percentage interest.

■ The partnership can transfer the interest in the real estate to the various owners as Tenants In Common (TIC). Holding title as a TIC means that each co-owner has an "undivided fractional interest" in the property and provides a separate deed to each co-owner. That way of holding title allows each co-owner to exchange their interests separately, meaning that one can exchange into another property without the other co-owners.

■ The partnership could purchase the replacement property and after it closes, refinance and the proceeds can be distributed to the partner who wants to cash out.

The common requirement for all of the options is that the property be held long enough to qualify as an investment. Doing the ground work for a successful 1031 exchange should be done long before the actual exchange happens. This is done to minimize the risk of the IRS, claiming that the individual members or partners purchase the property for resale rather than for investment or that the exchange was really an attempt to exchange partnership interest, which as mentioned above, is excluded as like-kind property under a 1031 exchange.

As always each investor should consult with their tax/legal professional to discuss the risks and other factors involved with partnerships prior to making any decisions.

*(You can reach **Christina Porter** at 1-877-4 TM 1031, or e-mail her at christina@tm1031exchange.com to discuss your specific needs. TM 1031 Exchange assists investors in planning and executing successful real estate investment strategies. Visit www.tm1031exchange.com for a complete list of investment properties and to download the TM 1031 Tool Kit.)*

Sample Properties For Sale

Retail

Tenant	State	Price	Sq.Ft.	Cap Rate
Surety Village	TX	$5,000,000.00	53,410	7.50%
Polaris Market Place	OH	$6,380,000.00	28,000	8.00%
Franktown Corners	NV	$7,500,000.00	44,074	7.30%
Columbia Plaza	MI	$7,900,000.00	179,475	8.50%

Tenant In Common/Alternatives (No Management)

Type	State	Minimum Investment	Year1/Year 5 Cash On Cash
Multi Family	FL	$100,000	8% / 8%
Office/Warehouse	LA	$182,500	8% /10%
Garden Apartments	OR	$300,000	6.7% / 8.88%
Office Depot Anchored Cntr	SC	$350,000	8% /10%

Which of These Costly Mistakes Will You Make When You Sell Your Santa Monica Home This Summer

BY JAMES COSTELLO AND JOHN MCCORMACK

SANTA MONICA – A new report has just been released which reveals 7 costly mistakes that most homeowners make when selling their home, and a 9 Step System that can help you sell your home fast and for the most amount of money.

This industry report shows clearly how the traditional ways of selling homes have become increasingly less and less effective in today's market. The fact of the matter is that fully three quarters of home sellers don't get what they want for their home and become disillusioned and – worse – financially disadvantaged when they put their home on the market.

As this report uncovers, most home sellers make 7 deadly mistakes that cost them literally thousands of dollars. The good news is that each and every one of these mistakes is entirely preventable.

In answer to this issue, industry insiders have prepared a free special report entitled *"The 9 step System to Get Your Home Sold Fast and For Top Dollar."*

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Louisiana drilling into hurricane preparedness

BY STACEY PLAISANCE
Associated Press Writer

NEW ORLEANS — State and federal authorities tracked the path of a fictitious "Hurricane Alicia" on Tuesday as part of two-day drill aimed at avoiding the chaos that followed last year's deadly Hurricane Katrina.

The drill was organized to allow first responders and others, including Mayor Ray Nagin and Gov. Kathleen Blanco, to react as though a Category 3 hurricane was hitting the state's Gulf Coast.

"I want you to know Louisiana is prepared for the next storm. There is no work more important to the state than protecting our citizens during hurricane season," Blanco told reporters at the state Office of Emergency Preparedness headquarters in Baton Rouge.

In New Orleans, volunteers playing the part of evacuees boarded city buses and headed to the city's convention center. From there, they would be taken to shelters, first within the state and then elsewhere depending upon occupancy.

"The more we practice the better we'll be when a storm hits," Marine Cpl. Jose Resendiz, 30, said as he and about a dozen other make-believe evacuees boarded a bus in New Orleans' Algiers neighborhood.

That aspect of the drill is part of Nagin's new city-assisted evacuation plan unveiled earlier this month. Last year, as Hurricane Katrina approached, thousands of the city's poor were left behind because they had no transportation, couldn't afford to leave or didn't know where to go.

About 1 million people fled the New Orleans area. However, tens of thousands of residents remained and were trapped in attics and stranded on rooftops after flood walls failed, and more than 1,000 people were killed in Louisiana.

Officials are especially concerned about the state's more than 200,000 residents living in travel trailers and countless others in unfinished homes. The schedule for Tuesday's drill included a mock evacuation of the state's largest trailer site in Baker, a Baton Rouge suburb, where more than 500 trailers house about 1,500 people.

"These travel trailers will not hold up in strong winds," said Mark Smith, spokesman for the state's Office of Homeland Security and Emergency Preparedness.

ON THE NET

Governor's Office of Homeland Security and Emergency Preparedness:
www.ohsep.louisiana.gov

The Federal Emergency Management Agency and the federal Department of Homeland Security had have representatives in New Orleans and Baton Rouge for the drill.

Jerry Sneed of the New Orleans Office of Homeland Security said the city will test new technology that allows it to know who's leaving on buses and trains and where they're going.

Already, the state has issued hurricane evacuation guides, complete with maps, travel-trailer safety tips and guidance for preparing disaster kits containing canned food, batteries, toilet paper, insurance policies and wills.

Officials are urging residents to make their own arrangements for a place to stay because shelter capacity, even though increased since last year, will not be enough to hold all residents.

In-state shelters are prepared to take in about 55,000 people — 22 percent more than they had room for last year, officials said. Still, that space would fill quickly in a mass evacuation.

Parishes in central and northern Louisiana say they're better prepared to help because of lessons learned from Katrina. Many already are making sure they have supplies like cots, blankets, food and water.

Scientists predict the 2006 Atlantic hurricane season, which begins June 1 and runs through November, could produce 16 named storms, including six major hurricanes.

Evacuations in New Orleans should be easier, in part because far fewer residents are living in the city, and most have cars. Fewer than half of the 455,000 pre-Katrina residents have returned.

To quell fears of looting, National Guard troops may be stationed with police throughout the city before storms, and a dusk-to-dawn curfew would be in place once an evacuation is ordered, New Orleans police said.

Utah first stop on Mexican president's three-state U.S. visit

BY BROCK VERGAKIS
Associated Press Writer

SALT LAKE CITY — Mexican President Vicente Fox faces a state divided over the issue of immigration during his 24-hour visit here.

While the state's largest minority group is Hispanic, there's also growing resentment toward the wave of illegal immigrants coming to the state.

"I'd like to see Vicente Fox tell his people to respect the law and come here legally," said Alex Segura, founder of the Utah Minuteman Project, which opposes illegal immigration.

The Minuteman Project is planning protests at the Capitol, where Fox will be addressing a special session of the Legislature on Wednesday.

Immigration reform is a major focus of Fox's visit to Utah, Washington state and California this week as the U.S. Senate considers legislation to strengthen border security, authorize new guest-worker programs and give an eventual chance at citizenship to most of the estimated 12 million people already living illegally in the United States.

Republican Gov. Jon Huntsman supports President Bush's plan to send as many as 6,000 National Guard troops to the Mexican border and says it's important for Fox to see firsthand the frustrations Western states feel when it comes to illegal immigrants burdening health care and prison systems.

About 11 percent of Utah's 2.4 million population is Hispanic, according to 2004 Census figures. Of those, more than half are of Mexican descent.

Fox was to arrive in Salt Lake City early Tuesday afternoon and address a luncheon meeting of business and civic leaders, followed by a stop at the Utah Cultural Center. A state dinner is planned Tuesday evening.

He'll also have a private meeting with Huntsman Wednesday and with leaders of The Church of Jesus Christ of Latter-day. The majority of Utah residents are Mormon, as is the governor and a majority of the Legislature.

Fox also is expected to meet with leaders of The Church of Jesus Christ of Latter-day Saints. The majority of Utah residents are Mormon, as is the Legislature and Huntsman. The Mormon church also has a strong presence in Mexico, where in 2004 membership exceeded 1 million.

How Fox and future leaders can improve the lives of Mexicans is one of the topics that Jorge Fierro hopes Fox will address during his visit to Rico's Market, which Fierro will be catering Wednesday. The menu includes eggs, chile con queso and Mexican bread.

Fierro is a Mexican citizen who has lived in Utah since 1986, when he began to learn English. He opened his first bean stand at a farmer's market in 1997 and now sells Mexican food products at supermarkets throughout Utah, with sales totaling more than $1 million.

"If we could do better in Mexico, there probably would not be a lot of people that have the need to come to the states," he said.

Fierro will begin cooking for the president at 3 a.m. Wednesday.

"It's just one day," he said of the early kitchen time. "This is going to boost our morale now that our brothers and sisters are facing uncertainty in their future."

Lay on the stand again, this time in a bank fraud trial

BY MICHAEL GRACZYK
Associated Press Writer

HOUSTON — Enron Corp. founder Kenneth Lay said Tuesday he doesn't remember being told about any rules governing the use of loan money by banks to buy stock, and insists that while he's responsible for the error, he never intended to break the law.

"I don't recall them ever coming to my attention we were not in compliance with any of those loan agreements," Lay said. "I can't categorically say somebody didn't, but I sure can't recall."

Lay said even though he received periodic reports about the loans, he didn't really read the entire documents and focused primarily on the remaining balances "to have something in my head."

He denied trying to be deceptive.

"It was not part of my consciousness at that time," he said.

U.S. District Judge Sim Lake, who is hearing the case without a jury, anticipated closing arguments early Tuesday afternoon. But Lake will not release his verdict in the case until a jury finishes its deliberations in the main fraud and conspiracy case involving Lay and former Enron Chief Executive Jeffrey Skilling.

The jury in that case, where Lay faces six charges and Skilling 28, including insider trading, was deliberating Tuesday for a fourth day.

Lay, who has yet to be cross-examined in the bank fraud case, acknowledged that he clearly wasn't in compliance in different investments and different paybacks.

"Ultimately, it's my responsibility," he said Monday. "I regret I did not have more time to spend on my personal matters and perhaps this is one of the consequences of that."

Prosecutors allege that beginning in 1999, Lay obtained $75 million in loans from three banks — Bank of America, Chase Bank of Texas and Compass Bank — and then reneged on an agreement with the lenders that he wouldn't use the money to carry or buy stock or mutual funds. The federal rules governing use of loans for stock sales were covered in documents Lay signed.

He was indicted in 2004 on one charge of bank fraud and three charges of making false statements on loan documents.

His personal banker testified earlier the rules were spelled out to Lay.

Lay said he didn't remember ever hearing a discussion in his years as director of several banks.

He said he didn't dispute using the money to buy stock, but he added he had no intention to defraud the banks or make false statements.

"I did not nor would I have if I knew what the facts were," he said.

He said documents for his signature routinely were handed to him by his assistants and after reviews by lawyers who he believed "were doing in good faith and doing the best job they could with the information they had."

Lay's personal accountant also testified on Monday she was unaware when she transferred money from loans Lay had obtained that federal regulations barred use of some of the money for stock purchases.

Sherrie Gibson, contradicting her own grand jury testimony, said sometimes she decided herself which of Lay's multiple lines of credit to use but didn't intend to be deceptive.

"I never think in terms of sneaky," she said.

Gibson also said Lay never told her to circumvent any regulations.

The final government witness was FBI agent Robert Cunnane, who specializes in white-collar fraud and who reviewed thousands of documents related to Lay's loans and stock purchases. Cunnane said Lay's statements that he wouldn't use the money to buy stocks were untrue.

Under cross-examination, he said he found no documents where any agency or bank raised concerns regarding any of the transactions.

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Senate rejects letting all illegal immigrants stay

BY SUZANNE GAMBOA
Associated Press Writer

WASHINGTON — The Senate rejected a California Democrat's plan to allow the estimated 12 million illegal immigrants in the country to remain, work and eventually become Americans, preserving a fragile bipartisan coalition needed to pass the bill.

Several lawmakers who voted against the proposal offered by Sen. Dianne Feinstein on Tuesday said they did so reluctantly, but out of necessity to ensure survival of the broader immigration bill. The legislation is expected to win Senate passage Wednesday or Thursday.

"This legislation is on the edge of the ledge as it is," said Sen. Arlen Specter of Pennsylvania, one of the Republicans supporting a delicate compromise that has kept the bill alive — letting two-thirds of illegal immigrants stay but making the other third leave.

Feinstein's amendment, defeated 61-37, would have supplanted the compromise that allows illegal immigrants here five years or more to stay and work six years and seek legal residency after paying back taxes and fines and showing they were learning English.

Those in the country two to five years under the compromise would have to go to a point of entry, exit and file an application to return as a guest worker. Those here less than two years must leave the country, but could apply from their native country to return as a guest worker and wait in line to get a visa.

"I have come to believe that the three-tiered system is unworkable, that it would create a bureaucratic nightmare and it would lead to substantial fraud," Feinstein said Tuesday.

Sen. Tom Harkin, D-Iowa, said the compromise bill could mean losing Latinos in his state who have helped revive some of its small towns by buying homes and starting small businesses.

Feinstein offered the plan just before Senate Majority Leader Bill Frist set the stage for a preliminary vote Wednesday that could quickly bring the bill to a final vote. The bill appears headed for passage.

A bigger fight on the bill is still to come — when the House and Senate meet to negotiate a compromise bill. The House passed an enforcement-only bill that makes illegal immigrants felons, cracks down on hiring of illegal immigrants and steps up border security. It offers no path to citizenship or a guest worker program, which critics say is amnesty.

"If we are lucky, the House of Representatives will say it's got to be better," Sen. Jeff Sessions, R-Ala., said of the Senate bill after predicting Monday it would pass.

Feinstein's proposal faced an uphill climb. Republican Sen. John Cornyn of Texas said it suffered the same "infirmities" as the bipartisan bill approved by the Senate Judiciary Committee, which offered citizenship for all illegal immigrants.

Feinstein's proposal required all illegal immigrants to register with the Department of Homeland Security, get fingerprinted and go through criminal and national security background checks.

They would get an "orange card" encrypted with identifying information and signifying they are legal workers after passing the background checks, demonstrating an understanding of English, U.S. history and government and paying back taxes and a $2,000 fine to apply.

They would go to the back of the line and could apply for legal permanent residency when a number they are given is reached.

Also Monday, the Senate showed support for President Bush's plan to deploy National Guard troops to the border by endorsing an amendment authorizing governors to order their state's Guard units to perform duties in border states.

Longer stays make saying goodbye hard for Mexican migrants

BY OLGA R. RODRIGUEZ
Associated Press Writer

TIJUANA, Mexico — Before Israel Morales boarded a plane from Mexico City to Tijuana, his mother slipped a tiny plastic bag containing a coin, lentils and an image of Christ into his pocket, so he wouldn't be without money, food or faith.

Then his 10-year-old son wrapped his arms around him and wouldn't let go.

"The hardest part is leaving your family behind, hearing your child cry as you walk away, even if you're leaving so he can have a better life," said Morales, a truck driver who was planning to jump the metal fence dividing Mexico and the United States.

"For children this is hard to understand."

Migration to the United States has long been a fact of life for many Mexicans. In some villages, mariachi music and feasts are customary sendoffs for those heading north. But tighter border security is now keeping many migrants away from their homes for longer stretches, making their last moments in Mexico more somber occasions.

Many spend time with loved ones, reassuring their children that better days will come. Others go to churches and shrines, praying for a safe journey. Then there are the young boys who parade through town saying goodbye to neighbors they might not see again for years.

Eduardo Orozco went to Tijuana's cathedral to ask for divine protection.

"I asked God to take care of me and to protect me from snakebites," Orozco said, his backpack stuffed with water, canned tuna, crackers and chocolate. "I asked him to help me because this time I'll have to make it."

Orozco, a 30-year-old construction worker, was preparing for his third attempt to sneak into the United States through a hilly section of California. He said a Los Angeles contractor had promised him a job paying $300 a week, twice what he earned in Guadalajara.

With about half of Mexico's 107 million people living in poverty, the promise of better paying jobs has lured millions of migrants north — so many that about 10 percent of Mexico's population now lives in the United States.

Earlier this month, President Bush unveiled a plan to bolster security along the border by sending 6,000 National Guard troops to patrol the area. Congress is also debating the most far-reaching immigration bill in two decades. It would strengthen border enforcement, create a guest worker program and eventually offer the possibility of citizenship to many of the millions of men and women already in the country illegally.

Because of these measures, many migrants are making fewer passages back and forth between the United States and Mexico. When they do undertake the sometimes dangerous journey, some count on divine protection, stopping at churches, makeshift altars and the tombs of saints on the way. The Roman Catholic Church offers a half-dozen patron saints for travelers, but many Mexican migrants turn to someone not recognized by the church: "Juan Soldado," or Soldier John.

Soldado was a soldier who was falsely accused of the rape and murder of a girl and executed by a Mexican firing squad in February 1938. He is worshipped as a man wronged by those in power.

Migrants have filled the wall of a small chapel built around his tomb in Tijuana with flowers, locks of hair, marble plaques and handwritten notes thanking him.

In one note written in pencil and taped to a wall, a woman credits him for helping her get to the United States: "I thank you Juan Soldado for the miracle of having crossed safely with my children to Los Angeles and for now having my papers and being able to come see you."

Another man left a copy of his tourist visa, which he credited Soldado with helping him get. One woman offered a foot-long braid, nailed to the wall with a note thanking him for helping her brother obtain his freedom after being accused of smuggling migrants.

Migrants make the trip knowing that death — or even a new life in the United States — may keep them from returning. That was on Morales' mind as he left his son behind: "I wanted to leave him with good memories because you never know when or if you'll come back."

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Pitt-Jolie birth 'imminent'

By The Associated Press

PARIS — Brad Pitt sent an e-mail to the Cannes Film Festival saying he was unable to attend this year's event because of the "imminent arrival" of his new baby.

Henri Behar, who moderates Cannes' news conferences, read a message Tuesday from Pitt, who has been in Namibia with his "Mr. & Mrs. Smith" co-star, Angelina Jolie, awaiting the birth of the couple's first child.

"With the imminent arrival of the newest addition to our family, I am unable to join Alejandro, Cate, Gael and the rest of the cast and crew in introducing" his new film, "Babel," the 42-year-old actor said in the message.

"I am tremendously proud of 'Babel' and want to congratulate everyone involved for this great achievement," Pitt said.

In "Babel," directed by Alejandro Gonzalez Inarritu, Pitt plays a husband and father trying to cope with a crisis on vacation in Morocco. Cate Blanchett plays Pitt's wife, and the film also stars Gael Garcia Bernal.

Jolie's children, Maddox and Zahara, have legally had their surname changed to Jolie-Pitt.

SYDNEY, Australia — Larry Williams, the father of actress Michelle Williams, has been granted bail by a Sydney court following his arrest on international tax evasion.

Australian Federal Police, responding to a request from U.S. authorities, arrested the prominent U.S. stock market trader Saturday after he flew into Sydney to begin a monthlong speaking tour in Australia and New Zealand.

The U.S. Internal Revenue Service has been seeking the 64-year-old Virgin Islands resident over allegations that he evaded $1.5 million in taxes on royalties from his books on the stock market and proceeds from international seminars between 1990 and 2001.

His daughter, 25-year-old Michelle Williams, was nominated for a best supporting actress Oscar for her role in 2005's "Brokeback Mountain."

Williams was freed on $753,000 bail, ordered to surrender his passport and report to police three times per day.

PARIS — Two Rolling Stones concerts scheduled in Paris this summer have been indefinitely postponed, French organizers said.

The concerts had been set for June 3 and July 2 at the Stade de France stadium. Organizers said Tuesday they had no immediate information on replacement dates.

An Aug. 8 concert in the French Riviera city of Nice was still on the tour schedule.

The Stones' "A Bigger Bang European" tour, which was to open in Barcelona, Spain, on Saturday, was postponed after 62-year-old guitarist Keith Richards suffered a head injury in Fiji on April 27.

News reports variously claimed that Richards fell out of a palm tree or from a jet ski. He later had surgery in Auckland, New Zealand, to relieve pressure in his head.

LONDON — Geri Halliwell has named her infant daughter Bluebell Madonna.

The 33-year-old singer, also known as Ginger Spice of the Spice Girls, told Hello! magazine she'd been inspired by seeing the spring flowers during her pregnancy.

The baby was born May 14 at London's Portland Hospital, weighing 5 pounds, 12 ounces.

"But what really clinched it for me was my mother telling me that the bluebell is increasingly rare — so it's (a) precious flower, which seems just right for my daughter," Halliwell was quoted as saying.

Halliwell said she had chosen the middle name in honor of one of her heroines.

"As she came out of my tummy, Bluebell had both arms flung wide in the air as if announcing to the world, 'Hi! I'm here!'" the magazine quoted the singer as saying.

"She was screaming her head off, as though she was shouting, 'Hello, Wembley!' No one else has that name, apart from the Virgin Madonna and the singer, whom I love."

Halliwell made no mention of the baby's father in the interview.

LONDON — Gorillaz co-creator Jamie Hewlett has been named Britain's designer of the year for his groundbreaking animation for the virtual band.

Hewlett, who first earned fame for co-creating the comic strip Tank Girl, won the award Monday in a ceremony at the Design Museum, which sponsors the prize.

The annual $47,000 award honors the British or Britain-based designer who has made the biggest contribution to design in the past year.

Hewlett was honored for conceiving the graphics, animation and "live" performances for the band, which is composed of four animated, fictional members.

"Jamie Hewlett has not only created a personal mythology with the virtual band Gorillaz, he has also created designs for the direction in which technology and culture are going — the shape of things to come," said Christopher Frayling, who chaired the award jury.

Hewlett co-formed the Gorillaz with Blur singer Damon Albarn. The virtual band's albums include the self-titled, "Gorillaz," and "Demon Days."

TEL AVIV, Israel — Yo-Yo Ma has received the Dan David Prize, recognizing his Silk Road Project for its contribution to international cultural understanding.

In his acceptance speech Sunday, the 50-year-old cellist said he would share the $1 million prize with the Silk Road Project's musicians, board members and staff.

Ma set up the Silk Road Project in 1998 to explore the common threads of culture and music in various societies. "I believe that when we enlarge our view of the world, we also deepen our understanding of our own lives and culture," he says in a statement on the organization's Web site.

The Dan David Prize is awarded each year to individuals "for making unique contributions to humanity," according to a statement from the foundation. Three prizes are awarded each year.

Santa Monica Daily Press
MOVIEGUIDE
SHOWTIMES: WEDNESDAY, MAY 24, 2006

Broadway Loews Cineplex
1441 3rd Street
(310) 458-6232

Da Vinci Code
11:00am
Goal! The Dream Begins (PG)
1:25, 4:10, 7:00, 9:45
Just My Luck (PG-13)
2:10, 5:00, 7:40, 10:15
RV (PG)
1:00, 3:20, 5:40, 8:00, 10:30
United 93 (R)
1:50, 4:30, 7:20, 10:00

Mann's Criterion Theatre
1313 3rd Street
(310) 395-1599

An American Haunting (PG-13)
7:30, 9:40
Ice Age: The Meltdown (PG)
1:00, 3:10, 5:20
Mission: Impossible III (PG-13)
12:30, 1:20, 3:20, 4:10, 6:10, 7:20, 9:00, 10:20
Poseidon (PG-13)
11:30am, 12:00, 2:00, 2:30, 4:30, 5:00, 7:00, 7:40, 9:30, 10:30
Scary Movie 4 (PG-13)
12:00am
See No Evil (R)
12:50, 3:00, 5:30, 7:50, 10:10

AMC7 Santa Monica
1310 3rd Street
(310)289-4262

Akeelah and the Bee (PG)
1:50, 4:30, 7:10, 9:50
Da Vinci Code, The (PG-13)
12:20, 1:30, 3:00, 3:45, 5:00, 6:30, 7:10, 8:30, 9:50, 10:30
Keeping Up With the Steins (PG-13)
1:05, 3:15, 5:30, 7:50, 10:10
Over the Hedge (PG)
12:10, 1:00, 2:35, 3:20, 4:50, 5:40, 7:20, 8:00, 9:30, 10:20

Nuwilshire Theatre
1314 Wilshire Blvd
(310)281-8228

Art School Confidential (R)
11:30am, 2:00, 4:35, 7:10, 9:50
Thank You for Smoking (R)
11:40am, 2:15, 4:45, 7:30, 10:00

Laemmle 4-Plex Theatre
1332 2nd Street
(310)394-9741

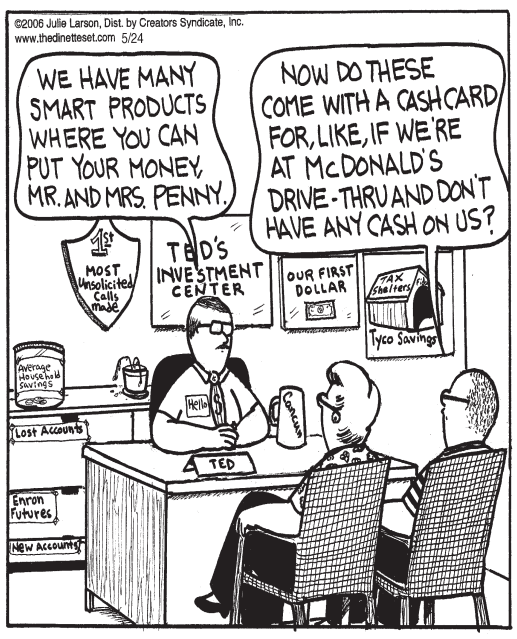
Down in the Valley (R)
4:30, 9:50
Friends With Money (R)
12:45, 3:00, 5:20, 7:40, 10:00
Sketches of Frank Gehry (PG-13)
12:55, 3:10, 5:25, 7:40, 9:55
Wah-Wah (R)
1:45, 7:20
Water (PG-13)
1:00, 4:00, 7:00, 9:55

Information: **calendar@smdp.com**

MORE TODAY IN HISTORY

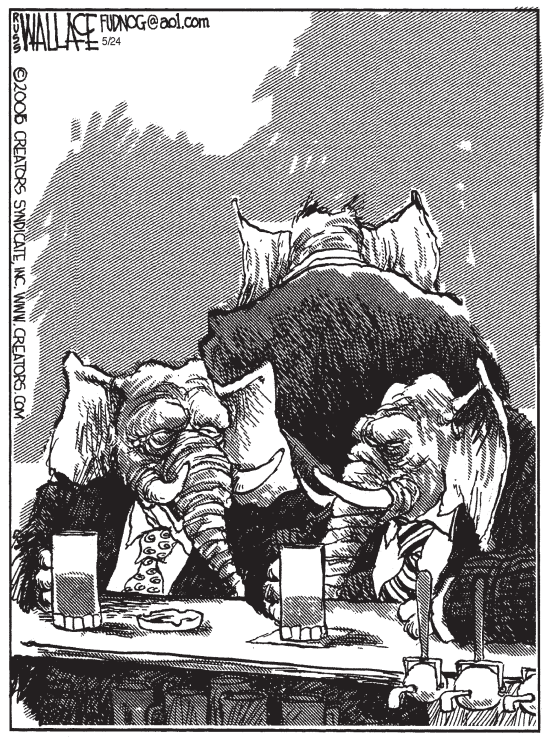
In 1881, some 200 people died when the Canadian ferry Princess Victoria sank near London, Ontario.
In 1883, the Brooklyn Bridge, linking Brooklyn and Manhattan, was opened to traffic.
In 1941, the German battleship Bismarck sank the British dreadnought Hood in the North Atlantic.
In 1958, United Press International was formed through a merger of the United Press and the International News Service.
In 1962, astronaut Scott Carpenter became the second American to orbit the Earth as he flew aboard Aurora 7.
In 1976, Britain and France opened trans-Atlantic Concorde service to Washington.
In 1977, in a surprise move, the Kremlin ousted Soviet President Nikolai Podgorny from the Communist Party's ruling Politburo.
In 1980, Iran rejected a call by the World Court in The Hague to release the American hostages.

The Dinette Set by Julie Larson



Natural Selection®

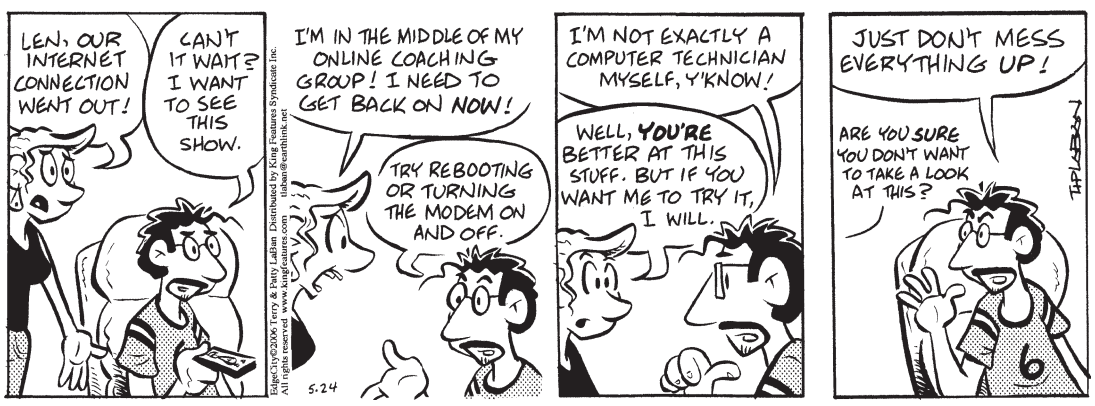
By Russ Wallace



"Ohhh...I forgot her birthday. Well...you can imagine."

edge City

by TERRY & PATTY LABAN



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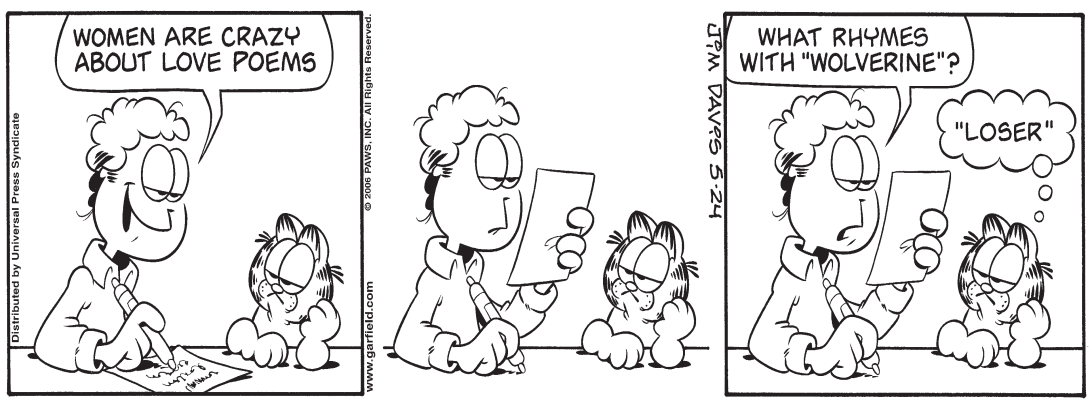
By Jim Davis



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CROSSWORD

By THOMAS JOSEPH

ACROSS

1 Legal wrong
5 Bed-table item
9 Tip over
11 Bacall's love
12 "Keen!"
13 Laughable
14 Finish
15 Phones
17 Pool part
19 Ma's daughter
20 Albee creation
21 Comic's offering
22 Scenic outlook
24 Diner dessert
26 Contract makeup
29 Swamp stuff
30 Get rigid
32 Clique
34 Hang out
35 Cleaning problem
36 Scout master?
38 Bowler
39 Hunter of myth
40 Casino figure
41 Ice chunk

DOWN

1 Fixed the piano
2 Started the bidding
3 Bookstore patron
4 It's a blast
5 Extended
6 Tennis star Andre
7 Manhattan buyer
8 Small sounds
10 Money, in slang
11 Tie up
16 Highly worried
18 Make lots
21 Cell feature
23 Look after
24 Did a fourth down job
25 Entrance need, perhaps
27 Bad guy
28 Beau
29 Botch
30 Broadway award
31 Plug part
33 Barbecue treat
37 Ball

L	A	S	E	R	S	■	P	O	G	O
A	N	K	L	E	T	■	A	N	E	W
S	T	I	L	L	A	N	D	A	L	L
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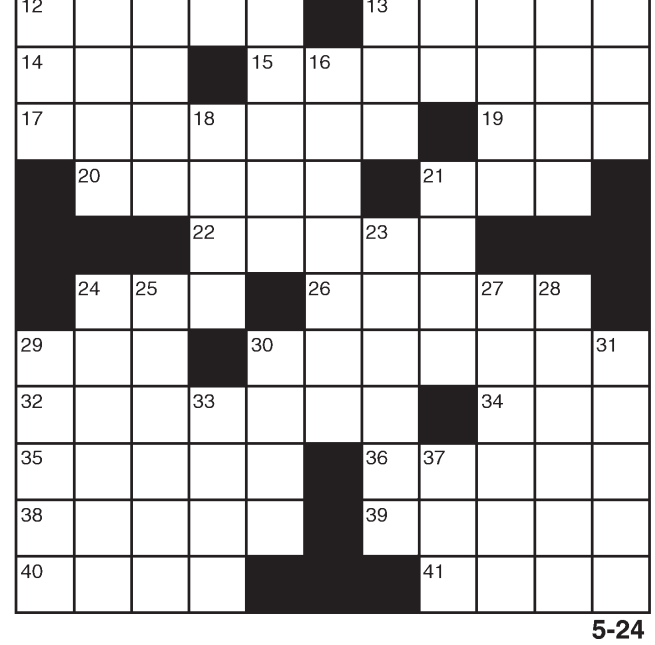

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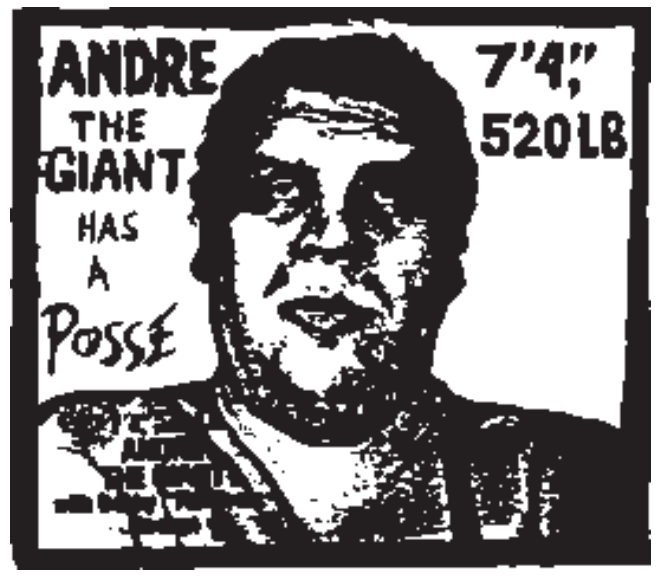

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