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Santa Monica Daily Press
FRIDAY, JUNE 28, 2013
Volume 12 Issue 197

Santa Monica Daily Press

We have you covered

RALLYING FOR THE POST OFFICE
SEE PAGE 3

THE PEA SOUP ISSUE

Demands on developers safe









WORKING IT OUT: City officials must provide proof that fees exacted from developers are used to mitigate problems connected to developments.

Supreme Court ruling to have little impact on development fees, city attorney says

BY ASHLEY ARCHIBALD
Daily Press Staff Writer

CITY HALL City officials do not expect that Santa Monica will be hard hit by a recent U.S. Supreme Court decision that redefined what government entities can ask from developers in the course of approving their projects, the City Attorney's Office announced Thursday.

The 5-4 decision, split along political lines, means that municipalities will have to provide proof that fees exacted from developers in the course of permit negotiations actually are used to mitigate problems connected to the development.

Previously, that standard had mainly applied to easements and the "taking" of land by a government entity from a private person.

It further held that the denial of a permit because a developer refused to meet the monetary conditions imposed for approval was grounds for the developer to sue.

The decision represents the extension of two previous cases — Nollan v. California Coastal Commission and Dolan v. City of

SEE RULING PAGE 8

School budget shows decrease in spending, revenues

BY ASHLEY ARCHIBALD
Daily Press Staff Writer

SMMUSD HDQTRS The Board of Education unanimously adopted a $116.8 million budget Wednesday night, a document that incorporates over $1.18 million trimmed from schools and departments.

Despite years of cuts that amount to over 20 percent of the budget and new revenues from a local sales tax and an improving economy, the district will still run a deficit, although it will be smaller than in the past, said Jan Maez, the chief financial officer.

County officials that review school budgets will "probably note it," but the concern will "not be as strong as in the past," Maez said.

Overall spending was reduced 3.2 percent

SEE BUDGET PAGE 9

Ex-FBI agent says he received gifts from Bulger

DENISE LAVOIE
AP Legal Affairs Writer

BOSTON As former FBI agent John Morris described reputed gangster James "Whitey" Bulger's role as an informant who ratted on criminals, Bulger stared intently at Morris.

Then, Bulger swore.

Assistant U.S. Attorney Brian Kelly told Judge Denise Casper he heard Bulger say, "You're an effing liar" as Morris testified Thursday in Bulger's racketeering trial.

"I know he spent his whole life trying to intimidate people ... but he should not be doing that in federal court," Kelly said, after the jury had been sent out of the room for a recess.

Casper said she did not hear the remark, but told Bulger his lawyers are to speak for him.

SEE BULGER PAGE 8

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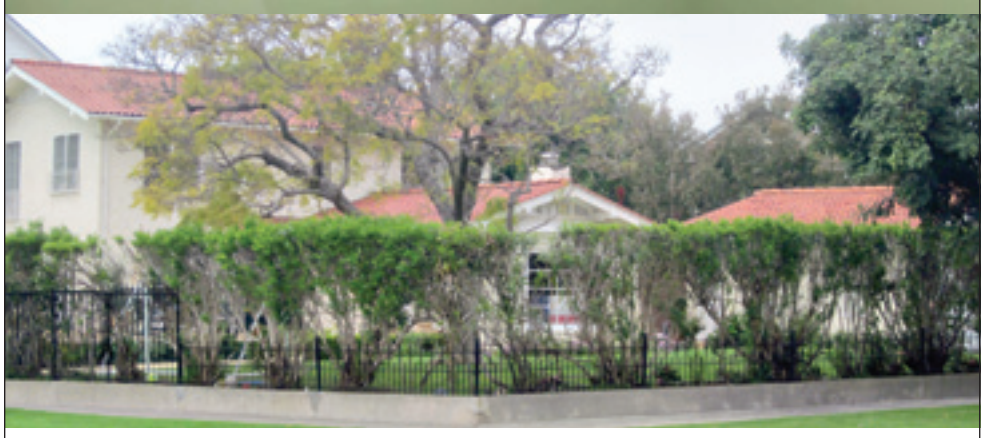
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What's Up Westside

OUT AND ABOUT IN SANTA MONICA

Friday, June 28, 2013

Two men and a camera
haleARTS SPACE
2443 Main St., 5 p.m. — 8 p.m.
Photographers Charles Christopher and John Rosewall will open an art exhibit at the haleARTS SPACE gallery with a reception. Refreshments of popcorn and white wine will be provided. The exhibit will continue through the next week and will close on July 10. Admission is free. For more information, call (310) 314-8038 or visit the gallery's website at halearts.com.

Dance with a pulse
The Miles Playhouse
1130 Lincoln Blvd., 8 p.m.
The Hart Pulse Dance Company will debut three showings of new choreographic work by director Amanda Hart at its seventh season performance of "Singe." The company will also perform at the Miles Playhouse on Saturday at 8 p.m. and Sunday at 2 p.m. Tickets cost $15 for presale at hartpulsedance.com or $20 at the door. Free parking will be available at the AT&T building on Lincoln Boulevard. Call (661) 755-2182 for more information.

Roots live
McCabe's Guitar Shop
3101 Pico Blvd., 10 p.m.
Musical sensation and Grammy nominated singer Maria Muldaur will be performing in the area. Muldaur has recorded 39 solo albums of a variety of American roots music including gospel, R&B, jazz and big band. Tickets are on sale for $24.50. For more information call (310) 828-4497.

Saturday, June 29, 2013

BBQ cook-off
Santa Monica Place Center Plaza
395 Santa Monica Place,
11 a.m. — 3 p.m.
A trio of culinary finalists from across the country will face off in a barbecue battle. Attendees can participate in cooking demonstrations and raffles and try free samples of Dole products. Admission is free.

Walk for hope
Crescent Bay Park
2000 Ocean Ave., 4 p.m.
The Crohn's and Colitis Foundation of America is hosting a walk to raise money for those affected by Crohn's disease and ulcerative colitis. Dennis Haskins, who played Principal Belding from "Saved by the Bell," will emcee the event. "American Idol" contestant Casey Abrams will also perform at the event. A festival will begin at 4 p.m., and the walk begins at 5 p.m. For more information, contact Ronni Epstein at (561) 703-9950 or Repstein@ccfa.org.

Independence Day bash
Santa Monica College's Corsair Field
1900 Pico Blvd., 5 p.m.
SMC is celebrating Independence Day early with picnics on the lawn, live entertainment, exhibits and a night of fireworks. Admission is free. For more information, call (310) 434-4000.

Dancing knights and flying cows
Morgan-Wixson Theatre
2627 Pico Blvd., 8 p.m.
The Morgan-Wixson Theatre debuts a production of Monty Python's "Spamalot," a Tony Award-winning musical featuring a humorous cast of characters based off the movie "Monty Python and the Holy Grail." The musical follows the quest of King Arthur and his band of singing knights to search for the Holy Grail and their many mishaps along the way. The show will continue to run at Morgan-Wixson Theatre through Aug. 3, running on Fridays and Saturdays at 8 p.m. and Sundays at 2 p.m. Tickets cost $25 to $30 online at morgan-wixson.org and are also available at (310) 828-7519.

To create your own listing, log on to smdp.com/submitevent

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

For more information on any of the events listed, log on to **smdp.com/communitylistings**



Heat wave to bake West

MICHELLE RINDELS
Associated Press

LAS VEGAS A high pressure system parking over the West for the weekend and into next week is expected to bring temperatures that are extreme even for a region used to baking during the summer.

Notoriously hot Death Valley's forecast calls for 129 degrees, not far off the world-record high of 134 logged there July 10, 1913. The National Weather Service called for 118 in Phoenix, and 117 in Las Vegas on Sunday — a mark

SEE **HEAT** PAGE 7

COMMUNITY BRIEFS

PUBLIC SAFETY FACILITY

Police ask for help to identify suspect

The Santa Monica Police Department is asking the public to help identify a suspect wanted for identity theft and burglary, according to a statement released Thursday.



SUSPECT

The suspect is described as a white woman about 25 to 30 years old with long dark brown hair and dark framed glasses. The suspect was seen on May 1 at a Wells Fargo bank at 1300 Fourth St., where she used a counterfeit bank card and identification to complete two withdrawals totaling more than $2,000 from the victim's account.

The police department is asking anyone with information to contact Detective Robert D'Andrea at (310) 458-2201, extension 6679, Sgt. Henry Ramirez at (310) 458-8453 or the Santa Monica Police Department at (310) 458-8495.

Individuals who have information but wish to remain anonymous can call We-Tip at (800) 782-7643 or submit a tip at wetip.com. They can also call (800) 222-8477 or visit lacrimestoppers.org.

Individuals whose information helps lead to an arrest may be eligible to receive up to $1,000.

– KRISTEN TAKETA

COLORADO AVENUE

Venue change for forum on building height

A forum discussing whether Santa Monica should increase the maximum building height in the city has changed venues, event organizers announced Thursday.

The event, to be held on June 29 from 3 p.m. to 6 p.m., will take place at Cafe Bizou at the Water Garden at 2450 Colorado Ave.

Santa Monica residents will discuss whether the City Council should raise the height limit for buildings from its current 84-foot standard as it revises its Downtown Specific Plan.

There is still room for about 20 people to reserve a spot at the forum, according to the statement. Those who wish to attend are asked to contact mfeinstein@feinstein.org and frank@frankjgruber.net as soon as possible.

– KT



Daniel Archuleta *daniela@smdp.com*

BUSY PLACE: **A group of customers wait in line for service at the historic post office on Fifth Street.**

Protest to save post office planned

BY KRISTEN TAKETA
Special to the Daily Press

FIFTH STREET The U.S. Postal Service is preparing to sell the post office on Fifth Street after it closes for good this Saturday, but some in Santa Monica said they are concerned it may lose much of its historic value in the process.

The Santa Monica Conservancy, which aims to preserve local buildings with historic architecture, will hold a rally at the post office at 11 a.m. on its last day of operation to call for its preservation.

Postal officials are currently in the process of arranging the post office's preservation, which includes drafting a "covenant," or agreement with the post office's buyer that certain features of the building would be left intact.

Richard Maher, USPS spokesman, said the service is required by law to go through this process when retiring post offices. The process includes designating a party to enforce the covenant before the building is put up for sale, Maher added.

Carol Lemlein, president of the conservancy, said she is concerned that some aspects of the historic building, such as a plaque commemorating its dedication in 1937, are not being seriously considered for inclusion in the covenant.

"It's the Postal Service's obligation to see that [the post office] is preserved ... when they take it out of public use," Lemlein said. "We believe that it's important to identify all of the character-defining features."

Maher said the USPS cannot comment yet on what features will be included in the covenant since the Postal Service is still in the process of deciding.

"The residents of Santa Monica do not have to be concerned about losing the historic character-defining features of this building," he said. "We will go through the process and ensure that they are maintained."

The Landmarks Commission is expected to discuss the preservation of the post office at its next meeting on July 8.

editor@smdp.com

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LETTERS TO THE EDITOR

Send comments to editor@smdp.com

City Hall sells out to trainers

Editor:

To city staff with the Santa Monica Recreation and Parks Commission:

Did the Outdoor Fitness Coalition draft your report dated June 20, 2013? Its recommendations give commercial trainers extraordinary use of Palisades Park for their profit-making activities and ignore the needs of Santa Monica residents. It opens the park to trainers from 6 a.m. to 11 p.m., weekends and holidays included. That's 17 hours a day that residents, picnickers, dog walkers and bicyclists will have to navigate around and through the classes. That means that re-seeded areas will never have a chance to regrow grass and our once-beautiful Palisades Park will turn into a field of dirt.

Where exactly in this report do you represent the taxpayers' and residents' views – the people who pay your salary? You caved to a start time of 6 a.m. because one trainer said he starts class at 5:30 a.m. That means that local residents will be awakened to shouts of trainers urging on their clients. Where exactly do you protect their rights instead of these commercial trainers who would rather use our public property instead of paying rent for indoor facilities?

You mention that trainers will be required to pay 10 percent of their gross receipts. Who will monitor this? Are you going to have accountants pour over the books of each trainer? Or will the city again be out of pocket because of lax enforcement?

The report's attached photos are a joke. They show empty stretches of parkland instead of typical Palisades Park scenes of people sprinting, exercise equipment hanging from trees, classes doing aerobics, tires strewn across the grass for "boot" training and heavyweight barbells. Your proposal is a complete sell out to commercial vendors that leaves taxpayers subsidizing profit-making trainers and losing use of a valuable public property.

Harriet P. Epstein
Santa Monica

Do we want Big Brother?

Editor:

While Obama, Dianne Feinstein, Nancy Pelosi, Congress and corporate media lead the witch hunt of patriotic whistleblower Edward Snowden, democracy is on hold.

Overlooked is a discussion and debate on whether we even want a U.S. program of massive worldwide surveillance that can potentially take possession of our personal lives in the name of pursuing "terrorism."

Is this what democracy looks like?

Andy K. Liberman
Santa Monica



Laughing Matters

Jack Neworth

Send comments to editor@smdp.com



Photo by Brad Graverson

TORCHBEARER: Louis Zamperini, 96, at his Hollywood home. The flame still burns in him as he holds the torch he carried at the 1984 Olympic Games. His story is currently being made into a motion picture.

I hope Brad Pitt isn't the jealous type

FORMER OLYMPIC ATHLETE AND WW II hero Louis Zamperini is 96 years old. (Or, as he puts it, "I'm 96?") Throughout his youth, he enjoyed Santa Monica's beaches as he was raised in nearby Torrance. (The airport is now named "Zamperini Field.")

To this day Louie believes that he has a guardian angel looking out for him whom he's named Victor for victory. Given how often he's escaped death, who's to argue? (Plus, he's Angelina Jolie's new boyfriend, but more on her later.)

The son of Italian immigrants, as a boy, Louie hopped freight trains and was often in trouble with the law. The chief of police said, "He was so fast he could steal beer from bootleggers." And yet it was that speed that saved him.

As a teenager and with his older brother's encouragement, Louie developed into an outstanding runner. At 19 he competed in the 5,000 meters at the Berlin Olympics of 1936 and was considered the favorite for gold in 1940 until WW II forced cancellation of the games. Louie dropped out of USC and enlisted in the Army Air Force where he became a second lieutenant. He was deployed to the Pacific as a bombardier on a B-24 "Liberator" bomber.

In 2010, Louie's life was the subject of Laura Hillenbrand's "Unbroken," a NY Times bestseller for 108 weeks and soon to be a Universal Studios feature film directed by Angelina Jolie, who fell in love with Louie upon meeting him. ("She's quite a looker, you know," Louie confided to me over the phone.)

With his humor, Louie charms everybody, but especially women. In 2001, Hillenbrand authored the best-selling "Seabiscuit." When she first agreed to write "Unbroken," Louie quipped to her, "I should be as interesting as your last subject. At least I can talk."

Hillenbrand spent seven years researching and writing "Unbroken." But less known is that she suffered from chronic fatigue syndrome so severe that she was often bed-ridden. Louie found her struggles inspiring. As he told the Washington Post, "I sent her one of my Purple Hearts because she deserved it."

But back to the Pacific theatre, May,1943. Louie's plane was so badly damaged in combat that the crew was given another B-24, "The Green Hornet," which was notorious among pilots as a defective, "lemon plane."

While searching for a lost aircraft, the plane experienced mechanical difficulties and crashed into the ocean, splitting into pieces 850 miles west of Oahu. The entire crew was killed except Louie, pilot Russell Phillips and Francis McNamara, all of whom miraculously escaped the wreckage and into a life raft.

For the next 47 days, the trio floated in the Pacific, subsisting on rainwater and small fish. Fending off constant shark attacks and getting capsized by storms, they were strafed multiple times by a Japanese bomber. After 33 days, McNamara died.

On their 47th day, Zamperini and Phillips reached the Marshall Islands and were immediately captured by the Japanese navy. They were held in captivity and brutally beaten, almost daily. Louie had been declared dead, but his mother instinctively believed he was still alive.

With the end of the war, Louie returned home to a hero's welcome. Bent on revenge for his captors, he suffered from severe post traumatic stress disorder and drank heavily. In Miami Beach he met a stunningly beautiful debutante, Cynthia Applewhite. In 1946 they married and remained so until her death in 2001. (They raised two children, Cissy and Luke.) But Louie's drinking sent his life and marriage into a seemingly irreversible downward spiral.

In 1949, a desperate Cynthia convinced Louie to attend a religious revival in Los Angeles led by evangelist Billy Graham. Give credit to Jesus, fate or even Victor the angel, but somehow the conversion took. Louie became a born again Christian and was freed from his demons.

One of Louie's favorite themes is "forgiveness." So it was in October of 1950 that he flew to Tokyo to face war criminals who had so brutally tortured him. At Sugamo Prison and through an interpreter, Louie told his former tormentors that he truly forgave them. In what had to be unbelievably moving, the warden encouraged prisoners who recognized Louie to come forward, whereupon the former POW threw his arms around each one in forgiveness. (Wow.)

For years, Louie has been an inspirational speaker all across the country. As I write this he's in Utah. At 96 (OK — 96?) he averages one a week. He's truly one of the most down to earth, compassionate, and charming people I've ever encountered. All I can say is Brad better stay on his toes.

To see Louie on "60 Minutes," or "The Tonight Show," go to YouTube and type "Zamperini." To book him go to www.keynotespeakers.com. **JACK** can be reached at facebook.com/jackneworth, twitter.com/jackneworth or via e-mail at jnsmdp@aol.com.

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Mortgage rates jump to 2-year high of 4.46%

ALEX VEIGA & MARCY GORDON
AP Business Writers

WASHINGTON U.S. mortgage rates have suddenly jumped from near-record lows and are adding thousands of dollars to the cost of buying a home.

The average rate on the 30-year fixed loan soared this week to 4.46 percent, according to a report Thursday from mortgage buyer Freddie Mac.

That's the highest average in two years and a full point more than just a month ago.

The surge in mortgage rates follows the Federal Reserve's signal that it could slow its bond purchases later this year. A pullback by the Fed would likely send long-term interest rates even higher.

In the short run, the spike in mortgage rates might be causing more people to consider buying a home soon. Rates are still low by historical standards, and would-be buyers would want to lock them in before they rise further.

But eventually, more expensive home loans could price some people out and slow the housing market's momentum, which has helped drive the U.S. economy over the past year.

"People are getting off the fence a little bit more or choosing to buy now instead of choosing to buy three months from now," said Anthony Geraci, a Cleveland real estate broker-owner who says he's seeing more sales activity lately in his market.

Mortgage rates are rising because they tend to track the yield on the 10-year Treasury note, a benchmark for most long-term interest rates. The 10-year yield began rising from near-record lows in May after speculation grew that the Fed might be closer to reducing its bond purchases.

In early May, the average rate on a 30-year mortgage was 3.35 percent, just above the record low of 3.31 percent.

But rates began to surge — and stocks plunged — after Fed Chairman Ben Bernanke made more explicit comments last week about the Fed's plans. He said the Fed would likely scale back its bond buying later this year and end it next year if the economy continued to strengthen.

The rate on 30-year loan soared from 3.93 percent last week to 4.46 percent this week — the biggest one-week jump in 26 years.

The effect on buyers' wallets in just the past two months is striking.

A buyer who locked in a 3.35 percent rate in early May on a $200,000 mortgage would pay $881 a month, according to Bankrate.com. The same mortgage at a 4.46 percent rate would run $1,008 a month.

The difference: $127 more a month, or $45,720 over the lifetime of the loan. Those figures don't include taxes, insurance or initial down payments.

Jed Kolko, chief economist at Trulia, a real estate data analysis firm, thinks many would-be buyers will start to take note.

"Some buyers will reconsider jumping into the market; others will speed up their (home) purchases before rates go higher," Kolko said.

The rate hike comes at a critical time. Low mortgage rates have helped fuel a housing recovery that has kept the economy growing modestly despite higher taxes and steep federal spending cuts.

In May, completed sales of previously occupied homes surpassed the 5 million mark for the first time in 3? years. And those sales could rise further in June because the number of people who signed contracts to buy homes rose last month to the highest level since December 2006. There's generally a one- to two-month lag between a signed contract and a completed sale.

Greater demand, along with a tight supply of homes for sale, has driven up home prices. It's also led to more home construction, which has created more jobs and contributed to economic growth.

Lower rates have also inspired a refinancing boom over the past two years. Many homeowners have locked in rates below 4 percent. That has lowered their monthly payments, leaving them with more cash to spend elsewhere and fuel more economic growth.

The average rate on a 15-year fixed mortgage, a popular refinancing instrument, soared this week to 3.50 percent — its highest point since August 2011 — from 3.04 percent last week.

A report this week suggested that the economy might not be as strong as some had thought. The government cut its growth estimate for the January-March quarter to an annual rate of just 1.8 percent — much lower than the 2.4 percent rate it estimated a month ago.

A key reason for the downgrade was that consumers spent less than previously thought. Less spending has led some economists to predict that growth will stay weak through the summer and fall short of the Fed's more optimistic forecast of 2.3 percent to 2.6 percent growth for all of 2013.

The downgrade for economic growth has cast some doubt on the likelihood that the Fed will reduce its stimulus later this year.

The Q Line

Building up

The City Council has ordered a survey to gauge how residents feel about development Downtown. We figured we'd cut to the chase and ask our readers what you think.

So, this week's Q-Line question asks:
What are your feelings on development and why?

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





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City of Santa Monica

NOTICE OF PUBLIC HEARING TO BE HELD BY THE SANTA MONICA ZONING ADMINISTRATOR ON APPLICATIONS FOR VARIANCES

TIME: **10:30 a.m., Tuesday, July 9, 2013**

LOCATION: Council Chambers, Room 213, Santa Monica City Hall, 1685 Main Street, Santa Monica

A Public Hearing will be held by the Zoning Administrator of the City of Santa Monica at the above noted time and place in regard to the following requests:

Fence, Wall, Hedge Height Modification 13FWHM0003, 651 Strand Street. The applicant requests approval of a wall and fence height modification that allows the applicant to replace an existing retaining wall in the front yard setback with a new retaining wall and slotted wood and wire mesh fence ranging between 7 to 9 feet in height. Along the street side property line the applicant proposes to replace the existing wood fence on top of a retaining wall with a new fence totaling 10 feet 7 inches in height. Pursuant to SMMC Sections 9.04.10.02.080(a)(1) and 9.04.10.02.080(b)(2) fences and walls cannot exceed 42 inches in height within the front yard setback area and cannot exceed eight feet in height in the side yard setback area. Pursuant to SMMC Section 9.04.10.02.080(e), the applicant may request a height modification for a fence, wall, or hedge in the side or rear yard and must request a modification for any change in height limit in the front yard area. [Planner: Dennis Banks] **APPLICANT/ OWNER**: Stephen Abronson.
This public hearing was continued from the June 11, 2013 Zoning Administrator Hearing.

Fence, Wall, Hedge Height Modification 13FWHM0004, 2515 La Mesa Way. The applicant requests approval of a wall height modification for a six-foot tall block wall with brick veneer and vine cover within the front setback of a property located in the Single Family Residential (R1) District. The request also includes six-foot tall wrought iron vehicle and pedestrian gates. Pursuant to Santa Monica Municipal Code (SMMC) Section 9.04.10.02.080, fences, walls, or hedges cannot exceed the maximum height of 42-inches within the required front yard, measured from the lowest adjacent grade. SMMC Section 9.04.10.02.080(e) permits a height modification to the height limitations in the front yard area, subject to approval by the Zoning Administrator. [Planner: Russell Bunim] **APPLICANT/OWNER**: Steven Somers/ Stephanie Cohen.

Fence, Wall, Hedge Height Modification 13FWHM0006, 2528 La Mesa Way. The applicant requests approval of a fence height modification to construct a five-foot ten-inch fence and driveway gate and several six-foot two-inch pilasters within the front setback. Pursuant to Santa Monica Municipal Code (SMMC) Section 9.04.10.02.080, fences, walls, or hedges cannot exceed the maximum height of 42-inches within the required front yard, measured from the lowest adjacent grade. SMMC Section 9.04.10.02.080(e) permits a height modification to the height limitations in the front yard area, subject to approval by the Zoning Administrator. [Planner: Rachel Dimond] **APPLICANT/OWNER**: Lewin Wertheimer/ Greg Hodes and Heidi Hertel.

HOW TO COMMENT
The City of Santa Monica encourages public comment. You may comment at the Zoning Administrator public hearing, or by writing a letter. Written information will be given to the Zoning Administrator at the meeting.

Any person may comment at the Public Hearing, or by writing a letter to the City Planning Division, Room 212, P.O. Box 2220, Santa Monica, CA 90407-2220. Plans are available for public review at the City Planning Division. For more information, please contact the City Planning Division at (310) 458-8341. Pursuant to California Government Code Section 64009(b), if this matter is subsequently challenged in Court, the challenge may be limited to only those issues raised at the Public Hearing described in this notice, or in written correspondence delivered to the City of Santa Monica at, or prior to, the Public Hearing. The meeting facility is accessible. If you have any disabilities related request, contact at (310) 458-8341 or TTY (310) 458-8696 at least three (3) days prior to the meeting. Santa Monica "Big Blue" Bus Lines #2, #3, Rapid #3, #7 and #9 serve the City Hall.

*Esto es un aviso sobre una audiencia publica para revisar applicaciones proponiendo desarrollo en Santa Monica. Esto puede ser de interes para usted. Si desea mas informacion, favor de llamar a Carmen Gutierrez en la Division de Planificacion al numero (310) 458-8341.

CRIME WATCH
BY DAILY PRESS STAFF



What a relief it is

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

FRIDAY, JUNE 21, AT 1:13 P.M.,
Santa Monica police officers responded to Douglas Park located at 2439 Wilshire Blvd. regarding a report of a suspect urinating in public. When officers arrived, they contacted a witness who said that he was in the park when he saw the suspect walk up to a tree, expose his penis and then pee on the tree. He added that when the suspect finished, he turned completely around, still exposing himself. The witness added that there was a mother with her two small children in the immediate area who saw the suspect as well. The suspect was identified and placed under arrest for indecent exposure and possession of an open container of alcohol, plus a warrant. He was identified as Curtis Amaker, 48, a transient. His bail was set at $10,000.

MONDAY, JUNE 17, AT 5:52 P.M.,
Officers responded to the 1200 block of the Third Street Promenade – Club Monaco – regarding a report of a theft that just occurred. When officers arrived they spoke with the store manager who said that the suspect was in the store near where purses are sold. The suspect then left the store and triggered the alarm. The manager said they saw the suspect carrying a tote bag as she ran into Restoration Hardware. She was also seen walking into DB Shoes as well. Officers located the suspect on the promenade and detained her. They searched her tote bag and said they found stolen property from at least five stores. The total value of the goods recovered was in excess of $500. Police placed the suspect under arrest after confirming that she did not make any purchases from Club Monaco, Clarks Shoes, Sephora, Steve Madden and Madewell. The suspect was booked for burglary and identified as Lenka Svaby, 34, of Santa Monica. Her bail was set at $20,000.

MONDAY, JUNE 17, AT 7:09 P.M.,
Officers responded to the 1500 block of Second Street – McDonald's – regarding a report of an assault. When officers arrived they spoke with a McDonald's employee and a witness who said that the suspect, who was detained by officers at the restaurant, had for no reason struck the employee on the side of the head with a glass cup. The suspect then allegedly threatened the witness and proceed to sit down on the planter box until officers arrived. The suspect was placed under arrest for battery and a probation violation. The suspect was identified as Eddie Martin, 37, a transient. No bail was set.

WEDNESDAY, JUNE 19, AT 1:50 P.M.,
Officers received a radio call regarding someone chasing a man westbound from Neilson Way and Strand Street after he was seen committing some form of vandalism. The man chasing the suspect worked at a business in the 2400 block of Main Street. He was returning to work when he said he saw the suspect standing and facing a wall in a parking garage. As he approached, the suspect walked away. The witness then said he noticed the wall had been spray painted. When the witness went to confront the suspect, he ran. He was eventually detained in a beach parking lot by police. The suspect was placed under arrest and booked for vandalism. He was identified as Alfonso Adrian, 23, of Los Angeles. His bail was set at $500.

WEDNESDAY, JUNE 19, AT 8:24 P.M.,
Officers were on patrol along the 700 block of Montana Avenue when they saw a blue Chevy Tahoe with one of its brake lights out. Officers pulled the driver over and he was found to have a suspended license. During a search of his vehicle, police said they found a pipe used to smoke narcotics. The suspect was placed under arrest for possession of a methamphetamine pipe, driving on a suspended license and failure to maintain lighting equipment. The suspect was identified as Erik Gonzalez, 21, of Santa Monica. His bail was set at $300.

THURSDAY, JUNE 20, AT 5:45 P.M.,
Officers were on patrol along the 1100 block of Michigan Avenue when they saw a man riding his bike on the sidewalk in violation of the Santa Monica Municipal Code. As officers pulled out in front of the biker, one officer got out of the car and stood on the sidewalk in full uniform as she requested the cyclist to stop. The rider allegedly refused and rode past the officer. He continued to ride eastbound on 14th Street and then turned westbound. As officers caught up to him, he turned around again and fled. Once on the 1300 block of Michigan Avenue the cyclist jumped off his bike and began running. He finally gave up and was taken into custody. The suspect was booked for resisting arrest. Officers learned that he also had an outstanding warrant for his arrest. The suspect was identified as Trevor Egbert, 37, a transient. No bail was set.

SATURDAY, JUNE 22, AT 12:40 P.M.,
Officers responded to Clover Park on the report of vandalism. When officers arrived they found the suspect sitting across from the park with a baseball bat sticking out of a duffle bag. Police were told that the suspect was seen hitting a sign with the bat. Officers detained the suspect and spoke with witnesses who said they were walking along a path in the park when they approached the suspect, who was sitting on a bench holding the bat. As they got within 10 feet of the suspect, he allegedly raised the bat over his head and appeared to yell at them. The suspect then stood up and struck a nearby sign, causing it to break. The suspect was arrested and booked for exhibiting a deadly weapon. He was identified as Gregory Gordon, 49, a transient. His bail was set at $25,000.

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editor@smdp.com

Editor-in-Chief **KEVIN HERRERA** compiled these reports.

HEAT
FROM PAGE 3

reached only twice in Sin City.

AccuWeather is forecasting temperatures in the mid- to upper-80s for Santa Monica through Friday and the weekend.

"It's brutal out there," said Leslie Carmine, spokeswoman for Catholic Charities, which runs a daytime shelter in Las Vegas to draw homeless people out of the heat and set them up with sunscreen and bottled water.

Meteorologists are calling for highs at or above 112 through Wednesday in Las Vegas, and there isn't even relief when the sun goes down. Sunday night's low is forecast to be 92 degrees — enough to make for a stuffy stroll down the Strip at whatever hour tourists leave the bar.

While the Southwest boasts the most alarming temperatures, the heat wave is driving up the mercury all over the West. Western Washington — better known for rainy coffee shop weather — should break the 90s early next week, according to the weather service.

Dry southern Utah is forecast to reach higher than 110 degrees, and northern Utah — which markets "the greatest snow on Earth" — is also expected to hit the triple digits.

The heat wave is "a huge one," National Weather Service specialist Stuart Seto said. "We haven't seen one like this for several years, probably the mid- to late 2000s."

The system's high pressure causes air to sink and warm, drawing down humidity.

"As the air warms, it can hold more moisture, and so what that does is take out the clouds," Seto said.

While those in the West take to their swimming pools or hunker down indoors during the heat wave, the eastern half of the country is set for normal and below normal temperatures driven by lower pressure.

"There's a balancing act in the atmospheric pressure," said Chris Stachelski, a National Weather Service meteorologist based in Las Vegas.

He noted that an unusual June heat wave that's had Alaskans shedding their polar fleece in favor of bathing suits is part of a separate high-pressure system centered in the Yukon.

The hottest cities in the West are taking precautions to protect vulnerable residents during the sizzle. Police are pleading with drivers not to leave babies or pets in vehicles, and temporary cooling stations are popping up to shelter homeless people and seniors on fixed incomes who hesitate to use the air conditioning.

Officials said extra personnel have been added to the U.S. Border Patrol's Search, Trauma, and Rescue unit as people illegally crossing the border from Mexico into Arizona could succumb to exhaustion and dehydration.

Several bodies of immigrants have been found in the last week in Arizona. Agents in the Tucson sector rescued more than 170 people from the desert during a 30-day stretch in May and June when temperatures were even lower than expected in the coming days.

At low-lying Lake Mead, which straddles the Arizona-Nevada border and is anticipating 120 degrees this weekend, rangers are positioned at trailheads to discourage hikers.

Earlier in June, a group of Boy Scouts hiking in the Colorado River canyon fell victim to soaring heat. Four teenagers and an adult had to be rescued, while a 69-year-old Scout leader died.

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BULGER
FROM PAGE 1

"Do you understand?" she asked Bulger.

"Yes," he replied.

Morris admitted accepting two cases of wine from Bulger and his partner, Stephen "The Rifleman" Flemmi, and said he later asked the two men to pay for an airline ticket to fly his secretary to a training conference in Georgia. The ticket cost $1,000, he said. He said he also accepted $1,000 in cash that had been inserted into one of the cases of wine and another $5,000 in cash that Bulger handed him.

Morris said he later helped protect the two men from prosecution at the request of former FBI Agent John Connolly, their handler at the agency. Morris, who was Connolly's supervisor, said he recommended excluding them from a 1978 race-fixing indictment because of their value as informants on the Italian mob. Morris said he spoke with the prosecutor on the case, and neither Bulger nor Flemmi were indicted.

Bulger, 83, denies being an informant. His lawyers contend that Connolly fabricated many of the reports in Bulger's 700-page informant file to cover up his own wrongdoing. Connolly was later convicted of racketeering and second-degree murder for leaking information to Bulger and his gang to protect them.

Morris described his initial meetings with Bulger, Flemmi and Connolly as more social than business. He recalled asking Connolly — who he described as his "best friend" — what Bulger and Flemmi wanted from the FBI.

"He said, 'a head start,'" Morris recalled.

He said Bulger and Flemmi wanted to be tipped off if they were about to be arrested so they could flee.

Connolly was convicted of doing just that: tipping off Bulger to an indictment, prompting him to flee Boston in 1994. Bulger was one of the nation's most wanted fugitives until he was finally captured in Santa Monica, Calif., in 2011.

Morris also described telling Connolly that Edward "Brian" Halloran was cooperating with the FBI and giving the agency information on the 1981 killing of Tulsa, Okla., businessman Roger Wheeler. John Mortorano, a hit man for Bulger, testified earlier in the trial that he killed Wheeler.

Halloran, who was about to enter the witness protection program, was shot and killed. Prosecutors say Bulger and an associate opened fire on the car Halloran was in as he left a restaurant. Michael Donahue, a man who offered Halloran a ride home that night, was also killed.

RULING
FROM PAGE 1

Tigard — that required there be a direct link between a fee and the impact it was meant to solve and that the exaction have a "rough proportionality" to the magnitude of the impact.

Although some municipalities could struggle with the ruling, Santa Monica should be in the clear both because of existing state law and its own past practices, said Deputy City Attorney Alan Seltzer.

Santa Monica officials have required nexus studies for monetary fees based on their understanding of the California Mitigation Fee Act and two California Supreme Court cases, he said.

Development agreements — legislative contracts between City Hall and developers that allow people to build taller, denser buildings than allowed under the zoning code — are negotiated, and don't fall under the Nollan/Dolan umbrella, he said.

Dale Goldsmith, an attorney who deals with Santa Monica land use issues, was relaxed about the ruling.

"I don't think the sky is falling," Goldsmith said.

While that may not be music to the ears of local developers, it certainly was to City Councilmember Ted Winterer who had discovered the issue through an "alarmist" opinion column posted to a social media website.

Under current law, most developments over 7,500 square feet become development agreements, and are excused from the Nollan/Dolan test. That will change next year when the new zoning code is adopted, which will establish a list of exactions to go along with developments of a certain height.

Winterer was concerned that the decision would hurt that effort, but City Attorney Marsha Moutrie assured him otherwise.

With millions of redevelopment funds gone or in dispute with the state Department of Finance and budgets generally tight, it's important and fair for developers to pay to fix problems that they cause in terms of traffic, Winterer said.

"I'm less concerned than I was," he said.

The case in question centered on a Florida man named Coy Koontz Sr., a Florida resident who purchased 14.9 acres of undeveloped property in a section of wetlands east of Orlando, Fla.

A 1984 law made it illegal to perform certain development tasks without a Wetlands Resource Management permit, and in 1994 Koontz applied for such a permit so that he could develop a 3.7-acre piece of the land.

The rest he promised to deed to the St. Johns Water Management District.

District officials asked for $150,000 in improvements to a piece of land several miles from the proposed development.

Koontz refused and the district denied his permit, setting up what would become almost two decades of litigation that came to a conclusion on Tuesday.

Molly Stuart, a staff attorney with the American Planning Association, a nonprofit educational organization focused on planning issues, called the decision "frightening," and predicted that government entities will deny permit applications outright rather than risk developers' lawsuits.

"They were just throwing around ideas and the developer walked away," she said, describing the case.

Not so, said Paul Beard, the attorney that represented Coy Koontz Jr., the son of the original plaintiff who took up the cause after his father died in 2000.

"All this case says if you've been denied a permit based on an unconstitutional condition, you can challenge that," Beard said. "You can't be coerced into giving up your constitutional rights."

He hopes to use the ruling against nexus studies, which he believes are inappropriate because they're not tailored to specific projects.

"Properties and projects differ," he said.

ashley@smdp.com



BUDGET
FROM PAGE 1

from the previous year, according to budget documents. The vast majority of that — 87 percent — goes to salaries and benefits for employees.

Operating expenses take up another 11 percent, and the final 2 percent goes to books and supplies.

That will increase by the next fiscal year, when employee health benefits are expected to bump up another 10 percent, Maez said.

The board had considered a $300,000 cut to the Regional Occupation Program, or ROP, which provides business and training classes to students. Participants run the Vike's Inn food store on the Santa Monica High School campus, and market floral arrangements built by another class.

Auto shop, which teaches students how to repair cars, also falls under the ROP umbrella.

The program was at risk because of Gov. Jerry Brown's Local Control Funding Formula proposal, which would have allowed districts across the state greater flexibility in how to spend the money that flows from Sacramento for education.

That changed at the 11th hour, which kept the program safe for at least two years, said Rebel Harrison, director of the ROP Department.

"We have no worries at the district level," Harrison said, noting that the change took hard work and lobbying from programs across the state.

The problem arose at the June 6 board meeting when the cut was first proposed. The money represented one-third of the program's funding, and kept teachers in limbo, not knowing if they had a job for August.

ROP students and teachers stayed late that Thursday night to explain to the Board of Education what the loss of ROP would mean to them, despite the fact that they had to be on campus the next day, some for their own graduations.

The future of district finances still shows holes that officials will have to solve as the unrestricted balance in the General Fund — the most flexible money in the district — continues to sink.



File photo

MAKING TRACKS: **Students leave Santa Monica High School earlier this year.**

That balance dropped by $2.5 million in the 2012-13 fiscal year, and is expected to drop by roughly $1 million each year through 2015-16.

Although districts across the state are still keeping an eye on their cash, the coming year will be a respite from worries about massive cuts from the state government.

Voters approved a new sales tax and increased income taxes on California's wealthiest in November to pump more money into education, fueled by warnings from the state level that severe cuts to schools were coming.

With it came Brown's proposal for the Local Control Funding Formula, which was finalized recently by Brown and the state legislature. Brown has yet to sign the compromise budget.

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City of Santa Monica

NOTICE OF PUBLIC HEARING
SANTA MONICA ARCHITECTURAL REVIEW BOARD

DATE/TIME: July 1, 2013, 7:00 p.m.
LOCATION: Council Chambers, (wheelchair accessible)
Santa Monica City Hall, 1685 Main Street

PROPERTIES:

- 12ARB262, 2834 Colorado Avenue: Creative Office
- 13ARB186, 2811 Wilshire Boulevard: Office
- 13ARB200, 2212 Pico Boulevard: Commercial
- 13ARB207, 138 Wadsworth: Residential
- 13ARB208, 1211 Pearl Street: Residential
- 13ARB230, 2602 Lincoln Boulevard: Retail

More information is available on-line at http://santa-monica.org/planning/planningcomm/arbagendas.htm or at 310/458-8341 en espanol tambien). Plans may be reviewed at City Hall during business hours. Comments are invited at the hearing or in writing (FAX 310-458-3380, e-mail laura.beck@smgov.net, or mail Santa Monica Planning Division, 1685 Main St., Rm. 212, Santa Monica, CA 90401). The meeting facility is wheelchair accessible. For disability-related accommodations, please contact 310-458-8701 or TTY 310-450-8696 a minimum of 72 hours in advance. All written materials are available in alternate format upon request. Big Blue Bus lines, 2, 3, Rapid #3, 7, & 9 serve the Santa Monica Civic Center and City Hall.

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Target cuts ties with Deen; drugmaker wants distance

ANNE D'INNOCENZIO,AP
Retail Writer

NEW YORK Paula Deen's multimillion-dollar merchandise and media empire continues to unravel following revelations that she used racial slurs in the past.

Target Corp., Home Depot Inc. and diabetes drug maker Novo Nordisk on Thursday became the latest companies to distance themselves from the Southern celebrity chef.

Home Depot, which sold Paula Deen-branded cookware and kitchen products only online, said it pulled the merchandise off its website on Wednesday. And Target said that it will phase out its Paula Deen-branded cookware and other items in stores and on its website.

"Once the merchandise is sold out, we will not be replenishing inventory," said Molly Snyder, a Target spokeswoman.

Meanwhile, Novo Nordisk said it and Deen have "mutually agreed to suspend our patient education activities for now." Deen, who specializes in Southern comfort food, had been promoting the company's drug Victoza since last year when she announced she had Type 2 diabetes.

These are the latest blows dealt to Deen since comments she made in a court deposition became public. Last week, the Food Network said that it would not renew her contract. On Monday, pork producer Smithfield Foods dropped her as a spokeswoman. Then, on Wednesday, Wal-Mart Stores Inc., the world's biggest retailer, said it too was cutting ties with Deen following a tearful "Today" show interview in which she said she's not a racist.

On the same day, Caesars Entertainment announced that Paula Deen's name is being stripped from four buffet restaurants owned by the company. Caesars said that its decision to rebrand its restaurants in Joliet, Ill.; Tunica, Miss.; Cherokee, N.C.; and Elizabeth, Ind., was a mutual one with Deen.

The stakes are high for Deen, who Forbes magazine ranked as the fourth highest-earning celebrity chef last year, bringing in $17 million. She's behind Gordon Ramsay, Rachel Ray and Wolfgang Puck, according to Forbes.

Deen's empire, which spans from TV shows to furniture and cookware, generates total annual revenue of nearly $100 million, estimates Burt Flickinger III, president of retail consultancy Strategic Resource Group.

But Flickinger says that the controversy has cost her as much as half of that business. He also estimates that she could lose up to 80 percent by next year as suppliers extricate themselves from their agreements.

"The accelerating domino effect is commercially disastrous for Paula Deen's empire," he said.

It's a dramatic fall from a woman who overcame her humble Southern roots and personal hardships to build a merchandising and media empire.

Deen, who grew up in Albany, Georgia, was grappling with a failed marriage, the death of her parents and a prolonged battle with agoraphobia when she started her home-based catering business called The Bag Lady in June 1989, according to her

SEE **DEEN** PAGE 12

City of Santa Monica

NOTICE OF PUBLIC HEARING
BEFORE THE CITY OF SANTA MONICA
LANDMARKS COMMISSION

SUBJECT: Public hearings will be held by the Landmarks Commission on the following:

1415 Ocean Avenue, LC-13CA-015, Zoning: RVC (Resident-Visitor-Commercial) District. The City Landmarks Commission will be conducting a public hearing to consider Certificate of Appropriateness 13CA-015 for design approval related to improvements to the front veranda along Ocean Avenue, including replacement of existing awning, awning supports, railing and floor finish. New operable bi-fold doors are also proposed for wind protection. The Landmarks Commission will determine whether the proposed project is appropriate and architecturally compatible for the Landmark Georgian Hotel. Applicant: 4D.S.L.P. dba The Georgian Hotel. Owner: 4D.S.L.P. dba The Georgian Hotel.

When: **Monday, July 8, 2013 at 7:00 pm**

Where: City Council Chambers, City Hall, Room 213
1685 Main Street, Santa Monica

Questions/Comments
The City of Santa Monica encourages public comment on this and other projects. You or your representative, or any other persons may comment on the application at the Public Hearing, or by writing a letter addressed to Scott Albright, AICP, Senior Planner, City Planning Division, 1685 Main Street, Room 212, Santa Monica, California, 90401-3295. Or, you may contact Mr. Albright by phone at (310) 458-8341 or by email at scott.albright@smgov.net.

More Information
The meeting facility is wheelchair accessible. If you have any disability-related accommodation requests, please contact (310) 458-8341 or TTY (310) 458-8696 at least three days prior to the event. All written materials are available in alternate format upon request. Santa Monica Bus Lines 1, 2, 3 and 7 serve City Hall. Pursuant to California Government Code Section 65009(b), if this matter is subsequently challenged in Court, the Challenge may be limited only to those issues raised at the Public Hearing described in this notice, or in written correspondence delivered to the City of Santa Monica at, or prior to, the Public Hearing.

Espanol
Este es un aviso de una audiencia publica para considerar la designación de una propiedad en la ciudad como un monumento histórico. Para mas información, favor de llamar a Carmen Gutierrez en la División de Planificación al número (310) 458-8341.

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$5,000 – $9,999
SMC Associated Students

★★★★★★★★★
SILVER STARS
$2,500 – $4,999
Bourget Bros. Building Materials

★★★★★★★★★
BRONZE BARRAGES
$1,000 – $2,499
Allen Weiss

★★★★★★★★★
FLASHING FIRES
$500 – $999
Botham Plumbing & Heating
Virginia Buetner
Josie Tong

★★★★★★★★★
BRILLIANT BOUQUETS
$250 – $499
Susan Barrett
Lee & Ann Cooper
Marianne Huntsberry-Dorner
Zane Lang
Loews Santa Monica Beach Hotel
Judy Neveau
Irvin Spielberg
Bruce Sultan

★★★★★★★★★
ROMAN CANDLES
$100 – $249
Elaine Akouris
Iris Aldana
Jean Allgeyer
Marlene Bernstein
Donna & Spyros Dellaportas
Monica White & Roger Goodman
Mary Susan Jimenez-Barrett
Cheryel Kanan
Rose Kaufman
Robert & Kyu-ja Kafka
Liquid Design
James & Anahita Lovelace
Brenda McRae
Patton's Pharmacy – Paul & Marilyn Leoni
Craig Peterson
Santa Monica Police Officers' Association
Sally Scott
Linda Sullivan
Typhoon Restaurant
Pierce Watson
Andrew H. Wilson
Jean McNeil Wyner

* List as of May 20, 2013

SANTA MONICA COLLEGE
City of Santa Monica
Associated Students Santa Monica College

LIVE MUSIC / FIREWORKS

Saturday, June 29, 2013

Santa Monica College / 1900 Pico Blvd., Santa Monica, CA 90405

PARKING $5: Enter at Pico & 17th Street / No animals / No chairs with pointed legs / No alcohol

Santa Monica Community College District Board of Trustees: Dr. Nancy Greenstein, Chair; Dr. Susan Aminoff, Vice Chair; Judge David Finkel (Ret.); Dr. Louise Jaffe; Dr. Margaret R. Quiñones-Perez; Rob Rader; Dr. Andrew Walzer; Jesse Ramirez, Student Trustee; Dr. Chui L. Tsang, Superintendent/President

SURF REPORT



O'NEILL

O'NEILL CARRIES APPAREL, FOOTWEAR, ACCESSORIES,
WETSUITS AND ROBERT'S SURFBOARDS.

131 BROADWAY SANTA MONICA, CA 90401 | (657) 859-3721
FACEBOOK.COM/ONEILLSANTAMONICA

Surf Forecasts

Water Temp: **66.2°**

FRIDAY – **FAIR** – SURF: **2-3 ft** thigh to chest high
SSW eases a touch; WNW swell continues shows a bit better for select spots; small SSE tropical swell peaks at best breaks

SATURDAY – **FAIR** – SURF: **2-3 ft** knee to waist high
SSW swell eases, WNW swell eases, SSE tropical swell eases

SUNDAY – **POOR TO FAIR** – SURF: **1-2 ft** knee to thigh high occ. 3ft
Small NW windswell; New small long period SW swell starts to move in

MONDAY – **POOR TO FAIR** – SURF: **2-3 ft** knee to waist high
Shadowed SW swell moves in, small NW windswell

BEACH REPORT CARD

NORTH LOS ANGELES COUNTY

Grades for this report are based on monitoring data from the previous 30 days up to the ending date of **June 19, 2013**

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

QUICK STATS (for the last 30 days)

- Number of sewage spills -- 4
- Number of beach closures due to a sewage spill -- 1
- Number of wet days -- 8
- Number of A grades for dry/wet weather -- 33 / 1
- Number of (C,D,F) grades for dry/wet weather -- 0 / 0

The Beach Report Card is made possible by: simplehuman, LAcurGUY, SIMA and Grousbeck Family Foundation

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

LOCATION	DRY	WET
Leo Carrillo Beach, at Arroyo Sequit Creek mouth.	A+	ns
Nicholas Beach at San Nicholas Canyon Creek mouth.	A+	ns
El Pescador State Beach, between Lechusa and Las Alisos creeks.		
Encinal Canyon at El Matador State Beach.	A+	ns
Broad Beach at Trancas Creek mouth.	A+	ns
Zuma Beach at Zuma Creek mouth.	A+	ns
Walnut Creek, projection of Wildlife Rd. (private).	A+	ns
Paradise Cove Pier at Ramirez Canyon Creek mouth.	A+	ns
Escondido Creek, just east of Escondido State Beach.	A+	ns
Latigo Canyon Creek mouth.	A+	ns
Solstice Canyon at Dan Blocker County Beach.	A	ns
Puerco State Beach at creek mouth.	A+	ns
Marie Canyon storm drain at Puerco Beach, at 21572 Malibu Rd.	C	ns
Surfrider Beach at Malibu Colony fence.	A+	ns
Surfrider Beach (broach location)- daily.	F	ns
Malibu Pier - 50 yards east.	F	ns
Carbon Beach at Sweetwater Canyon.	A	ns
Las Flores State Beach at Las Flores Creek (point zero).	A+	ns
Big Rock Beach at 19948 PCH stairs.	A+	ns
Pena Creek at Las Tunas County Beach.	A+	ns
Tuna Canyon.	ns	ns
Topanga State Beach at creek mouth.	A	ns
Castlerock Storm Drain at Castle Rock Beach.	A+	ns
Santa Ynez Storm Drain at Castle Rock Beach.	A+	A+
Will Rogers State Beach at 17200 PCH (1/4 mile east of Sunset drain).	A+	ns

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

LEGEND

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

Heal the Bay is a non-profit environmental organization dedicated to making Santa Monica Bay and Southern California coastal waters safe and healthy for people and marine life.

Heal the Bay

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

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

DEEN

FROM PAGE 10

company website.

Then a mother of two teenage boys, Jamie and Bobby, and on the verge of homelessness, she used her last $200 to start the catering business. She describes the business as delivering "lunch-and-love-in-a-bag." Five years later, she opened her first restaurant called The Lady and Sons in Savannah, Georgia. Her first cookbook, "The Lady and Sons Savannah Country Cookbook," came out in 1998.

Soon after, she had her first TV appearance on QVC. But it was when "Paula's Home Cooking," began airing on the Food Network in 2002 that she started to hit stardom, according to her site. Deen now has two shows airing on the Food Network: In addition to "Paula's Home Cooking," there's "Paula's Best Dishes," which made its debut in 2008.

Deen's empire has continued to grow over the years as her brand has blossomed.

In addition to her The Lady and Sons restaurant, Deen owns with her brother, Bubba, a seafood restaurant in Savannah called Uncle Bubba's Oyster House. Deen is the author of 14 cookbooks that have sold more than 8 million copies and her bimonthly magazine "Cooking with Paula Deen" has a circulation of nearly 1 million, according to her website. And Deen's product lines span from a full line of cookware to assorted food items to furniture.

Not every company Deen does business with has severed ties with the celebrity chef. Among other stores that sell her products, Kohl's Corp. declined to comment, while Macy's Inc. and Sears Holdings Corp. said they're evaluating the situation. QVC, meanwhile, said it's reviewing its deal with Deen.

And book-buyers are so far standing by Deen. As of Thursday morning, "Paula Deen's New Testament: 250 Recipes, All Lightened Up," ranked No. 1 on Amazon.com. The book is scheduled for October. Another Deen book, "Paula Deen's Southern Cooking Bible," was at No. 13. Several other Deen books were out of stock.

DO YOU HAVE COMMUNITY NEWS?
Submit news releases to editor@smdp.com or by fax at (310) 576-9913
smdp.com Santa Monica Daily Press office (310) 458-7737

City of Santa Monica

NOTICE OF A CONTINUED PUBLIC HEARING BEFORE THE SANTA MONICA PLANNING COMMISSION

SUBJECT: The Planning Commission will hold a public hearing to consider a recommendation to adopt the **Bergamot Area Plan**:



The Commission will review the final draft of the Bergamot Area Plan, which contains the goals, policies and regulations that are proposed to guide all future development within the Plan area boundaries (see illustration) in order to transition to a mixed-use, pedestrian-oriented neighborhood focused on connectivity with the future Exposition Light Rail station and the Bergamot Art Center. The Commission will make a written recommendation to the City Council on the adoption of the Plan pursuant to Municipal Code §9.04.20.18.040 and on the proposed Findings of Consistency with the Land Use & Circulation Environmental Impact Report (LUCE EIR), for compliance with the requirements of the California Environmental Quality Act (CEQA). The proposed findings are based on examination of the Plan's potential impacts in light of the LUCE EIR undertaken pursuant to CEQA Guideline §§15162 and 15168 and which concluded that no new environmental document is required since no new effects could occur or new mitigations would be required. Accordingly, the City can approve the Bergamot Area Plan as being within the scope of the LUCE covered by the LUCE EIR.

This hearing was begun on June 12, 2013.

The Bergamot Area Plan is available on-line at: www.bergamotplan.net.

WHEN: **Wednesday, July 10, 2013 at 7:00 p.m.**

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

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

MORE INFORMATION
The final draft Bergamot Area Plan is available at the project website: www.bergamotplan.net. For additional information about the Plan, please contact Peter James or Elizabeth Bar-El, AICP, from the Strategic and Transportation Planning Division at (310) 458-8341 or at bergamotplan@smgov.net. The meeting facility is wheelchair accessible. If you have any disability-related accommodation request, please contact (310) 458-8341, or TYY Number: (310) 458-8696 at least five (5) business days prior to the meeting. Santa Monica "Big Blue" Bus Lines #1, #2, #3, Rapid 3, #7, and #9 service City Hall and the Civic Center and bike racks are available. Pursuant to California Government Code Section 65009(b), if this matter is subsequently challenged in Court, the challenge may be limited to only those issues raised at the Public Hearing described in this notice, or in written correspondence delivered to the City of Santa Monica at, or prior to, the Public Hearing.

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

MOVIE TIMES

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

Journey to Italy 1hr 26 min
7:30 pm

AMC Loews Broadway 4
1441 Third Street Promenade
(888) 262-4386

Now You See Me (PG-13) 1hr 56min
11:00am, 1:40pm, 4:25pm, 7:10pm, 10:10pm

White House Down (PG-13) 2hrs 17min
11:15am, 12:40pm, 4:05pm, 7:30pm, 10:50pm

Internship (PG-13) 1hr 59min
2:20pm, 5:10pm, 8:00pm, 11:00pm

Bling Ring (R) 1hr 30min
12:40pm, 3:15pm, 5:45pm, 8:15pm, 10:45pm

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

Man of Steel (PG-13) 2hrs 23min
10:15am, 12:55pm, 7:35pm

Monsters University (G) 1hr 47min
11:40am, 1:40pm, 2:40pm, 5:40pm, 7:40pm

World War Z (PG-13) 1hr 56min
10:20am, 4:05pm, 10:15pm

This Is The End (R) 1hr 47min
11:25am, 2:10pm, 5:10pm, 8:30pm, 11:20pm

White House Down (PG-13) 2hrs 17min
12:10pm, 3:25pm, 6:45pm, 10:10pm

Heat (R) 1hr 57min
10:30am, 1:25pm, 4:25pm, 7:25pm, 8:10pm, 10:25pm, 11:10pm

Monsters University 3D (G) 1hr 47min
10:15am, 4:40pm, 10:30pm

Man of Steel 3D (PG-13) 2hrs 23min
4:15pm, 11:00pm

World War Z 3D (PG-13) 1hr 56min
1:10pm, 7:05pm

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

Mud (PG-13) 2hrs 10min
4:00pm

East (PG-13) 1hr 56min
1:20pm, 4:10pm, 7:00pm, 9:40pm

Frances Ha (R) 1hr 26min
1:30pm, 7:30pm

Much Ado About Nothing (PG-13) 1hr 49min
1:40pm, 4:20pm, 7:10pm, 9:50pm

Before Midnight (R) 1hr 48min
1:50pm, 4:30pm, 7:20pm, 10:00pm

Kings of Summer (R) 1hr 33min
9:45pm

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

Happy Birthday

John Cusack: Actor, enjoys eating at Capo on Ocean Avenue.

Relax tonight, Aries

ARIES (March 21-April 19)
★★★★ Seriously consider accepting someone's offer to pitch in. Recognize a tendency to get angry at the drop of a hat, and know that is because you have pushed too hard. Tonight: Kick back and relax.

TAURUS (April 20-May 20)
★★★★★ You might want to try a different approach. You know your limits and what is needed. Share more of your needs with a loved one. You might want some help taming a weakness or overindulgence you think you might have. Tonight: Happy to greet the weekend.

GEMINI (May 21-June 20)
★★★ Your fun nature does nothing to ease a situation. In fact, this trait might be complicating an already difficult situation. You are full of energy, and you're in the limelight. Understand that nothing will beat openness with this person. Drop the games. Tonight: A force to behold.

CANCER (June 21-July 22)
★★★ You might want to see a situation change, but you can't force others to back off their position. As a result, you would be better off relaxing and enjoying yourself. Understanding will evolve to a new level if you can accept what is going on around you. Tonight: Follow the music.

LEO (July 23-Aug. 22)
★★★ You are full of energy, and you will draw many people toward you. Understand what you have to offer. Someone might push you beyond your limits. Take a walk or get involved in some other distraction in order to stay in control of your feelings. Tonight: Be direct with a partner.

VIRGO (Aug. 23-Sept. 22)
★★★★ Understand what is happening with a partner. If you seem to be getting some grief from others, know that it is nothing personal. These individuals simply are frustrated beyond their normal limits. Just relax. Tonight: Allow greater give-and-take when dealing with others.

LIBRA (Sept. 23-Oct. 22)
★★★★ You are capable of squeezing a lot into a small amount of time. You might feel pressured to get out of town. Honor what needs to happen within your inner circle of friends. Tonight: Get going to your destination.

SCORPIO (Oct. 23-Nov. 21)
★★★★ Your manifested ideas could leave many people in awe, yet they also might get you into a lot of trouble. A partner could be unusually difficult. Tonight: Togetherness works.

SAGITTARIUS (Nov. 22-Dec. 21)
★★★ You might not be as in control as you think you are. You often delude yourself, which causes problems for those involved. Take off you rose-colored shades if you want better results. If more than one person says the same thing, you need to listen. Tonight: Happy at home.

CAPRICORN (Dec. 22-Jan. 19)
★★★ Speak your mind, and know full well what you want. You are more sensitive and together than you might have realized. At present, there is an issue regarding who wants to take the lead in a project. This conversation could become heated. Tonight: TGIF. Meet friends.

AQUARIUS (Jan. 20-Feb. 18)
★★★★ You might wonder what has triggered a child or new friend. Realize that this person is on the warpath. Even if his or her anger is directed at you, do not take it on -- it might be the result of a different situation. Give this individual some space. Tonight: Follow the music.

PISCES (Feb. 19-March 20)
★★★★ How and why you seem to be irritating a family member might be a mystery to you, as this person goes off in a fit of rage. When he or she has calmed down, consider initiating a conversation. A loved one feels cared by you. Tonight: Lead the gang into Friday-night rituals.

Friday, June 28, 2013

This year you greet change more openly than you have in a while. It is quite apparent that you care a lot about people, and vice versa. If you are single, someone you know could introduce you to Mr. or Ms. Right. Remain open to people who have different lifestyles from your own. If you are attached, curb a tendency to be a bit cocky or arrogant when you think you are right. At first, you might be uncomfortable with this change, but in the long run, your relationship will work out better. PISCES understands you almost too well.

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

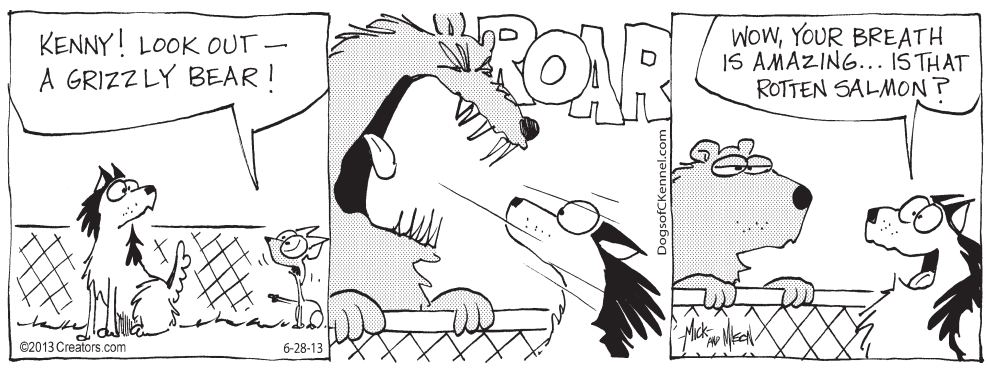
Speed Bump
By Dave Coverly



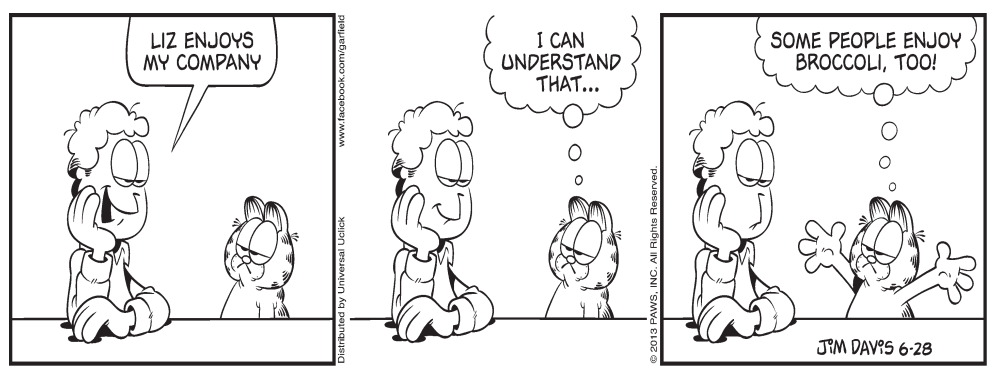
Strange Brew
By John Deering



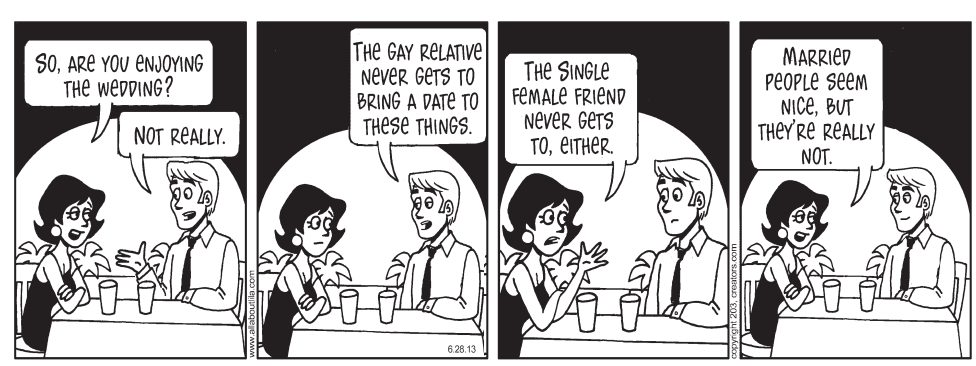
Dogs of C-Kennel
By Mick and Mason Mastroianni



Garfield
By Jim Davis



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



Sudoku

Fill in the blank cells using numbers 1 to 9. Each number can appear only once in each row, column, and 3x3 block. Use logic and process of elimination to solve the puzzle. The difficulty level ranges from ★ (easiest) to ★★★★★ (hardest).

Difficulty Level ★★★★

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

King Features Syndicate

GETTING STARTED

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

SOLUTIONS TO YESTERDAY'S PUZZLE

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

Difficulty Level ★★★ 6/27

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MYSTERY REVEALED!

Daniel Archuleta *daniela@smdp.com*

Reader Chris Johnson correctly guessed that the Mystery Photo is of Lincoln Center. He will receive a prize from the Daily Press. Check out the weekend edition for another chance to play. Send your mystery photos to *editor@smdp.com* to be used in future issues.

CROSSWORD

By THOMAS JOSEPH

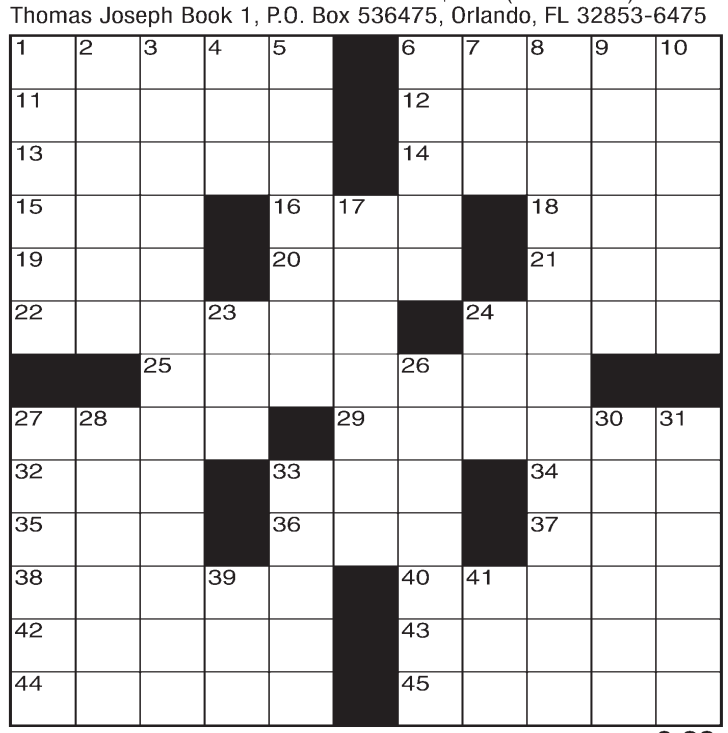
ACROSS
1 Secret store
6 Is missing
11 Friend of D'Artagnan
12 Take — (guess)
13 Antlered animals
14 Extra
15 Shoe hue
16 USN rank
18 Maiden name label
19 Outfit
20 "The Matrix" hero
21 Mountain pass
22 Like a short play
24 Retreats
25 Italian dressing ingredient
27 Grass clump
29 Yasser of Palestine
32 Cabinet wood
33 Suitable
34 Sch. support group
35 Weed whacker
36 Numerical prefix
37 — Angeles
38 Bridge utterance
40 Monk's song
42 Far from wordy
43 Jousting need
44 Bury
45 Slalom curves

DOWN
1 Raul of Cuba
2 Reach
3 Attitude reversal
4 Greedy fellow
5 Pith
6 Drawing program tool
7 Pharaoh's symbol
8 Reason for re-scheduling
9 Seoul citizen
10 Brews
17 Overall profit
23 Skill
24 Some crime evidence
26 Reporter's work
27 Gauguin's adopted home
28 Annual golf event
30 Immediately
31 Samples
33 Printer part
39 Compass dir.
41 Holds

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

Yesterday's answer

NEW CROSSWORD BOOK! Send $4.75 (check/m.o.) to Thomas Joseph Book 1, P.O. Box 536475, Orlando, FL 32853-6475



6-28

DAILY LOTTERY

POWERBALL
Draw Date: 6/26
1 18 33 39 46
Power#: 33
Jackpot: $50M

MEGA MILLIONS
Draw Date: 6/25
3 5 28 33 51
Mega#: 16
Jackpot: $61M

SUPER LOTTO PLUS
Draw Date: 6/26
4 20 26 31 36
Mega#: 22
Jackpot: $24M

Fantasy 5
Draw Date: 6/27
8 11 15 29 33

DAILY 3
Draw Date: 6/27
MIDDAY: 8 5 8
EVENING: 2 5 2

DAILY DERBY
Draw Date: 6/27
1st: 08 Gorgeous George
2nd: 03 Hot Shot
3rd: 09 Winning Spirit
RACE TIME: 1:49.77

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

NEWS OF THE WEIRD
BY CHUCK SHEPARD

■ Local Governments at Work: (1) Washington, D.C., began registering its dogs this year by their primary breeds and, faced with many owners who claimed not to know their dog's heritage, quixotically settled on the Mexican hairless dog, or "xoloitzcuintli" (pronounced "show-low-eats-QUEENT-lee," according to The Washington Post) as the breed that will be listed in city records for those dogs. An official said the decision might encourage owners to learn more about their dog's breed. (2) Of all the businesses that could fall out of favor with a local government, it was the restaurant Bacon Bacon that was shut down in May by the city of San Francisco -- because of neighbors' complaints about the smell! (The fragrance of bacon is widely experienced as entrancing all across America.) A petition to overturn the ruling was underway at press time.

■ More than 50 Iowa sex offenders have open-carry gun permits, thanks to a 2-year-old state law that requires any disapproving sheriff to demonstrate "probable cause" in advance that a sex offender will use a gun illegally in order to reject his application. Before that, a sheriff could use a sex offender's previous felony conviction as sufficient cause. Said Washington County Sheriff Jerry Dunbar, "(J)ust the presence of a gun on a hip could be a threat to get (sex-crime victims) to cooperate."

TODAY IN HISTORY

1956 - in Poznaf, workers from HCP factory went to the streets, sparking one of the first major protests against communist government both in Poland and Europe.

1967 - Israel annexes East Jerusalem.

WORD UP!

**lese majesty \ LEZ MAJ-uh-stee, LEEZ- ** , noun; 1. Law. a. a crime, especially high treason, committed against the sovereign power. b. an offense that violates the dignity of a ruler

Santa Monica Daily Press

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DBAS

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FICTITIOUS BUSINESS NAME STATEMENT FILE NUMBER: 2013112434 ORIGINAL FILING This statement was filed with the County Clerk of LOS ANGELES on 05/31/2013 The following person(s) is (are) doing business as POCKABOOK PUBLISHING, CADO MERCHANDISING. 12021 WILSHIRE BLVD. SUITE 453 , LOS ANGELES, CA 90025. The full name of registrant(s) is/are: CHRISTINA MARIE RUFFALO 11938 KIOWA STREET LOS ANGELES, CA 90049. This Business is being conducted by: an Individual. The registrant has not yet commenced to transact business under the fictitious business name or names listed above. /s/:CHRISTINA MARIE RUFFALO. This statement was filed with the County Clerk of LOS ANGELES County on 05/31/2013. NOTICE: THIS FICTITIOUS BUSINESS NAME STATEMENT EXPIRES FIVE YEARS FROM THE DATE IT WAS FILED IN THE OFFICE OF THE COUNTY CLERK. A NEW FICTITIOUS BUSINESS NAME STATEMENT MUST BE FILED PRIOR TO THAT DATE. The filing of this statement does not of itself authorize the use in this state of a fictitious business name statement in violation of the rights of another under federal, state, or common law (see Section 14411et seq.,Business and Professions Code). SANTA MONICA DAILY PRESS to publish 06/28/2013, 07/05/2013, 07/12/2013, 07/19/2013.

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