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WEDNESDAY, AUGUST 17, 2011
Volume 10 Issue 236



Santa Monica Daily Press

We have you covered

SURF GUITAR, ANYONE?
INSIDE

THE **CLOSE CALL** ISSUE

Students continue to improve on standardized test scores

Concerns linger about achievement gap, No Child Left Behind law

BY KEVIN HERRERA
Editor in Chief

SMMUSD HDQTRS Students in the Santa Monica-Malibu Unified School District continued their climb toward academic excellence, slightly improving scores on standardized tests issued by the state.

Scores increased in every subject area of the 2011 STAR program exams, with more than 73 percent of students proficient or advanced in English-language arts and science, and more than 60 percent of students proficient or advanced in mathematics and history, according to test results released Monday by the California Department of Education.

Statewide, 54 percent of the approximately 4.7 million students who participated in the testing program scored proficient or above in English and 50 percent scored at proficient or above in mathematics.

More than 8,700 SMMUSD students were tested in grades 2 through 11.

"We are up [from last year] about six points in history, three points in math, four points in science and three points in language arts," said Maureen Bradford, director of assessment, research and evaluation at the SMMUSD. "We had incremental, steady growth in all of our subject areas and that is the kind of growth that we want, growth that is sustainable."

That said, school district officials are concerned about the lingering achievement gap that exists between Asian and Caucasian students and their black and Latino counterparts.

"It's really front and center," said School

SEE **SCORES** PAGE 10



Ray Solano *news@smdp.com*

SAFE: **Law enforcement personnel clear an area Tuesday after receiving a call that there may have been shots fired at Santa Monica College. They concluded that it was a false alarm.**

False alarm put SMC on lockdown

BY ASHLEY ARCHIBALD
Daily Press Staff Writer

SMC Santa Monica College was placed on lockdown Tuesday while police investigated reports of a person with a gun on campus, but no suspect or weapon was found.

A stretch of Pico Boulevard was also shut down while campus and Santa Monica police searched SMC buildings with guns drawn.

SMC spokesman Bruce Smith said the campus was locked down shortly after 11 a.m. when police received unconfirmed reports about a possible person with a gun.

"There was no shooting," Smith confirmed later. "One of the things that we're investigating as a possibility is that there was construction noise mistaken for shots being fired."

A new student services building is under construction on the main campus.

Although classes were not in session, the campus was open in advance of the upcoming semester for students to register for courses, apply for financial aid or purchase books and supplies. Students and staffers who were walking the campus were pulled into the nearest building when the lockdown was declared.

Nearby pre-school, elementary and middle school campuses were also shut down.

John Adams Middle School was hosting a science magnet program, computer

SEE **SMC** PAGE 10

Trailer park resident files $5.15M claim against City Hall

BY ASHLEY ARCHIBALD
Daily Press Staff Writer

CITY HALL A resident of a local trailer park has filed a $5.15 million claim against City Hall, alleging that the preliminary approval of a development agreement for the 2800 block of Colorado Avenue will deprive him and other tenants of their homes.

The claim, filed Aug. 10 by Michael McKinsey on behalf of himself and "others similarly situated," alleges that City Hall violated the law and its own land use policy by approving the development of the land adjacent to the Village Trailer Park and signing the eviction notices of the remaining tenants.

He also named the Rent Control Board, but attorney Michaelyn Jones said that the board had not yet received the claim.

It's unclear exactly how many of the 51 remaining residents stand behind the claim.

The Village Trailer Park falls in the Mixed Use Creative District, established by Santa Monica's 2010 Land Use and Circulation Element (LUCE), along with two other major developments that currently have development agreements in front of the City Council — Colorado Creative Studio's development of a future home for Lionsgate Entertainment and the Roberts Center business and housing development next door.

The Lionsgate headquarters project moved through its first reading in front of a four-member City Council on July 26, and will likely be approved at its next meeting on Aug. 23.

That's problematic, said Brenda Barnes, McKinsey's mother, resident of the park and former attorney with the Rent Control Board, because the approval could mean tacit approval to allow the trailer park's owner, Marc Luzzatto, to convert the park into a mixed-use complex and evict the tenants.

According to the claim, that district requires that 50 percent of the total development there be comprised of housing, and because the Lionsgate headquarters would have no housing component, the burden to provide the district's housing quotient would, de facto, fall on the shoulders of the

SEE **CLAIM** PAGE 11

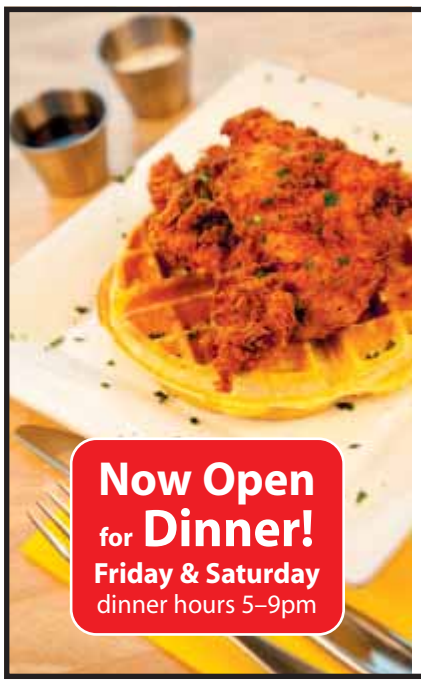

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What's Up Westside

OUT AND ABOUT IN SANTA MONICA

Wednesday, Aug. 17, 2011

It's easy being green
Main Library
601 Santa Monica Blvd.,
7 p.m. — 8:30 p.m.
Come to the first Green Living Workshop and learn how to go green. The workshop will explore environmental problems on a local, national and global scale. Participants review and take action on 10 environmental solutions. Workshop attendees can earn a special gift bag with "eco-tools" if all workshop requirements are completed. The workshop is a six-week course open to all. Cost: free. For more information, call (310) 458-8716 ext. 4 or visit www.sustainableworks.org.

Farmers' Market
Arizona Avenue
and Second Street
8:30 a.m. — 1:30 p.m.
Enjoy the fresh produce and easy atmosphere of Santa Monica's Farmers' Market while enjoying featured samples from Pourtal Wine Bar. For more information, visit www.smgov.net/farmers_market.

Thursday, Aug. 18, 2011

Catch this fish
Montana Branch Library
1704 Montana Ave.,
6:30 p.m. — 8:15 p.m.
Part of the library's In Case You Missed It: Summer Film Series, "Catfish" is a reality bending thriller concerning two filmmakers shooting a documentary about their brother, and the unsettling events and online intrigue that unfolds. Rated PG-13, recommended for older audiences. Cost: free. For more information, call (310) 458-8682 or visit www.smpl.org.

Hot pool, cool jazz
Annenberg Community Beach House
415 Pacific Coast Hwy.,
6:30 p.m. — 9:30 p.m.
Enjoy a night of food and fun at the Annenberg's Adult Pool Night. Relax to the lounge jazz of the Martini Kings as you play pool games or just take in the ocean view. A light dinner menu will be available courtesy of Back on the Beach Cafe, and the Annenberg is offering complimentary shaved ice. Cost: $15, advance tickets available. Parking $5. Ages 18 and up. For more information, call (310) 458-4904 or visit www.annenbergbeachhouse.com.

Friday, Aug. 19, 2011

Unlock your creative side
The Christian Institute
1308 Second St., 2 p.m.
Have you ever wanted to act, design sets, or make costumes? Whether you want to be on stage, or behind the scenes, you can work with professional writers and directors, as well as teens just like you, to develop and sharpen your skills in this free teen theatre workshop. For more information, call (310) 394-4178.

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



COMMUNITY BRIEFS

PUBLIC SAFETY FACILITY

Grandparents targeted in phone scam

In the past, phone calls about Prince Albert in the can or running refrigerators were all seniors had to worry about.

But these days, scammers are using the telephone and social media sites like Facebook to fool grandparents into thinking that their relatives are in trouble, and in the process, rob them of hundreds of dollars overnight.

According to a public safety bulletin issued the Santa Monica Police Department, the scam involves a grandparent receiving a call from someone pretending to be their grandson or granddaughter.

The caller claims to be traveling in a foreign country and in some kind of financial trouble, and they request emergency cash sent by wire or overnight delivery.

Calls are usually made in the middle of the night, to make them seem more urgent.

Police say to avoid being scammed, seniors should listen carefully to the caller and take notes, including the person's caller ID.

Although asking the caller personal questions about themselves, such as a childhood nickname or pet, seems like a good way to verify their identity, the scammer might have access to that information from social networking sites.

Additionally, do not reveal any personal information to the caller about yourself or your family.

After the call, you should try to contact your family members and verify their location before you attempt to send any money.

If you think you have been scammed, you should contact the Santa Monica Police Department at (310) 458-8491 and report it immediately.

COLIN NEWTON

PUBLIC SAFETY FACILITY

DUI checkpoint nabs pair

Two people were arrested for driving under the influence and four vehicles impounded during a driver's license/sobriety checkpoint conducted by the Santa Monica Police Department on Aug. 12.

More than 820 vehicles passed through the checkpoint, which was located near the corner of Main Street and Ocean Park Boulevard, said SMPD Sgt. Richard Lewis. Of those, 245 vehicles were screened.

Lewis said in addition to the two drivers busted for allegedly driving under the influence, two others were cited for driving without a license. A total of four misdemeanor arrests were made. In addition to the four impounded vehicles, two cars were put on a 30-day hold.

Seven miscellaneous citations were also issued.

The checkpoint was conducted as part of an ongoing campaign to reduce the number of people killed and injured in alcohol-related crashes.

Statewide, overall traffic deaths declined by 23 percent, from 3,995 in 2007 to 3,081 in 2009. Total traffic fatalities are at their lowest levels in six decades. DUI deaths declined by 16 percent, from 1,132 in 2007 to 950 in 2009, according to the National Highway Traffic Safety Administration's Fatality Analysis Reporting System.

It was the fourth checkpoint conducted as part of the year-long effort.

KEVIN HERRERA



Daniel Archuleta *daniela@smdp.com*

WORKING ON THEIR SKILLS: **St. Monica's football team's defensive players practice at Airport Park on Monday.**

HIGH SCHOOL FOOTBALL

New-look Mariners prep for season

BY DANIEL ARCHULETA
Managing Editor

AIRPORT PARK "New" is the buzz word swirling around St. Monica's football program this summer.

The Mariners have a new coach in Adam Guerra, a new pro-style offense, a new innovative defense, new places to host games and a new guy behind center. It may be a tall order for Guerra to fill as St. Monica attempts to make the playoffs in consecutive years for the first time since early last decade, but the young coach is confident in his master plan.

"I'm excited," Guerra said. "But it's going to take a lot of work to do it well."

Guerra comes to St. Monica on the heels of the team's most successful season in recent memory. The Mariners were 8-3 last year, winning the Santa Fe League greatly on the legs — and arm — of quarterback Matthew Partyka, who graduated in the spring.

The Mariners also lost Larry Muno, who in two years with the school helped the Mariners regain a little swagger following years of losing football. Muno departed for Marina del Rey's St. Bernards, the site of St. Monica's home games for the past few years. Ironically, one of Guerra's first orders of business was to move home games to Santa Monica College and Palisades High School come the fall.

Guerra said that the move should come as a relief for

SEE **ST. MONICA** PAGE 9

Authorities recover stolen Rembrandt worth $250K

ROBERT JABLON & THOMAS WATKINS
Associated Press

MARINA DEL REY It wasn't some bold theft carried out by burglars breaking into a heavily-fortified museum with high-tech alarms to swipe a masterpiece. It was a low-tech caper involving a distraction, an accomplice or two and a small sketch — an 11-by-6-inch drawing.

What was remarkable was the signature on the artwork: Rembrandt.

Authorities said early Tuesday they had recovered the Dutch master's 17th century sketch at a San Fernando Valley church, about 20 miles from the luxury hotel lobby where it was snatched over the weekend from a private art display while a curator was momentarily distracted by someone who seemed interested in buying another piece.

"When the curator turned back to the Rembrandt, it was gone," said Los Angeles County sheriff's spokesman Steve Whitmore. It was not clear whether the person talking to the curator was connected to the theft, though Whitmore said a team of at least two people was involved.

Detectives got a tip from an anonymous caller on Monday evening that the sketch was in the suburban

SEE **DRAWING** PAGE 11

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LETTERS TO THE EDITOR

Send comments to editor@smdp.com

Too lazy to try

Editor:

Kudos to Jack Neworth for doing the right thing by pointing out egregious waste of electricity by clueless people ("How green isn't my valley?" Laughing Matters, Aug. 12). The attitude expressed by those who leave TVs and lights on when no one is using them shows how far we've fallen as a society. People just don't care how their actions affect others. This is the classic definition of selfishness.

Everyone should know by now that we use a lot of coal and natural gas to generate electricity. The pollution generated by these massive thermal plants is responsible for the premature death of tens of thousands of our fellow citizens every year. Add to that the deaths of coal miners, the phenomenal environmental devastation caused by mountain top removal for coal and the new "fracking" process used to extract natural gas and you readily see the costs to society from these dirty energies is substantial.

When Jack brought it to the attention of these people that maybe they should not waste this energy, he was met with snide comments about who made him "electricity monitor" or "recycling monitor." This is how low we've sunk in the past few decades. A good Samaritan politely asks you to not be wasteful and instead of thanking him for his efforts, we criticize him.

We are experiencing our society failing in many ways, and it's the attitude of an uncaring, selfish public that is the root cause of it. It's not hard to be a good person, but for some reason most Americans are too lazy to even try.

How sad.

Paul Scott
Santa Monica

Open says he

Editor:

How do we expect to get Congress in Washington working for us when we have local and state examples of dysfunctional government being brought to our attention almost daily?

Local example of closed meetings, press lockout by the Santa Monica PTA. Where is the democracy in this, the openness, the accountability?

In Sacramento, we have our representatives refusing to give us, the money providers, information on their personal expenditures of tax money that we provide for their expenses. Again, lack of openness, no accountability.

We all know about our federal government where massive amounts of money are spent to influence decisions and there is again lack of information provided us voters as to where the funds come from.

Our city should be better than this. Set an example. Disclose on the Internet all funds that are spent on elections and who has provided them. Disclose all ties of council, department heads and members of commissions to all development projects.

Let us locally, at least, shed light on government actions; have transparency in decision making and real accountability. If we cannot do it locally, then what chance do we have statewide and nationally.

Bob Wolff
Santa Monica





Meredith Pro Tem

Meredith C. Carroll — Send comments to editor@smdp.com

Hoping for a subdued sibling rivalry

MY FAVORITE PART OF VACATION IS always the night before it begins. As Julia Child once said, "I savor the moment when anything is possible." (Of course she was talking about eating a well-cooked chicken. But still.)

That's also kind of how I'm feeling as the countdown is on in earnest for the birth of my second baby. More specifically, I'm tingling with excitement about the possibilities that abound in the relationship between my two girls.

I'd be lying if I didn't say that part of me feels a bit sad for my older daughter that our exclusive time together is coming to an end. Me, on demand, day-in, day-out has been almost all she's ever known, and we've both grown accustomed to it. As little patience as I have for her diva tantrums and shenanigans these days, when I'm not with her, I miss her. (Until I see her again. But still.)

I also feel a bit guilty knowing that my younger daughter will never get that kind of time with me. As several people have suggested somewhat ominously, I am anticipating my older daughter needing me more than my younger one will over the next few months as we adjust to our enlarged family. The baby and I will bond in our own way, for sure, but with twice the demand on my services, there's no way she and I will greet nearly every hour in each other's presence like her sister and I have been doing. Sure, it's about quality, but quantity is no small thing, either, particularly when you're talking about an itty-bitty baby.

But what I'm very much not feeling sad about is that my girls will have each other. When done correctly, it seems to me that there's nothing like a sister to hold hands with and stroll through life together.

Of course there's no small part of me that's romanticizing the sister relationship and choosing to gloss over the fact that they'll likely be at each other's throats over clothes, hair accessories, dolls and the air in which we breathe as soon as the itty-bitty baby gets a little bigger and realizes that clothes, hair accessories, dolls and oxygen can be a commodity.

"You think it's great, but just wait until the moment one of them comes running into our room with tears streaming down her face, screaming, 'She stole my bunny!'" my husband mused over dinner the other night. "And the other one will be wailing in the background, 'But she hit me!'"

For some reason that prompted butterflies to flit around in my stomach. Fighting just like real sisters — I love it.

But yes, my hope is that they'll get along famously (and by famously, I definitely don't mean like those twins who shacked up with Hugh Hefner a few years ago at the Playboy mansion and had tongues wagging about the extent of the sisters' closeness, or Paris and Nicky Hilton, who, by all appearances, are out doing things regularly that seem dangerously like they could land them in jail or on a direct-to-DVD video, um, again).

Sure, I know plenty of people who grew up perfectly happy as only children or with brothers instead of sisters, or with sisters whom they hated. But I also know tons of women who grew up with sisters and experienced magical relationships.

My older daughter is saying and doing all the right things as we prepare to welcome the new baby. She's itching to share her postage stamp-sized room (or so she thinks), and she's talking incessantly about picking out her pajamas, giving her a bath and feeding her bananas. She sings joyfully into my belly button and buries her face in my stomach to give the baby kisses. She's also chosen her sister's Halloween costume already (as well as her own, of course) and keeps asking to go to her baby sister's house, despite the fact that I keep telling her that this is her baby sister's house.

WHEN DONE CORRECTLY, IT SEEMS TO ME THAT THERE'S NOTHING LIKE A SISTER TO HOLD HANDS WITH AND STROLL THROUGH LIFE TOGETHER.

You can't make any two people like each other, and least of all sisters. My sister didn't like me when we were growing up, and I strongly suspect there are still plenty of days when she continues to feel justified at rolling her eyes at me. But the fact that we have retained an unspoken closeness despite the fact that our parents are no longer threatening that everyone will go to bed without dessert if we don't put our arms around each other and smile says a lot, I think.

I've been reading up a bit on the role parents should play in guiding their kids' relationship with each other, but until the baby arrives, there's no way to know how it will pan out. Which is just another reason to think positively and savor the possibilities now before it all begins.

More at MeredithCarroll.com.



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CIRCULATION VERIFICATION COUNCIL

The Santa Monica Daily Press is published six days a week, Monday through Saturday.

19,000 daily circulation, 46,450 daily readership. Circulation is audited and verified by Circulation Verification Council, 2011. Serving the City of Santa Monica, and the communities of Venice Beach, Brentwood, West LA. Members of CNPA, AFCP, CVC, Associated Press, IFPA, Santa Monica Chamber of Commerce.

Published by Newlon Rouge, LLC

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The Taxman

Jon Coupal
Send comments to editor@smdp.com

Standing on the shoulders of a giant

IT'S BEEN 25 YEARS SINCE CALIFORNIA lost one of its finest, Howard Jarvis. Sadly, this means that few who are not middle aged or older know much about this titan of the taxpayer movement.

There was a time when we relied on oral history. Stories of our heroes who contributed to the welfare of the clan or tribe were repeated around the campfire or before the hearth. With today's high-tech instant communication, history is now yesterday's tweet or e-mail and there is a tendency to consider what happened before then as irrelevant.

So here is a little refresher on a man whose words and deeds are as important today as they were a quarter century ago.

In the early 1960s, Jarvis was one of many Californians who were becoming increasingly concerned about a property tax system that was tied to the escalating market value of property, with no relationship to the owner's ability to pay. Each county set its own tax rate with the average being 2.6 percent, and a 10 percent increase in a home's value would trigger a 10 percent increase in taxes owed. Jarvis recognized that Californians were being taxed on paper profits which they had not realized while tax collectors insisted on cash.

Jarvis had already begun to organize like-minded taxpayers, when on a visit to the assessor's office he saw a middle-aged woman drop dead of a heart attack while pleading for relief from excessive taxation on her home. Seeing this woman die fired up Jarvis even more and this tragedy inspired his campaign slogan for Proposition 13, "Death and taxes may be inevitable, but being taxed to death is not."

Jarvis was fearless and would not give up his crusade for tax reform. He would respond to setbacks by quoting Churchill, who, in refusing a Nazi demand for surrender during the darkest days of WWII, said, "What kind of people do you think we are?" Later he wrote about those times when the taxpayer movement was struggling, "We believed that although every American is different from every other American, no American has the right to be indifferent or apathetic when liberty and freedom for all Americans are on the auction block. We knew we had to prove again that the American system of freedom and liberty is the greatest in the world."

From an initial handful of taxpayer activists in Los Angeles, the movement grew to hundreds and then thousands throughout the state. Still, they were taking on the entrenched power structure and nothing was easy. After qualifying Proposition 13 for the ballot, which established a statewide property tax rate of 1 percent and limited annual increases in assessed value to no more than 2 percent, it was opposed by nearly every politician in the state including Jerry Brown, who appointed himself as the chief spokesman for the opposition, and Pete Wilson. The California Chamber of Commerce and most major business interests also weighed in against tax relief for property owners. Then, as now, many in the business community supported taxes on regular folks out of fear that tax relief for others would result in higher taxes on themselves.

JARVIS HAD ALREADY BEGUN TO ORGANIZE LIKE-MINDED TAXPAYERS, WHEN ON A VISIT TO THE ASSESSOR'S OFFICE HE SAW A MIDDLE-AGED WOMAN DROP DEAD OF A HEART ATTACK WHILE PLEADING FOR RELIEF FROM EXCESSIVE TAXATION ON HER HOME.

But because of the pugnacious Jarvis and the tenuousness of thousands of taxpayers he inspired, Proposition 13 was overwhelming approved and recent polls show Proposition 13 remains just a popular after 33 years.

After the passage of Proposition 13, Jarvis continued his work. He reached out to other states where citizens were fighting to limit taxes. And he helped to promote what became President Reagan's tax cut of 1982, which set the stage for a national economic resurgence.

To the end of his days Jarvis continued to write, speak and inspire. He always believed in the importance and wisdom of individual Americans who, acting in concert, could and should control their own government. He said if we had bad politicians running things, we had to accept responsibility, and we the people must work harder to replace them with more worthy leaders.

Following the course Howard Jarvis set means hard, sustained work, but the rewards in freedom and liberty are immense. He liked to refer to the words of the Star Spangled Banner, "… the land of the free and the home of the brave," and he would say, "You must be brave to be free."

At the Howard Jarvis Taxpayers Association we stand on the shoulders of a giant.

JON COUPAL is president of the Howard Jarvis Taxpayers Association – California's largest grass-roots taxpayer organization dedicated to the protection of Proposition 13 and the advancement of taxpayers' rights.

The Q Line

Up and down

The stock market was a wild ride last week with big losses and subsequent steep gains. Who knows what this week will bring.

So, this week's Q-Line question asks:
Does this market volatility change your mind about investing or are you still in for the long haul?

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) 458-7737 ext. 102.**









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A Roundabout Way Of Thinking

Drivers in Santa Monica might have noticed some recent changes to many intersections around town that have people wondering if they are headed down the Champs Elysees towards the Arch de Triumph or perhaps lost on an English country road. The roundabout intersection has made a roundabout trip across the world to Santa Monica with the hopes of easing traffic congestion and making the roads safer for drivers and pedestrians alike. Drivers here in Santa Monica must be aware of the traffic rules and regulations that govern roundabout driving so that motorists are not stranded like foreigners in a foreign land. Here are some basic rules and explanations about roundabouts that will hopefully help you on your way around town.

The basic definition of a roundabout is a circular junction in which road traffic must travel in one direction around a central island. Roundabouts increase safety in the community by requiring drivers to both decrease their speeds and in turn increase their awareness upon entering the intersection. Roundabouts also increase a neighborhood's aesthetic appeal by creating charming and unique architectural designs. Neatly landscaped circles or placement of a statue, monument, or flagpole give roundabouts a homely and suburban feel despite their very urban purpose. Pedestrians are often prohibited or discouraged from entering the center circle of a roundabout, but pedestrians and drivers can nonetheless enjoy the visual charisma that the intersection adds to a community. Roundabouts facilitate motorists, bicyclists, runners, and dog-walkers in an efficient and competent manner.

Roundabouts have some negative drawbacks as well. Larger vehicles and trucks may find it difficult to navigate through narrow roundabouts that are not built to handle such vehicles. The recent implementation of roundabouts in Santa Monica has also caused some backup and unwanted traffic delays at roundabouts where drivers are not familiar with the traffic laws and traffic flow. On the same note, there is a greater risk of traffic collisions and accidents from drivers who are simply not paying attention to their surroundings. Roundabouts require far greater concentration and awareness than do conventional squared intersections.

Upon entering a roundabout, drivers should first notice a sign or traffic indicator alerting the driver to slow down and prepare to yield. A painted dashed line will also alert drivers that they are entering a roundabout intersection. Unless otherwise indicated, drivers do not have to come to a complete stop; however, the situation may require a complete stop depending on traffic conditions at the time. Remember, pedestrians always have the right of way! So, if you see a bicyclist, jogger, or walker you must stop in order to allow that person safe passage. If there are no other cars in the roundabout and no pedestrians, the driver can then safely enter the roundabout. Most Santa Monica roundabouts are one-way, meaning a driver can only make a right turn to enter the roundabout and a right turn to exit the roundabout.

A driver that is already in the roundabout has the right of way over a driver that is entering the roundabout. Thus, if you are the car that is approaching the roundabout and slowing down getting ready to turn into the roundabout, do not expect another car that is already in the roundabout to stop or slow to let you in! This area tends to be one of the most confusing aspects of roundabouts, but if you remember that the car already in the roundabout has the right of way…you should be alright. Regardless of who has the right of way, drivers should nonetheless always remain vigilant and aware of their surroundings to prevent any kind of accident. Keep a slow to moderate speed while circling depending on the traffic at the time. Also, it is very important that drivers remember to use their turn signals. Turn signals alert circling drivers inside the roundabout and allow other drivers to adjust speeds based on turns. Moreover, a turn signal also notifies drivers waiting to enter the roundabout that the path is clear for them to safely make the maneuver.

Avoid unnecessary traffic citations, accidents, and congestion by following these simple roundabout rules. Remember to be aware, vigilant, and attentive to your surroundings at all time. Adjust to a roundabout way of thinking and enjoy the ride around town!

THIS COLUMN WAS PREPARED BY JACOB GLUCKSMAN, A CRIMINAL DEFENSE ATTORNEY. HE CAN BE REACHED THROUGH THE LEGAL GRIND AT 310-452-8160 OR REFERRAL@LEGALGRIND.COM

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10am-12noon	(1st, 3rd, & 5th Saturday/Month) Estate Planning, Trust & Will Contests Probate, Elder Law, Business Litigation, Formation & Dissolution, Contracts, HOA & Personal Injury with Attorney Richard Ruman
10am-11:30am	(2nd & 4th Sat/Month) Employment/Labor Law including wrongful termination, sexual harassment, wage & hour claims, severance issues; and Family Law/Divorce including support, custody, & prenuptial agreements with Attorney Todd Smilovitz.

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Voters may decide condom use in porn

SHAYA TAYEFE MOHAJER
Associated Press

LOS ANGELES Los Angeles voters could cast ballots deciding whether porn producers have to require use of condoms on shoots as a condition of getting a filming permit if a health advocacy group succeeds in a new ballot initiative.

AIDS Healthcare Foundation President Michael Weinstein announced Tuesday that his group needs 41,138 valid city voter signatures in the next four months to get the issue on the June 2012 ballot.

"As a citizen of Los Angeles, I have a responsibility in my own hometown to make sure we limit the spread of disease, but also to ensure the safety of performers in this industry," said Weinstein, who says his group has hired a firm to gather the signatures.

The proposed ordinance would apply to commercial filming of adult films, and would call on the city to charge adult film producers a "fee sufficient to pay for periodic inspections" for enforcement.

The ballot box query is the latest move in the AIDS Healthcare Foundation's longstanding campaign to require safe sex in pornography.

The group has had three unsuccessful attempts to find a lawmaker to back statewide legislation to mandate condoms in porn. A lawsuit asking a judge to mandate local health officials to crack down on unprotected sex was also unsuccessful.

Acting in response to an AHF complaint, state workplace safety officials are already working to clarify an existing regulation, which directs nurses and medical professionals to wear gloves at work, to specify condom use in porn, too.

The majority of American commercial porn films are shot in the city's San Fernando Valley, where the multi-billion dollar industry has long resisted the AIDS Healthcare Foundation's attempts to require safe sex for its performers.

The exact number of productions that occur without permits is subject to speculation, but about 200 permits a month are issued to the adult film industry, according to Weinstein.

In Los Angeles, county and city officials have largely resisted enforcing or strengthening any safe sex mandates on the porn industry.

Last year, Los Angeles County public health director Dr. Jonathan Fielding said regulating condom use on porn sets is nearly impossible, saying porn shoots are typically clandestine operations that require little more than a bed and a camera.

Any success with the ballot initiative would likely drive more of the industry underground, said Christian Mann, general manager of porn production company Evil Angel and a board member of the Free Speech Coalition, the industry's trade association.

"AHF's end-run around Los Angeles County's previously stated position that they won't put themselves in a enforcement capacity, to do it as a ballot initiative system, will probably do what so many regulatory schemes do: fail to achieve the ambition but instead create a new problem," said Mann.

About a third of Evil Angel's productions are shot in Europe, and Mann, an industry veteran, says the initiative would make Los Angeles the only city he knows of in the world to require condoms in porn.

Consumers demand porn without condoms, and the market would force Los Angeles producers to respond, Mann said.

BRIEFS

LOS ANGELES

Jewelry store guard hit by hammer during heist

Authorities say a security guard was critically injured after being hit with a hammer by two men who tried to rob a Los Angeles jewelry store.

Police spokesman Richard French says the robbers probably planned to use the hammer to smash the display cases of the C.C. Diamonds store in Koreatown on Monday but were stopped by the guard.

He says the suspects took off after hitting the guard and didn't take any jewelry.

They tried to get away by smashing the window of a BMW and carjacking the driver, but she kept driving and escaped harm. The robbers then carjacked a van and sped off.

Lt. Lillian Carranza told KCAL-TV that she believed security cameras in and around the store captured the attempted heist.

AP

LOS ANGELES

Judge admonished in self-representation case

A Los Angeles Superior Court judge has been admonished for barring a theft and drug possession defendant from representing himself because she believed the man had help from an attorney.

The California Commission on Judicial Performance admonished Judge Joan Comparet-Cassani on Tuesday for accusing the defendant of lying when he denied he received legal assistance. Comparet-Cassani appointed a lawyer for the man, who filed a petition with an appellate court.

The commission found the judge's conduct constituted an abuse of authority, disregard for the defendant's constitutional right to self-representation and intentional disregard of the law.

The panel also noted Comparet-Cassani was disciplined for similar misconduct two other times.

A phone message left with a court spokeswoman was not immediately returned.

AP

LOS ANGELES

Gypsy moths found on ship at SoCal port

A cargo ship from Japan that had been ordered back into international waters by Southern California customs officials because of an Asian gypsy moth infestation has been declared free of the pest after being treated.

The U.S. Customs and Border Protection agency said in a release Tuesday that 24 Asian gypsy moth egg masses and a dead adult moth were found on the vessel when it arrived at the Los Angeles-Long Beach seaport last week. Inspectors found it to have been cleared of the pest on Friday.

The Asian gypsy moth has never become established in the United States but would be a major threat to forests due to its voracious appetite.

Mayor Villaraigosa wants 'grand bargain' on finances

JUDY LIN
Associated Press

SACRAMENTO Los Angeles Mayor Antonio Villaraigosa on Tuesday challenged Gov. Jerry Brown and state lawmakers to think boldly in repairing California's finances and pursue a "grand bargain" that would link property tax reforms to an overhaul of public pensions and K-12 schools.

The Democratic mayor said he was willing to provide political cover to the governor and lawmakers by suggesting changes to Proposition 13, the 1978 ballot initiative that rolled back property taxes and capped their increases. A pillar of California's direct democracy, the initiative is seen as untouchable in the state because it so popular with the electorate.

"I'm here to shine a light on a dark cloud hanging over California," Villaraigosa said during a speech to the Sacramento Press Club. "I'm here because I believe there's an opportunity for a grand bargain, but it's going to mean including broad stakeholders to acknowledge that we need to fund government. That we need to make government more efficient."

Villaraigosa's comments came against a backdrop of fiscal gloom. Lawmakers closed an 18-month, $26.6 billion budget deficit this year primarily with spending cuts and the hope that tax revenue would continue to rise in a rebounding economy. The rebound has stalled and tax revenue has since reversed, leading to the prospect of even deeper cuts to higher education, public schools and other services at the beginning of the year.

The mayor said the current taxing and budgeting systems are insufficient and are cutting too deeply into the state's safety net, schools, universities and infrastructure.

He advocated the governor and legislative leader convene a commission on tax reform. He suggested that a major component be a split tax roll, in which caps remain for residential properties but are lifted for businesses. He estimated that such a move would raise between $2.1 billion and $8 billion a year, money the state could invest in education and lower property taxes for homeowners.

He said the impact on business would be softened if the changes are phased in gradually.

"You don't have to agree with every one of my ideas to acknowledge that a grand bargain is the only way out. A big solution is the only way forward," he said.

Villaraigosa said Proposition 13 was intended to protect homeowners from skyrocketing property taxes, not provide a tax-giveaway to corporations.

Any attempt to change the initiative will be met swiftly by opponents and advocated of limited government. Anti-tax advocates and business groups moved quickly Tuesday to criticize the idea as an attack on small businesses.

Jon Coupal, president of the Howard Jarvis Taxpayers Association, said Villaraigosa's proposal makes no sense at a time when businesses large and small are struggling and the state has the nation's second highest unemployment rate. A group of concerned Los Angeles business leaders issued a letter to Villaraigosa urging him to drop the proposal.

"There's a correlation between a favorable tax-and-regulatory climate (and) economic development," Coupal said. "What he is suggesting is making that tax-and-regulatory climate worse for business, which will hurt California's employment situation, not help."

Brown's spokesman, Gil Duran, said the governor has not had a chance to speak to the mayor directly about his proposal but looks forward to hearing the mayor's ideas.

"Like Gov. Brown, Mayor Villaraigosa believes both sides must stand up to the ideologues and do what's best for California," Duran wrote in a statement.

Former Republican Gov. Arnold Schwarzenegger had convened a bi-partisan tax commission to try to smooth out the fluctuations in state revenue but its proposals never gained traction.

Proponents of the split tax roll say Proposition 13 has shifted the property tax burden from commercial property owners to homeowners. Lenny Goldberg, a lobbyist with the labor-backed California Tax Reform Association, said businesses, particularly those that invest in commercial real estate, are often able to evade property assessments when there's a change in ownership.

For example, Goldberg said the famous Beverly Hilton Hotel in Beverly Hills was not reassessed when it was bought out by the Blackstone Group, a private equity firm. The property's value is still assessed far less than neighboring properties.

"It's time to address the unfairness inherent in a system that allows Wall Street hedge fund managers to devise complex real estate investment trusts that give the super-rich a free pass on the taxes every ordinary homeowner in California has to pay," Villaraigosa said.

Pro-business groups like the California Taxpayers Association say small businesses wouldn't be able to absorb rent increases at commercial buildings, shopping centers and business parks if split roll were enacted.

Any major changes will be daunting.

Proposition 13 can only be changed by a two-thirds vote of the Legislature or through an initiative process approved by voters. In 2009, San Francisco County Assessor Recorder Phil Ting failed to obtain enough signatures for an initiative that would have placed the split roll question before voters.

The mayor also backed an effort to allow local school districts and local governments to raise taxes on a majority vote, rather than two-thirds. Coupal said the mayor's ideas are nothing more than a push by labor to increase taxes.

"Unless they've changed their tune, we believe the public employee unions just want more revenue and that's pretty clear in their agenda and that's contrary to what businesses and families want," Coupal said.

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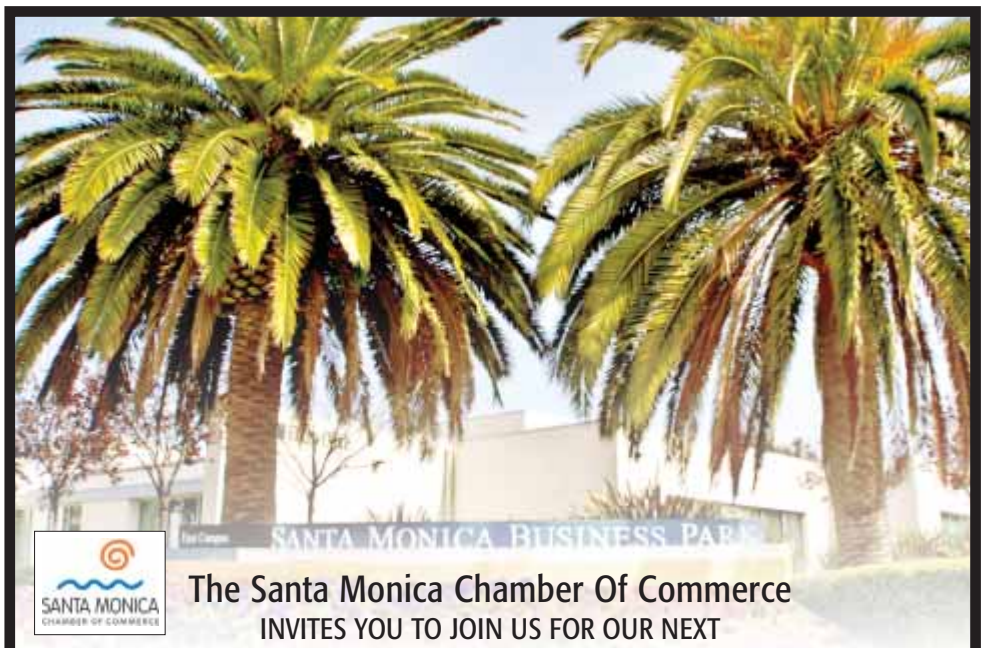
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Daniel Archuleta *daniela@smdp.com*

SORTING IT OUT: **Head Coach Adam Guerra goes over plays at Airport Park on Monday.**

ST. MONICA

FROM PAGE 3

the St. Monica faithful, who have had to schlep to Marina del Rey to see their Mariners in action.

St. Monica is slated to play three of their five home games at SMC's Corsair Field, with the remaining two contests scheduled for Pali. Ideally, Guerra would like all home games at SMC, but said scheduling has been difficult. He hopes to add a fourth game at SMC, even if it means moving a game from Friday to Saturday.

"We need to play at SMC," Guerra said. "In the future, we'll play every game there."

Once the games begin, the Mariners will get a chance to see what Guerra's new pro-style offense can do. Junior Lukas Dretzka will get the first crack at leading the offense as he tries to replace Partyka at quarterback. He has some competition for the position, but Guerra and quarterback coach Rafeal Padilla see potential in the young signal caller.

"He's a dynamic player, especially when he throws on the run," Padilla said. "I'm looking forward to seeing what he can do."

Dretzka will have a little stability in the backfield in senior running back Sean Martinez, a player Guerra is high on. He expects the crafty Martinez to be his work horse. Although he stands just 5-foot-7, Guerra is happy to have seen him bulk-up in the offseason.

"He's a tough little back," Guerra said. "He's going to be fine."

With the Sept. 3 season opener against Animo Leadership looming and a slew of newness to break in, it seems that the new-look Mariners are a work in progress.

"I can't give a qualified assessment until we play a game and see what we're going against," he said.

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SCORES
FROM PAGE 1

Board President Jose Escarce. "Many people have been working on this for many years and I think it would be fair to say we have not made the progress we hoped to make and certainly, looking back, wish we would have made."

Escarce said the time is now to "re-double our efforts" to ensure that all students, regardless of race or socio-economic background, achieve academically.

According to the STAR (Standardized Testing and Reporting) program exam results, 72 percent of 11th graders who identify themselves as Asian are proficient or advanced in English-language arts and 58 percent proficient or advanced in mathematics. Seventy-five percent of white 11th graders are proficient or advanced in English while 55 percent are proficient or advanced in math.

Now compare those figures with those for Latinos and African Americans. Latinos: 44 percent proficient or advanced in English, and 27 percent in math. African Americans: 30 percent in English and only 17 percent proficient or advanced in math.

Students with disabilities scored even lower, with only 15 percent of special education 11th graders being advanced or proficient in English.

"The district continues to improve and we will use this data to inform our instruction," Bradford said. "What we want to do is get better."

District officials are anxiously awaiting the release of another set of data which measures the school district's yearly progress under No Child Left Behind, the sweeping federal education reform law approved by Congress in 2002 that sets benchmarks for improvement that have been widely criticized by educators as unrealistic and counterproductive.

If the SMMUSD does not receive high enough marks, it could be labeled a "program improvement" district under the law, placing it at risk of a variety of punitive actions, including the replacement of teachers and administrators, loss of students and an overhaul of operations.

SMMUSD is not alone. It is estimated that 80 percent of schools across the country will be slated for program improvement, a signal that No Child Left Behind needs to be tweaked, education advocates said.

Last week, U.S. Education Secretary Arne Duncan announced that the agency, due to Congressional inaction on No Child Left Behind, would offer waivers allowing states to avoid sanctions on schools and districts that fail to meet yearly progress dictated by the law — just as long as they agree to a set of reforms that have yet to be finalized.

California's participation would depend on the details of those conditions, and the extent to which states can create their own guidelines, State Superintendent of Public Instruction Tom Torlakson said.

"If the U.S. Department of Education and the administration are actually open to a state-determined accountability system, I would welcome it because flexibility is appropriate, warranted, and urgently needed," Torlakson said last week. "While the California Department of Education will need to review the details of the secretary's proposal once they are made available, the need for an alternative model for accountability is clear. And I'm pleased with the progress we are making in our work with the Legislature to put one forward."

Bradford said the problem with No Child Left Behind is that it imposes new benchmarks each year that are more difficult to reach, some jumping as much as 10 points from one year to the next. Bradford said the target this year was for all students to be in the neighborhood of 68 percent proficient. Next year that climbs to 78 percent of all students.

"Not only are we increasing the percentage of students who are proficient, but within that group we continually see increasing numbers of students who are advanced," Bradford said. "But that doesn't give you additional points [under No Child Left Behind.] It's you are either proficient or you're not."

Bradford expects progress reports to be issued in the next few weeks.

Escarce said attempts to get waivers have nothing to do with the school district's commitment to excellence. He said educators need to be held accountable, however, he believes the way the law is currently structured is "counterproductive."

"The way the law is put into place, is has many perversities," he said. "One of them is that it really punishes schools, even if they are making progress. It creates incentives for other states to adopt low bars for declaring kids proficient … . California has set one of the highest bars, which is wonderful, but it really does make it tough for schools in California. The law needs to be changed."

kevinh@smdp.com

SMC
FROM PAGE 1

club, the campus Boys & Girls Club, Santa Monica City Sports Experience and a pre-school when staff got the call about the potential shooting, said office manager Marty Mirabal.

"Everyone was safe and indoors until the threat was cleared," Mirabal said.

Will Rogers Elementary, which had no kids on campus, was also shut down, and Mount Olive Lutheran Church Preschool took precautions when staff heard the sirens and helicopters, said Assistant Director Corlene Flanagan.

"We were not formally asked (to shut down), but we called the schools around us," Flanagan said. "Instead of kids eating lunch outside, we ate lunch in the classroom."

Smith said the college police department received a call at 11:03 a.m. from the Riverside County Sheriff's Department, which had received a call from the mother of an SMC student saying her daughter had apparently heard shots on campus.

"A call was also received from the Santa Monica Police Department, which had received a call from Riverside Sheriff's (Department), and a third call from an unknown person was also received," Smith said.

Authorities immediately ordered the lockdown, and searched the campus, but no suspect was found. The lockdown was lifted about 12:15 p.m., Smith said.

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Santa Monica


Hollywood


CLAIM
FROM PAGE 1

proposed development where the park currently stands.

"We hope to stop this illegal development," Barnes said. "Lionsgate is illegal, and the reason we care is that it affects us. If they're short of housing they need, the only place they're going to get it is to approve extra housing at the Village Trailer Park."

City Council member Kevin McKeown agreed that the approval could reduce the protections he and the rest of the council worked into the LUCE to encourage the three developers to work together to try and preserve the park.

"Preserving existing occupied affordable housing is a core policy for our city. Concern for the seniors at Village Trailer Park was written into the LUCE, adopted last summer by unanimous vote of all seven council members," McKeown wrote in an e-mail. "Unfortunately, the separate DA for the Lionsgate project, approved last month with only four of seven council members present, reduces our leverage to get the three adjacent property owners to cooperate, meaning our options for saving Village Trailer Park have been significantly reduced."

McKeown was not present at the council meeting.

While city officials will not comment on the actual complaint, the 50 percent rule in the LUCE doesn't hang on these three projects, said David Martin, the interim director of the Planning Department.

"What the LUCE talks about in the Mixed Use Creative District, which is the broader area that includes these three but is a much larger area, should be 50-50 balance of housing and commercial," Martin said. "It's not project-specific … and not these three projects combined."

The complaint further alleges that the proposed Lionsgate development is too dense for the area, and that the community benefits currently under consideration — a community room, improvements to the nearby future light rail station and sidewalk improvements — are "trivial to the point of ludicrousness," and not in line with the requests of the community.

Barnes hopes that the claim will put the brakes on the development agreement proceedings for the Village Trailer Park land by forcing City Hall to deny the claim, leading them to sue officially for damages.

If City Hall does not deny the claim, Barnes said, she and McKinsey can move forward with a preliminary injunction, which would still halt the project.

That project, as proposed, would include an environmentally-friendly mixed-use development including 240 condominiums, 109 apartment units and approximately 181,800 square feet of commercial and retail space, according to the Planning Commission caselist.

That agreement has been on hold since 2006 while City Hall tried to work with the developer to find a way to make accommodations for the residents of the park, who will be displaced if the development goes forward. Now, it seems to be getting underway again.

A consultant hired by City Hall and paid for by the developer is conducting the studies needed for an environmental impact report, which is necessary for a development agreement with City Hall, Martin said.



Daniel Archuleta *daniela@smdp.com*

TAKING A LOOK AROUND THE PROPERTY: **Consulting arborist Cy Carlberg and a small crew from her independent Santa Monica-based company were surveying the Village Trailer Park on Tuesday. They were tagging trees they thought are candidates for relocation.**

Tuesday, consulting arborist Cy Carlberg and a small crew from her independent, Santa Monica-based company were surveying the Village Trailer Park, cataloguing trees for the EIR, Luzzatto confirmed.

ashley@smdp.com

Managing Editor **DANIEL ARCHULETA** contributed to this report.

DRAWING
FROM PAGE 3

Encino church, he said. A curator confirmed the artwork's authenticity at 12:05 a.m. Tuesday. At a news conference held at dawn Tuesday, authorities said nobody had been arrested. They did not release the name of the church.

The Rembrandt drawing, swiped Saturday night, was valued at $250,000 and was being exhibited as part of a private display in the Ritz-Carlton Hotel in the upmarket seaside community of Marina del Rey.

The sketch was being displayed on an easel or wooden stand and was apparently not fastened down in any way, Whitmore said.

He described the theft as well-executed, "but not executed well enough to get away with," adding that investigators had several strong leads and that detectives were looking at video surveillance from the hotel.

The sketch, called "The Judgment," was completed around 1655 and is signed on the back by Rembrandt von Rijn. He is widely regarded as one of the finest painters in European art history and his worldwide name recognition has made his work a common target for thieves.

"Rembrandt is a name that criminals know or should know," said Chris Marinello, executive director of the London-based Art Loss Register, an international database of stolen artworks. "When they come across one, they see dollar signs."

Marinello said the theft was likely a crime of opportunity and not an operation carried at the command of a mysterious underworld mastermind with a private art collection, as is often depicted in movies.

"Hollywood would love us to believe there are paintings being ordered stolen," he said. "We have yet to find that."

Artworks tend to surface either very quickly after they are stolen or else disappear into the underworld where they are traded between criminals at a fraction of their value for drugs and other illicit materials, Marinello said.

Ritz-Carlton spokeswoman Vivian Deuschl said she could not comment because the theft was a police matter.







SURF REPORT

Surf Conditions **Water Temp:** 61°

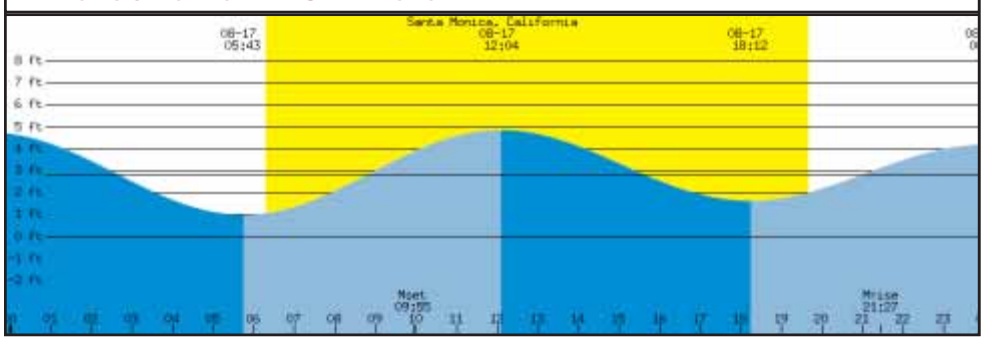
Swell Forecast

Well-exposed south facing breaks are looking at head high sets as west facing breaks remain waist to at times chest high.

Long Range Synopsis

Looks a little smaller, around chest to at times head high at south facing breaks.

Tide Forecast for Today in Santa Monica



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 **August 10, 2011**

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

QUICK STATS (for the last 30 days)

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

The Beach Report Card is made possible by: The Diller – von Furstenberg Family Foundation, Grousbeck Family Foundation, simplehuman, LAcarGUY, SMA

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 Lechasa and Las Alisos creeks.	A+	ns
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 Don Blocker County Beach.	F	ns
Puerco State Beach at creek mouth.	A	ns
Marie Canyon storm drain at Puerco Beach, at 24572 Malibu Rd..	F	ns
Surfrider Beach at Malibu Colony fence.	A+	ns
Surfrider Beach (breach location)- daily.	F	ns
Malibu Pier - 50 yards east.	D	ns
Carbon Beach at Sweetwater Canyon.	C	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.	B	ns
Castlerock Storm Drain at Castle Rock Beach.	A+	ns
Santa Ynez Storm Drain at Castle Rock Beach.	A+	ns
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.	A	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.	C	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

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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.

MLB

Dodgers vendor will not get quick contract decision

RANDALL CHASE
AP Business Writer

WILMINGTON, Del. A Delaware bankruptcy judge Tuesday denied a request by a Dodger Stadium souvenir vendor to force the Los Angeles Dodgers to decide quickly whether the team will maintain its contract.

Facility Merchandising Inc. argued that before it makes any more royalty payments to the Dodgers for this year and inventory purchases for next season, it needs to know in the next few weeks if the team will keep an exclusive contract with FMI that runs through 2017.

"We invested and negotiated for an eight-year contract," FMI CEO Martin Arenson said.

He said FMI has suffered financially from a steep drop in attendance at Dodger games, which he suggested was attributed in part to attention about team owner Frank McCourt's contentious divorce.

But Dodgers attorney Sidney Levinson said there's no reason for the court to force the team to decide until confirmation of its reorganization plan.

Judge Kevin Gross agreed, suggesting that FMI's unhappiness with its contract is no reason to grant an exception to normal bankruptcy procedures and force the Dodgers' hand.

Under the contract, the Dodgers are entitled to at least $4.5 million a year, including a $500,000 annual installment on a $2.5 million signing bonus, and minimum of $4 million in concession rights through 2014, rising to $4.5 million in the remaining years.

FMI said that having to make the required payments for this season and buy inventory for next season with no certainty of being able to try to recover recent losses in future years poses a significant risk.

"It would put FMI in a very difficult position," FMI attorney Arthur Rosenberg said.

"The last two years have been beyond bad, they've been disastrous," he added.

FMI alleged before the Dodgers filed for bankruptcy protection in June that the team had fraudulently induced it into adding various provisions to the 2009 concession agreement, an original five-year deal that FMI later agreed to extend to eight years.

But the Dodgers argued that FMI is the party that has breached the contract, failing to submit timely monthly sales reports for royalty payments to the team, and refusing to make a June royalty payment of more than $300,000.

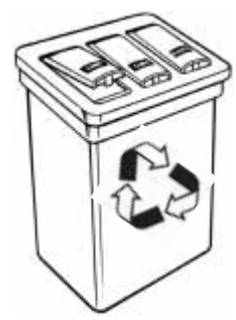
"It's FMI, not the debtors, that have breached their obligations under this concession agreement," said Levinson, noting FMI was served with a default notice last month.

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MOVIE TIMES

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

Pulsar (NR) 1hr 31min
7:30pm

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

Change-Up (R) 1hr 41min
12:45pm, 3:40pm, 6:30pm, 9:20pm

Rise of the Planet of the Apes (PG-13) 1hr 50min
11:00am, 1:35pm, 4:15pm, 7:00pm, 9:45pm

Friends With Benefits (R) 2hrs 00min
11:05am, 1:45pm, 4:30pm, 7:15pm, 10:00pm

Gun Hill Road (R) 1hr 26min
11:30am, 2:00pm, 4:20pm, 6:45pm, 9:00pm

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

Smurfs 3D (PG) 1hr 26min
11:15am, 2:20pm

Harry Potter and the Deathly Hallows - Part 2 3D (PG-13) 2hrs 10min
1:45pm, 4:45pm, 7:50pm, 10:50pm

Rise of the Planet of the Apes (PG-13) 1hr 50min
11:30am, 2:15pm, 5:00pm, 7:45pm, 10:30pm

Final Destination 5 3D (R) 1hr 35min
10:30am, 12:45pm, 3:15pm, 4:50pm, 5:45pm, 7:10pm, 8:15pm, 9:40pm, 10:45pm

Crazy, Stupid, Love (PG-13) 1hr 47min
10:50am, 1:35pm, 4:20pm, 7:15pm, 10:10pm

Help (PG-13) 2hrs 17min
11:00am, 12:40pm, 4:00pm, 7:20pm, 10:35pm

Smurfs (PG) 1hr 26min
10:40am, 1:30pm, 4:00pm, 7:35pm, 10:15pm

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

Sarah's Key (Elle s'appelait Sarah) (PG-13) 1hr 51min
1:50pm, 4:30pm, 7:10pm, 9:45pm

Point Blank (A Bout Portant) (R) 1hr 24min
1:00pm, 3:10pm, 5:30pm, 7:50pm, 10:10pm

Another Earth (PG-13) 1hr 32min
1:10pm, 3:30pm, 5:50pm, 8:10pm, 10:20pm

Buck (PG) 1hr 29min
5:40pm

Midnight in Paris (PG-13) 1hr 28min
1:00pm, 3:20pm, 8:00pm, 10:15pm

AMC Criterion 6
1313 Third St.
(310) 395-1599

Captain America: The First Avenger (PG-13) 2hrs 05min
10:30am, 1:25pm, 4:15pm, 7:15pm

Cowboys & Aliens (PG-13) 1hr 58min
10:45am, 1:35pm, 4:25pm, 7:20pm, 10:15pm

Change-Up (R) 1hr 41min
11:35am, 2:20pm, 5:00pm, 7:40pm, 10:35pm

30 Minutes or Less (R) 1hr 23min
10:30am, 12:50pm, 3:15pm, 5:40pm, 8:05pm, 10:30pm

Horrible Bosses (R) 1hr 40min
11:30am, 2:00pm, 4:30pm, 7:00pm, 9:30pm

Glee the 3D Concert Movie (PG) 1hr 40min
12:20pm, 2:40pm, 5:05pm, 7:30pm, 9:55pm

Captain America: The First Avenger 3D (PG-13) 2hrs 05min
10:10pm

For more information, e-mail news@smdp.com



MYSTERY PHOTO

Daniel Archuleta *daniela@smdp.com*

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

Hide out tonight, Taurus

ARIES (March 21-April 19)
★★★★★ "Mellow" might be the way you want to handle yourself. Somehow, an unanticipated situation triggers you. Whether you or someone else demonstrates anger makes no difference. You cannot change the moment. Tonight: Walk away from negativity.

TAURUS (April 20-May 20)
★★ Know when to retreat. Others could be inordinately volatile. The smart Bull will detach and go his or her own way rather than get involved in another person's dramatic display of upset. Tonight: Hide out.

GEMINI (May 21-June 20)
★★★★ You fare well in a volatile environment. You are OK dealing with many different points of view. Flex with concepts. Don't play into another person's negativity. Tonight: Let go of today and enjoy the here and now.

CANCER (June 21-July 22)
★★★★★ You might be taken aback by someone's display of fireworks. Your reaction could be so strong, you might have difficulty not responding. Make it OK to lose your temper. Still, try to avoid a big blowup. Tonight: Many people take their cues from you.

LEO (July 23-Aug. 22)
★★★★★ Test your ability to read between the lines. You could be quite frustrated dealing with someone at a distance who seems to be determined to upset the apple cart. For your own sake, you might want to detach and minimize your contact with this person right now. Tonight: Follow the music.

VIRGO (Aug. 23-Sept. 22)
★★★★★ Deal directly with a partner who might be vested in having his or her way. Rather than fight city hall, go it alone. This person could test your relationship with him or her. Don't let money get into the mix, certainly not your personal finances. Tonight: Get together with a friend or loved one.

LIBRA (Sept. 23-Oct. 22)
★★★★★ You could be stressed out by what is going on. You might feel out of whack dealing with the unpredictability of others. They, on the other hand, are tired of dealing with a somber you. Is there a point of agreement? You can make it happen. Tonight: Let someone else choose.

SCORPIO (Oct. 23-Nov. 21)
★★★ Pace yourself, recognizing just how much you have to do. Welcome any shortcuts, but end any unexpected interference. You have a lot of ground to cover. You could feel stressed out and pushed to the max. Tonight: Squeeze in some exercise, then head home.

SAGITTARIUS (Nov. 22-Dec. 21)
★★★★ You easily could be stressed about everything that you have to do in order to accomplish certain key goals. Your creativity comes forth and helps you bypass a problem. A new friend or loved one surprises you. Tonight: Fun and games.

CAPRICORN (Dec. 22-Jan. 19)
★★★★ Stay centered, knowing full well what you want and what you can expect. Family, an investment and security score as major priorities. Understanding evolves between you and another person. You are having a similar experience. Tonight: Ride with the waves.

AQUARIUS (Jan. 20-Feb. 18)
★★★★ You are likely to say what you want. You might wonder what is happening within a friendship. Can you make a dent or impression with this person? Know that you can only control yourself, no one else. Steer clear of any obstacles or snafus. Tonight: Visit with a friend.

PISCES (Feb. 19-March 20)
★★★★ You can make waves in your immediate circle, but do you really want to? The reaction could be difficult to handle, at best. Don't push a key loved one away, for your sake, and ultimately his or hers too. Tonight: Buy a thoughtful gift.

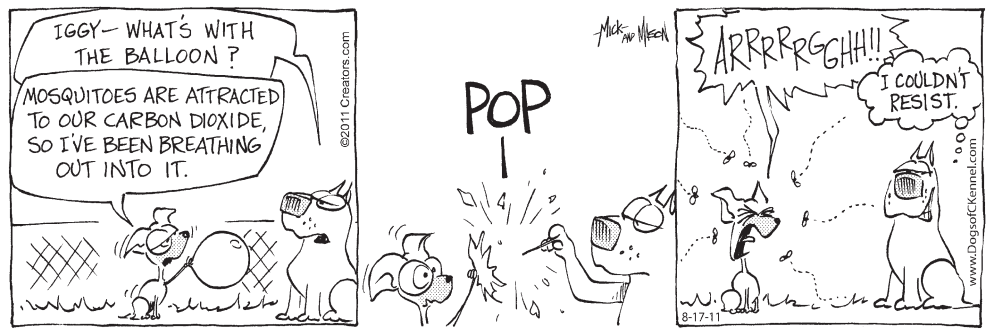
JACQUELINE BIGAR'S STARS
The stars show the kind of day you'll have:
★★★★★Dynamic ★★ So-So
★★★★ Positive ★ Difficult
★★★ Average

Happy birthday

If one looks at the end results of this coming year, one would have to say you will have a very fortunate year, with promotions and greater visibility. The day-to-day experience of your life could be wild, with many unexpected twists and turns. Anger is an issue. You often feel pressured, as much bubbles up. If you are single, don't make a commitment this year; wait until June 2012. If you are attached, the two of you become more visible as a couple. ARIES can be more fiery than you.

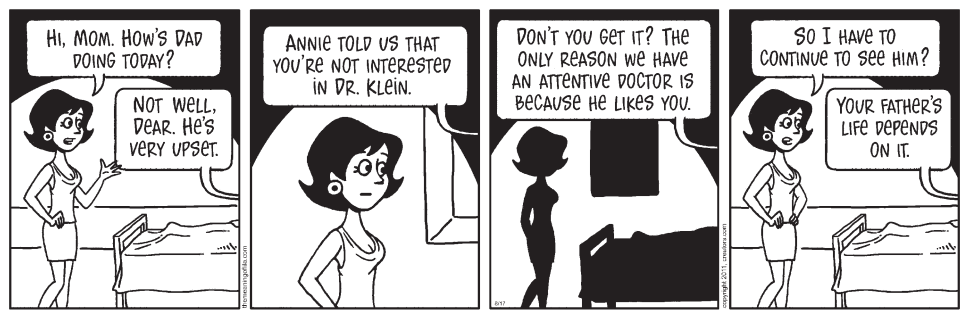
Dogs of C-Kennel

By Mick and Mason Mastroianni



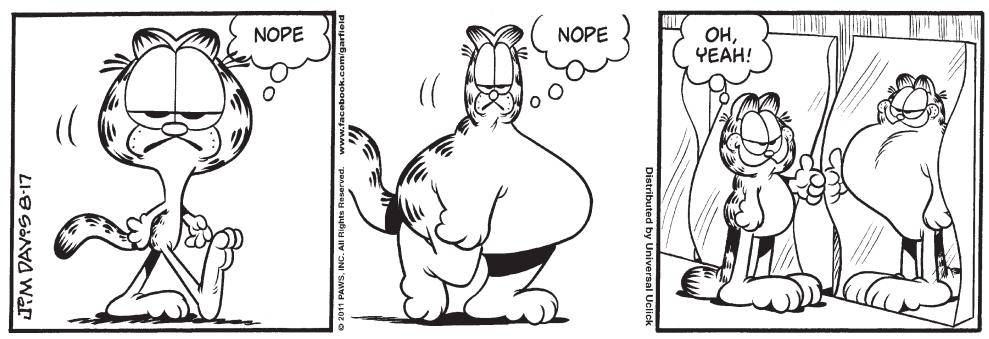
The Meaning of Lila

By John Forgetta & L.A. Rose



Garfield

By Jim Davis



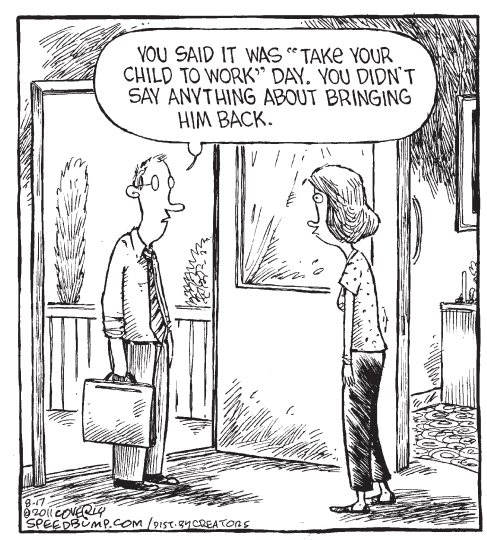
Strange Brew

By John Deering



Speed Bump

By Dave Coverly



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 ★★★

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

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

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CROSSWORD

By THOMAS JOSEPH

ACROSS

1 Train stops
7 In the distance
11 Like our numerals
12 Muscle quality
13 Split item
14 Investment choice
15 Repaired
17 Baby's call
20 Cinema statuette
23 Commotion
24 "Nice job!"
26 Altar promise
27 Maximum amount
28 Online address
29 Good home for a squirrel
31 Cath. or Prot.
32 Orlando attraction
33 Salt Lake City team
34 Expulsion
37 Diner order
39 Earth's reflectiveness
43 Concerning
44 Smoothed, in a way
45 Tennis' Sampras
46 Smoothed, in a way

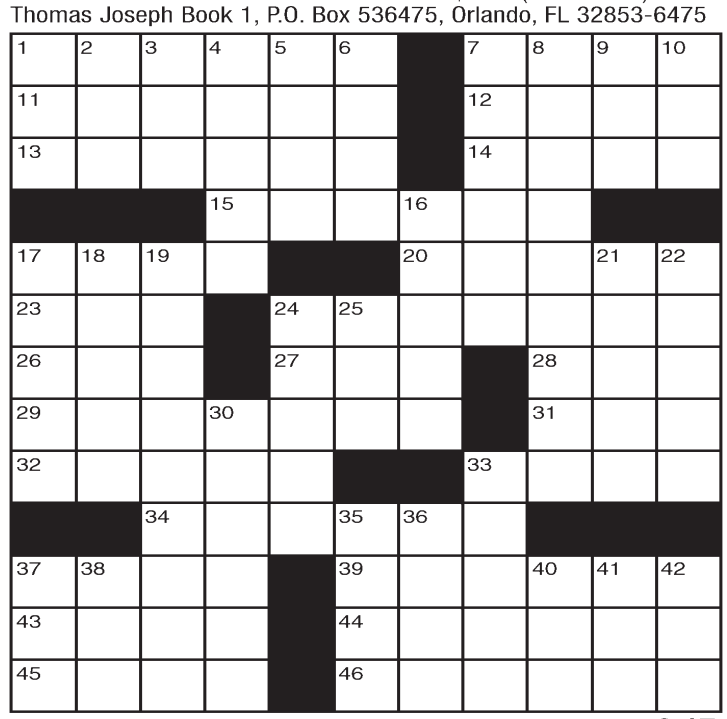
DOWN

1 Bit of makeup
2 History chunk
3 Mythical piper
4 44th president
5 Fork part
6 Look over
7 Optimally
8 Mall section
9 Writer Beattie
10 Spectrum end
16 Holmes' creator
17 New Brunswick neighbor
18 Make sense
19 Practice for law students
21 Consent
22 Bakery buys
24 Toad features
25 Saloon order
30 Pate cover
33 City-based
35 "Lights out" tune
36 First name in jazz
37 Tentative taste
38 Low digit
40 Conclusion
41 Scottish river
42 Unusual

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

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



8-17

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• Insert the given numbers in the empty squares so when they are calculated in threes from left to right and top to bottom they satisfy the demands in the shaded boxes both horizontally and vertically.

• Each empty square dictates the math operation that must be performed to meet the demands.

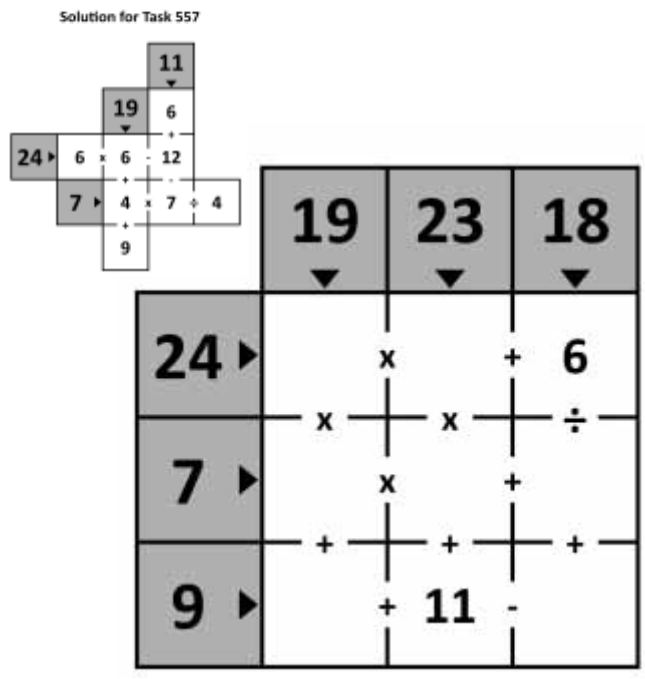
• Remember to multiply or divide before you add or subtract.

Go to www.zokigames.net for more fun and challenging games and links to our mobile phone apps.

Fill in the empty fields with the given numbers so when calculated together they satisfy all Equas in the gray boxes:

1, 2, 3, 3, 6, 10, 12

Solution for Task 557



DAILY LOTTERY

MEGA MILLIONS: 4 38 41 42 43 Meganumber: 44 Jackpot: $14M

SUPER LOTTO PLUS: 7 9 17 28 42 Meganumber: 7 Jackpot: $13M

Fantasy 5: 3 6 7 15 38

DAILY 3: MIDDAY: 4 6 1 EVENING: 1 6 1

DAILY DERBY: 1st: 06 Whirl Win 2nd: 07 Eureka 3rd: 02 Lucky Star RACE TIME: 1:40.10

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

■ Georges Marciano, co-founder of the clothing company Guess? Inc. and ostensibly in no trouble with IRS, nonetheless demanded in 2009 that the agency audit him over the previous several years. IRS turned him down, and he sued the agency in federal court in Washington, D.C., but in July, a judge rejected the case, declaring that federal law and the U.S. Constitution do not give anyone a "right" to demand that IRS collect more taxes from them. (Marciano perhaps hoped for IRS to uncover cheating by his former employees and accountants, whom he thought were stealing from him. Paying higher taxes might have been worth it if the agency had made it easier for him to sue any cheaters.)

■ A Singaporean army draftee caused a public stir in March when he was photographed by a visitor as he underwent physical training in army fatigues but with his maid following behind him carrying his backpack on her shoulders. (Army officials told reporters the draftee had since been "counsel(ed).")

■ Helping Disaster Victims: (1) In May, following near-record floods in fields south of Montreal, Quebec, farmer Martin Reid made sure to apply for his fishing license because he had learned the hard way that when his land gets flooded, he cannot remove the fish washed onto it unless he is a licensed fisherman. After flooding in 1993, Reid and his father failed to secure a license and were fined $1,000. A second offense brings a fine of $100,000. (2) Two weeks after the catastrophic April tornadoes hit Alabama and neighboring states, Bailey Brothers Music Co. of Birmingham offered to help. To soothe those suffering depression and grief from devastating property losses, Bailey Brothers sponsored weekly drum circles.

TODAY IN HISTORY

1982 The first Compact Discs (CDs) are released to the public in Germany.

1988 Pakistani President Muhammad Zia-ul-Haq and U.S. Ambassador Arnold Raphel are killed in a plane crash.

WORD UP!

polysemous \pol-ee-SEE-muhs\ , adjective; 1. Having a diversity of meanings.

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DBAS

FICTITIOUS BUSINESS NAME STATEMENT FILE NUMBER: 2011060063 ORIGINAL FILING This statement was filed with the County Clerk of LOS ANGELES on 07/07/2011 The following person(s) is (are) doing business as LOCAL YOCAL. The full name of registrant(s) is/are: Kristen Nora Johnson 1019 20th St. Santa Monica, CA 90403. 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/:Kristen Nora Johnson. This statement was filed with the County Clerk of LOS ANGELES County on 07/07/2011. 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 08/03/2011, 08/10/2011, 08/17/2011, 08/24/2011.

FICTITIOUS BUSINESS NAME STATEMENT FILE NUMBER: 2011057920 ORIGINAL FILING This statement was filed with the County Clerk of LOS ANGELES on 07/05/2011 The following person(s) is (are) doing business as LEONIAN PICTURES. The full name of registrant(s) is/are: Susan Kaye Bernhardt 827 Hollywood Way, #344 Burbank, CA 91505. 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/:Susan Kaye Bernhardt. This statement was filed with the County Clerk of LOS ANGELES County on 07/05/2011. 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 08/03/2011, 08/10/2011, 08/17/2011, 08/24/2011.

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