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THURSDAY, SEPTEMBER 30, 2010
Volume 9 Issue 277

Santa Monica Daily Press

We have you covered

ED BOARD CANDIDATES SPEAK
SEE PAGE 3

THE WE HEART ELECTION SEASON ISSUE

City workers to cover 5 percent of insurance

BY NICK TABOREK
Daily Press Staff Writer

CITY HALL Santa Monica will soon cease being the only city among its peers in the region to cover 100 percent of employee health insurance premiums under a deal approved by the City Council on Tuesday that shifts about 5 percent of total premium costs to employees.

The new deal, which covers all Santa Monica employees except for police officers, received the council's unanimous approval and was projected to cut City Hall's compensation tab by $1.1 million in the next 18 months.

The move came after a City Hall report on the health insurance agreements neighboring cities have made with their employees showed Santa Monica was alone in continuing to cover 100 percent of premium costs for employees and their families.

City Manager Rod Gould said City Hall's previous insurer, Aetna, had planned to increase premium costs by 12 and 18 percent for HMOs and PPOs respectively. The new agreement gives employees health coverage through Signa, which Gould said is providing the same level of coverage as previously for only a 5.5 percent cost increase. Meanwhile, annual revenue increases, he said, are projected to be in the 1 to 3 percent range over the next five years.

A survey of nine comparable Southern California cities, including Beverly Hills, Long Beach and Pasadena, showed Santa Monica was the only one whose employees were not required to contribute to their health plans.

With health insurance cost increases exceeding revenue growth, Mayor Bobby Shriver said the new health plan was a needed step toward addressing that gap.

"We have to find ways to contain some portion of employment costs, which are more than 70 percent of the budget," he said before the vote.

Even with the 5 percent employee contribution, Human Resources Director Donna

SEE INSURANCE PAGE 11



WE ARE FAMILY

Brandon Wise *brandonw@smdp.com*

California's First Lady Maria Shriver (center) talks with Santa Monica High School Youth and Government members at the 'We Are Family Day' at the Santa Monica YMCA on Tuesday afternoon. As honorary chair of California's 'Family Day,' Shriver encouraged families to eat dinner and do other other activities together. 'The kids really want the time with their parents,' Shriver said. 'Children who have a better relationship with their parents are less likely to have drug or alcohol abuse.'

Study: Noise increase at SMO not significant

BY NICK TABOREK
Daily Press Staff Writer

SMO Residents upset over what they said was a drastic increase in flights from Santa Monica Airport over their homes earlier this year are blasting a City Hall-funded study presented this week that found there had been no significant increase in noise levels.

The study by Mestre Greve Associates looked at flight data from a six-month period, beginning last December when the FAA began testing a new takeoff route, known as a 250 degree heading, for some small piston-powered planes. It concluded the test resulted in an average of eight additional flights over residential neighborhoods in Santa Monica, causing no substantial noise increase under FAA standards.

Lisa Hughes, a co-founder of the group Neighbors for a Safe & Healthy Community, which formed after residents filed thousands of noise complaints during the FAA's test period, said City Hall's noise analysis was "absolutely ridiculous."

Scores of residents have confirmed that the six-month test resulted in heavy flyover traffic, she said, not a modest increase of eight planes per day.

"I just cannot understand why the city would pay for a study that doesn't deal with reality," she said.

The study's flaw, she said, was that it

SEE SMO PAGE 10

SM beach water quality improves

BY DAILY PRESS STAFF

SM BAY If the Santa Monica Pier were a pupil in grade school, it would be moved to the head of the class, finally making the grade when it comes to water quality, according to a report released by environmental watchdog Heal the Bay.

Notorious for poor water quality, often earning Ds and Fs during the dry summer months, the world-famous pier received an A on Heal the Bay's 2010 End of Summer Beach Report Card, officials with the organization said Wednesday.

The perennially polluted pier showed dramatic improvement this season, most likely from a number of water quality improvement projects over the past year,

SEE REPORT PAGE 11

HIGH SCHOOL FOOTBALL

New quarterback to lead Samohi against Valencia

BY DANIEL ARCHULETA
Managing Editor

SAMOHI Just days before facing one of Southern California's premiere teams, the Santa Monica High School Vikings have decided to go in a different direction at quarterback.

Sophomore transfer Rhys Gervais will get the nod over Brock Miller on Friday against Valencia at Santa Monica College's Corsair Field. It will be the Vikings' first home game of the season.

Samohi Head Coach Travis Clark said the decision to promote Gervais was simple, given his success when called on to lead the team.

"We'll see what [Gervais] can do against this great Valencia team," Clark said. "The kid has shown a lot of poise."

Gervais was inserted into the lineup late during a 35-29 loss to Villa Park last week, replacing a struggling Miller who was just five for 13 on pass attempts. Clark liked the way Gervais performed in a hostile road environment enough to hand him the reins

SEE SAMOHI PAGE 12

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WHAT'S UP
WESTSIDE
OUT AND ABOUT IN SANTA MONICA AND SURROUNDS



Thursday, Sept. 30, 2010

Fall fashion
Main Library
601 Santa Monica Blvd., 3 p.m. — 5 p.m.
Day four of the library's screening series for fall fashion week features "11 Minutes," a film about the ups and downs in creating a fashion line. Don't forget to bring the popcorn to watch season one Project Runway winner Jay McCarroll conquering his struggles and rejoicing in his triumphs.

Friday, Oct. 1, 2010

Rolling green
Santa Monica Civic Auditorium
1855 Main St., 10 a.m. — 5 p.m.
Learn more about the world of alternative energy transportation at the ALTCAR Expo. Free and open to the public, this two day expo showcases the latest in electric, hydrogen, natural gas and other technologies. Visitors can also test drive the newest cars on the market.

Meet Mr. Miyagi
Santa Monica Pier
7 p.m.
Watch the original "Karate Kid" and learn tricks from master Miyagi at the Santa Monica Pier. The event is free to the public. Arrive early to claim your area with chairs, blankets and food. Free bike valet available and no alcholol allowed. No RSVP is necessary.

Downward dog
Annenberg Community Beach House
415 PCH, 9 a.m. — 10 a.m.
Relax with a weekly yoga session at the Annenberg Community Beach House. Practice your downward dogs and lotus positions in harmony, while you take in the ocean breeze. To sign up, visit recenroll.smgov.net.

For more information on any of the events listed, log on to smdp.com and click the "Events" tab for the given day's calendar.

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Meet the Board of Education candidates

ELECTION 2010

To help voters make a more informed decision come November, the Santa Monica Daily Press created and distributed a questionnaire to all those running for the Santa Monica-Malibu Unified School District Board of Education. There are four seats up for grabs with three incumbents running for re-election and five challengers. Each candidate was given 1,000 words to respond to the questionnaire. Here they are, published in no particular order.



OSCAR de la TORRE

- **NAME:** OSCAR DE LA TORRE
- **AGE:** 39
- **OCCUPATION:** FOUNDER/EXECUTIVE DIRECTOR OF PICO YOUTH & FAMILY CENTER AND SCHOOL BOARD MEMBER
- **MARITAL STATUS/CHILDREN:** MARRIED WITH TWO CHILDREN
- **YOUR NEIGHBORHOOD? HOW LONG HAVE YOU LIVED THERE?:** LIFELONG RESIDENT OF SANTA MONICA'S PICO NEIGHBORHOOD
- **OWN OR RENT?:** OWN
- **PUBLIC SCHOOL OR PRIVATE?:** PRODUCT OF SMMUSD SCHOOLS

• DO YOU BELIEVE THE DISTRICT SHOULD CUT IN HALF THE NUMBER OF PERMIT STUDENTS ADMITTED EACH YEAR? SHOULD PERMIT STUDENTS BE REQUIRED TO MAINTAIN A CERTAIN GPA TO REMAIN IN SANTA MONICA-MALIBU SCHOOLS? SHOULD THERE BE A ZERO TOLERANCE POLICY FOR PERMIT STUDENTS WHEN IT COMES TO FIGHTING OR OTHER ACTS OF VIOLENCE?

I took part in shaping our school district's current permit policy. Soon after I was elected we placed a moratorium on permits in the secondary schools and this reduced our inter-district permit population by more than 1,296 students. We

SEE **DE LA TORRE** PAGE 6



CHRIS BLEY

- **NAME:** CHRIS BLEY
- **AGE:** 37
- **OCCUPATION:** HIGH SCHOOL HISTORY AND GOVERNMENT TEACHER
- **MARITAL STATUS/CHILDREN:** DIVORCED/NONE
- **YOUR NEIGHBORHOOD? HOW LONG HAVE YOU LIVED THERE?:** MONTANA, OCEAN PARK, HARVARD STREET/34 YEARS
- **OWN OR RENT?** RENT
- **PUBLIC SCHOOL OR PRIVATE?** PUBLIC THROUGH COLLEGE EXCEPT MIDDLE SCHOOL.

• DO YOU BELIEVE THE DISTRICT SHOULD CUT IN HALF THE NUMBER OF PERMIT STUDENTS ADMITTED EACH YEAR? SHOULD PERMIT STUDENTS BE REQUIRED TO MAINTAIN A CERTAIN GPA TO REMAIN IN SANTA MONICA-MALIBU SCHOOLS? SHOULD THERE BE A ZERO TOLERANCE POLICY FOR PERMIT STUDENTS WHEN IT COMES TO FIGHTING OR OTHER ACTS OF VIOLENCE?

1) LAUSD may make the decision for us. Public uproar caused them to cancel this year's plan to revoke most permits, but they face a $1.1 billion deficit and will probably reclaim their students and the ADA funds the state pays for

SEE **BLEY** PAGE 7



PATRICK CADY

- **NAME:** PATRICK CADY
- **AGE:** 64
- **OCCUPATION:** RETIRED TEACHER; COACH
- **MARITAL STATUS/CHILDREN:** MARRIED TO LINDA CADY, RECENTLY RETIRED JAMS SCIENCE TEACHER; ONE CHILD, KRISTIN CADY RUSSIO, GRADUATE OF SAMOHI
- **YOUR NEIGHBORHOOD? HOW LONG HAVE YOU LIVED THERE?:** MALIBU. 35 YEARS
- **OWN OR RENT?:** OWN
- **PUBLIC SCHOOL OR PRIVATE?:** ANACOSTIA HIGH SCHOOL IN WASHINGTON, D.C; ATTENDED UC BERKELEY AND UCLA; ALL PUBLIC SCHOOLS

• DO YOU BELIEVE THE DISTRICT SHOULD CUT IN HALF THE NUMBER OF PERMIT STUDENTS ADMITTED EACH YEAR? SHOULD PERMIT STUDENTS BE REQUIRED TO MAINTAIN A CERTAIN GPA TO REMAIN IN SANTA MONICA-MALIBU SCHOOLS? SHOULD THERE BE A ZERO TOLERANCE POLICY FOR PERMIT STUDENTS WHEN IT COMES TO FIGHTING OR OTHER ACTS OF VIOLENCE?

I don't believe in any kind of quota system. I support per-

SEE **CADY** PAGE 8



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LETTERS TO THE EDITOR

Send comments to editor@smdp.com

Parking problem on Second Street

Editor:

Dear Transportation Management Division,

If you have lived on Second Street between Montana and Idaho avenues for any length of time you know all too well that it is the only block on Second that does not have permit parking.

While signatures were sought numerous times over many years (according to longtime residents) to get the required amount to gain permit status, the minimum number has never been reached. This is a result of the number of buildings that actually have at least one space per unit. Unfortunately, for those of us who live in older, smaller buildings on Second, we are unable to get a designated space from our landlords.

Therefore, we are forced to spend our days doing what I call the "Second Street Shuffle." We drive around and around the areas surrounding Second and Montana looking for the elusive space. We waste untold gallons of gas, not to mention the pollution we are pumping into the air.

Living where we do has its challenges on weekends and summer days when everyone and their mother makes their way to the Montana steps or Palisades Park to enjoy all that Santa Monica has to offer. In addition, we have employees of senior living facilities, the surrounding hotels, and other businesses that know our block on Second is a "park for free all day zone."

And now, the last nail in the coffin for those of us who live on this block; the Montana steps area is the new place of choice for every self-made workout guru. I believe this phenomenon is due to the pressure by the residents near the Fourth Street steps to stop groups of people from abusing that area.

So now, in addition to fighting for parking from our neighbor's friends and families, employees of surrounding businesses, and weekend beach warriors, we have to fight the hordes of workout people who drive down to Ocean Avenue for exercise every morning.

It seems to me that our block should not have to collect any signatures in order to get permit status any more than the blocks adjacent to the Third Street Promenade had to. It is common sense that if every block from Wilshire to Idaho on Second is permit parking that the last non-permit block should also be permit parking.

Please consider this.

Scott Bellomo
Santa Monica



Your column here



Sarah Mosko — Send comments to editor@smdp.com

Database logs pollutants in local drinking water supplies

AMERICANS HAVE GROWN SUSPICIOUS OF tap water quality, yet it's doubtful many could name a single contaminant they imagine spewing from Santa Monica faucets. Blind faith once placed in the public water supply is being transferred to bottled water, even though the average citizen probably knows equally little about pollutants that might lurk there too.

Thanks to the nonprofit Environmental Working Group (EWG) for creating a national drinking water-quality database, most Americans can read now about the levels and health risks of specific pollutants found in their tap water.

EWG's database covers 48,000 communities in 45 states and catalogues millions of water quality tests performed by water utilities between 2005 and 2009.

Altogether, 315 different pollutants were detected in U.S. water utilities over five years. Forty-nine of these were measured in one place or another at levels exceeding federally-set health guidelines. Particularly worrisome is that the Environmental Protection Agency (EPA) has set enforceable standards for only 114 of them. The rest are exempt from any health or safety regulations and are legally allowed in any amount.

The list of unregulated pollutants includes the rocket fuel ingredient perchlorate which has been linked to thyroid toxicity, the gasoline additive known as MTBE and associated with liver and kidney damage, the plastic plasticizer di-n-butylphthalate linked to birth defects and reproductive toxicity, and the radioactive gas radon.

Among all California's water utilities, 182 contaminants were detected, and 47 of these exceeded legal limits. Agricultural pollutants, industrial chemicals from factory discharges, and urban storm water runoff were major contributors as were, ironically, chemical residues from water treatment plants.

Santa Monica's water quality fell a tad below the national average: Twelve different pollutants were detected (national average was eight), 10 of which exceeded established health guidelines (national average was 4.5). The top two offenders were industrial chemicals — trichloroethylene, used in metal degreasing and rubber processing, and 1,4-dioxane, a probable human carcinogen used in solvents and plastics manufacturing.

Water quality in several other Southern California cities fared worse. Riverside, for example, tested positive for 30 pollutants and was ranked among the nation's worst three. Los Angeles, Anaheim, Santa Ana and San Diego all rated in the lower half of the nation's 100 most-populous cities, with the number of pollutants ranging from 22 to 28.

To review the detailed results of any water utility's tests, go to www.ewg.org/tapwater/home and type in the zip code or water utility company name.

BOTTLED WATER'S NOT THE SOLUTION

Despite the bad news reflected in EWG's database, it's hard to come up with a good reason to substitute bottled for tap water. If the price tag doesn't dissuade — bottled water can cost 1,000 times more — maybe knowing that tap water quality is more closely monitored than bottled water will.

Tap water is regulated by the EPA which mandates that water utilities provide customers with regular water-quality reports detailing water sources, contaminant levels, and compliance with federal, state and local regulations — the very data compiled into EWG's database. Bottled water is regulated instead by the FDA which can't require bottlers to divulge test results, even if contaminants exceed established standards, leaving bottlers to police themselves.

Previous studies conducted by Consumer Reports and the National Resources Defense Council concluded that bottled water is not necessarily safer than municipal water. More recently, EWG actually warned against trusting the purity of bottled water after discovering 38 contaminants among 10 brands of bottled water in 2008.

Moreover, no matter what idyllic water source is depicted on the label, at least one-quarter of bottled water is just reprocessed tap water, including top-sellers Dasani and Aquafina made by The Coca-Cola Company and PepsiCo, respectively. Even bottled water's promise of better taste can be misleading: In hundreds of taste tests pitting popular brands against local tap water conducted by the nonprofit organization Corporate Accountability International, most tasters could not tell which was which, according to spokesperson Christina Rossi.

What's more, bottle labels are not required to list contaminants or additives. While it's certainly true that consumers are free to contact the manufacturer listed on the label to ask about contaminants, that's of little help to the average shopper. When I phoned customer services at PepsiCo, verbal assurances were offered about Aquafina's purity but formal documentation of water quality was not made available to me. The Coca-Cola Company, however, did provide an undated "example" analysis of Dasani listing three contaminants out of 25 tested substances.

Environmental impacts also tarnish the allure of bottled water. The Pacific Institute calculated that the U.S. manufacture of water bottles in 2006 required about one million tons of PET plastic, the energy equivalent of over 17 million barrels of oil. Only about one in four PET bottles gets recycled. And, it takes three liters of water to produce one liter of bottled water!

QUENCH THIRST SAFELY WITH HOME FILTRATION

The EPA estimates that nearly 40 percent of the nation's waters (e.g. lakes, rivers) are impaired, and the nation's drinking water infrastructure earned a D- grade in 2009 from the American Society of Civil Engineers. By not insuring public access to clean drinking water, the government is shirking its most fundamental responsibility of protecting the public welfare, leaving Americans to fend for themselves.

EWG recommends installing home water filters and offers an online tool that walks you through the steps to find the right one for your needs: www.ewg.org/tapwater/getawaterfilter. Once you've settled on a price range and filter style (e.g. pitcher, faucet-mounted) and determined from the database the pollutants you want to remove, you can link directly to websites that sell filters able to remove those pollutants.

Visit www.BoogieGreen.com to read other environmental articles by Sarah Mosko.

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That Rutherford Guy

John W. Whitehead
Send comments to editor@smdp.com

GPS and the police state we inhabit

VOICING HIS DISCONTENT WITH THE Ninth Circuit Court of Appeals' ruling in U.S. v. Pineda-Moreno, which declared the warrantless use of a GPS tracking device to be constitutional, Chief Judge Alex Kozinski warned, "We are taking a giant leap into the unknown, and the consequences for ourselves and our children may be dire and irreversible. Some day, soon, we may wake up and find we're living in Oceania."

Indeed, we are already living in George Orwell's totalitarian state known as Oceania, where the all-seeing government sees and tracks everything we do. By asserting that the police can constitutionally sneak onto a private driveway without a warrant and stick a GPS tag on your car so that they can remotely track you, the Ninth Circuit didn't necessarily break any new ground. Rather, they merely confirmed what we have suspected all along: that the concept of private property is dead and along with it, the right against unreasonable searches and seizures once protected by the Fourth Amendment.

Having outstripped our ability to control it, technology has become our Frankenstein's monster. Delighted with technology's conveniences, its ability to make our lives easier by doing an endless array of tasks faster and more efficiently, we have given it free rein in our lives, with little thought to the legal or moral ramifications of doing so. Thus, we have no one but ourselves to blame for the fact that technology now operates virtually autonomously according to its own invasive code, respecting no one's intimate moments or privacy and impervious to the foibles of human beings and human relationships.

For example, consider how enthusiastically we welcomed Global Positioning System (GPS) devices into our lives. We've installed this satellite-based technology in everything from our phones to our cars to our pets. Yet by ensuring that we never get lost, never lose our loved ones and never lose our wireless signals, we are also making it possible for the government to never lose sight of us, as well.

GPS, originally known as Navstar, is funded and operated by none other than the U.S. Department of Defense. The U.S. military controls the satellites used by GPS devices and transmits signals to ground GPS receivers.

While many Americans are literally lost without their GPS devices, it has also become a ubiquitous convenience for law enforcement agencies. For example, in 2009, the Los Angeles Police Department (LAPD) introduced a prototype "smart" police car. This smart cruiser is the most advanced of its kind, equipped with license plate cameras, computers, a GPS projectile launcher, and even a heat detector in the front grill to differentiate between people and animals. If a stolen or wanted vehicle comes up in the scan, the license plate reader will automatically label the vehicle as a threat and a camera will take a colored picture of the vehicle and send the GPS coordinates of the vehicle to the police station.

In addition to the high tech license plate readers and cameras, the smart car is equipped with GPS-enabled projectiles. The device is similar to a dart launcher and is near the front bumper of the vehicle. The projectile is three inches in diameter. When engaged, the device shoots the GPS projectile at the target vehicle. The law enforcement agent inside the car arms and fires the projectile. With the aid of a military grade laser, the law enforcement agent can aim with tremendous precision. Once attached to the target, the projectiles have the capability of tracking the target in real time for days.

Frankly, given how attached Americans have become to their cell phones, and how easily trackable, as a result, it's a wonder the government even bothers with any other technologies. Currently, cell phone service providers have the ability to pinpoint a phone's location to an area as small as a city block. Most corporate cell phone providers can also store vast amounts of data containing the location of the cell phone and its specific uses (such as the contents of text messages and websites visited), sometimes even in real time.

In an effort to handle the massive amount of requests from federal agents for access to the GPS data, several cell phone providers now offer automated services for obtaining internal cell phone data. Sprint Nextel, for example, has an entire website devoted to cell phone records that law enforcement officers can access. Called the Mobile Locator, the system allows law enforcement to access information, such as call history, without a search warrant.

Intelligence and law enforcement agencies insist that a search warrant is not required to access the information because cell phone users, having disclosed their information to a third party, have no reasonable expectation of privacy anyhow. All the while, the American people remain clueless about the existence of these databases, the ease with which law enforcement agents can access them, and their overall loss of privacy.

The bottom line: there really is no place to hide in the American Oceania.

Constitutional attorney and author **JOHN W. WHITEHEAD** is founder and president of The Rutherford Institute. He can be contacted at johnw@rutherford.org. Information about The Rutherford Institute is available at www.rutherford.org.

The Q Line

Still glowing?

Santa Monica held its bi-annual Glow art event on Saturday with people coming from across SoCal to take in the art.

So, this week's Q-Line question asks:
Did you attend Glow? If so, what worked and what didn't?

Call (310) 285-8106 before Friday at 5 p.m. and we'll print your answers in the weekend edition of the Daily Press.



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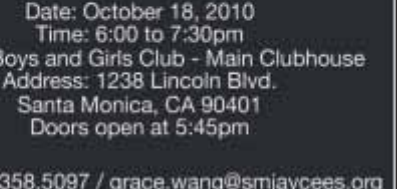
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Santa Monica Jaycees host
Meet Our Candidates 2010



Meet Santa Monica's
2010 City Council Candidates!
Moderated Panel Discussion

Date: October 18, 2010
Time: 6:00 to 7:30pm
Where: Boys and Girls Club - Main Clubhouse
Address: 1238 Lincoln Blvd.
Santa Monica, CA 90401
Doors open at 5:45pm

Contact Santa Monica Jaycees for more information: 310.358.5097 / grace.wang@smjaycees.org

NOTICE OF NON DISCRIMINATORY POLICY AS TO STUDENT

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DE LA TORRE

FROM PAGE 3

went from having 21 percent of our student population attending our schools on permit to the current 12 percent. Our overall student population has decreased from 12,842 in 2003-04 to the current enrollment of 11,470, mostly due to our effective moratorium on permits.

Students who are on permit must sign a contract and promise to maintain satisfactory grades and avoid major infractions. Our permit policy allows for site administrators to pull permits if students violate the terms of their contracts. I agree that all students should seek to mediate conflicts and de-escalate situations before they turn violent but this is learned behavior and more needs to be done to teach our students the power of non-violence and constructive conflict resolution.

• SHOULD TEACHER EVALUATIONS BE MADE PUBLIC?

I have worked hard to ensure transparency and accountability are principles that guide our decision-making but we must ask what instrument will we use to evaluate teachers? Teacher effectiveness cannot be measured by test results alone. Teachers do more than simply teach standards. What about the teacher who counsels students in times of crisis? How do you measure that? I wouldn't be where I am now if not for the exceptional teachers I had as a student of our district. We need to support our teachers, use test scores to help guide improvements and invest in their development.

• GIVEN STATE FUNDING INSECURITY AND THE FAILURE OF A RECENT PARCEL TAX, WHAT SHOULD BE DONE TO INCREASE LOCAL FUNDING FOR SCHOOLS? IS A PARCEL TAX THE RIGHT APPROACH? WHAT OTHER WAYS WOULD YOU RECOMMEND TO RAISE REVENUE FOR THE DISTRICT? WILL YOU LOOK TO CITY HALL FOR MORE FUNDING?

I am a public school advocate because education is a public safety issue and an economic issue. The school board has directed the FOC to propose various strategies to raise revenue. I support measure Y and YY and also finding creative fundraising strategies to alleviate the tax burden on our residents. Working in partnership with city officials we will find a local solution to our school district's fiscal crisis. These are challenging times and during challenging times we need experienced leadership on the school board and that is why I am endorsed by Assemblywoman Julia Brownley, Santa Monica-Malibu Classroom Teacher's Association and the Santa Monica Democratic Club.

• HOW MUCH HOMEWORK IS TOO MUCH FOR A STUDENT IN MIDDLE SCHOOL AND HIGH SCHOOL?

Since being elected I have played a role in shaping our current homework policy. I listened to parents who argued that too much homework was infringing on family time. This led to policy revisions that need to be assessed regularly to ensure proper compliance.

•THE DISTRICT REQUIRES PTAS AND OTHER FUNDRAISING GROUPS AT INDIVIDUAL SCHOOL SITES TO CONTRIBUTE A CERTAIN PERCENTAGE TO AN EQUITY FUND, WHICH IS THEN DISTRIBUTED TO SCHOOLS IN POORER NEIGHBORHOODS WHERE PARENTS DO NOT RAISE AS MUCH MONEY ON THEIR OWN. DO YOU BELIEVE THIS POLICY SHOULD CONTINUE? WHAT PERCENTAGE DO YOU THINK IS FAIR?

In my eight years of service on the school board I have been a consistent advocate for equity in how we budget scarce resources. I am a supporter of our current equity fund policy but the time has come to review the policy and assess if it is delivering on its promise. I am a product of Will Rogers Elementary, John Adams Middle School and Samohi where I saw first hand the impact poverty has on student success. The goal of the equity fund is to share resources where the need is greatest and I think most of us agree on this principle.

• WHAT DO YOU THINK IS THE APPROPRIATE CLASS SIZE FOR ELEMENTARY, MIDDLE, AND HIGH SCHOOL STUDENTS?

While on the school board I have consistently voted to invest scarce resources in the classroom versus administrative overhead. If funding is available I would ensure class size is the following:

Elementary: 20 to 1
Middle: 22 to 1
High School: 25 to 1

• WHAT ROLE SHOULD THE DISTRICT PLAY IN ENSURING THERE IS MORE AFFORDABLE, WORKFORCE HOUSING FOR TEACHERS/STAFF?

I served on the board of directors of Community Corp. of Santa Monica because I support affordable housing. I have raised this issue while on the school board. Imagine a community that strives to have teachers living where they work? We can reduce traffic and the commute time and instead have teachers compensated to stay after school to tutor students.

• IN REMODELING CAMPUSES, WHAT SHOULD BE THE TOP PRIORITY?

Student health, comfort and safety should be the top priority district-wide but we need to invest the necessary resources to make Santa Monica High a premier institution.

• HOW DO YOU PROPOSE CLOSING THE ACHIEVEMENT GAP?

In 2001 I co-chaired the districts' Strategic Plan on Equity and Equality in Education. We developed a set of recommendations that have guided the district in its effort to provide an empowering learning experience for all students. While I was president of the school board in 2007-08 I urged staff to form a Students of Color Taskforce that produced a report with various recommendations to close the achievement gap. We have plenty of good ideas, what we lack is a passionate and effective leader that can sustain the work in this area and accountability. I will continue to be an advocate for all children so that every student can meet his or her potential.

• HOW CAN SANTA MONICA-MALIBU REMAIN COMPETITIVE WITH PRIVATE SCHOOLS SUCH AS CROSSROADS, ST. MONICAS, WILDWOOD, NEW ROADS, ETC ...?

We are competitive because we offer a large selection of advanced placement and honors courses. More than the academic offerings our schools provide, students attain real life experiences and interactions that prepare them for success in a global economy.

• WHAT QUALITIES MAKE YOU A GOOD CANDIDATE FOR SCHOOL BOARD?

I am a public school advocate with eight

SEE DE LA TORRE PAGE 9

BLEY
FROM PAGE 3

them.

According to the SMMUSD fact sheet, this year's ADA is $5,307. However, our district spends much more to educate each student. Dividing this year's budget ($106 million) by the enrollment (11,585) gives an approximate cost per student: $9,100 — a $3,800 difference, made up by other revenue sources, including $20 million from Santa Monica-Malibu taxpayers. Six-hundred fewer students translate into $2 million saved. We should phase out permit students except children of district employees, but do it gradually. We're not just dealing with numbers, but students' educational and extra-curricular lives.

2) No. As a teacher, I realize many factors go into students' GPAs besides their own effort — including home life, illness, trauma, growing, learning disabilities.

3) Yes.

• SHOULD TEACHER EVALUATIONS BE MADE PUBLIC?

For now no, because the evaluation system is flawed, for two reasons: (1) The L.A. Times sheepishly admits that students have no stakes in standardized tests. And yet the Times used these tests in a very high-stakes game: publicly ranking 6,000 teachers "effective" or "ineffective." (2) Measuring a child's progress in separate subjects from year to year is not an accurate indication of academic progress. For example, students who thrive in the multiplication-intensive curriculum of third grade may struggle with the writing-intensive curriculum of fourth grade, which slows their progress in math. Their teacher is then inaccurately deemed ineffective. It is simplistic to use annual "value added" to assess teacher effectiveness.

• GIVEN STATE FUNDING INSECURITY AND THE FAILURE OF A RECENT PARCEL TAX, WHAT SHOULD BE DONE TO INCREASE LOCAL FUNDING FOR SCHOOLS? IS A PARCEL TAX THE RIGHT APPROACH? WHAT OTHER WAYS WOULD YOU RECOMMEND TO RAISE REVENUE FOR THE DISTRICT? WILL YOU LOOK TO CITY HALL FOR MORE FUNDING?

SMMUSD consistently fails to even try to generate revenue, except by renting out a few school facilities. I would use Measure BB funds to equip Samohi's Greek Theater as a revenue-generating performance venue. I would hire a director of development. Fairfax and Manhattan Beach are nearby public high schools whose DODs have generated millions of dollars over the past few years through grants, corporate sponsorships, and other creative fundraising. The parcel tax should be considered only after the school board generates revenue on its own.

• HOW MUCH HOMEWORK IS TOO MUCH FOR A STUDENT IN MIDDLE SCHOOL AND HIGH SCHOOL?

Board members, administrators, and parents need to trust teachers. A parent who feels a teacher requires too much homework should first go to the teacher. If the parent still isn't satisfied, the school principal should work with parents and teachers to establish a policy. This is an on-the-ground, school-level issue. Teacher morale drops when arbitrary rules are imposed.

• THE DISTRICT REQUIRES PTAS AND OTHER FUNDRAISING GROUPS AT INDIVIDUAL SCHOOL SITES TO CONTRIBUTE A CERTAIN PERCENTAGE TO AN EQUITY FUND, WHICH IS THEN DISTRIBUTED TO SCHOOLS IN POORER NEIGHBORHOODS WHERE PARENTS DO NOT RAISE AS MUCH MONEY ON THEIR OWN. DO YOU BELIEVE THIS POLICY SHOULD CONTINUE? WHAT PERCENTAGE DO YOU THINK IS FAIR?

I support the equity fund's goal: narrowing the achievement gap. But the policy creates resentment toward the district, taking away up to 15 percent of the money groups raise. Having a director of development could eliminate the equity fund. Last year about $300,000 was redistributed; $45,000 went back to wealthier elementary schools. A DOD could raise $255,000 for intervention programs; the wealthier schools could fund their own. PTAs and booster clubs could keep all of their hard-earned money.

• WHAT DO YOU THINK IS THE APPROPRIATE CLASS SIZE FOR ELEMENTARY, MIDDLE, AND HIGH SCHOOL STUDENTS?

18 to 20 students.

• WHAT ROLE SHOULD THE DISTRICT PLAY IN ENSURING THERE IS MORE AFFORDABLE, WORKFORCE HOUSING FOR TEACHERS/STAFF?

For now, the district is in no position to deal with workforce housing, a challenge city officials have struggled with for years. The school board must devote itself to straightening out its finances and budget priorities. Since July I, have been comparing SMMUSD's administrative budget items with those of comparable districts. In many areas, SMMUSD spends much more than Las Virgenes Unified, for example. The disparity is more than $5 million, and I'm just getting started. This year, 80 percent of the board's budget cuts occurred at the student-serving level. This must stop.

• IN REMODELING CAMPUSES, WHAT SHOULD BE THE TOP PRIORITY?

Open space, trees, comfortable seats, offices that provide for collaboration and privacy, faculty break rooms with windows and natural light, administrators easily accessible in the middle of campus. Structurally, we should have solar panels and environmentally-sustainable buildings that allow for natural cooling and heating.

• HOW DO YOU PROPOSE CLOSING THE ACHIEVEMENT GAP?

By having and communicating high expectations for all students, close parent-teacher collaboration, and hiring a director of development to raise funds for intervention programs. Budget cuts must be made away from the classroom. When teachers, counselors, nurses, reading specialists, librarians, and music teachers are cut, low-achieving students suffer more, because they rely on these services more.

• HOW CAN SANTA MONICA-MALIBU REMAIN COMPETITIVE WITH PRIVATE SCHOOLS SUCH AS CROSSROADS, ST. MONICAS, WILDWOOD, NEW ROADS, ETC.?

By cultivating opportunities large public high schools provide that private schools cannot. Our internationally renowned music program — starting in elementary school — is the prime example. If high school students want to perform in a symphony orchestra, marching band, or large choral program, only Samohi provides those. Malibu High also has superior music ensembles. Private schools can't match our athletic opportunities. We can offer a greater academic variety because of larger student bodies. We need to make sure our college counseling is comparable to private schools.

• WHAT QUALITIES MAKE YOU A GOOD CANDI-

SEE **BLEY** PAGE 9

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CADY
FROM PAGE 3

mits for those whose parents work in the district and for some whose need is great. GPA requirements … should be the same as for participation in athletics. Suspension and expulsion for violence are already covered in the education code and district policies and are designed to protect due process as well as the safety of other students. Arbitrary enforcement of rules and a two-tier system of justice are not appropriate for a public school.

• SHOULD TEACHER EVALUATIONS BE MADE PUBLIC?

Teacher evaluations should not be part of the public record. However, teacher evaluations should be collaboratively established and should include parent, student, peer, and administrative components. Student achievement can be a part of the evaluation. I support a longer probationary period for new teachers. I would also support employing some of the district's retired teacher pool for both evaluation and mentoring.

• GIVEN STATE FUNDING INSECURITY AND THE FAILURE OF A RECENT PARCEL TAX, WHAT SHOULD BE DONE TO INCREASE LOCAL FUNDING FOR SCHOOLS? IS A PARCEL TAX THE RIGHT APPROACH? WHAT OTHER WAYS WOULD YOU RECOMMEND TO RAISE REVENUE FOR THE DISTRICT? WILL YOU LOOK TO CITY HALL FOR MORE FUNDING?

We need to assess our district spending priorities based upon what directly supports the student-teacher relationship. I'd like to spend less money on general administrative costs and put more into people and programs that support the student-teacher relationship. I support both measures Y and YY and have … contributed to the campaigns.

• HOW MUCH HOMEWORK IS TOO MUCH FOR A STUDENT IN MIDDLE SCHOOL AND HIGH SCHOOL?

This is a question best left to each teacher. It is inappropriate for a board member to presume greater knowledge and expertise than the classroom teacher over what is necessary for his/her students .

• THE DISTRICT REQUIRES PTAS AND OTHER FUNDRAISING GROUPS AT INDIVIDUAL SCHOOL SITES TO CONTRIBUTE A CERTAIN PERCENTAGE TO AN EQUITY FUND, WHICH IS THEN DISTRIBUTED TO SCHOOLS IN POORER NEIGHBORHOODS WHERE PARENTS DO NOT RAISE AS MUCH MONEY ON THEIR OWN. DO YOU BELIEVE THIS POLICY SHOULD CONTINUE? WHAT PERCENTAGE DO YOU THINK IS FAIR?

Equity does not mean equal resources, it means equal opportunity. Unequal treatment is sometimes required to provide equal opportunity. We all have a responsibility to educate all children and moving money to where the greatest need is to provide equal opportunity seems fair to me.

• WHAT DO YOU THINK IS THE APPROPRIATE CLASS SIZE FOR ELEMENTARY, MIDDLE, AND HIGH SCHOOL STUDENTS?

Stephen Frank of Education Resource Strategies suggests that recent studies bear little evidence that smaller class sizes work. … I would suggest 15-1 in K-2 classrooms with an aide; 20-1 in 3-6 classrooms with aides/resources as needed to coach reading and math. Middle and high schools should be no higher than 25-1 although classes with writing should be capped at 20-1 or less — even then instructors would be looking at 100 essays so no teacher should have more than two writing classes. I agree that class size and groupings should ideally be more flexible.

• WHAT ROLE SHOULD THE DISTRICT PLAY IN ENSURING THERE IS MORE AFFORDABLE, WORKFORCE HOUSING FOR TEACHERS/STAFF?

The district should work with the City Council, health groups like Saint John's and UCLA, and others to provide the capital needed to provide affordable housing for employees.

• IN REMODELING CAMPUSES, WHAT SHOULD BE THE TOP PRIORITY?

Site groups are best at knowing their needs, but I would want to be sure buildings are earthquake safe and hard-wired for technology.

• HOW DO YOU PROPOSE CLOSING THE ACHIEVEMENT GAP?

The literature on school reform suggests that districts that have had some success in closing the achievement gap have implemented sustained systemic reforms which include a standards-based K-12 curriculum that includes accurate assessment instruments for students and professional development for teachers on how to teach to those standards.

These systems have made investments in ensuring that their teachers are highly qualified and have the resources they need to teach the curriculum. Students know and appreciate the difference between demanding teachers who care and those that are just strict and perceived as mean. The critical element in success is meaningful teacher-student relationship.

Besides high-quality administrators, highly-qualified teachers and a standards-based curriculum, all-day kindergarten, a good pre-school program and small class size all play an important role. Finally, keeping a superintendent in place for at least five to seven years or longer is important. Boards have to understand that reforms take time, and while you can get some quick results by "picking the low hanging fruit" (often scores go up in the first year or two), patience is needed while the reforms mature and take root; they will be a lull and then things go up again around the fifth year.

It is important to continue to provide anti-racism training for teachers and students. I helped create the Racial Harmony Retreat at Samohi and developed curriculum for Freshman Seminar that is anti-racist. Certainly more teacher training can be done.

• HOW CAN SANTA MONICA-MALIBU REMAIN COMPETITIVE WITH PRIVATE SCHOOLS SUCH AS CROSSROADS, ST. MONICAS, WILDWOOD, NEW ROADS, ETC.?

I'm not sure a competitive model is the best way to look at public and private education. Many parents want religious instruction to be a part of their children's schooling and rightly choose those schools sponsored by religious institutions. … Public schools offer much better support to special needs children than many private schools. Advanced classes and superior art and music programs exist in both spheres. Being sensitive to the needs of parents and responding to those needs when possible is the best overall strategy.

• WHAT QUALITIES MAKE YOU A GOOD CANDIDATE FOR SCHOOL BOARD?

SEE CADY PAGE 9

DE LA TORRE
FROM PAGE 6

years of proven leadership on the school board. I served as president of the board in 2007-08 and have fought tirelessly to ensure accountability and transparency are values that guide the school district's decision-making. While serving as student body president at Santa Monica High in 1990 I decided to commit my life to public service. I completed my master's degree in 1998 and returned to work as a counselor at Samohi. In 2002 I founded a youth center that has served hundreds of students and has most recently led community organizing to achieve a city-wide plan for violence prevention. Students, parents and school district employees can count on my proven leadership. You can learn more about me at my website, www.vote4oscar.com.

• ADMINISTRATOR AND TEACHERS SALARIES ARE AMONG THE HIGHEST IN THE STATE, HOW WILL YOU KEEP THESE AND OTHER PERSONNEL COSTS UNDER CONTROL?

We need to offer competitive salaries to administrators and teachers to attract and retain high quality educators. That being said, we must consistently monitor salaries to ensure that we are in line with our institutional goals. I would be proud to say that our teacher's salaries are competitive as I believe we need to invest our resources in the classroom versus administrative overhead.

• WHAT WILL YOU DO ABOUT TEACHERS' UNION PRESIDENT, HARRY KEILEY'S "NO SHOW" JOB THAT COSTS THE DISTRICT A MINIMUM $55,000 PER YEAR?

I believe in working collaboratively to accomplish institutional goals. SMMCTA is a key partner in our school district much like the PTSA. Harry's leadership has contributed to us passing local funding measures that has saved our schools.

• IF ELECTED, WHAT WOULD YOU CHANGE ABOUT THE FOOD THAT IS FED TO OUR STUDENTS?

I brought in health expert and nutritionist Michael Thurmond to implement a nutrition and fitness course at Olympic High free of charge. I am proud of the salad bar and school gardens that we implemented district-wide but I think we need to do more to provide healthier meal options for students. I would like to convene student focus groups to develop recommendations for improvement.

BLEY
FROM PAGE 7

DATE FOR SCHOOL BOARD?

Proactive work effort, outgoing leadership, the belief that a superintendent and his/her staff work for the board, not vice versa. Firsthand knowledge of what goes on in the classroom. I'll meet regularly with teachers, staff, administrators, parents, and community groups so I'll stay accountable.

• ADMINISTRATOR AND TEACHERS' SALARIES ARE AMONG THE HIGHEST IN THE STATE, HOW WILL YOU KEEP THESE AND OTHER PERSONNEL COSTS UNDER CONTROL?

Our teachers earn their salaries. I know the time, effort, and sometimes struggle we put in to act as tutor, mentor, after-school support system, and amateur psychologist. To control costs and retain our superb teachers, we need to cut the budget in areas I've discussed. We can also combine our personnel commission with our personnel department because they do the same thing. Workers would keep the same rights and protections; the district would save at least $400,000 a year. Eighty percent of SMMUSD-sized districts do without a personnel commission. We can stop spending over $800,000 on centralized data processing. Las Virgenes Unified only spends $89,000 in that category.

• WHAT WILL YOU DO ABOUT TEACHERS' UNION PRESIDENT, HARRY KEILEY'S "NO SHOW" JOB THAT COSTS THE DISTRICT A MINIMUM $55,000 PER YEAR?

I am a Democrat and union supporter, but I believe union dues should support union leaders.

• IF ELECTED, WHAT WOULD YOU CHANGE ABOUT THE FOOD THAT IS FED TO OUR STUDENTS?

Given the epidemic of childhood obesity, I would encourage lower-fat, lower-sugar meals, with fresh fruits and vegetables. Schools should provide chilled water so students could fill their own bottles. That way, they would drink more water and consume less sugar.

CADY
FROM PAGE 8

I have twice served as the advisor for the leadership/ASB class with oversight for the entire student body, team, and club budgets. I have been the track and cross-country coach since 1992 and have raised funds for that team in time of contracting budgets. I have written grant applications which resulted most notably in the resurfacing of the all weather track at Samohi.

During my tenure as leadership advisor I worked to increase the diversity of the ASB. … I insisted on inclusion of those with disabilities into the leadership. I oversaw multi-cultural assemblies which unified the school body. I'm proudest of "Victor Viking goes around the world," in which campus identity clubs provided skits about their homelands when Victor visited. I helped institute the "racial harmony" retreat and participated many times.

I helped design the first humanities course which became Freshman Seminar. I sought to teach kindness and compassion as a way of living. My students were required to do "acts of kindness" on a weekly basis in order to feel the benefits. …

I have always been a caring and compassionate individual of integrity who has been able to create sense of community in both the classroom and on my cross-country and track teams. I collaborate well and am sensitive to the needs of a wide variety of people. … I'm pleased that my former teaching colleagues have endorsed me and even prouder that the classified employees support me. I take that as an endorsement of my fundamentally democratic and egalitarian nature that values every individual and the work he/she does.

I am retired and have the time to devote to my passion for children and education as a board member.

• ADMINISTRATOR AND TEACHERS SALARIES ARE AMONG THE HIGHEST IN THE STATE, HOW WILL YOU KEEP THESE AND OTHER PERSONNEL COSTS UNDER CONTROL?

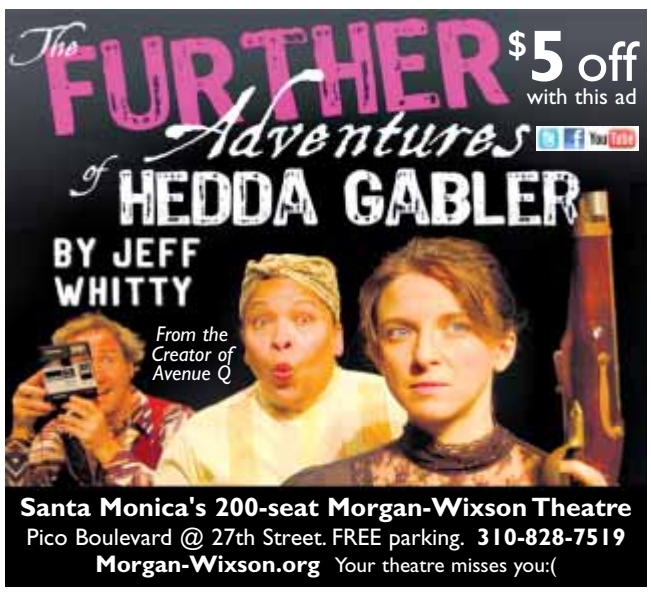
Recruiting and retaining the best means that the district must pay the best. I should hope that we can afford to stay near the top in salaries and benefits.

• WHAT WILL YOU DO ABOUT TEACHERS' UNION PRESIDENT, HARRY KEILEY'S "NO SHOW" JOB THAT COSTS THE DISTRICT A MINIMUM $55,000 PER YEAR?

The relationship between the district and its teachers has always been one of trust and collaboration. The union president is often called upon to represent teachers to protect their due process and professional rights. Having an advocate is a win-win situation.

• IF ELECTED, WHAT WOULD YOU CHANGE ABOUT THE FOOD THAT IS FED TO OUR STUDENTS?

Probably nothing. The district has a nutritionist on staff, caring and hardworking cafeteria staff who buy locally and do a far better job then I could. The school board has set policies over the years that set high standards for nutrition and I support them.







SMO

FROM PAGE 1

took into account only planes flying under so-called "instrument flight rules (IFR)," which receive specific flight path instructions from the air traffic control tower. The majority of pilots operate under "visual flight rules (VFR)" and have a greater amount of flight path leeway.

The FAA's test required only single engine piston-powered planes flying under IFR rules to take the 250 degree heading, which sends pilots in northerly direction over the Sunset Park and Ocean Park neighborhoods, as opposed to south over the Penmar Golf Course. But Hughes and other residents have said they suspect many VFR pilots opted to take the 250 degree heading as well during the test period, causing the spike in airplane noise.

Whether to analyze data from all flights out of SMO during the test period or to focus on only the IFR flights has been a point of contention between residents and City Hall.

Airport Director Bob Trimborn defended the decision to analyze only the data from IFR flights: those are the only planes the FAA will consider when it conducts its own analysis of the test route in order to determine whether it should be permanent, he said. So looking at data the FAA considers irrelevant isn't likely to have any effect.

"We're dealing with the FAA and they're the ones that are going to make a call on whether there's a significant impact or not," he said.

But Hughes said the whole point of the city's independent noise analysis was to gauge the true impacts of the FAA's test on the community, not to replicate the analysis the FAA is expected to produce.

I JUST CANNOT UNDERSTAND WHY THE CITY WOULD PAY FOR A STUDY THAT DOESN'T DEAL WITH REALITY."

Lisa Hughes,
Co-founder of Neighbors for a Safe & Healthy Community

"I want [the city] to come out with the truth," she said. "There are people that live on my street that have lived here for 25 plus years, [and] they tell me they have never seen this kind of plane activity over the neighborhood."

The noise study was presented to the city's Airport Commission on Monday. Not every commissioner was entirely satisfied with its findings.

E. Richard Brown, the commission's vice chair, said the noise study "didn't give us the full analysis we were looking for" but was useful as a tool to understand the limits of what a noise study can achieve.

There's no plan yet to conduct an additional study that would look at all of the flight data, including VFR takeoffs, though Trimborn said discussions about commissioning a further analysis are ongoing.

One possible barrier is the cost.

Trimborn said it would be "very time consuming" to analyze VFR flight data because it would require transcribing months worth of audio recordings of communications between pilots and the air traffic control tower.

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You are invited to an informal and wide-ranging conversation between former Speaker of the California Assembly and current Mayor of Los Angeles, **Antonio Villaraigosa** and former Speaker of the California Assembly and current nominee for Congress, **Karen Bass**, moderated by Institute Founding Director and former California State Senator **Sheila Kuehl**.

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Monday, Oct. 4, 2010
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6:30 p.m. Reception / 7:00 p.m. Program begins

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Seating is limited! Please RSVP BY PHONE: (310) 434-4003 or BY EMAIL: ppi.rsvp@smc.edu with number of guests attending.

NO CHARGE FOR ADMISSION OR PARKING.

The Broad parking lot is open for this event (enter on Santa Monica Blvd. just west of 11th Street) but may fill up. Additional parking is available 3 blocks west at the Santa Monica Public Library, 7th Street and Santa Monica Boulevard. The cost at the library after 6 p.m. is $1 per hour. To drive directly to the Library, exit the I-10 West at Lincoln Blvd. and turn right. Proceed north to Santa Monica Blvd. and turn left. Proceed west to 7th Street and turn right, then turn left into the library parking structure. Parking meters on Wilshire and Santa Monica boulevards and Broadway are inactive after 6 p.m. DO NOT PARK on residential streets, as they are in preferential parking zones.

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Each year the Santa Monica Police Activities League (PAL) creates a wonderful community event and safe haven for local youth on Halloween evening - October 31st.

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To become a sponsor please contact Eula Fritz, PAL Director at (310) 458-8988

INSURANCE
FROM PAGE 1

Peter said Santa Monica's employees still have a generous health plan.

"Overall, it's still a good deal for our employees, even among other [municipalities]," she said. "Compared to the private sector, some people would say it's a great deal."

The monthly amounts employees will have to chip in will range from $11 per month for a single employee's HMO plan to about $80 per month for a Fire Department employee who selects the most expensive type of full-family coverage. (The out-of-pocket contributions are less for "miscellaneous" employees than for firefighters because, under an earlier deal with a coalition of non-emergency services employees, City Hall in 2005 agreed to set up a fund to offset eventual employee contributions to health care.)

The Santa Monica Police Officers Association negotiates its health care plan separately from other employee groups and is set to begin talks for a new deal this spring.

While the dollar amounts employees will be required to contribute are modest, Peter said the new medical insurance agreement is a significant change.

"From my perspective, it's a step toward our employees helping the city start addressing the increase in payroll costs, which is pretty significant over the next few years," she said.

Lauralee Asch, president of the Coalition of Santa Monica City Employees, which negotiated the new agreement, said members of the organization were satisfied with the new deal.

"I think employees realize that they needed to help the city under the circumstances of the way the economy is," she said. "Nobody likes to pay, but I think they realize it's the way it's got to be."

> **"IT'S STILL A GOOD DEAL FOR OUR EMPLOYEES. COMPARED TO THE PRIVATE SECTOR, SOME PEOPLE WOULD SAY IT'S A GREAT DEAL."**
>
> **Donna Peter,**
> Human resources director

nickt@smdp.com

REPORT
FROM PAGE 1

including the replacement by City Hall of a leaky storm drain.

Overall, beachgoers basked in a fourth consecutive summer of excellent water quality, however, state funding for routine testing for harmful bacteria along the California coast may be eliminated next January due to the statewide budget crisis.

"We continue to see water quality improvements at California beaches," said Mark Gold, president of Heal the Bay. "However without a sustainable source of beach monitoring funding, the public health of millions of ocean users will be jeopardized."

If regional ocean-testing agencies can not secure the necessary funds, they will be forced to end water quality monitoring and the associated warning signs and public notification systems. Any cutbacks in testing pose a significant health risk for the millions of beachgoers who enter the ocean each year, Gold said.

In its latest survey, Heal the Bay assigned an A-to-F letter grade to 458 beaches along the coast, based on levels of bacterial pollution reported from Memorial Day through Labor Day. This summer, 92 percent of sites received A or B grades, which is similar to last year.

The Beach Report Card is based on the routine monitoring of beaches by local health agencies and dischargers. Water samples are analyzed for bacteria that indicate pollution from numerous sources. Heal the Bay analyzes the data and assigns easy-to-understand grades to each beach. The better the grade a beach receives, the lower the risk of illness to ocean users, Gold said.

Los Angeles County beaches were relatively clean this summer, with 81 percent of beaches receiving an A (similar to last year). Some of the beaches of most concern in L.A. this summer: Avalon Beach on Catalina, Long Beach's Colorado Lagoon, Will Rogers at Temescal Canyon and Cabrillo Beach.

Users can check updated weekly grades at www.beachreportcard.org.

news@smdp.com







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TASTY, TASTY

Fabian Lewkowicz *FabianLewkowicz.com*

The new Food Truck Lot opens at the California Heritage Museum on Main Street Tuesday. The Food Truck Lot will be open every Tuesday night from 5:30 p.m. to 10 p.m. Featured at the Food Truck Lot were Nom Nom, No Reservations, Coolhaus, Don Chow Tacos, Ahn -Joo, India Jones, Phamich and Calbi. The Victorian Bar provided seating and drinks.

SAMOHI

FROM PAGE 1

of the team. Gervais finished the night nine of 13 with 179 yards and a scoring pass to standout receiver Kris Comas.

"This kid is pretty special," Clark said of Gervais. "I'm excited to see how he responds."

Clark said that the Vikings (2-1) will most likely have to light up the scoreboard if they are going to compete with an undefeated Valencia team, which has scored 141 points in just three games. Valencia, ranked No. 2 in the latest California Interscholastic Federation Southern Section Northeast Division poll, is coming off a 45-7 drubbing of No. 9 ranked Palmdale.

"I don't see us scoring 40 points on these guys," Clark said," but if we can hold them to under 30 points I think we have a shot."

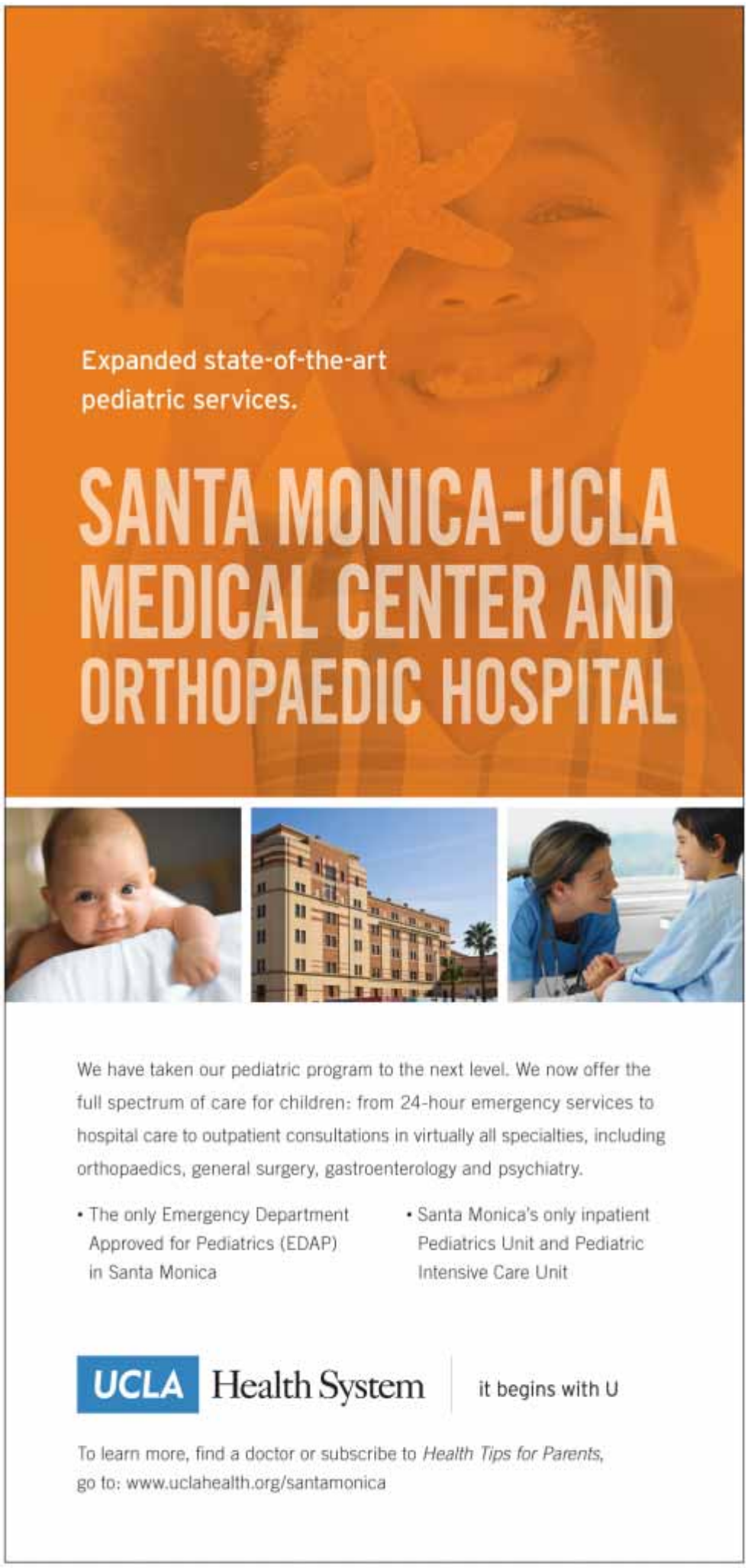
Chief amongst Clark's concerns is Valencia running back Steven Manfro, who has rushed for 486 yards and scored eight touchdowns. The senior, who is just now starting to attract attention from college scouts, has averaged an impressive 13.5 yards a carry.

"We'll have the same problem that everybody has: you just can't tackle [Manfro]," Clark said. "He understands how to read his blocks."

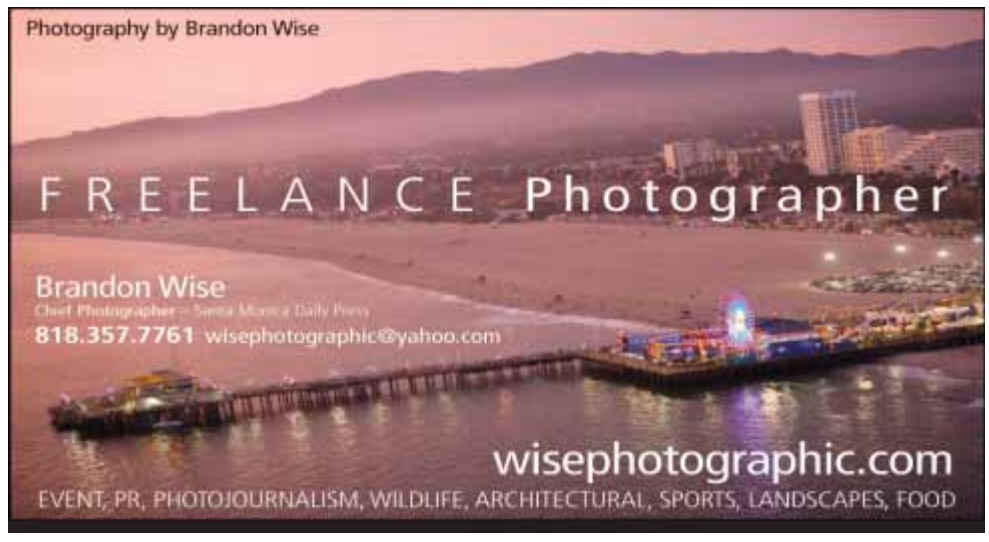
Clark will look to linebackers Chris Collins and Donavan Citrowski to apply pressure on Manfro. While Clark said he doesn't expect to totally shut down Manfro, he likes his team's potential to limit him. That will be key as Clark considers Valencia's offensive and defensive lines the best his team has seen all year.

"Villa Park was a precursor for this game," Clark said. "This will be another playoff atmosphere. It will be a good test for our boys."

daniela@smdp.com







Record number of children die in hot cars in 2010

ALLEN G. BREED
AP National Writer

This year of record temperatures has also led a record number of children dying in hot vehicles, according to a group that tracks such deaths.

According to the Kansas-based organization Kids and Cars, 48 children have died of hyperthermia after being left or becoming trapped in a hot car or truck. The previous record of 47 was set in 2005, says Janette Fennell, the group's founder and president.

"I'm devastated," Fennell said Wednesday.

The latest death was a 2-month-old girl who died Sept. 20 in Kingman, Ariz., after being left five hours in a car in 100-degree heat. Police say the girl's father forgot the baby was in the car, went inside the house and took a shower and nap.

Fennell had waited until the results of an autopsy on two Kentucky brothers before declaring this a record year. The two boys, ages 4 and 6, died Aug. 6 after apparently climbing into their family's pickup truck, but the cause of death was not released until this week, Kentucky State Police Detective Scott Skaggs said Wednesday.

"Everything looks like right now that they got in the car themselves," Skaggs said. No charges have been filed in the case.

Jan Null, an adjunct professor of meteorology at San Francisco State University who also tracks these deaths, said it's hard to say why deaths spiked this year; there were just 33 deaths in 2009, which also was a hot year. He noted that the Kentucky deaths did not occur on a record hot day.

"I think from the small 13-year sample that we have that probably from a statistical basis, this is within the range of what you would expect," he said. "It's impossible, I think, to associate it with the weather totally. Is weather a factor? It's always a factor."

Since 1998, an average of 37 children have died in the United States after being left in or becoming trapped in a hot vehicle. According to Fennell's statistics, Texas leads the nation with 13 deaths, followed by Florida with 5, and Arizona, Georgia, Kentucky, Ohio and Tennessee with three each.

Fall has officially begun, but that doesn't mean the end of hot weather — or of danger. Fennell has recorded hot-car deaths as late as December, and in every month except January. There were three car-related hyperthermia deaths in November of 2006, and four in October of 2008.

And they don't just occur in the so-called hot states of the South and West. This year, children have died in hot cars in as far north as Maine, Wisconsin and South Dakota.

"My biggest worry is that we might break 50 this year," said Fennell. "And that's too much to think about."

Such deaths have spiked since the 1990s, when laws began requiring that infants be strapped into rear-facing car seats in the back seats of vehicles to avoid air-bag injuries. Fennell said more than 40 percent of the children who died this way are less than a year old.

Newly discovered planet may be suitable for life

SETH BORENSTEIN
AP Science Writer

WASHINGTON Astronomers say they have for the first time spotted a planet beyond our own in what is sometimes called the Goldilocks zone for life: Not too hot, not too cold. Juuuust right.

Not too far from its star, not too close. So it could contain liquid water. The planet itself is neither too big nor too small for the proper surface, gravity and atmosphere.

It's just right. Just like Earth.

"This really is the first Goldilocks planet," said co-discoverer R. Paul Butler of the Carnegie Institution of Washington.

The new planet sits smack in the middle of what astronomers refer to as the habitable zone, unlike any of the nearly 500 other planets astronomers have found outside our solar system. And it is in our galactic neighborhood, suggesting that plenty of Earth-like planets circle other stars.

Finding a planet that could potentially support life is a major step toward answering the timeless question: Are we alone?

Scientists have jumped the gun before on proclaiming that planets outside our solar system were habitable only to have them turn out to be not quite so conducive to life. But this one is so clearly in the right zone that five outside astronomers told The Associated Press it seems to be the real thing.

"This is the first one I'm truly excited about," said Penn State University's Jim Kasting.

Life on other planets doesn't mean E.T. Even a simple single-cell bacteria or the equivalent of shower mold would shake perceptions about the uniqueness of life on Earth.

But there are still many unanswered questions about this strange planet. It is about three times the mass of Earth, slightly larger in width and much closer to its star — 14 million miles away versus 93 million. It's so close to its version of the sun that it orbits every 37 days. And it doesn't rotate much, so one side is almost always bright, the other dark.

Temperatures can be as hot as 160 degrees or as frigid as 25 degrees below zero, but in between — in the land of constant sunrise — it would be "shirt-sleeve weather," said co-discoverer Steven Vogt of the University of California at Santa Cruz.

It's unknown whether water actually exists on the planet, and what kind of atmosphere it has. But Vogt believes "that chances for life on this planet are 100 percent."

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CITY OF SANTA MONICA
NOTICE INVITING BIDS

NOTICE IS HEREBY GIVEN that the City of Santa Monica invites sealed bids for the:

Santa Monica Farmers Market Traffic Control Plan
SP2183

Bids shall be delivered to the City of Santa Monica, Office of the City Clerk, Room 102, 1685 Main Street, Santa Monica, California, not later than 2:30 p.m. on **October 14, 2010,** to be publicly opened and read aloud after 3:00 p.m. on said date in City Hall. Each Bid shall be in accordance with the Contract Documents.

ENGINEER'S ESTIMATE: $175,000
CONTRACT CALENDAR DAYS: 45
LIQUIDATED DAMAGES: $1,200 PER DAY
COMPENSABLE DELAY: $500 PER DAY

City of Santa Monica

Bidding Documents may be obtained by logging onto the Civil Engineering and Architecture website at: http://www.smgov.net/engineering/projects/online_bidding.htm. Bidding Documents may also be examined at the Civil Engineering and Architecture counter located at Santa Monica City Hall, 1685 Main Street, Santa Monica. Copies of the Bidding Documents are also available for a copying cost authorized by applicable law. Additional information may be obtained on the City's website at www.smgov.net/engineering/index.asp or by calling (310) 458-8721. The Contractor is required to have a Class **A** license at the time of bid submission.

Pursuant to Public Contracts Code Section 22300, the Contractor shall be permitted to substitute securities for any monies withheld by the City to ensure performance under this Contract.

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European protests sink stocks

THE ASSOCIATED PRESS

NEW YORK Stocks slipped in muted trading Wednesday as traders held back ahead of corporate earnings announcements, which start to roll in next week. Protests in Europe against austerity measures renewed worries about the region's finances and helped keep buyers at bay.

The dollar fell further against other currencies as traders anticipate more action by the Federal Reserve to push U.S. interest rates down. Gold climbed past $1,300.

Most sectors fell on the stock market except for energy, which rose after crude oil prices gained. Schlumberger Ltd., Occidental Petroleum Corp. and other companies rose after the price of crude oil jumped on news that inventories fell last week. Benchmark crude for November delivery rose $1.68 to settle at $77.86 a barrel on the New York Mercantile Exchange.

Trading was relatively subdued with no major economic reports or corporate earnings due out. Third-quarter earnings season gets under way Oct. 7 with Alcoa Inc.

"The big drivers of the market were just absent today," said Kim Caughey, an equity research analyst at Fort Pitt Capital Group in Pittsburgh. "Everyone is sitting around waiting for earnings season to begin."

Wednesday's decline in U.S. stocks marked another pause in a monthlong rally that has made this September one of the strongest for U.S. stocks in history. With only one trading day left this month, the Dow Jones industrial average is on track for its best September since 1939 with a gain of 8.2 percent so far. It's still up only 3.9 percent for the year.

The Dow Jones industrial average lost 22.86, or 0.2 percent, to close at 10,835.28

The Standard & Poor's 500 index slipped 2.97, or 0.3 percent, to 1,144.73, and the Nasdaq composite fell 3.03, or 0.1 percent, to 2,376.56.

European markets fell as demonstrators gathered in Brussels, where the European Union is based, and in several of the bloc's member countries to protest austerity measures aimed at preventing another crisis like the one that required a bailout of Greece earlier this year. The protests raised concerns that countries like Spain will not be able to implement policies required to heal their bloated public finances.

Kate Warne, investment strategist at Edward Jones in St. Louis, said the protests in Europe suggest those countries will have trouble implementing austerity measures and that that's spooked markets there.

"Governments will have more difficulty making cuts to get their budgets in order," she said.

Scientists employ zeppelin to study whales

MANUEL VALDES
Associated Press Writer

EVERETT, Wash. Pilot Katharine Board often sees pods of blue, gray and killer whales as she flies along the California coast. Compared to other pilots, however, she has a unique vantage point — low and slow — from the only operational zeppelin in the United States.

Board's airship, a modern model of an aircraft that is a throwback to the 1930s era of aviation, gives her a clear and steady view of the sea giants.

"The great thing about moving slowly and low — we fly 1,000 feet above the ground and our cruising speed is 40 miles per hour — is that you really get to see the world, you really do get to see the places you're in," Board said.

This past month, Farmers' Insurance, the company that sponsors the zeppelin, donated a day of flying to a group of scientists so they could film and photograph an orca pod in Washington's Puget Sound.

Usually the zeppelin — christened "Eureka" — offers commercial sightseeing flights along the West Coast for up to 12 passengers per flight, with prices ranging from $200 to $1,000 per person.

Many associate zeppelin flight with the tragedy of the German passenger airship Hindenburg, which exploded into flames at Lakehurst Naval Air Station in New Jersey on May 6, 1937, killing 36 people.

Since then, there's been many safety improvements with zeppelins, including a key difference: zeppelins no longer employ highly flammable hydrogen as lifting gas. The Eureka uses helium. The Eureka also uses a computerized wire system to steer the ship, and its structure is made of carbonfiber material.

While visually similar, zeppelins are different from the blimps often seen at sporting events. Blimps are much smaller and don't have the rigid structure.

"It's a balance between business and doing things that are really special," said Brian Hall, owner of Airship Ventures, the owner of the zeppelin. "There are so many cool things we've done before with this platform."

Hall's airship has gone on research flights to examine biota in salt ponds, harmful algal blooms, and to seek out pipeline gas leak evidence.

Hall, who made his fortune in Silicon Valley, purchased his airship in 2006 after flying in a zeppelin during a trip to Germany. Eureka began flying in 2008, after months of negotiating permits to allow a zeppelin to fly again in American air space.

Eureka arrived in a cargo ship from Europe and was flown from Texas to its base in California. Hall said it took three days to cruise above Texas alone.

Hall was aboard for the whale research flight. After a few hours delay due to cloudy weather, the 246-feet long zeppelin took off from an airfield in Everett, Wash., and hovered to the American-Canadian border — an hour's flight away.

Scouting boats had tracked the orca pod, as the zeppelin floated aloft. Known as the southern resident killer whales, this group was designated as endangered in 2005. They live permanently in the Puget Sound, hunting salmon and other fish.

Scientists for the National Oceanic and Atmospheric Administration mounted high definition cameras on the bottom of the zeppelin. A researcher for the Center for Whale Research also took pictures to calculate body measurements.

Whales move at about 3 miles per hour, NOAA biologist Brad Hanson said, which made the zeppelin's hovering pace even more useful for observations.

The researchers were able to observe about two dozen whales from the zeppelin. They watched the whales swim in tight groups, roll around each other and "spy hop," moving with their heads above water.

They were able to catch glimpses of the way whales behave and move under water, something they can't observe from boats, Hanson said.

Weather curtailed the observation after an hour, but the scientists were still wowed.

"I get to see whales every day from a boat, and I get to see them closer than most people do," said researcher Erin Heydenreich.

Colorado officials consider medical marijuana tracking

KRISTEN WYATT
Associated Press Writer

DENVER Colorado wants to set up a first-in-the-nation tracking system of medical marijuana purchases to deter people from buying vast amounts of pot and selling it on the black market.

Patients and marijuana advocates fear they will be harassed by a Big Brother-type intrusion as computers and video cameras monitor every ounce of pot sold in the state. Officials are also considering fingerprinting marijuana patients and keeping tabs on pot with radio-frequency devices.

"This is a matter of my functioning daily living," said Diane Bilyeu, a 49-year-old woman who sometimes consumes up to 2 grams of pot in a day to treat her chronic pain since losing her right arm and leg in a 1997 car accident. "Some days I need more or less. I don't know what business it is of the government's."

Officials say the regulations will provide basic protections to ensure that the system isn't being abused by drug dealers and users.

Medical marijuana has been legal in Colorado since 2000, but the recent proliferation of marijuana dispensaries prompted state lawmakers this year to pass a series of new regulations.

It is an issue playing out around the country with 14 states allowing medical marijuana and possibly more to come under November ballot measures.

No state has gone so far to track pot purchases from seed to sale like Colorado is proposing, and regulators say their tracking plans could be a model for other states. Montana lawmakers are expected to consider medical marijuana tracking in that state when they convene next year.

Specifics of Colorado's tracking plans haven't yet been drafted. Regulators say they'll have a plan by January to use video surveillance and a central computer system to flag multiple purchases.

Other ideas include using biometrics to track patients, requiring a fingerprint scan before each sale to make sure the customer matches the marijuana card. They are also considering mandating that medical pot include radio-frequency identification devices, somewhat like coded tags on library books, to keep track of who's getting what.

In addition, tracking could include requiring dispensaries to capture patient driver's licenses on camera to record their purchases.

"It's akin to the protections that are in place for pharmacies, or a wagering line at a horse or dog track," said Matt Cook, the senior director for medical marijuana enforcement for the Colorado Department of Revenue. "You need to maintain the public confidence in what is going on, and the only way to do that is through these systems."

Cook said the state has no clue how much medical marijuana now is ending up on the black market because it lacks central tracking. An unscrupulous buyer could shop at several dispensaries and stock up on large quantities of pot, with no way to notice that Patient X is buying marijuana from multiple businesses.

Cook described a scenario where a patient card is used to buy marijuana several times in one day from dispensaries located far apart. Under the tracking system, the state would be alerted of possible fraud and would notify all dispensaries not to sell to that patient until the state can verify that it is indeed the same person buying all the pot, which would be done through video surveillance soon to be required at pot shops.

But patients are vowing to fight tracking plans. They're especially alarmed that state regulators have yet to issue specifics on how the tracking would work.

"It seems like there could be an ulterior motive here," said Randy James Martinez of Commerce City, 42, who uses medical marijuana for diabetic neuropathy. "Why do they need to keep such close track? Opiate abuse is far more prevalent and far more destructive than any marijuana use or abuse."

A public hearing is planned on the tracking rules in January, but the tracking wouldn't require lawmaker approval because it would be considered an agency regulation.











SURF REPORT

Surf Conditions **Water Temp:** 64°

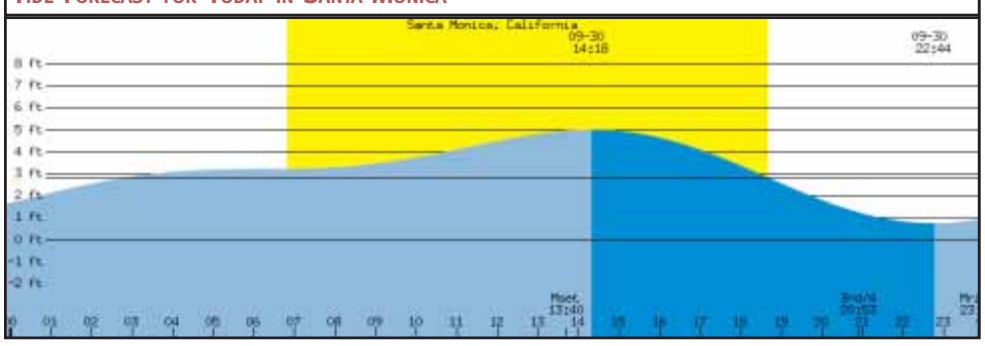
Swell Forecast

The NW is expected to back off to around chest to head high max.

Long Range Synopsis

Looks smaller, perhaps waist to chest max at west 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 **September 22, 2010**

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 - 0
- Number of beach closures due to a sewage spill -- 0
- Number of wet days -- 0
- Number of A grades for dry/wet weather - 45 / ns
- Number of (C,D,F) grades for dry/wet weather -- 2 / ns

The Beach Report Card is made possible by: The Diller – von Furstenberg Family Foundation, Grousbeck Family Foundation, simplehuman, SIMA, Carlson Family Foundation, Inc.

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
Los Cerritos 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.	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 Dan Blocker County Beach.	A+	ns
Puerco State Beach at creek mouth.	A+	ns
Marie Canyon storm drain at Puerco Beach, at 24572 Malibu Rd..	A	ns
Surfrider Beach at Malibu Colony fence.	A+	ns
Surfrider Beach (breach location)- daily.	A	ns
Malibu Pier - 50 yards east.	F	ns
Corbin 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
Point 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+	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.	D	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.	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

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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.

LEGAL NEWS

McCourt postnup at center of closing arguments

GREG RISLING
Associated Press Writer

LOS ANGELES A marital agreement that could determine ownership of the Los Angeles Dodgers should be thrown out because one version gave the team to Frank McCourt and another called for joint ownership with his wife Jamie McCourt, her lawyer told a judge Wednesday.

In his closing argument at the divorce trial, attorney Dennis Wasser gave a Power Point presentation that included two sections entitled "Smoking Guns" and "Hurdles Frank Cannot Overcome." In both, Wasser directed his ire at Larry Silverstein, the couple's attorney who helped draft the postnuptial agreement and supposedly advised them about its effects.

Superior Court Judge Scott Gordon has 90 days to decide whether Frank McCourt is the sole owner of the team, its stadium and surrounding land worth hundreds of millions of dollars, or if the 10-page document should be thrown out and the couple's assets divided as community property. He also could order the sale of the team.

Jamie McCourt's lawyer suggested fraud was committed when one version of the postnuptial agreement was replaced with the other, but he doesn't believe Frank McCourt instructed Silverstein to do it.

"My theory is he was acting as (Frank McCourt's) agent," Wasser said of Silverstein. "He wasn't doing it for himself. He wasn't doing the switch for Jamie."

Silverstein testified during the trial that he believed he swapped a key portion of the agreement but failed to tell the couple.

Wasser believes Frank McCourt and Silverstein tailored their testimony when forensic analysts discovered the switch this summer after an examination of the documents.

"The story that Frank and Mr. Silverstein are giving is reverse engineering," Wasser said. "The story is scripted."

Frank McCourt denied during testimony that he knew about the switch.

During their closing arguments, attorneys for Frank McCourt said the postnuptial agreement should be validated because their client and his estranged wife always intended to have the Dodgers as his separate asset. Lawyer Sorrell Trope said that Jamie McCourt was the driving force behind the agreement.

Frank McCourt's attorneys also said she wanted no part in the risk associated with the $430 million purchase of the Dodgers that was mostly funded by short-term loans to be repaid within two years. They pointed out that Jamie McCourt didn't call any witnesses during the trial to corroborate her claim that she was a team owner.

"When parties sign two versions of a contract which contain directly contradictory material terms, there is no meeting of the minds and hence, no contract at all," Wasser said.

Wasser also told the judge his client had been ridiculed for admitting she didn't read the agreement before signing it in March 2004, but he pointed out her estranged husband had done the same thing a month later when he signed three copies in California.

Wasser reiterated Jamie McCourt wouldn't have signed away her purported stake in the Dodgers.

"You know and everyone in this courtroom knows, and even Frank knows, she would never give up the Dodgers," Wasser said to Gordon. "It doesn't make sense."

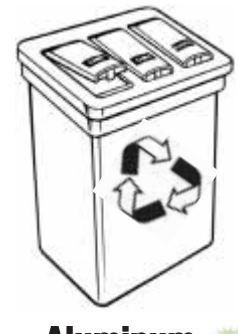
The McCourts, armed with a cadre of high-powered lawyers, have met at the negotiating table several times to try to settle the dispute. The most recent session came Friday with no resolution.

They were expected to resume mediation on Oct. 9, according to court spokesman Allan Parachini.

Jamie McCourt was fired in October as the team's CEO, a job that paid her a $2 million annual salary. She filed for divorce the same month, citing irreconcilable differences. The couple have been married since 1979 and have four grown sons.

She lost her initial bid to be reinstated as the team's chief executive but was awarded $225,000 a month in temporary spousal support along with having her estranged husband pay more than $400,000 a month for the couple's six homes and a condominium.

She had been seeking nearly $1 million a month; Frank McCourt had offered her $150,000.

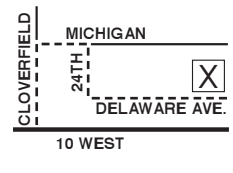


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Double feature

The Player and The Rapture
7:30 pm

AMC Loews Broadway 4
1441 Third Street Promenade

Legend of the Guardians 3D: The Owls of Ga'Hoole (PG) 1hr 30min
1:25pm, 4:00pm, 6:40pm, 9:20pm

Going the Distance (R) 1hr 37min
1:45pm, 4:30pm, 9:35pm

American (R)
7:00pm

Catfish (NR) 1hr 34min
12:30pm, 2:45pm, 5:00pm, 7:15pm, 9:30pm

Virginity Hit (NR)
12:45pm, 3:00pm, 5:15pm, 7:30pm, 9:50pm

AMC 7 Santa Monica
1310 Third St.
(310) 289-4262

Legend of the Guardians 3D: The Owls of Ga'Hoole (PG) 1hr 30min
11:45am, 2:25pm, 5:00pm, 7:40pm, 10:20pm

Alpha and Omega 3D (PG)
11:40am, 2:10pm, 4:45pm, 7:15pm, 9:45pm

Inception (PG-13) 2hrs 28min
11:25am, 2:45pm, 6:15pm, 9:35pm

Resident Evil: Afterlife 3D (R)
11:00am, 1:30pm, 4:00pm, 7:00pm, 9:30pm

Wall Street: Money Never Sleeps (PG-13) 2hrs 07min
12:00pm, 1:00pm, 3:15pm, 4:15pm, 6:30pm, 7:30pm, 9:45pm, 10:30pm

You Again (PG)
11:30am, 2:00pm, 4:40pm, 7:20pm, 9:55pm

Laemmle's Monica Fourplex
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(310) 394-9741

Who Is Harry Nilsson (And Why Is Everybody Talkin\' About Him?) (NR)
1:20pm, 7:00pm

Teza (NR) 2hrs 20min
1:30pm, 4:40pm, 8:00pm

Get Low (PG-13) 1hr 40min
1:50pm, 4:30pm, 7:20pm, 9:55pm

Animal Kingdom (R) 1hr 52min
4:10pm, 9:45pm

Heartbreaker (L'arnacoeur) (NR) 1hr 45min
1:40pm, 4:20pm, 7:10pm, 9:50pm

Before Breakfast (NR) 14min
1:00pm, 1:20pm

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

Town (R) 2hr 5min
12:00pm, 1:00pm, 3:00pm, 4:00pm, 6:00pm, 7:00pm, 9:10pm, 10:00pm

Machete (R) 1hr 45min
11:20am, 2:00pm, 4:35pm, 7:05pm, 9:40pm

Easy A (PG-13) 1hr 33min
11:15am, 12:05pm, 1:35pm, 2:25pm, 4:05pm, 4:45pm, 6:30pm, 7:15pm, 9:00pm, 9:45pm

Devil (PG-13) 1hr 20min
12:45pm, 3:05pm, 5:25pm, 7:40pm, 9:55pm

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

Take in a movie, Taurus

ARIES (March 21-April 19)
★★★ Moods change quickly, and you could be overwhelmed by everything that seems to be flying at you. Someone you'd counted on to remain steady pulls away. This person also could be very angry. Find out what is cooking here. Tonight: Stay home.

TAURUS (April 20-May 20)
★★★★ Postpone a discussion if you can. Your mood swings from overindulgent to closed down. What could be upsetting today might be meaningless another day given time. Focus on absorbing more information. Research and matters at a distance are favored. Tonight: How about a movie?

GEMINI (May 21-June 20)
★★★ What is motivating you and your ideas is great, but the timing is off. Go off and maybe buy a lottery ticket if you feel lucky, or get into a long-overdue project. Be aware of expenses and hidden costs. Tonight: Treat a friend to a drink and munchies.

CANCER (June 21-July 22)
★★★★★ As the day progresses, especially if you are an early riser, it gets better. Though you might be tempted to use that innate magnetism to draw results, watch out for manipulation. That behavior also has its costs. Tonight: Top dog.

LEO (July 23-Aug. 22)
★★★ Kick back and work on becoming less involved, if only for a few days. You might be stunned by how much you accomplish if you can just relax. Screen your calls and don't break into the Leo socialite model. Tonight: Keep it low-key.

VIRGO (Aug. 23-Sept. 22)
★★★★ Understanding evolves to a new level. You could be taken aback by the difference when you have support as opposed to going after a goal alone. A child or loved one could be unusually rebellious; let go. Tonight: Where the action is.

LIBRA (Sept. 23-Oct. 22)
★★★ Others look around to see who will be the flag bearer. You might wonder why it is you. With your overly serious behavior lately, many might think you are more responsible than you are, or perhaps that you like responsibilities a lot. Tonight: Could go till the wee hours.

SCORPIO (Oct. 23-Nov. 21)
★★★★★ You might want to weave your way out of a discussion in order to get more facts. Tap into several experts' opinions. There is no such thing as too much information, but make sure someone has his or her facts straight. Tonight: Revising your opinion.

SAGITTARIUS (Nov. 22-Dec. 21)
★★★★ Your instincts tell you to defer to a partner or loved one. You demonstrate your confidence in this person. Be willing to work through a money issue. When in a lighter setting, you find a friend or acquaintance heavy. Tonight: Accept an offer.

CAPRICORN (Dec. 22-Jan. 19)
★★★★ Of all signs, no one expects you, the Goat, to get flaky on them, though you might not see the profound change you are going through in this light. Don't become overly heavy or serious, if possible. Tonight: Let someone else decide.

AQUARIUS (Jan. 20-Feb. 18)
★★★ Do what you need to do, but don't have any great expectations. Try to discover whether you are tired or just bored. Make adjustments to relieve this condition. Tonight: Early to bed.

PISCES (Feb. 19-March 20)
★★★★★ Express your creativity without offending a key character in your life. This person of late could have been extremely manipulative. Pressure builds within a partnership. Tonight: Let your hair down.

Happy birthday

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

This year, you are able to make a change in how you structure your life. The question remains, Do you really want to? Your finances and domestic life become increasingly important. Realize your limits. Try not to be so serious all the time. Develop techniques to lighten up. You will detach and make better decisions. If you are single, you could be startled by what 2011 blows in. You might have more than one choice of suitor. If you are attached, the two of you will start having more fun together if you can stay light and easy. CANCER can pressure you with ease!



MYSTERY PHOTO

Kevin Herrera *editor@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.

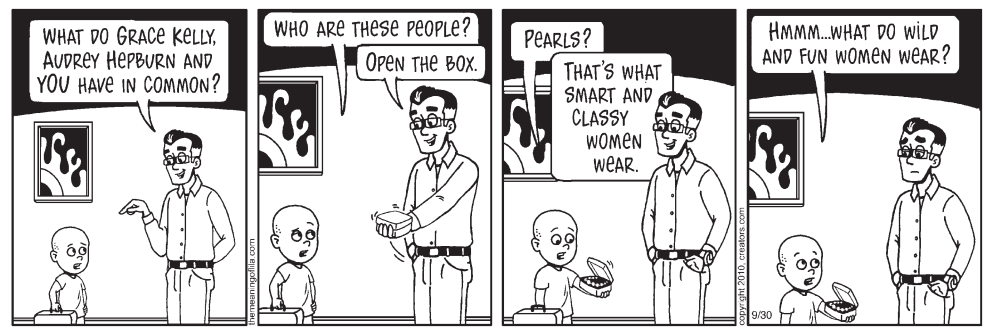
Girls and Sports

By Justin Borus and Andrew Feinstein



The Meaning of Lila

By John Forgetta & L.A. Rose



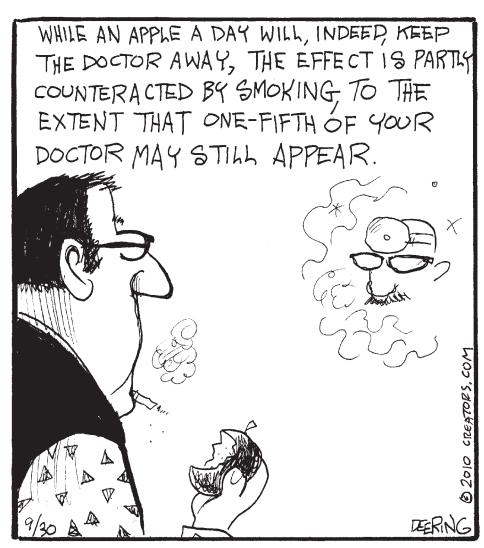
Garfield

By Jim Davis



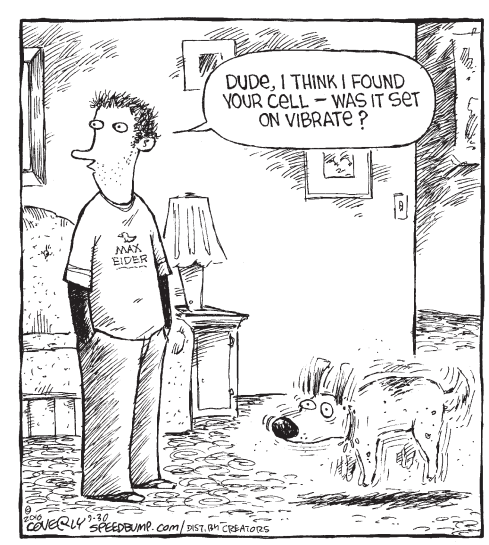
Strange Brew

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 ★★★

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

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

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

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CROSSWORD

By THOMAS JOSEPH

ACROSS

1 Nepal setting
5 Vile
11 Anticipate
12 New York tribe
13 Sister of Amy, Jo and Meg
14 John of "Glee"
15 Round object
17 Pitcher's stat
18 Like some brownies
22 Broken
24 Boredom
25 Pie — mode
26 Number after due
27 Palm off
30 Grill waste
32 Caruso, for one
33 Conk out
34 Viking
38 Zambia neighbor
41 Rational
42 Ready for print
43 Breath mint buys
44 Adds up
45 Heaps

DOWN

1 Cops' bulletins
2 Ooze
3 Primarily
4 Stick
5 Middling
6 Punctual
7 How to get details
8 Poorly lit
9 Altar words
10 German article
16 "Gnarly!"
19 Like the check, often
20 Confident
21 Cravats
22 Wilson's predecessor
23 Baby-wipe additive
28 Brahms piece
29 Mason's tool
30 Plugs
31 Midday break
35 Disencumbers
36 Part of A.D.
37 Egg setting
38 Got together
39 Flurry
40 Ignited

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

Yesterday's answer

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

1	2	3	4	■	5	6	7	8	9	10
11				■	12					
13				■	14					
15				16				■	■	■
■	■	17			■	18		19	20	21
22	23				■	24				
25			■	■	■	■	■	26		
27			28	29	■	30	31			
32					■	33			■	■
■	■	■	34		35				36	37
38	39	40				■	41			
42						■	43			
44						■	45			

9-30

ARITHMO™

CrossMath + × − ÷

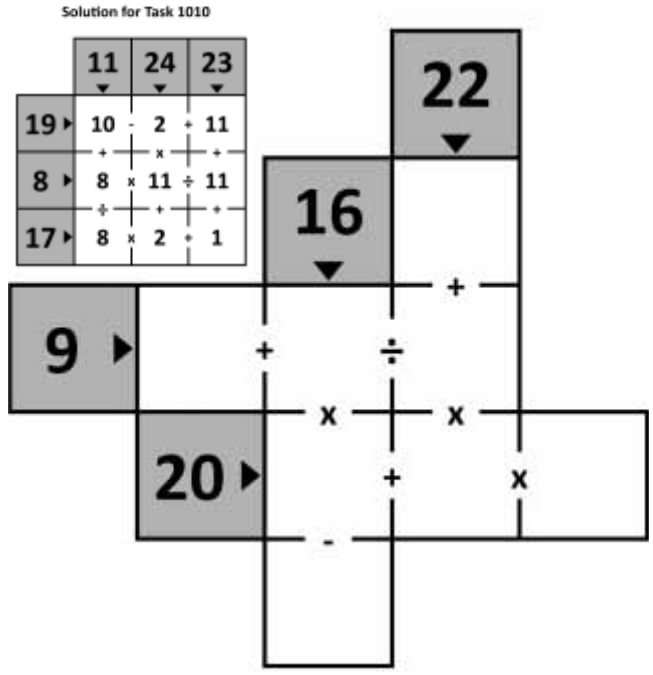
- Fill the grid with the set of given numbers (1 to 12) to satisfy the Equa demands (7 to 24) in the shaded boxes. The Equa demands represent the sum of the digits that you will insert into the empty squares.
- Each horizontal row has one Equa demand to satisfy; each vertical column also has one demand to satisfy. Each empty square in the grid dictates the math operation (addition +, subtraction -, multiplication X, and division ÷) that must be performed to meet the demands.
- You must follow the given math operations for each square and you must make sure all the numbers satisfy the demands in the shaded boxes when connected in adjacent threes and calculated together from left to right, and top to bottom.
- The numbers you insert into the grid must satisfy the Equa demands both horizontally and vertically.

For more games, go to www.arithmo.com

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

2, 2, 6, 7, 8, 9, 10, 12

Solution for Task 1010



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Fantasy 5: 6 13 16 35 38

DAILY 3: MIDDAY: 8 1 3 EVENING: 8 6 8

DAILY DERBY: 1st: 08 Gorgeous George 2nd: 06 Whirl Win 3rd: 05 California Classic RACE TIME: 1:48.15

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NEWS OF THE WEIRD
BY CHUCK SHEPARD

■ Breakthroughs: (1) When Ron Sveden's left lung collapsed in May, doctors initially diagnosed a tumor, but on closer inspection learned that Sveden, of Brewster, Mass., had ingested a plant seed that had somehow migrated to his lung and sprouted open. He is recovering. (2) A Pomeranian puppy recently found wandering in San Bernardino, Calif., was diagnosed with reproductive-organ complications that destined him to be put down, but a woman volunteered $1,165 for "transgender" surgery. "Red" is now happy and ready for adoption (and of course neutered).

■ To most, the toilet is a functional appliance, but to thoughtful people, it can be an instrument upon which creativity blossoms. Thus, the price tags were high this summer when commodes belonging to two literary giants of the 20th century went on sale. In August, a gaudily designed toilet from John Lennon's 1969-71 residence in Berkshire, England, fetched 9,500 pounds (about $14,740) at a Liverpool auction, and a North Carolina collectibles dealer opened bids on the toilet that long served reclusive author J.D. Salinger at his home in Cornish, N.H. The dealer's initial price was $1 million because, "Who knows how many of Salinger's stories were thought up and written while (he) sat on this throne!"

TODAY IN HISTORY

1744 France and Spain defeat the Kingdom of Sardinia at the Battle of Madonna dell'Olmo.

1791 The Magic Flute, the last opera composed by Mozart, receives its premiere performance at Freihaus-Theater auf der Wieden in Vienna, Austria.

1791 The National Constituent Assembly in Paris is dissolved; Parisians hail Maximilien Robespierre and Jérôme Pétion as incorruptible patriots.

1813 Battle of Bárbula: Simón Bolívar defeats Santiago Bobadilla.

1860 Britain's first tram service begins in Birkenhead, Merseyside.

WORD UP!

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\ kuhn-FIS-kuh-buhl \ , adjective; 1. Liable to be taken by an authorized party.

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Announcements

SANTA MONICA-MALIBU Unified School District of Los Angeles County (SMMUSD) will receive Requests for Qualifications (RFQ) for Inspector of Record Services for various projects District-wide, located in the cities of Santa Monica and Malibu. All RFQ's must be filed in the SMMUSD Purchasing Office, 1651 16th Street, Santa Monica, California 90404 on or before Thursday, 10/28/2010 at 2:00 pm at which time and place the RFQ's will be publicly opened. Each RFQ must be sealed and labeled with RFQ title, number and due date. Contact Mitra Nehorai-Tome at mitra.tome@parsons.com or (310) 954-2271, for information.

Santa Monica-Malibu Unified School District of Los Angeles County (SMMUSD) will receive Requests for Qualifications (RFQ) for Testing and Special Inspection Services for various projects District-wide, located in the cities of Santa Monica and Malibu. All RFQ's must be filed in the SMMUSD Purchasing Office, 1651 16th Street, Santa Monica, California 90404 on or before Thursday, 10/28/2010 at 2:30 pm at which time and place the RFQ's will be publicly opened. Each RFQ must be sealed and labeled with RFQ title, number and due date. Contact Mitra Nehorai-Tome at mitra.tome@parsons.com or (310) 954-2271, for information.

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501 N. Venice unit 18 single, $1025/mo $850 off move-in stove, fridge, carpet, utilities included, laundry, parking, no pets. (310)574-6767 www.jkwproperties.com

615/617 MIDVALE, 2+1.5 Townhouse style. Stove, fridge, dishwasher, microwave, tile countertop, wood and carpet floor. W/D hookups, parking, no pets. $2350/mo. $1000 off move-in (310)578-7512 www.jkwproperties.com

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PALMS 9804 Regent unit #4. 2+1 upper $1400/mo, dishwasher stove, wall AC, balcony, carpet, on-site laundry, parking, no pets, $1000 off move-in (310) 578-7512 jkwproperties.com

For Rent

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SANTA MONICA $1595.00 2 bdrm, 1 bath, no pets, stove, refrig, parking 2535 Kansas Ave., #106 Open daily 9am to 9pm. Additional info in apt Mgr: apt #101310-780-3354

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FICTITIOUS BUSINESS NAME STATEMENT FILE NUMBER: 20101123745 ORIGINAL FILING This statement was filed with the County Clerk of LOS ANGELES on 08/12/2010 The following person(s) is (are) doing business as RAWARRIOR FOODS AND JUICES. The full name of registrant(s) is/are: SYLVIA C. RIVERA 137 N. LARCHMONT BLVD LOS ANGELES, CA, 90004. 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/:SYLVIA RIVERA; OWNER. This statement was filed with the County Clerk of LOS ANGELES County on 08/12/2010. 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 09/09/2010, 09/16/2010, 09/23/2010, 09/30/2010.

FICTITIOUS BUSINESS NAME STATEMENT FILE NUMBER: 20101150023 ORIGINAL FILING This statement was filed with the County Clerk of LOS ANGELES on 08/18/2010 The following person(s) is (are) doing business as ROSAMOND RESIDENTIAL HOME AT SCHERER DRIVE; PALMDALE RESIDENTIAL HOME AT JEFFERSON DRIVE. The full name of registrant(s) is/are: INNOVATIVE SPEECH THERAPY AND COMMUNICATION SERVICES, INC. 190 SIERRA COURT SUITE B213 PALMDALE, CALIFORNIA, 93550. This Business is being conducted by: a Corporation. The registrant commenced to transact business under the fictitious business name or names listed on (Date)02/01/2008. /s/: INNOVATIVE SPEECH THERAPY AND COMMUNICATION, INC. ; PRESIDENT . This statement was filed with the County Clerk of LOS ANGELES County on 08/18/2010. 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 09/16/2010, 09/23/2010, 09/30/2010, 10/14/2010.

FICTITIOUS BUSINESS NAME STATEMENT FILE NUMBER: 20101179362 ORIGINAL FILING This statement was filed with the County Clerk of LOS ANGELES on 08/24/2010 The following person(s) is (are) doing business as THE TICKET LOT. The full name of registrant(s) is/are: ANDREA KELLOGG; ANDREJ KOWALSKI 14164 BRONTE DR.; 9445 RENDALIA ST. WHITTIER, CA, 90602; BELL FLOWER, CA, 90706. This Business is being conducted by: a Partnership. The registrant commenced to transact business under the fictitious business name or names listed on (Date)04/01/2010. /s/: ANDREJ J. KOWALSKI. This statement was filed with the County Clerk of LOS ANGELES County on 08/24/2010. 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 09/23/2010, 09/30/2010, 10/07/2010, 10/14/2010.

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South of Wilshire	$ 799,000	$ 585,000
Sunset Park	$1,172,500	$ 589,000
Ocean Park	$ 1,365,000	$ 782,000

Statistics Updated Every Monday

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