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OCTOBER 19-20, 2013
Volume 12 Issue 294



Santa Monica Daily Press

We have you covered

THE QUEST FOR THE BEST BURGER
SEE PAGE 8

THE HAPPY BIRTHDAY SIMONE! ISSUE

Enrollment down, class sizes still large at secondary schools

BY DAVID MARK SIMPSON
Daily Press Staff Writer

SMMUSD HDQTRS Class sizes remain high at secondary schools despite an enrollment drop, according a Santa Monica-Malibu Unified School District report.

There are 106 fewer students enrolled in the district this year, a 1 percent drop from last year.

Enrollment at many of the elementary schools are up, but 107 fewer students are enrolled at Santa Monica High School this year, a 3.5 percent decrease.

Enrollment was projected to drop, but school officials pointed to a potential trend of students choosing private schools starting in seventh grade rather than ninth grade, as had previously been the case. This was particularly evident at Lincoln Middle School, where there was an increase in the number of students leaving for private schools.

Despite the enrollment decline, many of the class sizes at the middle schools and high schools remain high.

State budget cuts dealt SMMUSD a financial blow that they have combated partially through staff cuts.

Board of Education President Laurie Lieberman suggested that as the financial situation improves, balancing class sizes should be a top priority.

"I think it's not a secret that the secondary levels seem pretty overloaded," she said. "That's where we might want to look. Because it seems like it's getting better at the elementary school level. But I don't want to presume what the numbers should be or

SEE STUDENTS PAGE 6



Daniel Archuleta *daniela@smdp.com*

COMING SOON: **An 800 Degrees pizza parlor is planned for this space at 120 Wilshire Blvd. Two other restaurants are coming to Seventh Street.**

Serving up new Downtown restaurants

BY DAVID MARK SIMPSON
Daily Press Staff Writer

DOWNTOWN Rustic Canyon restaurateurs are adding two new establishments to their current four with an Asian-fusion bistro and a wine bar/store on Seventh Street at Arizona Avenue.

Conditional use permits were issued at the Planning Commission meeting Wednesday to allow the sale of alcohol at three proposed establishments, including two from Josh Loeb and Zoe Nathan, the restaurateurs behind Rustic Canyon, Milo and Olive, Huckleberry Bakery, and the Sweet Rose Creamery.

800 Degrees, a pizzeria with locations currently in Westwood and at Los Angeles International Airport, also received a CUP for their proposed location at 120 Wilshire Blvd.

A CUP is required for certain land uses

SEE EAT PAGE 7

50 Malibu High students choose home schooling

Environmental quality testing taking place

BY MELISSA CASKEY
Special to the Daily Press

MALIBU Approximately 50 students at Malibu High School have enrolled in an independent study program since a health scare was reported at the school nearly two weeks ago, according to Santa Monica-Malibu Unified School District officials.

Students were given the independent study option last week.

The students will be home-schooled and submit their work Fridays by 2:30 p.m., district officials told The Malibu Times, while the district continues to test environmental quality at the school.

Meanwhile, the Malibu Schools Environmental Task Force met for the first time Thursday to put together a game-plan as the school district evaluates health concerns. The group decided to immediately remove mold from a room at Juan Cabrillo Elementary and release the latest mold testing results from Malibu High.

A letter signed by 20 Malibu Middle and High School teachers on Oct. 11 expressed

SEE TESTING PAGE 7


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What's Up Westside

OUT AND ABOUT IN SANTA MONICA

Saturday, Oct. 19, 2013

Grand park opening
Tongva Park
1615 Ocean Ave., 11 a.m. — 4 p.m.
The city of Santa Monica celebrates the opening of its Civic Center parks — Tongva Park and Ken Genser Square — encompassing roughly 7 acres in the heart of the city, from the footsteps of City Hall to Ocean Avenue. The celebration will feature Tongva music, crafts and storytelling, food trucks, and tours of the parks' diverse horticulture and design elements. Free admission, parking and bike valet. For more information, call (310) 458-8350.

Have a laugh
Santa Monica Pier
200 Santa Monica Pier, 2 p.m.
Festival Supreme features 25 musicians and comedians, including Tenacious D, Sarah Silverman, Zach Galifianakis, Adam Sandler, Garfunkel & Oates, and more! Admission: $99 — $250.
For more information,
visit lineup.festivalsupreme.com.

Opera at the club
Santa Monica Bay Woman's Club
1210 Fourth St., 2 p.m. — 7:30 p.m.
Vineyard Touring Opera, a regional opera company, will present "Un Ballo in Maschera" by Giuseppe Verdi in matinee and evening performances, fully staged with orchestra and chorus, with simultaneous English translation projected above the stage. Cost: $15 general, $10 student/senior, $30 preferred seating. For more information, call (855) 575-0005.

'Tis the season
Barnum Hall
601 Pico Blvd., 7:30 p.m.
The Santa Monica Symphony Orchestra is proud to continue its tradition of free classical music concerts for the residents of Santa Monica and the surrounding communities. This marks the opening of the symphony's 69th season. Open seating. For more information call (310) 395-6330 or visit www.smsymphony.org

Night and day on a canvas
bG gallery
1431 Ocean Ave., 8 p.m. — 10 p.m.
bG Gallery presents its third solo exhibit for artist Gay Summer Rick. For her new exhibit, Series in Night and Day, Gay has painted prominent local coastal scenes in day view and then revisited the scenes to paint them from a night perspective. Painting with only a palette knife, Gay illustrates the contrast in atmosphere between day-life and night-life. Free admission. For more information, call (310) 451-9983.

Music across the nation
First Presbyterian Church of Santa Monica
1220 Second St., 8 p.m.
Jacaranda, the classical music series known for rarely heard, new and modern music, celebrates its first 10 years with a program of American music entitled Grit and Glory. The concert's title refers to Jacaranda's quintessential mix of electrifying challenges with the sublime. Tickets: $45 general, $20 students. For more information, call (213) 483-0216.

Sunday, Oct. 20, 2013

A walk for air
Third Street Promenade
9 a.m. — 12 p.m.
The American Lung Association in California is holding its fourth annual Fight For Air Walk. Participants will walk a 2.5-mile course around Downtown to support fundraising and awareness efforts. Form a team, walk as an individual, or volunteer in the fight for clean air. Admission: free. For more information, contact Sade Olarewaju at (714) 933-1044 or visit www.lung.org.

Grand opening
Saint John's Health Center
2121 Santa Monica Blvd., 11:30 a.m.
To celebrate the completion of Saint John's Health Center's new entrance, the Mullin Plaza, the hospital is hosting a special event to honor the Mullins. Without the support of Peter and Merle Mullin, the hospital could never have completed this project. Peter is chairman of the Petersen Automotive Museum so there will be a parade of vintage cars.

Music at the church
St. Augustine by the Sea Episcopal Church
1227 Fourth St., 2 p.m.
Join us for a free concert of classical and contemporary music by Bunny Thornburgh and Greg Schreiner.
For more information, contact Judith Lyons at (310) 829-0210.

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

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

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



COMMUNITY BRIEFS

MONTANA AVE

Young artists on display

Roosevelt students believe, dream and inspire.

That is the theme for this year's Reflections art program, sponsored by the National Parent Teacher's Association in conjunction with local schools across the country, which gives students in grades Pre-K through 12 the opportunity to explore their artistic talents and receive recognition for it.



Photo courtesy Alisandra Rand

CREATIVE: A student at Roosevelt Elementary School works on her art project earlier this month.

Art works can be created by students at home or during lunchtime workshops, provided at local schools.

Developed by Colorado PTA President Mary Lou Anderson in 1969, Reflections is the largest and oldest arts education program of its kind. Each year students are asked to reflect upon a given theme and translate it into one or more original works of art from the following six categories: visual arts, photography, literature, musical composition, dance choreography and film production.

There are five age divisions: Primary (pre-school-Grade 2), Intermediate (Grades 3-5), Middle School (Grades 6-8) and High School (Grades 9-12). This year a category has been added for special artists of all grades whose physical, cognitive or mental health challenges meet the guidelines in the Americans with Disabilities Act.

The 2013-14 theme, "Believe, Dream, Inspire" was submitted to the reflections theme search competition last fall by Julie Lampert of Waverly Park PTA in East Rockaway, N.Y.

"My Inspiration for the theme came from my experience in competitive sports. I hope that students across the country will strive to make their dreams become a reality," she said.

There will be an opening night celebration hosted by co-chairs of the Roosevelt Reflections parent committee, Jeana Greulach and Jessica Nord on Oct. 22 from 6 p.m. to 8 p.m. in the school auditorium at 801 Montana Ave. All pieces will continue to be on display through Nov. 1.

– ALISANDRA RAND

YOUR OPINION MATTERS! SEND YOUR LETTERS TO Santa Monica Daily Press • Attn. Editor: • 1640 5th Street, Suite 218 • Santa Monica, CA 90401 • **editor@smdp.com**



File photo

YOU TAKE IT: Students at PS1: Pluralistic School play a game of mathematical hot potato. The quality of education was one reason Santa Monica made a list of the 100 best cities in which to live.

Report: Santa Monica among top 50 places to live

BY DAILY PRESS STAFF

CITYWIDE Santa Monica has been named one of the top 100 best places to live by Livability.com, a website that ranks quality of life and travel amenities of America's small and mid-sized cities.

The list is the result of a months-long study of U.S. cities and the factors that make them better places to live, work and play. Livability partnered with the Martin Prosperity Institute, a think tank focusing on the role of location, place and city-regions in global economic prosperity, according to a news release.

"This is the first time we have focused on measures for specific cities instead of metropolitan regions," said Kevin Stolarick, research director at the institute. "While getting consistent, reliable data at the cities level had its challenges, the results were worth the effort."

Santa Monica, which was ranked 44th, scored highest in the education (87) and amenities (83) categories, and lowest in the housing (39) category.

The city by the sea was comprised of a mostly younger population of renters who were single, mostly white, had college degrees and worked white collar jobs, according to the report.

Santa Monicans were considered "super spenders" when it came to entertainment, and "extra spenders" on food, health and utilities, according to the website.

The median home price was listed at $924,500 and the median household income was $70,174, according to Livability.com. Gross rent for a two-bedroom was $1,679.

Santa Monica was sandwiched in between Tempe, Ariz. and Columbia, Mo. in the report's rankings.

Palo Alto, Calif. ranked at the top of the list, followed by Boulder, Colo., and Berkeley, Calif.

Livability recruited Ipsos Public Affairs, a leading market research firm, to conduct a survey to find out what quality-of-life amenities residents value most. Respondents were asked about factors that make their communities better places to live, as well as the factors they would consider in selecting another city.

Those factors were narrowed down to eight categories — economics, housing, amenities, infrastructure, demographics, social and civic capital, education and healthcare — that were used to score and rank cities. Researchers narrowed their field to small-to-mid-sized cities with populations between 20,000 and 350,000 before collecting data for each city from a wide range of sources, including the U.S. Census Bureau, Walkscore and GreatSchools.com.

"Great cities are more than just a check-list of bars, coffee shops and museums," said Livability.com editor Matt Carmichael. "Our goal was to collect the best data available, from the best sources and the best partners to gauge the true measures of livability. Access was important, but so were utilization and affordability. By using data from the public sector, the private sector and non-profits focused on these issues, we have compiled an Index that celebrates America's great cities and towns."

editor@smdp.com





LETTERS TO THE EDITOR

Send comments to editor@smdp.com

Taking its toll

Editor:

From the L.A. Times, Oct. 15:

"New research on the human cost of the war in Iraq estimates that roughly half a million men, women and children died between 2003 and 2011 as a direct result of violence or the associated collapse of civil infrastructure.

"In a study published Tuesday in the journal PLOS Medicine, researchers concluded that at least 461,000 'excess' Iraqi deaths occurred in the troubled nation after the U.S.-led invasion that resulted in the overthrow of President Saddam Hussein. Those were defined as fatalities that would not have occurred in the absence of an invasion and occupation."

And W proudly said, "Mission accomplished."

Andy K. Liberman
Santa Monica

No room for Polly

Editor:

I've been reading David Pisarra's columns for several years, and have enjoyed his thoughtful style, good leads about interesting things going on in town, and his boosterism for our small city.

Recently though, I've wondered if he was being a bit too Pollyanna in view of rapidly changing conditions in our fair seaside town, measuring a mere 8.5 square miles. I wondered, for example, what he thought of the new view across the street from his gym, the soon-to-be-completed rabbit hutch apartments, scrunched together in a cluster of generic apartment buildings.

Given his penchant for good will and civility, I've even wondered what he thought about parking meter and parking ticket price creep, needed mostly, it turns out, to cover administration costs for the credit cards, and where it is now impossible to leave even 10 minutes on the meter for a fellow citizen, much less get an extra 10 minutes for yourself to finish an errand, a meeting, or a meal. When time is up, the meter doesn't budge unless the car does.

It's good to see he too can get hot under the collar or peeved, as fast growing numbers of us are, over relentless, short-sighted changes in city affairs across the board.

Mary Kay Gordon
Santa Monica

Minority rule

Editor:

Charles Andrews' column about allowing the commercialization of Palisades Park is a welcome antidote to the sad spectacle of City Council members who have no understanding of their civic mandate ("Want to buy a park with an ocean view?" Curious City, Oct. 16). Would they allow schools to be rented by small businesses for commercial purposes? Or roads to be taken over to demonstrate products? Given the record of these council members, it seems possible. After all, it's the same as licensing fitness businesses to take over parts of the park.

Even more disturbing is the fact that these councilors can be so railroaded by vocal minorities that they ignore the basic purpose of the public interests with which they have been entrusted. Kudos to those who were not so stampeded or addled.

M. G. Burke
Santa Monica





Modern Times

Lloyd Garver — Send comments to editor@smdp.com

A whole new ball game

I WENT TO A MAJOR LEAGUE BASEBALL game recently, and it wasn't what I was used to. Pitchers didn't try to hit batters in the head with a 90-mph pitch. Fans didn't fight in the stands or pummel each other for wearing the other team's hats in front of the stadium. Players didn't play selfishly. Amazingly, all they seemed to care about was the team. Was everybody on good behavior because it was a playoff game? No. Was it a Little League game? Of course not. I said nobody fought in the stands. No, the game was in Tokyo.

The stadium was different from every Major League stadium that I've ever been to. There was absolutely no litter. Before walking into the men's room, I didn't feel the need to wear surgeons' booties, latex gloves, and a gas mask.

The game was between the Yomiuri Giants and the visiting Chunichi Dragons. I had heard of the Giants, primarily because of its most famous player: Sadaharu Oh. He played professional baseball from 1959 to 1980 and hit more home runs than any major leaguer in the world — 868. You can be sure that there was never an allegation that Oh used any performance enhancing drugs. He was never even accused of using too much dipping sauce with his noodles.

There is basically no street crime in Japan, and the ballpark was no different. The only theft during the game was when someone stole second base. When a woman who sat in my row got up to get something to eat, she just left her purse on her chair. Nobody blinked. Except for me.

Fans cheered wildly for their team, but nobody ever booed the opposing team. The idea of a fight breaking out among fans was as unlikely as Wrigley Field selling eel sushi. Players also had a completely different relationship with the umpires. A Dragon made a mistake, and was called "out" at first. He looked confused, so an umpire walked over to him, put his arm around him and explained the situation. In America, if an umpire ever touched a player, it would probably start a riot.

There was one big similarity between Japanese and American baseball. Beer. Beer was sold by attractive, young female vendors who walked around the stadium with a keg-like device on their backs. These young women were dressed in very short shorts. I had read in my guidebook that while cleavage was almost never seen in Japan, women's legs were seen in public as much as ramen shops. The Japanese take the term "neckline" literally, as they do the term "shorts."

THERE IS BASICALLY NO STREET CRIME IN JAPAN, AND THE BALLPARK WAS NO DIFFERENT. THE ONLY THEFT DURING THE GAME WAS WHEN SOMEONE STOLE SECOND BASE.

The Giants won the game 8-6. I walked out without getting shoved once. My shoes weren't any stickier after the game than they were before. As I headed back to the hotel, I realized that I had just seen a Major League baseball game where there was not one gratuitous crotch scratch. No spitting. Nobody in the bleachers hurled insults or batteries at the players. No drunken fans threw up on the people in front of them. And they had the nerve to call that, "baseball?"

LLOYD GARVER has written for many television shows, ranging from "Sesame Street" to "Family Ties" to "Home Improvement" to "Frasier." He has also read many books, some of them in hardcover. He can be reached at lloydgarver@gmail.com. Check out his website at lloydgarver.com and his podcasts on iTunes.



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The Q Line

Exercising rights

Last week the City Council voted to charge personal trainers who use public parks to get their clients in shape ("Trainers say new fitness fees too high," Oct. 10). Trainers say their clients are mainly Santa Monica residents who have a right to use the public parks, which they pay tax money to maintain. However, others argue City Hall has the right to recoup costs associated with providing that space and need to regulate trainers so that everyone can enjoy the limited room.

This past week, Q-line asked:
Where do you stand? Do you think trainers should pay? If so, do you agree with the fees established by the City Council?

Here are your responses:

"THESE TRAINERS SHOULD NOT BE allowed to use the parks. They have a gold mine by not having to pay for a building or worker's compensation insurance or any other insurance or any fees that are associated with gyms. They should not be able to use the parks at all – they're in the way, they impede the progress of people walking in the park and they interfere with other people's enjoyment of the park."

"NO, TRAINERS SHOULD NOT HAVE to pay because they should not be allowed to use city property for their annoying businesses. They are equivalent of the food trucks that undermine the profits of restaurants. Let them all get together and lease a building and pay their taxes, which I'm sure they are cheating on now by running a cash-only business."

"THE TRAINERS SHOULD PAY. IT IS unfair that gyms have to pay rent, but these people do not. And their equipment should be limited to what they can carry on one trip. If some trainer can't carry all his equipment, maybe he isn't much of a trainer. But if they were kicked out of the parks, then the bums would just take over, like they do in the rest of the city."

"I DON'T THINK TRAINERS SHOULD BE allowed to use our parks, whether or not they pay. Santa Monica has never had adequate open space. This park is iconic as a respite from the city; look at the location – at the end of the metropolis with a view of the wide open Pacific. Listening to gym activities in this lovely space is not appropriate, and I think those who designed this park would be horrified. Why is it so hard to give the community a quiet space? It sure isn't Tongva Park, where the quiet section is freeway adjacent; not very inviting. Oh, the trainers will probably usurp that for exercise, too!"

"WE ALL PAY FOR THE PARKS FOR ALL TO use and, of course, with the usual park regulations and restrictions. No one should be allowed to pay for a specific spot at a specific time and thereby limit overall accessibility."

"OF COURSE THEY SHOULD BE CHARGED. Is this not supposed to be why we have fitness clubs? What's going on now? Everybody wants to make extra money and impose on citizens who want to go to the park and enjoy the scenery, the landscape and to just relax. Who wants to see these people doing their business when it should be private? It shouldn't be out there for everybody to see, especially when they are there playing music. What has become of doing things in private?"

"OUR CITY PARK USAGE POLICY SHOULD borrow from the well established and successful usage policy at the public library: Private companies may use the meeting spaces only so long as their events are free and open to the public. Exercise classes held in the public parks should be held to the same standard. Then we'll see just how many of these trainers and groups are ready to provide real benefits to the public."

"OUR GREEDY CITY COUNCIL SEES THE trainer class fees as yet another way to fill their coffers. If they truly cared about the residents, they would shut them down as opposed to charging them."

"I CAN'T GET PAST THE IRONY OF THIS City Council even discussing physical fitness. The majority is overweight and out of shape."

"I THINK THE FEES ESTABLISHED BY the City Council are way too high, prohibitive and unfair to the serious and professional one-on-one personal trainers who are very respectful of the park. Also, trainers already pay business taxes and are permitted. I am a Santa Monica resident and I live within a few blocks of Palisades Park. I have been able to walk to the park at 6 a.m. to train one-on-one with my personal trainer, and this has been ideal for me to be able to get my workout done before I have to go to work. It's a shame that now I may no longer be able to train at my favorite park that is so convenient and close to home, just because of the new outrageous fees."

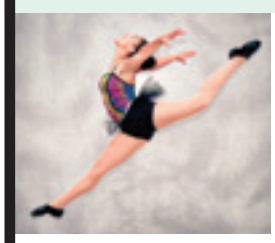
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File photo

LESS IS MORE: Samohi students leave campus on the first day of school in this photo from 2009. Enrollment at the campus is down by 3.5 percent, yet there are some classes with 38 or more students.

STUDENTS
FROM PAGE 1

where they should be."

Samohi is currently staffed at a 36 to 1 student-teacher ratio. There are 38 classes with 38 or more students. At Malibu High School, some classes have 41 and 42 students.

Part of the reason for the overloading is that school officials have yet to reconfigure classes. Officials may make changes in the coming weeks, after students have received their first report cards and the deadline for add/drop has expired.

"In an ideal world, of course we'd have smaller class sizes," said Superintendent Sandra Lyon. "We're doing everything we can given our financial situation. We know how hard teachers work and we want to get those numbers down."

In some cases, officials are forced to decide whether to slightly understaff or vastly overstaff. At Will Rogers Elementary School, all four of the fifth grade classes have 31 students despite the board's stated preference for a max of 30.

"Now the district recognizes that that's a lot of students," said Debra Moore Washington, assistant superintendent of Human Resources. "But we also look at what options the school has. So if they are four students over in the fifth grade, do you add another teacher? If you do, then you have something like 22 or 23 each."

Boardmember Jose Escarce pointed out that the district had smaller class sizes 10 years ago when there were 12,800 enrolled students, about 1,500 more students than the 11,315 enrolled today. He compared challenges faced by the district to those faced by European countries whose deficits grow larger as a result of decreased spending. He urged district officials to study attrition rates from sixth to ninth grade.

"It may be that we have reached a point where increasing our staffing ratios at secondary schools may be counter-productive," he said. "Because at the margin it is causing parents to question whether this is the best choice for their students. This may or may not be happening. It's very hard to know."

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TESTING
FROM PAGE 1

concern that the recent cancer diagnoses of three teachers and health problems experienced by other teachers — including three with thyroid problems, seven with persistent migraines, one with bladder cancer, among others — may be related to contaminants on the campus. Each of the affected teachers spent prolonged periods of time in buildings E (the main middle school building), F (Music and Drama), I (Visual Arts) and the school theater.

Classes in the possibly contaminated buildings have since been relocated to Malibu Methodist Church and Juan Cabrillo.

Superintendent Sandra Lyon called the task force meeting "productive and successful" in a statement released Friday. A group of 13 reps including teachers, students, parents, city officials and school staff convened at Malibu High with Lyon, district Chief Financial Officer Jan Maez and environmental consultant Mark Katchen, who has been retained by the school district.

Lyon outline the group's overall goals as:

• Immediate action will be taken to:

1) Remove visible mold in Room 12 at Juan Cabrillo Elementary School;

2) Release the report of the latest mold sampling at MHS;

3) Post the asbestos management plan for MHS and Juan Cabrillo.

• The testing protocols must yield scientifically solid, reliable data that will guide proper conclusions and any necessary action.

• There is a tremendous sense of urgency to gather data, and answer questions and concerns, but the task force agreed that adequate time must be provided to ensure the process is inclusive of community input.

• Fact sheets will be developed in response to community questions, in both English and Spanish and posted to: smmusd.org/PublicNotices/Malibu.html.

Public comments and questions can be sent into mhsfaq@smmusd.org.

The task force is scheduled to meet next Thursday, Oct. 24 at 10 a.m. and "continue to meet weekly as necessary."

Katchen also met with staff at Malibu High School and Juan Cabrillo earlier this week for a walk-through.

"Additionally, he is reviewing all technical reports … to advise future testing and to address community concerns," Lyon said.

The district plans on cooperating with a group of Malibu parents that has hired its own consultant for input on the environmental quality of the schools.

editor@smdp.com

KNOWLES ADKISSON contributed to this report. This article was formulated based on reports from the Malibu Times.

EAT
FROM PAGE 1

which may need special conditions to ensure compatibility with surrounding land uses.

Gerda Newbold, the lone commissioner to vote against the conditional use permit for the bistro and wine bar, feared the establishment's hours would disrupt the neighborhood.

"We talk about the Downtown being a 17-hour alive city," she said. "With operating hours from [8 a.m. to 2 a.m.], that doesn't even leave 7 hours for quiet and we are building housing there right now."

Commissioner Richard McKinnon strongly supported the proposal noting that because the housing is scheduled to open after the restaurants, incoming tenants will have an opportunity to decide if the noise is too much.

"Downtown is the place where we coalesce all of the activity … and we encourage lively streets and people walking to things … ," he said. "A restaurant such as this, with a series of guys who have enlivened our city over the last six or seven years with really incredible places … is exactly what we're looking to put Downtown, and especially on that street."

A resident at a Downtown Santa Monica Inc. meeting expressed fear that the wine store would attract the local homeless population.

"At all of our places we focus on high-end ingredients and quality things," Loeb responded. "We want to have some good bargain wines, great wines that you can find for $10 or $12. We don't want to have anything that's just going to be taken to the alley and consumed in a paper bag."

At the commission meeting, no one from the public spoke in opposition to the proposed restaurants.

The still unnamed Asian bistro will fill 3,900 square feet of space inside the old Verizon building with an 800-square-foot patio for outdoor dining. It will seat 242 and include a raw bar, grill area, and charcuterie, said Colby Goff, a general partner.

"We weren't looking to open another restaurant at the time," he said. "But we saw the Seventh Street space and we were really inspired. We were moved by the place, the bones of the structure, and felt like it could be something very special."

"WE DON'T WANT TO HAVE ANYTHING THAT'S JUST GOING TO BE TAKEN TO THE ALLEY AND CONSUMED IN A PAPER BAG."

Josh Loeb
restaurateur

He said the bistro would have a "festive European feel."

The wine bar will occupy 1,600 square feet in the same space with a 550-square-foot patio and 86 seats. It will feature bottled wine for sale in a small retail space.

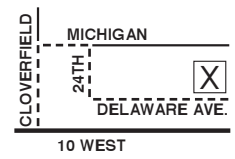
800 Degrees received no scrutiny at the Planning Commission meeting, but a resident at the Downtown Santa Monica Inc. hearing was concerned about crowds, citing the Westwood branch, which she said was so popular that diners often lined up outside.

It will be located on Wilshire Boulevard at the corner of Second Street, right around the corner from California Pizza Kitchen, which is on the corner of Wilshire and Second Court.

The space was formerly a bank. Recently, SoulCycle, a biking fitness center, took over half the space. 800 Degrees proposes to take the other half, or 5,900 square feet.

"They have these super ovens that you stick the pizza in and it cooks it really fast at 800 degrees," said land use consultant Howard Robinson. "They say it takes only a minute to cook."

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Tour De Feast

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Photos by Brandon Wise *brandonw@smdp.com*

THE TRIFECTA: Stout Burgers & Beers recently opened in Downtown and features a variety of juicy burgers and craft beers. Stout's drink list includes several beers from California breweries, including aged ales with raspberries and hoppy, bitter IPAs.

You can't pick just one



MORE SO THAN OTHER FOODS, IT'S tough to crown which restaurant, bar, cafe, hotel, shack, stand, gas station, backyard or deli has the best burger in town. One reason being that almost every place has a burger on the menu. It's almost a prerequisite. Once you think you have a handle on all the top burgers in the area, someone blurts out "Have you every tried Bru's Wiffle burger? It's the best."

Why would I go to a waffle joint for their burger? It doesn't matter, the seed has already been planted. Now I have to go. The proverbial game of Whac-a-Mole continues. Try one said great burger only to read L.A. food dynamo Jonathan Gold has just anointed Cora's Cafe version one of his favorites. It's a vicious, yet delicious cycle.

The palate comes into play as well. It's tough to sell someone on a balsamic fig and brie burger when all they want is In-N-Out. A burger set in its simplest form can be a magical thing. Conversely, a complexity of textures and flavor profiles can yield pure bliss. The bottom line is there is no one burger to rule them all, nor is their one authority to give a burger top honors.

I have, however, devised a road map of noteworthy burger places around town based on some solid years of pigging out. If I forget to mention your favorite burger, I apologize, but this is hardly an Academy Award acceptance speech.

There is little dispute that Father's Office boasts the best burger on Montana Avenue. The no-substitutions Office Burger (arugula, bacon, caramelized onions on a French roll) is uncompromisingly good. However, the burger is put on such a high pedestal that it's hard to live up to such hype. Furthermore, the service seems intentionally terrible to uphold some sort of pretentious reputation. Plus the place is always packed. R+D Kitchen down the street is a worthy alternative.

On the other side of town The Counter made the build-your-own burger the cool thing to do. There are multiple locations, but the original is here in Santa Monica on Ocean Park Boulevard. Unlike Father's Office, there are endless options to customize your burger. Consider The Counter a safe place to go with an indecisive group. For more flare try the Hawaiian-themed Shaka Shack burger on 17th Street. Offerings from Chef Lisa Stalvey (former head chef at Spago on Sunset) include grass-fed beef on sweet Hawaiian-style buns. With daily specials, a popular black bean veggie burger, and an eclectic island atmosphere, Shaka Shack burger is a nice diamond in the rough.

East on Pico Boulevard, Upper West has outstanding food top to bottom. Chef Nick Shipp's burger is no exception. The loosely packed seared patty, topped with bitter greens, sweet onion compote, and a peppery goat cheese on toasted brioche is certainly high concept, but executed perfectly. Aside from an amazing burger, many bloggers and fellow foodie blowhards have been clamoring over their veggie burger as the best ever. Stay tuned.

Down on Main Street where every other business is a bar or restaurant, burgers are in abundance. After having burgers at many of the bars, I find the Brick + Mortar $10 happy-hour burger (onion marmalade, cheddar, lettuce, tomato, horseradish mayo,

If you go

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SEE **BURGERS** PAGE 9

Easy, edible ideas for a delicious All Hallow's Eve

BY J.M. HIRSCH
AP Food Editor

Whipping up a batch of Halloween-inspired treats shouldn't require a scary amount of time or energy.

Because by the time you've carved an army of pumpkins, costumed your pint-sized ghouls, purchased bushels of candy, and hung the requisite number of fake spider webs and black cat cutouts, time and patience for cooking up spooky grub may be in short supply.

So we've gathered a gaggle of ideas — vampire doughnuts, candied apple skulls, goblet graves and doughnut spiders — from Matthew Mead's new book, "Halloween Spooktacular," for setting a spooky tone for your Halloween table without setting you back.

GOBLET GRAVE

Head to the craft store (or online) and pick up a silicone skull and crossbones ice cube tray. Fill each cavity with plain Greek yogurt, then use an offset spatula to smooth the tops and remove any excess yogurt from the tray. Freeze until solid (overnight is best).

Let the cubes soften at room temperature for several minutes, then remove the ice cubes from the tray. Arrange the cubes in a small bowl set over a larger bowl of crushed ice. Serve alongside goblets of grape juice.

CANDIED APPLE CRANIUMS

Wash and dry six Red Delicious apples. Insert a 6- to 8-inch crab apple twig (cleaned) or a large frozen pop or candy stick. Set aside. Place 12 ounces of white candy melts in a medium heat-safe bowl. Set the bowl over a medium saucepan of simmering water. Stir until the candy has melted.

One at a time, dunk each apple into the candy melts, spooning it up the sides and over the top for an even coating. Set the coated apples upright on a sheet of waxed paper to set.

Meanwhile, use a rolling pin to roll out Tootsie Rolls until flat. Use a paring knife to cut round eyes and a heart-shaped nose from the flattened Tootsie Rolls. "Glue" the eyes and nose (mount the "heart" upside down) to the apples using piping gel or a bit of purchased frosting.

VAMPIRE DOUGHNUTS

Make a stack of honey-glazed doughnuts on a large serving tray. Use a bamboo skewer to poke two fang holes in the top of each, then dribble red gel food coloring (sold in tubes in the grocer's baking aisle) coming out of the holes and down the sides of the doughnuts.

DOUGHNUT SPIDER

Set a chocolate glazed doughnut in the center of a large serving platter. Place a chocolate cake doughnut up against it. The glazed doughnut forms the spider's body; the cake doughnut is the head. Place 2 chocolate doughnut holes on top of the cake doughnut to form eyes (use a dab of frosting to hold them in place). Top each doughnut hole with a dab of white or yellow frosting, then gently press a chocolate chip into each.

For the legs, arrange three sets of three chocolate doughnut holes coming off of each side of the "body" doughnut. If desired, additional frosting can be used to keep the leg doughnut holes in place.

BURGERS
FROM PAGE 8

on brioche) is tough to beat.

On and around the world-famous Santa Monica Pier are two gems — Big Dean's and Pier Burger. Both places serve up great burgers, sans the fru fru. Big Dean's gets the nod if you want to kick back a few beers too. But both places deserve high praise for exceptional burgers at reasonable prices. Double points for holding court on the pier, where grilling up overpriced garbage to tourists is usually the norm.

Mid-City is home to my personal favorite burger in town, Hole in the Wall Burger. The do-it-yourself burger joint fries up some massive burgers. There are many options to choose from, but I strongly suggest the pretzel bun. Normally a pretzel bun is too hearty and bready of a vessel, but matched with such a sizable patty, a certain burger synergy is born. Other Mid-City notables include Truxton's and the aforementioned Bru's Wiffle. It's certainly on my to do list, along with Rustic Canyon and a dozen other places. My doctor suggests adding some salads to that list.

The seemingly endless list of burgers gets even longer when sizing up Downtown Santa Monica. Umami being the most notable, but places like Pono Burger and Burger Lounge have also been welcome additions to the scene.

Just when you think the area could not get more saturated with ground beefy goodness, Stout recently opened its doors on Santa Monica Boulevard just off Ocean Avenue. The well-known Hollywood purveyor of fine burgers and craft beers has made its way to the Westside. Stout's philosophy is all about proper burger and beer alignment. As a matter of fact, their menu emphasizes which burgers pair best with certain beers. It's a crafty way to showcase their selection of artisanal beers and an easy upsell too. The burger list is relatively simple, six in all, with a couple ground chicken and veggie burgers on top of that.

The company I was with all agreed that the burgers, medium in size, were not overwhelmed with an array of toppings. The burgers were just hipster enough. While I did deviate from the suggested IPA pairing to go along with my SHU Burger (pepper jack, light bell spread, spicy chipotle sauce), thankfully I did not spontaneously combust.

Our server was very knowledgeable about both the burgers and beers, but she was overwhelmed by a packed dining room, which translated into a long wait time for our food. Stout Santa Monica is new, so leeway is given where leeway is due. However, factor their seating, popularity and location, and they are in for some large crowds for the time being.

So many burgers, so little space left in the arteries. It's a daunting task to try 'em all. They're all winners in my book. That's my cop-out answer. Perhaps finding who has the best kale in Santa Monica would be better for the ol' ticker.

MICHAEL can be seen riding around town on his bike burning calories so he can eat more food. He can be reached at michael@smdp.com. Follow him on Twitter at https://twitter.com/greaseweek

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US: Racial policy in Calif. prison riots breaks law

BY DON THOMPSON
Associated Press

SACRAMENTO, Calif. California is violating the federal Constitution when it punishes prison inmates after a riot based on their race, the U.S. Department of Justice said Friday.

Gangs in California prisons typically are based on race, and riots often pit members of one race against one another or involve inmates of only one race.

After the riots, officers often lock inmates in their cells based on which races were involved to prevent further violence — whether or not those inmates were involved.

The Justice Department said in a court filing that the practice violates the 14th Amendment, which requires equal protection under the law. The opinion is not binding, but is part of an ongoing class-action lawsuit in federal court in Sacramento.

The policy "is not based on any individual analysis of prisoner behavior, but rather on generalized fears of racial violence. Indeed, the policy affects hundreds of prisoners throughout the (prison) system who the state acknowledges have absolutely no gang ties or history of violence," according to the filing signed by the chiefs of the Justice Department's Civil Rights Division.

The state could adopt race-neutral alternatives, the Justice Department said, including locking up specific inmates who it suspects were involved in the fight, or locking down entire housing units where the riot occurred.

It could also do a better job of gathering information in advance on which inmates are involved in gangs or are likely to engage in race-based violence and keep them separated.

Corrections department spokeswoman Terry Thornton said the state's policy is not to base lockdowns "solely on the inmate's race or ethnicity." State law says the department "shall not target a specific racial or ethnic group unless it is necessary and narrowly tailored to further a compelling government interest."

The U.S. Justice Department contends that the policy is too broadly written to pass constitutional muster.

The lawsuit was filed in 2008 by Robert Mitchell after he was locked in his cell following a fight at High Desert State Prison in Susanville. The Department of Corrections and Rehabilitation imposes more than 600 lockdowns in a typical year, at least 200 of which are based on the race of the inmates, said Rebekah Evenson, whose nonprofit Prison Law Office represents Mitchell and other inmates.

No other state has a similar policy she said.

"They lock down people who were not involved in the incident, not involved in the gang and just happen to have the same color skin," she said.

The policy is similar to another California practice that the U.S. Supreme Court found to be discriminatory nearly a decade ago, the practice of segregating inmates by race in their cells and sleeping areas to prevent gang violence.

Fire damages residential high-rise in Los Angeles

BY THE ASSOCIATED PRESS

LOS ANGELES Eight people, including a young girl in critical condition, were taken to hospitals on Friday with injuries sustained in a residential high-rise fire in Los Angeles that was mostly confined to one apartment, authorities said.

The injured people included three firefighters — two with leg burns and one with an ear burn, Los Angeles Fire spokesman Brian Humphrey said. The other injuries involved smoke exposure.

The young girl was found in a stairwell on the 23rd floor by firefighters who performed CPR on her before transporting her to the hospital, said Los Angeles Fire Capt. Jaime Moore. Humphrey said she suffered significant smoke inhalation and she was being treated as critical as an extra precaution.

None of the other injuries were life threatening, Humphrey said.

The blaze was reported at 11:43 a.m. in a two-bedroom unit on the 11th floor of 25-story Barrington Plaza on Wilshire Boulevard. The tower has about 700 people living in nearly 400 rental units.

Large flames could be seen on the side of the high-rise during the height of the blaze.

Humphrey said the building, constructed in 1961, was not equipped with sprinklers because the devices weren't required for buildings of that era.

A cursory look at inspection records showed the building was up to code, he said, noting the fire department would be taking a closer look at the records in the coming days.

Heavy smoke poured from the building as more than 200 firefighters responded and scores of residents evacuated.

Most residents weren't home during the mid-day fire. Humphrey said some residents on upper floors didn't evacuate.

The complex includes several buildings but only one was involved in the fire, he said.

The blaze was declared out in 71 minutes but firefighters continued to search door to door. The fire was largely contained to the single unit, though there was smoke and water damage to neighboring units, Humphrey said.

Two investigators were examining the unit to determine the fire's origin and cause. It's unclear where the unit's occupant was when the fire broke out, Humphrey said.

Striking union, transit officials make offers

BY TERRY COLLINS
Associated Press

OAKLAND, Calif. Bay Area rapid transit authorities and striking workers both made offers late Friday they said had a single aim: get stationary trains that move 400,000 commuters on any given workday back on track.

After a sluggish morning commute that drew region-wide gripes, BART general manager Grace Crunican said they had reached out to the mediator and were "ready to resume negotiations at any time."

Hours later, as the evening commute was underway, union president Roxanne Sanchez held a news conference with their own offer: sign off on pay, health care and pension issues, and send the remaining sticking point — work rules — to arbitration.

San Francisco Bay Area rapid transit workers are on strike for the second time since July, scrambling the morning commute for hundreds of thousands of workers who were up before dawn to clog highways, swarm buses and shiver on ferry decks as they found alternative ways to the office.

Six months of on-again, off-again negotiations have brought agreement on key issues such as raises, health care and pensions. But there remained a snarl Friday: a package of work rules involving when schedules are posted, whether workers can file for overtime when they've been out sick, and how paychecks are delivered.

The labor details were meaningless to Marsha Smith, who watched the sun rise as she rode toward her office in a crowded bus. Like many commuters Friday, Smith left her house while the moon was still shone brightly to be sure to make it in on time.

"I am so tired. I am so frustrated and I'm so over it," the court records supervisor said.

Getting home was no better.

Lines were long for charter buses on Friday afternoon as riders usually dependent on Bay Area Rapid Transit waited to board, and traffic maps show jammed roads in San Francisco that lead to eastbound lanes of the Bay Bridge. Cars were backed up for at least 10 blocks along streets downtown, waiting to cross the bridge.

The Bay Area Rapid Transit system carries a ridership of 400,000 daily through tunnels under the bay and into the region's urban core of San Francisco from four surrounding counties, relieving what would otherwise be congested bridges.

In an effort to alleviate delays, many of the Bay Area's other 27 transit systems added bus, ferry and rail service Friday. Carpools and rideshare programs were also busy, and more cyclists took the streets.

But traffic was sluggish nonetheless, and lines at bridge toll plazas were backed up for miles.

Passengers touching down at San Francisco International Airport were warned that trains weren't running, and it could take twice as long to get into the city.

Many simply avoided the hassle, telecommuting instead.

The strike could drag through the weekend and into next work week, although both sides indicated interest in finding a solution.

Discussions fell apart late Thursday after a marathon 30-hour negotiation with a federal mediator that put representatives from both sides at dueling news conferences, rumpled, unshaven and angry.

But the transit agency countered that it needed to control costs to help pay for new rail cars and other improvements.

Waiting for a ferry in Oakland, retail worker Mary Nelson said both sides should be able to come to an agreement.

"I don't understand why they're holding a lot of hardworking people hostage," she said.



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Homeland Security choice suggests priority shift

BY ALICIA A. CALDWELL
Associated Press

WASHINGTON President Barack Obama on Friday nominated the Pentagon's former top lawyer to help craft the nation's counterterrorism policy as secretary of homeland security, suggesting a shift from the department's emphasis on immigration and border issues to a greater focus on security against possible attacks.

If confirmed by the Senate — and no organized opposition has been indicated — Jeh C. Johnson would replace Janet Napolitano, who left her post last month to become president of the University of California system. Johnson, whose first name is pronounced "Jay," is now a lawyer in a private firm.

Obama said he was nominating Johnson because of his "deep understanding of the threats and challenges facing the United States." He credited Johnson with helping design and implement policies to dismantle the core of the al-Qaida terror organization overseas and to repeal the ban on openly gay service members in the U.S. military.

"He's been there in the Situation Room, at the table in moments of decision," Obama said as he announced the nomination from the Rose Garden on a crisp and sunny fall afternoon.

Napolitano, who came to the Homeland Security Department after serving as governor of Arizona, made clear that her top priority was immigration reform, and she routinely championed the issue in congressional testimony. In contrast, Johnson has spent most of his career dealing with national security issues as a top military lawyer. Issues he has handled include changing military commissions to try some terrorism suspects rather than using civilian courts and overseeing the escalation of the use of unmanned drone strikes during the wars in Iraq and Afghanistan.

The Homeland Security Department was created in response to the Sept. 11, 2001, terrorist attacks, which Johnson said occurred on his birthday. He noted that he was in Manhattan on that fateful day when the World Trade Center was struck, and he said he was motivated to do something to help the country in response. But he left government service in 2012 and said he was settling back into private life and work at a law firm.

"I was not looking for this opportunity," Johnson said. "But when I received the call, I could not refuse it."

Johnson, a multimillionaire lawyer outside of his government posts, has defended the administration's targeted killings of U.S. citizens overseas as well as the role of the U.S. spy court and crackdowns to keep government secrets.

If confirmed, he would manage a department with more than 20 different agencies, a budget of more than $45 billion and a staff of hundreds of thousands of civilian, law enforcement and military personnel. On any given day, the job includes making decisions about disaster relief, distribution of a shrinking grants budget, which immigrants living in the United States illegally to deport and how to protect passenger jets from would-be terrorists.

Johnson, a one-time assistant U.S. attorney in New York, would inherit a department whose public face in recent years has been associated with immigration. But that's an area he has little experience with.

Matt Fishbein, who worked with Johnson in a private law firm in the early 1980s and served on a New York City bar panel while the nominee was chairman in the late '90s, described the job Johnson will face.

"Ultimately, he's responsible for security in this age of terrorism," said Fishbein, a Debevoise & Plimpton law firm partner in New York. "I imagine that means every single day coming across his desk is going to be very scary information that he's going to have to sort out and see if there's a basis for it. You need to secure and protect the country while not overstepping the bounds, violating civil liberties. It's a tough job."

Johnson has made clear his support for using done strikes to kill enemy combatants, including U.S. citizens overseas. He has also said that he considers "lone wolf" terrorists to be a law enforcement problem, not enemy combatants who should be targeted in military strikes.

Homeland Security is almost never the lead law enforcement agency in domestic terror cases. It includes Customs and Border Protection, whose primary mission is preventing terrorists from coming into the country. DHS also has a presence on the FBI-led joint terrorism task forces around the country, with agents from Immigration and Customs Enforcement and the Secret Service.

Johnson's experience in dealing with overseas actions and counterterror decisions may also be helpful for a department still trying to define its role in the fight against terrorism. Homeland Security has a growing footprint around the world.

If confirmed, Johnson would take over an agency with numerous high-level vacancies, including the deputy secretary. When Janet Napolitano left to take over as president of the University of California in September, one-third of the heads of key agencies and divisions were filled with acting officials or had been vacant for months. Obama has nominated several people to key positions, including general counsel. His pick to be the department's No. 2, U.S. Citizenship and Immigration Services Director Alejandro Mayorkas, is the subject of an internal investigation, and his nomination has been stalled.

Johnson is a 1979 graduate of Morehouse College and a 1982 graduate of Columbia Law School. After leaving the administration in 2012, he returned to private practice. According to the website of his law firm, Paul, Weiss, Rifkind, Wharton & Garrison LLP, his civil and criminal clients have included Citigroup, Salomon Smith Barney, R.J. Reynolds Tobacco Co. and Gillette.

Johnson earned more than $2.6 million from his partnership at that law firm, according to 2009 government financial disclosure documents. During the 2008 presidential campaign, Johnson donated more than $33,000 to Obama's campaign, federal records show. He was also a supporter of Hillary Rodham Clinton, having contributed $2,300 to her presidential primary campaign in July 2008. He's also given $5,000 to the New Jersey Democratic Party and $1,000 to Democrats nationwide, as well as to several congressional candidates.

Obama's campaign website listed Johnson as a member of the then-candidate's national finance committee and an adviser to Obama's foreign policy team during the 2008 election.

Gridlock in Washington worries retailers ahead of holidays

BY ANNE D'INNOCENZIO
AP Retail Writer

NEW YORK Will Washington be the Grinch who stole Christmas?

After weeks of bickering between Congress and the White House, President Barack Obama on Wednesday signed into law a plan that ended a partial 16-day government shutdown and suspended the nation's debt limit until early next year.

But the measure, which comes just weeks ahead of the holiday shopping season, only temporarily averts a potential default on U.S. debt that could send the nation into a recession.

Retailers hope that short-term uncertainty won't stop Americans from spending during the busiest shopping period of the year, but they're fearful that it will.

"I am not nervous, but I am mindful," said Jay Stein, chairman of Stein Mart, a 300-store chain that sells home goods and clothing. "The biggest enemy of consumer confidence is uncertainty."

Retailers and industry watchers say Washington gridlock already has caused shoppers to hold back on purchases.

The number of people going into stores nationwide dropped 7.5 percent for the week that ended Oct. 5 and 7.1 percent during the following week compared with a year ago, according to ShopperTrak, which measures foot traffic at 40,000 retail outlets across the country.

Men's clothier Jos. A. Bank Clothiers and furniture chain Ethan Allen said their customers cut back in recent weeks. And auto sales, which had been strong, trailed off last week, with experts blaming Washington lawmakers.

Retailers say the agreement that lawmakers approved, which funds the government until Jan. 15 and gives the Treasury the ability to borrow above its limit until Feb. 7, may not be enough to alleviate shoppers' concerns.

Robert N. Wildrick, chairman of Jos. A. Bank, which has 623 U.S. stores, said retailers can't afford more uncertainty during the holiday shopping season. "The more this nonsense goes on .... the more scared (consumers) become," he said.

Even before the stalemate in Washington, retailers had reasons to be cautiously optimistic about the holiday season, which accounts for up to 40 percent of retailers' annual revenue. While the job and housing markets are improving, that hasn't yet translated into sustained spending increases among shoppers.

But retailers spend money on ads, order additional inventory and add sales staff during the holidays hoping shoppers will spending freely. If they don't, stores have to discount, which eats away profits.

The National Retail Federation, the nation's largest retail group, had forecast in early October that sales would climb 3.9 percent in November and December to $602.12 billion, higher than last year's 3.5 percent gain. But the forecast didn't account for the prolonged shutdown.

Jack Kleinhenz, chief economist for the Washington, D.C.-based group, told The Associated Press that he may lower the projection after he sifts through retail sales and jobs data, reports that had been delayed because of the shutdown. The uncertainty could hurt sales.

"It's like having an ongoing fever that you would like to shake but just doesn't go away," Kleinhenz said. "That causes a backup in decision-making from consumers and businesses."

Take Nino Rodriguez, who was already planning to cut back spending on gifts for his four children ages 3 to 21 by about 25 percent to $1,500 as he juggles stagnant wage gains with college tuition costs.

Now, the Chicagoan plans to cut another $500 from the holiday budget because of uncertainty. In particular, he's concerned about having government aid checks suspended for teenage sons who have special needs.

"The doomsday clock is just one second less than what it was before," said Rodriguez, who works in the hospitality business. "All this just heightens our awareness of spending."

This isn't the first time that debt-and-spending stalemates have hurt shoppers' mood during the holidays. Last year, Americans worried about tense negotiations in Washington to resolve the fiscal cliff, a simultaneous increase in tax rates and a decrease in government spending.

Congress and the White House reached a deal on Jan. 1 that prevented income taxes from rising for most households, but many store executives blamed the uncertainty for a slowdown in sales in December. In November 2012, sales were up 4.7 over the year ago period, but rose only 2.4 percent in December.

And in August 2011 when there was market turmoil and political strife over raising the federal debt ceiling, consumer sentiment fell to a 31-year low, according to the Thomas Reuters/University of Michigan survey.

Jeff Landis of Chicago-based Montopoli Custom Clothiers recalls those days when business was quiet and he had to delay ordering fabric and call his wealthy customers. He said he's seeing the same scenario play out now.

"This is a buzz kill," he said.

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SURF REPORT



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Surf Forecasts

Water Temp: **64.8°**

SATURDAY – **POOR** – SURF: **1-2 ft** ankle to knee high
Minimal blend of SSW and NW swells; nice conditions and small surf

SUNDAY – **POOR** – SURF: **1-2 ft** ankle to knee high
Minimal mix of SSW and NW swells

MONDAY – **POOR TO FAIR** – SURF: **1-2 ft** ankle to knee high occ. 3ft
Leftover SSW swell; small mid-period WNW swell picks up

TUESDAY – **FAIR** – SURF: **2-3 ft** knee to waist high
New S swell builds; WNW swell continues; long period, steep-angled NW swell picks up

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 **October 16, 2013**

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

QUICK STATS (for the last 30 days)
- Number of sewage spills -- 2
- Number of beach closures due to a sewage spill -- 0
- Number of wet days -- 0
- Number of A grades for dry/wet weather -- 31 / xx
- Number of (C,D,F) grades for dry/wet weather -- 0 / xx

The Beach Report Card is made possible by: simplehuman, LAcarGUY, SIMA, and Swain Barber Foundation

Heal the Bay reminds you not to swim or surf within 100 yards of any flowing storm drain or for at least 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 Cerrillos Beach, at Arroyo Sequit Creek mouth.	A+	xx
Nicholas Beach at San Nicholas Canyon Creek mouth.	A+	xx
El Pescador State Beach, between Lechusa and Los Alisos creeks.		
Encinal Canyon at El Matador State Beach.	A	xx
Broad Beach at Trancas Creek mouth.	A	xx
Zuma Beach at Zuma Creek mouth.	A+	xx
Walnut Creek, projection of Wildlife Rd. (private).	A+	xx
Paradise Cove Pier at Ramirez Canyon Creek mouth.	A+	xx
Escondido Creek, just east of Escondido State Beach.	A+	xx
Latigo Canyon Creek mouth.	A+	xx
Solstice Canyon at Dan Blocker County Beach.	A+	xx
Pwerca State Beach at creek mouth.	A+	xx
Marie Canyon storm drain at Pwerca Beach, at 24572 Malibu Rd..	A+	xx
Surfrider Beach at Malibu Colony fence.	A+	xx
Surfrider Beach (broach location)- daily.	A	xx
Malibu Pier - 50 yards east.	A+	xx
Carbon Beach at Sweetwater Canyon.	A	xx
Los Flores State Beach at Los Flores Creek (point zero).	A	xx
Big Rock Beach at 19948 PCH stairs.	A+	xx
Pena Creek at Las Tunas County Beach.	A+	xx
Tuna Canyon.	A+	xx
Topanga State Beach at creek mouth.	A	xx
Castlerock Storm Drain at Castle Rock Beach.	xx	xx
Santa Ynez Storm Drain at Castle Rock Beach.	A+	xx
Will Rogers State Beach at 17200 PCH (1/4 mile east of Sunset drain).	A	xx

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

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
- **xx** -- no sample taken

Heal the Bay is a nonprofit environmental organization making Southern California coastal waters and watersheds, including Santa Monica Bay, safe, healthy and clean. We use science, education, community action and advocacy to pursue our mission.

Heal the Bay

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

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

NASCAR is just one long Ricky Bobby movie

BY PAUL NEWBERRY
AP National Writer

TALLADEGA, Ala. Kurt Busch is ready to shake 'n' bake at Talladega Superspeedway — proving once again that NASCAR has absolutely no shame in its pursuit of the almighty dollar.

Some might call it tacky.

Nonsense.

In a world where far too many people take sports far too seriously, the ridiculous lengths NASCAR is willing to go for its precious sponsorships actually provides some much-needed levity.

Seriously, how could you not get a chuckle out of Kurt Busch — well-known for his petulant outbursts — standing in front of his No. 78 hauler on Friday, wearing a Wonder Bread race suit with actual loaves of the stuff stacked to his left and his right.

Will Ferrell would've been proud.

It was "Talladega Nights: The Ballad of Ricky Bobby" all over again. Who cares if the 2006 movie didn't exactly paint the good ol' boys in the most flattering light?

"The more you watch it, the more you laugh at it," Busch said.

The motto of NASCAR is simple: If you're willing to write a check with a lot of zeros on the end, they're willing to cash it — pretty much no questions asked.

Kudos to them.

We much prefer this approach to, say, the hypocrites at the NFL and the International Olympic Committee.

The No Fun League zealously doles out fines to players who wear their socks the wrong way, all in the name of protecting its precious image, while working feverishly to bring in enough money to qualify as a small nation. The IOC preaches endlessly against commercialization, right down to banning the use of corporate names on host city venues, but rewards countries that are willing to bankrupt themselves to get a two-week sports festival.

Then there's NASCAR, which has no problem pushing the boundaries of good taste. Wonder Bread actually looks pretty classy next to previous sponsors such as Viagra and ExtenZe, which used to saturate the late-night airwaves with infomercials promising "natural male enhancement." It still brings a smile to my face when I remember the year Atlanta Motor Speedway named a race after that most delicious of farm animals: "Pork The Other White Meat 400."

This endless shilling works best when the driver actually seems to enjoy the product he's plugging.

Dale Earnhardt Jr. lit up when talking about a promotion this weekend with Xbox.

"I'm a big fan of Xbox," he said. "I was just on the Xbox this morning before I got on the plane. I'm trying to do some things in my Madden league. You're always trying to improve the team."

Busch's affinity for "Talladega Nights" also is apparent. Last year, after being fired by Penske Racing for bad behavior and forced to take a ride with tiny Phoenix Racing, he competed one weekend with a "ME" logo painted on his car — just like Ferrell's character in the movie after his career went into a tailspin.

This season, Busch became the first driver with a one-car team to make the Chase for the Championship. Next year, he'll move to the powerful Stewart-Haas team, his redemption complete.

Just like Ricky Bobby.

"When he thinks he's on fire, he has to go through rehab and comes back to be successful," Busch said. "That's very similar to what I've gone through the last 18 months."

It's hard to imagine another sport embracing a movie that basically spent two hours playing up every ridiculous stereotype, right down to their "shake 'n' bake" racing philosophy (whatever that means).

Busch couldn't stop talking about Ricky Bobby when asked his favorite scene.

"In the beginning, when he jumps in the Laughing Clown Malt Liquor car," he said. "Or the table scene, when he's saying the prayer. That's got to be the best. Or maybe it's when Cal Naughton Jr. (Ricky Bobby's best friend and teammate) wants to figure out how to run the radio and the TV at the same time because he likes to party."

Of course, there's a flip side to a sport essentially passing itself off as one long commercial break.

You might as well turn down the sound at the end of every race, when the winner monotonously rips off the name of every sponsor ("I'd like to thank the great folks at Old Spice and my Goodyear tires and that wonderful Sunoco fuel for putting me in position to take the checkered flag"). And, on any given race weekend, there are endless events such as Danica Patrick's yawner of an announcement Friday that she has a new deal with Aspen Dental (apparently, her teeth are better than her driving skills).

"We're dedicated to bringing America a healthy mouth," Bob Fontana, the company's president and CEO, said seriously.

A trip to the dentist?

That's no fun.

More Ricky Bobby, please!

Actually, Busch has another idea that's certainly worth pursuing. He remembers a scene from "Stroker Ace," that thoroughly awful comedy from the early 1980s that also focused on stock car racing, the one where star Burt Reynolds is forced to dress as a chicken for his sponsor.

"I think we need to get with Bojangles and do the chicken suit," Busch said, breaking into a big smile.

All they'll need from you, Bojangles, is a big ol' check.

Paul Newberry is a national writer for The Associated Press. Write to him at pnewberry@ap.org or www.twitter.com/pnewberry1963

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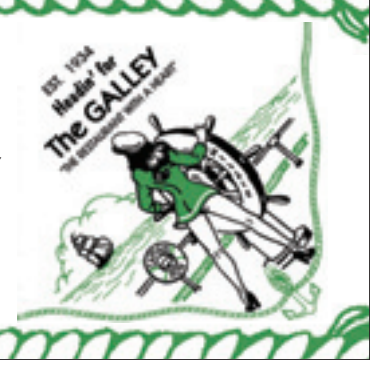
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MOVIE TIMES

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

Captain Phillips (PG-13) 2hrs 14min
11:30am, 2:50pm, 6:15pm, 9:35pm

Rush (R) 2hrs 03min
12:45pm, 4:00pm, 7:00pm, 10:00pm

Machete Kills (R) 1hr 47min
11:15am, 2:00pm, 4:50pm, 7:35pm, 10:15pm

Don Jon (R) 1hr 30min
11:20am, 1:50pm, 4:30pm, 7:15pm, 9:50pm

AMC Loews Broadway 4
1441 Third Street Promenade
(310) 458-3924

Captain Phillips (PG-13) 2hrs 14min
11:30am, 2:50pm, 6:15pm, 9:35pm

Rush (R) 2hrs 03min
12:45pm, 4:00pm, 7:00pm, 10:00pm

Machete Kills (R) 1hr 47min
11:15am, 2:00pm, 4:50pm, 7:35pm, 10:15pm

Don Jon (R) 1hr 30min
11:20am, 1:50pm, 4:30pm, 7:15pm, 9:50pm

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

Gravity 3D (PG-13) 1hr 31min
12:05pm, 2:45pm, 5:20pm, 8:15pm, 10:45pm

Gravity 3D (PG-13) 1hr 31min
11:15am, 2:00pm, 4:30pm, 7:15pm, 9:45pm

Captain Phillips (PG-13) 2hrs 14min
12:30pm, 3:50pm, 7:15pm, 10:30pm

Cloudy With a Chance of Meatballs 2 (PG) 1hr 35min
11:00am, 1:30pm, 4:10pm, 6:45pm, 9:30pm

Carrie (R) 1hr 32min
11:55am, 2:40pm, 5:35pm, 8:30pm, 11:00pm

Escape Plan (R) 1hr 56min
10:50am, 1:55pm, 4:40pm, 7:45pm, 10:50pm

Fifth Estate (R) 2hrs 04min
10:45am, 1:45pm, 4:50pm, 7:50pm, 10:55pm

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

Wadjda (PG) 1hr 38min
11:20am, 4:40pm

A.C.O.D. (R) 1hr 28min
1:00pm, 10:10pm

Inequality for All (PG) 1hr 25min
3:10pm, 5:30pm, 7:50pm

Muscle Shoals (PG) 1hr 42min
1:50pm, 7:10pm, 9:55pm

Bridegroom (R) 1hr 19min
11:00am

Enough Said (PG-13) 1hr 33min
1:00pm, 3:20pm, 5:40pm, 8:00pm, 10:15pm

Paw Project (NR) 58min
11:10am

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

VISIT OLD HAUNTS, PISCES

ARIES (March 21-April 19)
★★★★ Observe your more possessive side emerging. You might be confused as to the proper way to eliminate some distorted insecurity. Perhaps your best bet is to build yourself up. Your role might be changing within your immediate circle. Tonight: Make it your treat.

TAURUS (April 20-May 20)
★★★★★ Express your feelings, and know that you have a full audience. Your charisma peaks, and others respond accordingly. Your perspective changes when dealing with an expert or someone at a distance. Tonight: Let the good times roll.

GEMINI (May 21-June 20)
★★★ Know when to pull back and say little. Someone clearly responds to your efforts, but you do need to stay low-key. A close friendship could be changing before your eyes. Listen to what is being said, and respond openly and authentically. Tonight: Vanish while you can.

CANCER (June 21-July 22)
★★★★★ Zero in on what you want. Being a leader is all good and well, but it is not the same as being a real friend. Your anger could emerge in a subtle way, and it might confuse a situation where others will misunderstand the source of your irritation. Tonight: Where the crowds are.

LEO (July 23-Aug. 22)
★★★ Someone might have to deal with your conservative, uptight personality. Confusion surrounds plans and conversations. Hang in there, and you'll gain insight. Tonight: Count on being with people.

VIRGO (Aug. 23-Sept. 22)
★★★★ Keep reaching out for a different idea or solution. This suggestion does not mean that you need to break into wild behavior, but rather that you need to think outside the box. Tonight: Take stock of a situation that drags you down.

LIBRA (Sept. 23-Oct. 22)
★★★★ Deal with others directly. You are even better on a one-on-one level. Don't hesitate to express your feelings; your vulnerability could be your best defense. It will be very hard to run over someone who is authentic. Tonight: With a loved one.

SCORPIO (Oct. 23-Nov. 21)
★★★★ You might find it unusually difficult to share and integrate with others. As a result, you might opt to go in your own direction for now. Know that a period will be coming when you will be able to relate more intensely to a special person. Tonight: Sort through invitations.

SAGITTARIUS (Nov. 22-Dec. 21)
★★★ Stay focused on what you want to accomplish. There could be some frustration and/or anger surrounding a personal matter. Find out what someone expects from you, and then decide whether you can meet this person's expectations. Tonight: Lounge around at home.

CAPRICORN (Dec. 22-Jan. 19)
★★★★ When you hit a problem, you will be unusually energetic and enthusiastic. It is as if you are doing a special exercise where you mentally allow new vistas to present themselves. Tonight: Curb your temper.

AQUARIUS (Jan. 20-Feb. 18)
★★★ You might opt to stay close to home, where you will get a lot done and make a dent in what you must do. Your ability to deal with important matters will save you a lot of time. Use care when cooking and eating -- a sweet tooth suddenly could appear. Tonight: Time to relax.

PISCES (Feb. 19-March 20)
★★★★ Read between the lines. Touch base with a sibling who often might be on a different path. Catch up on news, but try to avoid any negativity. Be aware of what seems off. Follow your instincts, and ask any questions that seem relevant. Tonight: Hang out at a favorite spot.

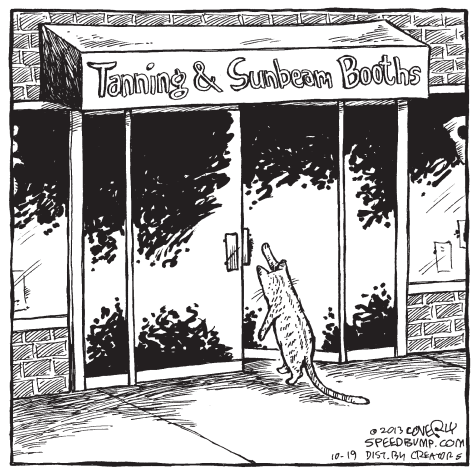
Weekend Edition, October 19-20, 2013

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

This year you have the drive and energy to take the lead at work or to launch your own business. You enjoy that interpersonal touch that helps others open up. Use care when expressing your affection. You often don't realize that you become angry when you are confused. If you are single, be careful that your lavish and indulgent attitude is not taken for granted. Summer 2014 will be fortunate as far as an important encounter goes. If you are attached, the two you enjoy traveling together and sharing your hobbies. TAUURUS is grounded but sometimes too conservative.

INTERESTED IN YOUR DAILY FORECAST?
Check out the HOROSCOPES above!
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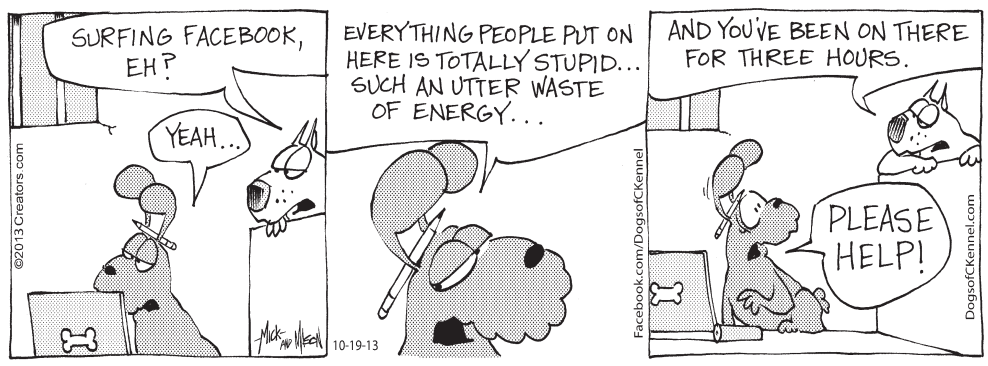
Speed Bump
By Dave Coverly



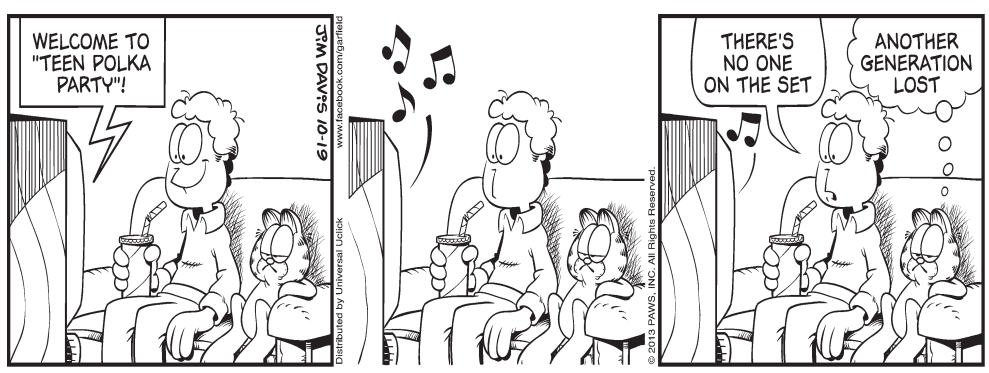
Strange Brew
By John Deering



Dogs of C-Kennel
By Mick and Mason Mastroianni



Garfield
By Jim Davis



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



Sudoku

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

Difficulty Level ★★★★

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

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

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

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Daniel Archuleta *daniela@smdp.com*

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

CROSSWORD

By THOMAS JOSEPH

ACROSS

1 Gulps with gusto
7 Surgery souvenir
11 Square
12 Jerry Herman musical
13 Take over
14 Important times
15 Rotates
16 Fire
17 Somewhat
18 Temperature unit
19 Runner Zátopek
21 Tiny laborer
22 Harry Potter's creator
25 Team backer
26 Even
27 Kicks out
29 Clergy garments
33 Paris subway
34 Concise
35 Sax sort
36 Blues-based music
37 Some stories
38 Galahad's mother
39 Goals
40 One of Santa's team

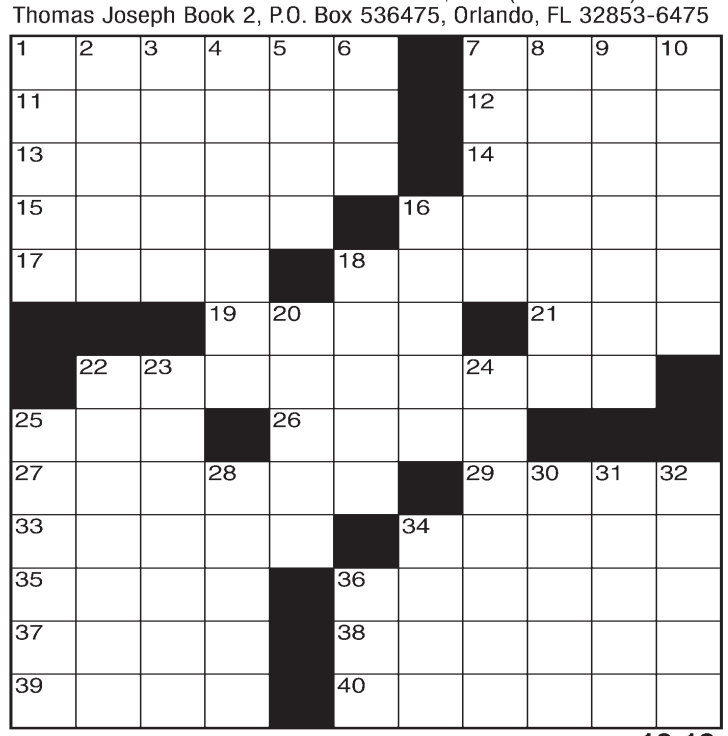
DOWN

1 Fixed proportion
2 Free of censorship
3 Ghana port
4 Charter member
5 Dandies
6 Shrewd
7 Bouquet
8 Travel group
9 Remarkable
10 Bristle at
16 Southern lass
18 New Zealand natives
20 Catchphrase
22 Sporting spear
23 Made bootees
24 Moscow native
25 Cow or sow
28 Irascible
30 Type a password, perhaps
31 Salty mixture
32 Ranch animal
34 Go it alone
36 Nap sack

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

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



10-19



NEWS OF THE WEIRD
BY CHUCK SHEPARD

■ Among the more repugnant paraphilias covered in News of the Weird is toilet-peeping -- men who set up underneath the seats in public outhouses (sometimes wearing a raincoat) and wait for a user to answer nature's call. In August, Kenneth Enlow, 52, pleaded guilty after a woman found him the month before in a privy in White Water Park in Tulsa County, Okla., "standing with his head and shoulders out of the hole ... covered in feces," according to a deputy. Enlow's initial explanation was that his girlfriend had knocked him unconscious with a tire iron and dumped him there.

■ Anthony Alleyne appeared in News of the Weird in 2003 for turning his Hinckley, England, home into a replica of the command center of Star Trek's starship Enterprise (including transporter control, warp core drive, infinity mirror, etc.). When he later tried to sell it, he learned that, somehow, potential buyers failed to value the house as much as Alleyne imagined. In September 2013, Alleyne was back in the news as Leicester Crown Court sentenced him to 34 months in prison for viewing child pornography -- a diversion that he blamed on years of depression following marital difficulties and of course the brutal real estate market.

TODAY IN HISTORY

1950 - The People's Republic of China joins the Korean War by sending thousands of troops across the Yalu river to fight United Nations forces.

1954 - First ascent of Cho Oyu.

1956 - The Soviet Union and Japan sign a Joint Declaration, officially ending the state of war between the two countries that had existed since August 1945.

WORD UP!

aureole
\ AWR-ee-ohl \ , noun;
1. a radiance surrounding the head or the whole figure in the representation of a sacred personage.

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