

Santa Monica Daily Press

A newspaper with issues

DAILY LOTTERY

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Jackpot: \$13 Million

FANTASY 5

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DAILY 3

Daytime: 0 9 4

Evening: 3 4 6

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NEWS OF THE WEIRD

BY CHUCK SHEPARD

Student Sarah Sevvick filed a formal complaint in September with the U.S. Department of Justice, accusing Our Lady of the Lake University in San Antonio, Texas, of violating the Americans With Disabilities Act by not letting her keep her "assistance animal," which is Lilly, her ferret. Sevvick says that she suffers from post-traumatic stress disorder, including panic attacks, and that Lilly "soothes" her, but the school said it was concerned with other students' safety. (In other ferret news, the British upscale clothing firm Burberry threatened to sue a pet-accessories shop in Dudley, England, in October, for selling outfits in the familiar Burberry "check" pattern, including a cap and cape designed for ferrets.)

TODAY IN HISTORY

Today is the 300th day of 2005.
There are 65 days left in the year.

On Oct. 27, 1787, the first of the Federalist Papers, a series of essays calling for ratification of the United States Constitution, was published in a New York newspaper.
In 1880, Theodore Roosevelt married Alice Lee.

QUOTE OF THE DAY

"If men were angels, no government would be necessary."

PRESIDENT JAMES MADISON

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L.A. beaches don't make the grade



Ryan Hyatt/Daily Press

Mark Gold, director of Heal the Bay, issues the nonprofit's annual report card on area coastal cleanliness Wednesday, saying it should be a wake-up call for L.A.

BY RYAN HYATT

Daily Press Staff Writer

WILL ROGERS STATE BEACH — The coast isn't clear, and Los Angeles County is primarily to blame.

That's the contention of Heal the Bay, the nonprofit environmental group based in Santa Monica, which said Wednesday that coastal waters along the California coast were cleaner than some might have expected — except for the areas in Los Angeles County, which failed miserably to keep the bay clean.

Representatives from Heal the Bay praised the efforts of most to

clean the waters along the California coast, but had harsh words for Los Angeles County, saying they had the worst water quality this summer in recorded history.

According to the organization's annual summer report card, 91 percent — or 407 of the 448 beaches in California — received "A's" and "B's" for their water quality this past summer.

Meanwhile, 9 percent of beaches received the remaining "C's," "D's" and "F's" — most of which are located in Los Angeles County, said Mark Gold, director of Heal the Bay.

See REPORT CARDS, page 10

Settlement will net city \$850,000

BY RYAN HYATT

Daily Press Staff Writer

DOWNTOWN — City Hall will collect \$850,000 in a settlement rather than getting its hands dirty in a lawsuit over contaminated soil taken from the former Main Library site and delivered to a construction site.

Santa Monica was accused of being one of the responsible parties for asbestos-contaminated soil that was collected from the library site and delivered to a major Los Angeles developer.

The City Council on Tuesday agreed to support the settlement after Watson Land Co. filed a lawsuit in February seeking unspecified damages for ground soil used to build its Dominguez Technology Center, 1535 Beachey Place, in Carson, Calif. The soil was contaminated with asbestos that originated from the Santa Monica Library, according to Pilar Hoyos, a Watson spokeswoman.

Watson said in a July 2004 claim against City Hall that it received the soil in August of 2003 from Shoring Engineers, Inc., a subcontractor for Morley

See ASBESTOS, page 6

Five buck tuck



Fabian Lewkowicz/Daily Press

Angel Hilton struggles with five pumpkins at the '\$5 all-you-can-carry pumpkin patch' that was held Wednesday at the Santa Monica Farmers' Market.

Meals on Wheels tries to stay put

The mobile meal-provider finds itself racing the clock before eviction

BY JASMIN PERSCH

Special to the Daily Press

DOWNTOWN — A mobile service that provides food to the elderly and homebound finds its mission in danger of screeching to a halt.

Time is running out for officials

at the local chapter of Meals on Wheels to find a new place to set up shop. The group has searched fruitlessly for new office space — ever since being informed this spring by their landlord, First Christian Church, that they would have to relocate because the prop-

erty was up for sale.

The church — with a congregation that seats a maximum of 50 people — has been facing increasing financial difficulties over the last five years, which led to the

See MEALS, page 5

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HOROSCOPE

Rent a movie, Capricorn

Santa Monica Daily Press



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



ARIES (March 21-April 19)

★★★ Sometimes the road less traveled is the only way to go. You might get some jarring insights as you head down this path. The growth and understanding you gain will be enormous. Don't give up. Tonight: When you tumble or fall, it means it is time to slow down.



TAURUS (April 20-May 20)

★★★★★ If you think about it, often it's your expectations that cause you a problem. Work on realism and be gracious about what you are given. A surprise could knock on your door when you least expect it. Tonight: Let your imagination run wild.



GEMINI (May 21-June 20)

★★★ Your efforts might be way beyond the call of duty, but you still might get a bit of a jolt. What you need to know is that you are doing your best, even if someone might not agree or might have a very different idea. Tonight: Do some fall shopping.



CANCER (June 21-July 22)

★★★★★ Look beyond the obvious when someone passes you news. Chat, listen and respond. Still, you might want to verify facts. In any case, unusual news heads in your direction. You need to open your mind. Tonight: Breeze around.



LEO (July 23-Aug. 22)

★★★ You might be more aware of the ramifications of a money decision than usual. In fact, you might stall or test your ideas on others. More information comes forward when you least expect it. Tonight: Your treat.



VIRGO (Aug. 23-Sept. 22)

★★★ The Moon plunges you into the limelight. You might have unusual magnetism and luck, but still a partner might act up. You are learning quickly that you can control no one but yourself. You can always say no to plans. Tonight: What makes you happy?



LIBRA (Sept. 23-Oct. 22)

★★ Be an information-gatherer, though you might want to say little and lie very low. Not everyone thinks as you do. You don't need to tell everyone what you are thinking; in fact, maintain your silence. Adjust your work patterns. Tonight: Time for yourself.



SCORPIO (Oct. 23-Nov. 21)

★★★★★ You really have a lot going for you. Whether you are in a meeting or with a special person, events seem to happen in a way that pleases you. A person who enters your life today could add excitement. Tonight: Where you most want to be.



SAGITTARIUS (Nov. 22-Dec. 21)

★★★ You might feel as if everyone is pushing your buttons. Of course, the bottom line is that you are in control of your reactions. Pull back and maintain a sense of balance and responsibility. Tonight: Work late.



CAPRICORN (Dec. 22-Jan. 19)

★★★★★ Your ability to read between the lines is very important. You might hear one thing, and someone else might make quite a jolting statement. Underneath lies a whole different set of feelings. Tonight: Rent a movie.



AQUARIUS (Jan. 20-Feb. 18)

★★★★★ Others demand control. Don't buck the trend; simply go with the flow. You work better with individuals than with groups. You could have a very wild money idea. Try it out on someone. Tonight: Be easygoing.



PISCES (Feb. 19-March 20)

★★★ Once more, your unpredictability causes waves. You could think your behavior is natural. To others, it could be unnerving. Be more sensitive to those around you. You are not the main player right now. Tonight: Say yes.



AUDIT PENDING

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LOCAL



COMMUNITY BRIEFS

One part design, one part wine

By Daily Press staff

It's time to wine and design your way around Santa Monica.

The Santa Monica Design District is host to the third annual installation of "Wine & Design," a walking tour of contemporary home and office design showrooms, each offering tastings of regional wines in the surroundings of exceptional design.

The tour will be held on Thursday, Oct. 27, from 6 p.m. to 9 p.m. The starting point will be Fourth Street and Santa Monica Boulevard. Guests are invited to start the tour at the corner of Fourth Street and Santa Monica Boulevard, where they will be given maps and shuttle service to showrooms beyond walking distance. The shuttle will take people to:

- Eames Office Gallery and Store, 2665 Main St.
- Highlights, 2427 Main St.
- Haworth, 1601 Cloverfield Blvd.
- Neoporte, 1550 18th St.

The Wine & Design walking tour was established to bring focus to Santa Monica as a destination for contemporary design. The walking tour has become a favorite annual event in the design district as it helps to build synergies within the Westside design community.

This year each participating showroom location will feature a tasting of a wine originating from the same region of the showroom's design. For instance Boffi, designers of Italian kitchens, will feature Italian wines. Eames Office Gallery will serve Californian wines and Design Within Reach will focus on wines from Spain.

The Santa Monica Design District is a group of designer showrooms with focus on design for both the home and workplace. When West Hollywood began losing its appeal as a destination for design a number of leading design resources chose Santa Monica as their home.

"We chose to launch the new Boffi LA showroom in Santa Monica for a couple of reasons," said Mark Robinson, president of Boffi LA and board chairman of the Santa Monica Design District remarks. "First, we fell in love with the building, but just as important we found Santa Monica a very pleasant city for our business. Santa Monica has a welcoming small city charm with plenty of parking and atmosphere."

This season the district welcomes Linea, Teknion, Haworth and West Elm.

Members include Boffi LA, Design Within Reach, Eames Office Gallery and Store, Hennessey + Ingalls, Haworth, Highlights Lighting, Linea, Knoll, Neoporte, Shelter, Steelcase, Teknion and West Elm.

For more information, call (310)458.9300, or <http://smdesignndistrict.com>

See BRIEFS, page 11



SURF REPORT

On Thursday, another swath of NW swell is due. This is moderate with only 12 second periods. Size is expected to reach only around waist- to chest-high or so at west-facing spots. South-facing breaks will be smaller as southern hemi swell fades to knee to waist. Note that winds are expected to be persistent over Wednesday night, making Thursday morning sessions questionable for quality.

Today the water is:

64°

Write us at alex@smdp.com and tell us what the surf is doing today at your local break.

	LOW TIDES				HIGH TIDES			
	Morning	Height	Evening	Height	Morning	Height	Evening	Height
MONDAY	9:39	3.8	11:18	0.8	6:58	3.8	2:53	4.3
TUESDAY	11:39	3.4	12:09	0.7	7:04	4.1	4:38	4.3
WEDNESDAY	12:09	0.7	12:32	2.9	7:18	4.3	5:49	4.4
THURSDAY	12:45	0.7	1:09	2.3	7:33	4.6	6:41	4.5
FRIDAY	1:20	0.4	1:42	1.9	8:02	4.1	7:37	4.0

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The Q Line

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A lot has been said in the media about the upcoming special election spurred by Gov. Schwarzenegger. Attack ads have been running, which many say have confused voters beyond reason. As a result, they are turned off and probably won't show up to the polls.

So this week, Q-Line wants to know, "Do you see a need for a special election? Why or why not?"

Call (310) 285-8106 before Friday at 5 p.m. and we'll print your responses in the weekend edition. Please try to limit your comments to a minute or less. It might help to think first about the wording of your response.

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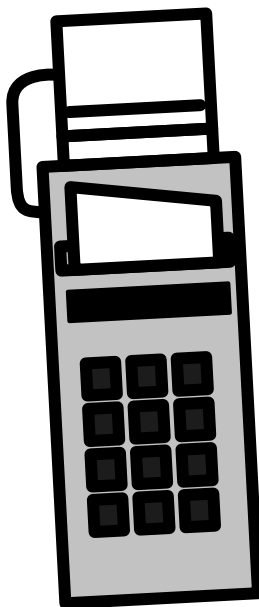
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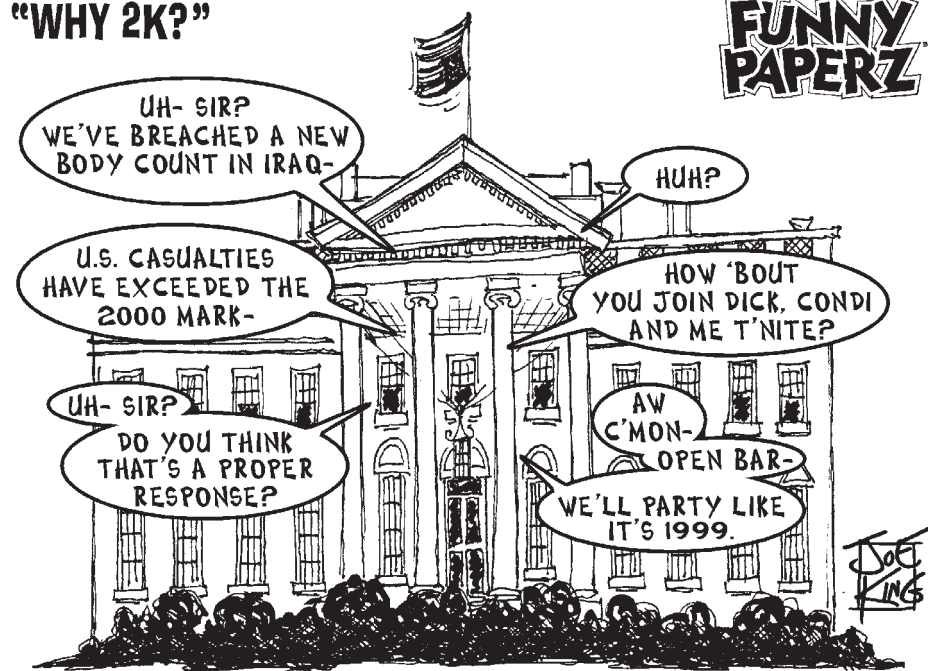
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OPINION

"WHY 2K?"

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LETTERS TO THE EDITOR

Reporter paints a different picture of homelessness

Editor:

For years, I have been seeking to describe the conditions and causes of being homeless. I have been doing this with first-hand knowledge and experience from the point of view of being homeless.

Until now, it seems, these words, for the most part, have fallen on deaf ears. These words I have written in my past columns and letters to this newspaper, to give you, the reader, a better understanding of the homeless community outside of the stereotypical view.

Until now, the word "homeless" was synonymous with the dirty, smelly, drunk-en drug addicted, severely mentally ill human beings which are a part of the homeless community, yet do not make up the whole of this community. For years and years this has become the standard face of the homeless community. The face, in television and movies, ingrained in your minds.

I hope the five-part piece by Steve Lopez in the L.A. Times has removed these prejudged scales from your eyes. I hope as these scales of misrepresentation and misinterpretation of the homeless community as a whole fall from your eyes, will you develop a better insight into the severity of what it means to become homeless in America.

I hope you can see the face of homeless change in your minds as you hear the first-hand accounts from one who has given time and effort to expose the whole picture by spending time among what society has deemed outcasts. Mr. Lopez is doing what a true reporter does, digging for the truth and exposing the real nature of what it means to be homeless. Exposing the loss of self-esteem, self worth, and loss of one's very humanity as the world spirals downward and the spirit is crushed under the weight of becoming the object of scorn when one becomes homeless.

I hope you see the various causes of becoming homeless, not just the ones you see or perceive of being the cause of all homelessness, drugs, alcohol and mental illness. The loss of jobs with a sustainable income and the rising housing prices are unscrupulously putting people on the streets for the sake of the market value; the closing of inpatient mental institutions and mismanaged outpatient treatment for the mentally ill. The lack of beds, mismanaged monies and general revolving door tactics within the shelter systems to keep the monies flowing and not really giving true service to those of us who need it.

I have read very little of these columns, I have to admit. However, I can see through his eyes what it is to be homeless. I can see the handicapped in wheelchairs on a daily basis, struggling to exist. I can see the aged homeless who have lived their lives and are the wisdom of any great society cast aside and struggling to survive in the elements. I can see the severely mentally ill who are either mis-medicated or not medicated at all roaming the streets acting out. I can see those who are ravaged by alcoholism and drug addiction, self-medicating to cope with the pain of their broken lives. I can see the deep and painful tears. I have cried myself at times at night inside every eye I meet among the homeless community, hidden behind the smiles and laughter, or the stoic looks and serious mimes you sometimes see, when we are not invisible to you.

I hope your perceptions and misconceived notions of homelessness will change with your reading of Mr. Lopez's series and you begin to realize that what is needed to bring an end to homelessness is not so much sympathy, but compassion and understanding for your fellow human being.

I hope you will understand and not makes us invisible as you pass us on the streets and realize that this life-changing dilemma of being homeless is far more complicated and degrading than you might think.

I know deep within every fiber of my being the profound change his life is undergoing, as he spends only a week among the homeless community of Skid Row. He now understands and, I hope, is going to become an ally to make the changes needed to be made in this country to stop homelessness in its tracks.

Charles Springer
Homeless in Santa Monica

GUEST COMMENTARY BY JOHN W. WHITEHEAD

Constitution wasn't written in stone

In nominating his longtime aide White House counsel Harriet Miers to the Supreme Court, George W. Bush opined that she "will not legislate from the bench." Later in defending Miers, Bush emphasized that "a justice must strictly apply the Constitution." And Leonard Leo of the Federalist Society chimed in that Miers is a "judicial conservative" who will "heed the founders' vision of the role of courts in our constitutional system."

While this kind of rhetoric may resonate with some, it makes absolutely no sense logically or historically. It was as if the Constitution, and those who wrote it, were holy scribes merely penning what God dictated to them. To the contrary, our forefathers were certainly not holy, and the Constitution is far from being inerrant.

This is not to say that I do not admire the Constitution, especially as originally amended. Its great principles of rule of law and accountability of the government to the governed have proven to be important bedrocks of American society. Those who fought the American revolution of 1776 understood the need to keep the government in check. This is set forth eloquently in America's founding document, the Declaration of Independence. But the excessive violence of the French Revolution of 1789 tempered the American revolutionary spirit and gave us the cautious document that became our Constitution.

As we begin to look at the problems that alienate the American people from their government — issues such as taxation, oppressive bureaucratic processes, warring presidents, campaign finances, congressional scandals, over-regulation, governmental expenditures and so on — one realizes that the problem does not always lead back to our elected officials or their policies. The path often leads back to the American Constitution and "the founders' vision" for our government — which includes a very limited role for the courts. Indeed, if the founders' vision for the Supreme Court had not been altered early on by Chief Justice John Marshall, it is highly unlikely that the landmark cases protecting our freedoms would have ever been decided.

A casual reading of the Constitution finds that there are various sections that are either out of date, no longer apply, are no longer being used, are being ignored or simply do not work. If we concede that our government, and to a lesser extent our society, emerges from the Constitution, then it becomes the issue. In fact, the more one examines the Constitution, the more it becomes apparent that this is partially the reason why so many feel disinherited by the governmental process.

I urge you to read through the Constitution. Everything that does not make sense, that no longer applies, items that are not being followed, sections that are unreadable or even parts in which you feel we can do better — highlight them with a yellow marker. When you complete the process, look at the document. The average person will have yellowed 15 or more items.

It has been more than 200 years since the Constitution became the law of the land. Since that time, the country and the American people have undergone immense changes that were not and could not have been foreseen by the founders. We are not the same people we were when the Constitution was conceived. Our culture has changed, our ethnic and religious mixes have changed, our technology has transformed the way we live and think, we are more tolerant and our status in the world has drastically altered. The size and structure of our government has grown far beyond its constitutional framework. And few of these systematic alterations to our scheme of government match the original Constitution anymore — a scheme that was developed for 13 isolated colonial states.

We must keep in mind that what was important to the so-called founding fathers — that is, "the founders' vision" — does not really square with who and what we are today. In fact, those who wrote the Constitution were not advocates of a democracy. They were, to a large extent, a landed aristocracy that was intent on protecting property interests.

The Constitution in many ways has become antiquated. The politicians, especially those in the White House, know this. And the various interest groups, both left and right, know this as well. Unfortunately, they take advantage of the average citizen's ignorance.

The judges as well know this. That is why every judge, if he or she sits on the bench long enough, eventually, in some way, legislates. Judges are to a certain extent forced to become activists. This is for the simple reason that our Constitution does not address clearly many of the current legal and social issues that we face. This lack of clarity has created a vacuum. And it is why an entire body of judicial interpretations (or cases) has developed in an attempt to explain what the Constitution means. Charles Evans Hughes understood this. In 1907, he remarked, "The Constitution is what the judges say it is." Hughes later became Chief Justice of the Supreme Court.

We are a constitutional government. Thus, it stands to reason that if we have problems with our government, some of these difficulties will be found within the document itself. But we can change this agreement that "we the people" have with the government.

Clearly, the time for constitutional reform is now. If not, the time will come when the Constitution will be so far removed from the realities of society and government that it no longer applies. As a consequence, our government will no longer be restrained by a written Constitution. The next step, thus, will be government without limitation and the destruction of any semblance of democracy.

(Constitutional attorney and author John W. Whitehead is founder of The Rutherford Institute and can be contacted at johnw@rutherford.org.)

LOCAL



New property owners may have had their fill

MEALS, from page 1

sale. During the first 15 years of their tenancy, Meals on Wheels paid rents ranging between \$300 and \$600 a month. However, for the past five years they have paid \$1,750 a month. But with the church selling its property, rent would hike from \$1,750 to \$3,000 per month. As a result, Meals on Wheels will have to go mobile.

In April, Meals on Wheels was granted a 60-day extension to remain in the building, located at 609 Arizona Ave., but uncertainty about their immediate fate abounds. They claim the new property owners haven't contacted Meals on Wheels officials to tell them when they need to be out. What's more, Meals on Wheels contends they don't even know who the new property owners are, according to Rosemary Regalbuto, the organization's executive director.

"It's been such a roller coaster ride, figuring out what is going on," Regalbuto said. "Gossip has been running rampant."

Regalbuto has considered several different possibilities for a new office, but options are limited because of high rents and the organization's need for an area where volunteers can load and unload food trays.

"This is becoming a more and more common issue for nonprofits," said City Councilman Richard Bloom. "As real estate goes up and rents increase, it puts pressure on these groups."

If Regalbuto had her way, the organization would buy a building and remain permanently. But, that's out of the budget, she said. She has considered renting commercial space, but her organization can't afford the rents.

"We have been priced out of (certain real estate options in) Santa Monica," Regalbuto said.

Following the most recent rent increase, Meals on Wheels charged clients \$6 instead of \$5 to have two meals delivered per day, she said.

Regalbuto said the hike in meal prices is a burden for clients — many of whom live on fixed incomes, pensions and Medicare. But people who can't afford the higher prices aren't turned away. Their costs are adjusted to what they can pay.

Meals on Wheels, which has been in Santa Monica since 1974, delivers food to hundreds of people, mainly the elderly, who are homebound in Santa Monica, Malibu, Pacific Palisades and Topanga Canyon.

"We don't shuffle papers, we feed people," said Kevin McNulty, the organization's assistant.

The commute is another factor that could interfere with the organization's service. A long route may turn away volunteers who drive their own cars and pay for their own gas.

"I can't lose one more volunteer," said Joanna Vasquez, director of volunteers.

The Venice United Methodist Church offered to rent out space to Meals on Wheels on Lincoln Boulevard, but the street is so backed up with traffic that the



File photo

Trays of food are loaded by volunteers at the Meals on Wheels offices at 609 Arizona Ave. The group needs to find another office space quickly in its quest to remain in Santa Monica.

group could lose numerous volunteers if it moves there, Vasquez said.

"We can't leave Santa Monica," she said. "Most volunteers won't follow."

Volunteer Jean Bigelow said she doesn't mind moving south because it's closer to her home, but she wants to stay in Santa Monica.

She has been volunteering at Meals on Wheels for about 14 years and has been bringing meals to the same people for more than 10 years, she said.

"I find I like the old people, I get kind of attached to them," Bigelow said. "One little old lady is so charming."

The organization is still considering taking the Venice United Methodist Church up on its offer, despite the traffic concerns. But the office space poses its own set of problems. The space is split up, requiring people to walk up and down stairs, Regalbuto said.

Meals on Wheels also has been in discussions with two churches in Santa Monica.

The AME church in Santa Monica contacted Meals on Wheels in July and offered 1,180 square feet of office space and some parking spots for loading. But the space needs tenant repairs costing \$4,500.

Regalbuto has been waiting for the church to get back to her with more information, like rent costs.

The Mt. Olive Lutheran Church also contacted Meals on Wheels this month. However, Regalbuto said the office space is too small and the organization's files would be in the hallways.

"I'm investigating the use of some of the offices," she said. "Beggars can't be choosers."

Regalbuto said she will consider any place that is reasonable in price and, if she has to, will raise money to meet steep rent costs.

But she would like at least 1,000 square feet of space in the new office.

Regalbuto has contacted city officials for help, including Bloom and Janet Hand, City Hall's ADA/disabilities and senior services coordinator.

City spokeswoman Judy Franz said the organization can submit a proposal for rehabilitation when it finds a new location. City Hall currently helps Meals on Wheels financially through grants, but the organization gets the majority of its funds from private donations.

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LOCAL

City attorneys contend SM was never to blame

ASBESTOS, from page 1

Construction Co., which is the general contractor in charge of building the new Santa Monica Library. The old library, located at Sixth Street and Santa Monica Boulevard, was razed in June 2003 to accommodate the site for the new Main Library, still under construction, said librarian Greg Mullen.

Deputy City Attorney Eriko Matsumoto, who handled the case, said Morley Construction Co., which entered into a contract with the city, had an obligation under the law to provide uncontaminated soil. It's also a claim Hoyas said Watson was hoping to address in the lawsuit.

City Attorney Marsha Moutrie reported that Morley would be paying City Hall as a result of the agreement, which was approved by the Santa Monica City Council.

Matsumoto wouldn't discuss details of the settlement until it's finalized. However, she has previously indicated City Hall isn't responsible for what happened on the Dominguez Center site.

The Santa Monica Library site has been cleared of asbestos, Matsumoto said. She also said the lawsuit didn't interfere with the opening of the new Main Library, a \$57.8 million project which is set to go online after a grand opening celebration is held on Jan. 7.

The South Coast Air Quality Management District issued a notice of violation April 30, 2004, against Santa Monica and Morley Construction Co. as a result of the soil delivery, according to a city audit.

Matsumoto said the Watson claim was rejected last year by City Hall's risk management department, which is what prompted the company to file suit earlier this year.

Charlie Nugtillo, vice president of Morley Construction Co., didn't comment on the case.

Shoring Engineers, Inc., Morley's subcontractor which is believed to have transported the soil, didn't return calls seeking comment.

Assistant City Manager Gordon Anderson said the remediation occurred between September and November of 2003. He wouldn't release figures on the remediation costs until the settlement was finalized.

Asbestos is the common name for natural minerals that easily separate into dust

fibers, according to the Environmental Protection Agency. Asbestos is chemical-ly inert and heat-resistant, which makes it useful for fire-proofing and insulating. Once considered a health risk only for asbestos workers, it's said to be a potential hazard for millions of people on and off job sites who are routinely exposed to it, according to the EPA.

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and off job sites.**

According to the complaint, Watson didn't specify the exact amount of damages the company was seeking. However, the settlement sought to recover from the loss, which includes the cost of assessing the contamination; repairing and restoring the Dominguez site; increasing construction costs from the contamination delay; missed rent, financing and business opportunities; diminution of property value; future insurance costs; and damage to business reputation.

The Watson Land Co. has master planned more than 1,000 acres of industrial and commercial property, according to a company profile. In addition, Watson has developed and now owns and manages approximately 12 million square feet of industrial, office and technology buildings and business centers.

Morley Construction Co. is one of the largest Southern California-based general contractors, specializing in projects built principally of steel and reinforced concrete, according to a company profile. Morley constructs commercial, institutional and multi-family residential buildings, as well as parking structures. Morley also protects older structures through seismic strengthening, modernization and preservation efforts.

Shoring Engineers has performed work throughout the western United States since 1964, with projects completed in California, Arizona, Utah and Nevada.



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COUNCIL COUNTDOWN



The following is a summation of what went on in Santa Monica City Council chambers during the City Council's Oct. 25 meeting, including a timeline, notable public comments and excerpts taken.

The Santa Monica City Council meeting began at 5:45 p.m. with the pledge of allegiance and role call.

5:50 p.m.: The council approves items listed on the consent agenda then withdraws to a closed session to discuss a series of properties City Hall is considering purchasing downtown. The council also received an update on court cases currently pending that involve Santa Monica. Also, during the closed session the council conducted an employee evaluation of City Clerk Maria Stewart.

7:40 p.m.: The council meeting resumes with a decision to settle a legal case involving Morley Construction and URS Corporation, regarding the improper removal of asbestos contaminated soil from the old Main Library site. City Hall is to receive \$850,000 in the agreement from Morley. Also, the council announces it will provide City Clerk Maria Stewart with an 8.5 percent bonus to be retroactive for two years since the last time she was evaluated. The council congratulated Stewart on her performance.

7:43 p.m.: The council quickly reviews and approves the second reading and adoption of two ordinances. The first is an amendment adjusting development standards for residences in Sunset Park and north of Wilshire Boulevard. The second is an update of the municipal code related to sexual-oriented businesses.

7:45 p.m.: The council hears seven members of the public speak about a temporary ordinance intended to regulate the expansion and operation of auto dealerships that are adjacent to residential neighborhoods. Council members debate the merits of the ordinance, which has taken years to prepare, and they approve it, while directing staff to clarify issues that will be incorporated into the long-term law, to be reviewed in January.

9:35 p.m.: The council reviews two laws related to regulating City Hall's Redevelopment Agency. Then the council discusses and approves a proposal to develop an affordable housing home ownership concept to be handled by Community Corporation of Santa Monica.

10:31 p.m.: City Manager Susan McCarthy reports City Hall's financial status is looking up. The council approves a series of mid-year budget changes and salary update requests.

10:45 p.m.: Santa Monica resident Mitchell Lachman requests the council eliminate parking requirements on all future development to urge commuters to use the city's mass transit system. Another resident, Arthur Harris, says Lachman's request is well intended but premature. The council didn't respond to Lachman's request.

10:51 p.m.: A request by Councilman Kevin McKeown to use \$1,000 in discretionary funds in order to help send a school district teacher to a conference in China opens up wider discussion about the appropriate use of the council discretionary funds. The request is approved (4-2).

11 p.m.: The fate of a turn-of-the-century shotgun house, many of which used to line Ocean Park, was debated ad nauseum by the council and members of the public. The council is set to take ownership of the shotgun house on Nov. 1. The council will demolish the site unless community members raise the funds to move it temporarily from the Santa Monica Airport to the old Fish Lumber site, until they can raise money to find a permanent location for it and pay for the move and renovation.

12 a.m.: Councilman Ken Genser requests that affordable housing priority be given to Santa Monicans who are no longer renters because their landlord, who lives on site, has raised the units' value to fair market price. The council said it's a good idea and approved the concept, which staff will later bring back for review as an updated ordinance.

12:01 a.m.: There's public comment, six speakers, one of whom promises to return to a later date to complete some unfinished business if City Hall fails to address some of his concerns. City Councilman Bob Holbrook asks the resident if he is threatening his life, and the resident says he's making no threat, just a promise to return and complete the business. Santa Monica police officers stop the resident outside of the council chambers to ask him a few questions.

12:20 a.m.: The council meeting adjourns in memory of Rosa Parks.

BY THE NUMBERS

Time spent on the top three issues facing Santa Monicans based on city surveys:
Homelessness: 0 minutes
Traffic: 20 minutes
Parking: 1 hour

Public comment: 1 hour and 47 minutes
City Council/ staff discussion: 4 hours and 44 minutes

Time spent discussing:
Policy: 2 hours, 30 minutes
Land use: 2 hours
Resident initiated concerns: 9 minutes



LET'S TALK CHIT

"Chits" (Public addressing City Council)

"Landscaping doesn't cut down on noise."
Joy Fullmer, on why landscaping requirements for car dealerships won't help the noise problem associated with them.

"I've been reading the New York Times for 45 years. That's therapy."
Mel Ross, on activities seniors can do to stay engaged.

QUOTE OF NOTE

"The city manages \$850 million in assets. This not a beach town, even if it does have a beach town ambiance. This is big business. We will need a manager who can handle such a thing."
— Councilman Bobby Shriver indicating the importance of hiring a new city manager who has a finance background.

City gets a grip on ganja; creates office to oversee its distribution

By The Associated Press

SANTA CRUZ, Calif. — The city council voted to create a municipal department to coordinate the distribution of medical marijuana and promised to fight federal regulators in court over local control of the drug.

The panel voted 4-2 on Tuesday to create an Office of Compassionate Use, a five-member advisory board that would coordinate medical marijuana distribution within the city.

The program would help the city ensure that qualified patients get medically prescribed marijuana while local and federal authorities spar over the issue, officials said.

Mayor Mike Rotkin said that the office would likely contract with pharmacies for distribution.

"I don't think anybody's upset with the idea that a pharmacy can sell codeine," he said. "Why wouldn't medical marijuana be distributed the same way?"

Santa Cruz leaders say the office will only be established with federal government approval.

California law has allowed medical marijuana use since voters approved Proposition 215 in 1996, but the U.S. Supreme Court ruled this summer that the federal government can continue to prosecute users.

Rotkin, who co-sponsored the measure, said he was approached about the idea by the American Civil Liberties Union and a local cooperative, Wo/Men Alliance for Medical Marijuana, a 200-member group that was raided by federal agents in 2002.

The groups said the expected legal fight will be an effective way to test state control over medical marijuana distribution.

Rotkin said user fees would support the office for the cash-strapped city.

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Business

SANTA MONICA BUSINESS BRIEFS

Inexpensive legal advice offered

By Daily Press staff

Need legal advice but can't afford expensive attorney costs?

Three workshops will be held in downtown Santa Monica over the next three months to answer basic questions on everything from copyright law to rental issues.

The workshops will be held Wednesdays from 7 p.m. to 8:30 p.m., and are led by experienced attorneys and other knowledgeable professionals.

The cost is \$20, or \$10 for California Lawyers for the Arts members and Santa Monica residents. The workshops will be held at the Ken Edwards Center, 1527 Fourth St. Workshops sell out, so reserve early. For reservations, call California Lawyers for the Arts at (310) 998-5590

Here's a line-up of the workshops:

Nov. 2: Copyright, trademark, basics for music, film and literary

An attorney will provide an overview of copyrights and trademarks and answer questions about basic agreements and how to protect yourself.

Nov. 16: Landlord/tenant issues for artists and entertainers

Know your rights. An experienced attorney will discuss the ins and outs of a rental agreement, including a landlord's obligations, tenant options, security deposits, resolution disputes, etc.

Dec. 15: What every photographer needs to know about the law

An experienced attorney will discuss the legalities concerning photographic images, including ownership, reproduction, copyright and electronic manipulation.

Listen to those who have made it

By Daily Press staff

The Santa Monica College Academy of Entertainment & Technology's entertainment industry speaker series continues in November with two lectures on film producing and acting.

SMC's Mary Pickford Speakers Series features free lectures that are held at 7 p.m. Monday evenings at SMC's Academy of Entertainment & Technology's screening room, 1660 Stewart St. Seating is on a first-arrival basis. Call (310) 434-3777.

The line-up for November is:

■ Nov. 7: "How to Put Together a Movie" featuring Monica Levenson, a producer and production manager currently working on a film with Indian-British comedian Sacha Baron Cohen. Levenson has extensive credits that include "Dodgeball: A True Underdog Story", "Meet Joe Black", "Night Falls on Manhattan" and "Clear and Present Danger".

■ Nov. 21: "The Life of an Actor," featuring actor Timothy Omundson, whose credits include the award-winning HBO western drama series "Deadwood," Emmy-winning TV show "Judging Amy," and feature films such as "Down with Love", "Swordfish" and "House on Haunted Hill".

Take your cues from the industry experts

By Daily Press staff

In the film and television industry it's not only what you know, but who you know. California Lawyers for the Arts is providing an opportunity to gain the knowledge and contacts necessary to succeed in the industry.

The 2005 "Film and Media Business Seminar" is designed for participants to learn from and network with other filmmakers, industry professionals, lawyers and students in television. It will be held Saturday, Nov. 12 from 9 a.m. to 5 p.m. at the UCLA School of Law.

The annual seminar will consist of a keynote address and four-panel discussions entitled: "Do you know what you are signing?"

The panel aims to break down legal terminology by translating common (boiler-plate clauses) and by pointing out unconscionable language and unfair terms.

Creative protection

Protecting your ideas with a copyright is the best way to ensure that no one will steal them; however, obtaining a copyright can seem complicated to those who are unfamiliar with the process. The panel will explain how to obtain a copyright in basic steps.

Supporting your cause

Obtaining funding is often the biggest obstacle to getting independent film projects started. The panel, comprised of entertainment attorneys and indie veterans, will explain who funds such films and how to best organize your project.

Credit where credit is due

When making a film it is virtually impossible not to use someone else's work. Whether it is a MacDonald's arch in the background of a scene or a particular song that captures the moment, filmmakers need to know how to use another person's creative mark without claiming that it as their own.

Putting your best foot forward

Marketing yourself and networking are essentials in the entertainment industry. The panel seeks to define the agent-client relationship by offering information on how to obtain an agent, what an agent can do for you, and how stand out in a crowd of other artists.

General admission is \$65; CLA/co-sponsors members, \$55; students and seniors, \$30; co-sponsor/CLA member discount before Oct. 31, \$10.

To register, call the California Lawyers for the Arts at (310) 998-5590, or log onto UserCLA@aol.com.



Photo Courtesy

MAKING THE CUT: (Left to right) Tom Ruel, Auto Club managing director; Diana Price Smith, Auto Club district manager, Santa Monica; Kathy Dodson, president of Santa Monica Chamber of Commerce; Robert Kane, Auto Club vice president district office operations; John Bohn, Parr-Bohn Properties; Bob Gabriel, Bob Gabriel Insurance Company; Desmond Acheson, general manager of The Fairmont Miramar Hotel; and Bill Rinker, Toyota Santa Monica vice president and general manager.

AAA back in SM driver's seat

By Daily Press staff

The Automobile Club of Southern California has opened a new office in its old Santa Monica location, continuing the Auto Club's 104-year history of serving Southern Californians.

The Santa Monica office, located at 2730 Santa Monica Blvd., will serve more than 85,000 Auto Club members living and working in the Santa Monica area.

Through the office's full service AAA Travel Agency, Auto Club members and the public can use the travel agency to plan tours and cruises, make worldwide and domestic airline reservations, book hotels and car rentals and obtain rail tickets and travelers checks. International travel services include passport, visa and customs information, low-cost passport photos, international driver's permits and Mexico automobile insurance. Additional planning services include TourBooks®, Trip Tiks® and maps for auto travel.

The office features a full-service sales department providing auto, watercraft, homeowners, renters and life insurance services.

The sales department also offers several additional services such as mobile home, small business and collector car insurance.

"Our sales agents provide prompt and professional service, and members who qualify can get multi-policy discounts on their auto and homeowners insurance," said Richard Greene, the auto club's sales manager. The sales staff also handles Auto Club memberships, including group rates for businesses and organizations.

"Our Santa Monica office is the latest in a series of district offices that serve Los

Angeles-area members," said district manager Diana Price. "As the number of members continue to grow in this vibrant area, we need to continue meeting the challenges of serving them. We're excited to reestablish a presence in Santa Monica, where we first opened an office on Ocean Avenue in 1919."

Other services offered are DMV transactions including vehicle registration, credit card applications and vehicle purchasing services. Business hours for the Auto Club's Santa Monica office are 9 a.m. to 5 p.m., Monday through Friday, and Saturday 10 a.m. until 2 p.m. For more information, call (310) 453-1909.

The Automobile Club of Southern California, the largest affiliate of the AAA, has been serving members since 1900. Today, the Auto Club's members benefit by the organization's emergency road service, insurance services, travel agency, financial products, automotive pricing, buying and financing programs, automotive testing and analysis, trip planning services, highway and transportation safety programs. Information about these products and services is available on the Auto Club's Web site at www.aaa.com.

The Automobile Club of Southern California, the largest affiliate of the AAA, has been serving members since 1900. Today, the Auto Club's members benefit by roadside assistance, insurance products and services, travel agency, financial products, automotive pricing, buying and financing programs, automotive testing and analysis, trip planning services, highway and transportation safety programs. Information about these products and services is available on the Auto Club's Web site at www.aaa-calif.com.

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THE WEEKLY RECKONING

BY BILL BONNER

Giving the devil his due

The Bird Flu is still advancing from the East.

Hurricane Wilma is coming up from the South.

The real threat, Jeremiah warned the Israelites and the minister of St. Michael's warned Londoners, is internal, not external.

But here, we give the devil his due. Events have a way of being linked together. One thing leads to another, and to another; where the chain leads, we cannot know. But sometimes it just seems to go bad.

King Edward III's daughter died of plague in the 14th century. She was not the only one. The disease carried off the king of Castile, the queen of Aragon, the son of the emperor of Byzantium, the queen of France, and the queen of Navarre. Neither purple nor velvet were proof against the malady.

The archbishop of Canterbury died. Then, his successor died, and then his successor's appointed successor died, too.

In some places, half the population was wiped out, with a third of the entire population from India to Iceland in their graves before the plague disappeared.

Where did the plague come from? It arrived with the great Mongol empire. In the battle for the Genoese port city of Kaffa (now Feodosia), the besieging Mongols had an idea: They would catapult the bodies of their own plague victims over the city walls. It took little time for the fleas on the infected bodies to jump to living bodies, and soon the town was sick. Those still healthy had had enough. They retreated in their galleys across the Black Sea back to their homeland, Genoa, and brought with them the cursed disease.

For many, death from the plague must have come as a blessed relief. Early in the 14th century, Europe suffered some of its worst weather, poorest harvests, and bloodiest uprisings in history. Violent storms hit the coasts and destroyed dikes. Cold, rainy summers ruined harvests. The price of food rose 500 percent. People ate cats, rats and even animal dung. When those delights ran out, they dug up the dead and ate them.

Those who did not starve to death or die of plague often died from violence. In 1303, the pope himself was captured by a mob. He died soon after under mysterious circumstances. The next pope was murdered. His successor removed the whole papal administration to France, to Avignon, where he thought he might be safe.

But there wasn't much safety to be found anywhere. Peasant uprisings, the Hundred Years war, the Jacqueries, Guelphs versus Ghibellines, bands of

brigands roamed the country. "What shall they say that readeth this or heareth it read," asked the era's leading historian, Froissart, "but that it was the work of the Devil?"

The devil works in strange ways: He causeth people to believe what they must believe when they must believe it. Thus is U.S. Treasury Secretary junketing around the world telling the poor benighted Chinese that they should take advantage of Wall Street's "sophisticated" expertise? We don't know, but we think he may be lobbing dead bodies over the city walls, trying to infect our rivals with the disease that has so weakened the Anglo-American economies.

Early in the 14th century, Europe suffered some of its worst weather, poorest harvests, and bloodiest uprisings in history.

Of course, few people on Wall Street or the U.S. Treasury department would agree with us. They claim there is some magic to shuffling money. The sophisticated dealers role up their sleeves, split the deck, mixed up the cards, and whammo bammo — there are twice as many of them. Here in London, we see the evidence of this expertise everywhere. The City, London's equivalent of Wall Street, is the country's most profitable industry. On both sides of the Atlantic, the masters of the universe seem to be holding the best cards. Just walk into a fancy restaurant without a reservation, or try crossing the street without looking both ways, and you will find yourself without a meal, or without a leg. Small comfort will be that you have saved yourself \$500, or been run down by a Porsche.

All this money must come from somewhere. But where? Are they really offering the world a "new deal" based on sophisticated new knowledge that better allocates capital and increases everyone's wealth? Is it another milestone on the road to progress, democracy and prosperity?

Or is it another devilish old false shuffle — loading up the world with debt while skimming the best cards for themselves?

We will see, dear reader, we will see.

(For more insight and commentary, visit www.dailyreckoning.com and www.weeklyreckoning.com).

GUEST COMMENTARY BY DEBORAH WALKER

Is it time to update your resume?

The motto "be prepared," isn't just great advice for Boy Scouts; it's also great career advice.

You never know when the perfect career opportunity will present itself. If a recruiter called you today with your dream job, would you be prepared to send out an up-to-date resume?

There are four critical times to update your resume:

- At least once a year.
- When your career focus changes.
- When you anticipate layoffs.
- When you begin to feel dissatisfied.

Update your resume every year

This is where many people fall short. When that recruiter calls with the perfect job, you may suddenly find your resume is years out of date, and you'll have to scramble to catch up.

Keep your resume current by including your best accomplishments each year. Don't count on your memory to recall everything you achieved in years past. You are likely to overlook critical achievements and contributions.

Update when your focus changes.

If you want to change your career path, then you also need to change your resume. There are several ways to shift the focus away from your current job and toward your new career.

By focusing on the skills that will be useful in your new career, you can position yourself as a stronger candidate for the job. Highlight those transferable skills in your new resume, bringing them front and center.

In addition to highlighting your transferable skills, shift your list of accomplishments to support those skills. Accomplishment statements give credibility to transferable skills and prove your ability to cross industry or occupational lines. Well-crafted accomplishments make a big difference in whether you win the interview or are passed over.

Finally, be sure you understand your audience. As you shift career focus, it is critical to understand the hiring motives of your target market. Use your resume as an effective selling tool by correctly anticipating the recruiter's "wish list".

Update your resume when you anticipate layoffs within your company.

A harsh reality of today's economy is the need for corporate downsizing. Layoffs and losses are becoming more and more common. But you can prepare for any worst-case scenario by keeping your resume up-to-date.

Don't make the mistake of being overly optimistic. It's safer to assume

that you are on the "out" list. Most people who get caught unexpectedly in a layoff thought they were indispensable to their employers. You might be important or well-liked, but remember that the bottom line always has a louder voice than you do. Get your resume ready as soon as you see any indications that downsizing is on the way.

Don't mistake company loyalty for a fear of change. Often employees would rather take their chances with a potential layoff than make proactive steps toward finding a new job. Once they're laid off, it's already too late. Remember, as a candidate, you are always more marketable while still employed. Avoid this trap and start your job search early with self-marketing tools (resume and cover letter) that are up-to-date and top quality.

Update when you are dissatisfied.

Job dissatisfaction leads to feelings of frustration, worthlessness, and often hopelessness. But there is no reason to stay in a job you hate. Being prepared with an updated resume can help you feel better in your current job. When you have a really terrible day at work, you can respond to job opportunities that same evening with confidence in your up-to-the-minute resume. Taking proactive steps toward a new career will give you back your optimism and self worth.

If it's time for you to update your resume, first decide whether your resume requires a simple update or a complete rewrite. If you have been using the same resume format throughout your career, it's possible that you have outgrown the old look. What your resume promoted ten years ago may not be appropriate or significant for your career choices today. And if you've simply been "tacking on" to your old resume, it may start to resemble a house with too many additions, with little sense or direction.

A professional resume critique can help you decide exactly what you need to move forward. A well-written resume can make an incredible difference in:

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(Deborah Walker is a career coach and resume writer. To reach her, log onto www.AlphaAdvantage.com or e-mail at Deb@AlphaAdvantage.com.)



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LOCAL

Will Rogers Beach tops group's 'F' list

REPORT CARDS, from page 1

"This year's drastic decline is a wake-up call to local coastal cities," Gold said.

Heal the Bay has been conducting its annual summer report card for the past five years. Of the 82 beaches located within the county, 20 received grades of "C," "D" or "F," while 11 of the 15 "F"'s received statewide were all within the Los Angeles area.

While 47 (or 57 percent) of the local monitored locations received an "A" grade, it was the lowest percentage of all the coastal counties that monitor beach quality in the state. In fact, the number of beaches that received an "F" was the highest it has been in five years, Gold said.

"Right here had the worst water quality of all the beaches," Gold said before news cameras on Will Rogers State Beach, pointing to a storm drain across the street from Chautauqua Boulevard.

Other local beaches that fared poorly include Paradise Cove, which received a "D" and "F."

Gold said fecal matter generated from a variety of sources — leaky septic tanks, restaurant waste — that trickles through storm drains causes the proliferation of bacteria which contaminate the water and result in a variety of human illnesses.

A record rainy season is no excuse for poor water quality in the county, Gold said. While Orange, Ventura and San Diego counties also had record levels of

See REPORT CARDS, page 12



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LOCAL



COMMUNITY BRIEFS

BRIEFS, from page 3

Kid shutterbugs display their works at SMC

By Daily Press staff

The Santa Monica College Photography Gallery is presenting a special benefit exhibit, "Kameras for Kids," of images taken by children from Sri Lanka and Benin, West Africa.

The exhibit will be at the gallery from Oct. 29 through Nov. 19. An opening reception is scheduled for 6 p.m. to 8 p.m. Saturday, Oct. 29 at the SMC photography gallery, located on the second floor of Drescher Hall, 1900 Pico Blvd. Gallery hours are 10 a.m. to 3 p.m., and 5 p.m. to 7 p.m. Monday through Friday.

The photos in the show are the result of the work of a nonprofit organization called "Serendib," which is dedicated to educating students in developing countries. The "Kameras for Kids" project provided digital cameras to children, from Kindergarteners to teenagers, in several countries.

The SMC exhibit features digital color images, all 8-by-10. Donations are accepted, and those who give donations of \$100 or greater may select a print.

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LOCAL □ STATE



Wasted energy: Sempra on trial for charges of squeezing market

BY ELLIOT SPAGAT

AP Business Writer

SAN DIEGO — A meeting in which two major gas utilities allegedly conspired with a competitor to divvy up California's energy markets was convened because the companies wanted to cut costs for their customers, a defense attorney argued Wednesday.

Robert Cooper, an attorney representing several utilities accused in a lawsuit of helping manipulate the energy market that led to the 2000-2001 power crisis, denied that a meeting in a Phoenix hotel room in September 1996 involving Southern California Gas Co., San Diego Gas & Electric Co. and El Paso Corp. was intended to take advantage of a newly deregulated market.

"There was no conspiracy and the plaintiffs just have it wrong," Cooper said during the first day of the trial against SoCal Gas, SDG&E and Sempra Energy.

The suit accuses the companies' executives of meeting at the Embassy Suites Hotel near Phoenix's Sky Harbor Airport to carve up markets with Texas-based competitor, El Paso Corp., which settled the case and other complaints involving California's energy

crisis for \$1.6 billion in 2003.

Pierce O'Donnell, who represents consumers in the class action lawsuit, said there are agendas from the hotel meeting and notes from one of the participants that will prove the companies schemed to control Southern California's energy markets.

"When we tug on those loose threads the scam began to unravel," O'Donnell said.

He delivered his opening statements a few steps from Stephen Baum, Sempra chairman and chief executive officer, who sat in the front row of the courtroom and was expected to be called as the first witness.

Eleven executives have all filed sworn depositions denying a conspiracy, and an executive for Sempra Energy dismissed the allegation as "nonsense." Others expected to testify include Edwin Guiles, chairman and chief executive of SoCal Gas and SDG&E.

The stakes are potentially huge. Under California law, the nearly \$8 billion in damages alleged by all classes would triple to about \$23 billion if Sempra loses. Plaintiffs include Continental Forge Co., a Compton company that makes precision aluminum parts, the city and county of Los Angeles and the city of Long Beach.

New Clean Water Act will put coastal cities on notice

REPORT CARDS, from page 10

rain in the past year, they also managed to secure their best report card on record.

Gold ascribed the county's failing grades to a lack of enforcement of new environmental regulations that the region will be hard-pressed to avoid for long. On July 31, 2006, all Santa Monica Bay and other local beaches will be required under the recent Clean Water Act to comply with new state water quality standards or risk enforcement action.

"The deadline we've all been talking about for years is finally here," Gold told reporters on Wednesday.

Under the new regulation, all beaches from the Ventura County line south to Palos Verdes must meet water quality standards 100 percent of the time for the period between April 1 to Oct. 31.

However, the county does have resources to help clean up its shores. Environment Now, a Santa Monica-based nonprofit group, announced in an August report that the victorious settlement involving the Santa Monica Baykeeper against the city of Los Angeles was the most impressive legal action to further the cause of coastal protection in 2004.

In its annual report, Environment Now traces the most significant development each year in Southern California involving issues related to air and water quality, energy and land use management. Because of the precedent-setting aspects of the sewage settlement, Environment Now recently recognized those who pushed the whopping \$2 billion agreement forward.

In November of 1998, the Santa Monica Baykeeper, a group committed to restoring coastal areas, filed suit in federal district court against the city of Los Angeles, alleging some 20,000 violations of the federal Clean Water Act due to ongoing city sewage spills. The majority

of those spills occurred in low-income, minority areas, according to the complaint.

Some of the spills overflowed into storm drains and reached river and ocean waters, causing bacterial contamination and beach closures.

In January of 2001, the federal and state Environmental Protection Agency also joined the fray, suing the city of Los Angeles for its continuing violations. That summer, residents in Baldwin Hills and the Crenshaw District also filed suit.

The various parties involved in the suit were able to provide enough legal fodder to steer Los Angeles into compliance, said Tracy Egoscue, from the Santa Monica Baykeeper.

In August of 2004, after six years of litigation, a \$2 billion settlement was reached, resulting in one of the largest clean water projects and providing a road map for change, according to Environment Now.

L.A. has about 6,000 miles of sewer lines serving almost four million residents. The \$2 billion agreement requires the city to rebuild at least 488 miles of sewer lines and clean 2,800 miles of sewer annually.

L.A. must also enhance its program to control restaurant grease discharges, increase the sewage system's capacity, and plan for future expansion.

Gold suggested officials make water clean-up a top priority in order to avoid further legal entanglements that could come from a lack of enforcement.

He said \$500 million was still available in Proposition 0 bond money that could be used to further coastal protection efforts.

Pointing to the storm drain at Will Rogers State Beach, Gold said a well-designed dike cleaned out two to three times a week would go far to rid the water of the fecal bacteria that is a major source of sea contamination.

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NATIONAL



Republican budget plan also includes some spending boosts

BY ANDREW TAYLOR

Associated Press Writer

WASHINGTON — Like fussy children, lawmakers on Capitol Hill sometimes need a spoonful of sugar to help the medicine go down. This budget season, the medicine is a \$39 billion-plus deficit-reduction bill. The sweetener? Lots of new spending to go along with the budget cuts.

Republicans are touting the upcoming budget bill as the first effort to cut federal benefit programs in eight years. But there's no shortage of grumbling from fiscal conservatives over the new spending padded into the Senate version of the budget heading to the Senate floor next week.

The nation's doctors would get an \$11 billion reprieve next year from a scheduled cut in their Medicare payments. Dairy farmers won a \$1 billion extension of milk income payments. College students would get more than \$8 billion in new grants, and more disabled children would retain Medicaid health coverage.

Then there's \$3 billion to help people watch TV. That money will subsidize television converter boxes for an upcoming changeover to digital broadcasts.

The flood of new spending programs is made possible by congressional budget rules that permit deficit-cutting legislation to carry new spending so long as it's paid for with new receipts or spending cuts elsewhere.

Fiscal conservatives are less than thrilled. They're pushing to limit spending add-ons so Congress will be able to make net spending cuts that exceed those called for under the budget plan passed earlier this year. The spate of new spending makes that a lot more difficult.

"My concern with the current (bill) is that it's going to be packed with more goodies that are going to chip away at the effectiveness of it," said Stephen Slivinski, director of budget studies for the conservative CATO Institute.

All told, Senate committees would add more than \$30 billion in new spending, offset by cuts elsewhere and some new revenues. House GOP leaders vow to limit the amount of new spending in an attempt to cut spending by \$50 billion. Still, the House version of the budget plan will include at least some new spending, though not as much as the Senate.

The Senate measure is designed to save \$35 billion, but the Congressional Budget Office calculates it would actually reduce net spending by \$39 billion. Some of the

unexpected bonus may be claimed for Katrina relief.

Senate conservatives such as John Ensign, R-Nev., vow to knock some spending out of the bill during floor debate next week.

For many lawmakers, though, the spending add-ons are critical to winning their votes. In the Senate Agriculture Committee, for example, extending the Milk Income Loss Contract program helped secure the vote of Rick Santorum, R-Pa., for the overall package of farm cuts. The MILC program pays farmers when milk prices are low and its benefits are especially popular in states with smaller dairy herds, like Pennsylvania.

"Some of those spending items are in there, quite frankly, to grease the skids for other stuff," said G. William Hoagland, top budget aide to Senate Majority Leader Bill Frist, R-Tenn. "If you start taking pieces out, you will jeopardize the final vote."

Senate Finance Committee Chairman Charles Grassley, R-Iowa, confronted a similar dynamic assembling measure with \$10 billion in net cuts to Medicaid and Medicare, the federal health care programs for the poor and elderly. That bill includes \$16 billion in spending add-ons, financed by \$26 billion in spending curbs.

The new programs in Grassley's plan, approved by Finance on Tuesday, include modest temporary Medicaid coverage for hurricane victims and a new \$800 million plan to help parents with severely disabled children retain Medicaid coverage. Grassley told reporters he could have saved taxpayers more money if he'd assembled the package with ranking Finance Democrat Max Baucus of Montana.

"My (Republican) colleagues are not brave enough," Grassley said.

The broader budget bill is also partially financed by some easy-to-swallow provisions such as \$10 billion to be raised through government auctions of the airwaves. That's about as close to free money as it gets in Washington.

But only half of the \$10 billion in television spectrum sales would help trim the deficit under a spending-heavy plan by Commerce Committee Chairman Ted Stevens, R-Alaska. In addition to \$3 billion for digital converter boxes, \$1 billion would go to state and local governments for improved communications equipment for first responders, while \$500 million would upgrade 911 emergency call centers and fund national alert and tsunami warning centers.

House is moving toward easing offshore drilling ban, opening up Alaskan refuge

BY H. JOSEF HEBERT

Associated Press Writer

WASHINGTON — A House committee on Wednesday approved a measure that would clear the way for oil and gas drilling in currently off-limits coastal waters and an Alaska wildlife refuge.

Supporters of the legislation argued that with natural gas and crude prices soaring and domestic supplies tight, it is time to end the 24-year federal ban that has blocked energy development along virtually all of the country's coastal waters outside the central and western Gulf of Mexico.

The provision, which will be wrapped into a massive budget package, would allow states that want drilling within 125 miles of their shores a waiver from the federal moratorium that has been in effect since 1981.

States choosing to allow drilling would get half of the royalties from lease sales. The ban would remain in effect along states that do not seek a waiver.

The measure, which also would open the Arctic National Wildlife Refuge in northeastern Alaska to oil companies, was approved 24-15 by the House Committee on Resources in a largely party-line vote.

Past attempts to weaken the offshore drilling ban and open the Arctic refuge, or ANWR, to oil development have been thwarted in the Senate as drilling supporters were unable to muster the 60 votes needed to overcome a filibuster.

However, the budget measure, which is designed to

bring overall government spending levels in line with Congress' self-imposed budget ceiling, is not subject to filibuster. ANWR drilling was included because supporters said it would produce \$2.4 billion in revenues from lease sales over five years. The measure calls for the first leases in the Alaska refuge's coastal plain to be put up for sale within 22 months.

"You cannot continue to oppose any new (energy) resource development in this country," argued Rep. Richard Pombo, R-Calif., the committee's chairman. He maintained states, like his own, that oppose offshore drilling will continue to be protected.

Supporters of the new drilling said Hurricanes Katrina and Rita demonstrated the need to develop domestic oil and gas resources outside the Gulf region.

But some lawmakers worried that their states' beaches and waters might be adversely affected by drilling approved by an adjacent state.

Rep. Frank Pallone, D-N.J., said a state like his — with a small coastal area — could see its beaches polluted from an oil spill in waters off a nearby state.

But Rep. John Peterson, R-Pa., called the waters of the Outer Continental Shelf "the safest place to produce energy," especially natural gas. "I never heard of natural gas fouling a beach anywhere," he said.

Pombo said the provision would continue to protect Florida by limiting the development of an area in the eastern Gulf of Mexico known as Lease 181.

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NATIONAL

Officials going to great heights over tax debate

BY STEVEN K. PAULSON

Associated Press Writer

DENVER — The campaign over whether to loosen Colorado's strict tax limits has spun into silliness as the Nov. 1 election nears, prompting one official to parachute out of a plane for the cameras to dramatize the state's falling economic fortunes.

Yet, the consequences are serious, not only for Colorado, which could face deep budget cuts if restrictions are not relaxed, but for other states considering their own version of the Taxpayer's Bill of Rights.

"Colorado is the touchstone for the anti-tax movement," said Floyd Ciruli, an independent state pollster.

California will vote on whether to limit state spending on Nov. 8. Other states considering their version of the measure include Kansas, Ohio, Maine, Nevada, Oklahoma and Arizona.

TABOR, a constitutional amendment, limits tax and spending increases by linking them to inflation and population. The caps were painless when the economy was booming, but when a recession hit in 2001, Colorado lawmakers were forced to carve \$1.1 billion from the budget over three years, much of it from education and health care.

Denver Mayor John Hickenlooper, a Democrat, dramatized the state's falling economic fortunes in a parachute jump this month for a television commercial. In another instance, a wanted poster warned that Republican Gov. Bill Owens, a fiscal conservative with a reputation for cutting taxes, had been kidnapped by "a radical, anti-taxpayer gang of socialists."

Owens teamed with Democrats last spring in drawing up the proposals that ask voters to give up as much as \$3.7 billion in tax refunds over the next five years. The wanted posters appeared shortly after Owens struck the compromise with Democrats, which has pitted him against many conservatives.

The governor's race, which isn't until next year, has become embroiled in the fight over the ballot measures to be decided next week.

Among the conservative Republicans who have split with Owens on state spending limits is the governor's former technology czar, Marc Holtzman, who is opposing Congressman Bob Beauprez in

the GOP gubernatorial primary.

Holtzman has appeared in television ads opposing Referenda C and D and has challenged Beauprez, endorsed by Owens in the governor's race, to take a stand on the measures. Owens cannot seek a third term because of term limits.

Grover Norquist, president of Americans for Tax Reform, said Owens has gone from a possible presidential candidate to a political nobody. Leaders in other states will think twice before opposing tax limits, he said.

"Win, lose or draw, it's still going to be on the Maine ballot, the Ohio ballot, Oklahoma, Nevada," Norquist said.

Proponents of the Colorado compromise say that without the extra money, higher education, health care and social services will suffer more cuts. A contingency budget released last week said even funding for artificial limbs for poor amputees would be eliminated.

Opponents, however, scoff at those arguments, saying the state budget is still larded with waste and inefficiency. They accuse Owens and Democrats of shameless fear mongering.

"Cutting off reimbursement for artificial limbs? Closing state parks? Come on, this doesn't pass the smell test," House Republican Leader Joe Stengel said.

The debate has been fierce, expensive and sometimes bitter. Ciruli estimated the two sides combined are spending \$8 million.

Supporters of the ballot measure filed a complaint against the Independence Institute, a conservative think tank that opposes changing TABOR, for refusing to say who paid for television ads estimated to cost millions of dollars. The think tank said it's not obligated to reveal its contributors because the ads are educational, not partisan. A judge is expected to rule before the election.

Polls show voters nearly evenly divided. A Denver Post survey completed about two weeks before the election showed supporters of changing TABOR had a 47-44 lead, within the margin of error of 4 percentage points.

Undecided voters are now the target of both sides, Ciruli said.

"Every argument has been made, we have been debated to death. What's left is silliness," he said.

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- 7:00 – 8:00 **Public Input**

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NAT'L □ INTNAT'L

Mile High City weighs easing marijuana laws

BY MEGAN MCCLOSKEY

Associated Press Writer

DENVER — The nickname Mile High City could soon take on an entirely new connotation.

Denver voters will decide Tuesday whether it will be legal for adults over 21 to possess up to an ounce of marijuana. Seattle, Oakland, Calif., and a couple of college towns already have laws making individual possession the lowest law enforcement priority.

Supporters in Denver have launched a "Make Denver Safer" campaign that contends the change will help curb domestic violence because adults will opt for pot over alcohol.

"There's no doubt that if people choose to use marijuana instead of alcohol we would not have the same number of problems," said Mason Tvert, the 23-year-old campaign organizer.

The argument has angered local officials.

"It's a deceptive and deceitful campaign," said Councilman Charlie Brown, who spent a recent Saturday night ripping the signs up from public parks and medians — where they are banned — and throwing them in the garbage. "Domestic violence is not on the ballot. Alcohol is not on the ballot. Marijuana is on the ballot."

Despite the attention the campaign has

drawn, critics of the proposal are quick to point out that a "yes" vote won't matter much. City police will simply file marijuana possession charges under state law, which carries up to a \$100 fine and a mandatory \$100 drug offender surcharge fine, said David Broadwell, a Denver assistant attorney.

From 2002 to August of this year, some 6,800 people in Denver were charged with possession of less than one ounce of marijuana, according to the city attorney's Office. Of those, only 74 were charged under the city ordinance. Authorities say an ounce can be used to make about 60 joints, or marijuana cigarettes.

"The initiative isn't going to change the way we do business. Ninety-eight percent are charged with state penalties. If the ballot initiative is approved then it will be 100 percent of cases," said Vince DeCroce, director of prosecution for the attorney's office.

Tvert argues that the vote is more about changing the image of marijuana than anything else.

"All you hear is that marijuana is the devil and it's going to cause you to ruin your life," Tvert said. "And that's not true. What is it about adult marijuana users that is so scary?"

The campaign in Denver is only part of larger plan to move the state to a system of taxation and regulation for the drug, Tvert said.

Some Iraqis sympathize with the U.S. as war death toll surpasses 2,000 mark

BY THOMAS WAGNER

Associated Press Writer

BAGHDAD, Iraq — Some Iraqis sympathized with U.S. forces on Wednesday as the American death toll in the Iraq war surpassed 2,000. Others noted that many more Iraqis had died in the conflict and said they hope the U.S. "occupiers" will soon go home.

The somber milestone was announced on Tuesday, and the total rose to 2,001 on Wednesday when the military announced that a soldier had died the day before in a vehicle accident near Camp Bucca, a U.S. detention center in southern Iraq.

Four militants hiding behind a mosque shot and killed a government official as he drove to work Wednesday, and an Internet statement claimed Al-Qaida in Iraq has abducted two Moroccan embassy employees.

Suspected insurgents also gunned down two Iraqi policemen in the western city of Ramadi and two Iraqi soldiers in Tarmiyah, 30 miles north of the capital.

The U.S. Senate on Tuesday observed a moment of silence in honor of the fallen Americans.

"We owe them a deep debt of gratitude for their courage, for their valor, for their strength, for their commitment to our country," said Republican Majority Leader Bill Frist.

The milestone came amid growing doubts among the U.S. public about the Iraq conflict, launched in March 2003 to destroy Saddam Hussein's alleged weapons of mass destruction. None was ever found.

In Iraq, many people heard of the 2,000

figure on Arab satellite TV channels such as Al-Jazeera and Al-Arabiya.

Some Iraqis complained that the attention was misguided because far more Iraqis have died in the conflict than Americans. No one knows an exact number of Iraqi deaths, but there is some consensus that an independent count of roughly 30,000 is a relatively credible tally of Iraqi civilian deaths.

An Associated Press count of war-related Iraqi deaths from the time Iraq's elected government took office on April 28 through Tuesday found at least 3,870 Iraqi deaths in that period alone.

More than two-thirds were civilians while the rest were Iraqi security personnel.

"I hope the number of Americans who die goes even higher," said Omar Ahmed, 36, the Sunni Arab owner of an electricity shop in Dora, one of the most violent parts of Baghdad.

Nearby, Ali al-Obeidi, a 28-year-old Sunni Arab, said he hoped the U.S. losses would prompt the United States to leave Iraq.

"It makes me happy," he said about the grim 2,000 dead soldiers milestone. "They're an occupation force."

Al-Obeidi said the number pales in comparison to the thousands of dead Iraqis. "The Iraqis are my brothers. We saw nothing good from the Americans. They hurt us and their presence in Iraq is to blame for all the Iraqi deaths."

Such feelings are not shared by many of Iraq's majority Shiites, who were freed from the oppression and discrimination that they suffered under Saddam.

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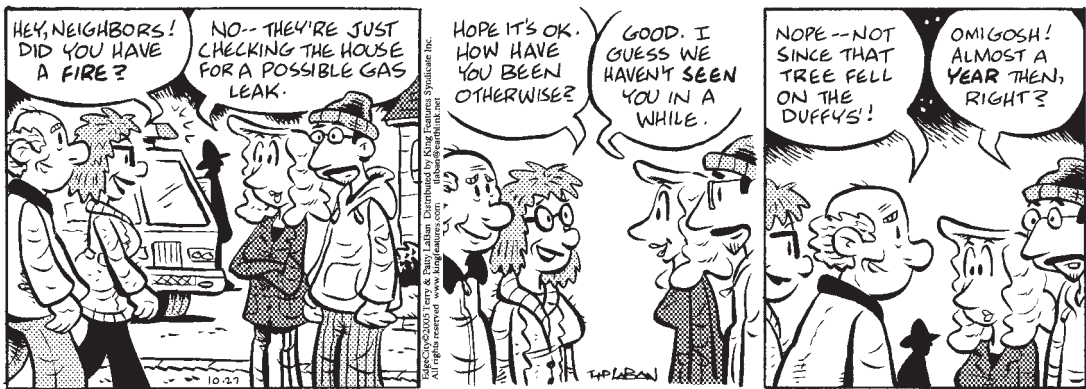
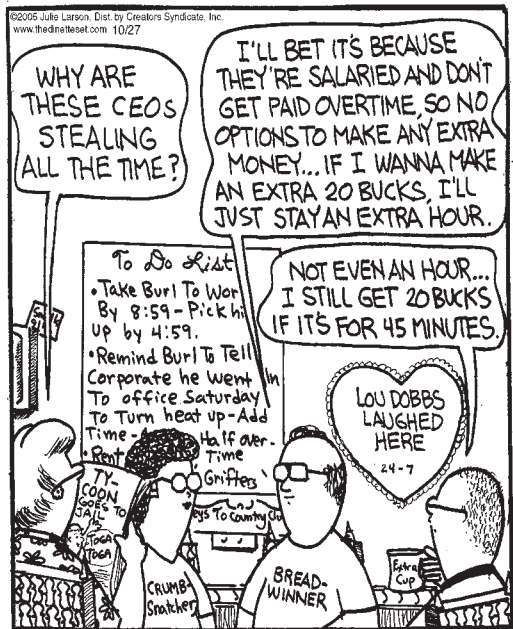
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COMICS

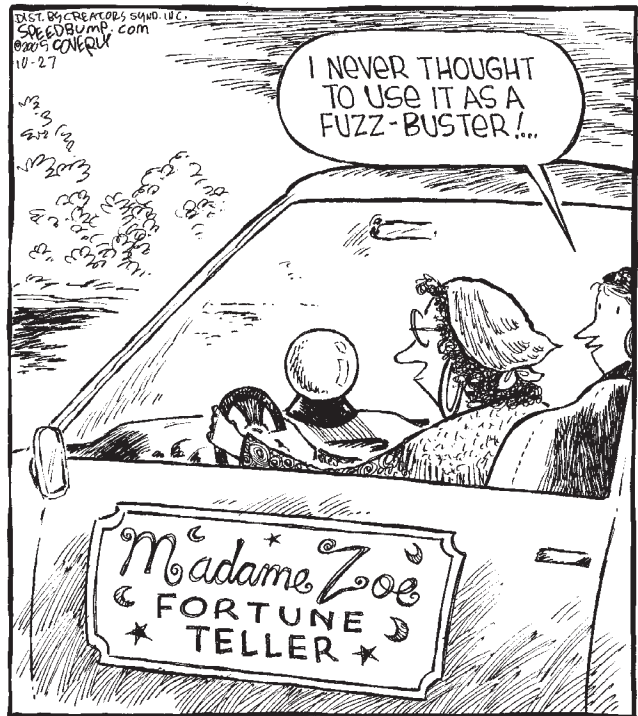
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ACROSS

- 1 Bring together
- 6 Fixed proportion
- 11 Servant
- 12 Single
- 13 Ostracize
- 14 Suffered
- 15 Exertion
- 17 B&B
- 19 Feign
- 20 Express despair
- 23 City on the Po
- 25 Basilica part
- 26 CBS reality series, with "The"
- 28 Oxford part
- 29 Daytona 500 org.
- 30 Horace creation
- 31 Write hastily
- 32 Hosp. sections
- 33 Wedding item
- 35 Highest capital in the world
- 38 Washington's successor
- 41 Filled with excited talk
- 42 Confectioner's plant
- 43 "Our Gang" dog

44 Correct

DOWN

- 1 St.'s kin
- 2 Painter Ernst
- 3 UFO fliers
- 4 Egotist's focus
- 5 Gwen of No Doubt
- 6 Milk buy
- 7 Group
- 8 Athena's symbol
- 9 Links area
- 10 Say more
- 16 Actor Carroll
- 17 Writer Calvino
- 18 Wanderer
- 20 US/USSR competition
- 21 Academy Award
- 22 Saloon orders
- 24 Verb ending
- 25 Horace's "—"
- 27 1997 Uma Thurman film
- 31 Bebop adjective

P	R	A	T	E			P	L	O	T
H	U	R	O	N			P	R	O	M
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C	R	A	N	K		A	M	O	R	E
S	A	N	D			B	O	Y	E	R

Yesterday's answer

- 21 Academy Award
- 22 Saloon orders
- 24 Verb ending
- 25 Horace's "—"
- 27 1997 Uma Thurman film
- 31 Bebop adjective
- 33 Intent look
- 34 Kind of cheese
- 35 Napkin site
- 36 Jurist — Fortas
- 37 Deposit
- 39 Game piece
- 40 Lawn makeup

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